



**EL DORADO COUNTY PLANNING SERVICES**  
**2850 FAIRLANE COURT**  
**PLACERVILLE, CA 95667**  
**INITIAL STUDY**  
**ENVIRONMENTAL CHECKLIST**

**Project Title:** Conditional Use Permit CUP19-0005/EID Wastewater Collection Administrative Facilities Relocation

**Lead Agency Name and Address:** El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

**Lead Agency Contact Person:** Emma Carrico, Assistant Planner

**Phone Number:** 530-621-5355

**Applicant's Name and Address:** El Dorado Irrigation District (EID), 2890 Mosquito Road, Placerville, CA 95667

**Project Agent's Name and Address:** Michael Baron, 2890 Mosquito Road, Placerville, CA 95667

**Project Engineer's Name and Address:** Elizabeth Dawson, 2890 Mosquito Road, Placerville, CA 95667

**Project Location:** East side of Latrobe Road approximately one half mile north of the intersection with Golden Foothill Parkway, in the El Dorado Hills Community Region. Supervisorial District two.

**Assessor's Number:** 118-020-010      **Acres:** 5.183 acres

**Sections:** 13   **T:** 9N   **R:** 8E

**General Plan Designation:** Public Facilities (PF)

**Zoning:** Open Space (OS)

**Project Description:** Conditional Use Permit for the expansion of the EID El Dorado Hills wastewater treatment plant administrative facilities in order to accommodate the relocation of the EID Bass Lake wastewater collection administrative facilities to the existing EDH site. Proposed improvements include interior remodel of the existing office and operations building, construction of a new 6,000 square foot operations and laboratory building, construction of two equipment and storage buildings, and resurfacing for on-site vehicle circulation and parking and equipment storage areas.

**Surrounding Land Uses and Setting:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	Open Space (OS)	Public Facilities (PF)	EID El Dorado Hills Wastewater Treatment Plant
<b>North</b>	Open Space (OS)	Public Facilities (PF)	Existing EID treatment plant and treated wastewater storage pond
<b>South/ East (same parcel)</b>	Valley View – Open Space (VV-OS)	Adopted Plan (AP)	Open space
<b>West</b>	Research and Development (R&D)	Research and Development (R&D)	Vacant

**Environmental Setting:** The project site is a parcel to the south of the existing El Dorado Hills wastewater treatment plant facility site. The site currently includes a 3,600 square foot administration building and associated paved parking area, graded gravel and dirt access roads, and disturbed areas where materials and debris are stored. Topography is predominantly level with a gently sloping gradient to the south and west. The existing treatment plant and treated wastewater storage pond are adjacent to the northern boundary of the project site. Vegetation onsite is generally sparse and consists of ruderal weeds and some low-growing shrubs in areas that have not been recently disturbed by grading, vehicle traffic, vegetation maintenance activities, or other disturbance associated with operations of the existing treatment plant.

**Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

- Regional Water Quality Control Board (Section 402 NPDES Permit)
- El Dorado Hills Fire Department (EDH FD)
- El Dorado County Air Quality Management District (AQMD)
- El Dorado County Environmental Management Department (EMD)
- El Dorado County Building Services
- El Dorado County Department of Transportation (DOT)

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture and Forestry Resources		Air Quality
X	Biological Resources	X	Cultural Resources		Energy
X	Geology / Soils		Greenhouse Gas Emissions		Hazards & Hazardous Materials
	Mineral Resources		Hydrology / Water Quality		Land Use / Planning
	Public Services		Noise		Population / Housing
X	Tribal Cultural Resources		Recreation	X	Transportation/Traffic
	Utilities / Service Systems		Wildfire		Mandatory Findings of Significance

**DETERMINATION**

**On the basis of this initial evaluation:**

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by Mitigation Measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION**, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or Mitigation Measures that are imposed upon the proposed project, nothing further is required.

Signature: Emma Carrico Date: 11/4/19

Printed Name: Emma Carrico, Assistant Planner For: El Dorado County

Signature: [Signature] Date: 11/4/19

Printed Name: Rommel(Mel) Pabalinas, Planning Manager For: El Dorado County

## **ATTACHMENTS**

The following attachments are referenced in this Initial Study/Environmental Checklist

Attachment 1: Preliminary Site Plan

Attachment 2: Preliminary Grading Plan

Attachment 3: Elevations

Attachment 4: Biological Resources Report

Attachment 5: Traffic Impact Study

Attachment 6: California Emissions Estimator Model (CalEEMod, v 2016.3.2) and AirQuality/GHG Analysis

Attachment 7: Acoustical Assessment

## **PROJECT DESCRIPTION**

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from the proposed project. The proposed project is a Conditional Use Permit for the expansion of the EID El Dorado Hills wastewater treatment plant administrative facilities in order to accommodate the relocation of the EID Bass Lake wastewater collection administrative facilities to the existing EDH site. Approximately 20 EID employees would be transferred from the Bass Lake site to the EDH site. Proposed improvements include an interior remodel and 1,600 square foot (sq. ft.) expansion of the existing office and operations building, construction of a new 6,000 sf operations and laboratory, construction of two 800 sq. ft. equipment and storage buildings, construction of one 1,824 sf block wall containing five material storage bays, installation of a 1,000 gallon diesel vehicle and equipment fueling station, and resurfacing for on-site vehicle circulation and parking and equipment storage areas (Attachment 1). Under the El Dorado County Zoning Ordinance, the EDH wastewater treatment facility is categorized as an Intensive Public Utility Service Facility. In accordance with Code Section 130.40.250 of the Zoning Ordinance, the Intensive Public Utility Service Facility use is allowable within the Open Space zoning designation applied to the project site with approval of a conditional use permit.

### Project Background

EID's wastewater collection system operations and maintenance staff and equipment base of operations is currently located near Bass Lake below Bass Lake Dam (Figure 1- Existing Bass Lake Facility). The existing facility includes a 3,800 sq. ft. building used by collections staff, a corporation yard, a materials storage area, and shipping containers and sheds (Figure 2). Approximately 20 EID collections staff are currently based at the Bass Lake facility. In 2017, the El Dorado Hills Community Services District (EDH CSD) approached EID about purchasing the property as part of its effort to develop a master plan for a community park surrounding Bass Lake. To support the planning effort, EID is in the process of selling the Bass Lake property to the EDH CSD and relocating the collections facility to the El Dorado Hills wastewater treatment facility site. The Bass Lake facility would be dismantled and the site would be included in the EDH CSD 200-acre Bass Lake Park Project.

### Project Location and Surrounding Land Uses

The proposed project site is located on the east side of Latrobe Road approximately one half mile north of the intersection with Golden Foothill Parkway (Figure 4).

The project site is bounded by the EDH wastewater treatment plant to the north, vacant open space land to the south, Latrobe Road to the west and research and development (R&D) centers further to the west, and open space land and Blackstone Parkway to the east. Single family residential properties within the Valley View Specific Plan area are within approximately 300-feet of the project site on the south and east (Figure 4). The Valley View Specific Plan governs land development surrounding the site to the east of Latrobe Road and identifies lands immediately abutting the site to the north, south and east.

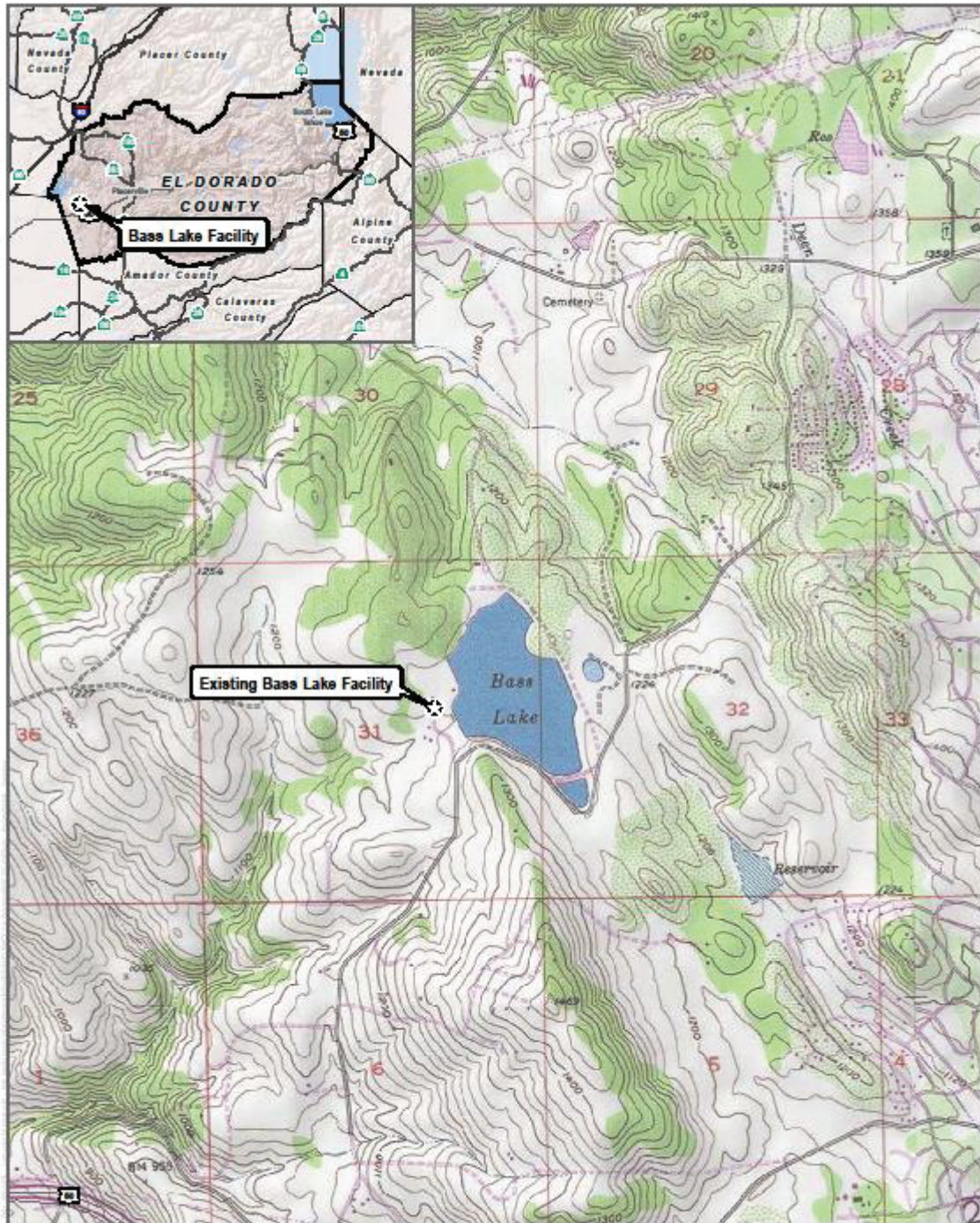
### Site Characteristics

The proposed project would result in improvements to approximately 4.57 acres of previously disturbed areas within the 5.18-acre project parcel adjacent to the existing wastewater treatment facility site. The anticipated scope of disturbance consists of existing buildings and paved areas, gravel and dirt access roads, and soil and debris stockpiles. Vegetation is limited to sparse, ruderal weeds and some low-growing shrubs in areas that are subject to

ongoing disturbance associated with treatment plant operations, vegetation maintenance activities, and vehicle traffic (Attachment 4). Topography on the project site is predominantly level with a gently sloping gradient to the south and west. The existing treatment plant and treated wastewater retention pond are adjacent to the northern boundary of the project site. Latrobe Road borders the site to the west and open space borders the site to the immediate east with Blackstone Parkway and residential development further east. Open space lands adjoin the project site to the south. There are single-family residential properties approximately 300-feet to the south and east of the project site (Figure 4).

Hydrologic features in the area include Carson Creek, which runs along the western portion of the wastewater treatment facility parcel, as well as several smaller tributary swales that flow into Carson Creek. One such drainage swale enters the wastewater treatment facility parcel on the eastern side at approximately 550 feet north of the project site and runs south along the primary wastewater storage pond before crossing into the project site where it flows under an existing access road via two existing 30-inch high-density polyethylene culverts (Attachment 4). The swale is not delineated as a perennial or intermittent stream on the USGS Quadrangle topographic map series, and thus is not subject to the riparian setbacks specified by the County Zoning Ordinance. The proposed project would not result in any disturbance to the drainage swale or the existing culverts. Under the proposed project a minimum 15-foot non-disturbance buffer from the top of bank would be maintained from both sides of the swale to ensure no disturbance would occur.





SOURCE: USGS 7.5-Minute Series Clarkville Quadrangle



FIGURE 1

Existing Bass Lake Facility Location  
Wastewater Collections Operations Facility Relocation

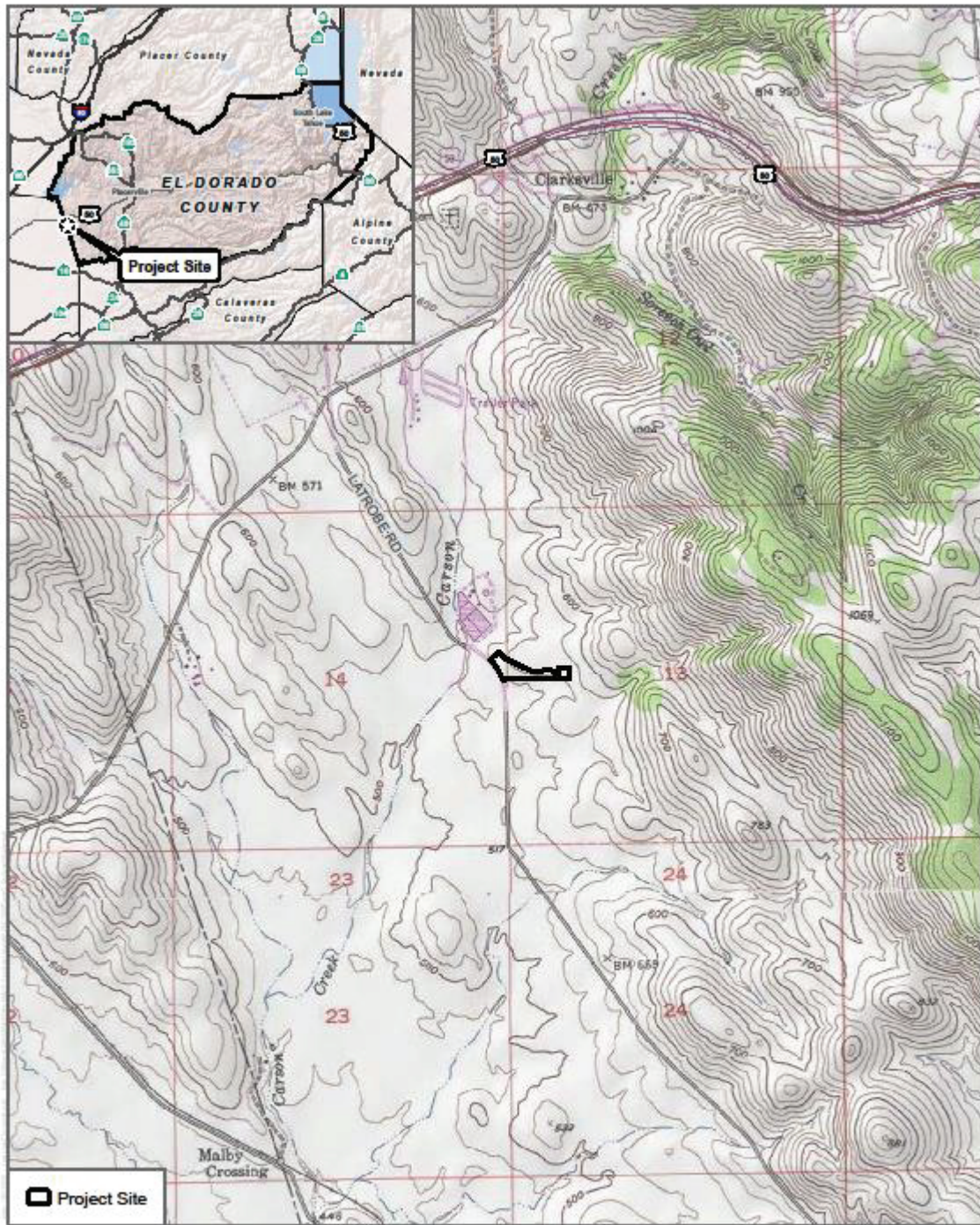




**DUDEK**

**FIGURE 2**  
Existing Bass Lake Facility  
Wastewater Collection Operations Facility Relocation





SOURCE: USGS 7.5-Minute Series Clarkville Quadrangle



FIGURE 3

Project Location

Wastewater Collections Operations Facility Relocation





SOURCE: Bing 2016



FIGURE 4

Project Site

Wastewater Collections Operations Facility Relocation

Project Characteristics

Operation:

Operations carried out onsite would include office activities, vehicle and equipment operation and maintenance, and materials loading and unloading. Vehicles and equipment operated onsite would include light-duty cars and trucks, industrial trucks and tractor-trailers, trailer-mounted generators and pumps, and other similar equipment used in EID’s operations activities. The proposed project would relocate approximately 20 operations staff from the Bass Lake facility to the project site. On a daily basis, staff would generally be arriving at the new facility between 7:00 – 7:30 a.m. and departing between 4:00 – 4:30 p.m. Occasionally work activities could occur at the site outside of normal operations, as the facility operates 24 hours a day, in response to storm or emergency events that affect EID’s wastewater system. The frequency of these unscheduled emergency responses would depend on weather conditions and other factors. Approximately 20 additional EID vehicles would be operated out of the project site each weekday. EID vehicles would typically leave the facility between 8:00 – 9:00 a.m. and return between 3:00 – 4:00 p.m. in the afternoon.

Transportation/Circulation/Parking:

The project site is accessed at the south west corner of the parcel via Latrobe Road and a frontage road that provides access to both the project site and the wastewater treatment facility parcel. The frontage road is striped on the east side to provide a paved two-way bike lane. A traffic impact study (TIS) was prepared by Dudek analyzing potential increase in trip generation; potential impacts to level of service (LOS) for five surrounding intersections and road way segments; and onsite access, circulation, and parking (Attachment 5). The project would generate approximately 84 daily trips, 42 AM peak hour net trips (21 inbound and 21 outbound), and 42 PM peak hour trips (21 inbound and 21 outbound). All of the studied roadway segments would continue to operate at LOS D, and all of the studied intersections would continue to operate at LOS E or better. One mitigation measure for improvements to the intersection of Latrobe Road and White Rock Road was recommended.

Employee vehicle access to the project site would be from the frontage road at the main entrance to the EDHWWTP north of the project site or more directly through the existing gate at the west side of the project site. Heavy equipment and trucks would be limited to accessing the project site via the west entrance. Access to the facility would be controlled by gates fitted with Knox boxes to allow for emergency access. A California Legal 65’ capable truck turnaround would be provided at the east end of the paved area.

Utilities and Infrastructure:

The project site is served by public water and sewer. The applicant is the water and sewer provider for the parcel. No expansion of public water or sewage infrastructure would be needed to serve the proposed expansion. The project is a relocation of administrative facilities from the Bass Lake facility, thus no expansion of any public utility or infrastructure capacity would be anticipated.

Layout:

The proposed project includes expansion of an existing 3,600 sq. ft. administrative building and construction of three buildings totaling 9,200 sq. ft. The buildings include a 1,600 sq. ft. addition to the existing administrative building on the northwest side of the project site, a new 6,000 sq. ft. dual-entry maintenance building placed southeast of the administrative building addition, and two new 800 sq. ft. material storage buildings constructed at the southeast corner of the site. The proposed buildings would be metal warehouse style buildings with roll-up doors. Architectural styles would be consistent with current on-site colors, finishes, and materials. Descriptions of the proposed buildings are given in Table 1, below.

**Table 1  
Proposed Buildings**

Building	Size (square feet)	Building Height (maximum feet)	Description
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**Table 1  
 Proposed Buildings**

<b>Building</b>	<b>Size (square feet)</b>	<b>Building Height (maximum feet)</b>	<b>Description</b>
Administrative Building (expansion)	1,600 sq. ft.	20 ft.	Single-story and constructed of building materials, colors, and treatments to match existing structure
Administrative and Maintenance Building	6,000 sq. ft.	40 ft.	Single-story metal type structure including roll-up doors.
Materials Storage Buildings (2)	800 sq. ft. (1,600 sq. ft. total)	14 ft.	Single-story metal type structures including roll-up doors
<b>Total Building Square Footage</b>	<b>9,200 sq. ft.</b>		

The proposed expansion of the administrative building would be used as office workspace for wastewater collections operations staff. The proposed maintenance building would have a concrete floor and roll-up doors on both sides to provide pull-through access for large equipment. The maintenance building would also have office space and would be used for general maintenance of EID’s vehicle fleet and equipment. The two proposed materials storage buildings would be used for materials such as pipe and prefabricated concrete sewer components. Large access doors at the front of each of the materials storage buildings would provide access to stored materials. Both storage buildings would have metal exteriors and would be designed to be architecturally consistent with other buildings onsite (Attachment 3). A fueling station would also be constructed in the central portion of the project site. The fueling station would have a 1,000-gallon above ground diesel storage tank with secondary containment, fueling lanes, and pumps on either side. The storage tank and pumps would be situated on a 50’ x 48’ concrete pad and protected by bollards on all sides. The fueling station would be located adjacent to vehicle and equipment parking areas for ease of access. Safety and security lighting would be included on the site. All lighting would be consistent with El Dorado County Zoning Ordinance Chapter 130.34 and the Community Design Standards-Outdoor Lighting Standards manual. Locations for proposed lighting are shown on the site plan (Attachment 1).

Other improvements would include landscaped islands in the parking area and a landscaped strip along the south property line. There would be a 15-foot greenspace setback that would include a drainage swale. On-site drainage would be collected and added to the existing drainage system on the premises. Construction and operation would result in no change in offsite drainage conditions. The project would result in no change to vegetation within offsite open space.

**Construction Considerations:**

Construction of the proposed project would require grading and site preparation within the proposed development areas. Construction would be carried out in compliance with a Stormwater Pollution Prevention Plan (SWPPP) prepared in compliance with the requirements of the State Construction General Permit. The SWPPP will specify the use of appropriate best management practices (BMPs) for erosion control and spill prevention during construction, as well as permanent post-construction stormwater management measures following construction. BMPs could include perimeter fiber wattles at all disturbed grading areas, inlet protection at all new and existing inlets subject to potential sediment flow, rock construction entrances, and designated protected concrete washout areas, as well as other measures determined to be appropriate.

Construction is estimated to take approximately one year and is expected to begin in early 2020. Construction hours would be between the hours of 7 a.m. and 7 p.m., Monday through Friday and 8:00 a.m. and 5:00 p.m. on weekends, and would halt during federally recognized holidays. Construction work performed during these hours is not subject to noise standards set forth in the County’s general plan. Construction equipment for grading and construction would include a grader, excavator and mini excavator, backhoe, wheeled loader and skip loader, bulldozer, and a 3,500-gallon water truck.

Project Schedule and Approvals



The following approvals and permits are anticipated to be required prior to construction of the proposed project. The responsible agencies and types of permits are listed in Table 2, below.

**Table 2**  
**Required Approvals/Permits**

Required Approvals/Permits	Responsible Agency
Conditional Use Permit	El Dorado County Planning Services
Building Permit	El Dorado County Building Services
Grading Permit	El Dorado County Building Services
Encroachment Permit	El Dorado County DOT
Section 402, National Pollutant Discharge Elimination System Permit Compliance	Regional Water Quality Control Board
Approve Project and Construction Contract	El Dorado Irrigation District

Approvals Required from El Dorado County

The existing wastewater treatment facility itself is exempt from El Dorado County ordinances under Government Code 53091. However, because the proposed project involves only office, laboratory, and storage uses, and is not directly a facility exempted by Code 53091, EID is seeking a conditional use permit for the proposed new uses and improvements (*City of Lafayette v. East Bay Mun. Utility Dist.* (1993) 16 Cal.App.4th 1005, 1014).

The following permits and approvals from other agencies are anticipated to be required. *Section 402 NPDES Permit* – Any project that disturbs more than 1-acre of land is required to obtain a permit for stormwater discharge under the National Pollutant Discharge Elimination System (NPDES) program administered by the Regional Water Quality Control Board. The proposed project would be required to obtain coverage under the program for construction phase and post-construction phase stormwater discharge and would be required to develop a SWPPP.

Public Notice and Outreach

This Initial Study is being circulated by El Dorado County for public and agency review for a 30-day period, during which written comments on the Initial Study may be submitted to the County. In accordance with CEQA requirements, the County has provided notice of the availability of the Initial Study for review by publishing a Notice of Intent in the Mountain Democrat paper and to any individuals who have provided a written request to be notified about the proposed project and environmental review. All comments received will be considered by the County during review of the proposed project. The Initial Study and project information are available for review on El Dorado County’s website at:

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

Written comments on the Initial Study can be submitted to the Lead Agency contact person indicated in the Summary section, above. Following the close of the written comment period, the Lead Agency will consider the Initial Study in a public meeting and determine whether it is in compliance with CEQA and whether to approve the project.

In accordance with their own policies, the project applicant, EID, has provided notice of the project and the availability of the Initial Study to properties within the line of sight of the project site, in addition to providing notice to other individuals and agencies that have expressed interest in the proposed project. Additional project information may be reviewed at EID’s website at:

<https://www.eid.org/regulatory/environmental-docs-ceqa-nepa->

## **EVALUATION OF ENVIRONMENTAL IMPACTS**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. If the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of Mitigation Measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the Mitigation Measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and
  - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

**ENVIRONMENTAL IMPACTS**

<b>I. AESTHETICS.</b> Except as provided in Public Resources Code Section 2109 (residential, mixed use or employment center projects located in infill sites within transit priority areas), <i>would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?			X	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c. In non-urbanized areas, substantially degrade the existing visual character quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

**Regulatory Setting:**

**Federal Laws, Regulations, and Policies**

No federal regulations are applicable to aesthetics in relation to the proposed project.

**State Laws, Regulations, and Policies**

In 1963, the California State Legislature established the California Scenic Highway Program, a provision of the Streets and Highways Code, to preserve and enhance the natural beauty of California (Caltrans, 2015). The state highway system includes designated scenic highways and those that are eligible for designation as scenic highways.

There are no officially designated state scenic corridors in the vicinity of the project site.

On September 2013, the Governor signed into law Senate Bill (SB) 743, which instituted changes to the California Environmental Quality Act (CEQA) when evaluating environmental impacts to projects located in areas served by transit. While SB 743 mainly addressed how transportation impacts are evaluated under CEQA, it also limits the extent to which aesthetics and parking are defined as impacts under CEQA. Specifically, Section 21099 (d)(1) of the Public Resources Code (PRC) states that a project’s aesthetic and parking impacts shall not be considered a significant impact on the environment if:

1. The project is a residential, mixed-use residential, or employment center project, and;
2. The project is located on an infill site within a transit priority area.

Section 21099 (a) of the PRC defines the following terms:



(1) “Employment center project” (TPAs) means a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area.

(4) “Infill site” means a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.

(7) “Transit priority area” means an area within one-half mile of a major transit stop that is existing or planned. Section 21064.3 of the PRC defines a “major transit stop” as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

### ***Local Laws, Regulations, and Policies***

The County has several standards and ordinances that address issues relating to visual resources. Many of these can be found in the County Zoning Ordinance (Title 130 of the County Code). The Zoning Ordinance consists of descriptions of the zoning districts, including identification of uses allowed by right or requiring a special-use permit and specific development standards that apply in particular districts based on parcel size and land use density. These development standards often involve limits on the allowable size of structures, required setbacks, and design guidelines. Included are requirements for setbacks and allowable exceptions, the location of public utility distribution and transmission lines, architectural supervision of structures facing a state highway, height limitations on structures and fences, outdoor lighting, and wireless communication facilities.

Visual resources are classified as 1) scenic resources or 2) scenic views. Scenic resources include specific features of a viewing area (or viewshed) such as trees, rock outcroppings, and historic buildings. They are specific features that act as the focal point of a viewshed and are usually foreground elements. Scenic views are elements of the broader viewshed such as mountain ranges, valleys, and ridgelines. They are usually middle ground or background elements of a viewshed that can be seen from a range of viewpoints, often along a roadway or other corridor.

A list of the county’s scenic views and resources is presented in Table 5.3-1 of the El Dorado County General Plan EIR (p. 5.3-3). This list includes areas along highways where viewers can see large water bodies (e.g., Lake Tahoe and Folsom Reservoir), river canyons, rolling hills, forests, or historic structures or districts that are reminiscent of El Dorado County’s heritage.

Several highways in El Dorado County have been designated by the California Department of Transportation (Caltrans) as scenic highways or are eligible for such designation. These include U.S. 50 from the eastern limits of the Government Center interchange (Placerville Drive/Forni Road) in Placerville to South Lake Tahoe, all of SR 89 within the county, and those portions of SR 88 along the southern border of the county.

Rivers in El Dorado County include the American, Cosumnes, Rubicon, and Upper Truckee rivers. A large portion of El Dorado County is under the jurisdiction of the U.S. Forest Service, which under the Wild and Scenic Rivers Act may designate rivers or river sections to be Wild and Scenic Rivers. To date, no river sections in El Dorado County have been nominated for or granted Wild and Scenic River status.

**Discussion:** A substantial adverse effect to Aesthetics would occur if:

- The project would affect a scenic vista, damage scenic resources, or degrade the existing visual character of the site and surroundings, or;
  - The project would create light or glare adversely affecting views in the area.
- a. **Scenic Vista:** The project site is surrounded by open space land and single-family residences to the south and east, and commercial parcels to the west. No Important Public Scenic Viewpoints, as designated by the county General Plan, are located in the vicinity of the site (El Dorado County, 2003, p. 5.3-3 through 5.3-5). The project site is not adjacent to or visible from a State Scenic Highway. All new structures would comply with the applicable standards of the General Plan and Zoning Ordinance, including requirements related to aesthetics such as setbacks and building height limitations. Impacts would be less than significant.

- b. **Scenic Resources:** The project is not visible from an officially designated State Scenic Highway or county-designated scenic highway, or any roadway that is part of a scenic corridor protection program (Caltrans, 2013). No tree removal is proposed as a part of construction. No impact.
- c. **Visual Character:** The project site is visible to the public from Latrobe Road, Blackstone Parkway, Cornerstone Drive, and from homes at a higher elevation situated to the east and southeast. These vantage points currently offer a view of the existing wastewater treatment facility including buildings, ponds, disturbed dirt and gravel, soil and debris stockpiles, and gravel access roads leading into the project site. Existing vegetation at the project site includes sparse ruderal weeds and shrubs. Widely spaced trees are planted southeast of the project on an open space property not owned by EID, intended to provide vegetative screening for nearby homes. Architectural styles of the new and expanded buildings would be consistent with current on-site colors, finishes, and materials. The project includes asphalt paving and concrete surfacing for the vehicle fueling and materials storage sites, as well as landscaped islands in the parking area and a landscaped strip along the southern property line. There would be a 15-foot greenspace setback with a drainage swale. Due to the project consistency of design and proximity to the existing buildings, as well as additional landscaping, greenspace setback, and existing trees to the southeast, the visual character of the site would not substantially change from the existing conditions. As such, impacts would be less than significant.
- d. **Light and Glare:** The project would include additional on-site safety and security lighting. All lighting would be consistent with El Dorado County Zoning Ordinance Chapter 130.34 and the Outdoor Lighting Community Design Standards manual. Lighting would be hooded or screened to direct light downward, preventing unintentional light and glare impacts to nearby viewpoints. Impacts would be less than significant.

**FINDING:** As conditioned and with adherence to the El Dorado County Code of Ordinances, for this Aesthetics category, impacts would be less than significant.

<p><b>II. AGRICULTURE AND FORESTRY RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by California Department of forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</p> <p><i>Would the project:</i></p>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				X
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as				X

<p><b>II. AGRICULTURE AND FORESTRY RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by California Department of forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</p> <p><i>Would the project:</i></p>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
defined by Government Code section 51104(g)?				
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

**Regulatory Setting:**

***Federal Laws, Regulations, and Policies***

No federal regulations are applicable to agricultural and forestry resources in relation to the proposed project.

***State Laws, Regulations, and Policies***

**Farmland Mapping and Monitoring Program**

The Farmland Mapping and Monitoring Program (FMMP), administered by the California Department of Conservation (CDC), produces maps and statistical data for use in analyzing impacts on California’s agricultural resources (CDC 2008). FMMP rates and classifies agricultural land according to soil quality, irrigation status, and other criteria. Important Farmland categories are as follows (CDC 2013a):

***Prime Farmland:*** Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. These lands have the soil quality, growing season, and moisture supply needed to produce sustained high yields. Prime Farmland must have been used for irrigated agricultural production at some time during the 4 years before the FMMP’s mapping date.

***Farmland of Statewide Importance:*** Farmland similar to Prime Farmland, but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Farmland of Statewide Importance must have been used for irrigated agricultural production at some time during the 4 years before the FMMP’s mapping date.

***Unique Farmland:*** Farmland of lesser quality soils used for the production of the state’s leading agricultural crops. These lands are usually irrigated but might include non-irrigated orchards or vineyards, as found in some climatic zones. Unique Farmland must have been cropped at some time during the 4 years before the FMMP’s mapping date.



**Farmland of Local Importance:** Land of importance to the local agricultural economy as determined by each county’s board of supervisors and a local advisory committee.

California Land Conservation Act of 1965 (Williamson Act)

The California Land Conservation Act of 1965 (commonly referred to as the Williamson Act) allows local governments to enter into contracts with private landowners for the purpose of preventing conversion of agricultural land to non-agricultural uses (CDC 2013b). In exchange for restricting their property to agricultural or related open space use, landowners who enroll in Williamson Act contracts receive property tax assessments that are substantially lower than the market rate.

**Discussion:** A substantial adverse effect to Agricultural Resources would occur if:

- There is a conversion of choice agricultural land to nonagricultural use, or impairment of the agricultural productivity of agricultural land;
  - The amount of agricultural land in the County is substantially reduced; or
  - Agricultural uses are subjected to impacts from adjacent incompatible land uses.
- a. **Farmland Mapping and Monitoring Program:** The project site has not been designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Department of Conservation, and would not convert any forest or timberland to non-agricultural use (CDC 2014). Therefore, the project would have no impact.
  - b. **Agricultural Uses:** The project would not occur within or conflict with existing zoning for agricultural use or a Williamson Act contract. Therefore, the project would have no impact.
  - c. **Zoning of Forest Land, or Timberland:** The project requires no change in existing zoning and would not conflict with existing zoning on the project site. Therefore, there will be no impact.
  - d. **Loss of Forest land or Conversion of Forest land:** The project would not require the removal of any trees for construction; therefore, no loss or conversion of forest land would occur, and no impact associated with loss of forest land would occur.
  - e. **Conversion of Prime Farmland or Forest Land:** See responses to *a* and *d* above. The project would not result in the conversion of Farmland to non-agricultural use or forest land to non-forest use. No impact would occur.

**FINDING:** For this Agriculture category, there would be no impact.

<p><b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.</p> <p><i>Would the project:</i></p>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact

<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c. Expose sensitive receptors to substantial pollutant concentrations?			X	
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

**Regulatory Setting:**

***Federal Laws, Regulations, and Policies***

The Clean Air Act is implemented by the U.S. Environmental Protection Agency (USEPA) and sets ambient air limits, the National Ambient Air Quality Standards (NAAQS), for six criteria pollutants: particulate matter of aerodynamic radius of 10 micrometers or less (PM10), particulate matter of aerodynamic radius of 2.5 micrometers or less (PM2.5), carbon monoxide (CO), nitrogen dioxide (NO2), ground-level ozone, and lead. Of these criteria pollutants, particulate matter and ground-level ozone pose the greatest threats to human health.

***State Laws, Regulations, and Policies***

The California Air Resources Board (CARB) sets standards for criteria pollutants in California that are more stringent than the NAAQS and include the following additional contaminants: visibility-reducing particles, hydrogen sulfide, sulfates, and vinyl chloride. The proposed project is located within the Mountain Counties Air Basin, which is comprised of seven air districts: the Northern Sierra Air Quality Management District (AQMD), Placer County Air Pollution Control District (APCD), Amador County APCD, Calaveras County APCD, the Tuolumne County APCD, the Mariposa County APCD, and a portion of the El Dorado County AQMD (EDCAQMD), which consists of the western portion of El Dorado County. The El Dorado County Air Pollution Control District manages air quality for attainment and permitting purposes within El Dorado County.

USEPA and CARB regulate various stationary sources, area sources, and mobile sources. USEPA has regulations involving performance standards for specific sources that may release toxic air contaminants (TACs), known as hazardous air pollutants (HAPs) at the federal level. In addition, USEPA has regulations involving emission criteria for off-road sources such as emergency generators, construction equipment, and vehicles. CARB is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. CARB also establishes passenger vehicle fuel specifications.

USEPA and CARB designate regions as “attainment” (within standards) or “nonattainment” (exceeds standards) based on their respective ambient air quality standards. The County is in nonattainment of both federal and state ozone standards and for the state PM10 standard, and is in attainment or unclassified status for other pollutants (California Air Resources Board 2017).

### ***Local Laws, Regulations, and Policies***

The El Dorado County Air Quality Management District (EDCAQMD) is responsible for developing and administering programs to reduce air pollution levels below the health-based ambient air quality standards established by the state and federal governments. EDCAQMD is responsible for enforcing district rules, regulating stationary source emissions, approving permits, maintaining emissions inventories, issuing burn permits, administering grant programs, and reviewing air quality-related sections of environmental documents required to comply with CEQA. EDCAQMD regulates air quality through the federal and state Clean Air Acts, district rules, and its permit authority.

EDCAQMD has developed a Guide to Air Quality Assessment (2002) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. The Guide provides quantitative and qualitative significance criteria for both construction and operational emissions from a project.

A project would have a significant impact on air quality if quantified emissions exceed the following:

- Emissions of ROG and NO<sub>x</sub> will result in construction or operation emissions greater than 82lbs/day
- Emissions of PM<sub>10</sub>, CO, SO<sub>2</sub> and NO<sub>x</sub>, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or
- Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.

A project would have a significant impact on air quality if a qualitative analysis indicates:

- The project triggers any of the air quality significance criteria in Appendix G of the CEQA Guidelines.
- The project results in excessive odors, as defined under the Health & Safety Code definition of an air quality nuisance.
- The project results in land use conflicts with sensitive receptors, such as schools, elderly housing, hospitals or clinics, etc.
- The project, as proposed, is not in compliance with all applicable District rules and regulations.
- The project does not comply with U.S. EPA general and transportation “conformity” regulations.

A project would have a cumulatively significant impact if:

- The project requires a change in the land use designation (e.g., general plan amendment or rezone) that increases ROG and NO<sub>x</sub> emissions compared to the prior approved use, and the increase in emissions exceeds the “project alone” significance levels shown above for ROG or NO<sub>x</sub>.
- Project CO emissions, if combined with CO emissions from other nearby projects, result in a “hotspot” that violates a state or national AAQS.
- The project is primarily an industrial project and a modeling analysis indicates that the project’s impacts would exceed Class III Prevention of Significant Deterioration (PSD) increments (Class II in Lake Tahoe) for PM<sub>10</sub>, SO<sub>2</sub>, or NO<sub>2</sub>; or, the project is primarily a development project, and the emissions of ROG, NO<sub>x</sub>, or CO exceed the “project alone” significance criteria for those three pollutants noted above.
- The project causes the risk analysis criteria above for “project alone” Toxic Air Contaminants (TACs) to be exceeded when project emissions of TACs are considered in conjunction with TACs from other nearby projects.

For Fugitive dust (PM10), if dust suppression measures will prevent visible emissions beyond the boundaries of the project, further calculations to determine PM emissions are not necessary. All proposed development must comply with District Rule 223-1 Fugitive Dust.

Naturally occurring asbestos (NOA) is also a concern in El Dorado County because it is known to be present in certain soils and can pose a health risk if released into the air. The AQMD has adopted an El Dorado County Naturally Occurring Asbestos Review Area Map that identifies those areas more likely to contain NOA (El Dorado County 2005). All proposed development in a NOA area must comply with District Rule 223-2 Fugitive Dust – Asbestos Hazard Mitigation.

**Discussion:** The EDCAQMD has developed a Guide to Air Quality Assessment to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. The analysis in this section relies primarily on an air quality analysis prepared for the project by Dudek, which is included as Attachment B to this Initial Study (Dudek 2019a).

a. **Air Quality Plan:** The project is located within the Mountain Counties Air Basin (MCAB) and is within the jurisdictional boundaries of the EDCAQMD. The MCAB is currently in non-attainment for particulate matter (PM10) under the state ambient standard, and ozone (O3) under both state and federal ambient standards. An air quality plan does exist for ozone, but not for particulate matter. The Sacramento Regional 2008 NAAQS (National Ambient Air Quality Standards) 8-Hour Ozone Attainment Plan and Reasonable Further Progress Plan (Ozone Attainment Plan) was developed for application within the Sacramento region, including the MCAB portion of El Dorado County. If a project can demonstrate consistency with the following criteria of the Ozone Attainment Plan for ROG and NOx emissions, it is determined that the project would not have a significant cumulative impact with respect to ozone:

1. *The project does not require a change in the existing land use designation (e.g., a general plan amendment or rezone), or projected emissions of ROG and NOx from a project are equal to or less than the emissions anticipated for the site if development occurred under the existing land use designation;*

The project does not propose additional land for development, would not require a change in land use designation, and would not result in long-term increase in population or vehicle miles traveled in the region. Thus, the project is not expected to conflict with or exceed the assumptions of the Ozone Attainment Plan.

2. *The project does not exceed the “project alone” significance criteria;*

Criteria air pollutant emissions associated with the construction and operation of the project were estimated using CalEEMod Version 2016.3.2 (Attachment 6). Evaluated sources of air pollutants associated with the construction phase of the project include operation of off-road construction equipment, on-road vendor trucks, and worker vehicles. Project operational emissions sources evaluated include mobile sources, area sources (e.g. consumer products), and energy use. Based on the CalEEMod calculations, it was determined that construction and operational emissions would not exceed EDCAQMD thresholds of significance for ROG or NOx emissions. Based on EDCAQMD guidance, if ROG and NOx emissions are less than significant, CO, NO2, PM10, and SO2 emissions are assumed to be below significance thresholds as well, and thus the project would not contribute to an air quality violation.

3. *The lead agency for the project requires the project to implement any applicable emission reduction measures contained in and/or derived from SMAQMD’s Ozone Attainment Plan; and*

Control strategies in the Ozone Attainment Plan include non-regulatory measures, such as on-road and off-road mobile incentive programs and a voluntary urban forest development plan, and regulatory measures, such as rules for indirect, stationary, and area-wide sources. The California Air Resources Board (CARB) has identified strategies for reducing mobile emissions, including new engine standards, requiring the use of cleaner fuels, supporting the use of alternative fuels, and pursuing long-term advanced



technology measures, which would apply to and be implemented by the proposed project. Additionally, the project is required to comply with EDCAQMD rules, including EDCAQMD Rule 215 which restricts the VOC content of architectural coatings.

4. *The project complies with all applicable district rules and regulations.*

EID would ensure the project is in compliance with all applicable EDCAQMD rules, designed specifically to address a variety of air quality impacts resulting from construction and operation.

In summary, the project would be consistent with all criteria of the Ozone Attainment Plan necessary to determine that the project would result in no significant cumulative impact with respect to ozone. The project would not conflict or obstruct implementation of any applicable air quality plan, and thus impacts would be less than significant.

- b. **Air Quality Standards and Cumulative Impacts:** The MCAB is currently in non-attainment for particulate matter (PM10) under the state ambient standard, and ozone (O3) under both state and federal ambient standards. If a project exceeds the identified thresholds of significance, its emissions would result in significant adverse air quality impacts to the region’s existing air quality conditions. The following discussion evaluates the potential for the project’s construction and operational emissions to result in a cumulatively considerable new increase of criteria pollutants:

*Construction*

Project construction would result in a release of additional pollutants to the air shed from soil disturbance, fugitive dust (PM10 and PM 2.5), and combustion pollutants from construction equipment and hauling of materials. Depending on level of activity, type of operation, and weather conditions, emissions can vary substantially day by day. The CalEEMod estimates used generated default values (e.g. equipment mix, number of vehicle trips) and assumed that construction activities would commence in early 2020 and conclude by late 2020. Based on estimated emissions, the project is expected to comply with all applicable EDCAQMD rules related to construction, as mentioned previously. Table III-1 below shows the unmitigated, worst-case results from CalEEMod:

**Table III-1  
 Maximum Daily Unmitigated Construction Emissions**

	ROG	NO <sub>x</sub>
	<i>Pounds per Day</i>	
2020 Construction	7.75	20.24
<i>EDCAQMD Threshold</i>	82	82
Threshold exceeded?	No	No

**Notes:** ROG = reactive organic gases; NO<sub>x</sub> = oxides of nitrogen;  
 The values shown are the maximum winter daily emissions results from CalEEMod.

As shown, ROG and NOx emissions would not exceed EDCAQMD significance thresholds even in the worst-case scenario. According to EDCAQMD guidance, if ROG and NOx emissions are less than significant during construction, then it can also be assumed that CO, NO2, PM10, and SO2 emissions would be less than significant. The implementation of a Fugitive Dust Control Plan approved by EDCAQMD is required prior to any construction activity for which a grading permit is required. The project would apply with all applicable rules and regulations. As such, air quality impacts associated with construction would remain less than significant.

*Operation*

Operational sources of emissions include vehicular traffic, area sources (e.g. consumer products, landscaping equipment), and electric consumption. CalEEMod estimates of project-related operation show that operational emissions of ROG and NOx would not exceed EDCAQMD significance thresholds, and as

such, CO, NO<sub>2</sub>, PM<sub>10</sub>, and SO<sub>2</sub> emissions are assumed to be below significance thresholds as well, even in the worst-case emissions scenario:

**Table III-2  
 Maximum Daily Unmitigated Operational Emissions**

Emission Type	ROG	NO <sub>x</sub>
	<i>Pounds per Day</i>	
Area	0.18	<0.01
Energy	<0.01	0.01
Mobile	0.26	1.13
<b>Total</b>	<b>0.44</b>	<b>1.14</b>
<i>EDCAQMD Threshold</i>	82	82
Threshold exceeded?	No	No

**Notes:** ROG = reactive organic gases; NO<sub>x</sub> = oxides of nitrogen;  
 The values shown are the maximum winter daily emissions results from CalEEMod.

No EDCAQMD thresholds would be exceeded, even in a worst-case unmitigated operational emissions scenario. Impacts would be less than significant.

- c. **Sensitive Receptors:** Sensitive receptors include residences, schools, health-care facilities, retirement homes, and any receptor likely to be impacted by changes in air quality. The only sensitive receptors in the vicinity of the project are single family residences to the east and south. All adjacent sensitive receptors are buffered from the project by designated open space parcels.

*Toxic Air Contaminants*

The greatest potential for toxic air contaminants (TACs) affecting sensitive receptors would be diesel particulate matter (DPM) emissions from heavy equipment and truck operation during construction. However, the project would not require extensive use of heavy-duty construction equipment, as total construction is expected to occur within a 12-month period. This equates to approximately 3% of the total 30-year analysis exposure period for residential receptors, after which project-related TAC emissions would cease. Additionally, the project is required to comply with EDCAQMD, EPA, and CARB rules and regulations. Therefore, the project would not result in exposure of sensitive receptors to substantial TAC concentrations, and impacts would be less than significant.

*Criteria Air Pollutants*

As discussed previously, the project is expected to generate criteria air pollutant emissions in amounts that would not exceed EDCAQMD emissions thresholds. As project ROG and NO<sub>x</sub> emissions fall below significance thresholds, project emissions of CO, NO<sub>2</sub>, PM<sub>10</sub>, and SO<sub>2</sub> are also assumed to be less than significant in accordance with EDCAQMD guidance for impact evaluation. Additionally, the project would not include any industrial sources of lead, sulfates, or hydrogen sulfide. Visibility impacts would be controlled through state and federal regulatory programs. Impacts from exposure of sensitive receptors to criteria air pollutants would be less than significant.

- d. **Other Emissions, Including Those Leading to Odors:** The project involves only support operations activities and would not result in changes in wastewater treatment at the existing wastewater treatment facility. Thus, no change in odor production would be anticipated from the proposed project. It is possible that odors, such as those from diesel exhaust and paving activities, could be emitted during construction activities. However, such emissions would disperse rapidly from the area and would not accumulate to an objectionable level at the nearest sensitive receptors. The project includes construction of administrative and equipment buildings, resurfacing of areas for circulation and parking, and equipment staging areas. These uses are not expected to generate odors other than those from vehicle exhaust and are expected to result in no long-term change in the existing conditions with respect to detectable odors in the project area. Overall odor impacts from the project would be less than significant.

**FINDING:** The proposed project would not affect the implementation of regional air quality regulations or management plans. The proposed project would not be anticipated to cause substantial adverse effects to air quality, nor exceed established significance thresholds for air quality impacts. Impacts would be less than significant.

<b>IV. BIOLOGICAL RESOURCES.</b> <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

**Regulatory Setting:**

***Federal Laws, Regulations, and Policies***

**Endangered Species Act**

The Endangered Species Act (ESA) (16 U.S. Code [USC] Section 1531 *et seq.*; 50 Code of Federal Regulations [CFR] Parts 17 and 222) provides for conservation of species that are endangered or threatened throughout all or a substantial portion of their range, as well as protection of the habitats on which they depend. The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) share responsibility for implementing the ESA. In general, USFWS manages terrestrial and freshwater species, whereas NMFS manages marine and anadromous species.

Section 9 of the ESA and its implementing regulations prohibit the “take” of any fish or wildlife species listed under the ESA as endangered or threatened, unless otherwise authorized by federal regulations. The ESA defines the term “take” to mean “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 USC Section 1532). Section 7 of the ESA (16 USC Section 1531 *et seq.*) outlines the procedures for

federal interagency cooperation to conserve federally listed species and designated critical habitats. Section 10(a)(1)(B) of the ESA provides a process by which nonfederal entities may obtain an incidental take permit from USFWS or NMFS for otherwise lawful activities that incidentally may result in "take" of endangered or threatened species, subject to specific conditions. A habitat conservation plan (HCP) must accompany an application for an incidental take permit.

#### Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 USC, Chapter 7, Subchapter II) protects migratory birds. Most actions that result in take, or the permanent or temporary possession of, a migratory bird constitute violations of the MBTA. The MBTA also prohibits destruction of occupied nests. USFWS is responsible for overseeing compliance with the MBTA.

#### Bald and Golden Eagle Protection Act

The federal Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), first enacted in 1940, prohibits "taking" bald eagles, including their parts, nests, or eggs. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." The definition for "Disturb" includes injury to an eagle, a decrease in its productivity, or nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present.

#### Clean Water Act

Clean Water Act (CWA) section 404 regulates the discharge of dredged and fill materials into waters of the U.S., which include all navigable waters, their tributaries, and some isolated waters, as well as some wetlands adjacent to the aforementioned waters (33 CFR Section 328.3). Areas typically not considered to be jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial waterbodies such as swimming pools, vernal pools, and water-filled depressions (33 CFR Part 328). Areas meeting the regulatory definition of waters of the U.S. are subject to the jurisdiction of U.S. Army Corps of Engineers (USACE) under the provisions of CWA Section 404. Construction activities involving placement of fill into jurisdictional waters of the U.S. are regulated by USACE through permit requirements. No USACE permit is effective in the absence of state water quality certification pursuant to Section 401 of CWA.

Section 401 of the CWA requires an evaluation of water quality when a proposed activity requiring a federal license or permit could result in a discharge to waters of the U.S. In California, the State Water Resources Control Board (SWRCB) and its nine Regional Water Quality Control Boards (RWQCBs) issue water quality certifications. Each RWQCB is responsible for implementing Section 401 in compliance with the CWA and its water quality control plan (also known as a Basin Plan). Applicants for a federal license or permit to conduct activities that may result in the discharge to waters of the U.S. (including wetlands or vernal pools) must also obtain a Section 401 water quality certification to ensure that any such discharge will comply with the applicable provisions of the CWA.

### ***State Laws, Regulations, and Policies***

#### California Fish and Game Code

The California Fish and Game Code includes various statutes that protect biological resources, including the Native Plant Protection Act of 1977 (NPPA) and the California Endangered Species Act (CESA). The NPPA (California Fish and Game Code Section 1900-1913) authorizes the Fish and Game Commission to designate plants as endangered or rare and prohibits take of any such plants, except as authorized in limited circumstances.

CESA (California Fish and Game Code Section 2050–2098) prohibits state agencies from approving a project that would jeopardize the continued existence of a species listed under CESA as endangered or threatened. Section 2080 of the California Fish and Game Code prohibits the take of any species that is state listed as endangered or threatened, or designated as a



candidate for such listing. California Department of Fish and Wildlife (CDFW) may issue an incidental take permit authorizing the take of listed and candidate species if that take is incidental to an otherwise lawful activity, subject to specified conditions.

California Fish and Game Code Section 3503, 3513, and 3800 protect native and migratory birds, including their active or inactive nests and eggs, from all forms of take. In addition, Section 3511, 4700, 5050, and 5515 identify species that are fully protected from all forms of take. Section 3511 lists fully protected birds, Section 5515 lists fully protected fish, Section 4700 lists fully protected mammals, and Section 5050 lists fully protected amphibians.

#### Streambed Alteration Agreement

Sections 1601 to 1606 of the California Fish and Game Code require that a Streambed Alteration Application be submitted to CDFW for any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake. As a general rule, this requirement applies to any work undertaken within the 100-year floodplain of a stream or river containing fish or wildlife resources.

#### California Native Plant Protection Act

The California Native Plant Protection Act (California Fish and Game Code Section 1900–1913) prohibits the taking, possessing, or sale of any plants with a state designation of rare, threatened, or endangered (as defined by CDFW). The California Native Plant Society (CNPS) maintains a list of plant species native to California that has low population numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Plants of California (CNPS 2001). Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review.

#### ***Local Laws, Regulations, and Policies***

The County General Plan also includes policies that contain specific, enforceable requirements and/or restrictions and corresponding performance standards that address potential impacts on special-status plant species or create opportunities for habitat improvement. The El Dorado County General Plan designates the Important Biological Corridor (IBC) (Exhibits 5.12-14, 5.12-5 and 5.12-7, El Dorado County, 2003). Lands located within the overlay district are subject to the following provisions, given that they do not interfere with agricultural practices:

- Increased minimum parcel size;
- Higher canopy-retention standards and/or different mitigation standards/thresholds for oak woodlands;
- Lower thresholds for grading permits;
- Higher wetlands/riparian retention standards and/or more stringent mitigation requirements for wetland/riparian habitat loss;
- Increased riparian corridor and wetland setbacks;
- Greater protection for rare plants (e.g., no disturbance at all or disturbance only as recommended by U.S. Fish and Wildlife Service/California Department of Fish and Wildlife);
- Standards for retention of contiguous areas/large expanses of other (non-oak or non-sensitive) plant communities;
- Building permits discretionary or some other type of “site review” to ensure that canopy is retained;
- More stringent standards for lot coverage, floor area ratio (FAR), and building height; and
- No hindrances to wildlife movement (e.g., no fences that would restrict wildlife movement).

**Discussion:** A substantial adverse effect on Biological Resources would occur if implementation of the project would:

- Substantially reduce or diminish habitat for native fish, wildlife or plants;
- Cause a fish or wildlife population to drop below self-sustaining levels;

- Threaten to eliminate a native plant or animal community;
- Reduce the number or restrict the range of a rare or endangered plant or animal;
- Substantially affect a rare or endangered species of animal or plant or the habitat of the species; or
- Interfere substantially with the movement of any resident or migratory fish or wildlife species.

The discussion of existing conditions and analysis of potential impacts included in this section relies on information contained in a biological resources constraints assessment prepared for the project site by Dudek (Attachment C) (Dudek 2019b).

- a. **Special Status Species:** The biological resources report (attachment 4) prepared for the project site included database searches of recorded occurrences in the project region, which returned 21 special-status plant species recorded in the region. However, the report concluded that none of the potential species would be expected to occur on the project site due to the existing developed condition of the site, ongoing and historical disturbance, and the lack of suitable habitat and soils required to support these species. The project would be expected to result in **no impact** to special-status plant species.

The biological resources study performed for the project site determined that five special-status wildlife species have the potential to occur at the project site: western pond turtle (*Emys marmorata*), burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*), tricolored blackbird (*Agelaius tricolor*), and white-tailed kite (*Elanus leucurus*). A field survey was conducted in April 2019; none of the potential special-status species were identified at the site. Due to the existing developed condition, and ongoing and historical disturbance, the site lacks suitable habitat for special-status wildlife species. Each species and the suitability of the habitat on the project site are discussed further below.

**Western pond turtle** is a State Species of Special Concern that is not expected to occur onsite. Carson Creek, which is over 500 feet from the project site at its nearest point at the Latrobe Road crossing, provides potential dispersal habitat for this species. There is marginal aquatic habitat onsite as the swale that runs through the project site lacks aquatic refugia, basking sites, and deeper waters preferred by this species. There is no suitable upland habitat within the project site as a result of regular disking of uplands along the swale. The nearest documented occurrence of this species is in Carson Creek near Latrobe Road, over 675 feet northwest of the project site. The onsite swale runs for over 2,000 feet and runs under Latrobe Road in an approximately 200-foot-long culvert before connecting to Carson Creek southwest of the project site. Western pond turtle are therefore not expected to occur onsite and potential impacts to western pond turtle would not be expected to occur as a result of the proposed project.

**Burrowing owl** is a State Species of Special Concern with moderate potential to occur onsite. Open grassland within and adjacent to the project site provides potential habitat for this species, though no burrows were observed within the project site during the April 2019 field survey. The nearest documented occurrence for burrowing owl is approximately 1.4 miles northwest of the project site. To avoid potential impacts to burrowing owl, mitigation measure Bio-1 requires that a qualified biologist prepare a habitat assessment for this species prior to project construction, if construction is planned during the burrowing owl breeding season. This measure requires further avoidance and protection measures, including consultation with CDFW, protocol surveys and passive relocation if signs of burrowing owl occupation are observed during the habitat assessment. Implementation of mitigation measure Bio-1 would ensure that impacts to burrowing owl would be avoided.

**Swainson's hawk** is a State Threatened species that has low potential to occur onsite. Although grassland at the project site provides potential foraging habitat, there is no suitable nesting habitat present onsite. While potential nesting habitat occurs in the vicinity of the project site along the riparian corridor associated with Carson Creek, the nearest previously documented nest tree for this species is approximately 6 miles southwest of the project site. To avoid potential impacts to Swainson's hawk, mitigation measure Bio-2 requires the applicant to conduct a survey for nesting birds, including Swainson's hawk, within 14 days prior to the start of project construction. Should any active Swainson's hawk nests be detected in the survey area (project site plus a 500-foot buffer), establishment of an appropriate buffer to construction and full-time nest monitoring, in coordination with CDFW, would be required as necessary to avoid disruption of nesting activities.

***Tricolored blackbird*** is a State Threatened Species with low potential to occur onsite. Although there is no potential nesting habitat at the project site, there is a nesting colony documented approximately 0.7 mile from the project site. Grassland on the project site provides marginal foraging habitat as it is subject to frequent disturbance associated with treatment plant operations and maintenance such as disking and mowing. Areas adjacent to the project site are also considered to provide marginal foraging habitat as a result of frequent disking and mowing. Additionally, nesting of this species is not documented on or adjacent to the project site and the nearby colony is unlikely to forage in grassland on or adjacent to the project site as there are numerous other foraging areas in the vicinity of the documented colony. No avoidance or minimization measures are recommended for this species, though preconstruction nesting bird surveys required by Mitigation Measure Bio-2 would apply to any nests of this species.

***Nesting and Migratory Birds and Birds of Prey*** (including white-tailed kite). Trees, shrubs, grassland, disturbed areas, and manmade structures at the project site and surrounding areas provide suitable nesting habitat for several local and migratory bird species, including white-tailed kite and ground-nesting killdeer. Native birds of prey are protected by California Fish and Game Code Section 3503.5, migratory bird species are protected by the federal Migratory Bird Treaty Act (MBTA), and white-tailed kite is a California Fully Protected species. To avoid potential impacts to nesting birds and birds of prey, including white-tailed kite, Mitigation Measure Bio-2 requires a preconstruction nesting bird survey within 14 days prior to the start of construction if construction is planned to occur during the breeding season (February 1 – August 31).

Implementation of Mitigation Measures Bio-1 and Bio-2 would ensure that impacts to special-status species would be less than significant with mitigation.

Mitigation Measure Bio-1:

If project construction will occur during the burrowing owl breeding season (February 1 -- August 31) a qualified biologist shall conduct a habitat assessment for burrowing owl within the project site no more than 14 days prior to initiation of grading activities. If any burrowing owls, occupied burrows, or suitable burrows are observed, protocol surveys shall be conducted in accordance with the CDFW 2012 Staff Report on Burrowing Owl Mitigation. If passive relocation is necessary, it shall be conducted in coordination with CDFW.

Monitoring Requirement: The applicant shall conduct all construction activities outside of the nesting season or perform a burrowing owl habitat assessment and protocol surveys and avoidance measures, if necessary, no more than 14 days prior to initiation of grading activities. The Planning Division shall verify the completion of the habitat assessment and required additional measures prior to issuance of grading permit.

Monitoring Responsibility: El Dorado County Planning and Building Department, Planning Division.

Mitigation Measure Bio-2:

If project construction will occur during the nesting season for migratory birds, (February 1 through August 31), a qualified biologist shall conduct a survey for nesting raptors and other native nesting birds no more than 14 days prior to initiation of grading activities. If any active nests are detected, the biologist shall apply a 500-foot buffer for nesting raptors or a 50-foot buffer for passerine species and the nest shall be avoided until the eggs have hatched and the chicks have fledged, or until the nest is no longer active, as determined by the qualified biologist.

Monitoring Requirement: The applicant shall conduct all construction activities outside of the nesting season or perform a pre-construction survey and the necessary avoidance measures prior to initiation of grading activities. If a pre-

construction survey is required, the Planning Division shall verify the completion of the survey prior to issuance of grading permit.

Monitoring Responsibility: El Dorado County Planning and Building Department, Planning Division.

- b-c. **Riparian Habitat and Wetlands:** Project activities will avoid any riparian habitat within the site. As previously mentioned, the wetland swale that runs through the eastern portion of the site is not delineated as a perennial or intermittent stream on the USGS Quadrangle topographic map series, and thus is not subject to the riparian setbacks specified by the County Zoning Ordinance. The biological resources report advises that a 15 foot protection buffer between the swale and all grading activities is adequate to avoid impacts to the swale. Implementation of BMPs as included in the SWPPP would prevent runoff to the swale from active construction areas onsite. Impacts to protected wetlands, riparian habitat, or sensitive natural communities would be less than significant.
- d. **Migration Corridors:** Project activities would not alter the path of or interfere with any stream or drainage; therefore, the project would not interfere with the movement of any riparian species or migratory fish. The project site is not located within any known deer migration corridors. The project would not impede established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites . There would be no impact to wildlife movement and nursery sites.
- e. **Local Policies:** The project is not located within an important biological corridor or rare plant preserve. The project would not conflict with any local policies or ordinances protecting biological resources would occur. There would be no impact.
- f. **Adopted Plans:** No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applies to the project site. There would be no impact.

**FINDING:** Special-status plants and wildlife have been documented within one-mile of the project site and have minimal potential to occur within the site. Implementation of Mitigation Measures Bio-1 and Bio-2 would ensure any impacts to biological resources would be less than significant.

V. CULTURAL RESOURCES. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?		X		
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?		X		
c. Disturb any human remains, including those interred outside of dedicated cemeteries?		X		

**Regulatory Setting:**

***Federal Laws, Regulations, and Policies***

The National Register of Historic Places



The National Register of Historic Places (NRHP) is the nation's master inventory of known historic resources. The NRHP is administered by the National Park Service and includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, state, or local level. The criteria for listing in the NRHP include resources that:

- A. Are associated with events that have made a significant contribution to the broad patterns of history (events);
- B. Are associated with the lives of persons significant in our past (persons);
- C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction (architecture); or
- D. Have yielded or may likely yield information important in prehistory or history (information potential).

### ***State Laws, Regulations, and Policies***

#### California Register of Historical Resources

Public Resources Code Section 5024.1 establishes the CRHR. The register lists all California properties considered to be significant historical resources. The CRHR includes all properties listed as or determined to be eligible for listing in the National Register of Historic Places (NRHP), including properties evaluated under Section 106 of the National Historic Preservation Act. The criteria for listing are similar to those of the NRHP. Criteria for listing in the CRHR include resources that:

1. Are associated with the events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Are associated with the lives of persons important in our past;
3. Embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values; or
4. Have yielded, or may be likely to yield, information important in prehistory or history.

The regulations set forth the criteria for eligibility as well as guidelines for assessing historical integrity and resources that have special considerations.

#### The California Register of Historic Places

The California Register of Historic Places (CRHP) program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act. The criteria for listing in the CRHP include resources that:

- A. Are associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
- B. Are associated with the lives of persons important to local, California or national history.
- C. Embody the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.
- D. Have yielded, or have the potential to yield, information important to the prehistory or history of the local area, California or the nation.

The State Office of Historic Preservation sponsors the California Historical Resources Information System (CHRIS), a statewide system for managing information on the full range of historical resources identified in California. CHRIS provides an integrated database of site-specific archaeological and historical resources information. The State Office of Historic Preservation also maintains the California Register of Historical Resources (CRHR), which identifies the

State's architectural, historical, archeological and cultural resources. The CRHR includes properties listed in or formally determined eligible for the National Register and lists selected California Registered Historical Landmarks.

Public Resources Code (Section 5024.1[B]) states that any agency proposing a project that could potentially impact a resource listed on the CRHR must first notify the State Historic Preservation Officer, and must work with the officer to ensure that the project incorporates "prudent and feasible measures that will eliminate or mitigate the adverse effects."

California Health and Safety Code Section 7050.5 requires that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Section 5097.98 of the California Public Resources Code stipulates that whenever the commission receives notification of a discovery of Native American human remains from a county coroner pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The decedents may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 24 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

#### CEQA and CEQA Guidelines

Section 21083.2 of CEQA requires that the lead agency determine whether a project may have a significant effect on unique archaeological resources. A unique archaeological resource is defined in CEQA as an archaeological artifact, object, or site about which it can be clearly demonstrated that there is a high probability that it:

- Contains information needed to answer important scientific research questions, and there is demonstrable public interest in that information;
- Has a special or particular quality, such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.
- Although not specifically inclusive of paleontological resources, these criteria may also help to define "a unique paleontological resource or site."

Measures to avoid, conserve, preserve, or mitigate significant effects on these resources are also provided under CEQA Section 21083.2.

Section 15064.5 of the CEQA Guidelines notes that "a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." Substantial adverse changes include physical changes to the historic resource or to its immediate surroundings, such that the significance of the historic resource would be materially impaired. Lead agencies are expected to identify potentially feasible measures to mitigate significant adverse changes in the significance of a historic resource before they approve such projects. Historic resources are those that are:

- listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR) (Public Resources Code Section 5024.1[k]);

- included in a local register of historic resources (Public Resources Code Section 5020.1) or identified as significant in an historic resource survey meeting the requirements of Public Resources Code Section 5024.1(g); or
- determined by a lead agency to be historically significant.

CEQA Guidelines Section 15064.5 also prescribes the processes and procedures found under Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.95 for addressing the existence of, or probable likelihood of, Native American human remains, as well as the unexpected discovery of any human remains within the project site. This includes consultation with the appropriate Native American tribes.

CEQA Guidelines Section 15126.4 provides further guidance about minimizing effects to historical resources through the application of mitigation measures. Mitigation measures must be legally binding and fully enforceable.

The lead agency having jurisdiction over a project is also responsible to ensure that paleontological resources are protected in compliance with CEQA and other applicable statutes. Paleontological and historical resource management is also addressed in Public Resources Code Section 5097.5, "Archaeological, Paleontological, and Historical Sites." This statute defines as a misdemeanor any unauthorized disturbance or removal of a fossil site or remains on public land and specifies that state agencies may undertake surveys, excavations, or other operations as necessary on state lands to preserve or record paleontological resources. This statute would apply to any construction or other related project impacts that would occur on state-owned or state-managed lands. The County General Plan contains policies describing specific, enforceable measures to protect cultural resources and the treatment of resources when found.

**Discussion:** In general, significant impacts are those that diminish the integrity, research potential, or other characteristics that make a historical or cultural resource significant or important. A substantial adverse effect on Cultural Resources would occur if the implementation of the project would:

- Disrupt, alter, or adversely affect a prehistoric or historic archaeological site or property that is historically or culturally significant to a community or ethnic or social group; or a paleontological site except as a part of a scientific study;
- Affect a landmark of cultural/historical importance;
- Conflict with established recreational, educational, religious or scientific uses of the area; or
- Conflict with adopted environmental plans and goals of the community where it is located.

The discussion of existing conditions and analysis of potential impacts included in this section relies on information contained in a cultural resources inventory prepared for the project site by Dudek (Attachment D [confidential]) (Dudek 2019c).

a-b. **Historic and Archaeological Resources.** A search of the North Central Information Center records for the area of potential effects (APE) and a radius of 1 mile surrounding the APE was conducted in September 2017 by Dudek staff, with the assistance of North Central Information Center staff. The records search included the North Central Information Center's collection of mapped prehistoric, historical, and built-environment resources; California Department of Parks and Recreation Site Records; technical reports; archival resources; and ethnographic references. Additional consulted sources included the NRHP; California Inventory of Historical Resources/CRHR; and listed Office of Historic Preservation Archaeological Determinations of Eligibility, California Points of Historical Interest, and California Historical Landmarks. Records indicated that three cultural resources were previously identified in the vicinity of the project site:

*P-09-00168:* A multicomponent site following the near Carson Creek that includes prehistoric and historic features.

*P-09-00964 & P-09-001019:* P-09-00964 consists of a 780-foot rock fence dated from the 1850s to the early 1900s. *O-09-001019* consists of bedrock mortar features incorporated as part of the rock fence.

However, these three resources were noted to lie outside the APE during a pedestrian survey conducted by a qualified archaeologist. Historical aerial maps indicated the APE was unused until construction of the present wastewater treatment plant in the 1960s and that no historic built-environment resources exist within the project site or adjacent wastewater treatment plant property. Additionally, a Native American Heritage Commission (NAHC) search of their Sacred Lands File returned negative results within the APE and a one-mile radius. The NAHC provided a list of Native American tribes, individuals, and organizations that may have knowledge of cultural resources in the project area. EID provided notice of the proposed project to Native American tribal representatives in the project area. Additionally, in accordance with the requirements of AB 52, the County provided letters to all contacts on a list of Native American tribes with knowledge of the project area. To date responses to AB 52 consultation have been received from the Shingle Springs Band of Miwok Indians and the United Auburn Indian Community. Information and recommendations from both Tribes have been incorporated into the analysis and mitigation measures for this section.

The cultural resources investigation indicates potential for inadvertent discovery of cultural resources during project-related ground-breaking activities, as three previously recorded cultural resources are located in close proximity to the project APE and the pedestrian survey noted areas that have not previously been subject to substantial grading associated with development activities and thus have some potential to yield intact cultural resource material. Implementation of Mitigation Measure Cul-1 would ensure that protocol is followed to protect any inadvertent discovery of historic and archaeological resources during project construction. Impacts would be less than significant with mitigation.

Mitigation Measure Cul-1:

The applicant shall retain a qualified archaeologist to monitor for potential prehistoric archaeological resources during initial ground disturbance activities and prepare a worker awareness brochure in consultation with tribal representatives.

Project plans and specifications shall include a note stating that if buried or previously unidentified historic properties or paleontological or archaeological resources are discovered during project activities, all work within a 100-foot radius of the find shall cease. EID shall retain a professional archaeologist meeting the Secretary of the Interior's Professional Standards for Archaeologists to assess the discovery and recommend what, if any, further treatment or investigation is necessary for the find. Interested Native American Tribes shall also be contacted. Any necessary treatment/investigation shall be developed with interested Native American Tribes providing recommendations and shall be coordinated with the State Historic Preservation Officer and El Dorado County, if necessary, and shall be completed before project activities continue in the vicinity of the find. A qualified paleontologist shall be retained if paleontological resources are discovered and recommendations of the paleontologist shall be implemented as determined appropriate by the El Dorado County Planning Division.

Monitoring Requirement: The applicant shall ensure that a qualified archaeologist carries out the mitigation measures as identified in mitigation measure Cul-1 and shall be responsible for stopping work should previously unidentified historic properties or archaeological resources be discovered during project activities. The applicant shall notify the Planning Division of the results of any consultation conducted with Native American Tribes. The Planning Division shall verify notes on plans and specifications requiring work to stop in the event that unidentified cultural resources are discovered. If previously unidentified cultural resources are identified during construction, the Planning Division shall be notified of the find and shall verify implementation of Mitigation Measure Cul-1.

Monitoring Responsibility: El Dorado County, Planning Division.



- c. **Human Remains.** While unlikely, there is some potential that earth disturbance associated with the project could disturb or uncover human remains. Mitigation measure Cul-2 prescribes measures to ensure that protocol is followed in compliance with applicable regulations for the inadvertent discovery of human remains. With implementation of mitigation measure Cul-2, project impacts from potential disturbance of human remains would be less than significant with mitigation.

Mitigation Measure Cul-2: In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the applicant shall immediately notify the El Dorado County Coroner of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within 2 working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, they shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

Monitoring Requirement: In the event that human remains are discovered during project activities the applicant shall stop work and notify the El Dorado County Coroner and the Planning Division. The applicant shall implement mitigation measure Cul-2 prior to reinitiating work in the vicinity of the find. The applicant shall notify the Planning Division of the results of any consultation conducted with Native American Tribes. The Planning Division shall verify implementation of mitigation measure Cul-2 prior to authorizing work to continue on the project site.

Monitoring Responsibility: El Dorado County Planning and Building Department, Planning Division.

**FINDING:** No significant cultural resources have been identified on the project site. There is minimal potential that earth disturbance could reveal undiscovered historical or archaeological resources or human remains. Implementation of Mitigation Measures Cul-1 and Cul-2 would result in less than significant impacts to cultural resources.

<b>VI. ENERGY. <i>Would the project:</i></b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

**Regulatory Setting:**

***Federal Laws, Regulations, and Policies***

Federal Energy Policy Act of 2005

The Federal Energy Policy Act of 2005 (EP Act) was intended to establish a comprehensive, long-term energy policy and is implemented by the U.S. Department of Energy (U.S. DOE). The EP Act addresses energy production in the U.S., including oil, gas, coal, and alternative forms of energy and energy efficiency and tax incentives. Energy efficiency and tax incentive programs include credits for the construction of new energy efficient homes, production or purchase of energy efficient appliances, and loan guarantees for entities that develop or use innovative technologies that avoid the production of greenhouse gases (GHGs).

Federal Energy Policy and Conservation Act

In 1975, Congress enacted the Federal Energy Policy and Conservation Act, which established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the National Highway Traffic Safety Administration is responsible for establishing additional vehicle standards. In 2012, new fuel economy standards for passenger cars and light trucks were approved for model years 2017 through 2021 (77 FR 62624–63200). Fuel economy is determined based on each manufacturer’s average fuel economy for the fleet of vehicles available for sale in the United States.

Energy Independence and Security Act of 2007

On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law. In addition to setting increased Corporate Average Fuel Economy standards for motor vehicles, the EISA includes the following other provisions related to energy efficiency:

- Renewable Fuel Standard (RFS) (Section 202)
- Appliance and Lighting Efficiency Standards (Sections 301–325)
- Building Energy Efficiency (Sections 411–441)

This federal legislation requires ever-increasing levels of renewable fuels (the RFS) to replace petroleum. The U.S. Environmental Protection Agency is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. The RFS program regulations were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders.

The RFS program was created under the Energy Policy Act of 2005 and established the first renewable fuel volume mandate in the United States. As required under the act, the original RFS program (RFS1) required 7.5 billion gallons

of renewable fuel to be blended into gasoline by 2012. Under the EISA, the RFS program was expanded in several key ways that lay the foundation for achieving significant reductions in greenhouse gas (GHG) emissions from the use of renewable fuels, reducing imported petroleum, and encouraging the development and expansion of the renewable fuels sector in the United States. The updated program is referred to as RFS2 and includes the following:

- EISA expanded the RFS program to include diesel, in addition to gasoline.
- EISA increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022.
- EISA established new categories of renewable fuel and set separate volume requirements for each one.
- EISA required the U.S. Environmental Protection Agency to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

Additional provisions of the EISA address energy savings in government and public institutions, research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green” jobs.

### ***State Laws, Regulations, and Policies***

#### **California Building Standards Code (Title 24, California Code of Regulations), including Energy Code (Title 24, Part 6) and Green Building Standards Code (Title 24, Part 11)**

California first adopted the California Buildings Standards Code in 1979, which constituted the nation’s first comprehensive energy conservation requirements for construction. Since this time, the standards have been continually revised and strengthened. In particular, the California Building Standards Commission adopted the mandatory Green Building Standards Code (CALGreen [California Code of Regulations, Title 24, Part 11]) in January 2010. CALGreen applies to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure. The California Code of Regulations, Title 24, Part 6 (also known as the California Energy Code) and associated regulations in CALGreen were revised in 2015 by the California Energy Commission (CEC). The 2016 Title 24 building energy efficiency standards, which became effective on January 1, 2017, and are currently applicable, reduce energy used in the state as compared to the previous standards. In general, single-family homes built to the 2016 standards are anticipated to use approximately 28% less energy for lighting, heating, cooling, ventilation, and water heating than those built to the 2013 standards, and non-residential buildings built to the 2016 standards will use an estimated 5% less energy than those built to the 2013 standards.

The 2019 Title 24 standards were approved and adopted by the California Building Standards Commission in December 2018. The 2019 standards will become effective January 1, 2020. The standards would require that all low-rise residential buildings shall have a photovoltaic system meeting the minimum qualification requirements such that annual electrical output is equal to or greater than the dwelling’s annual electrical usage. Notably, net energy metering rules limit residential rooftop solar generation to produce no more electricity than the home is expected to consume on an annual basis. Single-family homes built with the 2019 standards will use about 7% less energy due to energy efficiency measures versus those built under the 2016 standards, while new nonresidential buildings will use about 30% less energy.

#### **Senate Bills 1078 (2002), 107 (2006), X1-2 (2011), 350 (2015) and 100 (2018)—Renewables Portfolio Standard**

Senate Bill (SB) 1078 established the California Renewables Portfolio Standard (RPS) Program and required that a retail seller of electricity purchase a specified minimum percentage of electricity generated by eligible renewable energy resources as defined in any given year, culminating in a 20% standard by December 31, 2017. These retail sellers include electrical corporations, community choice aggregators, and electric service providers. The bill relatedly required the CEC to certify eligible renewable energy resources, design and implement an accounting system to verify compliance with the RPS by retail sellers, and allocate and award supplemental energy payments to cover above-market costs of renewable energy.

SB 107 (2006) accelerated the RPS established by SB 1078 by requiring that 20% of electricity retail sales be served by renewable energy resources by 2010 (not 2017). Additionally, SB X1-2 (2011) requires all California utilities to generate 33% of their electricity from eligible renewable energy resources by 2020. Specifically, SB X1-2 sets a three-stage compliance period: by December 31, 2013, 20% had to come from renewables; by December 31, 2016, 25% had to come from renewables; and by December 31, 2020, 33% will come from renewables.

SB 350 (2015) expanded the RPS because it requires retail seller and publicly owned utilities to procure 50% of their electricity from eligible renewable energy resources by 2030, with interim goals of 40% by 2024 and 45% by 2027. SB 100 (2018) accelerated and expanded the standards set forth in SB 350 by establishing that 44% of the total electricity sold to retail customers in California per year by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030 be secured from qualifying renewable energy sources. SB 100 also states that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California. This bill requires that the achievement of 100% zero-carbon electricity resources does not increase the carbon emissions elsewhere in the western grid and that the achievement not be achieved through resource shuffling.

Consequently, utility energy generation from non-renewable resources is expected to be reduced based on implementation of the 60% RPS in 2030. Therefore, any project's reliance on non-renewable energy sources would also be reduced.

#### Executive Order B-29-15

In response to the ongoing drought in California, Executive Order (EO) B-29-15 (April 2015) set a goal of achieving a statewide reduction in potable urban water usage of 25 percent relative to water use in 2013. The term of the EO extended through February 28, 2016, although many of the directives have become permanent water-efficiency standards and requirements. The EO includes specific directives that set strict limits on water usage in the state. In response to EO B-29-15, the California Department of Water Resources has modified and adopted a revised version of the Model Water Efficient Landscape Ordinance that, among other changes, significantly increases the requirements for landscape water use efficiency and broadens its applicability to include new development projects with smaller landscape areas.

#### Executive Order B-37-16

Issued May 2016, EO B-37-16 directs the State Water Resources Control Board (Water Board) to adjust emergency water conservation regulations through the end of January 2017 to reflect differing water supply conditions across the state. The Water Board must also develop a proposal to achieve a mandatory reduction of potable urban water usage that builds off the mandatory 25% reduction called for in EO B-29-15. The Water Board and Department of Water Resources will develop new, permanent water use targets that build upon the existing state law requirements that the state achieve 20% reduction in urban water usage by 2020. EO B-37-16 also specifies that the Water Board will permanently prohibit water-wasting practices such as hosing off sidewalks, driveways, and other hardscapes; washing automobiles with hoses not equipped with a shut-off nozzle; using non-recirculated water in a fountain or other decorative water feature; watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation; and irrigating ornamental turf on public street medians.

#### Senate Bill x7-7 (Chapter 4, Statutes of 2009)

SB X7-7 (Chapter 4, Statutes of 2009), the Water Conservation Act of 2009, establishes an overall goal of reducing statewide per capita urban water use by 20% by December 31, 2020 (with an interim goal of at least 10% by December 31, 2015). This statute applies to both El Dorado Irrigation District (EID) and the Georgetown Divide Public Utilities District (GDPUD). EID has incorporated this mandate into its water supply planning, as represented in its Urban Water Management Plan 2010 Update (El Dorado Irrigation District 2011) and all subsequent water supply plans. Reducing water use results in a reduction in energy demand that would otherwise be used to transport and treat water before delivery to the consumer.



#### Assembly Bill 2076, Reducing Dependence on Petroleum

The CEC and California Air Resources Board (CARB) are directed by AB 2076 (passed in 2000) to develop and adopt recommendations for reducing dependence on petroleum. A performance-based goal is to reduce petroleum demand to 15% less than 2003 demand by 2020.

#### Assembly Bill 1007 (2005)

AB 1007 (2005) required the CEC to prepare a statewide plan to increase the use of alternative fuels in California (State Alternative Fuels Plan). The CEC prepared the plan in partnership with the CARB and in consultation with other state agencies, plus federal and local agencies. The State Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

#### Senate Bill 375—Sustainable Communities Strategy

SB 375 was adopted with a goal of reducing fuel consumption and GHG emissions from cars and light trucks. Each metropolitan planning organization (MPO) across California is required to develop a sustainable communities strategy (SCS) as part of their regional transportation plan (RTP) to meet the region's GHG emissions reduction target, as set by the California Air Resources Board. The Sacramento Area Council of Governments (SACOG) is the MPO for the Sacramento region, including the western slope of El Dorado County. SACOG adopted its SB 375-compliant Metropolitan Transportation Plan/Sustainable Communities Strategy 2035 in February 2016.

#### Assembly Bill 1493—Pavley Rules (2002, Amendments 2009, 2012 rule-making)

AB 1493 required the CARB to adopt vehicle standards that will improve the efficiency of light duty autos and lower GHG emissions to the maximum extent feasible beginning in 2009. Additional strengthening of the Pavley standards (referred to previously as "Pavley II," now referred to as the "Advanced Clean Cars" measure) has been proposed for vehicle model years 2017–2025. Together, the two standards are expected to increase average fuel economy to roughly 54.5 miles per gallon by 2025. The improved energy efficiency of light duty autos will reduce statewide fuel consumption in the transportation sector.

#### CEQA and CEQA Guidelines

Section 15126.2(b) of the CEQA Guidelines requires detailed analysis of a project's energy impacts. If analysis of the project's energy use reveals that the project may result in significant environmental effects due to wasteful, inefficient, or unnecessary use of energy, or wasteful use of energy resources, the environmental document shall prescribe mitigation for those impacts. This analysis should include the project's energy use for all project phases and components, including transportation-related energy, during construction and operation. In addition to building code compliance, other relevant considerations may include, among others, the project's size, location, orientation, equipment use and any renewable energy features that could be incorporated into the project.

#### CEQA Guidelines, Appendix F: Energy Conservation

CEQA requires EIRs to include a discussion of potential energy impacts and energy conservation measures. Appendix F, Energy Conservation, of the State CEQA Guidelines outlines energy impact possibilities and potential conservation measures designed to assist in the evaluation of potential energy impacts of proposed projects. Appendix F places "particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy," and further indicates this may result in an unavoidable adverse effect on energy conservation. Moreover, the State CEQA Guidelines state that significant energy impacts should be "considered in an EIR to the extent relevant and applicable to the project." Mitigation for potential significant energy impacts (if required) could include implementing a variety of strategies, including measures to reduce wasteful energy consumption and altering project siting to reduce energy consumption.

### ***Local Laws, Regulations, and Policies***

The County General Plan Public Services and Utilities Element also includes goals, objectives, and policies related to energy conservation associated with the County's future growth and development. Among these are Objective 5.6.2 (Encourage Energy-Efficient Development) which applies to energy-efficient buildings, subdivisions, development and landscape designs. Associated with Objective 5.6.2 are two policies specifically addressing energy conservation:

- Policy 5.6.2.1: Requires energy conserving landscaping plans for all projects requiring design review or other discretionary approval.
- Policy 5.6.2.2: All new subdivisions should include design components that take advantage of passive or natural summer cooling and/or winter solar access, or both, when possible.

Further, the County has other goals and policies that would conserve energy even though not being specifically drafted for energy conservation purposes (e.g., Objective 6.7.2, Policy 6.7.2.3).

**Discussion:** A substantial adverse effect on Energy would occur if the implementation of the project would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency

**a. Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources.**

During construction, the project would require temporary electrical power for as-necessary lighting and electronic equipment. The amount of electricity used during construction would be minimal, as typical demand would stem from electrically powered hand tools. Thus electricity used for construction activities would be temporary and minimal.. Petroleum fuel consumed by construction equipment would be the primary energy resource expended over the course of construction. Transportation of construction materials and construction workers would also result in petroleum fuel consumption. Heavy-duty construction equipment, vendor trucks, and haul trucks would use diesel fuel. Construction workers would likely travel to and from the project area in gasoline-powered vehicles. Construction is expected to occur over a 12-month period, beginning January 2020. Once construction activities cease, petroleum use from off-road equipment and transportation vehicles would cease.

For ongoing operations, the project is required to comply with regulations on energy efficiency and design such as the California Building Standards Code Title 24 and CALGreen. A mass emissions and energy model was run using the California Emissions Estimator Model (CalEEMod v 2016.3.2) (Attachment 6). The model estimated that the project as proposed would use approximately 48,966 kBtu/yr of natural gas, as well as approximately 51,758 kWh/yr of electricity. The project would be implemented consistent with applicable energy legislation, policies, and standards as described in the Regulatory Setting section above. Additionally, due to new building energy efficiency standards and the ability to operate two facilities at one site rather than two separate sites, it is expected that relocation of the Bass Lake operations facility to the existing El Dorado Hills Wastewater Treatment Plant site would improve energy efficiency of operations over existing conditions. Furthermore, because the project includes the relocation of approximately 20 employees, the project would reduce petroleum fuel consumption from private transportation compared to the existing facility. Impacts would be less than significant.

- b. State or Local Plans for Renewable Energy or Energy Efficiency.** Development under the project would be consistent with all applicable State policies and El Dorado County General Plan policies for renewable energy and energy efficiency, and would not obstruct implementation of applicable energy plans. Impacts would be less than significant.

**FINDING:** The project would not result in any potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. The project

would be consistent with all applicable State and local plans for renewable energy and energy efficiency. For the Energy category, impacts would be less than significant.

<b>VI. GEOLOGY AND SOILS. <i>Would the project:</i></b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b. Result in substantial soil erosion or the loss of topsoil?			X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial direct or indirect risks to life or property?			X	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

**Regulatory Setting:**

**Federal Laws, Regulations, and Policies**

**National Earthquake Hazards Reduction Act**

The National Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) and creation of the National Earthquake Hazards Reduction Program (NEHRP) established a long-term earthquake risk-reduction program to better understand, predict, and mitigate risks associated with seismic events. The following four federal agencies are responsible for coordinating activities under NEHRP: USGS, National Science Foundation (NSF), Federal Emergency Management Agency (FEMA), and National Institute of Standards and Technology (NIST). Since its inception, NEHRP has shifted its focus from earthquake prediction to hazard reduction. The current program objectives (NEHRP 2009) are to:

1. Develop effective measures to reduce earthquake hazards;
2. Promote the adoption of earthquake hazard reduction activities by federal, state, and local governments; national building standards and model building code organizations; engineers; architects; building owners; and others who play a role in planning and constructing buildings, bridges, structures, and critical infrastructure or “lifelines”;
3. Improve the basic understanding of earthquakes and their effects on people and infrastructure through interdisciplinary research involving engineering; natural sciences; and social, economic, and decision sciences; and
4. Develop and maintain the USGS seismic monitoring system (Advanced National Seismic System); the NSF-funded project aimed at improving materials, designs, and construction techniques (George E. Brown Jr. Network for Earthquake Engineering Simulation); and the global earthquake monitoring network (Global Seismic Network).

Implementation of NEHRP objectives is accomplished primarily through original research, publications, and recommendations and guidelines for state, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

### **State Laws, Regulations, and Policies**

#### **Alquist–Priolo Earthquake Fault Zoning Act**

The Alquist–Priolo Earthquake Fault Zoning Act (Public Resources Code Section 2621 *et seq.*) was passed to reduce the risk to life and property from surface faulting in California. The Alquist–Priolo Act prohibits construction of most types of structures intended for human occupancy on the surface traces of active faults and strictly regulates construction in the corridors along active faults (earthquake fault zones). It also defines criteria for identifying active faults, giving legal weight to terms such as “active,” and establishes a process for reviewing building proposals in and adjacent to earthquake fault zones. Under the Alquist–Priolo Act, faults are zoned and construction along or across them is strictly regulated if they are “sufficiently active” and “well defined.” Before a project can be permitted, cities and counties are required to have a geologic investigation conducted to demonstrate that the proposed buildings would not be constructed across active faults.

Historical seismic activity and fault and seismic hazards mapping in the project vicinity indicate that the area has relatively low potential for seismic activity (El Dorado County 2003). No active faults have been mapped in the project area, and none of the known faults have been designated as an Alquist–Priolo Earthquake Fault Zone.

#### **Seismic Hazards Mapping Act**

The Seismic Hazards Mapping Act of 1990 (Public Resources Code Sections 2690–2699.6) establishes statewide minimum public safety standards for mitigation of earthquake hazards. While the Alquist–Priolo Act addresses surface fault rupture, the Seismic Hazards Mapping Act addresses other earthquake-related hazards, including strong ground shaking, liquefaction, and seismically induced landslides. Its provisions are similar in concept to those of the Alquist–Priolo Act. The state is charged with identifying and mapping areas at risk of strong ground shaking, liquefaction, landslides, and other seismic hazards, and cities and counties are required to regulate development within mapped seismic hazard zones. In addition, the act addresses not only seismically induced hazards but also expansive soils, settlement, and slope stability.

Mapping and other information generated pursuant to the SHMA is to be made available to local governments for planning and development purposes. The State requires: (1) local governments to incorporate site-specific geotechnical hazard investigations and associated hazard mitigation, as part of the local construction permit approval process; and (2) the agent for a property seller or the seller if acting without an agent, must disclose to any prospective buyer if the property is located within a Seismic Hazard Zone. Under the Seismic Hazards Mapping Act, cities and counties may withhold the development permits for a site within seismic hazard zones until appropriate site-specific geologic and/or



geotechnical investigations have been carried out and measures to reduce potential damage have been incorporated into the development plans.

### California Building Standards Code

Title 24 CCR, also known as the California Building Standards Code (CBC), specifies standards for geologic and seismic hazards other than surface faulting. These codes are administered and updated by the California Building Standards Commission. CBC specifies criteria for open excavation, seismic design, and load-bearing capacity directly related to construction in California.

The lead agency having jurisdiction over a project is also responsible to ensure that paleontological resources are protected in compliance with CEQA and other applicable statutes. Paleontological and historical resource management is also addressed in Public Resources Code Section 5097.5, "Archaeological, Paleontological, and Historical Sites." This statute defines as a misdemeanor any unauthorized disturbance or removal of a fossil site or remains on public land and specifies that state agencies may undertake surveys, excavations, or other operations as necessary on state lands to preserve or record paleontological resources. This statute would apply to any construction or other related project impacts that would occur on state-owned or state-managed lands. The County General Plan contains policies describing specific, enforceable measures to protect cultural resources and the treatment of resources when found.

**Discussion:** A substantial adverse effect on Geologic Resources would occur if the implementation of the project would:

- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;
- Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or
- Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

a. **Seismic Hazards:**

i) As determined by the California Department of Conservation Division of Mines and Geology, there are no Alquist-Priolo fault zones within the west slope of El Dorado County (DOC, 2019). However, a fault zone has been identified in the Tahoe Basin and Echo Lakes area. The West Tahoe Fault has a mapped length of 45 km (28 miles). South of Emerald Bay the West Tahoe Fault extends onshore as two parallel strands. In the lake, the fault has clearly defined scarps that offset submarine fans, lake-bottom sediments, and the McKinney Bay slide deposits (DOC, 2016). There is clear evidence that the discussed onshore portion of the West Tahoe Fault is active with multiple events in the Holocene era and poses a surface rupture hazard. However, because of the large distance between the project site and these faults, and since the project would be designed and constructed in compliance with applicable local, State, and Federal building codes and standards, it is expected that impacts associated with rupture of any known earthquake fault would be less than significant.

ii) The potential for seismic ground shaking in the project area would be considered remote as discussed in Section i) above. Any potential impacts due to seismic shaking will be addressed through compliance with County building standards, the California Building Standards Code (Title 24 CCR), and International Building Code. All structures will be built to meet the construction standards of the California Building Standards Code for the appropriate seismic zone. Impacts would be less than significant.

- iii) El Dorado County is considered an area with low potential for seismic activity. There are no landslide, liquefaction, or fault zones within the area (DOC, 2019). Impacts would be less than significant.
- iv) All grading activities onsite will be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. As conditioned, impacts would be less than significant.
- b. **Soil Erosion:** All grading activities onsite would comply with the El Dorado County Grading, Erosion and Sediment Control Ordinance including the implementation of pre- and post-construction Best Management Practices (BMPs). BMPs are required to be consistent with the County's California Stormwater Pollution Prevention Plan (SWPPP) issued by the State Water Resources Control Board to eliminate run-off and erosion and sediment controls. Any grading activities exceeding 250 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the County of El Dorado Grading, Erosion, and Sediment Control Ordinance. All future construction would be reviewed for compliance with the County SWPPP at the building permit stage. Impacts would be less than significant.
- c. **Geologic Hazards:** Based on the Seismic Hazards Mapping Program administered by the California Geological Survey, no portion of El Dorado County is located in a Seismic Hazard Zone or those areas prone to liquefaction and earthquake-induced landslides (DOC, 2019). Therefore, El Dorado County is not considered to be at risk from liquefaction hazards. Lateral spreading is typically associated with areas experiencing liquefaction. Because liquefaction hazards are not present in El Dorado County, the County is not at risk for lateral spreading. All grading activities would comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Impacts would be less than significant.
- d. **Expansive Soils:** Expansive soils are those that greatly increase in volume when moisture is absorbed and shrink in volume when moisture evaporates. When buildings are constructed on expansive soils, foundations may rise each wet season and fall each dry season. This movement may result in cracking foundations, distortion of structures, and warping of doors and windows. The central portion of the county has a moderate expansiveness rating while the eastern and western portions have a low rating. Linear extensibility is used to determine the shrink-swell potential of soils. The project is located in the western most part of El Dorado County. The project would be designed and constructed in compliance with applicable County building standards and would be constructed to appropriate site-specific conditions identified by geotechnical investigations required to be conducted for the project site. Impacts associated with expansive soils would therefore be less than significant.
- e. **Septic Capability:** The proposed project would be connected to the existing EID wastewater system that serves the project site. The project does not propose the use of septic tanks or other alternative wastewater disposal systems. There would be no impact.
- f. **Unique Paleontological Sites/Resources or Geologic Features:** No unique geologic features or paleontological resources are known from the project site. While the project area is considered to have low potential for inadvertent discovery of paleontological resources, implementation of Mitigation Measure Cul-1, which includes measures for inadvertent discovery of paleontological resources, would require implementation of protective measures and would ensure that impacts to any previously undiscovered paleontological resources would be less than significant impact with mitigation.

**FINDING:** No significant paleontological resources or unique geologic features have been identified on the project site. Conditions of approval will apply in the event of discovery during construction. A review of soils and geologic conditions on the project site determined that the project would not result in a substantial adverse effect to geology and soils. All grading activities will be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. All development will be required to comply with the Uniform Building Code, which will address potential seismic impacts. For this Geology and Soils category, impacts would be less than significant with mitigation.

<b>VIII. GREENHOUSE GAS EMISSIONS. <i>Would the project:</i></b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

**Background/Science**

Cumulative greenhouse gases (GHG) emissions are believed to contribute to an increased greenhouse effect and global climate change, which may result in sea level rise, changes in precipitation, habitat, temperature, wildfires, air pollution levels, and changes in the frequency and intensity of weather-related events. While criteria pollutants and toxic air contaminants are pollutants of regional and local concern (see Section III. Air Quality above); GHG are global pollutants. The primary land-use related GHG are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>) and nitrous oxides (N<sub>2</sub>O). For the purposes of evaluating GHG emissions, the amount of energy that an individual pollutant will absorb over a given amount of time is expressed relative to the amount of energy trapped by an equivalent amount of CO<sub>2</sub>, or the CO<sub>2</sub> equivalents (CO<sub>2</sub>e). The CO<sub>2</sub>e of a pollutant is known as its global warming potential. CO<sub>2</sub> is the benchmark having a global warming potential of 1. Methane (CH<sub>4</sub>) has a global warming potential of 21 and thus would be considered equivalent to 21 times the GHG emissions contribution of an equivalent amount of CO<sub>2</sub>. Nitrous Oxide has a global warming potential of 310. Emissions are expressed in annual metric tons of CO<sub>2</sub>e units of measure (i.e., MTCO<sub>2</sub>e/yr). The three other main GHGs are Hydrofluorocarbons, Perfluorocarbons, and Sulfur Hexafluoride. While these compounds have significantly higher global warming potentials (ranging in the thousands), all three typically are not a concern in land-use development projects and are usually only used in specific industrial processes.

***GHG Sources***

The primary man-made source of CO<sub>2</sub> is the burning of fossil fuels; the two largest sources being coal burning to produce electricity and petroleum burning in combustion engines. The primary sources of man-made CH<sub>4</sub> are natural gas systems losses (during production, processing, storage, transmission and distribution), enteric fermentation (digestion from livestock) and landfill off-gassing. The primary source of man-made N<sub>2</sub>O is agricultural soil management (fertilizers), with fossil fuel combustion a very distant second. In El Dorado County, the primary source of GHG is fossil fuel combustion mainly in the transportation sector (estimated at 70% of countywide GHG emissions). A distant second are residential sources (approximately 20%), and commercial/industrial sources are third (approximately 7%). The remaining sources are waste/landfill (approximately 3%) and agricultural (<1%).

**Regulatory Setting:**

***Federal Laws, Regulations, and Policies***

At the federal level, USEPA has developed regulations to reduce GHG emissions from motor vehicles and has developed permitting requirements for large stationary emitters of GHGs. The national program for GHG and fuel economy standards was developed jointly by the USEPA and the National Highway Traffic Safety Administration (NHTSA). Phase 1 of the program addressed model year 2012-2016 cars and light trucks and Phase 2 addresses model years 2017-2025. On August 9, 2011, USEPA and the NHTSA announced standards to reduce GHG emissions and improve fuel efficiency for heavy-duty trucks and buses. As part of the 2017-2025 standards rulemaking, EPA made a regulatory commitment to conduct an evaluation of the longer-term standards for model years 2022-2025, in coordination with NHTSA and the California Air Resources Board. Following conclusion of the this mid-term

evaluation, NHTSA and EPA propose to amend the Corporate Average Fuel Economy (CAFE) and GHG emissions standards for passenger cars and light trucks and establish new standards, covering model years 2021 through 2026.

**State Laws, Regulations, and Policies**

In September 2006, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the *California Climate Solutions Act of 2006* (Stats. 2006, ch. 488) (Health & Safety Code, Section 38500 et seq.). AB 32 requires a statewide GHG emissions reduction to 1990 levels by the year 2020. AB 32 requires the California Air Resources Board (CARB) to implement and enforce the statewide cap. When AB 32 was signed, California’s annual GHG emissions were estimated at 600 million metric tons of CO<sub>2</sub> equivalent (MMT<sub>CO<sub>2</sub>e</sub>) while 1990 levels were estimated at 427 MMT<sub>CO<sub>2</sub>e</sub>. Setting 427 MMT<sub>CO<sub>2</sub>e</sub> as the emissions target for 2020, current (2006) GHG emissions levels must be reduced by 29%. CARB adopted the AB 32 Scoping Plan in December 2008 establishing various actions the state would implement to achieve this reduction (CARB, 2008). The Scoping Plan recommends a community-wide GHG reduction goal for local governments of 15%.

In June 2008, the California Governor’s Office of Planning and Research’s (OPR) issued a Technical Advisory (OPR, 2008) providing interim guidance regarding a proposed project’s GHG emissions and contribution to global climate change. In the absence of adopted local or statewide thresholds, OPR recommends the following approach for analyzing GHG emissions: Identify and quantify the project’s GHG emissions, assess the significance of the impact on climate change; and if the impact is found to be significant, identify alternatives and/or mitigation measures that would reduce the impact to less than significant levels (CEC, 2006).

**Discussion**

CEQA does not provide clear direction on addressing climate change. It requires lead agencies identify project GHG emissions impacts and their “significance,” but is not clear what constitutes a “significant” impact. At this time, there are no adopted quantitative federal or state guidelines for GHG emission impacts. As stated above, GHG impacts are inherently cumulative, and since no single project could cause global climate change, the CEQA test is if impacts are “cumulatively considerable.” Not all projects emitting GHG contribute significantly to climate change. CEQA Guidelines emphasize the lead agency’s discretion to determine the appropriate methodologies and thresholds of significance that are consistent with the manner in which other impact areas are handled in CEQA.

EDCAQMD was part of the committee of air districts in the Sacramento Region involved in the development of GHG thresholds of 1,100 MTCO<sub>2</sub>e/yr for the construction phase of projects or the operational phase of land use development projects, or 10,000 MTCO<sub>2</sub>e/yr from the operation of stationary sources. If the significance thresholds are exceeded, then a project may have a cumulatively considerable contribution to a significant cumulative environmental impact, and all feasible mitigation is required.

- a. A mass emissions model run was prepared using CalEEMod Version 2016.3.2 (Attachment D). Results of modeling for construction phase and operational phase emissions are shown in Table VIII-1, below.

**Table VIII-1  
 Estimated Annual Construction GHG Emissions**

Year	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
	<i>Metric Tons per Year</i>			
2020	176.60	0.05	0.00	177.36

**Source:** See Appendix A for detailed results.

**Notes:** MT = metric tons; CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>e = carbon dioxide equivalent.

The model indicated the annual construction GHG emissions would total approximately 177 MTCO<sub>2</sub>e/yr. This is below the EDC AQMD recommended threshold of 1,100 MTCO<sub>2</sub>e/yr. Following the completion of construction activities, operational sources of GHG emissions would include mobile sources (vehicle trips), area sources (landscaping equipment), energy sources (natural gas and electricity consumption), solid waste generation, water supply, and wastewater treatment. As shown in Table VIII-2, below, the model concluded that operational GHG emissions would be less than 97 MTCO<sub>2</sub>e/yr, which is well below the EDC AQMD



GHG threshold of 1,100 MTCO<sub>2</sub>e/yr. It should be noted that operations would be relocated from the existing Bass Lake facility and that operational emissions at the new site would be similar to the existing facility, thus any net increase in GHG emissions would be minimal.

**Table VIII-2  
 Estimated Annual Operational GHG Emissions**

Project Emission Source	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
	Metric Tons per Year			
Area	<0.01	0.00	0.00	<0.01
Energy	9.52	<0.01	<0.01	9.59
Mobile	79.85	<0.01	0.00	79.94
Solid Waste	1.69	0.10	0.00	4.19
Water Supply and Wastewater	1.36	0.04	<0.01	2.67
<b>Total</b>	<b>92.42</b>	<b>0.14</b>	<b>&lt;0.01</b>	<b>96.39</b>
<i>EDCAQMD GHG Threshold</i>				1,100
<i>Significant (Yes or No)?</i>				No

**Source:** See Appendix A for detailed results.

**Notes:** MT = metric tons; CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>e = carbon dioxide equivalent.

Because data from projects in El Dorado County, along with the other counties in the Sacramento region, were used to develop the EDC AQMD GHG threshold of 1,100 MTCO<sub>2</sub>e/yr, these regional GHG thresholds represent “substantial evidence” for CEQA purposes and are appropriate for use as CEQA thresholds of significance. Since project GHG emissions would be below these established GHG thresholds, GHG emissions from the project would represent a cumulatively less than significant impact.

- b. The Scoping Plan, approved by CARB on December 12, 2008, provides a framework for actions to reduce California’s GHG emissions and requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. As such, the Scoping Plan is not directly applicable to specific projects. Relatedly, in the Final Statement of Reasons for the Amendments to the CEQA Guidelines, the California Natural Resources Agency observed that “[t]he [Scoping Plan] may not be appropriate for use in determining the significance of individual projects because it is conceptual at this stage and relies on the future development of regulations to implement the strategies identified in the Scoping Plan” (CNRA 2009). Under the Scoping Plan, however, there are several state regulatory measures aimed at the identification and reduction of GHG emissions. CARB and other state agencies have adopted many of the measures identified in the Scoping Plan. Most of these measures focus on area source emissions (e.g., energy usage, high GWP GHGs in consumer products) and changes to the vehicle fleet (i.e., hybrid, electric, and more fuel-efficient vehicles) and associated fuels (e.g., Low Carbon Fuel Standard), among others which may not be directly applicable to the project.

In regards to consistency with Executive Order (EO) B-30-15 (goal of reducing GHG emissions to 40% below 1990 levels by 2030) and EO S-3-05 (goal of reducing GHG emissions to 80% below 1990 levels by 2050), there are no established protocols or thresholds of significance for that future year analysis. However, CARB forecasts that compliance with the current Scoping Plan puts the state on a trajectory of meeting these long-term GHG goals, although the specific path to compliance is unknown (CARB 2014). The project would not conflict with GHG emission reduction measures in the Scoping Plan and would not conflict with the state’s trajectory toward future GHG reductions. In addition, since the specific path to compliance for the state in regards to the long-term goals will likely require development of technology or other changes that are not currently known or available, specific additional mitigation measures for the project would be speculative and cannot be identified at this time. The project’s consistency would assist in meeting the County’s contribution to GHG emission reduction targets in California. With respect to future GHG targets under the EOs, CARB has also made clear its legal interpretation that it has the requisite authority to adopt whatever regulations are necessary, beyond the AB 32 horizon year of 2020, to meet EO S-3-05’s 80% reduction target in 2050. This legal interpretation by an expert agency provides evidence that future regulations will be adopted to continue the state on its trajectory toward meeting these future GHG targets.

Finally, the project would not exceed the EDC AQMD threshold of 1,100 MT CO<sub>2</sub>e per year during construction or operations. Because the project would not exceed this threshold, it can be concluded that the project would not conflict with EO S-3-05’s GHG reduction goals for California. Therefore, this impact would be less than significant.

As such, impacts associated with any conflict of the project with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs would be less than significant.

**FINDING:** For this Greenhouse Gas Emissions category, impacts would be less than significant.

<b>IX. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i></b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

**Regulatory Setting:**

Hazardous materials and hazardous wastes are subject to extensive federal, state, and local regulations to protect public health and the environment. These regulations provide definitions of hazardous materials; establish reporting requirements; set guidelines for handling, storage, transport, and disposal of hazardous wastes; and require health and safety provisions for workers and the public. The major federal, state, and regional agencies enforcing these regulations are USEPA and the Occupational Safety and Health Administration (OSHA); California Department of Toxic Substances Control (DTSC); California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA); California Governor’s Office of Emergency Services (Cal OES); and EDCAPCD.

## ***Federal Laws, Regulations, and Policies***

### Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also called the Superfund Act; 42 USC Section 9601 *et seq.*) is intended to protect the public and the environment from the effects of past hazardous waste disposal activities and new hazardous material spills. Under CERCLA, USEPA has the authority to seek the parties responsible for hazardous materials releases and to ensure their cooperation in site remediation. CERCLA also provides federal funding (through the "Superfund") for the remediation of hazardous materials contamination. The Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) amends some provisions of CERCLA and provides for a Community Right-to-Know program.

### Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act of 1976 (RCRA; 42 USC Section 6901 *et seq.*), as amended by the Hazardous and Solid Waste Amendments of 1984, is the primary federal law for the regulation of solid waste and hazardous waste in the United States. These laws provide for the "cradle-to-grave" regulation of hazardous wastes, including generation, transportation, treatment, storage, and disposal. Any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed of.

USEPA has primary responsibility for implementing RCRA, but individual states are encouraged to seek authorization to implement some or all RCRA provisions. California received authority to implement the RCRA program in August 1992. DTSC is responsible for implementing the RCRA program in addition to California's own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law.

### Energy Policy Act of 2005

Title XV, Subtitle B of the Energy Policy Act of 2005 (the Underground Storage Tank Compliance Act of 2005) contains amendments to Subtitle I of the Solid Waste Disposal Act, the original legislation that created the Underground Storage Tank (UST) Program. As defined by law, a UST is "any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and that is substantially or totally beneath the surface of the ground." In cooperation with USEPA, SWRCB oversees the UST Program. The intent is to protect public health and safety and the environment from releases of petroleum and other hazardous substances from tanks. The four primary program elements include leak prevention (implemented by Certified Unified Program Agencies [CUPAs], described in more detail below), cleanup of leaking tanks, enforcement of UST requirements, and tank integrity testing.

### Spill Prevention, Control, and Countermeasure Rule

USEPA's Spill Prevention, Control, and Countermeasure (SPCC) Rule (40 CFR, Part 112) apply to facilities with a single above-ground storage tank (AST) with a storage capacity greater than 660 gallons, or multiple tanks with a combined capacity greater than 1,320 gallons. The rule includes requirements for oil spill prevention, preparedness, and response to prevent oil discharges to navigable waters and adjoining shorelines. The rule requires specific facilities to prepare, amend, and implement SPCC Plans.

### Occupational Safety and Health Administration

OSHA is responsible at the federal level for ensuring worker safety. OSHA sets federal standards for implementation of workplace training, exposure limits, and safety procedures for the handling of hazardous substances (as well as other hazards). OSHA also establishes criteria by which each state can implement its own health and safety program.

### Federal Communications Commission Requirements

There is no federally mandated radio frequency (RF) exposure standard; however, pursuant to the Telecommunications Act of 1996 (47 USC Section 224), the Federal Communications Commission (FCC) established guidelines for dealing

with RF exposure, as presented below. The exposure limits are specified in 47 CFR Section 1.1310 in terms of frequency, field strength, power density, and averaging time. Facilities and transmitters licensed and authorized by FCC must either comply with these limits or an applicant must file an environmental assessment (EA) with FCC to evaluate whether the proposed facilities could result in a significant environmental effect.

FCC has established two sets of RF radiation exposure limits—Occupational/Controlled and General Population/Uncontrolled. The less-restrictive Occupational/Controlled limit applies only when a person (worker) is exposed as a consequence of his or her employment and is “fully aware of the potential exposure and can exercise control over his or her exposure,” otherwise the General Population limit applies (47 CFR Section 1.1310).

The FCC exposure limits generally apply to all FCC-licensed facilities (47 CFR Section 1.1307[b][1]). Unless exemptions apply, as a condition of obtaining a license to transmit, applicants must certify that they comply with FCC environmental rules, including those that are designed to prevent exposing persons to radiation above FCC RF limits (47 CFR Section 1.1307[b]). Licensees at co-located sites (e.g., towers supporting multiple antennas, including antennas under separate ownerships) must take the necessary actions to bring the accessible areas that exceed the FCC exposure limits into compliance. This is a shared responsibility of all licensees whose transmission power density levels account for 5.0 or more percent of the applicable FCC exposure limits (47 CFR 1.1307[b][3]).

#### Code of Federal Regulations (14 CFR) Part 77

14 CFR Part 77.9 is designed to promote air safety and the efficient use of navigable airspace. Implementation of the code is administered by the Federal Aviation Administration (FAA). If an organization plans to sponsor any construction or alterations that might affect navigable airspace, a Notice of Proposed Construction or Alteration (FAA Form 7460-1) must be filed. The code provides specific guidance regarding FAA notification requirements.

#### ***State Laws, Regulations, and Policies***

##### Safe Drinking Water and Toxic Enforcement Act of 1986 – Proposition 65

The Safe Drinking Water and Toxic Enforcement Act of 1986, more commonly known as Proposition 65, protects the state’s drinking water sources from contamination with chemicals known to cause cancer, birth defects, or other reproductive harm. Proposition 65 also requires businesses to inform the public of exposure to such chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment. In accordance with Proposition 65, the California Governor’s Office publishes, at least annually, a list of such chemicals. OEHHA, an agency under the California Environmental Protection Agency (CalEPA), is the lead agency for implementation of the Proposition 65 program. Proposition 65 is enforced through the California Attorney General’s Office; however, district and city attorneys and any individual acting in the public interest may also file a lawsuit against a business alleged to be in violation of Proposition 65 regulations.

##### The Unified Program

The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of six environmental and emergency response programs. CalEPA and other state agencies set the standards for their programs, while local governments (CUPAs) implement the standards. For each county, the CUPA regulates/oversees the following:

- Hazardous materials business plans;
- California accidental release prevention plans or federal risk management plans;
- The operation of USTs and ASTs;
- Universal waste and hazardous waste generators and handlers;
- On-site hazardous waste treatment;
- Inspections, permitting, and enforcement;
- Proposition 65 reporting; and



- Emergency response.

#### Hazardous Materials Business Plans

Hazardous materials business plans are required for businesses that handle hazardous materials in quantities greater than or equal to 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet (cf) of compressed gas, or extremely hazardous substances above the threshold planning quantity (40 CFR, Part 355, Appendix A) (Cal OES, 2015). Business plans are required to include an inventory of the hazardous materials used/stored by the business, a site map, an emergency plan, and a training program for employees (Cal OES, 2015). In addition, business plan information is provided electronically to a statewide information management system, verified by the applicable CUPA, and transmitted to agencies responsible for the protection of public health and safety (i.e., local fire department, hazardous material response team, and local environmental regulatory groups) (Cal OES, 2015).

#### California Occupational Safety and Health Administration

Cal/OSHA assumes primary responsibility for developing and enforcing workplace safety regulations in California. Cal/OSHA regulations pertaining to the use of hazardous materials in the workplace (CCR Title 8) include requirements for safety training, availability of safety equipment, accident and illness prevention programs, warnings about exposure to hazardous substances, and preparation of emergency action and fire prevention plans. Hazard communication program regulations that are enforced by Cal/OSHA require workplaces to maintain procedures for identifying and labeling hazardous substances, inform workers about the hazards associated with hazardous substances and their handling, and prepare health and safety plans to protect workers at hazardous waste sites. Employers must also make material safety data sheets available to employees and document employee information and training programs. In addition, Cal/OSHA has established maximum permissible RF radiation exposure limits for workers (Title 8 CCR Section 5085[b]), and requires warning signs where RF radiation might exceed the specified limits (Title 8 CCR Section 5085 [c]).

#### California Accidental Release Prevention

The purpose of the California Accidental Release Prevention (CalARP) program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws. In accordance with this program, businesses that handle more than a threshold quantity of regulated substance are required to develop a risk management plan (RMP). This RMP must provide a detailed analysis of potential risk factors and associated mitigation measures that can be implemented to reduce accident potential. CUPAs implement the CalARP program through review of RMPs, facility inspections, and public access to information that is not confidential or a trade secret.

#### California Department of Forestry and Fire Protection Wildland Fire Management

The Office of the State Fire Marshal and the California Department of Forestry and Fire Protection (CAL FIRE) administer state policies regarding wildland fire safety. Construction contractors must comply with the following requirements in the Public Resources Code during construction activities at any sites with forest-, brush-, or grass-covered land:

- Earthmoving and portable equipment with internal combustion engines must be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442).
- Appropriate fire-suppression equipment must be maintained from April 1 to December 1, the highest-danger period for fires (Public Resources Code Section 4428).
- On days when a burning permit is required, flammable materials must be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor must maintain the appropriate fire suppression equipment (Public Resources Code Section 4427).
- On days when a burning permit is required, portable tools powered by gasoline fueled internal combustion engines must not be used within 25 feet of any flammable materials (Public Resources Code Section 4431).

### California Highway Patrol

CHP, along with Caltrans, enforce and monitor hazardous materials and waste transportation laws and regulations in California. These agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roads. All motor carriers and drivers involved in transportation of hazardous materials must apply for and obtain a hazardous materials transportation license from CHP.

### ***Local Laws, Regulations, and Policies***

A map of the fuel loading in the County (General Plan Figure HS-1) shows the fire hazard severity classifications of the SRAs in El Dorado County, as established by CDF. The classification system provides three classes of fire hazards: Moderate, High, and Very High. The County's Fire Hazard Ordinance (Chapter 8.08) requires defensible space as described by the State Public Resources Code, including the incorporation and maintenance of a 100-foot fire break or vegetation fuel clearance around structures in fire hazard zones. The County's requirements on emergency access, signing and numbering, and emergency water are more stringent than those required by state law. The Fire Hazard Ordinance also establishes limits on campfires, fireworks, smoking, and incinerators for all discretionary and ministerial developments.

**Discussion:** A substantial adverse effect due to Hazards or Hazardous Materials would occur if implementation of the project would:

- Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;
  - Expose people and property to risks associated with wildland fires where such risks could not be reduced through implementation of proper fuel management techniques, buffers and landscape setbacks, structural design features, and emergency access; or
  - Expose people to safety hazards as a result of former on-site mining operations.
- a. **Hazardous Materials:** The project would not involve the routine transportation, use, or disposal of hazardous materials. Construction and operational activities associated with the project would involve the use of common hazardous materials used in construction and equipment and facilities maintenance activities including; bonding agents, paints, and sealant coatings, as well as petroleum-based fuels, hydraulic fluids, and lubricants used in vehicles and equipment. These materials would be used, stored, and transported to the site in accordance with applicable regulations and product labeling and safety data sheets. All construction waste materials would be disposed of in compliance with State and Federal hazardous waste requirements and at appropriate facilities. The project has been conditioned to comply with EDC AQMD and Building Division requirements for construction materials. Materials and activities would be similar to those used in existing operations activities at the Bass Lake Facility which would be closed upon completion of the proposed project. Impacts would be less than significant.
- b. **Upset or Accident Conditions:** Use and transport of chemicals will continue as is with current site operations and Bass Lake site operations. Adherence to regulations (see *Regulatory Setting*), Safety Data Sheets for materials used, and EID protocols would prevent a significant risk of upset or accident conditions that would involve the release of hazardous materials into the environment. Construction would be carried out in compliance with a Stormwater Pollution Prevention Plan (SWPPP) prepared in compliance with the requirements of the State Construction General Permit. The SWPPP includes the use of appropriate best management practices (BMPs) for spill prevention during construction. Thus, the project is not expected to create a significant hazard to the public or the environment through upset and accident conditions, and impacts would be less than significant.

- c. **School Hazard:** The closest school to the project site is the Golden Hills School, located approximately 0.5 miles west of the project site. No schools exist within 0.25 miles of the project site. Thus, there would be no impact.
- d. **Hazardous Sites:** A search of the State Geotracker database determined that no hazardous materials cleanup sites are located on the project site. The nearest hazardous materials site is a school cleanup site due to naturally occurring asbestos at Valley View Elementary School (also known as Valley View Charter Montessori) located approximately 0.6 miles southeast of the project site. An Environmental Records Review was conducted by GPA in 2005 for the 2007 wastewater treatment facility Phase III Expansion project, which found that the facility is on the Hazardous Substance Storage Container Database for substances used for wastewater treatment purposes. No enforcement actions were ongoing at the facility. Thus, no impact would result from the project being located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.
- e. **Aircraft Hazards, Private Airstrips:** The project is not located within an airport land use plan or within two miles of a public airport or public use airport. There would be no impact.
- f. **Emergency Plan:** The site is served by El Dorado Hills Fire Department (EDH FD). The project is on a previously graded parcel adjacent to the existing wastewater treatment facility, and is not expected to affect transportation routes or interfere with an adopted emergency response plan or emergency evacuation plan, as discussed in the Transportation/Traffic section. Additionally, any two-story building would be required to be designed to be accessible by a ladder truck per County fire requirements. No interference or impairment of an emergency response or evacuation plan would result from the project as proposed. There would be no impact.
- g. **Wildfire Hazards:** The project site is in an area designated as Moderate wild fire hazard in the State Responsibility Area and Non-VHFHSZ in the Local Responsibility Area. The project site is surrounded by a mix of undeveloped, vegetated open space and developed, urban land uses. No wildland fire safe plan that includes the project site exists. Additionally, the project would be compliant with El Dorado County Ordinance No. 5101 Vegetation Management and Defensible Space and Public Resources Code 4291. Impacts would be less than significant.

**FINDING:** The proposed project would not result in significant hazards relating to the use, storage, transport, or disposal of hazardous materials, interference with an adopted emergency plan, or wildland fires. For this Hazards and Hazardous Materials category, impacts would be less than significant.

<b>X. HYDROLOGY AND WATER QUALITY. Would the project:</b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				X
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:			X	
i) Result in substantial erosion or siltation on- or off-site?			X	

<b>X. HYDROLOGY AND WATER QUALITY. Would the project:</b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
iii) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X	
iv) Impede or redirect flood flows?				X
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

**Regulatory Setting:**

**Federal Laws, Regulations, and Policies**

Clean Water Act

The Clean Water Act (CWA) is the primary federal law that protects the quality of the nation’s surface waters, including lakes, rivers, and coastal wetlands. The key sections pertaining to water quality regulation for the proposed project are CWA Section 303 and Section 402.

*Section 303(d) — Listing of Impaired Water Bodies*

Under CWA Section 303(d), states are required to identify “impaired water bodies” (those not meeting established water quality standards), identify the pollutants causing the impairment, establish priority rankings for waters on the list, and develop a schedule for the development of control plans to improve water quality. USEPA then approves the State’s recommended list of impaired waters or adds and/or removes waterbodies.

*Section 402—NPDES Permits for Stormwater Discharge*

CWA Section 402 regulates construction-related stormwater discharges to surface waters through the NPDES, which is officially administered by USEPA. In California, USEPA has delegated its authority to the State Water Resources Control Board (SWRCB), which, in turn, delegates implementation responsibility to the nine RWQCBs, as discussed below in reference to the Porter-Cologne Water Quality Control Act.

The NPDES program provides for both general (those that cover a number of similar or related activities) and individual (activity- or project-specific) permits. General Permit for Construction Activities: Most construction projects that disturb 1.0 or more acre of land are required to obtain coverage under SWRCB’s General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ). The general permit requires that the applicant file a public notice of intent to discharge stormwater and prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP must include a site map and a description of the proposed construction activities, demonstrate compliance with relevant local

ordinances and regulations, and present a list of best management practices (BMPs) that will be implemented to prevent soil erosion and protect against discharge of sediment and other construction-related pollutants to surface waters. Permittees are further required to monitor construction activities and report compliance to ensure that BMPs are correctly implemented and are effective in controlling the discharge of construction-related pollutants.

#### Municipal Stormwater Permitting Program

SWRCB regulates stormwater discharges from municipal separate storm sewer systems (MS4s) through its Municipal Storm Water Permitting Program (SWRCB, 2013). Permits are issued under two phases depending on the size of the urbanized area/municipality. Phase I MS4 permits are issued for medium (population between 100,000 and 250,000 people) and large (population of 250,000 or more people) municipalities, and are often issued to a group of co-permittees within a metropolitan area. Phase I permits have been issued since 1990. Beginning in 2003, SWRCB began issuing Phase II MS4 permits for smaller municipalities (population less than 100,000).

El Dorado County is covered under two SWRCB Regional Boards. The West Slope Phase II Municipal Separate Storm Sewer Systems (MS4) NPDES Permit is administered by the Central Valley Regional Water Quality Control Board (RWQCB) (Region Five). The Lake Tahoe Phase I MS4 NPDES Permit is administered by the Lahontan RWQCB (Region Six). The current West Slope MS4 NPDES Permit was adopted by the SWRCB on February 5, 2013. The Permit became effective on July 1, 2013 for a term of five years and focuses on the enhancement of surface water quality within high priority urbanized areas. The current Lake Tahoe MS4 NPDES Permit was adopted and took effect on December 6, 2011 for a term of five years. The Permit incorporated the Lake Tahoe Total Maximum Daily Load (TMDL) and the Lake Clarity Crediting Program (LCCP) to account for the reduction of fine sediment particles and nutrients discharged to Lake Tahoe.

On May 19, 2015 the El Dorado County Board of Supervisors formally adopted revisions to the Storm Water Quality Ordinance (Ordinance 4992). Previously applicable only to the Lake Tahoe Basin, the ordinance establishes legal authority for the entire unincorporated portion of the County. The purpose of the ordinance is to 1) protect health, safety, and general welfare, 2) enhance and protect the quality of Waters of the State by reducing pollutants in storm water discharges to the maximum extent practicable and controlling non-storm water discharges to the storm drain system, and 3) cause the use of best management practices to reduce the adverse effects of polluted runoff discharges on Waters of the State.

#### National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP) to provide subsidized flood insurance to communities complying with FEMA regulations that limit development in floodplains. The NFIP regulations permit development within special flood hazard zones provided that residential structures are raised above the base flood elevation of a 100-year flood event. Non-residential structures are required either to provide flood proofing construction techniques for that portion of structures below the 100-year flood elevation or to elevate above the 100-year flood elevation. The regulations also apply to substantial improvements of existing structures.

#### ***State Laws, Regulations, and Policies***

##### Porter–Cologne Water Quality Control Act

The Porter–Cologne Water Quality Control Act (known as the Porter–Cologne Act), passed in 1969, dovetails with the CWA (see discussion of the CWA above). It established the SWRCB and divided the state into nine regions, each overseen by an RWQCB. SWRCB is the primary State agency responsible for protecting the quality of the state's surface water and groundwater supplies; however, much of the SWRCB's daily implementation authority is delegated to the nine RWQCBs, which are responsible for implementing CWA Sections 401, 402, and 303[d]. In general, SWRCB manages water rights and regulates statewide water quality, whereas RWQCBs focus on water quality within their respective regions.



The Porter–Cologne Act requires RWQCBs to develop water quality control plans (also known as basin plans) that designate beneficial uses of California’s major surface-water bodies and groundwater basins and establish specific narrative and numerical water quality objectives for those waters. Beneficial uses represent the services and qualities of a waterbody (i.e., the reasons that the waterbody is considered valuable). Water quality objectives reflect the standards necessary to protect and support those beneficial uses. Basin plan standards are primarily implemented by regulating waste discharges so that water quality objectives are met. Under the Porter–Cologne Act, basin plans must be updated every 3 years.

**Discussion:** A substantial adverse effect on Hydrology and Water Quality would occur if the implementation of the project would:

- Expose residents to flood hazards by being located within the 100-year floodplain as defined by the Federal Emergency Management Agency;
  - Cause substantial change in the rate and amount of surface runoff leaving the project site ultimately causing a substantial change in the amount of water in a stream, river or other waterway;
  - Substantially interfere with groundwater recharge;
  - Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical stormwater pollutants) in the project area; or
  - Cause degradation of groundwater quality in the vicinity of the project site.
- a. **Water Quality Standards:** The project is subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) program. Erosion control will be required as part of any future building or grading permit. Storm water runoff from potential development would contain water quality protection features in accordance with the NPDES storm water permit, as deemed applicable. As mentioned in the Geology and Soils discussion, a SWPPP would be prepared for the project to protect water quality during and after construction. The project will also be required to comply with the El Dorado County Storm Water Management Plan (SWMP) and would not result in an increase in water runoff to offsite areas. There would be no impact.
- b. **Groundwater Supplies:** The geology of the project site consists of well-drained silt loams overlaying lithic bedrock at the western portion, and gravelly loams overlaying paralithic bedrock at the eastern portion. Groundwater in this region is found in fractures, joints, cracks, and fault zones within the paralithic bedrock mass. Recharge predominantly occurs through rainfall infiltrating fractures. Movement of groundwater on the site is very limited due to the lack of porosity in the bedrock. The project would not develop any new wells or on-site wastewater disposal systems and would be connected to the existing public water and sewer system. There is no evidence that the project would create any change in the quantity of groundwater in the vicinity, or materially interfere with groundwater recharge. Impacts would be less than significant.
- c. **Drainage Patterns:** The site is currently vacant. A grading permit would be required to address grading, erosion, and sediment control for any future construction. Construction activities would be required to adhere to the El Dorado County Grading, Erosion Control and Sediment Ordinance. This requires the use of best management practices (BMPs) to minimize degradation of water quality during construction. The project would not result in a substantial change to the existing drainage patterns on the project site, and would not disturb the existing drainage swale or culverts. New on-site drainage from the project would be directed to the existing drainage system to ensure no increase in stormwater runoff to off-site areas would occur. The project site contains well-drained soils, is not within a mapped 100-year flood zone, and would not result in any change in flood flows in the project area. Impacts would be less than significant.
- d. **Flood-related Hazards:** The project site is not located within any mapped 100-year flood areas and would not result in the construction of any structures that would impede or redirect flood flows. The site is within an area determined to be outside the 0.2% annual chance floodplain (FEMA, 2008). No dams which would create potential hazards related to dam failures are located in the project area. The project site is not at risk of exposure to seiche, tsunamis, or mudflows. There would be no impact.

- e. **Water Quality Control and Groundwater Management Plans:** The project is subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) program. This program requires EID to submit a Notice of Intent, apply for a waste discharge ID, comply with waste discharge requirements issued by the Regional Water Quality Control Board, and implement a SWPPP during construction to ensure that runoff from the site does not violate any water quality standards or waste discharge requirements. A SWPPP would be prepared for the project to protect water quality during and following construction. The project would not contribute to any change in groundwater conditions. There would be no impact.

**FINDING:** The proposed project would be required to address any potential erosion and sediment control. No significant hydrological impacts are expected from the development of the project. Impacts are anticipated to be less than significant.

<b>XI. LAND USE PLANNING. <i>Would the project:</i></b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Physically divide an established community?				<b>X</b>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				<b>X</b>

**Regulatory Setting:**

California State law requires that each City and County adopt a general plan "for the physical development of the City and any land outside its boundaries which bears relation to its planning." Typically, a general plan is designed to address the issues facing the City or County for the next 15-20 years. The general plan expresses the community's development goals and incorporates public policies relative to the distribution of future public and private land uses. The El Dorado County General Plan was adopted in 2004. The 2013-2021 Housing Element was adopted in 2013.

**Discussion:** A substantial adverse effect on Land Use would occur if the implementation of the project would:

- Result in the physical division of an established community;
  - Result in a significant physical environmental impact resulting from conflict or inconsistency with adopted land use regulations.
- a. **Divide an Established Community:** The project is located adjacent to the existing wastewater treatment facility site and is a minor expansion of existing administrative and maintenance operations on the project site. The adjacent Black Stone Village subdivision, which is within the adopted Valley View Specific Plan, was created after the establishment of the wastewater treatment facility. The project would not divide an established community. There would be no impact.
- b. **Land Use Consistency:** The parcel has a land use designation of Public Facilities (PF) and a zoning designation of Open Space (OS). As discussed in this initial study and the accompanying staff report the project would be consistent with the policies and objectives of the El Dorado County General Plan and Zoning Ordinance. This zoning designation allows infrastructure for public facilities and utilities with approval of a conditional use permit. There would be no impact.

**FINDING:** The proposed use of the land would be consistent with the County’s Zoning Ordinance and General Plan. There would be no impact to land use goals or standards resulting from the project.

<b>XII. MINERAL RESOURCES. <i>Would the project:</i></b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

**Regulatory Setting:**

**Federal Laws, Regulations, and Policies**

No federal laws, regulations, or policies apply to mineral resources and the proposed project.

**State Laws, Regulations, and Policies**

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Mining and Geology Board identify, map, and classify aggregate resources throughout California that contain regionally significant mineral resources. Designations of land areas are assigned by CDC and California Geological Survey following analysis of geologic reports and maps, field investigations, and using information about the locations of active sand and gravel mining operations. Local jurisdictions are required to enact planning procedures to guide mineral conservation and extraction at particular sites and to incorporate mineral resource management policies into their general plans.

The California Mineral Land Classification System represents the relationship between knowledge of mineral deposits and their economic characteristics (grade and size). The nomenclature used with the California Mineral Land Classification System is important in communicating mineral potential information in activities such as mineral land classification, and usage of these terms are incorporated into the criteria developed for assigning mineral resource zones. Lands classified MRZ-2 are areas that contain identified mineral resources. Areas classified as MRZ-2a or MRZ-2b (referred to hereafter as MRZ-2) are considered important mineral resource areas.

**Local Laws, Regulations, and Policies**

El Dorado County in general is considered a mining region capable of producing a wide variety of mineral resources. Metallic mineral deposits, including gold, are considered the most significant extractive mineral resources. Exhibit 5.9-6 shows the MRZ-2 areas within the county based on designated Mineral Resource (-MR) overlay areas. The -MR overlay areas are based on mineral resource mapping published in the mineral land classification reports referenced above. The majority of the county’s important mineral resource deposits are concentrated in the western third of the county.

According to General Plan Policy 2.2.2.7, before authorizing any land uses within the -MR overlay zone that will threaten the potential to extract minerals in the affected area, the County shall prepare a statement specifying its reasons for considering approval of the proposed land use and shall provide for public and agency notice of such a statement consistent with the requirements of Public Resources Code section 2762. Furthermore, before finally approving any such proposed land use, the County shall balance the mineral values of the threatened mineral resource area against the economic, social, or other values associated with the proposed alternative land uses. Where the affected minerals are of regional significance, the County shall consider the importance of these minerals to their market region as a whole and not just their importance to the County.

Where the affected minerals are of Statewide significance, the County shall consider the importance of these minerals to the State and Nation as a whole. The County may approve the alternative land use if it determines that the benefits of such uses outweigh the potential or certain loss of the affected mineral resources in the affected regional, Statewide, or national market.

**Discussion:** A substantial adverse effect on Mineral Resources would occur if the implementation of the project would:

- Result in obstruction of access to, and extraction of mineral resources classified MRZ-2x, or result in land use compatibility conflicts with mineral extraction operations.

a-b. **Mineral Resources.** The project site has not been delineated in the El Dorado County General Plan as a locally important mineral resource recovery site (2003, Figure CO-1). Review of the California Department of Conservation Geologic Map data showed that the project site is not within a mineral resource zone district. There would be no impact.

**FINDING:** No impacts to mineral resources are expected either directly or indirectly.

<b>XIII. NOISE.</b> <i>Would the project result in:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b. Generation of excessive groundborne vibration or groundborne noise levels?			X	
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

**Environmental Setting**

A brief background on the fundamentals of environmental acoustics is helpful in understanding how humans perceive various sound levels. Although extremely loud noises can cause temporary or permanent damage, the primary environmental impact of noise is annoyance. The objectionable characteristic of noise often refers to its loudness. Loudness represents the intensity of the sound wave, or the amplitude of the sound wave height measured in decibels (dB). Decibels are calculated on a logarithmic scale; thus, a 10 dB increase represents a 10-fold increase in acoustic energy or intensity, while a 20 dB increase represents a 100-fold increase in intensity. Decibels are the preferred

measurement of environmental sound because of the direct relationship between a sound’s intensity and the subjective “noisiness” of it. The A-weighted decibel system (dBA) is a convenient sound measurement technique that weights selected frequencies based on how well humans can perceive them.

The range of human hearing spans from the minimal threshold of hearing (approximately 3 dBA) to that level of noise that is past the threshold of pain (approximately 120 dBA). In general, human sound perception is such that a change in sound level of three (3) dB in a normal setting (i.e., outdoors or in a structure, but not in an acoustics laboratory without background noise levels) is just noticeable, while a change of 5 dBA is clearly noticeable. A change of 10 dBA is perceived as a doubling (or halving) of sound level. Noise levels are generally considered low when they are below 45 dBA, moderate in the 45 to 60 dBA range, and high above 60 dBA.

Ambient environmental noise levels can be characterized by several different descriptors of variations of sound pressure levels over different periods of time. Energy equivalent average level (Leq) describes the average or mean noise level over a specified period of time. The ambient noise environment near the proposed project site was characterized through an existing noise monitoring survey. The survey documented existing ambient noise levels at two (2) locations along the southern project boundary and four (4) locations representing nearby noise sensitive residential uses. The closest noise-sensitive receptors to the proposed project site are existing residences, located approximately 300 feet to the south, with additional residences approximately 350 feet to the east of the project. Existing measured levels near the property boundary of the residences to the show existing daytime sound levels ranging from approximately 51 to 55 dBA. Existing evening hourly Leq ranged from approximately 48 to 53 dBA; with existing nighttime hourly Leq ranging from approximately 40 to 45 dBA at nearby residential property boundaries. The existing noise levels illustrated through the ambient monitoring survey are representative of a noise environment driven primarily by their relative exposure to transportation noise sources in the vicinity.

**Regulatory Setting**

No federal or state laws, regulations, or policies for construction-related noise and vibration apply to the proposed project. However, the Federal Transit Administration (FTA) Transit Noise and Vibration Assessment Manual states that for evaluating daytime construction noise impacts in outdoor areas, a noise threshold of 90 dBA Leq and 100 dBA Leq should be used for residential and commercial/industrial areas, respectively (FTA 2018).

For construction vibration impacts, Caltrans identifies a threshold for structural building damage, which typically occurs at vibration levels of 0.5 in/sec PPV or greater for buildings of reinforced-concrete, steel, or timber construction, or 0.2 in/sec PPV for typical residential construction (Caltrans 2013).

The El Dorado County Code of Ordinances includes Chapter 9.16, Noise, which provides a subjective means of maintaining the ambient noise environment within the County. Section 130.37 of the Zoning Ordinance reiterates the standards and thresholds that are contained within the El Dorado County General Plan, Public Health, Safety and Noise Element. As the Project site and the residential developments in the vicinity are within the El Dorado Hills Community Region (El Dorado County 2019), the nearby receptors are considered “Community”. Therefore, Hourly Leq Performance Standards for daytime, evening, and nighttime are 55 dBA, 50 dBA, and 45 dBA, respectively.

**Table XIII-1  
 Noise Level Performance Protection Standards for Noise Sensitive Land Uses Affected by  
 Non-Transportation Sources**

Noise Level Descriptor	Daytime 7 a.m. - 7 p.m.		Evening 7 p.m. - 10 p.m.		Night 10 p.m. - 7 a.m.	
	Community	Rural	Community	Rural	Community	Rural
Hourly Leq, dB	55	50	50	45	45	40
Maximum level, dB	70	60	60	55	55	50

Source: El Dorado County Code of Ordinances

Notes:



1. Each of the noise levels specified above shall be lowered by five dBA for simple tone noises, noises consisting primarily of unamplified speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses, such as caretaker dwellings.
2. The Director can impose noise level standards which are up to five dBA less than those specified above, based upon a determination of existing low ambient noise levels in the vicinity of the project site.
3. The exterior noise level standard shall be applied as follows:
  - a. In Community Regions, at the property line of the receiving property;
  - b. In Rural Centers and Regions, at a point 100 feet away from a sensitive receptor or, if the sensitive receptor is within the Platted Lands Overlay (-PL) where the underlying land use designation is consistent with Community Region densities, at the property line of the receiving property or 100 feet away from the sensitive receptor, whichever is less; or
  - c. In all areas, at the boundary of a recorded noise easement between affected properties.

El Dorado County General Plan Policy 6.5.1.13 establishes additional standards to further protect against degradation of the existing ambient noise environment. Under the policy, areas with an existing ambient environment in compliance with the standards presented above in Table XIII-1, a project is considered significant if it would result in an increase in the ambient noise environment of 5 dB or more; or an increase of 3 dB if the existing environment exceeds the standards in Table XIII-1.

### **Discussion**

- a. **Noise Exposure:** As the Project site and the residential developments in the vicinity are within the El Dorado Hills Community Region, the Hourly Leq Performance Standards for daytime, evening, and nighttime are 55 dBA, 50 dBA, and 45 dBA, respectively. The existing sound levels documented during the monitoring survey were found to exceed the El Dorado County performance standards at monitoring sites LT-1, LT-2 and LT-3 (Attachment 7). Therefore, for the purpose of this analysis, the criteria established through Policy 6.5.1.13.B (increase in ambient noise level of 3 dBA) will be applied to the project.

With consideration of these thresholds, the below discussion contains an analysis of noise impacts occurring from different aspects of the project:

#### *Construction*

Section 130.37.020 of the El Dorado County Zoning Ordinance provides an exemption for construction performed during daylight hours, provided that all construction equipment are fitted with factory installed muffling devices and maintained in good working order (El Dorado County 2019). The project would comply with these construction work hours and construction noise would be temporary and intermittent, thus, impacts from noise generated during construction of the project would be less than significant.

#### *Operations*

The proposed new maintenance building is intended to include roll-up doors on the short sides of the structures. If these roll-up doors are open during the day, noises (such as those from vehicle engine idling and pneumatic tool operation) could be emitted with only marginal shielding. If these roll-up doors are closed, interior noises would be muffled, but the roof exhaust fan would likely be operating for building ventilation. Air conditioning in the summer would also contribute to ambient sound levels. However, based on the closest residential receiver at 300 feet south of the project site, the noise level threshold would not be exceeded in any of these scenarios.

Noise emission for a typical fueling station was assumed to be no louder than that of a “pump” per the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) in the acoustical assessment. Equipment fueling at the end of a regular shift is a standard operational procedure. Consequently, use of the fueling station would not occur overnight. At the nearest noise-sensitive receptor, 300 feet from the project, noise generated from fuel dispensing was calculated to be well below the daytime noise standards and measured existing ambient noise levels. As such, the estimated noise level from the fuel station does not exceed daytime noise thresholds and would not produce a significant noise impact.

Estimated noise levels for on-site vehicle circulation areas were below the noise level threshold. The parking area was estimated to have a noise level below the threshold, during both daytime and the more restrictive overnight period. Even during rare emergency response occurrences, parking lot noise would not be expected to produce a significant impact. Similarly, estimated noise level from the proposed truck turn-around was found to remain below the daytime threshold. Semi-truck operations would primarily occur during daytime hours, with only rare overnight occurrences associated with emergencies. Thus, the truck turn-around would not be expected to produce a significant noise impact.

The project may contain up to four portable generators which would be tested for 5-10 minutes every 30 days. The noise assessment assumes that these are diesel generators with power capacities larger than 25 kVA, with a 16% acoustical usage factor (AUF). The analysis also assumes that generator testing would occur during daytime hours and be located with a (proposed) building or wall between the generator placement and the sensitive receptors. With these assumptions, estimated noise levels from generator testing would be below daytime standards and would not be expected to produce a significant noise impact.

The project is expected to use back-up alarms on-site. Reference sound pressure levels for back-up alarms were anticipated to be 75 dBA at 50 feet (based on Federal Signal Model 252). Additionally, “Smart” back-up alarms such as Federal Signal Model 253 were noted to produce lower signal sound levels. Noise levels at nearby noise-sensitive receptors were estimated to be below daytime and overnight standards, and are thus not expected to produce a significant impact.

Based on the types of operational activities proposed for the project and the nature of the sounds associated with the activities, and the distance from the proposed project activities to the nearby noise-sensitive receptors, overall operational noise level generated by the proposed project are anticipated to be below the El Dorado County noise standards. Overall operational noise levels generated on the proposed project site are expected to be less than significant. Impacts would be less than significant.

- b. **Groundborne Vibration or Groundborne Noise Levels:** Some common sources of ground-borne vibration are trains, and construction activities such as blasting, pile-driving, and heavy earth-moving equipment. The primary source of ground-borne vibration occurring as part of the proposed project would be short-term construction activity.

Groundborne vibration information related to construction activities has been collected by Caltrans (Caltrans 2013b). Information from Caltrans indicates that transient vibrations (such as construction activity) of approximately 0.035 inch per second (in/sec) peak particle velocity (PPV) may be characterized as barely perceptible, and vibration levels of 0.24 in/sec PPV may be characterized as distinctly perceptible by persons. Caltrans identifies a threshold for structural building damage, which typically occurs at vibration levels of 0.5 in/sec PPV or greater for buildings of reinforced-concrete, steel, or timber construction, or 0.2 in/sec PPV for typical residential construction.

The most relevant equipment to the proposed Project, and the vibration levels produced by such equipment, is illustrated in Table 13.3-2. Loaded trucks would produce the highest level of vibration for the proposed project, bulldozers and drill augers would not be employed.

**Table XIII-1  
 Vibration Velocities for Typical Construction Equipment**

<b>Equipment</b>	<b>PPV at 25 Feet (Inches Per Second)</b>
Large Bulldozer	0.089
Loaded Trucks	0.076
Drill Rig / Auger	0.089
Jackhammer	0.035
Small Bulldozer	0.003

**Source:** Caltrans 2013(b).

As shown in Table XII-2, heavier pieces of construction equipment, such as bulldozers, would have PPVs of approximately 0.089 inches per second or less at a distance of 25 feet. Pile driving or blasting will not be used for construction of the proposed project. Per vibration propagation principles as summarized in guidance from Caltrans or FTA, groundborne vibration is typically attenuated substantially over short distances. Existing residential uses are located about 300 feet from the nearest construction area, which means the expected vibration velocity level would be only 0.002 inches per second PPV at these closest offsite positions. Vibration levels at these receptors would not exceed the Caltrans building damage threshold of 0.2 inches per second PPV. Vibration levels would be below the level considered barely perceptible to persons (0.035 in/sec PPV), and therefore should generally not be discernible to area residents. While some persons particularly sensitive to vibration may perceive some vibration episodes during certain construction activities, vibration levels would not be anticipated to reach annoyance levels for residents along the project alignment. Groundborne vibration would not be associated with the proposed project following construction activities. Impacts related to groundborne vibration would be less than significant.

- c. **Aircraft Noise:** For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The project site is not located within 2 miles of an airport; the closest airport is Santa Barbara airport, approximately 15 miles west of the project site. Therefore, workers would not be exposed to elevated noise levels from aircraft operations. There would be no impact.

**FINDING:** As conditioned, and with adherence to County Code, no significant direct or indirect impacts to noise levels would be expected. Impacts would be less than significant.

<b>XIV. POPULATION AND HOUSING. <i>Would the project:</i></b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?				X
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

**Regulatory Setting:**

No federal or state laws, regulations, or policies apply to population and housing and the proposed project.

**Discussion:** A substantial adverse effect on Population and Housing would occur if the implementation of the project would:

- Create substantial unplanned population growth;
- Displace a substantial number of persons or existing housing that would result in a physical impact from constructing replacement housing elsewhere;

- Conflict with adopted goals and policies for population growth set forth in applicable planning documents.

a-b. **Population Growth and Displacement:** The project would not construct new homes or businesses, increase capacity of existing facilities, or extend public roads or other public infrastructure into areas where these facilities do not currently exist. The project would relocate existing staff from EID’s Bass Lake operations facility and would not increase employment in the area such that substantial population growth would occur. The project would not remove housing or displace existing residents. There would be no impact.

**FINDING:** The project would not directly or indirectly promote population growth or displacement of existing populations. There would be no impact.

<b>XV. PUBLIC SERVICES.</b> <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Fire protection?				X
b. Police protection?				X
c. Schools?				X
d. Parks?				X
e. Other government services?				X

**Regulatory Setting:**

***Federal Laws, Regulations, and Policies***

**California Fire Code**

The California Fire Code (Title 24 CCR, Part 9) establishes minimum requirements to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings. Chapter 33 of CCR contains requirements for fire safety during construction and demolition.

**Discussion:** A substantial adverse effect on Public Services would occur if the implementation of the project would:

- Result in significant physical environmental impacts from construction of new or modified facilities required to provide adequate public/government services or parks facilities to the proposed project;
- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to meet the Department’s/District’s goal of 1.5 firefighters per 1,000 residents and 2 firefighters per 1,000 residents, respectively;
- Substantially increase or expand the demand for public law enforcement protection without increasing staffing and equipment to maintain the Sheriff’s Department goal of one sworn officer per 1,000 residents;

- Substantially increase the public school student population exceeding current school capacity without also including provisions to adequately accommodate the increased demand in services;
- Place a demand for library services in excess of available resources;
- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Be inconsistent with County adopted goals, objectives or policies.

a-e. **New or Altered Facilities.** The project involves relocation of an existing facility, rather than construction of new facilities. The project would not result in additional population in the area and thus would not require new or expanded facilities to support adequate fire or police protection, schools, parks or other public facilities. There would be no impact.

**FINDING:** The project would not result in a significant increase in the demand for public services or parks facilities such that expansion of existing facilities or new facilities would be required. There would be no impact.

<b>XVI. RECREATION.</b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				<b>X</b>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				<b>X</b>

**Regulatory Setting:**

National Trails System

The National Trails System Act of 1968 authorized The National Trails System (NTS) in order to provide additional outdoor recreation opportunities and to promote the preservation of access to the outdoor areas and historic resources of the nation. The Appalachian and Pacific Crest National Scenic Trails were the first two components, and the System has grown to include 20 national trails.

The National Trails System includes four classes of trails:

1. National Scenic Trails (NST) provide outdoor recreation and the conservation and enjoyment of significant scenic, historic, natural, or cultural qualities. The Pacific Coast Trail falls under this category. The PCT passes through the Desolation Wilderness area along the western plan area boundary.
2. National Historic Trails (NHT) follow travel routes of national historic significance. The National Park Service has designated two National Historic Trail (NHT) alignments that pass through El Dorado County, the California National Historic Trail and the Pony Express National Historic Trail. The California Historic Trail is a route of approximately 5,700 miles including multiple routes and cutoffs, extending from Independence and Saint Joseph, Missouri, and Council Bluffs, Iowa, to various points in California and Oregon. The Pony Express NHT commemorates the route used to relay mail via horseback from Missouri to California before the advent of the telegraph.



3. National Recreation Trails (NRT) are in, or reasonably accessible to, urban areas on federal, state, or private lands. In El Dorado County there are 5 NRTs.

### ***State Laws, Regulations, and Policies***

#### The California Parklands Act

The California Parklands Act of 1980 (Public Resources Code Section 5096.141-5096.143) recognizes the public interest for the state to acquire, develop, and restore areas for recreation and to aid local governments to do the same. The California Parklands Act also identifies the necessity of local agencies to exercise vigilance to see that the parks, recreation areas, and recreational facilities they now have are not lost to other uses.

The California state legislature approved the California Recreational Trail Act of 1974 (Public Resources Code Section 2070-5077.8) requiring that the Department of Parks and Recreation prepare a comprehensive plan for California trails. The California Recreational Trails Plan is produced for all California agencies and recreation providers that manage trails. The Plan includes information on the benefits of trails, how to acquire funding, effective stewardship, and how to encourage cooperation among different trail users.

The 1975 Quimby Act (California Government Code Section 66477) requires residential subdivision developers to help mitigate the impacts of property improvements by requiring them to set aside land, donate conservation easements, or pay fees for park improvements. The Quimby Act gave authority for passage of land dedication ordinances to cities and counties for parkland dedication or in-lieu fees paid to the local jurisdiction. Quimby exactions must be roughly proportional and closely tied (nexus) to a project's impacts as identified through traffic studies required by CEQA. The exactions only apply to the acquisition of new parkland; they do not apply to the physical development of new park facilities or associated operations and maintenance costs.

The County implements the Quimby Act through §16.12.090 of the County Code. The County Code sets standards for the acquisition of land for parks and recreational purposes, or payments of fees in lieu thereof, on any land subdivision. Other projects, such as ministerial residential or commercial development, could contribute to the demand for park and recreation facilities without providing land or funding for such facilities.

### ***Local Laws, Regulations, and Policies***

The 2004 El Dorado County General Plan Parks and Recreation Element establishes goals and policies that address needs for the provision and maintenance of parks and recreation facilities in the county, with a focus on providing recreational opportunities and facilities on a regional scale, securing adequate funding sources, and increasing tourism and recreation-based businesses. The Recreation Element describes the need for 1.5 acres of regional parkland, 1.5 acres of community parkland, and 2 acres of neighborhood parkland per 1,000 residents. Another 95 acres of park land are needed to meet the General Plan guidelines.

**Discussion:** A substantial adverse effect on Recreational Resources would occur if the implementation of the project would:

- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
  - Substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur.
- a. **Parks:** The parks closest to the project site are the Valley View Sports Park (0.7 mi), Creekside Greens Park (1.0 mi), Berkshire Park (1.1 mi), and Stonebriar Park (1.4 mi). The project would construct no new homes or businesses, increase capacity of existing facilities, or extend public roads or other public infrastructure into areas where these facilities do not currently exist. As such, the project would not induce population growth, and consequently would not increase the use of existing neighborhood parks or recreational facilities. There would be no impact.

- b. **Recreational Services.** The project does not include recreational facilities and would not result in population growth that would require the construction or expansion of recreational facilities to meet County standards. There would be no impact.

**FINDING:** The project would not result in an increase of the use of existing neighborhood and regional parks or other recreational facilities, nor would it require the construction or expansion of recreational facilities. There would be no impact.

<b>XVII. TRANSPORTATION/TRAFFIC. <i>Would the project:</i></b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?		X		
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?		X		
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e. Result in inadequate emergency access?			X	
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

**Regulatory Setting:**

***Federal Laws, Regulations, and Policies***

No federal laws, regulations, or policies apply to transportation/traffic and the proposed project.

***State Laws, Regulations, and Policies***

Caltrans manages the state highway system and ramp interchange intersections. This state agency is also responsible for highway, bridge, and rail transportation planning, construction, and maintenance.

***Local Laws, Regulations, and Policies***

According to the transportation element of the County General Plan, Level of Service (LOS) for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions. Level of Service is defined in the latest edition

of the Highway Capacity Manual (Transportation Research Board, National Research Council). There are some roadway segments that are excepted from these standards and are allowed to operate at LOS F, although none of these are located in the Lake Tahoe Basin. According to Policy TC-Xe, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- A. A two percent increase in traffic during the a.m. or p.m. peak hour, or daily
- B. The addition of 100 or more daily trips, or
- C. The addition of 10 or more trips during the a.m. or p.m. peak hour.

**Discussion:** The Transportation and Circulation Policies contained in the County General Plan establish a framework for review of thresholds of significance and identification of potential impacts of new development on the County’s road system. These policies are enforced by the application of the Transportation Impact Study (TIS) Guidelines, the County Design and Improvements Standards Manual, and the County Encroachment Ordinance, with review of individual development projects by the Transportation and Long Range Planning Divisions of the Community Development Agency. A substantial adverse effect to traffic would occur if the implementation of the project would:

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
- Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
- Result in or worsen Level of Service (LOS) F traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.

The discussion of existing traffic and roadway conditions, and modeling and analysis of potential project traffic impacts provided in this section relies on the Traffic Impact Study prepared for the project in accordance with the County’s TIS Guidelines and with guidance provided by El Dorado County staff. The TIS is included as Attachment F to this Initial Study (Dudek 2019e).

a-b. **Traffic and Congestion:** A traffic impact study (TIS) was prepared by Dudek consulting firm in July 2019 providing analysis of potential trip generation from the project during a.m. and p.m. peak hours, as well as potential impacts to Levels of Service (LOS) for existing roadway segments and intersections in the project area. The TIS found that all of the study area intersections would continue to operate with satisfactory LOS (LOS E or better) under the ‘Existing plus Project’ case during both a.m. and p.m. peak hours. In the ‘Cumulative 2040 plus Project’ case, all study area roadway segments would continue to operate at LOS D or better and all study area intersections would continue to operate with satisfactory LOS during peak hours except for the Latrobe Road/White Rock Road intersection. In the ‘Existing’ case this intersection operates at LOS D during the a.m. peak hour and LOS F during the p.m. peak hour. Modeling concluded that there would be no change in LOS at this intersection and that it would continue to operate at LOS D during the a.m. peak hour and LOS F during the p.m. peak hour in the ‘Cumulative 2040 plus Project’ case. The addition of project generated traffic would increase the delay at this intersection by one second; however, since the project would add more than 10 vehicle trips during the p.m. peak hour and the intersection would already be operating at an unsatisfactory LOS F, the addition of project traffic to this intersection is considered a potentially significant impact and requires mitigation per County requirements. Intersection improvements facilitated by payment of fees consistent with Mitigation Measure Traf-1 below would address the effect of project-generated traffic at the Latrobe Road/White Rock Road intersection. Modeling conducted as part of the TIS indicates that implementation of the intersection improvements identified in Mitigation Measure Traf-1 would improve the LOS at the intersection to LOS E in the ‘Cumulative 2040 plus Project’ (mitigated) case.

Additionally, modeling performed as a part of the TIS determined that the addition of project traffic to the intersection of Latrobe Rd/El Dorado Hills Blvd/US-50 WB Ramps/Saratoga Way would increase the vehicle queue length for the northbound left turn by approximately 68 feet, which would be considered a significant impact on traffic operations at the intersection. The El Dorado County Capital Improvement Program (CIP) identifies improvements to the US-50/El Dorado Hills Blvd interchange (CIP project 71323). The CIP also includes a line item for operational and safety improvements at intersections, and annually monitors intersections with potential need for improvement. Traffic impact mitigation (TIM) fees are used by the County to fund improvements identified under

the CIP. Thus, payment of TIM fees required by El Dorado County would satisfy the project's fair share obligation toward modifications to improve the function of this intersection and no further impact mitigation is required.

With implementation of Traf-1 and payment of all associated TIM fees, impacts would be less than significant with mitigation.

**Mitigation Measure Traf-1:** Prior to issuance of Final Occupancy of any building permit, the applicant shall pay the County's Traffic Impact Mitigation (TIM) fees , toward planned improvements to the intersection of Latrobe Road/White Rock Road, including:

- Reconfigure northbound right turn movement from permitted to overlap phasing. Restrict westbound left U-turn movements.
- Reconfigure southbound right turn movement from permitted to overlap phasing. Restrict eastbound left U-turn movements.
- Reconfigure westbound right turn movement from permitted to overlap phasing. Restrict southbound left U-turn movements.

Monitoring Requirement: The applicant shall pay required TIM fees prior to issuance of final occupancy for any building permit. The Department of Transportation shall verify payment of required fees payment.

Monitoring Responsibility: El Dorado County Department of Transportation.

- c. **Air Traffic:** The project is not located within an airport land use plan or within two miles of a public airport or public use airport. There would be no impact.
- d. **Design Hazards:** The TIS did not find any hazardous conditions created by site access, on site circulation, or design features. However, it is recommended that regular trimming of vegetation be performed around the project access frontage road to provide adequate visibility of pedestrians and bicyclists. All transportation related improvements would conform to the County Design and Improvement Standards Manual (DISM) and would not create new hazards. Impacts would be less than significant.
- e. **Emergency Access:** Primary site access would be provided via the existing frontage road off of Latrobe Road. Emergency vehicle access would also be provided from Blackstone Parkway on the east. Access to the facility would be controlled by gates with Knox boxes at both gates to provide emergency access in the event that gates are locked. A California Legal 65-foot capable truck turnaround would be provided at the east end of the paved area to ensure adequate area for maneuvering large vehicles within the project site. EID's project engineer conducted preliminary consultation with County fire officials regarding emergency access and the location of fire hydrants identified by project plans, and final improvement plans would be subject to review and approval by County building and fire officials. The TIS finds that the project provides adequate access and adequate space for circulation and parking for trucks and other vehicles. Additionally, a construction traffic management plan would be provided to the County, as necessary, to ensure appropriate emergency access throughout project construction. Thus, impacts associated with inadequate emergency access would be less than significant.
- f. **Alternative Transportation.** The El Dorado Transit Park and Ride is located approximately one mile north of the project site, and is the closest accessible transit location for the project. There are currently no pedestrian facilities available within the immediate project access area and along unimproved portions of Latrobe Road. Portions of Latrobe Road include sidewalks near intersection sites. Other pedestrian facilities are noted along Monte Verde Drive, White Rock Road, Town Center Boulevard, and Saratoga Way. There is currently a Class II bicycle lane proceeding northward on Latrobe Road through Saratoga Way, and a Class I Bicycle Path starting from the Blackstone Subdivision south of the project that merges into the aforementioned Class II bicycle lane. Class II bicycle lanes are also present along both sides of White Rock Road. The TIS does not identify any potential impacts, but recommends regular trimming of vegetation around the project access

frontage road to provide unimpeded vision between vehicles and pedestrians or bicyclists. The project is not expected to conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease their performance or safety, thus impacts would be less than significant.

**FINDING:** With mitigation measures, and as conditioned, the proposed project would not conflict with any applicable plans, ordinances, or policies regarding LOS standards, design hazards, emergency access, or alternative transportation. Impacts would be less than significant with mitigation.

<b>XVIII. TRIBAL CULTURAL RESOURCES. <i>Would the project:</i></b>				
<i>Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X		
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

**Regulatory Setting:**

***Federal Laws, Regulations, and Policies***

No federal laws, regulations, or policies apply to Tribal Cultural Resources (TCRs) and the proposed project.

***State Laws, Regulations, and Policies***

**Assembly Bill (AB) 52**

AB 52, which was approved in September 2014 and effective on July 1, 2015, requires that CEQA lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so requested by the tribe. The bill, chaptered in CEQA Section 21084.2, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment.

Defined in Section 21074(a) of the Public Resources Code, TCRs are either:

- (1) Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that are either of the following:
  - A. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
  - B. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.



TCRs are further defined under Section 21074 as follows:

- (b) A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and
- (c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a TCR if it conforms with the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe pursuant to newly chaptered sections of the Public Resources Code 21080.3.2 and 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and preservation of TCRs and treating TCRs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

**Discussion:**

In general, significant impacts are those that diminish the integrity, research potential, or other characteristics that make a TCR significant or important. To be considered a TCR, a resource must be either: (1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or: (2) a resource that the lead agency chooses, in its discretion, to treat as a TCR and meets the criteria for listing in the state register of historic resources pursuant to the criteria set forth in Public Resources Code Section 5024.1(c). A substantial adverse change to a TCR would occur if the implementation of the project would:

- Disrupt, alter, or adversely affect a TCR such that the significance of the resource would be materially impaired.

In accordance with the requirements of AB 52, the County sent letters dated March 25, 2019 to all contacts on a list of Native American tribes with knowledge of the project area. The County received responses to AB 52 consultation from the Shingle Springs Band of Miwok Indians and the United Auburn Indian Community. Information and recommendations from both Tribes have been incorporated into the analysis and mitigation measures for this section and the previously discussed Cultural Resources Section V. The discussion and analysis of potential impacts included in this section is informed by a 2019 cultural resources inventory prepared for the project site (Attachment D [confidential]) (Dudek 2019c).

- a. **California and Local Registers of Historical Resources:** As discussed in Section V. Cultural Resources, three cultural resources have been previously identified in the vicinity of the project site. However, these three sites are not within the potential disturbance area and have not been evaluated for the CRHR. The cultural resources investigation indicates potential for sites, features, or objects eligible for listing as a historical resource to be discovered during project related ground breaking activities. Due to the close proximity of three previously recorded cultural resources to the project site, and the absence of subsurface investigation of the project site in the cultural survey, implementation of mitigation measure Cul-1, as described in the Cultural Resources discussion, would ensure that impacts to resources inadvertently discovered during project grading and construction, including resources that could meet criteria to be included in the CRHR, would remain less than significant with mitigation.
- b. **Public Resource Code Section 5024.1:** Under the AB52 notification process the County sent notice of the project to seven tribes, including the Colfax-Todds Valley Consolidated Tribe, the Ione Band of Miwok Indians, the Nashville-El Dorado Miwok, the Shingle Springs Band of Miwok Indians, the United Auburn Indian Community of the Auburn Rancheria (UAIC), the Washoe Tribe of Nevada and California, and the Wilton Rancheria. The UAIC and Shingle Springs Band of Miwok Indians responded to request additional information regarding the project and cultural resources studies conducted on the project site. The UAIC provided recommended mitigation measures for Inadvertent Discoveries and Awareness Training, both of which have been implemented into the mitigation measures within this section and Section V. No other comments, requests for consultation, or proposed mitigation measures were received by the County. While the cultural resources inventory of the project site did not discover any resources, there is potential for inadvertent

discovery as a result of earth disturbance associated with project construction. It is possible that resources inadvertently discovered could be determined to be TCRs upon evaluation by Native American Tribes. Mitigation Measure TCR-1 would ensure that Native American tribes are notified of any inadvertent discovery of cultural resources and that appropriate measures are taken to protect any TCRs discovered. With implementation of Mitigation Measure TCR-1, impacts to TCRs would be less than significant with mitigation.

**Mitigation Measure TCR-1:** In the case of inadvertent discovery of a potential TCR, the applicant shall immediately halt construction activities within 100 feet of the encounter and notify the El Dorado County Planning Division. The applicant shall notify Native American tribes that have been identified by the NAHC to be traditionally and culturally affiliated with the geographic area of the project. If the resource is archaeological in nature, appropriate management requirements shall be implemented as outlined in Mitigation Measure Cul-1. If the potential resource is determined to be a tribal cultural resource (as defined by PRC Section 21074), any affected tribe shall be allowed to conduct a site visit and make recommendations regarding future ground disturbance activities as well as the treatment and disposition of any tribal cultural resources discovered. Depending on the nature of the potential resource and Tribal recommendations, review by a qualified archaeologist may be required. Recommendations made by a qualified entity, including any consulting archeologist and tribes, shall be implemented where feasible.

**Monitoring Requirement:** The applicant shall include mitigation measure TCR-1 on the project plans to ensure contractors and construction personnel implement mitigation measure TCR-1 in the event of an inadvertent discovery. The Planning Division shall verify that plans include the required content and shall ensure that required measures are implemented in the event of an inadvertent discovery during construction.

**Monitoring Responsibility:** El Dorado County Planning and Building Department, Planning Division.

**FINDING:** No TCRs are known to exist on the project site. As a result, the proposed project is not expected to cause a substantial adverse change to a TCR. Inadvertent discoveries of cultural materials during construction would be addressed by implementation of Mitigation Measure Cul-1 and Mitigation Measure TCR-1. Impacts would be less than significant with mitigation.

<b>XIX. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i></b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				X
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
c. Result in a determination by the wastewater treatment provider which serves or				X

<b>XIX. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i></b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				X
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X

**Regulatory Setting:**

***Federal Laws, Regulations, and Policies***

Energy Policy Act of 2005

The Energy Policy Act of 2005, intended to reduce reliance on fossil fuels, provides loan guarantees or tax credits for entities that develop or use fuel-efficient and/or energy efficient technologies (USEPA, 2014). The act also increases the amount of biofuel that must be mixed with gasoline sold in the United States (USEPA, 2014).

***State Laws, Regulations, and Policies***

California Integrated Waste Management Act of 1989

The California Integrated Waste Management Act of 1989 (Public Resources Code, Division 30) requires all California cities and counties to implement programs to reduce, recycle, and compost wastes by at least 50 percent by 2000 (Public Resources Code Section 41780). The state, acting through the California Integrated Waste Management Board (CIWMB), determines compliance with this mandate. Per-capita disposal rates are used to determine whether a jurisdiction's efforts are meeting the intent of the act.

California Solid Waste Reuse and Recycling Access Act of 1991

The California Solid Waste Reuse and Recycling Access Act of 1991 (Public Resources Code Sections 42900-42911) requires that all development projects applying for building permits include adequate, accessible areas for collecting and loading recyclable materials.

California Integrated Energy Policy

Senate Bill 1389, passed in 2002, requires the California Energy Commission (CEC) to prepare an Integrated Energy Policy Report for the governor and legislature every 2 years (CEC 2015a). The report analyzes data and provides policy recommendations on trends and issues concerning electricity and natural gas, transportation, energy efficiency, renewable energy, and public interest energy research (CEC 2015a). The 2014 Draft Integrated Energy Policy Report Update includes policy recommendations, such as increasing investments in electric vehicle charging infrastructure at workplaces, multi-unit dwellings, and public sites (CEC 2015b).

Title 24–Building Energy Efficiency Standards

Title 24 Building Energy Efficiency Standards of the California Building Code are intended to ensure that building construction, system design, and installation achieve energy efficiency and preserve outdoor and indoor environmental quality (CEC 2012). The standards are updated on an approximately 3-year cycle. The 2013 standards went into effect on July 1, 2014.

#### Urban Water Management Planning Act

California Water Code Sections 10610 *et seq.* requires that all public water systems providing water for municipal purposes to more than 3,000 customers, or supplying more than 3,000 acre-feet per year (AFY), prepare an urban water management plan (UWMP).

#### ***Other Standards and Guidelines***

##### Leadership in Energy & Environmental Design

Leadership in Energy & Environmental Design (LEED) is a green building certification program, operated by the U.S. Green Building Council (USGBC) that recognizes energy efficient and/or environmentally friendly (green) components of building design (USGBC, 2015). To receive LEED certification, a building project must satisfy prerequisites and earn points related to different aspects of green building and environmental design (USGBC, 2015). The four levels of LEED certification are related to the number of points a project earns: (1) certified (40–49 points), (2) silver (50–59 points), (3) gold (60–79 points), and (4) platinum (80+ points) (USGBC, 2015). Points or credits may be obtained for various criteria, such as indoor and outdoor water use reduction, and construction and demolition (C&D) waste management planning. Indoor water use reduction entails reducing consumption of building fixtures and fittings by at least 20% from the calculated baseline and requires all newly installed toilets, urinals, private lavatory faucets, and showerheads that are eligible for labeling to be WaterSense labeled (USGBC, 2014). Outdoor water use reduction may be achieved by showing that the landscape does not require a permanent irrigation system beyond a maximum 2.0-year establishment period, or by reducing the project's landscape water requirement by at least 30% from the calculated baseline for the site's peak watering month (USGBC, 2014). C&D waste management points may be obtained by diverting at least 50% of C&D material and three material streams, or generating less than 2.5 pounds of construction waste per square foot of the building's floor area (USGBC, 2014).

**Discussion:** A substantial adverse effect on Utilities and Service Systems would occur if the implementation of the project would:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;
- Demonstrate insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
- Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- Not comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

- a. **New, Relocated or Expanded Utility Infrastructure:** The proposed project is the relocation of the Bass Lake wastewater collections operations facility administrative and maintenance operations to the existing EDH wastewater treatment facility site. The project site is served by existing utilities including electric power, water, natural gas, and telecommunications utilities and all disturbance associated with provision of utilities to serve the project is included in the analysis of each resource category below. The project would not result in any disturbance to the existing drainage swale or culverts. On-site drainage would be controlled to the existing drainage system on the premises, as discussed in Section X, Hydrology and Water Quality, of this Initial Study. Thus, there would be no impact.

- b. **Sufficient Water Supply:** The applicant is the public water provider for the site. Existing water supplies are adequate to serve the proposed project. There would be no impact.
- c. **Adequate Wastewater Capacity:** This project site is adjacent to the existing EDH wastewater treatment facility with has adequate capacity to serve the proposed additions to the administrative operations facility. No expansion of wastewater facilities would be necessary. There would be no impact.
- d. **Solid Waste Disposal and Requirements:** The proposed project would transfer approximately 20 operations staff to the site from the Bass Lake facility to the proposed additional administrative facilities at the EDH site. As such, the project would produce substantially the same type and quantity of solid waste as the existing Bass Lake facility, and would not necessitate a change in local landfill capacity or solid waste infrastructure.. Solid waste would be collected by El Dorado Disposal in compliance with applicable State and local standards. There would be no impact.
- e. **Solid Waste Requirements:** As discussed in section d above, the project is not anticipated to cause an increase in solid waste production. The project will comply with the requirements of all Federal, State, and local policies. Waste and recycling service must be set up through El Dorado Disposal, and organics recycling services will be set up if deemed necessary in compliance with AB 1826. There would be no impact.

**FINDING:** No significant utility or service system impacts would be expected with the project, either directly or indirectly.

<b>XX. WILDFIRE.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

**Regulatory Setting**

***Federal Laws, Regulations and Policies***

***State Laws, Regulations and Policies***

**California Department of Forestry and Fire Protection Wildland Fire Management**

The Office of the State Fire Marshal and the California Department of Forestry and Fire Protection (CAL FIRE) administer state policies regarding wildland fire safety. Construction contractors must comply with the following requirements in the Public Resources Code during construction activities at any sites with forest-, brush-, or grass-covered land:



- Earthmoving and portable equipment with internal combustion engines must be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442).
- Appropriate fire-suppression equipment must be maintained from April 1 to December 1, the highest-danger period for fires (Public Resources Code Section 4428).
- On days when a burning permit is required, flammable materials must be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor must maintain the appropriate fire suppression equipment (Public Resources Code Section 4427).
- On days when a burning permit is required, portable tools powered by gasoline fueled internal combustion engines must not be used within 25 feet of any flammable materials (Public Resources Code Section 4431).

### ***Local Laws, Regulations and Policies***

A map of the fuel loading in the County (General Plan Figure HS-1) shows the fire hazard severity classifications of the SRAs in El Dorado County, as established by CDF. The classification system provides three classes of fire hazards: Moderate, High, and Very High. The County's Fire Hazard Ordinance (Chapter 8.09, Ordinance 5101) requires defensible space as described by the State Public Resources Code, including the incorporation and maintenance of a 100-foot fire break or vegetation fuel clearance around structures in fire hazard zones. Chapter 8.09 also sets requirements for emergency access, signing and numbering, and emergency water that are more stringent than those required by state law. The Fire Hazard Ordinance also establishes limits on campfires, fireworks, smoking, and incinerators for all discretionary and ministerial developments.

### **El Dorado County General Plan**

The General Plan includes standards intended to minimize the risk of wildfire. They are found under Objective 6.2.3 and include the following policies:

- Policy 6.2.2.1: Fire Hazard Severity Zone Maps shall be consulted in the review of all projects so that standards and mitigation measures appropriate to each hazard classification can be applied. Land use densities and intensities shall be determined by mitigation measures in areas designated as high or very high fire hazard:
- Policy 6.2.2.2: The County shall preclude development in areas of high and very high wildland fire hazard or in areas identified as "urban wildland interface communities within the vicinity of Federal lands that are a high risk for wildfire," as listed in the Federal Register of August 17, 2001, unless such development can be adequately protected from wildland fire hazard, as demonstrated in a Fire Safe Plan prepared by a Registered Professional Forester (RPF) and approved by the local Fire Protection District and/or California Department of Forestry and Fire Protection:
- Policy 6.2.3.1: As a requirement for approving new development, the County must find, based on information provided by the applicant and the responsible fire protection district that, concurrent with development, adequate emergency water flow, fire access, and firefighting personnel and equipment will be available in accordance with applicable State and local fire district standards:
- Policy 6.2.3.2: As a requirement of new development, the applicant must demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area:
- Policy 6.2.3.4: All new development and public works projects shall be consistent with applicable State Wildland Fire Standards and other relevant State and federal fire requirements:
- Policy 6.2.4.1: Discretionary development within high and very high fire hazard areas shall be conditioned to designate fuel break zones that comply with fire safe requirements to benefit the new and, where possible, existing development:
- Policy 6.2.4.2: The County shall cooperate with the California Department of Forestry and Fire Protection and local fire protection districts to identify opportunities for fuel breaks in zones of high and very high fire hazard either prior to or as a component of project review: and

- Policy 6.2.5.1: The County shall cooperate with the U.S. Forest Service, California Department of Forestry and Fire Protection, and local fire districts in fire prevention education programs.

El Dorado County Grading, Erosion and Sediment Control Ordinance (Chapter 110.14 of the County Ordinance Code)

Chapter 110.14 is enacted to regulate grading within the unincorporated area of El Dorado County to safeguard life, limb, health, property and public welfare; to avoid pollution of watercourses; and to ensure that the intended use of a graded site is consistent with the El Dorado County General Plan, any Specific Plans adopted thereto, the adopted Storm Water Management Plan, California Fire Safe Standards and applicable El Dorado County ordinances including the Zoning Ordinance (Title 130 of the County Ordinance Code) and the California Building Code. In addition to standard permitting requirements for grading/soil disturbance activities, this Chapter also provides allowances for emergency work, including grading activities to protect life or property or to implement necessary erosion control measures as a result of emergency situations. The Chapter also provides for approval of plans and inspection of grading construction. This ordinance does not supersede or otherwise preempt any applicable local, state, or federal law or regulation, but provides for additional regulation of soil disturbance at a local level.

**Discussion:** A substantial adverse effect from wildfire-related hazards would occur if implementation of the project would:

- Substantially impair an adopted emergency response plan or emergency evacuation plan;
  - Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;
  - Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
  - Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.
- a. **Emergency Response Planning:** The site is served by the El Dorado Hills Fire Department (EDH FD). The project site is located within the 87-D Response Area (EDH FD 2014), and would not result in any substantial changes to major roadways or traffic circulation in the area to the extent that it would interfere with an adopted emergency response plan or emergency evacuation plan (see *Section XVII. Transportation/Traffic*). Nineteen standard conditions from EDH FD have been applied to the project. Conformance with conditions will be verified by EDH FD during the grading and building permit review processes. Impacts would be less than significant.
- b. **Site-Specific Risk Management:** The project site is in a State Responsibility Area and is designated as having Moderate wild fire hazard (non-VHFHSZ rating). The project site is largely surrounded by modified natural areas, developed urban land uses, and the existing EDH wastewater treatment facility. The project is consistent with other development and land uses in the project area and would not be expected to exacerbate wildfire risks as a result of site-specific factors or project design. The project has been conditioned to maintain compliance with El Dorado County Ordinance No. 5101 Vegetation Management and Defensible Space, and Public Resources Code 4291. As conditioned, impacts would be less than significant.
- c. **Fire Safety Infrastructure:** The project would not require the installation of any offsite infrastructure that could exacerbate fire risk. All components of the proposed project will comply with applicable codes and regulations for fire prevention and fire safe construction practices. There would be no impact.
- d. **Post-Fire Soil/Hydrologic Hazards:** The project site is predominantly level with a gently sloping gradient to the south and west. Hydrologic features in the area include Carson Creek and tributary swales that flow into Carson Creek. One drainage swale enters at the east side of the wastewater treatment facility parcel to the north and runs through the eastern side of the project site, flowing into two existing culverts underneath an existing access road. As discussed in Section X, Hydrology and Water Quality, the project would not disturb the

drainage swale or existing culverts. All projects in El Dorado County must comply with the Grading Erosion Control and Sediment Ordinance and the California Stormwater Pollution Prevention Plan (SWPPP) issued by the State Water Resources Control Board. It is expected that the project would not result in increased risk of downslope flooding or landslides as a result of post-fire soil or vegetation conditions. There would be no impact.

**Findings:** The project will comply with required conditions from EDH FD, and applicable state and local codes pertaining to fire management and project design standards. Impacts would be less than significant.

<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:</b>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X		
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

**Discussion:**

- a. This Initial Study provides an analysis of potential environmental impacts of the project, including the potential to degrade the quality of the environment, impact fish, wildlife, or plant species, or harm important examples of major historical periods. No substantial evidence has been identified that would indicate that this project would have the potential to significantly degrade the quality of the environment. Mitigation measures to avoid, minimize, or compensate for potential impacts are include in sections IV – Biological Resources, V – Cultural Resources, XVII – Transportation/Traffic, and XVIII – Tribal Cultural Resources. With implementation of the aforementioned mitigation measures and with adherence to County permitting requirements and other State and Federal regulations, any impacts from the project would be rendered less than significant. The project design would comply with any required standards included in the grading and building permit process and/or any required project specific improvements.
- b. Cumulative impacts are defined in Section 15355 of the California Environmental Quality Act (CEQA) Guidelines as *two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts.*

The project would relocate EID’s existing Bass Lake wastewater collection facility administrative operations to the existing EDH wastewater treatment plant administrative facilities. The project would not involve

development or changes in land use that would result in an excessive increase in population growth. Impacts due to increased traffic associated with the project would be offset by the payment of fees to construct roadway improvements, and the project would not require an increase in the wastewater treatment capacity of the County. This initial study found that with mitigation, there would be no significant impacts related to any of the topics in the CEQA Appendix G Checklist that would compound with similar effects such that the project's contribution would be cumulatively considerable. For these issue areas, either no impacts, or less than significant impacts would be anticipated. Since the project involves upgrading, relocating and replacing existing facilities, requires no change in land use or zoning designations, and potential impacts would primarily be temporary during construction, the impacts of the project would not be cumulatively considerable when considered with other regional projects.

As outlined and discussed in this document, as mitigated and with compliance with County Codes and other applicable state and federal regulations this project would not be anticipated to have a significant environmental effect which would cause substantial adverse effects on human beings, either directly or indirectly. Based on the analysis in this study, it has been determined that the project would have less than significant cumulative impacts.

- c. Based on the discussion contained in this document, no potentially significant impacts to human beings are anticipated to occur.

**FINDINGS:** It has been determined that the proposed project would not result in significant environmental impacts. The project would not exceed applicable environmental standards, nor significantly contribute to cumulative environmental impacts.

## **REFERENCES AND SUPPORTING INFORMATION SOURCE LIST**

- CAPCOA Guide (August 2010): [http://www. http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf](http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf)
- California Air Resources Board (CARB). (2008). *Climate Change Scoping Plan*. Available at: [http://www.arb.ca.gov/cc/scopingplan/document/adopted\\_scoping\\_plan.pdf](http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf)
- California Air Resources Board (CARB). (2014). *First Update to the Climate Change Scoping Plan Building on the Framework Pursuant to AB 32 – The California Global Warming Solutions Act of 2006*. May 2014. Accessed August 2014. [http://www.arb.ca.gov/cc/scopingplan/2013\\_update/first\\_update\\_climate\\_change\\_scoping\\_plan.pdf](http://www.arb.ca.gov/cc/scopingplan/2013_update/first_update_climate_change_scoping_plan.pdf).
- California Attorney General's Office. (2010). *Addressing Climate Change at the Project Level*. Available at: [http://ag.ca.gov/globalwarming/pdf/GW\\_mitigation\\_measures.pdf](http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf)
- California Department of Conservation (CDC). (2008). *Farmland Mapping and Monitoring Program: El Dorado County Important Farmland 2008*. Available at: <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/eld08.pdf>.
- California Department of Conservation (CDC). (2013a). *Important Farmland Categories webpage*. Available online at: [www.conservation.ca.gov/dlrp/fmmp/mccu/Pages/map\\_categories.aspx](http://www.conservation.ca.gov/dlrp/fmmp/mccu/Pages/map_categories.aspx).
- California Department of Conservation (CDC). (2013b). *The Land Conservation Act*. Available online at: [www.conservation.ca.gov/dlrp/lca/Pages/Index.aspx](http://www.conservation.ca.gov/dlrp/lca/Pages/Index.aspx).
- California Department of Toxic Substances Control (DTSC). (2015). *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*. Retrieved August 16, 2019 from <https://dtsc.ca.gov/dtscs-cortese-list/>
- California Energy Commission. (2006). *Inventory of California Greenhouse Gas Emissions and Sinks: 1990 to 2004, Staff Final Report*. Publication CEC-600-2006-013-SF.
- California Department of Transportation (Caltrans). (2015). *Scenic Highway Program FAQs: Caltrans Landscape Architecture Program*. Retrieved February 27, 2015 from [www.dot.ca.gov/hq/LandArch/scenic/faq.htm](http://www.dot.ca.gov/hq/LandArch/scenic/faq.htm).
- California Department of Transportation (Caltrans). (2013). *California Scenic Highway Program, Officially Designated State Scenic Highways*. Retrieved April 8, 2015 from <http://www.dot.ca.gov/hq/LandArch/scenic/schwy.htm>.
- California Geological Survey. (2007). *Alquist-Priolo Earthquake Fault Zone Maps*. Retrieved August 19, 2019 from <http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm>.
- California Geological Survey. (2016.) *The West Tahoe Fault in the Emerald Bay and Echo Lake Quadrangles*. Available at: [http://gmw.conservation.ca.gov/shp/EZRIM/Reports/fer/261/fer\\_261\\_report\\_20160610.pdf](http://gmw.conservation.ca.gov/shp/EZRIM/Reports/fer/261/fer_261_report_20160610.pdf).
- California Code of Regulations. *Guidelines for Implementation of the California Environmental Quality Act*. Title 14, Section 15000, et seq. 14 CCR 15000.
- CNRA (California Natural Resources Agency). (2009). *Final Statement of Reasons for Regulatory Action: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97*. December 2009. [http://resources.ca.gov/ceqa/docs/Final\\_Statement\\_of\\_Reasons.pdf](http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf).
- California Office of Emergency Services. 2015. *Business Plan/EPCRA 312*. Available online at: [www.caloes.ca.gov/for-businesses-organizations/plan-prepare/hazardousmaterials/hazmat-business-plan](http://www.caloes.ca.gov/for-businesses-organizations/plan-prepare/hazardousmaterials/hazmat-business-plan).



- Dudek. (2019a). Air Quality and Greenhouse Gas Emissions Sections and Calculations for Administrative Draft Initial Study / Mitigated Negative Declaration EID Wastewater Collection Facility Relocation/Project Number CUP19-0005. August 2, 2019.
- Dudek. (2019b). Biological Resources Constraints Assessment for the El Dorado Irrigation District Wastewater Collection Facility Relocation Project. May 7, 2019.
- Dudek. (2019c). Cultural Resources Inventory Report for the El Dorado Hills Wastewater Collection Facility Relocation Project. February 28, 2019.
- Dudek. (2019d). Noise Assessment for El Dorado Irrigation District's Wastewater Collections Operations Facility Relocation Project. May 18, 2019.
- Dudek. (2019e). Traffic Impact Study EID Wastewater Collections Operations Facility Relocation. July 2019.
- El Dorado County. (2003). *El Dorado County General Plan Draft Environmental Impact Report*. State Clearinghouse No. 2001082030. Placerville, CA: El Dorado County Planning Services.
- El Dorado County. (2004, July 19). *El Dorado County General Plan: A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief*. Placerville, CA: El Dorado County Planning Services.
- El Dorado County. (2005, July 21). Asbestos Review Areas, Western Slope, El Dorado County, California. Available at: <<https://www.edcgov.us/Government/AirQualityManagement/documents/asbestos%20review%20map%201-22-15.pdf>>.
- El Dorado County. (2015). El Dorado County TGPA-ZOU Final Program EIR. State Clearinghouse No. 2012052074. Placerville, CA; El Dorado County Planning and Building Department. Also available online at: [https://www.edcgov.us/Government/longrangeplanning/LandUse/pages/tgpa-targetezou\\_feir.aspx](https://www.edcgov.us/Government/longrangeplanning/LandUse/pages/tgpa-targetezou_feir.aspx)
- El Dorado County Air Quality Management District (AQMD). (2000). *Rules and Regulations of the El Dorado County Air Quality Management District*. Retrieved April 15, 2015 from <http://www.arb.ca.gov/DRDB/ED/CURHTML/R101.HTM>.
- El Dorado County Air Quality Management District (AQMD). (2002). *Guide to Air Quality Assessment: Determining the Significance of Air Quality Impacts Under the California Environmental Quality Act*. Retrieved from [http://www.edcgov.us/Government/AirQualityManagement/Guide\\_to\\_Air\\_Quality\\_Assessment.aspx](http://www.edcgov.us/Government/AirQualityManagement/Guide_to_Air_Quality_Assessment.aspx).
- El Dorado Hills Fire Department (EDH FD). (2014). El Dorado Hills Fire Protection District Response Zone Map. Available at: [https://www.edhfire.com/images/stories/Documents/EDH-LTB\\_response\\_zone-\\_district\\_map.pdf](https://www.edhfire.com/images/stories/Documents/EDH-LTB_response_zone-_district_map.pdf)
- Federal Emergency Management Agency (FEMA). (2008). FIRM Flood Insurance Rate Map: El Dorado County, California, and Incorporated Areas, no. 06017C0725E. Available at: <https://msc.fema.gov/portal/home>.
- Governor's Office of Planning and Research (OPR). (2008, June 19). *Technical advisory: CEQA and climate change: Addressing climate change through California Environmental Quality Act Review*. Available at: Sacramento, CA. <http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf>.
- Sacramento Metropolitan Air Quality Management District (SMAQMD). (2010). Construction GHG Emissions Reductions. Available at: <http://airquality.org/ceqa/ceqguideupdate/Ch6FinalConstructionGHGReductions.pdf>
- State Water Resources Control Board (SWRCB). (2013). Storm Water Program, Municipal Program. Available online at: [www.waterboards.ca.gov/water\\_issues/programs/stormwater/municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/municipal.shtml).

- National Earthquake Hazards Reduction Program (NEHRP). (2009). Background and History. Available online at: [www.nehrp.gov/about/history.htm](http://www.nehrp.gov/about/history.htm).
- U.S. Census Bureau. (2012). 2010 Census Urbanized Area Reference Map, Sacramento, CA. Available online at: [https://www2.census.gov/geo/maps/dc10map/UAUC\\_RefMap/ua/ua77068\\_sacramento\\_ca/DC10UA77068\\_002.pdf](https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua77068_sacramento_ca/DC10UA77068_002.pdf)
- United States Department of Agriculture (USDA) Soil Conservation Service and Soil Service. (1974). *Soil Survey of El Dorado Area, California*. Retrieved April 10, 2015 from [http://www.nrcs.usda.gov/Internet/FSE\\_MANUSCRIPTS/california/el\\_doradoCA1974/EDA.pdf](http://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/el_doradoCA1974/EDA.pdf)
- United States Department of Agriculture (USDA) Soil Conservation Service and Soil Service. (2019). Custom Soil Map of El Dorado Area, California. Retrieved August 19, 2019 from <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>
- U.S. Environmental Protection Agency. (2014). Summary of the Energy Policy Act. Available online at: [www2.epa.gov/laws-regulations/summary-energy-policy-act](http://www2.epa.gov/laws-regulations/summary-energy-policy-act).
- U.S. Environmental Protection Agency. (2015). The Green Book Nonattainment Areas for Criteria Pollutants. Available online at: [www.epa.gov/airquality/greenbook](http://www.epa.gov/airquality/greenbook).
- U.S. Green Building Council (USGBC). (2014). LEED v4 for Building Design and Construction Addenda. Updated October 1, 2014. Available online at: [www.usgbc.org/resources/leed-v4-building-design-and-construction-redline-current-version](http://www.usgbc.org/resources/leed-v4-building-design-and-construction-redline-current-version).
- U.S. Green Building Council (USGBC). (2015). LEED Overview. Available online at: [www.usgbc.org/leed](http://www.usgbc.org/leed)

