



# County of El Dorado

330 Fair Lane, Building A  
Placerville, California  
530 621-5390  
FAX 622-3645  
[www.edcgov.us/bos/](http://www.edcgov.us/bos/)

## Legislation Details (With Text)

**File #:** 12-1511 **Version:** 1

**Type:** Agenda Item **Status:** Approved

**File created:** 12/5/2012 **In control:** Board of Supervisors

**On agenda:** 12/18/2012 **Final action:** 12/18/2012

**Title:** Department of Transportation recommending the Board take the following actions:  
1) Adopt the Negative Declaration based on the Initial Study prepared by staff for roadway improvements to Becken Lane in Shingle Springs;  
2) Authorize the Interim Director of Transportation or designee to execute an application for Request to Use Pacific Gas and Electric Company (PG&E) Property, upon review and approval by County Counsel;  
3) Authorize the Interim Director of Transportation or designee to enter negotiations to acquire necessary easements from the property owner (PG&E).

**FUNDING:** County General Fund.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - SA09-1231AvailabilityNotice 12-18-12, 2. B - SA09-1231ProposedND&IS 12-18-12, 3. C - Project Site Aerial Photo 12-18-12, 4. D - Project Vicinity Map 12-18-12

Date	Ver.	Action By	Action	Result
12/18/2012	1	Board of Supervisors	Approved	Pass

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The recommended Board actions are based on the following findings:

A) The California Environmental Quality Act (CEQA) document on file with the Clerk of the Board, and on the Development Services Department, Planning Services website at <http://www.edcgov.us/Planning/>, was prepared pursuant to Public Resources Code §21000 et seq., and the State CEQA Guidelines.

B) There is no substantial evidence that the Project will have a significant effect on the environment.

C) The Negative Declaration for the Project reflects the lead agency's independent judgment and analysis.

### **Fiscal Impact/Change to Net County Cost**

Adoption of the Negative Declaration for the proposed right-of-way acquisition in accordance with the California Environmental Quality Act will not result in any fiscal impact.

Funding for the acquisition process in an amount of up to \$4,400 will be provided by the County General Fund.

### **Background**

A narrow portion of the PG&E property (APN 090-430-23), located at 4036 Sunset Lane at the corner of Becken Lane, south of Mother Lode Drive in the Shingle Springs area of El Dorado County, is needed for the Becken Lane roadway improvement required by the Department of Transportation (Department) as a condition for a multifamily housing development adjacent to the PG&E property. The PG&E easement is needed for the public benefit by providing public utilities access and public access by way of a secondary roadway for residential development in the surrounding area. At PG&E's request, the easement is being made by and for the benefit of the County rather than to a private land owner.

### **Project description:**

The total project area consists of approximately 10,959 square feet of a Road and Public Utilities Easement and a 367 square foot Temporary Construction Easement (the "Project"). The recommended amount of Just Compensation for the Project is calculated by Department staff utilizing an Administrative Report known as a Waiver Valuation to value necessary land rights.

The subsequent improvements to Becken Lane will include constructing a 28-foot wide road with vertical curb, gutter and sidewalk and public utilities easement and extending the area of the road and public utility easement to provide the appropriate secondary access for the multi-unit housing project referred to as Sunset Lane Apartments. Funds in the amount of up to \$525,000 for off-site public improvements to Becken Lane were awarded to the County Health and Human Services Agency by the California Department of Housing and Community Development through the Community Development Block Grant (CDBG) program. The roadway will also provide future secondary access to a proposed housing development located east of the Project, just beyond the abandoned railroad tracks.

### **Environmental Review:**

Staff has prepared an Initial Study (Negative Declaration and Initial Study with discussion provided in Attachment A) to determine if the project may have a significant effect on the environment. Based on the Initial Study, no significant impacts were identified. Staff has determined that the project will not have a significant impact on the environment; therefore a Negative Declaration has been prepared.

A finding of consistence with the General Plan pursuant to Government Code section 65402 will be brought before the Planning Commission prior to the final easement document being returned to the Board of Supervisors for final approval.

### **Reason for Recommendation**

The Department placed a condition on the multifamily housing development adjacent to the PG&E property to engineer and construct a roadway on Becken Lane. Becken Lane is currently undeveloped and requires an easement from PG&E to build out the full width of the road as required by the Department. The acquisition of right-of-way and easements from PG&E would allow the construction of a 28-foot wide road approximately 460 feet long with curb, gutter and sidewalk on the

northerly side of the road.

**Action(s) to be taken following Board approval**

- 1) Staff to make application to property owner to present to the Public Utilities Commission to request that land rights be conveyed to County waiving acquisition compensation of necessary land rights; and
- 2) Department to return to the Board to authorize and execute the Easement Acquisition Agreement when negotiations are successful.

**Contact**

Kim Kerr, Interim Director  
Department of Transportation

**Concurrences**

County Counsel