



Legislation Text

File #: 23-2024, **Version:** 1

HEARING - Chief Administrative Office, Parks Division, recommending the Board:

- 1) Approve and certify the Final Environmental Impact Report (FEIR) for the Diamond Springs Community Park (Project);
- 2) Adopt the Findings of Fact and incorporated Mitigation Monitoring and Reporting Plan for the Project;
- 3) Approve the Project as described in the FEIR;
- 4) Formally accept the donation of the property identified by Assessor's Parcel Number 331-400-002, located at 3447 Clemenger Drive, and authorize the Chair to sign the Certificate of Acceptance;
- 5) Authorize and direct staff to proceed with filing the Notice of Determination for the Project; and
- 6) Direct staff to move the Project forward.

FUNDING: Bass Lake Property Designation (57%), Discretionary Transient Occupancy Tax (32%), General Fund (17%).

DISCUSSION / BACKGROUND

On June 25, 2019, the Board approved Resolution 097-2019 authorizing the submittal of a Parks and Water Bond Act of 2018 (Prop 68) grant application to the State of California, Department of Parks and Recreation, for a project to develop the Diamond Springs Sports Complex (Legistar Item #19-0687). As determined by the El Dorado County Parks and Trails Master Plan and other more informal public feedback, strong demand exists from local and regional park users for sports facilities. While no grant was awarded for the project, the subject property was purchased by an anonymous donor through the Marshall Foundation (Foundation) in 2019, with the intention of donating the property to the County.

On January 25, 2022, , the Board of Supervisors approved a dedication agreement between El Dorado County and the Foundation for the donation of property identified by Assessor's Parcel Number 331-400-002, located at 3447 Clemenger Drive to develop a Sports Complex in the community of Diamond Springs and authorized the Chair to sign the dedication agreement (Legistar Item #22-0099).

The proposed project is in an area of the County that is underserved by parks. Accordingly, since 2019 County staff have submitted for several grant funding opportunities for this park but none have been successful. Projects that demonstrate a commitment to progress and completion of the park are generally viewed more favorably in determining grant awards. This includes a demonstration that funding has been allocated and is available, as well as ownership of the subject property, and a "shovel ready" project with completed environmental analysis and preliminary plans. As stated in the Environmental Impact Report (EIR), the project objectives are to:

- Provide recreational facilities for use by the community in the Diamond Springs area.
- Provide a variety of recreation amenities including multi-purpose fields, ballfields, playgrounds, picnic areas, and tennis courts.

- Provide a community gathering point.
- Provide a potential community center for emergency purposes.
- Protect environmental resources, including cultural and biological resources.

In addition to the offer of donation, community partners including the Boys and Girls Club, Mother Lode School District, Union Mine High School, and other anonymous donors, have also expressed commitment to help with the development of the proposed project. Pursuant to Government Code 65402 (Restrictions on acquisition and disposal of real property), the acquisition or sale of a property by a public agency must be reviewed by the planning agency for consistency with the General Plan. The Planning Commission made a finding of consistency with the General Plan for this acquisition on May 27, 2021 (Legistar Item #21-0785).

Parks held two public meetings at Charles Brown School. The first was a listening meeting on May 19, 2022, at 6:00 pm to receive feedback on potential issues and community needs. The second on July 28, 2022, was to present conceptual design ideas to the public for input. As a result of this effort, Design Option B was determined to be the community's preferred design. The preferred design was presented to the Parks and Recreation Commission (PRC) on August 18, 2022. The PRC voted unanimously to approve the recommendation and move the project to the Board of Supervisors for approval. On September 15, 2022, the preferred design was presented to the Diamond Springs Advisory Committee for additional input. The Board approved the design on September 20, 2022 (Legistar Item #22-1658).

Primary access to the project site is from Oak Dell Road, which connects the site to State Route (SR) 49. The proposed park would include the following:

- Ballfields (soccer fields and softball fields that also function as baseball fields);
- Basketball courts;
- Tennis/pickleball/sports courts;
- Play areas (ages 2-5 and 5-12);
- Recreational/indoor gym;
- Pedestrian trails;
- Designated parking areas, restrooms/concessions, and open turf; and
- Future emergency operations and evacuation location.

The acceptance of the property through the Dedication Agreement and the Certificate of Acceptance are the final steps in acquiring the property. As detailed in the Agreement, the County will accept the dedication of the property via the Certificate of Acceptance following certification of the CEQA document.

On March 22, 2022, the Board approved Legistar item #22-0472 authorizing the Chair to sign a contract with Dudek to complete the studies needed to produce the CEQA document. These studies include Cultural, Biological, Topographical Survey, Transportation Constraints, Oak Resources Evaluation, public input and 30% design.

A Notice of Preparation requesting comments on the scope of the EIR was filed with the State Clearinghouse and circulated to agencies and the public from May 18, 2023, to June 16, 2023. Nine

comment letters were received during the scoping period. A Public Scoping Meeting was held on June 7, 2023 to receive verbal input on the scope and content of the EIR. Scoping comments received were considered during the preparation of and are included with the Draft EIR.

The Draft EIR was circulated for public and agency review and comment for a 45-day period from September 19, 2023, to November 2, 2023. The Draft EIR document was circulated to state agencies through the State Clearinghouse, approximately 1,700 notices were mailed to surrounding property owners, and the Draft EIR was available for review at the Placerville Library located at 345 Fair Lane and on the County website.

Twenty-six comment letters were received during the Draft EIR circulation period. Some of the agency comments were standard pursuant to the results of state and federal resource agency requirements, and others cited concerns that have been addressed in the Final EIR. Comments expressed concern with traffic congestion and safety, road circulation, and emergency access. Traffic congestion is not considered to be an environmental effect, as described in Section 3.12 of the EIR, Transportation. Circulation and emergency access are also addressed in Section 3.12.

The Final EIR, which incorporates the attached Draft EIR, includes project clarifications and comment responses to provide complete and comprehensive documentation of the Project's environmental impacts and other information required for CEQA compliance. The Final EIR for the proposed project identified potentially significant effects that could result from implementation. However, the County finds that the inclusion of certain mitigation measures as part of the project approval would reduce these effects to less-than-significant levels and there are no significant impacts that cannot be mitigated to below a level of significance. Board certification of the Final EIR will allow staff to move forward with Project delivery and construction of the Project.

In accordance with CEQA and the CEQA Guidelines, the County adopts these Findings as part of its certification of the Final EIR for the proposed project. Pursuant to Section 21082.1(c)(3) of the Public Resources Code, the County also finds that the Final EIR reflects the County'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 proposed 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.

On March 7, 2023, the Board approved an amended agreement specifying that if the Board of Supervisors does not certify a California Environmental Quality Act (CEQA) document for the Park Project by the end of 2023, the Agreement will expire (Legistar Item #23-0148). It was also stated that the Certificate of Acceptance would be executed when the Board made its determination on the FEIR. The Certificate of Acceptance is attached (Attachment L). Staff recommends the Board formally accept the donation of the property identified by Assessor's Parcel Number 331-400-002. Following Board approval, staff will file the CEQA Notice of Determination. With the direction to move the project forward, staff will also begin discussions with the Motherlode School District on use of their 9.72-acre portion of the site.

ALTERNATIVES

The Board could choose to not approve the FEIR and not accept the property.

PRIOR BOARD ACTION

Legistar Item 23-0089 04/04/2023
Legistar Item 23-0148 03/07/2023
Legistar Item 22-0472 03/22/2022
Legistar Item 22-0099 01/25/2022
Legistar Item 22-0064 01/04/2022
Legistar Item 21-1702 11/02/2021
Legistar Item 21-1058 07/13/2021
Legistar Item 21-0785 05/27/2021
Legistar Item 19-0687 06/25/2019

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel and Planning and Building have reviewed and approved the Draft EIR, Final EIR, Findings of Fact, and the Mitigation Monitoring and Reporting Plan.

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

There is no cost associated with the certification of the completed EIR or the acceptance of the subject property. The property is being donated at no cost to the County; therefore, there is no direct cost to the County for accepting the property. The Board has allocated \$1 million of Discretionary Transient Occupancy Tax (TOT) funds and \$3 million of fund balance with the Fiscal Year 2022-23 Adopted Budget toward the development of the project. The Board directed the funds from the sale of the Bass Lake Property (\$250,000) to be set aside and eventually allocated to the Diamond Springs Community Park. The Board allocated an additional \$50,000 in General Fund to cover the cost of the CEQA analysis (Legistar Item 22-0472), and approved the use of \$142,372 of the \$1 million in TOT for the amended scope of the Dudek contract (Legistar Item #23-0089, April 4, 2023). Future financial impacts could include costs associated with vegetation management and park development. Staff will pursue volunteers, donations, and grant funding to cover any unfunded costs and will return to the Board for the allocation of any General Fund if necessary.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Clerk of the Board to obtain Board Chair signature, execute and record the Certificate of Acceptance.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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