



**EL DORADO COUNTY PLANNING SERVICES
2850 FAIRLANE COURT
PLACERVILLE, CA 95667**

**ENVIRONMENTAL CHECKLIST FORM
AND DISCUSSION OF IMPACTS**

Project Title: Z07-0006/Charles and Sharon Eubanks

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

Contact Person: Michael C. Baron, project Planner

Phone Number: (530) 621-5355

Property Owner's Name and Address: Charles and Sharon Eubanks, PO Box 1637, Placerville, CA 95667

Project Agent/Applicant's Name and Address: Charles and Sharon Eubanks, PO Box 1637, Placerville, CA 95667

Project Location: The property is located on the east side of Pleasant Valley Road, 2.5 miles east of the intersection with State Route 49, in the Diamond Springs area, Supervisor District III.

Assessor's Parcel No(s): 098-110-24 & 25

Zoning: Estate Residential Five-acre/Planned Commercial (RE-5/CP)

Section: 33 **T:** 10N **R:** 11E

General Plan Designation: Commercial

Description of Project: Zone Change two parcels totaling approximately 6.0 acres (property has not been surveyed) from Residential 5-acre/Planned Commercial (RE-5/CP) to Commercial-Planned Development to be consistent with the El Dorado County General Plan.

Surrounding Land Uses and Setting:

	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use</u> (e.g., Single Family Residences, Grazing, Park, School)
Site:	RE-5/CP	C	Improved Residential/Commercial/Vacant
North:	RE-5	LDR	Improved Residential
East:	RE-5	LDR	Improved Residential
South:	RE-5/R1A	RE-5/MDR	Improved Residential/Multi-Family
West:	RE-5/RE-10	LDR/RR	Improved Residential

Briefly Describe the environmental setting: The project site is moderately level and slopes down from the northeast toward Pleasant Valley Road. Existing improvements on the site include a caretaker residence and three storage buildings. The parcel contains a mix of oak woodland and conifer mostly on the sloped portions of the parcel. Both parcels have street frontage along Pleasant Valley Road.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): None

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 Resources		Air Quality
	Biological Resources		Cultural Resources		Geology / Soils
	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities / Service Systems		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: _____ Date: _____

Printed Name: Michael C. Baron For: El Dorado County

Signature: _____ Date: _____

Printed Name: Peter Maurer For: El Dorado County

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. Once 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.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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ENVIRONMENTAL IMPACTS

I. AESTHETICS. <i>Would the project:</i>			
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. Substantially degrade the existing visual character quality of the site and its surroundings?		X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X	

Discussion:

A substantial adverse effect to Visual Resources would result in the introduction of physical features that are not characteristic of the surrounding development, substantially change the natural landscape, or obstruct an identified public scenic vista.

(a&b)

The project is not located within a designated scenic vista or state scenic highway.

(c) The proposed rezone conforms to the General Plan land use designation. The impacts from additional commercial development will be analyzed in a subsequent initial study. Further review of future development will include aesthetics, traffic circulation both on and off site, environmental and fire safety regulations, as well as other issues pertaining to type and size of proposed project. Although a commercial project will not create offensive views to the public, the impact will be a change in the environment and will be visible from surrounding lands and roadways.

(d) Any residential lighting resulting from the development of the Parcels will be required to conform to §17.14.170 of the El Dorado County Code, and be fully shielded pursuant to the Illumination Engineering Society of North America’s (IESNA) full cut-off designation.

II. AGRICULTURE RESOURCES. <i>Would the project:</i>			
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. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X

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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 - c)

The project parcel is neither designated nor surrounded by land designated for agricultural use, or under a Williamson Act Contract.

III. AIR QUALITY. <i>Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?				X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?			X	

Discussion:

A substantial adverse effect on Air Quality would occur if:

- Emissions of ROG and No_x, will result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);
- Emissions of PM₁₀, CO, SO₂ and No_x, 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,

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.

- (a) El Dorado County has adopted the El Dorado County California Clean Air Act Plan establishing rules and standards for the reduction of stationary source air pollutants (ROG /VOC, NOx, and O3). This plan also contains a schedule for implementation and funding of Transportation Control Measures (TCM) to limit mobile source emissions. The proposed project will not conflict with or obstruct the implementation of this plan.

(b & c)

Currently El Dorado County is classed in “severe non-attainment” status for Federal and State ambient air quality standards for ozone. Additionally, the County is classified as being in “non-attainment” status for particulate matter (PM10) under the State’s standards. The California Clean Air Act of 1988 requires the County’s air pollution control program to meet the State’s ambient air quality standards. Standard practices for stationary and point source air pollution control is administered by the El Dorado County Air Pollution Control District (EDCAPCD). Projected related air quality impacts are divided into two categories:

- Short-term impacts related to construction activities; and
- Long-term impacts related to the project operation.

The project will not create any short-term impacts as no grading or construction is to occur. Cumulative or long-term impacts from the proposed increase in commercial development under the parcel map are addressed under Table 5-2 of the *Guide to Air Quality Assessment*. The project size is significantly under that which is likely to generate 82 lbs. of ROG and NOX per day, the level of potential significance. From this it can be determined that PM10 and SO2 emission levels are considered to be not significant.

- (d) Sensitive receptors include such groups as young children and the elderly and such sites as schools, hospitals, day-care centers, convalescent homes, and high concentrations of single family residences. General Plan Policy 6.7.6.1 requires that the County “Ensure that new facilities in which sensitive receptors are located (e.g., schools, child care centers, playgrounds, retirement homes, and hospitals) are sited away from significant sources of air pollution.” The proposed rezone does not, by itself, result in the addition of sensitive receptors to the site, so the impact from pollution sources on sensitive receptors would be less than significant.
- (e) The proposed rezone conforms to the General Plan land use designation and will not result in any objectionable odors that must be addressed at this time.

IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>				
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 Game 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	

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IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>				
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (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

Discussion:

A substantial adverse effect on Biological Resources would occur if the 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.

(a & b)

A review of the 2004 General Plan EIR Exhibit 5.12-7 confirms that the project parcel is not located in any protected and sensitive natural habitat. Therefore, the proposed project will not have an adverse effect on any sensitive or special status species or habitat.

(c) Review of the U.S. Department of the Interior National Wetlands Inventory Maps determines that there are no wetlands or riparian habitat areas on or adjacent to the project.

(d) The Department of Fish and Game’s Migratory Deer Herd Maps indicate the project parcel is not located within deer herd ranges.

(e - f)

The proposed rezone will not conflict with the General Plan tree preservation policy as no grading or improvements will be required for the proposed rezone of the property to conform to the General Plan Land Use designation. The oak tree canopy on the site is located mostly along the outside edges and on sloped areas of the parcel which would not be conducive to residential or commercial development. Any future planned development applications will be subject to further CEQA analysis and consistency review with General Plan Policy 7.4.4.4. The project will not conflict with the provisions of any adopted habitat conservation plan.

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Future commercial projects may result in more oak tree removal than what is permitted under the residential zone district however any proposed future projects will be analyzed using the planned development process to ensure consistency with oak tree canopy retention standards.

V. CULTURAL RESOURCES. <i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	

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 a property or historic or cultural 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.

(a & b)

A cultural resources study performed by Historic Resource Associates in October 2006 revealed no cultural resources on site. In the interim, as no on site improvements have been made it can be determined that there are no cultural, historical or archaeological resources at this time. Future projects will be conditioned to provide a field study by a cultural resource professional and in the event of the discovery of archaeological, cultural or historic resources during any grading that may be required, all work will stop and a qualified archaeologist will be notified immediately.

(c) A unique paleontological site would include a known area of fossil bearing rock strata. The project site does not contain any known paleontological sites or known fossil locales.

(d) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the steps outlined in Appendix K of the CEQA Guidelines shall be conditioned on the project to be implemented immediately.

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VI. GEOLOGY AND SOILS. <i>Would the project:</i>				
a. Expose people or structures to 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 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

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.

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(a) Only those earthquake faults considered having a relatively high potential for future earthquake activity, and which have well defined surface fault traces were considered for mapping under the Fault Evaluation Program of the California Division of Mines and Geology. This program was designed to carry out the objectives of the Alquist-Priolo Special Studies Zone Act of 1972. As there are no Alquist-Priolo Special Studies Zones currently mapped in El Dorado County, the impacts from fault ruptures, seismically induced ground shaking, and seismic ground failure are considered to be less than significant.

(b) All 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* (Ord. 3983, adopted 11/3/88). This ordinance is designed to limit erosion, control the loss of topsoil and sediment, limit surface runoff, and insure stable soil and site conditions for the intended use in compliance with the El Dorado County General Plan. Prior to grading for future commercial development, the developer will be required to obtain approval of an erosion control plan from the Department of Transportation if it is determined that the grading will or may pose a significant erosion or sediment discharge hazard for any reason. The plan may need to address mitigation of sediment runoff beyond project boundaries through the use of settlement catchment installations that meet the satisfaction of the designated Department of Transportation inspector. Revegetation and stabilization of all disturbed soils both within and outside of County right-of-ways may be required. Compliance with this ordinance will reduce any potential impacts to a less than significant level when grading occurs.

(c - d)
 Based on the Soil Survey of El Dorado Area, CA, the project soil is classified as MaD, Mariposa gravelly silt loam, with 3 to 30 percent slopes. Erosion hazard is slight to moderate, and surface runoff is medium. Prior to issuance of a building permit for either parcel, the property owner(s) will be required to demonstrate compliance with General Plan Policy 7.1.2.1 prohibiting development on slopes greater than 30 percent.

(e) Specific compatibility of the soils is not applicable to this project and there is no impact.

VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>				
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,			X

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VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>				
would the project result in a safety hazard for people residing or working in the project area?				
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

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 & b)

During the construction of any required improvements or commercial structures there may be a minimum of hazardous materials or substances used, or which may remain on the premises after construction. The proper use and storage of any such hazardous material or substances should limit exposure and the potential for explosion or spills. The El Dorado County Hazardous Waste Management Plan serves as the implementation program for the management of any hazardous wastes in order to protect the health, safety, and property of residents in the vicinity of the project. If explosives are used for grading, such activity would only occur in conformance with State and County applicable laws.

(c) The project site is not located within one-quarter mile (1,320 feet) of a school or proposed school site.

(d) Based on a search of the California Department of Toxic Substances Control *EnviroStor Database*, the project parcel is not listed as a known hazardous materials site.

(e - f)

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The project parcel is not located within an airport land use plan, or within two miles of a public or private airport.

- (g) The proposed project will not physically interfere with the implementation of the County adopted emergency response and/or evacuation plan for the project area.
- (h) The project site is located in an area of moderate hazard for wildland fires as identified on the El Dorado County Fire Hazard Severity Zones Map (California Department of Forestry and Fire Protection). Based on commercial requirements for maintaining defensible space, two access points to the project site, availability of public water for fire suppression, and provisions within the County emergency response plan, impacts from wildland fire are less than significant.

VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>				
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				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, in a manner which would result in substantial erosion or siltation on- or -off-site?			X	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?			X	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or				X

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VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>			
dam?			
j. Inundation by seiche, tsunami, or mudflow?			X

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) General Plan Policy 7.3.2.2 states that projects requiring a grading permit shall have an erosion control program approved, where necessary. The purpose of the erosion control program is to limit storm water runoff and discharge from a site. Specific water quality objectives have been established by the Regional Water Quality Control Board (RWQCB), and any project not meeting those objectives are required to apply for a Waste Discharge Permit. There is no evidence indicating that the project or activities associated with the project will violate any water quality standards or waste discharge requirements established by the RWQCB.
- (b) The geology of the Western Slope portion of El Dorado County is principally hard crystalline, igneous or metamorphic rock overlain with a thin mantle of sediment or soil. Groundwater in this region is found in fractures, joints, cracks, and fault zones within the bedrock mass, which are typically vertical in orientation rather than horizontal as in sedimentary or alluvial aquifers. Recharge is predominantly through rainfall infiltrating into the fractures. Movement of this groundwater is very limited due to the lack of porosity in the bedrock. There is no evidence that the project will substantially reduce or alter the quantity of groundwater in the vicinity, or materially interfere with groundwater recharge in the area of the proposed project.
- (c - f) The *Grading, Erosion and Sediment Control Ordinance* contains specific requirements that limit the impacts to a drainage system (§ 15.14.440 and 15.14.590). The standards apply to any grading that involves more than 250 cubic yards of earth, which would require a permit. General Plan Policy 7.3.2.2 states that “projects requiring a grading permit shall have an erosion control program approved, where necessary.” The plan will need to address mitigation of sediment runoff beyond project boundaries and may require revegetation and stabilization of all disturbed soils both within and outside County right-of-ways that meet the satisfaction of the designated Department of Transportation inspector. Compliance with this ordinance will reduce any potential impacts to a less than significant level when grading occurs.
- (g - h)

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The Flood Insurance Rate Map, Panel No. 060040-0750B, dated October 18, 1983, establishes that the project site is not within a mapped 100-year floodplain.

- (i) The California Dam Safety Act requires dam owners to submit inundation maps to the California Office of Emergency Services showing the extent of inundation resulting from a potential dam failure. This Act also requires that local jurisdictions adopt emergency evacuation and control procedures for areas located below dams to limit loss of life, injury, and property. El Dorado County has adopted a Multi-Hazard Functional Plan to be implemented by the County's Office of Emergency Services. This Plan and the EIR adopted for the General Plan identify those dams that have the potential to inundate residential areas. The subject property is not located adjacent to or downstream from a dam or levee that has the potential to fail and inundate the area with floodwaters.
- (j) A seiche is a water wave within an enclosed body of water such as a lake or reservoir usually generated by an earthquake or landslide. A tsunami is a wave generated from earthquake activity on the ocean floor. There is no potential for a seiche or tsunami on the site. A mudflow usually contains heterogeneous materials lubricated with large amounts of water often resulting from a dam failure or failure along an old stream course. The potential for a mudflow is considered to be non-existent and having no impact.

IX. LAND USE PLANNING. <i>Would the project:</i>				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

Discussion:

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

- Result in the conversion of Prime Farmland as defined by the State Department of Conservation;
 - Result in conversion of land that either contains choice soils or which the County Agricultural Commission has identified as suitable for sustained grazing, provided that such lands were not assigned urban or other nonagricultural use in the Land Use Map;
 - Result in conversion of undeveloped open space to more intensive land uses;
 - Result in a use substantially incompatible with the existing surrounding land uses; or
 - Conflict with adopted environmental plans, policies, and goals of the community.
- (a) The proposed rezone will not disrupt or divide the physical arrangement of an established community, because the site's current General Plan land use designation is Commercial (C), and is compatible with the commercial uses in the surrounding area.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Additional commercial development and vehicle use could be an impact, if not mitigated. Construction of commercial structures in this area is consistent with the development patterns in the area. Although a commercial project will not necessarily create offensive views to the public, the impact will be a change in the environment and will be visible from surrounding lands and roadways. Further review of future development on this site will include aesthetics, traffic circulation both on and off site as well as other issues pertaining to type and size of proposed project.

- (b) The proposed rezone is consistent with its designated land use development goals of the General Plan. Compliance with General Plan policies regarding slope and tree canopy retention prior to issuance of any developmental permits will reduce applicable environmental impacts to less than significant.
- (c) The project site is located in the Oak Hill Rural Center and in Ecological Preserve Mitigation Area No. 2, which, as the parcels will be on public water, requires payment of mitigation fees prior to issuance of a building permit for any commercial structure.

X. MINERAL RESOURCES. <i>Would the project:</i>				
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

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)

The project parcel is not mapped as a known Mineral Resource Zone (MRZ) by the State of California Division of Mines and Geology and does not contain any mineral resources of known local or statewide economic value.

XI. NOISE. <i>Would the project result in:</i>				
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X	
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?		X	
c.	A substantial permanent increase in ambient noise levels in the project vicinity		X	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XI. NOISE. <i>Would the project result in:</i>				
above levels existing without the project?				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			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 expose people residing or working in the project area to excessive noise level?				X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion:

A substantial adverse effect due to Noise would occur if the implementation of the project would:

- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;
- Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
- Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.

(a & c)

A major noise source in El Dorado County is generated by vehicular traffic. Based on Chapter 5.10 of the General Plan EIR, an increase of 3dB represents the minimum audible increase in ambient noise levels, as the decibel scale is measured logarithmically. To exceed the 3dB threshold existing traffic must be doubled. (U.S. Department of Transportation, Federal Highway Administration, Highway Noise Fundamentals, September 1980, p.31). The nearest cross street for which traffic counts (ADT) have been recorded is China Garden Road. ADT in the vicinity of the project parcel measures approximately 800 to 1600 trips per day. Traffic on this roadway will not be doubled with the proposed rezone. Additional commercial development and vehicle use could be an impact, and may be mitigated in the future planned development and approval process. Further review of future development will include aesthetics, traffic circulation both on and off site, environmental and fire safety regulations, as well as other issues pertaining to type and size of proposed project.

(b & d)

Short-term and ground borne noise impacts may be associated with excavation, grading, and construction activities due to any required improvements and residential development. El Dorado County requires that all construction vehicles and equipment, fixed or mobile, be equipped with properly maintained and functioning mufflers. All construction and grading operations are required to comply with the noise performance standards contained in the General Plan. All storage, stockpiling and vehicle staging areas are required to be located as far as practicable from any residential areas.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- (e) General Plan Policy 6.5.2.1 requires that all projects, including commercial, within the 55 dB/CNEL contour of a County airport shall be evaluated against the noise guidelines and policies in the applicable Comprehensive Land Use Plan (CLUP). In this case, the project site is not located within the defined 55dB/CNEL noise contour of a County owned/operated airport facility.
- (f) The proposed project is not located adjacent to or in the vicinity of a private airstrip. As such, the project will not be subjected excessive noise from a private airport.

XII. POPULATION AND HOUSING. <i>Would the project:</i>				
a. Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion:

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

- Create substantial growth or concentration in population;
- Create a more substantial imbalance in the County’s current jobs to housing ratio; or
- Conflict with adopted goals and policies set forth in applicable planning documents.

(a) The proposed project will not induce growth directly or indirectly by providing infrastructure that would create development beyond what is currently anticipated in the General Plan. Future review of a development project will include consideration of the projects’ impacts on population related impacts.

(b - c)
 The proposed project will neither displace people nor existing housing, which will prevent the construction of replacement housing elsewhere.

XIII. PUBLIC SERVICES. <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>				
a. Fire protection?			X	
b. Police protection?			X	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIII. PUBLIC SERVICES. <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>			
c. Schools?			X
d. Parks?			X
e. Other government services?			X

Discussion:

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

- 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 & b)

Policy 5.1.2.2 establishes that the provision of public services to new discretionary development shall not result in a reduction of service below minimum established standards to current users, pursuant to Table 5-1. Table 5-1 in the General Plan establishes minimum levels of service for public services such as schools, parks, fire districts, ambulance and sheriff.

The El Dorado County Fire Protection District currently provides fire protection services to the project area. Development of the site would result in an increase in demand for fire protection services, however, no factual information was provided by the fire district stating that the minimum level of service would fall below the minimum response time of 15-45 minutes, as designated in Table 5-1. The Fire District will review any subsequent building permits to insure fire codes are met, including but not limited to: location of fire hydrants, accessibility, turning radii, building identification and construction phasing.

The El Dorado County Sheriff’s Department will serve the project site with a response time depending on the location of the nearest patrol vehicle. The current staffing is approximately 1 to 1.2 officers per 1,000 County residents compared with the statewide average of 1.8 officers per 1,000 people. Impact of the project to the level of service provided by the Sheriff’s Department will be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- (c) The state allows school districts to directly levy fees on new residential and commercial/industrial development. These fees are collected at the time of building permit submittal and are designed to provide funds to acquire and construct additional facility space within impacted school districts. The payment of fees at the time of building permit issuance will insure that the project should have no impact on local school districts.
- (d) Parks & Recreation: No Quimby Act requirements will result from the rezoning of this parcel. Any impacts the project may have on recreation will be subject to Chapter 16.12 of the County Code should the parcel be subdivided.
- (e) No other public facilities or services will be substantially impacted by the project.

XIV. RECREATION.				
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?			X	
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?			X	

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 - b)

The project will not contribute a significant increase in local population that would impact the use of recreational facilities in the area, nor does it require the construction or expansion of recreational facilities in its proposal. Additional commercial development and vehicle use could be an impact, and may be mitigated through the future planned development process. Further review of future development will include aesthetics, traffic circulation both on and off site, environmental and fire safety regulations, as well as other issues pertaining to type and size of proposed project.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b. Exceed, either individually or cumulatively, a level of service standard 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. Result in inadequate parking capacity?				X
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Discussion:

A substantial adverse effect on 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 “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.

(a – b)

The proposed rezone is consistent with the General Plan land use designation and will not worsen existing traffic or level of service standards so as to exceed those thresholds set under General Plan Policy TC-Xe pursuant to review and comment from the Department of Transportation. The traffic impacts were analyzed in the General Plan Environmental Impact Report. The General Plan EIR was a program level document, which means a project level traffic analysis would still be required prior to the approval of future development on the site. If it is found that an increase in traffic would exceed General Plan thresholds any future environmental analysis would include mitigation measures to ensure a less than significant impact. Further review of future development on this site will include aesthetics, traffic circulation both on and off site as well as other issues pertaining to type and size of proposed project.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- (c) The rezone will not result in a major change in established air traffic patterns as there are no publicly or privately operated airports or landing fields in the project vicinity.
- (d) No traffic hazards will result from the proposed rezone of this property.
- (e) No information was received from the El Dorado County Fire Protection District determining the adequacy of emergency access. However, any future planned development would be subject to review by the fire district to ensure consistency with state and local fire code. At this time a significant impact would not be considered as there is no proposed development on the site.
- (f) Compliance with commercial parking requirements under Chapter 17.18 of the County Code will be required at the time of building permit issuance.
- (g) The proposed project does not conflict with the adopted General Plan policies, and adopted plans or programs supporting alternative transportation.

XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Discussion:

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Breach published national, state, or local standards relating to solid waste or litter control;
- Substantially increase the demand for potable water in excess of available supplies or distribution capacity without also including provisions to adequately accommodate the increased demand, or is unable to provide an adequate on-site water supply, including treatment, storage and distribution;
- Substantially increase the demand for the public collection, treatment, and disposal of wastewater without also including provisions to adequately accommodate the increased demand, or is unable to provide for adequate on-site wastewater system; or
- Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.

(a & e)

The rezone does not affect any local utilities. Build-out of the development would require hook up to public water and wastewater systems. The El Dorado Irrigation District has existing water and sewer lines in close proximity to the project site, which currently contains the capacity to serve the site. Compliance with these requirements will reduce any impacts from the project on water quality standards or waste discharge requirements established by the RWQCB to less than significant.

(b & d)

No new water or wastewater treatment plants or expansion of existing facilities are proposed and required as a result of the proposed rezone. Additional commercial development would require new water or wastewater treatment plants or expansion of existing facilities. This information is based on the Facilities Improvement Letter dated August 14, 2006.

(c) No new storm water drainage facilities or expansion of existing facilities are proposed or are required as a result of the project. Additional commercial development would require storm water drainage facilities or expansion of existing facilities.

(f) In 1997, El Dorado County signed a 30-year contract with the Lockwood Landfill Facility for continued solid waste disposal services. This facility has more than sufficient capacity to serve the County for the next 30 years.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:			
a. Have the potential to 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, 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			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE. <i>Does the project:</i>			
human beings, either directly or indirectly?			

Discussion:

- (a) There is no substantial evidence contained in the entire record that the project will have the potential to degrade the quality of the environment. The project parcels do not lie within any of the five Ecological Preserves established by the County and the Department of Fish and Wildlife Service for rare or endangered plants. The project parcels area contains no recorded prehistoric archaeological sites and no historic-period resources listed. Further, the proposed rezone is in conformance with the General Plan land use designation.
- (b) Careful analysis of the proposed rezone has shown that the project will not have a significant effect on the environment, will not have impacts which are individually limited but cumulatively considerable; and will not cause substantial adverse effects on humans. Future review of commercial development on these parcels as allowed by the 2004 General Plan land use designations will require additional environmental review.
- (c) Compliance with California Building Codes, the County of El Dorado *Grading, Erosion, and Sediment Control Ordinance, Design Standards for the Site Evaluation and Design of Sewage Disposal Systems*, and the specific objectives of the RWQCB regarding water quality will insure that development as a result of this proposed rezone will not cause environmental effects which will have substantial adverse effects on human beings, either directly or indirectly.

SUPPORTING INFORMATION SOURCE LIST

The following documents are available at El Dorado County Planning Services in Placerville.

El Dorado County General Plan Draft Environmental Impact Report
Volume I – Chapters 1 through Section 5.6
Volume II – Section 5.7 through Chapter 9, Appendix A
Volume III – Technical Appendices B to H

El Dorado County General Plan – A Plan for Managed Growth and Open Roads; a Plan for Quality Neighborhoods and Traffic Relief (Adopted July 19, 2004)

Findings of Fact of the El Dorado County Board of Supervisors for the General Plan

El Dorado County Zoning Ordinance (Title 17 - County Code)

County of El Dorado Drainage Manual (Resolution No. 67-97, Adopted March 14, 1995)

County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170)

El Dorado County Design and Improvement Standards

El Dorado County Subdivision Ordinances (Title 16 - County Code)

Soil Survey of El Dorado Area, California

California Environmental Quality Act (CEQA) Statutes (Public Resources Code Section 21000, et seq.)

Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (Section 15000, et seq.)