Z15-0002/P15-0006/PD15-0004/S17-0015 EXHIBIT G
(DRAFT) RESOLUTION TO CERTIFY FINAL EIR, ADOPT CEQA FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Resolution Certifying the Final Environmental Impact Report (SCH #2017072027) for the Montano De El Dorado Phase I and II Master Plan Project
(El Dorado County Files Nos. Z15-0002/P15-0006/PD15-0004/S17-0015), Adopting CEQA Findings, and Adopting the Mitigation Monitoring and Reporting Program

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et seq.), the County of El Dorado (the "County") has prepared an Environmental Impact Report ("EIR") (SCH #2017072027) for the Montano De El Dorado Phase I and II Master Plan Project (the "Project"); and

WHEREAS, the Project would be constructed on an approximately 20.1-acre site, located approximately 0.5 miles south of U.S. Highway 50 on the east side of Latrobe road at the intersection with White Rock Road in the El Dorado Hills area; and

WHEREAS, the Project proposes the following discretionary approvals: Rezone (Z15-0002), Tentative Parcel Map (P15-0006), Planned Development (PD15-0004) and Conditional Use Permit (S17-0015); and

WHEREAS, the Project proposes to allow outdoor special events and office uses at the existing commercial center (Montano De El Dorado Master Plan Phase I) containing a combined total of 39,645 square feet of existing commercial floor area with five buildings on four existing parcels and to construct a second phase of the commercial center (Montano De El Dorado Master Plan Phase II) consisting of nine additional commercial buildings on 11 additional parcels with a combined total of approximately 80,000 square feet of new retail, restaurant, commercial and office uses, a 55,136 square foot, 100-room hotel, a small community pavilion and on-site parking, lighting, signage and landscaping; and

WHEREAS, on July 14, 2017, the County distributed a Notice of Preparation ("NOP") of the Draft Project Environmental Impact Report ("DEIR") for a 30-day review period to affected public agencies, organizations and interested parties and also mailed a Notice of Availability ("NOA") to all individuals located within one mile of the project boundaries; and

WHEREAS, on August 3, 2017, a noticed EIR scoping session was held at the fire station in El Dorado Hills, California, to provide provide Project information and receive written and verbal comments from the public and interested parties regarding the scope and content of the Project EIR; and

WHEREAS, on October 1, 2018, the County recirculated the NOP for an additional 30-day period due to changes in the Project since release of the original NOP, including minor changes to requested entitlements and the addition of outdoor special events; and

WHEREAS, comments received by the County on both the original and recirculated NOPs were taken into account during preparation of the DEIR for the Project; and

WHEREAS, on May 29, 2020, the County released an NOA for the DEIR, and the requisite number of copies of the DEIR, were delivered to the State Clearinghouse and mailed to affected public agencies, organizations, and interested parties; and

WHEREAS, copies of the NOA were mailed to all individuals located within one mile of the project boundaries, and the DEIR and the NOA were posted electronically on the County's website, and hard copies were made available for public review at the Planning and Building Department in Placerville, California, and the El Dorado County Main Library and West Slope Branches; and

WHEREAS, the County conducted a 60-day public review and comment period for the DEIR, which ended on July 28, 2020; and

WHEREAS, on June 25, 2020, and therefore during the DEIR comment period, the El Dorado County Planning Commission ("Planning Commission") held a study session and public hearing on the DEIR, for the purpose of discussing the DEIR and receiving public comments on the document; and

WHEREAS, written comments were submitted during the DEIR comment period by public agencies and members of the public, and after consideration thereof, written responses were prepared for said comments; and

WHEREAS, the Final EIR for the Project consists of the DEIR, the appendices thereto, the comments on the DEIR, written Responses to said Comments, and certain revisions to the DEIR, all of which documents constitute and shall be collectively referred to herein as the "Final EIR"; and

WHEREAS, on ADD DATE, 2021, the Final EIR, which included written responses to the public and agency comments, was released to the public and posted on the County's website. Upon request, this document was sent by mail to the commenting public agencies and the member(s) of the public in a manner such that public agencies and members of the public received it at least ten (10) days before action was taken by the County with respect to the Final EIR and the Project; and

WHEREAS, on ADD DATE, 2021, the Final EIR was also filed with the State Clearinghouse; and

WHEREAS, CEQA Findings of Fact and Statement of Overriding Considerations as well as a Mitigation Monitoring and Reporting Program ("MMRP") have been prepared in accordance with Sections 15074(d), 15091 and 15093 of the CEQA Guidelines, attached hereto as Exhibits "A" (CEQA Findings of Fact and Statement of Overriding Considerations) and "B" (Mitigation Monitoring and Reporting Program), respectively, and are proposed for adoption; and

WHEREAS, on February 25, 2021, the Planning Commission held a duly noticed public hearing, pursuant to CA Government Code Sections 65090-65096 as applicable, to review and consider and receive testimony on the Final EIR and the Project; and;

WHEREAS, On February 25, 2021, the Planning Commission received and considered verbal presentations and a written Staff Report and Exhibits related to the Project and the Final EIR from County staff and other interested parties, and said documents were independently reviewed and considered by the Planning Commission; and the Commission carefully reviewed and considered the Project, the Final EIR and all public comments on the Project and the Final EIR; and

WHEREAS, the Planning Commission, after considering all of the evidence presented and based upon substantial evidence, and on the basis of the whole record before it, recommended that the Board of Supervisors certify the Final EIR, adopt CEQA Findings of Fact and Statement of Overriding Considerations, adopt the MMRP, and approve the Project; and

WHEREAS, in accordance with state law and local ordinance, County staff has given due notice of the Board of Supervisors' public hearing regarding the Project and the Final EIR; and

WHEREAS, on (ADD DATE), the Board of Supervisors held its public hearing to consider the Project and received verbal presentations and a written Staff Report and Exhibits from County staff and other interested parties, and said documents were independently reviewed and considered by the Board; and

WHEREAS, the Board reviewed and considered the information presented in the Final EIR and other relevant evidence to determine compliance with CEQA, the State CEQA Guidelines, and the County's procedures for implementing CEQA, and the Board, prior to taking action on the Project, independently reviewed and considered the information contained in the Final EIR and other relevant evidence; and

WHEREAS, based on the Board's exercise of its independent judgment when reviewing and considering the information in the Final EIR and other relevant evidence presented to the Board, the Board finds that the Final EIR prepared for the Project is adequate, and said Final EIR has been prepared and completed in compliance with CEQA, the State CEQA Guidelines, and the County's procedures for implementing CEQA; and

WHEREAS, on (ADD DATE), the Board completed its deliberations, and accepted the Planning Commission's recommendation for the Project, and now desires to certify the Final EIR for the Project; make Environmental Findings of Fact; adopt a Statement of Overriding Considerations; and approve the Mitigation Monitoring and Reporting Program; and

WHEREAS, the Final EIR identifies certain significant and unavoidable environmental impacts caused by the Project; and

WHEREAS, the Board desires, in accordance with CEQA, to declare that, despite the occurrence of significant environmental impacts that cannot be substantially lessened or avoided through the adoption of feasible mitigation measures or feasible alternatives, there exist certain overriding economic, social, and other considerations for approving the Project that the Board believes justifies the occurrence of those impacts.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the County of El Dorado Board of Supervisors finds as follows:

1. Pursuant to Section 15090 of the CEQA Guidelines, the Board of Supervisors hereby certifies that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the Board, and the Board reviewed and considered the information contained in the Final EIR prior to approving the Project; and c) the Final EIR reflects the independent judgment and analysis of the Board of Supervisors of the County of El Dorado.

2. As set forth in Sections 15043, 15091 and 15093 of the CEQA Guidelines, a public agency may approve a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that: (a) There is no feasible way to lessen or avoid the significant effect and (b) Specifically identified expected benefits from the project outweigh the policy of reducing or avoiding significant environmental impacts of the project. The Board of Supervisors hereby makes the decision to approve the Project with the findings and considerations as set forth more fully in Exhibit A (CEQA Findings of Fact and Statement of Overriding Considerations).

3. Exhibit A of this Resolution, Section No. 1 (Findings of Fact), provides findings of fact required under Section 15091 of the CEQA Guidelines for significant effects of the Project, feasibility of mitigation measures, and feasibility of alternatives. The Board of Supervisors hereby adopts these various Findings of Fact attached hereto and incorporates said findings herein by reference.

4. The Board of Supervisors has considered three Project alternatives as discussed in Exhibit A of this Resolution, Section No. 1 (Findings of Fact) attached hereto and incorporated by reference, including the following: 1) A No Project/No Development Alternative, 2) A Modifications of Special Events

Alternative and 3) A Reduced Development Alternative and found that the Project alternatives are infeasible for the reasons described in the Findings of Fact. The Board of Supervisors has concluded based on substantial evidence in the record that the Project alternatives would not achieve project objectives, and as proposed, would not avoid specified significant and unavoidable environmental impacts as discussed in Exhibit A.

5. Exhibit A of this Resolution, Section No. 2 (Statement of Overriding Considerations) also provides the findings required under Section 15093 of the CEQA Guidelines relating to accepting adverse impacts of the Project due to overriding considerations. The Board of Supervisors has balanced the economic, legal, social, technological, and other benefits of the Project against the unavoidable adverse environmental effects. The Board, therefore, finds the economic, legal, social, technological, and other benefits of the project outweigh the adverse environmental effects of the Project; therefore, the adverse environmental effects are deemed to be "acceptable" and the Board hereby adopts the Statement of Overriding Considerations attached hereto and such findings and statement are incorporated herein by reference.

6. Exhibit B of this Resolution provides a Mitigation Monitoring and Reporting Program ("MMRP"), as required by Section 21081.6 of the Public Resources Code, requiring the Board of Supervisors to adopt a monitoring or compliance program to ensure mitigation measures imposed to lessen or avoid significant effects on the environment will be implemented. The Board of Supervisors hereby adopts the MMRP, attached hereto as Exhibit B and incorporated herein by reference, because it fulfills the following CEQA mitigation monitoring requirements:

   a. The MMRP has been designed to ensure compliance with the changes in the project and mitigation measures imposed on the project during project implementation; and
   b. Measures to mitigate or avoid significant effects on the environment are fully enforceable through conditions of approval, permit conditions, agreements, or other measures.

7. The Clerk of the El Dorado County Board of Supervisors, located at 330 Fair Lane, Placerville, California, is the custodian of the documents and other materials which constitute the record of proceedings upon which the Board's decision is based.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the _____ day of _____, 21__, by the following vote of said Board:

Ayes:
Noes:
Absent:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

_____
Chair, Board of Supervisors

Exhibits Attached:

A: CEQA Findings of Fact and Statement of Overriding Considerations
B: Mitigation Monitoring and Reporting Program

EXHIBIT A

CEQA Findings of Fact and
Statement of Overriding Considerations for the

Montano De El Dorado Phase I and II Master Plan

Prepared for:

El Dorado County Planning and
Building Department, Planning Services

2850 Fairlane Court
Placerville, CA 95667

Contact:

Tom Purciel
project Planner

Prepared by:

Ascent Environmental, Inc.
455 Capitol Mall, Suite 300
Sacramento, CA 95814

Contact:

Pat Angell
project Manager

January 2021

EXHIBIT A

EXHIBIT A

TABLE OF CONTENTS

This page intentionally left blank.

1 FINDINGS OF FACT

1.1 INTRODUCTION

1.1.1 Purpose

This statement of Findings of Fact (Findings) and Statement of Overriding Considerations addresses the environmental effects associated with the El Dorado County (County) Montano De El Dorado Phase I and II Master Plan (project). These Findings are made pursuant to the California Environmental Quality Act (CEQA) under Sections 21081, 21081.5, and 21081.6 of the Public Resources Code and Sections 15091 and 15093 of the CEQA Guidelines, Title 14, Cal. Code Regs. 15000, et seq (CEQA Guidelines). The potentially significant impacts were identified in both the Draft Environmental Impact Report (EIR) and the Final EIR.

Public Resources Code Section 21081 and Section 15091 of the CEQA Guidelines require that the lead agency prepare written findings for identified significant impacts, accompanied by a brief explanation for the rationale for each finding. The County is the lead agency responsible for preparation of the EIR in compliance with CEQA and the CEQA Guidelines. Section 15091 of the CEQA Guidelines states, in part, that:

a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

   1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

   2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

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

In accordance with Public Resource Code Section 21081 and Section 15093 of the CEQA Guidelines, whenever significant impacts cannot be mitigated to below a level of significance, the decision-making agency is required to balance, as applicable, the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable." In that case, the decision-making agency may prepare and adopt a Statement of Overriding Considerations, pursuant to the CEQA Guidelines.

Section 15093 of the CEQA Guidelines state that:

a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The Final EIR for the project identified potentially significant effects that could result from project implementation. However, the County finds that the inclusion of certain mitigation measures as part of the project approval will reduce most, but not all, of those effects to less than significant levels. Those impacts that are not reduced to less than significant levels are identified and overridden due to specific project benefits in a Statement of Overriding Considerations.

In accordance with CEQA and the CEQA Guidelines, the County adopts these Findings as part of its certification of the Final EIR for the project. Pursuant to Section 21082.1(c)(3) of the Public Resources Code, the Board of Supervisors also finds that the Final EIR reflects the County Council's independent judgment as the lead agency for the project. As required by CEQA, the County, in adopting these Findings, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the project. The County finds that the MMRP, which is incorporated by reference and made a part of these Findings, meets the requirements of Section 21081.6 of the Public Resources Code by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

1.1.2 Organization and Format of Findings

Section 1.1, Introduction, contains a summary description of the project and background facts relative to the environmental review process.

Section 1.2 discusses the CEQA findings of independent judgment. Section 1.2.1 identifies the project's potential environmental effects that were determined not to be significant and were not addressed in detail in the EIR. Section 1.2.2 describes the environmental effects determined to be less than significant in the EIR. Section 1.2.3 identifies the potentially significant effects of the project that would be mitigated to a less than significant level with implementation of the identified mitigation measures. Section 1.2.4 of these Findings identifies the significant impacts of the project that cannot be mitigated to a less than significant level, even though all feasible mitigation measures have been identified and incorporated into the project.

Section 1.3 identifies the feasibility of the project alternatives that were studied in the EIR.

Section 1.4 discusses findings with respect to mitigation of significant adverse impacts, and adoption of the mitigation, monitoring, and reporting program (MMRP).

Section 1.5 describes the certification of the Final EIR.

Section 2.0 contains the statement of overriding considerations providing the County's views on the balance between the project's significant environmental effects and the merits and objectives of the project.

1.1.3 Summary of project Description

The proposed Montano De El Dorado Phase I and II Master Plan 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.

1.1.4 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.

1.1.5 Environmental Review Process

NOTICE OF PREPARATION

In accordance with CEQA (PRC Section 21092) and the State CEQA Guidelines (14 CCR Section 15082), the County issued a notice of preparation (NOP) on July 14, 2017, to inform agencies and the general public that an EIR was being prepared and to invite comments on the scope and content of the document (Appendix A). The NOP was submitted to the State Clearinghouse. In addition, the NOP was distributed directly to public agencies (including potential responsible and trustee agencies) and interested parties and a Notice of Availability was mailed to residences within a one-mile radius of the project site. The NOP was circulated for a 30-day review period, with comments accepted between July 14, 2017 and August 14, 2017. In accordance with CCR Section 15082 (c), a noticed scoping session for the EIR occurred on August 3, 2017, in the El Dorado Hills Fire Station.

On October 1, 2018, the County recirculated the NOP due to changes in the project since release of the previous NOP in 2017. Changes included project entitlements and the addition of outdoor events. The recirculated NOP was distributed in the same manner as the original NOP and is also included in Appendix A of the Draft EIR. The recirculated NOP was circulated for public review for 30 days, with the public comment period ending on October 31, 2018.

DRAFT EIR

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, comments were received from agencies, organizations, and individuals on the content of the Draft EIR. Chapter 2, "Responses to Comments," of the Final EIR identifies these commenting parties, identifies their respective comments, and presents responses to these comments. None of the comments received, or the responses provided, constitute "significant new information" as defined by State CEQA Guidelines CCR Section 15088.5.

FINAL EIR

Section 15088 of the State CEQA Guidelines requires that the Lead Agency responsible for the preparation of an EIR evaluate comments on environmental issues and prepare written response addressing each of the comments. The intent of the Final EIR is to provide a forum to address comments pertaining to the information and analysis contained within the Draft EIR, and to provide an opportunity for clarifications, corrections, or revisions to the Draft EIR as needed and as appropriate.

In accordance with State CEQA Guidelines Section 15132, the Final EIR for the proposed project consists of: (i) the Draft EIR and subsequent revisions; (ii) comments received on the Draft EIR; (iii) a list of the persons, organizations, and public agencies commenting on the Draft EIR; (iv) written responses to significant environmental issues raised during the public review and comment period and related supporting materials; and, (v) other information contained in the EIR, including EIR appendices.

The Final EIR was released in January 2021 and was made available for review by commenting public agencies, in accordance with CEQA requirements. The Final EIR was also made available to the public online at https://www.edcgov.us/Government/planning.

1.2 CEQA FINDINGS OF INDEPENDENT JUDGMENT

1.2.1 Effects Determined Not to Be Significant

Section 15128 of the State CEQA Guidelines requires an EIR to contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were, therefore, not discussed in detail in the EIR. As such, implementation of the project was determined to result in no potentially significant impacts related to the following issues and, consequently, these issues were not discussed in detail in the EIR.

- Aesthetics (scenic vistas and state scenic highway): A scenic vista is generally considered to be a location from which the public can experience unique and exemplary high-quality views—typically from elevated vantage points that offer panoramic views. Latrobe Road adjacent to the project site is identified as an important scenic viewpoint for its views of rolling hills and occasional views of the Sacramento Valley to the west. However, the project site is not located within this scenic vista. The visual character of the site is that of undeveloped nonnative grasslands and its visual context is also greatly influenced by surrounding development (i.e., suburban, and commercial buildings, roadways, and associated infrastructure). Views of the site are not unique to vacant lots within and near El Dorado Hills and do not constitute a scenic vista.

  The project site is not located within view of a state scenic highway. The nearest highways subject to this program are located approximately 12 miles east of the project site: State Route 49, an Eligible Designated State Scenic Highway, and a segment of U.S. Route 50 that is an Officially Designated State Scenic Highway. (pg. 3.1-10 of the Draft EIR)
- Agriculture and Forestry Resources: On the California Department of Conservation Important Farmland Map, the project site is designated as Grazing Land and surrounded by Urban and Built-Up Land with the exception of Grazing Land located east of the project site and Latrobe Road. No recent agricultural or grazing uses have occurred on the site and the site has remained inactive. The site does not contain soils designated as Important Farmland (i.e., Prime Farmland, Unique Farmland or Farmland of Statewide Importance), is not zoned for agricultural uses, and is not enrolled in a Williamson Act contract. The project site also does not contain any forest conditions. Thus, the project would have no impact on agricultural and forest resources. (pg. 1-5 of the Draft EIR)
- Air Quality (naturally occurring asbestos): Impacts related to the disturbance of naturally occurring asbestos (NOA) are not significant because the project site is not located in an area identified as likely having NOA or being within a quarter mile buffer of areas likely to have NOA. (pg. 3.2-16 of the Draft EIR)
- Biological Resources (sensitive natural community or any riparian habitat): No portion of any sensitive natural community or any riparian habitat occur within the project site. (pg. 3.3-13 of the Draft EIR)
- Biological Resources (wetlands): The project site does not contain any aquatic habitat, including wetlands, ponds, irrigation ditches, or streams. (pg. 3.3-13 of the Draft EIR)
- Biological Resources (consistency with local policies and ordinances): The El Dorado County General Plan and Oak Resources Management Plan provide protection for natural resources such as aquatic habitat, oak woodlands, and sensitive plant species known as the Pine Hill endemics. The project site does not contain aquatic habitat, trees, suitable habitat for Pine Hill endemic plant species, or any other natural resources outlined in these plans. Therefore, there would be no conflict with local plans or policies. (pg. 3.3-13 of the Draft EIR)
- Biological Resources (consistency with adopted habitat conservation plans): No adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan applies to the project site. (pg. 3.3-14 of the Draft EIR)
- Cultural Resources (historic resources): No historic resources were identified on the project site. Therefore, project construction and operation would have no impact on historical resources. (pg. 3.4-6 of the Draft EIR)
- Energy (offsite infrastructure improvements): Electrical and natural gas facilities are located along the White Rock Road and existing in Phase I of the overall site. No offsite infrastructure improvements that could trigger environmental impacts would occur. (pg. 3.5-7 of the Draft EIR)
- Geology and Soils (expansive soils): Expansive soils can absorb significant amounts of water and make the soil prone to large changes in volume in response to changes in water content. Repeated change in volume

over time can produce enough force and stress on buildings, underground utilities, and other structures to damage foundations, pipes, and walls. However, the Geotechnical Engineering Study Update prepared for the project did not identify potentially expansive soils on the site. Therefore, no impact is expected. (pg. 3.6-7 of the Draft EIR)

- Geology and Soils (septic systems): The project would connect into the El Dorado Irrigation District public wastewater treatment conveyance facilities and would not involve the construction and operation of a septic or alternative wastewater disposal system. Thus, no impact is expected. (pg. 3.6-7 of the Draft EIR)
- Geology and Soils (paleontological resources): The project site geologic conditions would not support paleontological resources. Thus, no impact is expected. (pg. 3.6-7 of the Draft EIR)
- Hazards and Hazardous Materials (exposure to hazardous materials and contamination): The Phase I Environmental Site Assessment did not identify the presence or likely presence of hazardous substances or petroleum products on the Phase II portion of project site due to a past release or conditions that pose a material threat of a future release to the environment. The Phase I included query of: the State Water Resources Control Board's database, which identified two permitted underground storage tanks within 0.5 mile of the project site that are not considered to pose a risk; the California Department of Toxic Substances Control Board's Envirostor database, which did not return any records within 1 mile of the project site; and the Environmental Management Department for El Dorado County, which concluded that there are no records (list of hazardous materials sites pursuant to Government Code Section 65962.5) associated with the project site. (pg. 3.8-6 of the Draft EIR)
- Hazards and Hazardous Materials (use of hazardous materials within 0.25 miles of a school): The project is located within 0.25 miles of new John Adams Academy Charter School at 4250 Town Center Boulevard. However, the project would not handle hazardous or acutely hazardous materials, substances, or waste. (pg. 3.8-6 of the Draft EIR)
- Hazards and Hazardous Materials (airport hazards): The Cameron Airpark Airport is located approximately 5 miles northeast of the project site. The project site is not within the Airport Influence Area of the Cameron Park Airport established in the Land Use Compatibility Plan and would not result in a safety hazard. (pg. 3.8-6 of the Draft EIR)
- Hydrology and Water Quality (groundwater): The project would not use groundwater for its water supply needs. The applicant has proposed that potable water be supplied to the project site by El Dorado Irrigation District (EID). EID's existing water supplies include surface water and recycled water; EID does not use groundwater. Although project construction would result in new impervious surfaces, low impact development (LID) and water quality treatment BMPs used in the project design to treat stormwater runoff would include rooftop and impervious area disconnection, bioretention facilities and Filterra stormwater quality units. The project is not anticipated to significantly affect groundwater quality because this proposed stormwater infrastructure would sufficiently detain and infiltrate stormwater runoff and prevent long-term water quality degradation. Therefore, project construction and operation would have no impact on groundwater resources. (pg. 3.9-9 of the Draft EIR)
- Hydrology and Water Quality (flood hazards): The project site is not located in a flood hazard area or area subject to dam failure (El Dorado County 2003). In addition, according to the Federal Emergency Management Agency Flood Insurance Rate Map for the project vicinity, the project site is not located within the 100-year or 500-year floodplain. Therefore, project implementation would not place buildings and structures in a 100-year flood hazard area that would redirect flood flows. Furthermore, the project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. Thus, the project would have no impact to exposure to flood hazards. (pg. 3.9-9 of the Draft EIR)
- Hydrology and Water Quality (seiche or tsunami impacts): Because of the distance from the nearest open waterbody, the Pacific Ocean (more than 80 miles to the west), and the elevation of the site, the proposed project would not be affected by inundation as a result of seiche or tsunami. (pg. 3.9-9 of the Draft EIR)
- Hydrology and Water Quality (mud flow impacts): The project site would be graded as part of the project, and there would be no steep areas on the project site that would have the potential to generate mudflows during operation. There are no features nearby at risk of mudflow that could affect the project site. Therefore, the project would have no impact related to mudflow. (pg. 3.9-9 of the Draft EIR)
- Land Use and Planning: The project site includes existing retail uses (Phase I) and vacant land designated for commercial use. The project site is within an area characterized by a mix of commercial and residential

development. Development of Phase II would not divide an established community as the project would not interfere with existing circulation in the area. (pg. 1-5 of the Draft EIR)

The project site is currently zoned Regional Commercial – Design Control (CR-DC). The project would rezone the site to Regional Commercial – Planned Development (CR-PD). The CR zone provides for large-scale retail services for a regional trade area. The CR zone applies to regional shopping centers that serve a market beyond the community and are located along arterials and at major intersections that provide convenient automobile access. The Design Control and Planned Development designations are combining zone designations within the CR zoning. The DC combining zone includes standards and site review procedures. The PD combining zone implements the General Plan by providing innovative planning and development techniques that allow the use of flexible development standards; provide for a combination of different land uses which are complimentary, but may not in all aspects conform to the existing zoning regulations; allow clustering of intensive land uses to minimize impacts on various natural resources; avoid cultural resources where feasible; promote more efficient utilization of land; reflect the character, identity and scale of local communities; protect suitable land for agricultural uses; and minimize use compatibility issues and environmental impacts. For both the DC and the PD combining zones, allowed uses are consistent with the base zoning. In this case, the base zoning for the project site would remain CR and only the combining zone designation would change. Thus, the project would be consistent with existing zoning and would not conflict with adopted land use policies, plans, or ordinances. (pg. 1-5 of the Draft EIR)

- Mineral Resources: The California Geologic Survey has mapped mineral and mineral aggregate resources in El Dorado County. The MZ-3a(v) designation covers the site and the surrounding area, a designation defined as areas containing known mineral occurrences of undetermined mineral resource significance for deposits formed by volcanogenic processes. For other minerals, the site is designated MRZ-4, defined as areas of unknown mineral resource significance. The County General Plan does not indicate the project vicinity is within an important mineral resource area. No mineral extraction operations exist at the property and there are no oil and gas extraction wells within or in the vicinity of the property. Therefore, no impact to mineral resources of significance would occur and this issue is not discussed further in the EIR. (pg. 1-5 of the Draft EIR)
- Noise (airport noise): Cameron Airpark, a small private airport, is located approximately 5 miles to the northeast of the project site. Mather Airfield, McClellan Airfield, and Placerville Airport are all more than 10 miles from the project site. There are no private airstrips or public airports within close proximity to the project area. The project would include new commercial development and would be located 5 miles from the nearest airstrip or airport. Further, the project site is not within the any airport noise contours or safety zones and, therefore, the project would not result in people residing in close proximity to the airports and there would be no impact. (pg. 3.10-15 of the Draft EIR)
- Population and Housing: The project would include the construction and operation of new commercial business, including a hotel and retail space, as an extension of the existing Phase I. The project would not include any residential uses and would therefore not increase population in the area. Furthermore, the types of uses are such that employees would likely be from the surrounding community instead of requiring specialized labor to relocate from other areas. Because the project site is currently vacant, project implementation would not displace existing housing or people. Thus, the project would have no impact on population and housing. (pg. 1-6 of the Draft EIR)
- Libraries, Public Schools, and Recreation: The project does not include any dwelling units or other uses that would be expected to generate new residents in the area. Generally, impacts related to schools, parks, and libraries are based on the number of residents served. Thus, if the project would not generate new residents, there would be no impacts on existing schools, parks, or libraries. Thus, the project would have no impact on these issue areas. (pg. 1-6 of the Draft EIR)
- Transportation/Traffic (roadway design): All roadway improvements associated with development of the project would be constructed in accordance with applicable County design and safety guidelines. Thus, the project would not increase hazards because of a design feature or incompatible uses. Therefore, no impact to roadway design safety would occur. (pg. 3.12-4 of the Draft EIR)
- Utilities and Service Systems (consistency with solid waste regulations): The project would generate solid waste that would be similar in character to that associated with domestic use (e.g., food waste, cardboard) and construction-related waste from grading, clearing, and erecting buildings. Construction and operation of the project would follow all relevant federal, state, and local statues and regulations associated with collection

and disposal of waste generated at the site. Thus, there would be no impact related to violation of solid waste laws and regulations. (pg. 3.13-7 of the Draft EIR)

1.2.2 Less Than Significant Impacts

The County Board of Supervisors finds that, based upon substantial evidence in the record, including information in the Final EIR, the following impacts have been determined be less than significant and no mitigation is required pursuant to Public Resources Code section 21081(a) and CEQA Guidelines section 15091(a):

AESTHETICS

An evaluation of the project's aesthetic impacts is found in Section 3.1, "Aesthetics," of the Draft EIR. 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 (**Impact 3.1-1**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the potential impact related to the project's change in visual character is less than significant, and no mitigation measures are required.

AIR QUALITY

An evaluation of the project's air quality impacts is found in Section 3.2, "Air Quality," of the Draft EIR. Construction and operational generated emissions of criteria air pollutants and precursors would not conflict with the air quality planning efforts in the region or contribute substantially to the nonattainment status of Mountain Counties Air Basin (MCAB) with respect to the national ambient air quality standards (NAAQS) and the California ambient air quality standards (CAAQS) for ozone or the NAAQS for particulate matter (PM_{10} and $PM_{2.5}$) (**Impact 3.2-1** and **Impact 3.2-2**), result in in localized concentrations of carbon monoxide that would violate or contribute substantially to exceedances of the applicable NAAQS or CAAQS (**Impact 3.2-3**), or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people (**Impact 3.2-5**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the potential impacts related to the project's effects from conflicts with or obstructing implementation of an applicable air quality plan and other emissions (such as those leading to odors) adversely affecting a substantial number of people are less than significant, and no mitigation measures are required.

BIOLOGICAL RESOURCES

An evaluation of the project's energy impacts is found in Section 3.3, "Biological Resources," of the Draft EIR. project implementation would include conversion of grassland habitat, which would not substantially impede wildlife movement because the project site is relatively small and surrounded by existing suburban and urban development. The project site does not contain any native wildlife nursery sites (**Impact 3.3-4**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the potential impact related to the project's effects on wildlife corridors and nursery sites is less than significant, and no mitigation measures are required.

CULTURAL AND TRIBAL CULTURAL RESOURCES

An evaluation of the project's energy impacts is found in Section 3.4, "Cultural and Tribal Cultural Resources," of the Draft EIR. Ground-disturbing construction activities could uncover previously unknown human remains. Compliance with California Health and Safety Code Sections 7050.5 and 7052 and California Public Resources Code Section 5097 would make this impact less than significant (**Impact 3.4-2**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the potential impact related to the project's effects on human remains is less than significant, and no mitigation measures are required.

ENERGY

An evaluation of the project's energy impacts is found in Section 3.5, "Energy," of the Draft EIR. Implementation of the project would comply with 2019 Title 24 Building Energy Efficiency Standards, which is designed to reduce the wasteful use of energy by increasing the project's energy efficiently and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency (**Impact 3.5-1** and **3.5-2**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the potential impact related to the project's effects regarding energy is less than significant, and no mitigation measures are required.

GEOLOGY AND SOILS

An evaluation of the project's geology and soils impacts is found in Section 3.6, "Geology and Soils," of the Draft EIR. Implementation of the project would not exacerbate existing seismic hazards and would comply with state and local regulatory design requirements related to seismic hazards (e.g., building codes and other laws and regulations) and is required to comply with County Code and improvement standards for grading and erosion control that are designed to ensure slope and soil stability (**Impact 3.6-1** and **3.6-2**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the potential impacts related to strong seismic shaking, substantial soil erosion or loss of topsoil, and from locating the project facilities on an unstable geologic unit or expansive soils are less than significant, and no mitigation measures are required.

HAZARDS AND HAZARDOUS MATERIALS

An evaluation of the project's hazards and hazardous materials impacts is found in Section 3.8, "Hazards and Hazardous Materials," of the Draft EIR. Implementation of the project would require transport, use, and disposal of hazardous materials during construction and operation that would be managed through adherence to existing regulations and compliance with the safety procedures mandated by applicable federal, state, and local laws and regulations (**Impact 3.8-1**); would not impair implementation of, or interfere with, the County Multi-Jurisdictional Hazard Mitigation Plan and adequate road design for emergency vehicle access and private vehicle evacuation would be provided, as required under General Plan Policy 6.2.3.2 and El Dorado Hills Fire Department Standard #B-003 (**Impact 3.8-2**); and project improvements would reduce the potential for wildland fire conditions as compared to existing undeveloped conditions (**Impact 3.8-3**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the potential impacts related to the routine transport, use, or disposal of hazardous materials, including reasonably foreseeable upset or accidents during construction and operation; or from impairing implementation of, or physically interfering with, an adopted emergency response plan or emergency evacuation plan; and wildland fire are less than significant, and no mitigation measures are required.

HYDROLOGY AND WATER QUALITY

An evaluation of the project's hydrology and water quality impacts is found in Section 3.9, "Hydrology and Water Quality," of the Draft EIR. Implementation of the project would not result in construction water quality impacts from adherence to existing requirements (**Impact 3.9-1**); project proposed drainage improvements would attenuate peak drainage flows to predevelopment conditions (**Impact 3.9-2**); and project's drainage improvements include water quality control features consistent with County standards to address stormwater quality (**Impact 3.9-3**).

Finding
The Board of Supervisors finds that, based upon substantial evidence in the record, the potential impacts related to the project's hydrologic effects are less than significant, and no mitigation measures are required.

NOISE AND VIBRATION

An evaluation of the project's noise and vibration impacts is found in Section 3.10, "Noise and Vibration," of the Draft EIR. project traffic noise increases would not exceed the incremental increase criteria established in Policy 6.5.1.12 of the County General Plan (**Impact 3.10-3**).

Finding
The Board of Supervisors finds that, based upon substantial evidence in the record, the potential impact related to the project's traffic noise increases are less than significant, and no mitigation measures are required.

PUBLIC SERVICES

An evaluation of the project's public service impacts is found in Section 3.11, "Public Services," of the Draft EIR. Implementation of the project is not projected to result in any significant impacts related to construction of new or physically altered fire facilities (**Impact 3.11-1**) or police facilities (**Impact 3.11-2**).

Finding
The Board of Supervisors finds that, based upon substantial evidence in the record, the potential impacts related to the project's effect on fire and police facilities are less than significant, and no mitigation measures are required.

TRANSPORTATION

An evaluation of the project's transportation impacts is found in Section 3.12, "Transportation/Traffic," of the Draft EIR. Implementation of the project would be designed to County and El Dorado Hills Fire Departments standards to accommodate turning requirements for fire apparatus and emergency vehicles (**Impact 3.12-2**) and would not adversely affect existing or planned facilities and would not result in unsafe conditions for transit, bicycle, and pedestrian facilities **(Impact 3.12-3).**

Finding
The Board of Supervisors finds that, based upon substantial evidence in the record, the potential impacts related to the project's effects as it relates to transit facilities; bicycle facilities; pedestrian facilities; and inadequate emergency access are less than significant, and no mitigation measures are required.

UTILITIES AND SERVICE SYSTEMS

An evaluation of the project's utilities and service systems impacts is found in Section 3.13, "Utilities and Service Systems," of the Draft EIR. Extension of these infrastructure facilities would not result in significant environmental effects (**Impact 3.13-1**); sufficient water supply exists to serve buildout of the project under average, dry, and multiple dry years (**Impact 3.13-2**); sufficient wastewater capacity conveyance to serve the project site (**Impact 3.13-3**); and there is sufficient solid waste facilities to meet project needs (**Impact 3.13-4**).

Finding
The Board of Supervisors finds that, based upon substantial evidence in the record, the project's potential impact from extension of infrastructure; water supply; wastewater treatment capacity; and solid waste facilities capacity and solid waste regulations is less than significant, and no mitigation measures are required.

CONTRIBUTE TO CUMULATIVE VISUAL CHARACTER IMPACTS

An evaluation of the project's cumulative hazard impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. The project site is in a suburbanized area of the County that contains residential,

commercial, retail, office, and light industrial uses (see Draft EIR Figures 3.1-1 through 3.1-6). As described in Draft EIR Section 3.1, "Aesthetics," Impact 3.1-1, the change in character of Phase II of the project site, once developed, would be visually compatible with surrounding suburban visual character of the project area. Thus, the project's contribution to substantial changes to visual character impacts would not be cumulatively considerable (**Impact 4-1**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the project's contribution to cumulative visual character impacts would not be cumulatively considerable, and no mitigation measures are required.

CONTRIBUTE TO CUMULATIVE IMPACTS RELATED TO HAZARDS AND HAZARDOUS MATERIALS

An evaluation of the project's cumulative hazard impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. project adherence to existing regulations and compliance with the safety procedures mandated by applicable federal, state, and local laws and regulations would minimize the risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes associated with construction and operations would offset project impacts to cumulative hazards. The project site is not within the Airport Influence Area of the Cameron Park Airport established in the Land Use Compatibility Plan and would not result in a safety hazard or contribute to a cumulative hazard. The project also involves construction of Phase II that would expand the commercial center and provide additional access points along Latrobe Road that would be consistent with General Plan Policy 6.2.3.2 and El Dorado Hills Fire Department Standard #B003. project implementation would not impair implementation of, or interfere with, the County Multi-Jurisdictional Hazard Mitigation Plan.

Thus, the project's contribution to substantial effects related to hazardous materials would not be cumulatively considerable (**Impact 4-7**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the project's contribution to cumulative hazard impacts would not be cumulatively considerable, and no mitigation measures are required.

CONTRIBUTE TO CUMULATIVE IMPACTS RELATED TO WATER QUALITY

An evaluation of the project's cumulative water quality impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. project on-site storm drainage improvements would include LID features, underground stormwater detention piping, and aboveground basins to detain runoff such that pre-development flow volumes are maintained consistent with County water quality requirements identified in Section 3.9.2, "Regulatory Setting." (see Draft EIR Figures 2-13a and 2-13b). These water quality controls have been identified effective in protecting water quality in the California Storm Water Quality Association Industrial and Commercial BMP Handbook and would offset project contributions to cumulative water quality impacts. Preparation of a stormwater pollution prevention plan would offset project construction water quality cumulative impacts through BMPs to prevent increased discharge of sediment at all stages of construction consistent with County standards (**Impact 4-8**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the project's contribution to cumulative water quality impacts would not be cumulatively considerable, and no mitigation measures are required.

CONTRIBUTE TO CUMULATIVE IMPACTS RELATED TO FLOODING

An evaluation of the project's cumulative flooding impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. The project would substantially increase the amount of impervious surfaces on-site that would contribute to increases in flows into the Carson Creek Watershed. To accommodate the increase, the project would include storm drain improvements with on-site drainage facilities, manholes and drain lines designed to collect and convey stormwater to one of the two 24-inch storm drains passing beneath Latrobe Road.

On-site storm drainage would implement a series of LID techniques in conjunction with detention basins and underground stormwater detention piping to detain runoff and mitigate to pre-development flows prior to leaving the site. Therefore, the project's contribution to cumulative increases in flooding would not be cumulatively considerable (**Impact 4-9**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the project's contribution to cumulative flooding impacts would not be cumulatively considerable, and no mitigation measures are required.

CONTRIBUTE TO CUMULATIVE IMPACTS RELATED TO TRAFFIC NOISE

An evaluation of the project's cumulative traffic noise impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. As shown in Draft EIR Table 3.10-13 in Impact 3.10-3, project-related traffic noise level increases under cumulative traffic conditions would be less than 0.5 dB on all of the local roadways. These traffic noise increases would not exceed any of the incremental increase criteria established in General Plan Policy 6.5.1.12. (**Impact 4-11**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the project's contribution to cumulative traffic noise impacts would not be cumulatively considerable, and no mitigation measures are required.

CONTRIBUTE TO CUMULATIVE STATIONARY NOISE IMPACTS

An evaluation of the project's cumulative traffic noise impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. While these project noise impacts were identified as significant, there are no other significant operational noise sources near the project site that would result in a new cumulatively considerable stationary noise impact to single-family residences to the east (including the El Dorado Hills Town Center). Thus, the project's contribution to cumulative stationary noise impacts would not be cumulatively considerable (**Impact 4-12**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the project's contribution to cumulative traffic noise impacts would not be cumulatively considerable, and no mitigation measures are required.

CONTRIBUTE TO CUMULATIVE IMPACTS ON FIRE PROTECTION AND LAW ENFORCEMENT SERVICES

An evaluation of the project's cumulative traffic noise impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. The project would contribute to new commercial development that would incrementally increase the demand for fire protection and law enforcement protection services provide new hotel and retail and office space in El Dorado Hills. The project would not introduce new residences nor increase the population within the County. Because the need for additional fire and law enforcement services or facilities is based on the number of residents, the project would not necessitate the expansion of existing, or construction of new fire and law enforcement facilities under cumulative conditions beyond what is anticipated in the General Plan and considered in the General Plan EIR. Thus, the project's contribution to cumulative law enforcement service impacts would not be cumulatively considerable (**Impact 4-13**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the project's contribution to cumulative public service impacts would not be cumulatively considerable, and no mitigation measures are required.

CONTRIBUTE TO CUMULATIVE WATER SUPPLY IMPACTS

An evaluation of the project's cumulative traffic noise impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. The El Dorado County General Plan EIR evaluated water supply capacity and concluded that buildout of the General Plan would result in a significant and unavoidable impact due to projected water supply shortage. The project is consistent with the land use type designated for the site in the General Plan, and is therefore consistent with the overall water demand projections included in the General Plan EIR. Thus, the project's contribution to cumulative water demands were already considered in the General Plan EIR and would not be cumulatively considerable (**Impact 4-15**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the project's contribution to cumulative water supply impacts would not be cumulatively considerable, and no mitigation measures are required.

CONTRIBUTE TO CUMULATIVE WASTEWATER SERVICE IMPACTS

An evaluation of the project's cumulative traffic noise impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. Buildout of the General Plan land uses would result in an additional 2.80 million gallons per day (mgd) average dry weather flow to the El Dorado Hills Wastewater Treatment Plant (EDHWWTP). A subsequent expansion phase would be implemented to provide the ultimate buildout capacity of 5.45 mgd (EID 2013). According to long-range planning efforts, wastewater treatment plant expansion should be online and operational by the time the influent flow reaches approximately 80 to 90 percent of the plant capacity to provide flexibility to accommodate unforeseen conditions. There is potential that expansion of the EDHWWTP could result in environmental impacts, such as issues associated with biological resources, air quality, and water quality depending on the scope and extent of an expansion. The project's contribution to the demand for wastewater facilities would not be the sole reason for WWTP expansion. Thus, the project's contribution to cumulative wastewater service impacts would not be cumulatively considerable (**Impact 4-16**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the project's contribution to cumulative wastewater serve impacts would not be cumulatively considerable, and no mitigation measures are required.

CONTRIBUTE TO CUMULATIVE SOLID WASTE IMPACTS

An evaluation of the project's cumulative traffic noise impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. As addressed in Draft EIR Impact 3.13-4, the project would generate 438 tons of waste annually or 1.2 tons of waste each day. This represents approximately 0.3 percent of the permitted capacity at WERS Transfer Station and Materials Recovery Facility and 0.03 percent of the permitted daily waste at the Potrero Hills Landfill facility and would not necessitate the need to expand these facilities. The Potrero Hills Landfill is estimated to remain in operation until February of 2048. Thus, the project's contribution to cumulative solid waste service impacts would not be cumulatively considerable (**Impact 4-17**).

Finding

The Board of Supervisors finds that, based upon substantial evidence in the record, the project's contribution to cumulative solid waste service impacts would not be cumulatively considerable, and no mitigation measures are required.

1.2.3 Potentially Significant Impacts that Can Be Mitigated Below a Level of Significance

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(1) of the CEQA Guidelines, the Board of Supervisors finds that, for each of the following potentially significant effects identified in the EIR, changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid

the identified potentially significant effects on the environment to less than significant levels. These findings are explained below and are supported by substantial evidence in the record of proceedings.

AESTHETICS – LIGHT AND GLARE IMPACTS

An evaluation of the project's impacts related to air quality is found in Section 3.1, "Aesthetics," of the Draft EIR. Development of Phase II would include the light fixtures that create new sources of light that could impact adjacent residential uses to the east. In addition, windows and architectural features of buildings could reflect sunlight and create glare conditions. (**Impact 3.1-2)**.

Mitigation Measures

Mitigation Measure 3.1-2a: Demonstration of Compliance with County Lighting Standards

Final improvement plans will include specifications that demonstrate outdoor lighting is located, adequately shielded, and directed such that no direct light falls outside the property line, or into the public right-of-way consistent with Title 130, Chapter 130.34 (Outdoor Lighting) of County Code.

Mitigation Measure 3.1-2b: Use of Nonreflective Building Materials

Final building plans will identify the use of nonreflective building materials and glass that will avoid the creation of glare offsite during the daytime.

Finding

The Board of Supervisors finds that the above mitigation measures are feasible, will reduce the potential lighting and glare impacts of the project to less-than-significant levels, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Implementation of Mitigation Measure 3.1-2a would ensure compliance with County lighting standards that would ensure offsite areas are not exposed to spillover lighting, This would likely be accomplished through shielding of the lighting fixture. Mitigation Measure 3.1-2b would require the use of nonreflective building materials and glass to avoid glare. (Draft EIR page 3.1-12)

AESTHETICS – CONTRIBUTION TO CUMULATIVE LIGHT AND GLARE IMPACTS

An evaluation of the project's cumulative light and glare impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. Development and streets surrounding the project site produce a moderate amount of nighttime lighting from street lighting, residential interiors, and exterior building lighting. Because light sources from the project would be consistent with the type and intensity of existing lighting sources, the existing, ambient condition would not substantially change. Implementation of the project would create new nighttime lighting compared to existing conditions. (**Impact 4-2)**.

Mitigation Measures

Mitigation Measure 3.1-2a: Demonstration of Compliance with County Lighting Standards

The reader is referred to Impact 3.1-2 for a complete description of this mitigation measure.

Mitigation Measure 3.1-2b: Use of Nonreflective Building Materials

The reader is referred to Impact 3.1-2 for a complete description of this mitigation measure.

Finding

The Board of Supervisors finds that the above mitigation measures are feasible, will reduce cumulative lighting and glare impacts of the project to less than cumulatively considerable, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Implementation of Mitigation Measure 3.1-2a would offset project impacts by ensuring compliance with County lighting standards that would ensure offsite areas are not exposed to spillover lighting, This would likely be accomplished through shielding of the lighting fixture. Mitigation Measure 3.1-2b would offset project glare impacts by requiring the use of nonreflective building materials and glass to avoid glare. (Draft EIR page 4-4)

AIR QUALITY – TOXIC AIR CONTAMINANT IMPACTS

An evaluation of the project's impacts related to air quality is found in Section 3.2, "Air Quality," of the Draft EIR. Operational emissions of toxic air contaminants (TACs) would not expose off-site receptors to an incremental increase in cancer risk greater than 10 in one million or a hazard index of 1.0 or greater. However, the construction-generated emissions of TACs could expose existing off-site receptors to an incremental increase in cancer risk greater than 10 in one million. (**Impact 3.2-4)**.

Mitigation Measure

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 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 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 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 not exceed 200 lb of diesel PM per year and submit the tool to El Dorado County for review and approval (SMAQMD 2018).

Finding

The Board of Supervisors finds that the above mitigation measure is feasible, will reduce the potential TAC impacts of the project to less-than-significant levels, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Implementation of Mitigation Measure 3.2-4 would reduce the level of cancer risk exposure at off-site locations to less than 10 in one million. (Draft EIR page 3.2-21)

AIR QUALITY – CONTRIBUTION TO CUMULATIVE TOXIC AIR CONTAMINANT IMPACTS

An evaluation of the project's cumulative TAC impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. As discussed in Impact 3.2-4, levels of toxic air contaminants (TACs) from project-related construction would result in a substantial increase in health risk exposure at off-site sensitive receptors, increases in cancer risk greater than EDCAQMD's recommended threshold of 10 in 1 million. Consequently, TACs emitted during project construction would result in a cumulatively considerable contribution to health risk (**Impact 4-3)**.

Mitigation Measure

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

The reader is referred to Impact 3.2-4 for a complete description of this mitigation measure.

Finding

The Board of Supervisors finds that the above mitigation measure is feasible, will reduce cumulative TAC impacts of the project to less than cumulatively considerable, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Implementation of Mitigation Measure 3.2-4 would reduce this temporary contribution to a level that would not be cumulatively considerable. Also discussed under Impact 3.2-4, operation of the project would not result in an increase in cancer risk that exceeds EDCAQMD's recommended threshold of 10 in 1 million or an increase in acute and chronic health risk at offsite receptors that exceed a hazard index of 1.0. (Draft EIR page 4-6)

BIOLOGICAL RESOURCES – SPECIAL-STATUS PLANT SPECIES IMPACTS

An evaluation of the project's impacts related to biological resources is found in Section 3.3, "Biological Resources," of the Draft EIR. Project implementation would include ground disturbance and conversion of grassland habitat, which could result in disturbance to or loss of big-scale balsamroot, if present within the project site (**Impact 3.3-1)**.

Mitigation Measure

Mitigation Measure 3.3-1: Conduct Survey for Big-Scale Balsamroot, Avoid Plants, or Implement Mitigation for Loss of Plants

The following measure shall be implemented to avoid or minimize loss of big-scale balsamroot prior to site construction:

- Prior to issuance of grading, building or improvement permits, a qualified botanist shall conduct protocol-level surveys for special-status plants, including the big-scale balsamroot, during the blooming period of identified listed species having potential to occur on the project site (approximately March to June). Surveys shall include areas where potentially suitable habitat would be removed or disturbed by project activities in accordance with *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018). The normal blooming period for special-status plants generally indicates the optimal survey periods when the species are most identifiable.
- If big-scale balsamroot or other special-status plants is not found, the botanist shall document the findings in a letter report to CDFW and the County and no further mitigation will be required.
- If big-scale balsamroot or other special-status plants are found, the qualified botanist shall consult with CDFW to designate a no-disturbance buffer to prevent loss of the plants.
- If big-scale balsamroot are found that cannot be avoided during construction, the project applicant shall consult with CDFW to determine the appropriate mitigation measures for direct and indirect impacts that could

occur as a result of project construction. The project applicant shall implement the agreed-upon mitigation measures to achieve no net loss of occupied habitat or individuals. Mitigation measures may include preserving and enhancing existing populations, creation of offsite populations on project mitigation sites through seed collection or transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat and/or individuals.

Finding

The Board of Supervisors finds that the above mitigation measure is feasible, will reduce the potential special-status plant species impacts of the project to less-than-significant levels, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Implementation of Mitigation Measure 3.3-1 would reduce significant impacts on big-scale balsamroot to a less-than-significant level because it would require applicants to identify, avoid, or compensate for loss of special-status plants. (Draft EIR page 3.3-15)

BIOLOGICAL RESOURCES – BURROWING OWL IMPACTS

An evaluation of the project's impacts related to biological resources is found in Section 3.3, "Biological Resources," of the Draft EIR. Project implementation would include ground disturbance and conversion of grassland habitat, which could result in disturbance to or loss of burrowing owls or their burrows, if present within the project site (**Impact 3.3-2)**.

Mitigation Measure

Mitigation Measure 3.3-2: Conduct Survey for Burrowing Owl, Implement Protection Measures or Compensate for Loss of Burrows

The following measure shall be implemented to avoid or minimize loss of burrowing owl:

- Prior to issuance of grading, building or improvement permits, a qualified biologist shall conduct focused breeding or nonbreeding season surveys for burrowing owls within the project site and within a 1,500-foot buffer of the project site. Surveys shall be conducted in accordance with Appendix D of CDFW's *Staff Report on Burrowing Owl Mitigation* (CDFW 2012).
- If no occupied burrows are found, a memorandum documenting the survey methods and results shall be submitted to CDFW and no further mitigation would be required.
- If an active burrow is found during the nonbreeding season (September 1 through January 31), the project applicant shall consult with CDFW regarding protection buffers to be established around the occupied burrow and maintained throughout construction. If occupied burrows are present that cannot be avoided or adequately protected with a no-disturbance buffer, a burrowing owl exclusion plan shall be developed, as described in Appendix E of CDFW's 2012 Staff Report. Burrowing owls shall not be excluded from occupied burrows until the proposed project's burrowing owl exclusion plan is approved by CDFW. The exclusion plan shall include a plan for creation, maintenance, and monitoring of artificial burrows in suitable habitat that provides substitute burrows for displaced owls.
- If an active burrow is found during the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and will be provided with a 150- to 1,500-foot protective buffer from construction activities unless a qualified biologist verifies through noninvasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The size of the buffer shall depend on the time of year and level of disturbance as outlined in the CDFW Staff Report (CDFW 2012). The size of the buffer may be reduced if a broad-scale, long-term, monitoring program acceptable to CDFW is implemented to prevent burrowing owls from being detrimentally affected. Once the fledglings are capable of independent survival, the owls can be evicted and the burrow can be destroyed per the terms of a CDFW-approved burrowing owl exclusion plan developed in accordance with Appendix E of CDFW's 2012 Staff Report. No burrowing owls will be excluded from occupied burrows until the burrowing owl exclusion and relocation plan is approved by CDFW. Following owl exclusion and burrow demolition, the site

shall be monitored by a qualified biologist to ensure burrowing owls do not recolonize the site before construction.

- If active burrowing owl burrows are found on the site and are destroyed by proposed project implementation, the project applicant shall mitigate the loss of occupied habitat in accordance with guidance provided in the CDFW 2012 Staff Report, which states that permanent impacts to nesting, occupied and satellite burrows, and burrowing owl habitat shall be mitigated such that habitat acreage, number of burrows, and burrowing owls adversely affected are replaced through permanent conservation of comparable or better habitat with similar vegetation communities and burrowing mammals (e.g., ground squirrels) present to provide for nesting, foraging, wintering, and dispersal. The project applicant shall retain a qualified biologist to develop a burrowing owl mitigation and management plan that incorporates the following goals and standards:
  - Mitigation lands shall be selected based on comparison of the habitat lost to the compensatory habitat, including type and structure of habitat, disturbance levels, potential for conflicts with humans, pets, and other wildlife, density of burrowing owls, and relative importance of the habitat to the species range wide.
  - If feasible, mitigation lands shall be provided adjacent or proximate to the site so that displaced owls can relocate with reduced risk of take. Feasibility of providing mitigation adjacent or proximate to the proposed project area depends on availability of sufficient suitable habitat to support displaced owls that may be preserved in perpetuity.
  - If suitable habitat is not available for conservation adjacent or proximate to the proposed project area, mitigation lands shall be focused on consolidating and enlarging conservation areas outside of urban and planned growth areas and within foraging distance of other conservation lands. Mitigation may be accomplished through purchase of mitigation credits at a CDFW-approved mitigation bank, if available. If mitigation credits are not available from an approved bank and mitigation lands are not available adjacent to other conservation lands, alternative mitigation sites and acreage shall be determined in consultation with CDFW.
  - If mitigation is not available through an approved mitigation bank and will be completed through permittee-responsible conservation lands, the mitigation plan shall include mitigation objectives, site selection factors, site management roles and responsibilities, vegetation management goals, financial assurances and funding mechanisms, performance standards and success criteria, monitoring and reporting protocols, and adaptive management measures. Success shall be based on the number of adult burrowing owls and pairs using the site and if the numbers are maintained over time. Measures of success, as suggested in the 2012 Staff Report, shall include site tenacity, number of adult owls present and reproducing, colonization by burrowing owls from elsewhere, changes in distribution, and trends in stressors.

Finding

The Board of Supervisors finds that the above mitigation measure is feasible, will reduce the potential burrowing owl impacts of the project to less-than-significant levels, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Implementation of Mitigation Measure 3.3-2 would reduce significant impacts on burrowing owl to a less-than-significant level because burrowing owls would be avoided and protected from construction activities, or a qualified biologist in consultation with CDFW would relocate owls and compensate for project-related loss of suitable occupied habitat. (Draft EIR page 3.3-16)

BIOLOGICAL RESOURCES – NESTING BIRD IMPACTS

An evaluation of the project's impacts related to biological resources is found in Section 3.3, "Biological Resources," of the Draft EIR. Project implementation would include ground disturbance, vegetation removal, and conversion of grassland habitat, which could result in disturbance to or loss of native grassland- or shrub-nesting birds, if present within the project site (**Impact 3.3-3)**.

Mitigation Measure

Mitigation Measure 3.3-3: Conduct Preconstruction Nesting Bird Surveys and Establish Protective Buffers

The following measure shall be implemented to avoid or minimize loss of native nesting birds protected under Section 3503 of the California Fish and Game Code:

- To minimize the potential for disturbance to or loss of native bird nests within the grassland or shrub habitat on the project site, vegetation removal activities shall occur only during the nonbreeding season (September 1-January 31).
- Before removal of any vegetation or any ground disturbance between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nests within any vegetation planned for removal. The surveys shall be conducted no more than 7 days before construction commences.
- If no active nests are found during focused surveys, no further action under this measure will be required.
- If active nests are located during the preconstruction surveys, the biologist shall notify the project applicant and CDFW. A no-disturbance buffer will be established, and the size of the buffer will be determined by the qualified biologist in consultation with CDFW. Construction activities, including staging, shall be prohibited within the no-disturbance buffer to avoid disturbance to the nesting bird until the nest is no longer active.

Finding

The Board of Supervisors finds that the above mitigation measure is feasible, will reduce the potential nesting bird impacts of the project to less-than-significant levels, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Mitigation Measure 3.3-3 would reduce significant impacts to a less-than-significant level because grassland- or shrub-nesting native birds would be avoided and protected from construction activities. (Draft EIR page 3.3-17)

BIOLOGICAL RESOURCES – CONTRIBUTION TO CUMULATIVE BIOLOGICAL RESOURCE IMPACTS

An evaluation of the project's cumulative biological resource impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. As described in Section 3.3, "Biological Resources," project implementation would potentially contribute to cumulative impacts to one special-status plant (big-scale balsamroot), burrowing owl, and native nesting birds protected under Section 3503 of the California Fish and Game Code. (**Impact 4-4)**.

Mitigation Measure

Mitigation Measure 3.3-1. Conduct Preconstruction Nesting Bird Surveys and Establish Protective Buffers

The reader is referred to Impact 3.3-1 for a complete description of this mitigation measure.

Mitigation Measure 3.3-2. Conduct Survey for Burrowing Owl, Implement Protection Measures or Compensate for Loss of Burrows

The reader is referred to Impact 3.3-2 for a complete description of this mitigation measure.

Mitigation Measure 3.3-3. Conduct Preconstruction Nesting Bird Surveys and Establish Protective Buffers

The reader is referred to Impact 3.3-3 for a complete description of this mitigation measure.

Finding

The Board of Supervisors finds that the above mitigation measures are feasible, will reduce cumulative biological resource impacts of the project to less than cumulatively considerable, and are adopted by the Board of

Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

The mitigation measures for these resources (Mitigation Measures 3.3-1, 3.3-2, and 3.3-3) would offset the project's contribution to cumulative biological resource impacts by avoiding impacts to these species. (Draft EIR page 4-6)

CULTURAL AND TRIBAL CULTURAL RESOURCES – ARCHAEOLOGICAL RESOURCE IMPACTS

An evaluation of the project's impacts related to archaeological resources is found in Section 3.4, "Cultural and Tribal Cultural Resources," of the Draft EIR. Ground-disturbing construction activities could uncover previously undiscovered archaeological resources as defined in State CEQA Guidelines Section 15064.5 (**Impact 3.4-1)**.

Mitigation Measure

Mitigation Measure 3.4-1: For All Ground-Disturbing Construction Activities, Halt Ground Disturbance Upon Discovery of Subsurface Archaeological Features

In the event that any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted and a qualified professional archaeologist shall be retained to assess the significance of the find. If the qualified archaeologist determines the archaeological material to be Native American in nature, the project applicant shall contact the appropriate Native American tribe for their input on the preferred treatment of the find. If the find is determined to be significant by the archaeologist (i.e., because it is determined to constitute a unique archaeological resource), the archaeologist shall develop, and the project applicant shall implement, appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include but would not necessarily be limited to preservation in place (which shall be the preferred manner of mitigating impacts to archaeological sites), archival research, subsurface testing, or contiguous block unit excavation and data recovery (when it is the only feasible mitigation, and pursuant to a data recovery plan).

Finding

The Board of Supervisors finds that the above mitigation measure is feasible, will reduce the potential archaeological resource impacts of the project to less-than-significant levels, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Implementation of Mitigation Measure 3.4-1 would reduce impacts on previously unknown archaeological resources by requiring work to stop in the area of the find and requiring consultation with a qualified professional to assess the significance of the find. (Draft EIR page 3.4-7)

CULTURAL AND TRIBAL CULTURAL RESOURCES – TRIBAL CULTURAL RESOURCE IMPACTS

An evaluation of the project's impacts related to cultural resources is found in Section 3.4, "Cultural and Tribal Cultural Resources," of the Draft EIR. There is potential for undiscovered tribal cultural resources (TCRs) (**Impact 3.4-3)**.

Mitigation Measures

Mitigation Measure 3.4-3a: Conduct Construction Worker Training

Prior to approval of project grading, the applicant will provide evidence that construction worker training on Native American resources has been provided.

Mitigation Measure 3.4-3b: Protection of Discovered Tribal Cultural Resources

Should an inadvertent discovery of tribal cultural resources occur, the County and UAIC shall be contacted immediately to evaluate and consult on appropriate and respectful treatment and disposition. If potential tribal cultural resources (TCRs), archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered by Native American Representatives or Monitors from interested Native American Tribes, qualified cultural resources specialists or other project personnel during construction activities, work will cease within 100 feet of the find (based on the apparent distribution of cultural resources), whether or not a Native American Monitor from a traditionally and culturally affiliated Native American Tribe is present. A qualified cultural resources specialist and Native American Representatives and Monitors from traditionally and culturally affiliated Native American Tribes will assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. UAIC does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless requested by the UAIC. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. These recommendations will be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record. If adverse impacts to tribal cultural resources, unique archeology, or other cultural resources occurs, then consultation with UAIC and other traditionally and culturally affiliated Native American Tribes regarding mitigation contained in the Public Resources Code sections 21084.3(a) and (b) and CEQA Guidelines section 15370 shall occur, to coordinate for compensation for the impact by replacing or providing substitute resources or environments.

Finding

The Board of Supervisors finds that the above mitigation measures are feasible, will reduce the potential archaeological resource impacts of the project to less-than-significant levels, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Implementation of Mitigation Measure 3.4-3a and 3.4-3b would reduce impacts on previously unknown tribal cultural resources by requiring work to stop in the area of the find and requiring consultation with a qualified professional to assess the significance of the find. (Draft EIR page 3.4-9)

CULTURAL AND TRIBAL CULTURAL RESOURCES – CONTRIBUTION TO CUMULATIVE CULTURAL IMPACTS

An evaluation of the project's cumulative cultural resource impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. Phase II of the project site is surrounded by suburban development and is not considered a sensitive site for undiscovered cultural resources. As identified in Impact 3.4-1 and 3.4-3, no cultural or tribal cultural resources have been identified on the site. Implementation of Mitigation Measures 3.4-1, 3.4-3a, and 3.4-3b would ensure that any discovered resources are protected and would offset the project's contribution to cumulative cultural resource impacts (**Impact 4-5)**.

Mitigation Measure

Mitigation Measure 3.4-1: For All Ground-Disturbing Construction Activities, Halt Ground Disturbance Upon Discovery of Subsurface Archaeological Features

The reader is referred to Impact 3.4-1 for a complete description of this mitigation measure.

Mitigation Measure 3.4-3a: Conduct Construction Worker Training

The reader is referred to Impact 3.4-3 for a complete description of this mitigation measure.

Mitigation Measure 3.4-3b: Protection of Discovered Tribal Cultural Resources

The reader is referred to Impact 3.4-3 for a complete description of this mitigation measure.

Finding

The Board of Supervisors finds that the above mitigation measures are feasible, will reduce cumulative cultural resource impacts of the project to less than cumulatively considerable, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Implementation of Mitigation Measures 3.4-1, 3.4-3a, and 3.4-3b would ensure that any discovered resources are protected and would offset the project's contribution to cumulative cultural resource impacts. (Draft EIR page 4-6)

ENERGY – CONTRIBUTION TO CUMULATIVE ENERGY IMPACTS

An evaluation of the project's cumulative energy impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. Implementation of the project would result in an increase in demand for energy; however, the project would include energy efficient design features consistent with green building requirements including Title 24 2019 Building Energy Efficiency Standards (**Impact 4-6)**.

Mitigation Measure

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

The reader is referred to Impact 3.7-1 for a complete description of this mitigation measure.

Finding

The Board of Supervisors finds that the above mitigation measure is feasible, will reduce cumulative energy impacts of the project to less than cumulatively considerable, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

The project would be required to implement Mitigation Measure 3.7-1b, which requires the installation of building energy and transportation design features to reduce overall project energy use and non-renewable energy use. Construction energy use associated with the project would also not be considered inefficient, wasteful, or unnecessary, because the energy needs for project renovations would be temporary and are not anticipated to require additional capacity or substantially increase peak or base period demands for electricity and other forms

of energy. Furthermore, construction equipment use and associated energy consumption would be typical of those associated with projects in a suburban setting. (Draft EIR page 4-7)

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE – GREENHOUSE GAS EMISSIONS IMPACTS

An evaluation of the project's impacts related to greenhouse gases is found in Section 3.7, "Greenhouse Gas Emissions and Climate Change," of the Draft EIR. project construction would generate approximately a total of 2,876 $MTCO_2e$ and operations of the project would generate approximately 2,957 $MTCO_2e$/year. This increase in GHG emissions could have the potential to conflict with the 2017 Scoping Plan; inhibit the state's ability to achieve the statewide GHG targets for 2020, 2030, and 2050; and, therefore, be a cumulatively considerable contribution to climate change (**Impact 3.7-1)**.

Mitigation Measures

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 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.

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 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 California Green Building Energy Codes (CALGreen), Section 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.

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,
- 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 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).

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.

Finding

The Board of Supervisors finds that the above mitigation measures are feasible, will reduce the potential greenhouse gas impacts of the project to less-than-significant levels, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Implementation of Mitigation Measures 3.7-1a through 3.7-1c. Mitigated emissions from Mitigation Measure 3.7-1 were calculated assuming the diesel used during construction would be 100 percent renewable, meaning that the GHG emissions from renewable diesel exhaust would not contribute to a net increase in GHG emissions in the atmosphere as compared to fossil fuels. The mitigated levels of GHG emissions from Mitigation Measure 3.7-1b were estimated using CalEEMod by offsetting energy use with 100 percent renewable energy, accounting for increased transit accessibility within 0.25 mile of the project site, and improving a pedestrian network within the project site and connecting off-site land uses. Incorporating electric vehicle charging stations and bike accessibility was not available through CalEEMod's mitigation module and was not quantified. Although these latter two aspects of the recommended mitigation measure would likely further reduce emissions, it is currently speculative to quantify the reductions due to the variability associated with travel behavior. Reductions from

Mitigation Measure 3.7-1a were assumed to be encompassed by the reductions from Mitigation Measure 3.7-1b. The remaining GHG emissions are to be mitigated with the purchase of carbon offset credits. Based on these assumptions, the implementation of Mitigation Measures 3.7-1a through 3.7-1c would reduce operational GHG emissions to a net-zero level. (Draft EIR page 3.7-14)

NOISE AND VIBRATION – ON-SITE OPERATIONAL NOISE IMPACTS

An evaluation of the project's impacts related to noise is found in Section 3.10, "Noise and Vibration," of the Draft EIR. Operation of the project would include on-site truck circulation for shipments and deliveries, as well as waste collection. The proposed truck route would be located on the eastern edge of the site approximately 50 feet from existing single-family homes and would expose these noise-sensitive receptors to noise levels up to 75 dB L_{max}, exceeding the County's daytime, evening, and nighttime noise standards of 70 dB, 60 dB and 55 dB L_{max}. (**Impact 3.10-4)**.

Mitigation Measures

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 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 need to be long enough to ensure that sound will not flank around the ends of the barrier into the neighboring backyards and will need to be constructed at the same base elevation as the final grading of the truck route.

Mitigation Measure 3.10-4b: Restrict Hours of On-Site Truck Deliveries to Daytime Hours

The County shall condition to the project to restrict onsite truck circulation, including waste collection services, between the daytime hours of 7 a.m. and 7 p.m. Evening and nighttime deliveries at the proposed anchor commercial building loading dock or any location onsite shall be prohibited. This restriction shall be included in the required conditional use permit and shall be implemented during project operations.

Finding

The Board of Supervisors finds that the above mitigation measures are feasible, will reduce the noise impacts of the project to less-than-significant levels, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Placement of an 8-foot-high sound barrier along the eastern boundary of the project site, as required by Mitigation Measure 3.10-4a, would achieve a 5 dB reduction in noise levels generated by on-site truck activity. Residences located on the southern end of the site are elevated as much as 25 feet relative to the site. At the elevated southern residences, the combination of shielding provided by the site grading/retaining wall and intervening topography itself would act as a barrier, providing the 5 dB of noise reduction necessary to achieve the County's daytime noise exposure standards. This reduction would be sufficient to meet County daytime noise standards; however, the County's evening and nighttime noise standards would not be achieved.

Additional attenuation from a noise barrier to achieve noise levels required by the County evening and nighttime noise standards would not be feasible. Restricting truck deliveries to the hours between 7 a.m. and 7 p.m., as required by Mitigation Measure 3.10-4b, would prevent off-site noise-sensitive receptors from being exposed to noise levels that exceed the County's evening and nighttime noise standards. (Draft EIR page 3.10-24)

NOISE AND VIBRATION – ON-SITE AREA NOISE IMPACTS

An evaluation of the project's impacts related to noise is found in Section 3.10, "Noise and Vibration," of the Draft EIR. project operation would require the use of emergency generators, heating, ventilation, and air conditioning (HVAC) units, food storage cooling systems, and loading/delivery activity. HVAC units and food storage cooling systems would not expose nearby sensitive receptors to noise levels that exceed applicable County noise standards. However, noise generated from emergency generators and loading/delivery activities could expose nearby noise-sensitive receptors to noise levels that exceed County noise standards (**Impact 3.10-5**).

Mitigation Measures

Mitigation Measure 3.10-5a: Implement Mitigation Measure 3.10-4a

The reader is referred to Impact 3.10-4 for a complete description of this mitigation measure.

Mitigation Measure 3.10-5b: Implement Mitigation Measure 3.10-4b

The reader is referred to Impact 3.10-4 for a complete description of this mitigation measure.

Mitigation Measure 3.10-5c: Emergency Generators

The project applicant shall include design measures to reduce noise levels from emergency generators. Design measures may include locating generators on the west side of the buildings, as far as possible from nearby noise-sensitive land uses; enclosures designed with noise reduction materials such as weighted barriers, sound absorbers, and multi-layer composites; and quieter generator models. Before construction, the project applicant shall verify that noise reduction design measures sufficiently prevent noise generated by generators from exceeding the County daytime standard of 55 dBA L_{eq} and 70 dBA L_{max} for communities.

Finding

The Board of Supervisors finds that the above mitigation measures are feasible, will reduce the noise impacts of the project to less-than-significant levels, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Mitigation Measure 3.10-5a would require the construction of a noise barrier which would reduce the level of noise exposure at the residents along Monte Verde Drive by 5 dB. Mitigation Measure 3.10-5b would limit on-site truck deliveries to the hours of 7 a.m. through 7 p.m. Therefore, loading/delivery activities would be restricted to daytime hours. Mitigation Measure 3.10-5c would reduce noise levels generated from the use and testing of emergency generators by implementing design measures such as generator location, enclosures, and quieter models. Implementation of these measures would ensure noise levels at nearby noise-sensitive receptors would not exceed the County noise standards. (Draft EIR page 3.10-26)

NOISE AND VIBRATION – ON-SITE EVENT NOISE IMPACTS

An evaluation of the project's impacts related to noise is found in Section 3.10, "Noise and Vibration," of the Draft EIR. Operation of the project would include on-site outdoor events in Phase I and Phase II portions of the site such as movie showings and music concerts at the amphitheater, as well as sales and promotion events throughout the site. Noise generated by amplified speech and music would expose nearby sensitive receptors to noise levels that exceed the County daytime and evening noise standard (**Impact 3.10-6**).

Mitigation Measures

Mitigation Measure 3.10-6a: Implement Mitigation Measure 3.10-4a

The reader is referred to Impact 3.10-4 for a complete description of this mitigation measure.

Mitigation Measure 3.10-6b: Implement Measures to Ensure Compliance with El Dorado County Noise Standards at Nearby Residential Land Uses

The following measures shall be implemented to ensure that off-site residences are not exposed to noise levels generated by amphitheater events that exceed the County's noise level performance standards for noise-sensitive land uses affected by non-transportation sources in community centers, as presented in Table 3.10-8.

- Prohibit events with amplified music or sound during the nighttime hours of 10 p.m. – 7 a.m.
- During the sound testing of the amplified sound system prior to each event multiple sound level measurements shall be conducted along the property line of the most affected residential land uses. The sound level meter used for the sound level measurements should meet a minimum Type 2 compliance and be fitted with the manufacturer's windscreen and calibrated before use. Volume settings shall be adjusted to ensure that the applicable county noise standards will not be exceeded at the residences during the event.
- Only hold events with amplified music or sound during 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 offsite 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.). This evaluation shall be conducted by a qualified noise analyst selected by County staff; however, all funding shall be provided by the applicant. The results of all sound measurements shall be provided to the County.
- Prohibit the use of subwoofers during amplified music events.

Finding

The Board of Supervisors finds that the above mitigation measures are feasible, will reduce the noise impacts of the project to less-than-significant levels, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

A noise barrier constructed along the eastern side of the project site, as required by Mitigation Measure 3.10-6a, would reduce the level of noise exposure from noise-generating events on the project site by 5 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 offsite 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 in relatively close proximity 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 utilizing 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. (Draft EIR page 3.10-28)

NOISE AND VIBRATION – CONTRIBUTION TO CUMULATIVE CONSTRUCTION NOISE AND VIBRATION IMPACTS

An evaluation of the project's cumulative noise impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. As discussed in Impact 3.10-1, project construction activities would involve the use of heavy-duty construction equipment and blasting with construction noise impacts occurring over the construction period for off-site sensitive receptors. These noise-generating construction activities could at the same time as construction of the El Dorado Hills Apartments project and potentially occur outside of these daytime hours.. As identified in

Impact 3.10-2, project construction is anticipated to use blasting adjacent to existing residences. It is possible that blasting activities could occur within distances that could expose people or structures to vibration levels that exceed FTA- and Caltrans-recommended standards. While this impact is significant under project conditions, the use of blasting would be limited to the project site and there are no other projects in close proximity that could contribute to this vibration impact (0.35 miles between the project site and the El Dorado Hills Apartments project site) (**Impact 4-10)**.

Mitigation Measure

Mitigation Measure 3.10-1: Implement Measures to Reduce Exposure to Construction-Generated Noise

The reader is referred to Impact 3.10-1 for a complete description of this mitigation measure.

Mitigation Measure 3.10-2a: Reduce Blasting-Related Vibration

The reader is referred to Impact 3.10-2 for a complete description of this mitigation measure.

Mitigation Measure 3.10-2b: Implement Measures to Reduce Exposure of Buildings and Other Structures to Levels of Ground Vibration That Could Result in Structural Damage and to Limit the Level of Human Annoyance

The reader is referred to Impact 3.10-2 for a complete description of this mitigation measure.

Finding

The Board of Supervisors finds that the above mitigation measures are feasible, will reduce cumulative construction noise and vibration impacts of the project to less than cumulatively considerable, and are adopted by the Board of Supervisors. Accordingly, the Board of Supervisors finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Rationale

Implementation of the Mitigation Measure 3.10-1 would reduce the project's contribution to cumulative by reducing construction noise for the entire construction area and would restrict project construction activity to occur within the hours of 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized holidays consistent with County General Plan Policy 6.5.1.11 and Chapter 130.37 of the County Code. The El Dorado Hills Apartments project Draft EIR identified compliance with these County noise standards and is not in close proximity (0.35 miles with intervening buildings that would obstruct noise propagation) that it could contribute to this noise impact. (Draft EIR page 4-9)

1.2.4 Potentially Significant Impacts That Cannot Be Mitigated Below a Level of Significance

This section identifies the significant unavoidable impacts that require a statement of overriding considerations to be issued by the Board of Supervisors, pursuant to Section 15093 of the CEQA Guidelines if the project is approved. Based on the analysis contained in the Final EIR, the following impacts have been determined to be significant and unavoidable:

NOISE AND VIBRATION – CONSTRUCTION NOISE IMPACTS

An evaluation of the project's impacts related to noise is found in Section 3.10, "Noise and Vibration," of the Draft EIR. project construction would occur over the course of two years and would include the use of heavy-duty equipment and blasting. The project is in close proximity of noise-sensitive receptors, specifically residences located directly east of the site. Construction activities would result in a substantial temporary increase in noise

levels. Construction could potentially occur during the evening or nighttime hours, resulting in sleep disturbance at nearby residences (**Impact 3.10-1**).

Mitigation Measures

Mitigation Measure 3.10-1: Implement Measures to Reduce Exposure to Construction-Generated Noise

To minimize noise levels during construction activities, the applicant shall require its construction contractors to comply with the following measures during construction:

- 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, and on federally recognized holidays. No construction on Sundays.
- All construction equipment and material staging areas shall be located as far as possible from the residential land uses located along Monte Verde Drive east of the project site, and/or located such that existing topography blocks line-of-site from these land uses to the staging areas.
- All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturer recommendations. Equipment engine shrouds shall be closed during equipment operation.
- Where feasible and consistent with building codes and other applicable laws and regulations, individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete offsite instead of onsite).
- All construction equipment with back-up alarms shall be equipped with either audible self-adjusting backup alarms or alarms that only sound when an object is detected. The self-adjusting backup alarms shall automatically adjust to 5 dBA over the surrounding background levels. All non-self-adjusting backup alarms shall be set to the lowest setting required to be audible above the surrounding noise levels. In addition to the use of backup alarms, the construction contractor shall consider other techniques such as observers and the scheduling of construction activities to minimize alarm noise.
- The applicant or construction contractors shall post visible signs along the perimeter of the construction site that disclose construction times and duration. In addition, residents of homes located directly east of the site shall be provided written notification 48 hours before blasting activities. A contact number for an El Dorado County enforcement officer shall be included where noise complaints can be filed and recorded. The applicant will be informed of any noise complaints and will be responsible for investigating complaints and implementing feasible and appropriate measures to reduce noise at receiving land uses. These may include:
  - Implementing noise-reducing enclosures and techniques around stationary noise-generating equipment (e.g., concrete mixers, generators, compressors).
  - For construction activity that occurs near existing sensitive land uses, installation of temporary noise curtains that meet the following parameters:
    - temporary noise curtains shall be installed as close as possible to the boundary of the construction site within the direct line of sight to the nearby sensitive receptor(s).
    - temporary noise curtains shall consist of durable, flexible composite material featuring a noise barrier layer bounded to sound-absorptive material on one side. The noise barrier layer shall consist of rugged, impervious material with a surface weight of at least one pound per square foot.

Finding

The Board of Supervisors finds that feasible mitigation measures will not reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), specific economic, legal, social, technological, or other considerations make any mitigation measures infeasible. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

Rationale

Implementation of the Mitigation Measure 3.10-1 would reduce construction noise for the entire construction area and would restrict project construction activity to occur within the hours between 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized holidays. Therefore, project construction activities would be exempt from County noise standards, as described in the County's General Plan and County Code. These construction noise standards were addressed in the Targeted General Plan Amendment and Zoning Ordinance Update EIR (State Clearinghouse Number 2012052074).

Noise reduction measures identified in Mitigation Measure 3.10-1 would be implemented to decrease the levels of noise exposure at nearby residences and Mitigation Measure 3.10-1 would require advanced notification of nearby residents of noise-generating construction activities including blasting. However, there are no feasible mitigation measures available to ensure that construction noise levels would match ambient noise conditions of 56 to 67 dBA $L_{eq.}$ during the entire 2-year construction period. (Draft EIR page 3.10-18)

NOISE AND VIBRATION – CONSTRUCTION VIBRATION IMPACTS

An evaluation of the project's impacts related to noise is found in Section 3.10, "Noise and Vibration," of the Draft EIR. Site preparation and grading may include blasting to remove rock outcroppings. Vibration levels generated from blasting activities would exceed Federal Transit Authority's (FTA) criteria for human disturbance for "infrequent events" at sensitive receptors located within 230 feet and would exceed Caltrans' 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 (**Impact 3.10-2**).

Mitigation Measures

Mitigation Measure 3.10-2a: Reduce Blasting-Related Vibration

For any blasting that would be conducted within 230 feet from any existing occupied structure, alternatives to traditional blasting (silent demolition), such as non-explosive chemical agents, expansive grout, or other non-explosive technology, shall be used to preclude vibration and noise impacts.

Mitigation Measure 3.10-2b: Implement Measures to Reduce Exposure of Buildings and Other Structures to Levels of Ground Vibration That Could Result in Structural Damage and to Limit the Level of Human Annoyance

The project applicant shall hire a qualified California-registered geotechnical engineer to perform site-specific evaluation of the geotechnical conditions at the project site. The evaluation shall determine the propagation rate of ground vibration in the area, taking into account local soil conditions, the age of the nearby buildings, and other factors. The evaluation shall determine whether nearby structures and buildings could experience structural damage from blasting activity at the site. The evaluation shall also determine whether nearby residential dwellings and/or commercial land uses would experience levels of ground vibration that exceed FTA's vibration standard of 80 VdB for human response or Caltrans' vibration standard of 0.2 for structural damage to normal dwellings.

The evaluation shall also include a geotechnical inspection of all buildings and structures located within 80 feet of locations where impact blasting would occur. The inspection shall document pre-existing conditions, including any pre-existing structural damage. The pre-inspection survey of the buildings shall be completed with the use of photographs, video, or visual inventory, and shall include inside and outside locations. All existing cracks in walls, floors, driveways shall be documented with sufficient detail for comparison during and upon completion of blasting activities to determine whether new actual vibration damage has occurred. The results of both surveys shall be provided to the project applicant for review and acceptance of conclusions. Should damage occur during construction, construction operations shall be halted until the problem activity can be identified. Once identified, the problem activity shall be modified to eliminate the problem and protect the adjacent buildings. Any damage to nearby buildings shall be repaired back to the pre-existing condition at the expense of the project applicant.

The evaluation shall also 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 the project applicant shall require construction contractor(s) to implement the measures identified in the evaluation. Such measures shall include, but are not limited to, the following:

- Blasting, earth moving, and ground-disturbance activities shall be phased so as not to occur simultaneously in areas close to off-site sensitive receptors. The total vibration level produced could be substantially less when each vibration source is operated separately;
- Designate a disturbance coordinator and post that person's telephone number conspicuously around the construction site and provide to nearby residents. The disturbance coordinator shall receive all public complaints and be responsible for determining the cause of the complaint and implementing any feasible measures to alleviate the problem. The contact information of the disturbance coordinator shall also be provided to the owners of all properties for which a pre-inspection survey is performed; and
- Provide advanced notice to owners of all residential land uses, tourist accommodations, and commercial land uses located within 300 feet of where blasting would take place. This noticing shall inform the recipients of when and where blasting would occur, and the types of measures being implemented to lessen the impact at potentially affected receptors. This noticing shall also provide the contact information for the designated disturbance coordinator.

Finding

The Board of Supervisors finds that feasible mitigation measures will not reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), specific economic, legal, social, technological, or other considerations make any mitigation measures infeasible. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

Rationale

Implementation of Mitigation Measure 3.10-2a would require the use of alternative methods to traditional blasting when feasible, should the removal of any large outcropping be required within 230 feet of an existing residence (the distance for which blasting could cause disturbance to sensitive receptors). With implementation of Mitigation Measure 3.10-2b, the potential for groundborne vibration generated by blasting to result in structural damage to nearby buildings and structures and to adversely affect occupants of nearby residential dwellings would be reduced. However, because alternative methods may not be feasible, and blasting may occur in close proximity to existing structures and buildings, it is uncertain whether the measures required by Mitigation Measure 3.10-2b would reduce ground vibration levels at nearby structures to less than Caltrans recommended level of 0.2 in/sec PPV with respect to the structural damage. Moreover, because blasting would occur in close proximity to existing residential dwellings it is not certain that the measures required by Mitigation Measure 3.10-2b would reduce ground vibration at these receptors to levels less than FTA's vibration standard for human response criterion of 80 VdB for infrequent events. (Draft EIR page 3.10-20 and 3.10-21)

TRANSPORTATION/TRAFFIC – VEHICLE MILES TRAVELED IMPACTS

An evaluation of the project's impacts related to noise is found in Section 3.12, "Transportation/Traffic," of the Draft EIR. The project would result in an increase of approximately 15,280 VMT as compared to existing conditions (**Impact 3.12-1**).

Mitigation Measures

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

The reader is referred to Impact 3.7-1 for a complete description of this mitigation measure.

Finding

The Board of Supervisors finds that feasible mitigation measure will not reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), specific economic, legal, social, technological, or other considerations make any mitigation measures infeasible. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see

Statement of Overriding Considerations for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

Rationale

As detailed in Section 3.7, "Greenhouse Gas Emission and Climate Change," with the implementation of a variety of mitigation measures impacts to greenhouse gas emissions would be reduced to such that the net zero significance threshold would be achieved; thus, resulting in in a less than significant impact to greenhouse gas emissions. However, as detailed above, with the implementation of all feasible VMT mitigation measures the project would still generate an average daily VMT of approximately 12,295 VMT. Therefore, the project would result in a net increase in VMT. (Draft EIR page 3.12-7)

TRANSPORTATION/TRAFFIC – CONTRIBUTION TO CUMULATIVE CONSTRUCTION VEHICLE MILES TRAVELED IMPACTS

An evaluation of the project's cumulative noise impacts is found in Chapter 4, "Other CEQA-Mandated Sections," of the Draft EIR. As described in Impact 3.12-1, The project would result in an increase of approximately 15,280 VMT to the local roadway network. This would contribute the cumulative VMT conditions in the County in 2035 (**Impact 4-14)**.

Mitigation Measure

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

The reader is referred to Impact 3.7-1 for a complete description of this mitigation measure.

Finding

The Board of Supervisors finds that feasible mitigation measures will not reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), specific economic, legal, social, technological, or other considerations make any mitigation measures infeasible. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

Rationale

implementation of all feasible VMT mitigation measures the project would still generate an average daily VMT of approximately 12,295 VMT. (Draft EIR page 4-11)

1.3 FINDINGS REGARDING ALTERNATIVES

Section 15126.6(a) of the CEQA Guidelines requires the discussion of "a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives." The Final EIR identified and considered the following reasonable range of feasible alternatives to the proposed project which would be capable, to varying degrees, of reducing identified impacts:

- Alternative 1: No Project–No Development Alternative
- Alternative 2: Modification of Special Events Alternative
- Alternative 3: Reduced Development Alternative

These alternatives are evaluated for their ability to avoid or substantially lessen the impacts of the proposed project identified in the Final EIR, as well as consideration of their ability to meet the basic objectives of the proposed project as described in the Final EIR.

1.3.1 No Project–No Development Alternative

DESCRIPTION

CEQA Guidelines Section 15126.6(e)(1) requires that the "no project" alternative be described and analyzed "to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project." The no project analysis is required to discuss "the existing conditions at the time the notice of preparation is published…as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services" (Section 15126.6(e)(2)). "If the project is…a development project on identifiable property, the no project alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this 'no project' consequence should be discussed. In certain instances, the no project alternative means 'no build' wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project's non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment" (Section 15126.6(e)(3)(B)).

The No Project Alternative would retain the Phase II portion of the project site its current undeveloped condition and would not provide a Conditional Use Permit for special events in either Phase I or Phase II.

FINDING

Implementation of this alternative would reduce all identified significant impacts of the project. However, the No project–No Development Alternative would not meet the project objectives. Therefore, the Board of Supervisors rejects the No project-No Development Alternative as undesirable as it fails the project's underlying purpose and does not meet any of the project objectives.

RATIONALE

The No project-No Development Alternative would not expand the existing Montano de El Dorado retail center to provide additional retail, hospitality, and office uses. This alternative would also not reduce sales outflow to other counties.

1.3.2 Modification of Special Events Alternative

DESCRIPTION

Alternative 2 would consist of the same extent of site development as the proposed project except that the special events would be prohibited from using amplified music or sound systems. All other aspects of the proposed project would be retained in this alternative.

FINDING

For the reasons set forth below and more fully described in EIR and in the record of proceeding, the Board of Supervisors rejects Alternative 2 because it would not avoid significant and unavoidable impacts of the project or provide substantial environmental benefits over the project as mitigated. Therefore, the Board of Supervisors declines to adopt this alternative pursuant to the standards in CEQA and the CEQA Guidelines.

RATIONALE

Alternative 2 would not avoid a significant and unavoidable impacts of the project that include noise and vibration during construction or impacts from vehicle miles traveled (Draft EIR pages 5-5 through 5-8).

1.3.3 Reduced Development Alternative

DESCRIPTION

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 size of Phase II to approximately 113,900 square feet of commercial and office uses as well as reduce the extent of heavy-duty trucks deliveries to the site. All other aspects of the proposed project would be retained in this alternative.

FINDING

For the reasons set forth below and more fully described in EIR and in the record of proceeding, the Board of Supervisors rejects Alternative 3 because would not avoid significant and unavoidable impacts of the project or provide substantial environmental benefits over the project as mitigated. Therefore, the Board of Supervisors declines to adopt this alternative pursuant to the standards in CEQA and the CEQA Guidelines.

RATIONALE

Alternative 3 would not avoid a significant and unavoidable impacts of the project that include noise and vibration during construction or impacts from vehicle miles traveled (Draft EIR pages 5-5 through 5-7). This alternative would also result in reduced jobs and economic benefits as compared to the project.

1.4 GENERAL CEQA FINDINGS

1.4.1 Mitigation Monitoring and Reporting Program

Based on the entire record before the Board of Supervisors and having considered the unavoidable significant impacts of the project, the Board of Supervisors hereby determines that all feasible mitigation within the responsibility and jurisdiction of the County has been adopted to reduce or avoid the potentially significant impacts identified in the Final EIR, and that no additional feasible mitigation is available to further reduce significant impacts. The feasible mitigation measures are discussed in Sections 1.2.3 and 1.2.4, above, and are set forth in the MMRP.

Section 21081.6 of the Public Resources Code requires the Board of Supervisors to adopt a monitoring or compliance program regarding the changes in the project and mitigation measures imposed to lessen or avoid significant effects on the environment. The MMRP for the project is hereby adopted by the Board of Supervisors because it fulfills the CEQA mitigation monitoring requirements:

- The MMRP is designed to ensure compliance with the changes in the project and mitigation measures imposed on the project during project implementation; and
- Measures to mitigate or avoid significant effects on the environment are fully enforceable through conditions of approval, permit conditions, agreements, or other measures.

1.4.2 CEQA Guidelines Section 15091 and 15092 Findings

Based on the foregoing findings and the information contained in the administrative record, the Board of Supervisors has made one or more of the following findings with respect to each of the significant effects of the project:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency, or can and should be adopted by such other agency.

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

Based on the foregoing findings and the information contained in the administrative record, and as conditioned by the foregoing:

1. All significant effects on the environment due to the project have been eliminated or substantially lessened where feasible.
2. Any remaining significant effects that have been found to be unavoidable are acceptable due to the overriding considerations set forth herein.

1.4.3 Board of Supervisors Independent Judgment

The Final EIR for the project reflects the Board of Supervisor's independent judgment. The Board of Supervisors has exercised independent judgment in accordance with Public Resources Code 21082.1(c)(3) in retaining its own environmental consultant in the preparation of the EIR, as well as reviewing, analyzing, and revising material prepared by the consultant.

Having received, reviewed, and considered the information in the Final EIR, as well as any and all other information in the record, the Board of Supervisors hereby makes findings pursuant to and in accordance with Sections 21081, 21081.5, and 21081.6 of the Public Resources Code.

1.4.4 Nature of Findings

Any findings made by the Board of Supervisors shall be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings by the Board of Supervisors, whether or not any particular sentence or clause includes a statement to that effect. The Board of Supervisors intends that these findings be considered as an integrated whole and, whether or not any part of these findings fail to cross-reference or incorporate by reference any other part of these findings, that any finding required or committed to be made by the Board of Supervisors with respect to any particular subject matter of the Final EIR, shall be deemed to be made if it appears in any portion of these findings.

1.4.5 Reliance on Record

Each and all of the findings and determinations contained herein are based on substantial evidence, both oral and written, contained in the administrative record relating to the project.

RECORD OF PROCEEDINGS

In accordance with PRC Section 21167.6(e), the record of proceedings for the Board of Supervisor's decision on the project includes the following documents:

- The NOP for the project and all other public notices issued in conjunction with the project;
- All comments submitted by agencies or members of the public during the comment period on the NOP;
- The Draft EIR for the project and all appendices;
- All comments submitted by agencies or members of the public during the comment period on the Draft EIR;
- The Final EIR for the project, including comments received on the Draft EIR, responses to those comments, and appendices;
- Documents cited or referenced in the Draft EIR and Final EIR;
- The MMRP for the project;
- All findings and resolutions adopted by the County Council in connection with the project and all documents cited or referred to therein;

- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared in compliance with the requirements of CEQA and with respect to the County Council's action on the project;
- All documents submitted by other public agencies or members of the public in connection with the project, up through the close of the final public hearing;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held in connection with the project;
- Any documentary or other evidence submitted at such information sessions, public meetings, and public hearings;
- Any and all resolutions adopted by the County regarding the project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- Matters of common knowledge, including, but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these findings and any documents incorporated by reference, in addition to those cited above;
- Any other written materials relevant to the Board of Supervisor's compliance with CEQA or its decision on the merits of the project, including any documents or portions thereof, that were released for public review, relied upon in the environmental documents prepared for the project, or included in the County non-privileged retained files for the EIR or project;
- Any other materials required for the record of proceedings by PRC Section 21167.6(e); and
- The Notice of Determination.

The Board of Supervisors intends that only those documents relating to the project and its compliance with CEQA and prepared, owned, used, or retained by the Board of Supervisors and listed above shall comprise the administrative record for the project. Only that evidence was presented to, considered by, and ultimately before the Board of Supervisors prior to reviewing and reaching its decision on the EIR and project.

CUSTODIAN OF RECORDS

The custodian of the documents or other material that constitute the record of proceedings upon which the Board of Supervisor's decision is based is identified as follows:

County of El Dorado
Clerk Recorder
360 Fair Lane
Placerville, CA 95667

RECIRCULATION NOT REQUIRED

CEQA Guidelines Section 15088.5 provides the criteria that a lead agency is to consider when deciding whether it is required to recirculate an EIR. Recirculation is required when "significant new information" is added to the EIR after public notice of the availability of the Draft EIR is given, but before certification. (CEQA Guidelines, Section 15088.5(a).) "Significant new information," as defined in CEQA Guidelines Section 15088.5(a), means information added to an EIR that changes the EIR so as to deprive the public of a meaningful opportunity to comment on a "substantial adverse environmental effect" or a "feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement."

An example of significant new information provided by the CEQA Guidelines is a disclosure showing that a "new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;" that a "substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance;" or that a "feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it." (CEQA Guidelines, Section 15088.5(a)(1)-(3).)

Recirculation is not required where "the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR." (CEQA Guidelines, Section 15088.5(b).) Recirculation also is not required simply because new information is added to the EIR — indeed, new information is oftentimes added given CEQA's public/agency comment and response process and CEQA's post-Draft EIR circulation requirement of proposed responses to comments submitted by public agencies. In short, recirculation is "intended to be an exception rather than the general rule." (Laurel Heights Improvement Assn. v. Regents of University of California (1993) 6 Cal.4th 1112, 1132.)

In this legal context, the Board of Supervisors finds that recirculation of the Draft EIR prior to certification is not required. In addition to providing responses to comments, the Final EIR includes revisions to expand upon information presented in the Draft EIR; explain or enhance the evidentiary basis for the Draft EIR's findings; update information; and to make clarifications, amplifications, updates, or helpful revisions to the Draft EIR. The Final EIR's revisions, clarifications and/or updates do not result in any new significant impacts or increase the severity of a previously identified significant impact.

In sum, the Final EIR demonstrates that the project will not result in any new significant impacts or increase the severity of a significant impact, as compared to the analysis presented in the Draft EIR. The changes reflected in the Final EIR also do not indicate that meaningful public review of the Draft EIR was precluded in the first instance. Accordingly, recirculation of the EIR is not required as revisions to the EIR are not significant as defined in Section 15088.5 of the State CEQA Guidelines.

1.5 CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Board of Supervisors certifies that the Final EIR has been completed in compliance with CEQA and the CEQA Guidelines, that the EIR was presented to the Board of Supervisors, and that the County Council reviewed and considered the information contained therein before approving the project, and that the EIR reflects the independent judgment and analysis of the Board of Supervisors. (CEQA Guidelines Section 15090.)

2 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines section 15093(a) and (b), the Board of Supervisors is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of the project, including region-wide or statewide environmental benefits, outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable" (CEQA Guidelines, §15093(a)). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (CEQA Guidelines, §15093(b)).

Courts have upheld overriding considerations that were based on a variety of policy considerations including, but not limited to, new jobs, stronger tax base, and implementation of an agency's economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to community plan, and provision of construction jobs. See *Towards Responsibility in Planning v. County Council* (1988) 200 Cal App. 3d 671; *Dusek v. Redevelopment Agency* (1985) 173 Cal App. 3d 1029; *County of Poway v. County of San Diego* (1984) 155 Cal App. 3d 1037; *Markley v. County Council* (1982) 131 Cal App.3d 656. In accordance with the requirements of CEQA and the CEQA Guidelines, the Board of Supervisors finds that the mitigation measures identified in the Final EIR and the MMRP, when implemented, will avoid, or substantially lessen many of the significant effects identified in the Final EIR for the proposed Montano De El Dorado Phase I and II Master Plan (project). However, certain significant impacts of the project are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are to aesthetics (both project specific and cumulative visual character/lighting impacts), air quality (both project specific and cumulative long-term criteria pollutants), noise (both project specific and cumulative construction noise/project specific siren noise), utilities and service systems (offsite infrastructure installation), cumulative hydrology/water quality (groundwater resources), and cumulative utilities (groundwater supply/wastewater services). The Final EIR provides detailed information regarding these impacts (see Section 1.2.4 Potentially Significant Impacts that Cannot Be Mitigated Below A Level of Significance).

The Board of Supervisors finds that all feasible mitigation measures identified in the Final EIR within the purview of the County will be implemented with implementation of the Montano De El Dorado Phase I and II Master Plan, and that the remaining significant unavoidable effects are outweighed and are found to be acceptable due to the following specific overriding economic, legal, social, technological, or other benefits based upon the facts set forth above, the Final EIR, and the record, as follows:

1. The Montano De El Dorado Phase I and II Master Plan would implement General Plan designated land uses and associated zoning of Regional Commercial.
2. The Montano De El Dorado Phase I and II Master Plan would expand retail, hospitality, and office uses.
3. The project has the potential to generate annual sales tax revenues of $200 to $400 square feet of retail and restaurant uses and approximately $3,500 per hotel room (Economic Planning Systems Montano de El Dorado Phase II General Plan Policies dated January 5, 2021).
4. The Montano De El Dorado Phase I and II Master Plan would provide community gathering opportunities associated with special events and amphitheater site.

Considering all the factors, the Board of Supervisors finds that there are specific economic, legal, social, technological, and other considerations associated with the project that serve to override and outweigh the project's significant unavoidable effects and, thus, the adverse effects are considered acceptable. Therefore, the Board of Supervisors hereby adopts this Statement of Overriding Considerations.

EXHIBIT B

Mitigation Monitoring and Reporting Program for the

Montano De El Dorado Phase I and II Master Plan

Prepared for:

El Dorado County Planning and
Building Department, Planning Services

2850 Fairlane Court
Placerville, CA 95667

Contact:

Tom Purciel
project Planner

Prepared by:

Ascent Environmental, Inc.
455 Capitol Mall, Suite 300
Sacramento, CA 95814

Contact:

Pat Angell
project Manager

January 2021

EXHIBIT B

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

In accordance with the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.),the El Dorado County (County) prepared an Environmental Impact Report (EIR) (State Clearinghouse No. 2019050019) that identified significant impacts and mitigation measures that would reduce the identified impacts to less-than-significant levels, where feasible.

CEQA and the State CEQA Guidelines (PRC Section 21081.6 and State CEQA Guidelines Sections 15091(d) and 15097) require public agencies "to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment." A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project because the EIR identifies significant adverse impacts related to the project implementation, and mitigation measures have been identified to reduce those impacts. Adoption of the MMRP would occur along with approval of the Project.

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP has been prepared to ensure that all required mitigation measures are implemented and completed in a satisfactory manner before and during project construction and operation, as applicable.

The MMRP table provided herein has been prepared to assist the responsible parties in implementing the mitigation measures. The table identifies the impact, individual mitigation measures, monitoring responsibility, mitigation timing. The table also provides space to confirm implementation of the mitigation measures after project approval. The numbering of mitigation measures follows the numbering sequence found in the EIR. Mitigation measures that are referenced more than once in the EIR are not duplicated in the MMRP table.

ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, the County is responsible for taking all actions necessary to implement the mitigation measures under its jurisdiction according to the specifications provided for each measure and for demonstrating that the action has been successfully completed.

The County is responsible for overall administration of the MMRP and for verifying that the Project Applicant, the construction contractor, or other designated party has completed the necessary actions for each measure. The party responsible for implementing each item will identify the staff members responsible for coordinating with the County on the MMRP.

MITIGATION MONITORING AND REPORTING PROGRAM TABLE

The categories identified in the attached MMRP table are described below.

- Impact – This column provides the verbatim text of the identified impact.
- Mitigation Measure – This column provides the verbatim text of the adopted mitigation measure.
- Monitoring and Reporting Procedure – This column identifies discrete actions to be implemented as part of the broader mitigation measure.
- Timing – This column identifies the time frame in which the mitigation will be implemented.
- Verification – This column identifies the party responsible for verifying compliance and is to be dated and signed by that party (either project manager or his/her designee).

Table 3-1 Montano de El Dorado Master Plan Phase I and II Master Plan Mitigation Monitoring and Reporting Program

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
3.1 Aesthetics				
Impact 3.1-2: Effects of Light and Glare	**Mitigation Measure 3.1-2a: Demonstration of Compliance with County Lighting Standards** Final improvement plans will include specifications that demonstrate outdoor lighting is located, adequately shielded, and directed such that no direct light falls outside the property line, or into the public right-of-way consistent with Title 130, Chapter 130.34 (Outdoor Lighting) of County Code. **Mitigation Measure 3.1-2b: Use of Nonreflective Building Materials** Final building plans will identify the use of nonreflective building materials and glass that will avoid the creation of glare offsite during the daytime.	Review of building and improvement plans	Prior to approval of building and improvement plans.	County Planning and Building Department
3.2 Air Quality				
Impact 3.2-4: Exposure of Sensitive Receptors to TACs	**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 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 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	Inspection of construction activities and verified in project improvement plans.	Prior to construction activities and approval of improvement plans.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	remain unmitigated. This shall 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 not exceed 200 lb of diesel PM per year and submit the tool to El Dorado County for review and approval (SMAQMD 2018).			
3.3 Biological Resources				
Impact 3.3-1: Disturbance to or Loss of Special-Status Plant Species and Habitat	**Mitigation Measure 3.3-1: Conduct Survey for Big-Scale Balsamroot, Avoid Plants, or Implement Mitigation for Loss of Plants** The following measure shall be implemented to avoid or minimize loss of big-scale balsamroot prior to site construction: ▶ Prior to issuance of grading, building or improvement permits, a qualified botanist shall conduct protocol-level surveys for special-status plants, including the big-scale balsamroot, during the blooming period of identified listed species having the potential to occur on the project site (approximately March to June). Surveys shall include areas where potentially suitable habitat would be removed or disturbed by project activities in accordance with *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018). The normal blooming period for special-status plants generally indicates the optimal survey periods when the species are most identifiable. ▶ If big-scale balsamroot or other special-status plants is not found, the botanist shall document the findings in a letter report to CDFW and the County and no further mitigation will be required. ▶ If big-scale balsamroot or other special-status plants are found, the qualified botanist shall consult with CDFW to designate a no-disturbance buffer to prevent loss of the plants. If big-scale balsamroot are found that cannot be avoided during construction, the project applicant shall consult with CDFW to determine the appropriate mitigation measures for direct and indirect impacts that could occur as a result of project construction. The project applicant shall implement the agreed-upon mitigation measures to achieve no net loss of occupied habitat or individuals. Mitigation measures may include preserving and enhancing existing populations, creation of offsite populations on project mitigation sites through seed collection or	Preconstruction surveys and implementation of protection measures for identified species.	Prior to construction activities.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat and/or individuals.			
Impact 3.3-2: Cause Disturbance to or Loss of Burrowing Owl	**Mitigation Measure 3.3-2: Conduct Survey for Burrowing Owl, Implement Protection Measures or Compensate for Loss of Burrows** The following measure shall be implemented to avoid or minimize loss of burrowing owl: ▶ Prior to issuance of grading, building or improvement permits, a qualified biologist shall conduct focused breeding or nonbreeding season surveys for burrowing owls within the project site and within a 1,500-foot buffer of the project site. Surveys shall be conducted in accordance with Appendix D of CDFW's *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). ▶ If no occupied burrows are found, a memorandum documenting the survey methods and results shall be submitted to CDFW and no further mitigation would be required. ▶ If an active burrow is found during the nonbreeding season (September 1 through January 31), the project applicant shall consult with CDFW regarding protection buffers to be established around the occupied burrow and maintained throughout construction. If occupied burrows are present that cannot be avoided or adequately protected with a no-disturbance buffer, a burrowing owl exclusion plan shall be developed, as described in Appendix E of CDFW's 2012 Staff Report. Burrowing owls shall not be excluded from occupied burrows until the proposed project's burrowing owl exclusion plan is approved by CDFW. The exclusion plan shall include a plan for creation, maintenance, and monitoring of artificial burrows in suitable habitat that provides substitute burrows for displaced owls. ▶ If an active burrow is found during the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and will be provided with a 150- to 1,500-foot protective buffer from construction activities unless a qualified biologist verifies through noninvasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The size of the buffer shall depend on the time of year and level of disturbance as outlined in the CDFW Staff Report (CDFW 2012). The size of the buffer may be reduced if a broad-scale, long-term, monitoring program acceptable to CDFW is implemented to prevent burrowing owls from being detrimentally affected. Once the fledglings are capable of independent survival, the owls can be evicted and the burrow can be destroyed per the terms of a CDFW-approved burrowing owl exclusion plan developed in accordance with Appendix E of CDFW's 2012 Staff Report. No burrowing owls will be excluded from occupied burrows until the burrowing owl exclusion and relocation plan is approved by CDFW. Following owl exclusion	Preconstruction surveys and implementation of protection measures for identified species.	Prior to construction activities and issuance of grading, building or improvement permits.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	and burrow demolition, the site shall be monitored by a qualified biologist to ensure burrowing owls do not recolonize the site before construction. ▶ If active burrowing owl burrows are found on the site and are destroyed by proposed project implementation, the project applicant shall mitigate the loss of occupied habitat in accordance with guidance provided in the CDFW 2012 Staff Report, which states that permanent impacts to nesting, occupied and satellite burrows, and burrowing owl habitat shall be mitigated such that habitat acreage, number of burrows, and burrowing owls adversely affected are replaced through permanent conservation of comparable or better habitat with similar vegetation communities and burrowing mammals (e.g., ground squirrels) present to provide for nesting, foraging, wintering, and dispersal. The project applicant shall retain a qualified biologist to develop a burrowing owl mitigation and management plan that incorporates the following goals and standards: ▪ Mitigation lands shall be selected based on comparison of the habitat lost to the compensatory habitat, including type and structure of habitat, disturbance levels, potential for conflicts with humans, pets, and other wildlife, density of burrowing owls, and relative importance of the habitat to the species range wide. ▪ If feasible, mitigation lands shall be provided adjacent or proximate to the site so that displaced owls can relocate with reduced risk of take. Feasibility of providing mitigation adjacent or proximate to the proposed project area depends on availability of sufficient suitable habitat to support displaced owls that may be preserved in perpetuity. ▪ If suitable habitat is not available for conservation adjacent or proximate to the proposed project area, mitigation lands shall be focused on consolidating and enlarging conservation areas outside of urban and planned growth areas and within foraging distance of other conservation lands. Mitigation may be accomplished through purchase of mitigation credits at a CDFW-approved mitigation bank, if available. If mitigation credits are not available from an approved bank and mitigation lands are not available adjacent to other conservation lands, alternative mitigation sites and acreage shall be determined in consultation with CDFW. ▪ If mitigation is not available through an approved mitigation bank and will be completed through permittee-responsible conservation lands, the mitigation plan shall include mitigation objectives, site selection factors, site management roles and responsibilities, vegetation management goals, financial assurances and funding mechanisms, performance standards and success criteria, monitoring and reporting protocols, and adaptive management measures. Success shall be based on the number of adult burrowing owls and pairs using the site and if the numbers are maintained over time. Measures of success, as suggested in the 2012 Staff Report, shall include site tenacity, number of adult owls present and reproducing, colonization by burrowing owls from elsewhere, changes in distribution, and			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	trends in stressors.			
Impact 3.3-3: Cause the Disturbance to or Loss of Native Grassland- or Shrub-Nesting Birds	**Mitigation Measure 3.3-3: Conduct Preconstruction Nesting Bird Surveys and Establish Protective Buffers** The following measure shall be implemented to avoid or minimize loss of native nesting birds protected under Section 3503 of the California Fish and Game Code: ▶ To minimize the potential for disturbance to or loss of native bird nests within the grassland or shrub habitat on the project site, vegetation removal activities shall occur only during the nonbreeding season (September 1-January 31). ▶ Before removal of any vegetation or any ground disturbance between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nests within any vegetation planned for removal. The surveys shall be conducted no more than 7 days before construction commences. ▶ If no active nests are found during focused surveys, no further action under this measure will be required. ▶ If active nests are located during the preconstruction surveys, the biologist shall notify the project applicant and CDFW. A no-disturbance buffer will be established, and the size of the buffer will be determined by the qualified biologist in consultation with CDFW. Construction activities, including staging, shall be prohibited within the no-disturbance buffer to avoid disturbance to the nesting bird until the nest is no longer active.	Preconstruction surveys and implementation of protection measures for identified species.	Prior to construction activities and issuance of grading, building or improvement permits.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
3.4 Cultural and Tribal Cultural Resources				
Impact 3.4-1: Adverse Effects to Archaeological Resources	**Mitigation Measure 3.4-1: For All Ground-Disturbing Construction Activities, Halt Ground Disturbance Upon Discovery of Subsurface Archaeological Features** In the event that any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted and a qualified professional archaeologist shall be retained to assess the significance of the find. If the qualified archaeologist determines the archaeological material to be Native American in nature, the project applicant shall contact the appropriate Native American tribe for their input on the preferred treatment of the find. If the find is determined to be significant by the archaeologist (i.e., because it is determined to constitute a unique archaeological resource), the archaeologist shall develop, and the project applicant shall implement, appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include but would not necessarily be limited to preservation in place (which shall be the preferred manner of mitigating impacts to archaeological sites), archival research, subsurface testing, or contiguous block unit excavation and data recovery (when it is the only feasible mitigation, and pursuant to a data recovery plan).	Identification of resources and implementation of protection of resources.	During construction activities.	County Planning and Building Department
Impact 3.4-3: Adverse Effects to Tribal Cultural Resources	**Mitigation Measure 3.4-3a: Conduct Construction Worker Training** Prior to approval of project grading, the applicant will provide evidence that construction worker training on Native American resources has been provided. **Mitigation Measure 3.4-3b: Protection of Discovered Tribal Cultural Resources** Should an inadvertent discovery of tribal cultural resources occur, the County and UAIC shall be contacted immediately to evaluate and consult on appropriate and respectful treatment and disposition. If potential tribal cultural resources (TCRs), archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered by Native American Representatives or Monitors from interested Native American Tribes, qualified cultural resources specialists or	Confirmation that this mitigation measure is included in Project improvement plans.	During construction activities.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	other Project personnel during construction activities, work will cease within 100 feet of the find (based on the apparent distribution of cultural resources), whether or not a Native American Monitor from a traditionally and culturally affiliated Native American Tribe is present. A qualified cultural resources specialist and Native American Representatives and Monitors from traditionally and culturally affiliated Native American Tribes will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. UAIC does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless requested by the UAIC. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. These recommendations will be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record. If adverse impacts to tribal cultural resources, unique archeology, or other cultural resources occurs, then consultation with UAIC and other traditionally and culturally affiliated Native American Tribes regarding mitigation contained in the Public Resources Code sections 21084.3(a) and (b) and CEQA Guidelines section 15370 shall occur, to coordinate for compensation for the impact by replacing or providing substitute resources or environments.			
3.7 Greenhouse Gas Emissions and Climate Change				
Impact 3.7-1: Greenhouse Gas Emissions	**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. <u>Off-Road Equipment Emission Standards</u> 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).	Verification that the project site design includes identified measures and offsets are acquired.	Prior to final site design and building permit issuance.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	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 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. **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 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.			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	▶ 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 California Green Building Energy Codes (CALGreen),			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	Section A5.106.11.2, or the most recent version of CALGreen effective at the time of construction. <u>On-Road Transportation</u> 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;			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	▪ 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. <u>Off-Road Transportation</u> 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. <u>Water</u> 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. **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. 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			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	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, ▶ 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 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). 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			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	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.			
3.10 Noise and Vibration				
Impact 3.10-1: Construction-Generated Noise Levels	**Mitigation Measure 3.10-1: Implement Measures to Reduce Exposure to Construction-Generated Noise** To minimize noise levels during construction activities, the applicant shall require its construction contractors to comply with the following measures during construction: ▶ 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 Saturday, and on federally recognized holidays. No construction shall occur on Sundays. ▶ All construction equipment and material staging areas shall be located as far as possible from the residential land uses located along Monte Verde Drive east of the project site, and/or located such that existing topography blocks line-of-site from these land uses to the staging areas. ▶ All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturer recommendations. Equipment engine shrouds shall be closed during equipment operation. ▶ Where feasible and consistent with building codes and other applicable laws and regulations, individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete offsite instead of onsite).	Confirmation construction noise measures are being implemented through construction site inspections.	Prior to approval of final building plans and improvement plans. Implemented during construction	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	▶ All construction equipment with back-up alarms shall be equipped with either audible self-adjusting backup alarms or alarms that only sound when an object is detected. The self-adjusting backup alarms shall automatically adjust to 5 dBA over the surrounding background levels. All non-self-adjusting backup alarms shall be set to the lowest setting required to be audible above the surrounding noise levels. In addition to the use of backup alarms, the construction contractor shall consider other techniques such as observers and the scheduling of construction activities to minimize alarm noise. ▶ The applicant or construction contractors shall post visible signs along the perimeter of the construction site that disclose construction times and duration. In addition, residents of homes located directly east of the site shall be provided written notification 48 hours before blasting activities. A contact number for an El Dorado County enforcement officer shall be included where noise complaints can be filed and recorded. The applicant will be informed of any noise complaints and will be responsible for investigating complaints and implementing feasible and appropriate measures to reduce noise at receiving land uses. These may include: ▪ Implementing noise-reducing enclosures and techniques around stationary noise-generating equipment (e.g., concrete mixers, generators, compressors). ▪ For construction activity that occurs near existing sensitive land uses, installation of temporary noise curtains that meet the following parameters: • temporary noise curtains shall be installed as close as possible to the boundary of the construction site within the direct line of sight to the nearby sensitive receptor(s). temporary noise curtains shall consist of durable, flexible composite material featuring a noise barrier layer bounded to sound-absorptive material on one side. The noise barrier layer shall consist of rugged, impervious material with a surface weight of at least one pound per square foot.			
Impact 3.10-2: Short-term Construction Vibration Impacts	**Mitigation Measure 3.10-2a: Reduce Blasting-Related Vibration** For any blasting that would be conducted within 230 feet from any existing occupied structure, alternatives to traditional blasting (silent demolition), such as non-explosive chemical agents, expansive grout, or other non-explosive technology, shall be used to preclude vibration and noise impacts. **Mitigation Measure 3.10-2b: Implement Measures to Reduce Exposure of Buildings and Other Structures to Levels of Ground Vibration That Could Result in Structural Damage and to Limit the Level of Human Annoyance** The project applicant shall hire a qualified California-registered geotechnical engineer to perform site-specific evaluation of the geotechnical conditions at the project site. The evaluation shall determine the propagation rate of ground vibration in the area, taking into account local soil conditions, the age of the	Confirmation construction noise measures are being implemented through construction site inspections.	Prior to approval of final building plans and improvement plans. Implemented during construction	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	nearby buildings, and other factors. The evaluation shall determine whether nearby structures and buildings could experience structural damage from blasting activity at the site. The evaluation shall also determine whether nearby residential dwellings and/or commercial land uses would experience levels of ground vibration that exceed FTA's vibration standard of 80 VdB for human response or Caltrans' vibration standard of 0.2 for structural damage to normal dwellings. The evaluation shall also include a geotechnical inspection of all buildings and structures located within 80 feet of locations where impact blasting would occur. The inspection shall document pre-existing conditions, including any pre-existing structural damage. The pre-inspection survey of the buildings shall be completed with the use of photographs, video, or visual inventory, and shall include inside and outside locations. All existing cracks in walls, floors, driveways shall be documented with sufficient detail for comparison during and upon completion of blasting activities to determine whether new actual vibration damage has occurred. The results of both surveys shall be provided to the project applicant for review and acceptance of conclusions. Should damage occur during construction, construction operations shall be halted until the problem activity can be identified. Once identified, the problem activity shall be modified to eliminate the problem and protect the adjacent buildings. Any damage to nearby buildings shall be repaired back to the pre-existing condition at the expense of the project applicant. The evaluation shall also 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 the project applicant shall require construction contractor(s) to implement the measures identified in the evaluation. Such measures shall include, but are not limited to, the following: ▶ Blasting, earth moving, and ground-disturbance activities shall be phased so as not to occur simultaneously in areas close to off-site sensitive receptors. The total vibration level produced could be substantially less when each vibration source is operated separately; ▶ Designate a disturbance coordinator and post that person's telephone number conspicuously around the construction site and provide to nearby residents. The disturbance coordinator shall receive all public complaints and be responsible for determining the cause of the complaint and implementing any feasible measures to alleviate the problem. The contact information of the disturbance coordinator shall also be provided to the owners of all properties for which a pre-inspection survey is performed; and Provide advanced notice to owners of all residential land uses, tourist accommodations, and commercial land uses located within 300 feet of where blasting would take place. This noticing shall inform the recipients of when and			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	where blasting would occur, and the types of measures being implemented to lessen the impact at potentially affected receptors. This noticing shall also provide the contact information for the designated disturbance coordinator.			
Impact 3.10-4: Long-Term Operational Noise from On-Site Activities	**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 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 need to be long enough to ensure that sound will not flank around the ends of the barrier into the neighboring backyards and will need to be constructed at the same base elevation as the final grading of the truck route. **Mitigation Measure 3.10-4b: Restrict Hours of On-Site Truck Deliveries to Daytime Hours** The County shall condition to the project to restrict onsite truck circulation, including waste collection services, between the daytime hours of 7 a.m. and 7 p.m. Evening and nighttime deliveries at the proposed anchor commercial building loading dock or any location onsite shall be prohibited. This restriction shall be included in the required conditional use permit and shall be implemented during project operations.	Verification that the project site design includes identified measures. Requirements in use permit.	Prior to final site design and building permit issuance.	County Planning and Building Department
Impact 3.10-5: Long-Term Operational Noise Impacts from Stationary or Area Sources	**Mitigation Measure 3.10-5a: Implement Mitigation Measure 3.10-4a** **Mitigation Measure 3.10-5b: Implement Mitigation Measure 3.10-4b** **Mitigation Measure 3.10-5c: Emergency Generators** The project applicant shall include design measures to reduce noise levels from emergency generators. Design measures may include locating generators on the west side of the buildings, as far as possible from nearby noise-sensitive land uses; enclosures designed with noise reduction materials such as weighted barriers, sound absorbers, and multi-layer composites; and quieter generator models. Before construction, the project applicant shall verify that noise reduction design measures sufficiently prevent noise generated by generators from exceeding the County daytime standard of 55 dBA L_{eq} and 70 dBA L_{max} for communities.	Verification that the project site design includes identified measures. Requirements in use permit.	Prior to final site design and building permit issuance.	County Planning and Building Department
Impact 3.10-6: Long-Term Operational Noise Impacts from On-Site Events	**Mitigation Measure 3.10-6a: Implement Mitigation Measure 3.10-4a** **Mitigation Measure 3.10-6b: Implement Measures to Ensure Compliance with El Dorado County Noise Standards at Nearby Residential Land Uses**	Verification that the project site design includes identified	Prior to final site design and building permit issuance. Monitoring during events at	County Planning and Building Department

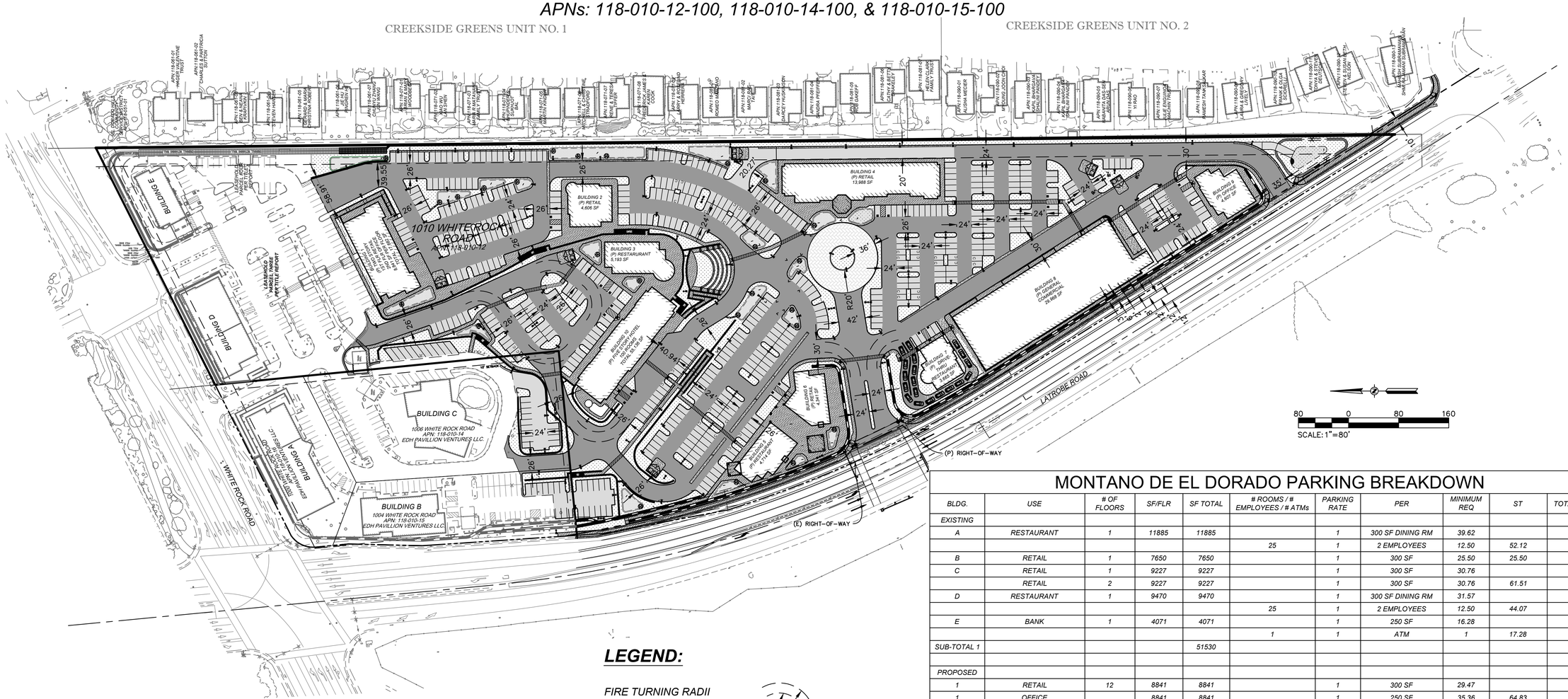
Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	The following measures shall be implemented to ensure that off-site residences are not exposed to noise levels generated by amphitheater events that exceed the County's noise level performance standards for noise-sensitive land uses affected by non-transportation sources in community centers, as presented in Table 3.10-8. ▶ Prohibit events with amplified music or sound during the nighttime hours of 10 p.m. - 7 a.m. ▶ During the sound testing of the amplified sound system prior to each event multiple sound level measurements shall be conducted along the property line of the most affected residential land uses. The sound level meter used for the sound level measurements should meet a minimum Type 2 compliance and be fitted with the manufacturer's windscreen and calibrated before use. Volume settings shall be adjusted to ensure that the applicable county noise standards will not be exceeded at the residences during the event. ▶ Only hold events with amplified music or sound during daytime hours (i.e., 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 Leq and 55 dB Lmax. If sound level measurements conducted during the first two daytime events indicate that offsite 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.). This evaluation shall be conducted by a qualified noise analyst selected by county staff; however, all funding shall be provided by the applicant. The results of all sound measurements shall be provided to the County. ▶ Prohibit the use of subwoofers during amplified music events.	measures. Requirements in use permit.	amphitheater.	

MONTANO DE EL DORADO PHASE II MASTER PLAN

PRELIMINARY SITE PLAN

Z15-0002/P15-0006/PD15-0004/S17-0015
EXHIBIT H

WHITE ROCK ROAD & LATROBE ROAD
EL DORADO HILLS, CA
COUNTY OF EL DORADO
APNs: 118-010-12-100, 118-010-14-100, & 118-010-15-100



MONTANO DE EL DORADO PARKING BREAKDOWN

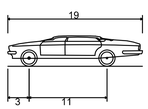
BLDG.	USE	# OF FLOORS	SF/FLR	SF TOTAL	# ROOMS / # EMPLOYEES / # ATMs	PARKING RATE	PER	MINIMUM REQ	ST	TOTAL / BLDG.
EXISTING										
A	RESTAURANT	1	11885	11885		1	300 SF DINING RM	39.62		
					25	1	2 EMPLOYEES	12.50	52.12	53
B	RETAIL	1	7650	7650		1	300 SF	25.50	25.50	26
C	RETAIL	1	9227	9227		1	300 SF	30.76		
	RETAIL	2	9227	9227		1	300 SF	30.76	61.51	62
D	RESTAURANT	1	9470	9470		1	300 SF DINING RM	31.57		
					25	1	2 EMPLOYEES	12.50	44.07	45
E	BANK	1	4071	4071		1	250 SF	16.28		
					1	1	ATM	1	17.28	18
SUB-TOTAL 1				51530						204
PROPOSED										
1	RETAIL	12	8841	8841		1	300 SF	29.47		
1	OFFICE		8841	8841		1	250 SF	35.36	64.83	65
2	RETAIL	1	4606	4606		1	300 SF	15.35	15.35	16
3	RESTAURANT	1	5193	5193		1	300 SF DINING RM	17.31		
3					25	1	2 EMPLOYEES	12.50	29.81	30
4	RETAIL	1	13988	13988		1	300 SF	46.63	46.63	47
5	RESTAURANT	1	4714	4714		1	300 SF DINING RM	15.71		
5					25	1	2 EMPLOYEES	12.50	28.21	29
6	RETAIL	1	4341	4341		1	300 SF	14.47	14.47	15
7	DRIVE-THRU RESTAURANT	1	3665	3665		1	300 SF GFA	12.22	12.22	13
8	GENERAL COMMERCIAL	1	29968	29968		1	200 SF AUA	149.84	149.84	150
9	OFFICE	1	4607	4607		1	250 SF	18.43	18.43	19
10	HOTEL	2, 3, 4, & 5	11260	45040	100	1.2	GUEST ROOM	120.00		
10	OFFICE	1	1246	1246		1	50% OF 250 SF	2.49		
10	CHECK-IN ENTRY	1	1850	1850		1	50% OF 300 SF	3.08		
10	BAR	1	3500	3500		1	300 SF	11.67		
10					12	1	2 EMPLOYEES	6.00		
10	MEETING ROOMS	1	3500	3500		1	50% OF 50 SF	35.00	178.24	179
SUB-TOTAL 2				143900						563
ESTIMATED PARKING REQUIRED										767
PARKING PROVIDED							REGULAR	COMPACT	ACCESSIBLE	
	EXISTING						158	73	10	241
	PROPOSED						468	39	19	526
TOTAL	*PROVIDED*						626	112	29	767

LEGEND:

FIRE TURNING RADII

INNER RADIUS=40'
INNER RADIUS=56'

PASSENGER CAR TURNING RADII



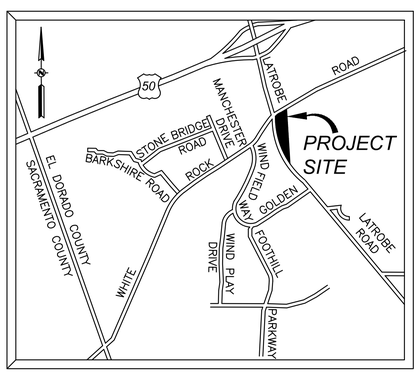
P - Passenger Car

Overall Length	19.000ft
Overall Width	7.000ft
Overall Body Height	4.300ft
Min Body Ground Clearance	1.115ft
Track Width	6.000ft
Lock-to-lock time	4.00s
Max Steering Angle (Virtual)	31.60°

NOTES:

1. *SEE PRELIMINARY GRADING, & UTILITY PLANS FOR (P) EASEMENTS.*
2. *SEE SHEET C2 FOR SITE BOUNDARY BEARINGS AND DISTANCES.*
3. *STANDARD STALL DIMENSIONS ARE 9' WIDE x 18' LONG.*

SHEET INDEX



VICINITY MAP
NOT TO SCALE

BY	APPRVD

NO.	REVISION	DATE	BY

	BY	CHECK
DESIGN	TSM	RPW
DRAWN	TSM	RPW
QUANT.		

1 2
0 ORIGINAL SCALE IS IN INCHES

REGISTERED PROFESSIONAL ENGINEER RONALD P. WOOD No. C048548 PRELIMINARY NOT FOR CONSTRUCTION OF CALIFORNIA

RFE ENGINEERING, INC
Civil Engineers • Planners • Surveyors
2260 Douglas Blvd, Suite 160, Roseville, CA 95661
Ph: 916-772-7800 Fax: 916-772-7804
www.RFEengineering.com

DEVELOPER:
ARROWEST PROPETIES, INC. CA
4020 SIERRA COLLEGE BLVD., # 200
ROCKLIN, CA 95677
ATTN: VINAL PERKINS
TELE:916-284-2555

MONTANO DE EL DORADO
PHASE II MASTER PLAN
WHITE ROCK ROAD & LATROBE ROAD
EL DORADO HILLS, CA

PRELIMINARY SITE PLAN

Drawing C1 of Sheet of Total 17

04/10/2019

21-0376 E 68 of 113

RFE PROJECT #21335 – MONTANO DE EL DORADO PHASE II MASTER PLAN, EL DORADO HILLS, CA

Z:\2013 Projects\21335 Montano Ph II Master Plan\WORKING CAD\PRELIMINARY\C1 – SITE PLAN.dwg Jan 11, 2021 – 10:30 am

Conditional Use Permit S17-0015 Outdoor Special Events Plan

The following chart shows the type, location and frequency of allowed outdoor special events within Phase I and Phase II. With the exception of infrequent outdoor movie nights (April-September) at the community pavilion concluding at 10:00 p.m., all other events as listed below must conclude no later than 9:00 p.m. Events at the community pavilion must not conduct amplified music or speech more than once per week.

All events must be the same or similar in character to those shown in the chart below. Any deviations to the type, location and frequency of outdoor special events must be reviewed and approved by the County for conformity with this Outdoor Special Events Plan. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

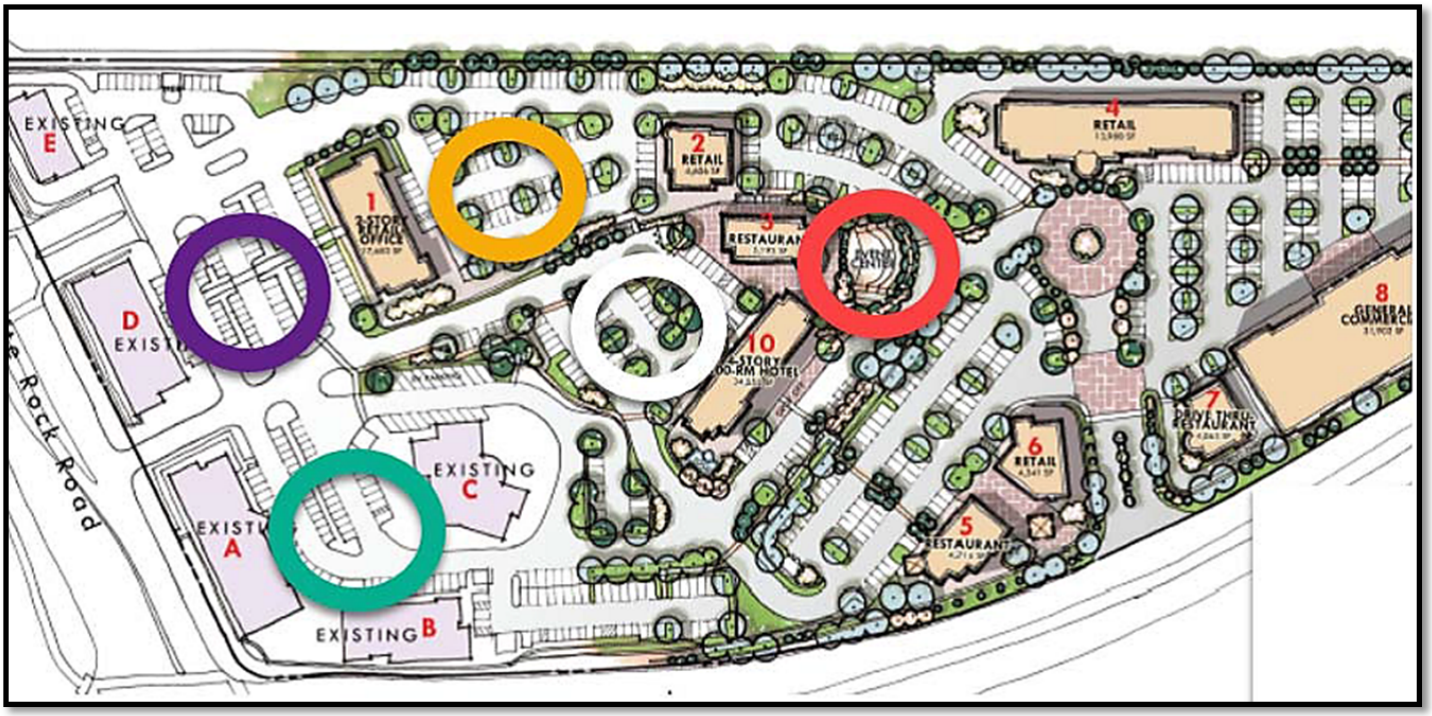
Outdoor Special Events Schedule [From Draft EIR Table 2-1]

Typical Month	Typical Event	Site Location (Colored Circles in Figure 1)	Attendance Estimate
January	➢ Community Blood Drive at the Community Pavilion	Red	100
February	➢ Bridal Fashion Show at the Community Pavilion	Red	100
March	➢ Fashion Show at the Community Pavilion	Red	100
	➢ Montano Chili Cookoff/plaza Wide Craft Fair Charity Event	Green	200
April	➢ Easter Event/Egg Hunt	Orange	100
	➢ Monday Movie at Montano - Community Pavilion	Red	75
	➢ St. Patrick's Day Event	Purple	75
May	➢ Memorial Day Music - Community Pavilion	Red	150
	➢ El Dorado Music Theater (EDMT) Play (4 days)	Red	150
	➢ Local Wine Crush and Arts Festival	Green	350
	➢ Monday Movie at Montano - Community Pavilion	Red	75
	➢ Community Pavilion Music – limited amplification 5:30pm-8:30pm	Red	75
June	➢ Farmers Market 2nd Saturday	Orange	175
	➢ Taste of El Dorado County – Food, Wine, and Crafts	Green	150
	➢ Monday Movie at Montano - Community Pavilion	Red	75
	➢ Community Pavilion Music – limited amplification 5:00 pm-8:00 pm	Red	150
July	➢ July 4th Celebration in Coordination with Town Center	Orange	300
	➢ Farmers Market 2nd Saturday	Orange	175
	➢ Community Pavilion Music – limited amplification 5:30pm-8:30pm (Saturdays)	Red	150
	➢ Monday Movie at Montano - Community Pavilion	Red	150
August	➢ Farmers Market 2nd Saturday	Orange	175
	➢ El Dorado Music Theater (EDMT) Play - Community Pavilion	Red	150
	➢ Community Pavilion Music – limited amplification 5:30pm-8:30pm (Saturdays)	Red	150
	➢ Perks and Paws Festival to Benefit Humane Society	Orange	300
	➢ Monday Movie at Montano - Community Pavilion	Red	75

Outdoor Special Events Schedule [From Draft EIR Table 2-1]

Typical Month	Typical Event	Site Location (Colored Circles in Figure 1)	Attendance Estimate
September	➢ 9/11 Patriots/Veterans Event	Blue	150
	➢ Farmers Market 2nd Saturday	Orange	175
	➢ Monday Movie at Montano - Community Pavilion	Red	75
	➢ Community Pavilion Music – limited amplification 5:30pm-8:30pm (Saturdays)	Red	75
October	➢ Oktoberfest (2-4 days) Primarily at 36 Handles Pub	Purple	350
	➢ Craft Brew Tasting and Blue Grass	Green	50
	➢ Monday Movie at Montano - Community Pavilion	Red	50
	➢ Classic Car Show	Orange	150
November	➢ Cornish Craft Festival and Merchant Each Saturday (Thanksgiving to Christmas) Plaza Wide	Phase I and II	250
	➢ Talent Show to Benefit Charity Groups	Red	150
December	➢ Cornish Craft and Merchant Festival Each Saturday (Thanksgiving to Christmas) Plaza Wide	Phase I and II	250
	➢ Christmas Special/Charity Event	Phase I and II	250

Figure 1. Special Event Locations [From Draft EIR Figure 2-14]



Z15-0002/PD15-0004/P15-0006/S17-0015 EXHIBIT J
PUBLIC FACILITIES FINANCING PLAN

MEMORANDUM

To: Vinal Perkins, Perkins Commercial Group, Inc.

From: Amy Lapin and Tom Martens

Subject: Montano De El Dorado Phase II Public Facilities Financing Plan; EPS #182176

Date: July 2, 2019

Introduction

Economic & Planning Systems, Inc. (EPS) was retained to prepare a Public Facilities Financing Plan (PFFP) memorandum for Perkins Commercial Group, Inc. (Client) for the proposed Montano De El Dorado Phase II project (Project), located in El Dorado County (County).

The Project represents the second phase of an existing retail commercial center located on the southeast corner of Latrobe Road and White Rock Road in the unincorporated El Dorado Hills community. The proposed Project is envisioned to contain a total of 144,000 gross building square feet of commercial development, consisting of 75,000 square feet of retail and restaurant space, 13,000 square feet of office space (both stand-alone and combined with retail space), and a 55,000-square-foot, 100-room hotel. In addition, a small amphitheater is proposed near the center of the Project. Note that the square footages noted above are based on the current site plan, as of March 12, 2019, and differ slightly from the Notice of Preparation of a Draft Environmental Impact Report, dated October 1, 2018. The Project development program is summarized in **Table 1** in the following section.

The size of the proposed Project (144,000 building square feet) exceeds the 100,000-building-square-foot threshold established in County General Plan Policy 10.2.1.5, which requires the preparation of a PFFP.[1] The guideline states that the PFFP should demonstrate that "cost burdens of any civic, public, and community facilities, infrastructure, ongoing services, including operations and maintenance necessitated by a development proposal…are adequately financed to assure no net cost

[1] 2004 El Dorado County General Plan, adopted July 19, 2004 (amended September 25, 2018).

The Economics of Land Use

Economic & Planning Systems, Inc.
400 Capitol Mall, 28th Floor
Sacramento, CA 95814
916 649 8010 tel
916 649 2070 fax

Oakland
Sacramento
Denver
Los Angeles

www.epsys.com

burden to existing residents may be required…"[2] The County also prepared PFFP General Guidelines that, while not adopted by the County Board of Supervisors, serve to guide the uniform preparation of a PFFP.[3]

The purpose of this memorandum is to prepare a PFFP that meets the requirements set forth in the County General Plan, recognizes the PFFP General Guidelines, and provides the County with the assurance that required facilities will be constructed when necessary.

The remainder of this memorandum documents Project land uses, requisite backbone infrastructure and public facility improvements to serve the Project, and estimated improvement costs and funding sources. This memorandum also provides a listing of existing development fees, taxes, and assessments that will be required to be funded by the Project and provides an overview of Project feasibility. Lastly, this memorandum discusses sources of ongoing operations and maintenance funding for both public improvements and the private development Project site.

Land Use

The Project is proposed for a 16.9-acre parcel that includes 2 existing retail structures totaling 8,100 square feet from the Project's first phase and are excluded from this analysis. The Project's first phase also includes 3 other structures on adjacent parcels. The remaining area of the Project parcel is proposed to be developed with 10 new structures in one or more construction phases, including 75,000 square feet of retail and restaurant space, 13,000 square feet of office space (both stand-alone and combined with retail space), and a 55,000-square-foot, 100-room hotel.

In addition to the uses noted above, the Preliminary Site Plan calls for inclusion of an open-air amphitheater at the center of the site. The square footage by use and hotel rooms for the proposed new structures for the site are summarized in **Table 1**, below, followed by **Figure 1**, the Preliminary Site Plan.

Definitions of Facilities in the PFFP

The term "backbone infrastructure" often is used to describe all publicly owned facilities. This PFFP uses the following definitions to characterize these items more precisely:

- **Backbone Infrastructure.** This term includes most of the essential public service-based infrastructure inclusive of roadways and improvements underneath roadways (storm drainage, sanitary sewer, and water facilities). Backbone infrastructure is sized to serve the Project.
- **Public Facilities.** This group of items include amenities for the Project (e.g., parks) or houses employees and equipment to serve the Project (e.g., fire facilities).

---

[2] 2004 El Dorado County General Plan, adopted July 19, 2004 (amended September 25, 2018).

[3] County of El Dorado Public Facilities Financing Plan General Guidelines, prepared March 24, 2015.

Z15-0002/PD15-0004/P15-0006/S17-0015 EXHIBIT J
PUBLIC FACILITIES FINANCING PLAN

Table 1
Montano De El Dorado Phase II
Public Facilities Financing Plan
Land Use Summary

Land Use	Acres	Nonresidential Building Square Feet	Hotel Rooms
Nonresidential			
Retail	6.3	61,744	-
Restaurant	2.4	13,572	-
Office	1.6	13,448	-
Hotel	3.3	55,136	100
Total Nonresidential	**13.6**	**143,900**	**100**
Public/Quasi-Public			
Amphitheater [1]	NA	4,645	-
Total Public/Quasi-Public			
Total Proposed Land Uses [2]	**13.6**	**143,900**	**100**
Existing Land Uses (Phase I)	2.6	8,100	-
Latrobe Road Right-of-Way	0.6	-	-
Total Parcel	**16.9**	**152,000**	**100**

Source: RFE Engineering, Inc. (as of 03/12/19); El Dorado County; EPS.

[1] The amphitheater is part of one of the restaurant parcels and is included with the acreage shown for that use. The amphitheater is not included in the calculation of total land uses.
[2] The total proposed land use acreage excludes planned parcels containing the 2 existing retail buildings on the Project parcel and planned additional Latrobe Road right-of-way.

Z15-0002/PD15-0004/P15-0006/S17-0015 EXHIBIT J
PUBLIC FACILITIES FINANCING PLAN

Figure 1

- **Facilities.** This term is used generically in the PFFP to include a combination of Backbone Infrastructure and Public Facilities when a precise breakdown is not required.
- **Onsite Infrastructure.** This group of improvements includes onsite improvements (e.g., grading, sewer, storm drainage, water, and roads) in an individual subdivision, commercial, or multifamily project. These costs are excluded from the PFFP because they are assumed to be the responsibility of the developer that is moving forward with specific onsite development improvements.

PFFP Summary

Reader's Note: All costs contained in this memorandum are in 2019 dollars. Costs shown are preliminary estimates provided during this initial planning stage of development and may be adjusted for inflation or revised based on more detailed engineering information as the Project moves forward.

Facility Costs

This section describes the public improvements to be constructed in association with development of the Project. The Project is anticipated to be completed in one or more construction phases. Backbone infrastructure costs for the Project are estimated to equal approximately $2.7 million. **Table 2** provides a summary of costs. These costs represent Facilities designed to serve the Project. Cost estimates include a 20 percent cost contingency and exclude Onsite Infrastructure, which will be the sole funding responsibility of the Project developer. The Project Facility costs comprise roadway and sanitary sewer costs, as described below:

- **Roadways.** A total of $1.29 million is estimated to construct required roadway improvements along Latrobe Road. These improvements include grading and other sitework, pavement, striping and signs, street lighting, a traffic signal along Latrobe Road and the Project entrance, and a retaining wall at the corner of Latrobe Road and Monte Verde Drive necessary to accommodate roadway and sidewalk improvements.
- **Sanitary Sewer.** A total of $1.39 million is estimated for construction of a 6-inch sewer collector line underneath Latrobe Road, consistent with El Dorado Irrigation District (EID) sewer standards. The sewer cost includes a substantial portion for rock excavation anticipated to be required to complete the sewer line construction.

The preliminary engineering work completed at the time of this memorandum has not identified any additional Facility requirements other than those described above.

Sources of Funding

The Project will fund Facilities required for development of the Project through private capital. In addition, the Project will be subject to existing fees and charges to fund administration of Project entitlements and contribute its fair share towards regional improvements.

Table 2
Montano De El Dorado Phase II
Public Facilities Financing Plan
Backbone Infrastructure Costs at Buildout (2019$)

Item	Estimated Costs at Buildout (Rounded) [1]
Backbone Infrastructure	
Backbone Roadways	
General Sitework	$ 200,000
Surface Improvements	$ 591,000
Striping and Signs	$ 15,000
Street Lighting / Traffic Signal	$ 480,000
Retaining Wall	$ 29,000
Roadways Subtotal	**$ 1,286,000**
Sanitary Sewer	
General Sanitary Sewer	$ 401,000
Rock Excavation for Sanitary Sewer	$ 992,000
Sanitary Sewer Subtotal	**$ 1,393,000**
Total Backbone Infrastructure	**$ 2,708,000**
	cost sum

Source: RFE Engineering, Inc. (Engineers Opinion of Probable Construction Costs, Dated 3/14/2019); El Dorado County; EPS.

[1] Backbone infrastructure costs include 20% contingency.

Private Capital

PFFPs often include myriad sources of funding to finance the requisite Facility costs of a given project. However, this Project, a relatively small expansion of an existing retail center with one property owner and one phase, will require about $2.7 million in improvements, all of which are intended to be funded with private capital and constructed by the property owner. This straightforward financing plan is illustrated in **Table 3**, which provides total Facility costs identified to serve the Project and the single source of funding (private capital) to pay for those costs.

Existing County and Special Agency Fees

The Project will fund administration of Project entitlements and contribute its fair share towards regional improvements through payment of existing County and Special Agency fees. The County, El Dorado Hills Fire District, EID, and Buckeye Union School District have existing ordinance-based development impact fees and connection charges. These fees and charges will be fully applicable to the Project. Existing County and Special Agency fees and charges are estimated to generate approximately $4.6 million from development of the Project.
A breakdown of total revenues by agency is provided in **Table 4**.

Operating and Maintenance Funding

Operating and maintenance costs for all Facilities will be funded through existing annual taxes and assessments. Similar to the initial phase of the Project, no additional funding mechanisms are assumed to be required to fund operations and maintenance of Project-required Facilities.

Operating and maintenance costs for all private development Project site common areas, including the amphitheater, will be funded through tenant-paid Common Area Maintenance (CAM) charges, which will be administered by the property owner or their designated property manager.

Feasibility Analysis

This section provides an overview of existing fees, taxes, and assessments that will be required to be funded by the Project. Typically, financing plans include feasibility analyses to evaluate the impact of existing and *additional* fees, taxes, or assessments on a project's development. Further, these feasibility analyses focus on the additional burdens on residential development because there is greater sensitivity relative to the total burden residential units can bear. This is a commercial-only Project and no additional fees, taxes, or assessments are identified to fund capital facilities or ongoing operations and maintenance. Nevertheless, this memorandum includes these feasibility analyses to adhere to County PFFP guidelines:

- **Infrastructure Cost Burden Test.** Total burden of Backbone Infrastructure and Public Facilities as a percentage of market value.
- **Two-Percent Test.** Total annual taxes and assessments as a percentage of market value.

PUBLIC FACILITIES FINANCING PLAN

Table 3
Montano De El Dorado Phase II
Public Facilities Financing Plan
Sources and Uses Summary at Buildout (2019$)

Item	Estimated Costs at Buildout [1]	Estimated Funding Source: Private Funding	Net Cost
Backbone Infrastructure			
Backbone Roadways			
General Sitework	$ 200,000	$ 200,000	-
Surface Improvements	$ 591,000	$ 591,000	-
Striping and Signs	$ 15,000	$ 15,000	-
Street Lighting / Traffic Signal	$ 480,000	$ 480,000	-
Retaining Wall	$ 29,000	$ 29,000	-
Roadways Subtotal	**$ 1,286,000**	**$ 1,286,000**	**-**
Sanitary Sewer			
General Sanitary Sewer	$ 401,000	$ 401,000	-
Rock Excavation for Sanitary Sewer	$ 992,000	$ 992,000	-
Sanitary Sewer Subtotal	**$ 1,393,000**	**$ 1,393,000**	**-**
Subtotal Backbone Infrastructure	**$ 2,708,000**	**$ 2,708,000**	**-**

Source: RFE Engineering, Inc. (Engineers Opinion of Probable Construction Costs, Dated 3/14/2019); El Dorado County; EPS.

[1] Backbone infrastructure costs include 20% contingency.

Table 4
Montano De El Dorado Phase II
Public Facilities Financing Plan
Estimated Project Development Fee Revenue (2019$)

Item	Estimated Fee Revenue (Rounded) [1]
County Processing Fees (e.g., building permit; plan review)	$266,000
County Development Impact Fees	
Fire - EDH Fire	$228,000
Parks and Recreation - EDHCSD [2]	$0
Traffic Impact - Zone 8	$867,000
Rare Plant Mitigation Fee	$40,000
Environmental Management	$6,000
Total County Development Impact Fees	**$1,142,000**
El Dorado Irrigation District	$3,128,000
Buckeye Union School District	$78,000
Total Fee Revenue (Rounded)	**$4,613,000**

Source: El Dorado County; EPS.

[1] See Appendix Table B-1 for a detailed estimate of fees by use and Table 5 for fees per square foot by use.
[2] Commercial development is exempt from paying a Parks and Recreation Development Impact Fee.

Each of these methods are based on a static financial feasibility evaluation and examine Project-specific information by land use against feasibility thresholds. It is important to note these feasibility metrics are one of many ways to assess feasibility. These metrics should not automatically be taken to mean that if one land use type exceeds the feasibility threshold, the land use is definitively infeasible. Other factors that determine Project feasibility may include the Project's land value, phasing, construction loan terms, and ultimately, the developer's internal rate of return (IRR).

Infrastructure Cost Burden Test

The purpose of estimating the total burden of Backbone Infrastructure and Public Facilities is to evaluate the impact of all current fees, and, as applicable, proposed new fees, including the additional burden of Project-specific infrastructure costs. EPS's infrastructure burden test measures the total cost of Backbone Infrastructure and Public Facility improvements as a percentage of the estimated market value by land use.

Based on pro forma analyses of dozens of Specific Plans in California over the past several decades, the infrastructure burden feasibility performance test yields the following general conclusions, although typically these conclusions have focused on residential land uses:

- Burdens below 15 percent generally are considered financially feasible.
- Burdens between 15 percent and 20 percent may be feasible depending on the specific circumstances of the project.
- Burdens above 20 percent suggest that a project may not be financially feasible unless other components of the project pro forma are particularly advantageous to the developer, thus allowing the project to bear high infrastructure costs.

Infrastructure Cost Burden Test Findings

Table 5 shows the total existing infrastructure burden of County and Special Agency fees and charges as a percentage of the estimated value for each land use in the Project. No additional fees to fund Project-specific infrastructure are proposed for the Project. As shown, the infrastructure cost burden ranges from 8 percent to 30 percent for the different uses.

Ultimately, public agency decision makers, in discussions with Project developers and other relevant stakeholders, will use their best judgment to decide if the Project can feasibility afford this estimated infrastructure burden.

PUBLIC FACILITIES FINANCING PLAN

Table 5
Montano De El Dorado Phase II
Public Facilities Financing Plan
Infrastructure Cost Burden Feasibility Analysis (2019$)

Item	Retail	Restaurant	Office	Hotel
LAND USE ASSUMPTIONS				
Nonresidential Building Square Feet	61,744	13,572	13,448	55,136
Estimated Building Value per Sq Ft for Estimating Fees [1]	$98	$147	$138	$146
Estimated Market Value per Building Sq Ft [2]	$250	$300	$200	$250
INFRASTRUCTURE BURDEN				
County Fees		*Per Building Sq. Ft.*		
Development Fees				
Building Permit	$1.36	$2.04	$1.91	$2.03
Technology	$0.02	$0.05	$0.03	$0.01
General Plan Implementation	$0.00	$0.02	$0.02	$0.01
Encroachment	$0.00	$0.00	$0.00	$0.00
Grading	$0.01	$0.01	$0.01	$0.01
Planning Review Fee	$0.03	$0.09	$0.05	$0.01
SMIP Fee (earthquake)	$0.03	$0.04	$0.04	$0.04
Green Fee	$0.00	$0.01	$0.01	$0.01
Surveyors Office Addressing Fee	$0.00	$0.01	$0.00	$0.00
Total Processing Fees	**$1.47**	**$2.28**	**$2.08**	**$2.11**
Development Impact Fees				
Fire - EDH Fire	$1.55	$1.55	$1.94	$1.55
Parks and Recreation - EDHCSD	$0.00	$0.00	$0.00	$0.00
Traffic Impact - Zone 8	$8.70	$8.70	$5.63	$2.47
Rare Plant Mitigation Fee (Area 2)	$0.28	$0.28	$0.28	$0.28
Environmental Management	-	$0.22	-	$0.05
Total Development Impact Fees	**$10.53**	**$10.75**	**$7.85**	**$4.36**
Total County Fees	**$12.00**	**$13.03**	**$9.93**	**$6.47**
Special District Fees				
El Dorado Irrigation District	$18.63	$76.77	$13.37	$13.70
Buckeye Union School District Facilities Fee	$0.54	$0.54	$0.54	$0.54
Total Other/Special District Fees	**$19.17**	**$77.31**	**$13.91**	**$14.24**
TOTAL INFRASTRUCTURE BURDEN	**$31.17**	**$90.34**	**$23.85**	**$20.71**
Total Infrastructure Burden as a Percentage of Estimated Market Value	**Upper Range of Feasibility = 15-20%**			
	12%	30%	12%	8%

feasibility

Source: El Dorado County Planning Building Department (based on costs per sq. ft., building, parcel, or hotel room per Commercial Permit Fee Worksheet, provided 2/28/2019); El Dorado County Department of Transportation TIM Fee Calculation Spreadsheets (dated 2/20/2019); El Dorado Irrigation District Facility Capacity Charges and Fees sheet (dated January 1, 2019); Buckeye Union School District telephone conversation (March 4, 2009); El Dorado County Parcel Data Information System; Sacramento County Assessor's Parcel Viewer; Costar; EPS.

[1] Valuation based on per square foot values used by County Planning Building Department for fee calculation.
[2] Market values derived from comparable property sales information from Costar and assessment information from El Dorado County Parcel Data Information System, and Sacramento County Assessor's Parcel Viewer for the purpose of evaluating feasibility.

Two-Percent Test

The second test of feasibility is a test of total taxes and assessments as a percentage of market value to ensure that current and proposed taxes and assessments do not exceed 1.8 percent of the value of the property, adjusted from 2.0 percent to allow for market fluctuations and additional assessments. Standard industry guidelines stipulate that total taxes and assessments should not exceed 2 percent of the value of the property.

The following taxes and assessments are included in the 2 percent test:

- Property taxes.
- Other general ad valorem taxes (e.g., school/other General Obligation bonds).
- Additional potential special taxes and assessments.

Two Percent Test Findings

As shown in **Table 6**, total existing taxes and assessments for Project uses all fall well below the 1.8 percent feasibility threshold, ranging from 1.06 percent to 1.08 percent. Under the 2 percent test, the current annual taxes and assessments burden appears to be feasible for all land uses. No additional taxes and assessments are proposed for this Project.

PUBLIC FACILITIES FINANCING PLAN

Table 6
Montano De El Dorado Phase II
Public Facilities Financing Plan
Two-Percent Feasibility Test (2019$)

Item	Retail	Restaurant	Office	Hotel
LAND USE ASSUMPTIONS				
Number of Buildings / Parcels	4.5	3	1.5	1
Number of Rooms	-	-	-	100
Total Building Square Feet	61,744	13,572	13,448	55,136
Estimated Market Value per Building Sq Ft [1]	$250	$300	$200	$250
Estimated Land Value [2]	$4,309,450	$1,632,414	$1,103,435	$2,262,949
Estimated Total Assessed Value	$15,436,000	$4,071,600	$2,689,600	$13,784,000
Ad Valorem Taxes [3]				
General Property Tax	$154,360	$40,716	$26,896	$137,840
Buckeye Elementary Bond - Election 2006	$3,164	$835	$551	$2,826
El Dorado UHS Bond - Election 1997	$587	$155	$102	$524
El Dorado UHS Bond - Election 2008	$1,945	$513	$339	$1,737
Los Rios College Bond - Election 2002	$1,266	$334	$221	$1,130
Los Rios College Bond - Election 2008	$741	$195	$129	$662
Subtotal Ad Valorem Taxes	**$162,063**	**$42,748**	**$28,238**	**$144,718**
Additional Special Taxes [3]				
EID G/O Land Only	$161	$61	$41	$84
EDH CSD CC&R Compliance	$45	$30	$15	$10
CSA#10 Solid Waste	$2,191	$714	$306	$680
CSA#10 HSE Hazard Waste	$427	$126	$54	$120
Library Tax Zone E	$113	$75	$38	$25
CSA7 Ambulance W Slope	$225	$150	$50	$1,000
Subtotal Additional Special Taxes	**$3,161**	**$1,156**	**$504**	**$1,919**
Total Ad Valorem and Additional Special Taxes	**$165,224**	**$43,904**	**$28,742**	**$146,638**
Total Taxes and Assessments as a Percentage of Estimated Value	**Feasibility Range < 1.8%**			
	1.07%	1.08%	1.07%	1.06%

Source: El Dorado County; Sacramento County; Costar; EPS.

[1] Market values derived from comparable property sales information from Costar and assessment information from El Dorado County Parcel Data Information System, and Sacramento County Assessor's Parcel Viewer.
[2] Land value based on the current FY 2018-2019 land value for adjacent Phase I parcels and proposed acreages for each Phase II land use as shown in Table 1.
[3] Based on current tax rates and special assessments for the Project parcel.

Z15-0002/PD15-0004/P15-0006/S17-0015 EXHIBIT J
PUBLIC FACILITIES FINANCING PLAN

APPENDICES:

Appendix A: Engineers Opinion of Probable Construction Costs

Appendix B: Estimate of Development Processing and Impact Fees

Z15-0002/PD15-0004/P15-0006/S17-0015 EXHIBIT J
PUBLIC FACILITIES FINANCING PLAN

APPENDIX A:

Engineers Opinion of
Probable Construction Costs

Z15-0002/PD15-0004/P15-0006/S17-0015 EXHIBIT J
PUBLIC FACILITIES FINANCING PLAN

RFE ENGINEERING, INC

Engineers Opinion of Probable Construction Costs

Montano De El Dorado Phase II
White Rock and Latrobe Rd, El Dorado Hills, CA
March 14, 2019
RFE Project No. 21335

ITEM #	ITEM	QTY	UNIT	UNIT PRICE	TOTAL
Off-Site Civil Improvements					
	GENERAL SITEWORK				
1	Mobilization	1	LS	$10,500.00	$10,500.00
2	Traffic Control	1	LS	$58,500.00	$58,500.00
3	Erosion and Sediment Control Measures (Includes Hydroseeding)	1	LS	$15,500.00	$15,500.00
4	AC Sawcutting and Demolition	1	LS	$24,700.00	$24,700.00
5	Stamped PCC Demo for SS at Golden Foothill Pway & Latrobe	1,120	SF	$5.50	$6,160.00
6	Excavation & Grading	1	LS	$51,600.00	$51,600.00
				Subtotal	**$166,960.00**
	SURFACE IMPROVEMENTS				
7	Commercial Driveway (Per County Dwg. Detail 110)	2	EA	$11,000.00	$22,000.00
8	Concrete Sidewalk (Per County Dwg. Detail 110)	8,700	SF	$10.00	$87,000.00
9	Type 2 Concrete Curb & Gutter (Per County Dwg. 104)	1,500	LF	$61.50	$92,250.00
10	Accessible Concrete Ramps Per County Standards	5	EA	$3,600.00	$18,000.00
11	6" HMA / 12" CL 2 AB Paving Along Latrobe Rd	21,300	SF	$8.25	$175,725.00
12	Left Turn Lane Barrier Curb and Island	260	LF	$123.00	$31,980.00
13	Left Turn Lane and Intersection HMA/AB Paving	8,170	SF	$8.00	$65,360.00
				Subtotal	**$492,315.00**
	STRIPING AND SIGNS				
14	Thermoplastic Striping and Pavement Markings Per DOT Stds.	1	LS	$8,500.00	$8,500.00
15	Type 1 - Arrow	4	EA	$250.00	$1,000.00
16	Type IV - Left Turn Arrow	3	EA	$250.00	$750.00
17	Miscellaneous Signs	8	EA	$300.00	$2,400.00
				Subtotal	**$12,650.00**
	SANITARY SEWER				
18	Sanitary Sewer Manhole Connection Per EID Std. Dwg. 209C	1	LS	$3,365.00	$3,365.00
19	Drop Manhole per EID Standard Dwg. S09F	5	EA	$5,730.00	$28,650.00
20	Excavate up to 30" of Existing Native Dirt Material	4,400	SF	$15.00	$66,000.00
21	Install 6" SDR-26 PVC Per EID Standards	970	LF	$45.00	$43,650.00
22	Trench Backfill (60" Subgrade, 18" AB, and 6" HMA Paving)	4,400	SF	$25.00	$110,000.00
23	Replace Stamped Concrete at Golden Foothill Pway & Latrobe	1,120	SF	$20.00	$22,400.00
24	Trenching and Installation Related Traffic Control	1	LS	$60,000.00	$60,000.00
				Subtotal	**$334,065.00**
	ROCK EXCAVATION				
25	Rock Excavation for Sanitary Sewer (see notes below)	1,140	CY	$725.00	$826,500.00
				Subtotal	**$826,500.00**
	STREET LIGHT/TRAFFIC SIGNAL				
26	3-Way Traffic Light Signal with Street Lights	1	LS	$400,000.00	$400,000.00
				Subtotal	**$400,000.00**
	RETAINING WALL				
27	Retaining Wall at Corner of Latrobe & Monte Verde Drive	150	LF	$160.00	$24,000.00
				Subtotal	**$24,000.00**
				Off-Site Improvements Subtotal	***$2,256,490.00***
				20% Contingency	***$451,298.00***
				OFF-SITE IMPROVEMENTS TOTAL:	**$2,707,788.00**

Rock Excavation Assumptions:

1. *Per discussions with project geotech, assumed depth of rock at 2.5-ft*
2. *Assumed a 48-inch wide trench and excavation 1-ft below bottom of proposed sanitary sewer system.*
3. *Cubic Yard cost for rock excavation provided by local contractor based on their experience with similar projects in area.*

Z15-0002/PD15-0004/P15-0006/S17-0015 EXHIBIT J
PUBLIC FACILITIES FINANCING PLAN

APPENDIX B:

Estimate of Development
Processing and Impact Fees

Z15-0002/PD15-0004/P15-0006/S17-0015 EXHIBIT J
PUBLIC FACILITIES FINANCING PLAN

Table B-1
Montano De El Dorado Phase II
Public Facilities Financing Plan
Development Processing and Impact Fees (2019$)

Item	Retail	Restaurant	Office	Hotel	Total
LAND USE ASSUMPTIONS					
Number of Buildings	4.5	3.0	1.5	1.0	10.0
Total Building Square Feet	61,744	13,572	13,448	55,136	143,900
/ Rooms	-	-	-	100	100
Estimated Building Value per Sq Ft [1]	$97.67	$146.80	$137.68	$145.90	
Estimated Building Valuation	$6,030,536	$1,992,370	$1,851,521	$8,044,342	$17,918,769
County Fees					
Development Fees					
Building Permit	$83,824	$27,694	$25,736	$111,816	$249,071
Technology [2]	$1,350	$709	$450	$300	$2,809
General Plan Implementation [2]	$300	$300	$300	$300	$1,200
Encroachment	$140	$31	$31	$125	$327
Grading	$905	$199	$197	$808	$2,109
Planning Review Fee	$1,904	$1,269	$635	$423	$4,230
SMIP Fee (earthquake)	$1,689	$558	$518	$2,252	$5,017
Green Fee	$241	$79.69	$74.06	$321.77	$717
Surveyors Office Addressing Fee	$180	$120	$60	$40	$400
Total Processing Fees	**$90,533**	**$30,960**	**$28,001**	**$116,387**	**$265,880**
Development Impact Fees					
Fire	$95,703	$21,037	$26,089	$85,461	$228,290
Parks and Recreation [3]	-	-	-	-	-
Traffic Impact	$537,173	$118,076	$75,712	$136,300	$867,261
Rare Plant Mitigation Fee (Area 2)	$17,288	$3,800	$3,765	$15,438	$40,292
Environmental Management [4]	-	$2,952	-	$2,952	$5,904
Total Development Impact Fees	**$650,164**	**$145,865**	**$105,567**	**$240,151**	**$1,141,747**
Total County Fees	**$740,697**	**$176,825**	**$133,568**	**$356,538**	**$1,407,627**
Special District Fees					
El Dorado Irrigation District [5]	$1,150,589	$1,041,955	$179,848	$755,338	$3,127,730
Buckeye Union School District Facilities Fee [6]	$33,342	$7,329	$7,262	$29,773	$77,706
Total Other/Special District Fees	**$1,183,931**	**$1,049,283**	**$187,110**	**$29,773**	**$77,706**
Total Fees	**$1,924,628**	**$1,226,108**	**$320,678**	**$1,141,650**	**$4,613,063**

Source: El Dorado County Planning Building Department (based on costs per sq. ft., building, parcel, or hotel room per Commercial Permit Fee Worksheet, provided 2/28/2019); El Dorado County Department of Transportation TIM Fee Calculation Spreadsheets (dated 2/20/2019 for retail and restaurant; updated 3/8/2019 for office and hotel); El Dorado Irrigation District Facility Capacity Charges and Fees sheet (dated January 1, 2019); Buckeye Union School District telephone conversation (March 4, 2009); EPS.

[1] Valuation based on per square foot values used by County Planning Building Department for fee calculation.
[2] Technology and General Plan Implementation fees are capped at $300 per permit application; each building is assumed to be under a separate permit application.
[3] Per County staff, the CSD does not apply to commercial development.
[4] Environmental management fee assumes 3 restaurant kitchens either with a bar or greater than 600' SF hotel kitchen with a bar or greater than 600 SF plus a pool and a spa (each charged a fee).
[5] EID fee assumes: Retail includes (4) 2" and (1) 3" meters for each water and wastewater; Restaurant includes (1) 2" and (2) 3" meters for each water and wastewater; Office includes (1) 2" meter for each water and wastewater (one office is combined with a retail connection); hotel includes (1) 4" meter for each water and wastewater; irrigation includes (1) 1.5" meter allocated across the uses by square footage.
[6] Buckeye Union School District (including High School) development fee for commercial space (other than storage units) is currently $0.54 per SF, but could potentially increase up to $0.61 per SF.

Z15-0002/P15-0006/PD15-0004/S17-0015
EXHIBIT K - EPS GENERAL PLAN CONSISTENCY MEMO

MEMORANDUM

To: Vinal Perkins, Perkins Commercial Group, Inc.

From: Amy Lapin

Subject: Montano de El Dorado Phase II: Consistency with El Dorado County General Plan Policies; EPS #182176

Date: January 5, 2021

Introduction

The Economics of Land Use

Economic & Planning Systems, Inc. (EPS) was retained to prepare a Public Facilities Financing Plan (PFFP) memorandum for Perkins Commercial Group, Inc. (Client) for the proposed Montano de El Dorado Phase II project (Project), located in El Dorado County (County).

As described in EPS's July 2019 PFFP memorandum, the size of the proposed Project (144,000 building square feet) exceeds the 100,000-building-square-foot threshold established in County General Plan Policy 10.2.1.5, which in turn required the preparation of a PFFP.[1] In addition, the County prepared PFFP General Guidelines that, while not adopted by the County Board of Supervisors, serve to guide the uniform preparation of a PFFP.[2]

As such, the purpose of EPS's PFFP memorandum was to prepare a PFFP that met the County General Plan policy, recognized the PFFP General Guidelines, and provided the County with the assurance that required facilities would be constructed when necessary.

Following preparation of the PFFP memorandum, County staff requested EPS prepare a memorandum that offers a qualitative assessment, based on EPS's expertise in evaluating projects with similar land uses, regarding the Project's consistency with additional County General Plan policies.

Economic & Planning Systems, Inc.
400 Capitol Mall, 28th Floor
Sacramento, CA 95814
916 649 8010 tel
916 649 2070 fax

Oakland
Sacramento
Denver
Los Angeles

www.epsys.com

[1] 2004 El Dorado County General Plan, adopted July 19, 2004 (amended September 25, 2018).

[2] County of El Dorado Public Facilities Financing Plan General Guidelines, prepared March 24, 2015.

The remainder of this memorandum summarizes the Project land uses and estimated consistency with all relevant County General Plan policies identified by County staff.

Project Land Use Summary

The Project represents the second phase of Montano de El Dorado and comprises 143,900 gross building square feet of commercial development. The second phase is proposed on a 16.9-acre parcel that includes 2 existing retail structures totaling 8,100 square feet from the Project's first phase. Note, that the Project's first phase also includes 3 other structures on adjacent parcels. The remaining area of the Project parcel is proposed to be developed with 10 new structures in 1 or more construction phases, including 75,000 square feet of retail and restaurant space, 13,000 square feet of office space (both stand-alone and combined with retail space), and a 55,000-square-foot, 100-room hotel. In addition to the uses noted above, the Preliminary Site Plan calls for inclusion of an open-air amphitheater at the center of the site.

Consistency with County General Plan Policies

At the direction of County staff, this memorandum summarizes EPS's assessment of the Project's consistency with all identified, applicable County General Plan policies. Applicable General Plan policies and EPS's consistency assessment are described below.

Policy 10.2.1.4: Require new discretionary development to pay its fair share of the costs of all civic and public and community facilities it utilizes based upon the demand for these facilities which can be attributed to new development.

Although not specifically identified, EPS's July 2019 PFFP memorandum directly addresses County General Plan policy 10.2.1.4. As described in the memorandum, the Project will fund the administration of Project entitlements and will contribute its fair share towards regional improvements through payment of existing County and applicable Special Agency fees. The County, El Dorado Hills Fire District, El Dorado Irrigation District (EID), and Buckeye Union School District and all districts in which the Project is located have existing ordinance-based development impact fees and connection charges. These fees and charges will be fully applicable to the Project. *The July 2019 PFFP memorandum indicates the new discretionary Project will pay its fair share towards all applicable civic, public, and community facilities.*

Policy 10.2.1.5: A public facilities and services financing plan that assures that costs burdens of any civic, public, and community facilities, infrastructure, ongoing services, including operations and maintenance necessitated by a development proposal, as defined below, are adequately financed to assure no net cost burden to existing residents may be required…

County General Plan policy 10.2.1.5 was identified as the impetus for preparation of the July 2019 PFFP memorandum. The July 2019 memorandum describes that all requisite backbone infrastructure and public facilities will be funded with private capital and constructed by the property owner. Further, the July 2019 memorandum indicates that, similar to the initial phase of the Project, no additional funding mechanisms are assumed to be required to fund operations and maintenance of Project-required facilities. And operating and maintenance costs for all private development Project site common areas, including the amphitheater, will be funded

through tenant-paid Common Area Maintenance (CAM) charges, which will be administered by the property owner or their designated property manager. *The July 2019 PFFP memorandum provides assurance to the County that there are no capital facility nor operation and maintenance funding requirements that will be imposed on existing residents.*

Policy 10.2.2.2: Stress financing strategies that maximize the use of pay-as-you-go methods to gain the most benefit from available revenue without placing unreasonable burdens on new development.

The pay-as-you-go method described in County General Plan policy 10.2.2.2 is likely unnecessary based on the amount of Project development, relatively small, estimated cost of public improvements ($2.7 million in 2019 dollars), and the financing strategy of funding needed improvements with private capital. Further, because the property owner will fund improvements with private capital, new development will not directly incur a Project-specific infrastructure burden, although Project expenses may be reflected in lease rates.

It should be noted that the July 2019 PFFP memorandum included 2 feasibility analyses to evaluate the impact of existing and additional fees, and taxes and assessments, on Project development. These feasibility analyses included (1) the infrastructure cost burden test, which evaluates the total burden of backbone infrastructure and public facilities as a percentage of market value; and (2) the 2-percent test, which evaluates total annual taxes and assessments as a percentage of market value. The feasibility tests included *existing* fees, taxes, and assessments and did not assume any additional burden associated with privately funded infrastructure costs. Each of these tests are based on a static financial feasibility evaluation and examine Project-specific information by land use against feasibility thresholds.

Under the infrastructure burden feasibility test, all Project land uses, with the potential exception of the Restaurant use, fall well within the feasibility threshold. Under the 2-percent feasibility test, all Project land uses fall well within the feasibility threshold.

The thresholds used to evaluate feasibility are typically applied to residential development projects because there is greater sensitivity relative to the total burden residential units can bear. Commercial uses may have varying degrees of feasibility thresholds, although EPS typically evaluates commercial feasibility against these thresholds. But these tests represent just one method of evaluating feasibility. Other methods may include evaluating the Project's land value, phasing, construction loan terms, and the developer's internal rate of return (IRR). Ultimately, public agency decision makers, in discussions with Project developers and other relevant stakeholders, will use their best judgment to decide if the Project can feasibly afford this estimated infrastructure burden. *In EPS's professional assessment, the pay-as-you-go method is likely unnecessary and requisite infrastructure will not place an unreasonable burden on new development.*

Policy 10.2.5.1: Avoid using County General Fund revenues for funding the incremental costs of new municipal services in developing areas.

County General Plan policy 10.2.5.1 necessitates a technical analysis, called a fiscal impact analysis, to examine the quantitative impacts of Project land uses on the County General Fund. However, a fiscal impact analysis may not be required to demonstrate the Project meets the requirements of this policy. Given the nature of the Project's commercial-only land uses and based on decades of experience conducting fiscal impact analyses of commercial uses in projects throughout the State of California, including in the County, EPS estimates the Project will not have a negative net fiscal impact on the County's General Fund. Commercial uses have the potential to generate a net surplus of General Fund revenues, given multiple sources of tax revenue and relatively low calls for public safety services. *It is EPS's professional assessment that Project land uses, including the proposed retail, restaurant, office, and hotel uses, will generate sufficient General Fund revenues (e.g., property tax revenue; sales tax revenue; transient occupancy tax revenue) to cover the cost of General Fund-funded municipal expenditures (e.g., Public Protection).* If specific technical analysis is requested, EPS is available to prepare the necessary fiscal impact analysis, which will estimate the amount of annual revenues and expenditures at buildout of the Project to determine the net fiscal impact on the County's General Fund.

Policy 10.2.5.2: Amend the discretionary development review process to require the identification of economic factors derived from a project such as sales tax, property tax, potential job creation (types and numbers), wage structures, and multiplier effects in the local economy.

County General Plan policy 10.2.5.2 necessitates both a fiscal impact analysis and a separate technical analysis, called an economic impact analysis, to examine the economic factors enumerated in this policy. As described previously, a fiscal impact analysis could be conducted to determine the estimated amount of annual tax revenue generated by the Project at buildout. The fiscal impact analysis could also provide an estimate of total jobs, based on the Project's land uses and typical employee density assumptions for each land use (e.g., square feet of commercial space per employee).

The economic impact analysis, which uses proprietary input/output (I-O) software, could be conducted to examine the ongoing direct, indirect, and induced economic activity (multiplier effects) from buildout operations of land uses in the Project.[3] The type and wage structure of potential jobs could be included as part of the economic impact analysis and would be based on a set of occupational assumptions for each land use.

[3] Direct, indirect, and induced economic impacts refer to three major categories of economic activity: output, or the value of goods and services; employment, which encapsulates total full- and part-time jobs; and income, or total compensation received by employees and proprietors and other income earned, e.g., profits, rents, royalties. Direct impacts stem directly from project land uses, indirect impacts stem from business-to-business transactions, and induced impacts stem from changes in household spending of employees.

Without conducting detailed fiscal and economic impact analyses, EPS cannot provide accurate estimates of the economic factors listed in this policy. However, EPS can apply *high-level* assumptions to proposed Project land uses to understand the potential economic impacts of the Project in broad strokes. The Project has the potential to generate about 150 direct (onsite) jobs, based on an average employment density of 1,000 square feet per employee across all uses, as well as indirect and induced jobs elsewhere in the County. Retail and restaurant uses have the potential to generate annual sales tax revenue of $200 to $400 per square foot, or more, depending on the specific tenant mix. Hotel uses have the potential to generate $3,500 per room annually, depending on the occupancy rate, room rate, and specific hotel tenant assumptions. Property tax revenue will vary among land uses based on the assessed value per square foot of Project development and the County's share of the 1 percent property tax rate on the Project parcel. *In summary, the successful operations of Project land uses will generate economic activity at the Project site, as well as throughout the County, as Project businesses generate output, other businesses conduct business with Project land uses, and household spending increases with the addition of net new employment opportunities.* If specific details are requested, EPS is available to prepare the necessary analyses to estimate the economic factors generated by the Project.

Z15-0002/P15-0006/PD15-0004/S17-0015 EXHIBIT L
CEQA MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program for the

Montano De El Dorado Phase I and II Master Plan

Prepared for:

El Dorado County Planning and
Building Department, Planning Services

2850 Fairlane Court
Placerville, CA 95667

Contact:

Tom Purciel
project Planner

Prepared by:

Ascent Environmental, Inc.
455 Capitol Mall, Suite 300
Sacramento, CA 95814

Contact:

Pat Angell
project Manager

January 2021

Z15-0002/P15-0006/PD15-0004/S17-0015 EXHIBIT L
CEQA MITIGATION MONITORING AND REPORTING PROGRAM

Z15-0002/P15-0006/PD15-0004/S17-0015 EXHIBIT L
CEQA MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM

In accordance with the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.),the El Dorado County (County) prepared an Environmental Impact Report (EIR) (State Clearinghouse No. 2019050019) that identified significant impacts and mitigation measures that would reduce the identified impacts to less-than-significant levels, where feasible.

CEQA and the State CEQA Guidelines (PRC Section 21081.6 and State CEQA Guidelines Sections 15091(d) and 15097) require public agencies "to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment." A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project because the EIR identifies significant adverse impacts related to the project implementation, and mitigation measures have been identified to reduce those impacts. Adoption of the MMRP would occur along with approval of the Project.

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP has been prepared to ensure that all required mitigation measures are implemented and completed in a satisfactory manner before and during project construction and operation, as applicable.

The MMRP table provided herein has been prepared to assist the responsible parties in implementing the mitigation measures. The table identifies the impact, individual mitigation measures, monitoring responsibility, mitigation timing. The table also provides space to confirm implementation of the mitigation measures after project approval. The numbering of mitigation measures follows the numbering sequence found in the EIR. Mitigation measures that are referenced more than once in the EIR are not duplicated in the MMRP table.

ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, the County is responsible for taking all actions necessary to implement the mitigation measures under its jurisdiction according to the specifications provided for each measure and for demonstrating that the action has been successfully completed.

The County is responsible for overall administration of the MMRP and for verifying that the Project Applicant, the construction contractor, or other designated party has completed the necessary actions for each measure. The party responsible for implementing each item will identify the staff members responsible for coordinating with the County on the MMRP.

MITIGATION MONITORING AND REPORTING PROGRAM TABLE

The categories identified in the attached MMRP table are described below.

- Impact – This column provides the verbatim text of the identified impact.
- Mitigation Measure – This column provides the verbatim text of the adopted mitigation measure.
- Monitoring and Reporting Procedure – This column identifies discrete actions to be implemented as part of the broader mitigation measure.
- Timing – This column identifies the time frame in which the mitigation will be implemented.
- Verification – This column identifies the party responsible for verifying compliance and is to be dated and signed by that party (either project manager or his/her designee).

Table 3-1 Montano de El Dorado Master Plan Phase I and II Master Plan Mitigation Monitoring and Reporting Program

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
3.1 Aesthetics				
Impact 3.1-2: Effects of Light and Glare	**Mitigation Measure 3.1-2a: Demonstration of Compliance with County Lighting Standards** Final improvement plans will include specifications that demonstrate outdoor lighting is located, adequately shielded, and directed such that no direct light falls outside the property line, or into the public right-of-way consistent with Title 130, Chapter 130.34 (Outdoor Lighting) of County Code. **Mitigation Measure 3.1-2b: Use of Nonreflective Building Materials** Final building plans will identify the use of nonreflective building materials and glass that will avoid the creation of glare offsite during the daytime.	Review of building and improvement plans	Prior to approval of building and improvement plans.	County Planning and Building Department
3.2 Air Quality				
Impact 3.2-4: Exposure of Sensitive Receptors to TACs	**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 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 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	Inspection of construction activities and verified in project improvement plans.	Prior to construction activities and approval of improvement plans.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	remain unmitigated. This shall 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 not exceed 200 lb of diesel PM per year and submit the tool to El Dorado County for review and approval (SMAQMD 2018).			
3.3 Biological Resources				
Impact 3.3-1: Disturbance to or Loss of Special-Status Plant Species and Habitat	**Mitigation Measure 3.3-1: Conduct Survey for Big-Scale Balsamroot, Avoid Plants, or Implement Mitigation for Loss of Plants** The following measure shall be implemented to avoid or minimize loss of big-scale balsamroot prior to site construction: ▶ Prior to issuance of grading, building or improvement permits, a qualified botanist shall conduct protocol-level surveys for special-status plants, including the big-scale balsamroot, during the blooming period of identified listed species having the potential to occur on the project site (approximately March to June). Surveys shall include areas where potentially suitable habitat would be removed or disturbed by project activities in accordance with *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018). The normal blooming period for special-status plants generally indicates the optimal survey periods when the species are most identifiable. ▶ If big-scale balsamroot or other special-status plants is not found, the botanist shall document the findings in a letter report to CDFW and the County and no further mitigation will be required. ▶ If big-scale balsamroot or other special-status plants are found, the qualified botanist shall consult with CDFW to designate a no-disturbance buffer to prevent loss of the plants. If big-scale balsamroot are found that cannot be avoided during construction, the project applicant shall consult with CDFW to determine the appropriate mitigation measures for direct and indirect impacts that could occur as a result of project construction. The project applicant shall implement the agreed-upon mitigation measures to achieve no net loss of occupied habitat or individuals. Mitigation measures may include preserving and enhancing existing populations, creation of offsite populations on project mitigation sites through seed collection or	Preconstruction surveys and implementation of protection measures for identified species.	Prior to construction activities.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat and/or individuals.			
Impact 3.3-2: Cause Disturbance to or Loss of Burrowing Owl	**Mitigation Measure 3.3-2: Conduct Survey for Burrowing Owl, Implement Protection Measures or Compensate for Loss of Burrows** The following measure shall be implemented to avoid or minimize loss of burrowing owl: ▶ Prior to issuance of grading, building or improvement permits, a qualified biologist shall conduct focused breeding or nonbreeding season surveys for burrowing owls within the project site and within a 1,500-foot buffer of the project site. Surveys shall be conducted in accordance with Appendix D of CDFW's *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). ▶ If no occupied burrows are found, a memorandum documenting the survey methods and results shall be submitted to CDFW and no further mitigation would be required. ▶ If an active burrow is found during the nonbreeding season (September 1 through January 31), the project applicant shall consult with CDFW regarding protection buffers to be established around the occupied burrow and maintained throughout construction. If occupied burrows are present that cannot be avoided or adequately protected with a no-disturbance buffer, a burrowing owl exclusion plan shall be developed, as described in Appendix E of CDFW's 2012 Staff Report. Burrowing owls shall not be excluded from occupied burrows until the proposed project's burrowing owl exclusion plan is approved by CDFW. The exclusion plan shall include a plan for creation, maintenance, and monitoring of artificial burrows in suitable habitat that provides substitute burrows for displaced owls. ▶ If an active burrow is found during the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and will be provided with a 150- to 1,500-foot protective buffer from construction activities unless a qualified biologist verifies through noninvasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The size of the buffer shall depend on the time of year and level of disturbance as outlined in the CDFW Staff Report (CDFW 2012). The size of the buffer may be reduced if a broad-scale, long-term, monitoring program acceptable to CDFW is implemented to prevent burrowing owls from being detrimentally affected. Once the fledglings are capable of independent survival, the owls can be evicted and the burrow can be destroyed per the terms of a CDFW-approved burrowing owl exclusion plan developed in accordance with Appendix E of CDFW's 2012 Staff Report. No burrowing owls will be excluded from occupied burrows until the burrowing owl exclusion and relocation plan is approved by CDFW. Following owl exclusion	Preconstruction surveys and implementation of protection measures for identified species.	Prior to construction activities and issuance of grading, building or improvement permits.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	and burrow demolition, the site shall be monitored by a qualified biologist to ensure burrowing owls do not recolonize the site before construction. ▶ If active burrowing owl burrows are found on the site and are destroyed by proposed project implementation, the project applicant shall mitigate the loss of occupied habitat in accordance with guidance provided in the CDFW 2012 Staff Report, which states that permanent impacts to nesting, occupied and satellite burrows, and burrowing owl habitat shall be mitigated such that habitat acreage, number of burrows, and burrowing owls adversely affected are replaced through permanent conservation of comparable or better habitat with similar vegetation communities and burrowing mammals (e.g., ground squirrels) present to provide for nesting, foraging, wintering, and dispersal. The project applicant shall retain a qualified biologist to develop a burrowing owl mitigation and management plan that incorporates the following goals and standards: ▪ Mitigation lands shall be selected based on comparison of the habitat lost to the compensatory habitat, including type and structure of habitat, disturbance levels, potential for conflicts with humans, pets, and other wildlife, density of burrowing owls, and relative importance of the habitat to the species range wide. ▪ If feasible, mitigation lands shall be provided adjacent or proximate to the site so that displaced owls can relocate with reduced risk of take. Feasibility of providing mitigation adjacent or proximate to the proposed project area depends on availability of sufficient suitable habitat to support displaced owls that may be preserved in perpetuity. ▪ If suitable habitat is not available for conservation adjacent or proximate to the proposed project area, mitigation lands shall be focused on consolidating and enlarging conservation areas outside of urban and planned growth areas and within foraging distance of other conservation lands. Mitigation may be accomplished through purchase of mitigation credits at a CDFW-approved mitigation bank, if available. If mitigation credits are not available from an approved bank and mitigation lands are not available adjacent to other conservation lands, alternative mitigation sites and acreage shall be determined in consultation with CDFW. ▪ If mitigation is not available through an approved mitigation bank and will be completed through permittee-responsible conservation lands, the mitigation plan shall include mitigation objectives, site selection factors, site management roles and responsibilities, vegetation management goals, financial assurances and funding mechanisms, performance standards and success criteria, monitoring and reporting protocols, and adaptive management measures. Success shall be based on the number of adult burrowing owls and pairs using the site and if the numbers are maintained over time. Measures of success, as suggested in the 2012 Staff Report, shall include site tenacity, number of adult owls present and reproducing, colonization by burrowing owls from elsewhere, changes in distribution, and			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	trends in stressors.			
Impact 3.3-3: Cause the Disturbance to or Loss of Native Grassland- or Shrub-Nesting Birds	**Mitigation Measure 3.3-3: Conduct Preconstruction Nesting Bird Surveys and Establish Protective Buffers** The following measure shall be implemented to avoid or minimize loss of native nesting birds protected under Section 3503 of the California Fish and Game Code: ▶ To minimize the potential for disturbance to or loss of native bird nests within the grassland or shrub habitat on the project site, vegetation removal activities shall occur only during the nonbreeding season (September 1-January 31). ▶ Before removal of any vegetation or any ground disturbance between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nests within any vegetation planned for removal. The surveys shall be conducted no more than 7 days before construction commences. ▶ If no active nests are found during focused surveys, no further action under this measure will be required. ▶ If active nests are located during the preconstruction surveys, the biologist shall notify the project applicant and CDFW. A no-disturbance buffer will be established, and the size of the buffer will be determined by the qualified biologist in consultation with CDFW. Construction activities, including staging, shall be prohibited within the no-disturbance buffer to avoid disturbance to the nesting bird until the nest is no longer active.	Preconstruction surveys and implementation of protection measures for identified species.	Prior to construction activities and issuance of grading, building or improvement permits.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
3.4 Cultural and Tribal Cultural Resources				
Impact 3.4-1: Adverse Effects to Archaeological Resources	**Mitigation Measure 3.4-1: For All Ground-Disturbing Construction Activities, Halt Ground Disturbance Upon Discovery of Subsurface Archaeological Features** In the event that any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted and a qualified professional archaeologist shall be retained to assess the significance of the find. If the qualified archaeologist determines the archaeological material to be Native American in nature, the project applicant shall contact the appropriate Native American tribe for their input on the preferred treatment of the find. If the find is determined to be significant by the archaeologist (i.e., because it is determined to constitute a unique archaeological resource), the archaeologist shall develop, and the project applicant shall implement, appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include but would not necessarily be limited to preservation in place (which shall be the preferred manner of mitigating impacts to archaeological sites), archival research, subsurface testing, or contiguous block unit excavation and data recovery (when it is the only feasible mitigation, and pursuant to a data recovery plan).	Identification of resources and implementation of protection of resources.	During construction activities.	County Planning and Building Department
Impact 3.4-3: Adverse Effects to Tribal Cultural Resources	**Mitigation Measure 3.4-3a: Conduct Construction Worker Training** Prior to approval of project grading, the applicant will provide evidence that construction worker training on Native American resources has been provided. **Mitigation Measure 3.4-3b: Protection of Discovered Tribal Cultural Resources** Should an inadvertent discovery of tribal cultural resources occur, the County and UAIC shall be contacted immediately to evaluate and consult on appropriate and respectful treatment and disposition. If potential tribal cultural resources (TCRs), archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered by Native American Representatives or Monitors from interested Native American Tribes, qualified cultural resources specialists or	Confirmation that this mitigation measure is included in Project improvement plans.	During construction activities.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	other Project personnel during construction activities, work will cease within 100 feet of the find (based on the apparent distribution of cultural resources), whether or not a Native American Monitor from a traditionally and culturally affiliated Native American Tribe is present. A qualified cultural resources specialist and Native American Representatives and Monitors from traditionally and culturally affiliated Native American Tribes will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. UAIC does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless requested by the UAIC. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. These recommendations will be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record. If adverse impacts to tribal cultural resources, unique archeology, or other cultural resources occurs, then consultation with UAIC and other traditionally and culturally affiliated Native American Tribes regarding mitigation contained in the Public Resources Code sections 21084.3(a) and (b) and CEQA Guidelines section 15370 shall occur, to coordinate for compensation for the impact by replacing or providing substitute resources or environments.			
3.7 Greenhouse Gas Emissions and Climate Change				
Impact 3.7-1: Greenhouse Gas Emissions	**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. <u>Off-Road Equipment Emission Standards</u> 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).	Verification that the project site design includes identified measures and offsets are acquired.	Prior to final site design and building permit issuance.	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	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 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. **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 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.			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	▶ 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 California Green Building Energy Codes (CALGreen),			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	Section 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;			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	▪ 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. <u>Off-Road Transportation</u> 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. <u>Water</u> 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. **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. 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			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	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, ▶ 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 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). 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			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	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.			
3.10 Noise and Vibration				
Impact 3.10-1: Construction-Generated Noise Levels	**Mitigation Measure 3.10-1: Implement Measures to Reduce Exposure to Construction-Generated Noise** To minimize noise levels during construction activities, the applicant shall require its construction contractors to comply with the following measures during construction: ▶ 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 Saturday, and on federally recognized holidays. No construction shall occur on Sundays. ▶ All construction equipment and material staging areas shall be located as far as possible from the residential land uses located along Monte Verde Drive east of the project site, and/or located such that existing topography blocks line-of-site from these land uses to the staging areas. ▶ All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturer recommendations. Equipment engine shrouds shall be closed during equipment operation. ▶ Where feasible and consistent with building codes and other applicable laws and regulations, individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete offsite instead of onsite).	Confirmation construction noise measures are being implemented through construction site inspections.	Prior to approval of final building plans and improvement plans. Implemented during construction	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	▶ All construction equipment with back-up alarms shall be equipped with either audible self-adjusting backup alarms or alarms that only sound when an object is detected. The self-adjusting backup alarms shall automatically adjust to 5 dBA over the surrounding background levels. All non-self-adjusting backup alarms shall be set to the lowest setting required to be audible above the surrounding noise levels. In addition to the use of backup alarms, the construction contractor shall consider other techniques such as observers and the scheduling of construction activities to minimize alarm noise. ▶ The applicant or construction contractors shall post visible signs along the perimeter of the construction site that disclose construction times and duration. In addition, residents of homes located directly east of the site shall be provided written notification 48 hours before blasting activities. A contact number for an El Dorado County enforcement officer shall be included where noise complaints can be filed and recorded. The applicant will be informed of any noise complaints and will be responsible for investigating complaints and implementing feasible and appropriate measures to reduce noise at receiving land uses. These may include: ▪ Implementing noise-reducing enclosures and techniques around stationary noise-generating equipment (e.g., concrete mixers, generators, compressors). ▪ For construction activity that occurs near existing sensitive land uses, installation of temporary noise curtains that meet the following parameters: • temporary noise curtains shall be installed as close as possible to the boundary of the construction site within the direct line of sight to the nearby sensitive receptor(s). temporary noise curtains shall consist of durable, flexible composite material featuring a noise barrier layer bounded to sound-absorptive material on one side. The noise barrier layer shall consist of rugged, impervious material with a surface weight of at least one pound per square foot.			
Impact 3.10-2: Short-term Construction Vibration Impacts	**Mitigation Measure 3.10-2a: Reduce Blasting-Related Vibration** For any blasting that would be conducted within 230 feet from any existing occupied structure, alternatives to traditional blasting (silent demolition), such as non-explosive chemical agents, expansive grout, or other non-explosive technology, shall be used to preclude vibration and noise impacts. **Mitigation Measure 3.10-2b: Implement Measures to Reduce Exposure of Buildings and Other Structures to Levels of Ground Vibration That Could Result in Structural Damage and to Limit the Level of Human Annoyance** The project applicant shall hire a qualified California-registered geotechnical engineer to perform site-specific evaluation of the geotechnical conditions at the project site. The evaluation shall determine the propagation rate of ground vibration in the area, taking into account local soil conditions, the age of the	Confirmation construction noise measures are being implemented through construction site inspections.	Prior to approval of final building plans and improvement plans. Implemented during construction	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	nearby buildings, and other factors. The evaluation shall determine whether nearby structures and buildings could experience structural damage from blasting activity at the site. The evaluation shall also determine whether nearby residential dwellings and/or commercial land uses would experience levels of ground vibration that exceed FTA's vibration standard of 80 VdB for human response or Caltrans' vibration standard of 0.2 for structural damage to normal dwellings. The evaluation shall also include a geotechnical inspection of all buildings and structures located within 80 feet of locations where impact blasting would occur. The inspection shall document pre-existing conditions, including any pre-existing structural damage. The pre-inspection survey of the buildings shall be completed with the use of photographs, video, or visual inventory, and shall include inside and outside locations. All existing cracks in walls, floors, driveways shall be documented with sufficient detail for comparison during and upon completion of blasting activities to determine whether new actual vibration damage has occurred. The results of both surveys shall be provided to the project applicant for review and acceptance of conclusions. Should damage occur during construction, construction operations shall be halted until the problem activity can be identified. Once identified, the problem activity shall be modified to eliminate the problem and protect the adjacent buildings. Any damage to nearby buildings shall be repaired back to the pre-existing condition at the expense of the project applicant. The evaluation shall also 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 the project applicant shall require construction contractor(s) to implement the measures identified in the evaluation. Such measures shall include, but are not limited to, the following: ▶ Blasting, earth moving, and ground-disturbance activities shall be phased so as not to occur simultaneously in areas close to off-site sensitive receptors. The total vibration level produced could be substantially less when each vibration source is operated separately; ▶ Designate a disturbance coordinator and post that person's telephone number conspicuously around the construction site and provide to nearby residents. The disturbance coordinator shall receive all public complaints and be responsible for determining the cause of the complaint and implementing any feasible measures to alleviate the problem. The contact information of the disturbance coordinator shall also be provided to the owners of all properties for which a pre-inspection survey is performed; and Provide advanced notice to owners of all residential land uses, tourist accommodations, and commercial land uses located within 300 feet of where blasting would take place. This noticing shall inform the recipients of when and			

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	where blasting would occur, and the types of measures being implemented to lessen the impact at potentially affected receptors. This noticing shall also provide the contact information for the designated disturbance coordinator.			
Impact 3.10-4: Long-Term Operational Noise from On-Site Activities	**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 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 need to be long enough to ensure that sound will not flank around the ends of the barrier into the neighboring backyards and will need to be constructed at the same base elevation as the final grading of the truck route. **Mitigation Measure 3.10-4b: Restrict Hours of On-Site Truck Deliveries to Daytime Hours** The County shall condition to the project to restrict onsite truck circulation, including waste collection services, between the daytime hours of 7 a.m. and 7 p.m. Evening and nighttime deliveries at the proposed anchor commercial building loading dock or any location onsite shall be prohibited. This restriction shall be included in the required conditional use permit and shall be implemented during project operations.	Verification that the project site design includes identified measures. Requirements in use permit.	Prior to final site design and building permit issuance.	County Planning and Building Department
Impact 3.10-5: Long-Term Operational Noise Impacts from Stationary or Area Sources	**Mitigation Measure 3.10-5a: Implement Mitigation Measure 3.10-4a** **Mitigation Measure 3.10-5b: Implement Mitigation Measure 3.10-4b** **Mitigation Measure 3.10-5c: Emergency Generators** The project applicant shall include design measures to reduce noise levels from emergency generators. Design measures may include locating generators on the west side of the buildings, as far as possible from nearby noise-sensitive land uses; enclosures designed with noise reduction materials such as weighted barriers, sound absorbers, and multi-layer composites; and quieter generator models. Before construction, the project applicant shall verify that noise reduction design measures sufficiently prevent noise generated by generators from exceeding the County daytime standard of 55 dBA L_{eq} and 70 dBA L_{max} for communities.	Verification that the project site design includes identified measures. Requirements in use permit.	Prior to final site design and building permit issuance.	County Planning and Building Department
Impact 3.10-6: Long-Term Operational Noise Impacts from On-Site Events	**Mitigation Measure 3.10-6a: Implement Mitigation Measure 3.10-4a** **Mitigation Measure 3.10-6b: Implement Measures to Ensure Compliance with El Dorado County Noise Standards at Nearby Residential Land Uses**	Verification that the project site design includes identified	Prior to final site design and building permit issuance. Monitoring during events at	County Planning and Building Department

Impact	Mitigation Measure	Monitoring and Reporting Procedure	Timing	Verification
	The following measures shall be implemented to ensure that off-site residences are not exposed to noise levels generated by amphitheater events that exceed the County's noise level performance standards for noise-sensitive land uses affected by non-transportation sources in community centers, as presented in Table 3.10-8. ▶ Prohibit events with amplified music or sound during the nighttime hours of 10 p.m. - 7 a.m. ▶ During the sound testing of the amplified sound system prior to each event multiple sound level measurements shall be conducted along the property line of the most affected residential land uses. The sound level meter used for the sound level measurements should meet a minimum Type 2 compliance and be fitted with the manufacturer's windscreen and calibrated before use. Volume settings shall be adjusted to ensure that the applicable county noise standards will not be exceeded at the residences during the event. ▶ Only hold events with amplified music or sound during daytime hours (i.e., 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 Leq and 55 dB Lmax. If sound level measurements conducted during the first two daytime events indicate that offsite 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.). This evaluation shall be conducted by a qualified noise analyst selected by county staff; however, all funding shall be provided by the applicant. The results of all sound measurements shall be provided to the County. ▶ Prohibit the use of subwoofers during amplified music events.	measures. Requirements in use permit.	amphitheater.	