

**EL DORADO COUNTY  
GENERAL PLAN**

**RESOLUTION OF THE  
BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO  
CERTIFYING THE EL DORADO COUNTY GENERAL PLAN  
ENVIRONMENTAL IMPACT REPORT  
EXHIBIT A**

**CEQA STATEMENT OF OVERRIDING CONSIDERATIONS**

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## **SECTION A.**

### **GENERAL INTRODUCTION**

In approving the project which is evaluated in the Final Environmental Impact Report ("EIR"), the County makes the following Statement of Overriding Considerations in support of its findings on the EIR and in support of the project. The Board of Supervisors has considered the information contained in the EIR prepared to examine the project, and has fully reviewed and considered the public testimony and record in this proceeding.

The Board of Supervisors has carefully balanced the benefits of adoption of the General Plan against the unavoidable adverse impacts identified in the EIR. Notwithstanding the disclosure of impacts identified in the EIR as significant and potentially significant, which have not been eliminated or mitigated to a less-than-significant level, the Board of Supervisors, acting pursuant to Section 15093 of the State CEQA Guidelines, hereby determines that the benefits of the project outweigh the significant unmitigated adverse environmental impacts.

### **SIGNIFICANT AND UNAVOIDABLE IMPACTS**

The General Plan has a 20 year planning horizon. In light of the development expected over that horizon and at ultimate buildout, the EIR identifies 40 potentially adverse impacts which could not be mitigated to a less-than-significant level if the General Plan is implemented with identified mitigation measures. These impacts are listed below and briefly described by impact number. All other impacts are less-than-significant or fully mitigated.

- 5.1-2: Substantial Alteration or Degradation of Land Use Character in the County or Subareas
- 5.2-1: Potential for Conversion of Important Farmland, Grazing Land, Land Currently in Agricultural Production or for Conflict that Results in Cancellation of a Williamson Act Contract
- 5.3-2: Degradation of Existing Visual Character or Quality of the Area or Region
- 5.4-1: Potential Inconsistencies with LOS Policies
- 5.4-2: Increase in Daily and Peak Hour Traffic
- 5.4-3: Short-term Unacceptable LOS Conditions Related to Generation of New Traffic in Advance of Transportation Improvements
- 5.4-4: Insufficient Transit Capacity
- 5.5-1: Increased Water Demand and Likelihood of Surface Water Shortages Resulting from Expected Development

- 5.5-2: Potential Environmental Impacts Associated with the Development of New Surface Water Supplies and Related Infrastructure
- 5.5-3: Increase in Groundwater Demand and Related Impacts
- 5.5-4: Increase in Wastewater Flows and Related Infrastructure Impacts
- 5.5-7: Increase in Surface Water Pollutants from Additional Wastewater Treatment Plant Discharges
- 5.6-3: Potential Noncompliance with State-Mandated Diversion Rate
- 5.6-5: Potential for Land Use Incompatibility and Other Impacts of New and Expanded Solid Waste and Hazardous-Waste Facilities
- 5.6-6: Potential for Land Use Incompatibility and Other Impacts of New and Expanded Energy Supply Infrastructure
- 5.6-7: Potential for Impacts Associated with New and Expanded Communications Infrastructure
- 5.7-3: Potential Land Use Incompatibility Associated with Development and Expansion of Public School Facilities
- 5.8-2: Increased Incidents of Illegal Disposal of Household Hazardous Waste
- 5.8-3: Increased Risk of Accidental Release of Hazardous Materials
- 5.8-6: Risk of Exposure to Flood Hazards Inside Dam Inundation Area
- 5.8-7: Exposure to Electromagnetic Fields Generated by New Electric Energy Facilities at School Locations
- 5.8-10: Increased Potential for Fire Incidents and Fire Hazards
- 5.9-4: Additional Development that Could Affect the Rate or Extent of Erosion
- 5.9-5: Reduction in the Accessibility of Mineral Resources
- 5.10-1: Exposure of Noise-Sensitive Land Uses to Short-Term (Construction) Noise
- 5.10-2: Exposure to Ground Transportation Noise Sources
- 5.10-3: Exposure of Noise-Sensitive Land Uses to Fixed or Nontransportation Noise Sources
- 5.10-4: Exposure to Aircraft Noise
- 5.11-1: Construction Emissions of ROG, NOx, and PM10
- 5.11-2: Long-Term Operational (Regional) Emissions of ROG, NOx, and PM10
- 5.11-3: Toxic Air Emissions
- 5.11-4: Local Mobile-Source Emissions of Carbon Monoxide (CO)
- 5.11-5: Odorous Emissions
- 5.12-1: Loss and Fragmentation of Wildlife Habitat

- 5.12-2: Impacts on Special-Status Species
- 5.12-3: Impacts on Wildlife Movement
- 5.12-4: Removal, Degradation, and Fragmentation of Sensitive Habitats
- 5.14-1: Impacts from New In-Basin Development
- 5.14-2: Traffic and Air Quality Impacts from New Out-of-Basin Development
- Regional Cumulative: Land Use and Housing; Agriculture and Forestry; Visual Resources; Traffic and Circulation; Water Resources; Utilities; Public Services; Noise; Air Quality; Biological Resources; Lake Tahoe Basin

No additional feasible mitigation measures have been determined to be available for these significant and unavoidable impacts. The Board of Supervisors finds that there are no other available feasible mitigation measures or alternatives that the Board could adopt at this time which would reduce these impacts to a less-than-significant level. To the extent that these adverse impacts will not be eliminated or lessened to an acceptable (less-than-significant) level, the Board of Supervisors finds that specific economic, legal, social, technological, and other considerations identified herein support approval of the project despite these unavoidable impacts.

## **SECTION B.**

### **SPECIFIC FINDINGS**

#### **Project Changes and Final Disposition of Mitigation Measures to Avoid or Reduce Impacts**

Changes or alterations have been made in the project that mitigate to the maximum degree feasible the significant environmental effects of the project, as identified in the Final EIR. In addition to changes made to the initial project description described in the six-volume Response to Comments document, and specifically itemized in Chapter 5.0 (Proposed General Plan Modifications) of that report (Section 5.1 for all General Plan elements except the Traffic and Circulation Element; Section 5.3 for applicable changes to the Traffic and Circulation Element), the Board has made a number of additional changes in the adopted General Plan that will reduce its environmental impacts, including incorporation of the Transportation and Circulation Element policies from the Environmentally Constrained alternative, a new circulation diagram that reduces the number of proposed lanes on 15 roadway segments while maintaining acceptable levels of service, and the addition of an Agricultural Lands designation and Important Biological Corridor Overlay designation. In addition, with the exceptions and modifications identified in Section O of Exhibit B, every applicable mitigation measure identified in the EIR has been incorporated into the General Plan and is adopted by the Board as a part of their action to adopt the General Plan.

## **Project Benefits Outweigh Unavoidable Impacts**

The remaining unavoidable and irreversible impacts of the project are acceptable in light of the economic, legal, social, technological, and other considerations set forth herein because the benefits of the project, as described in Exhibit B (Findings of Fact), Section J (Project Benefits), outweigh any significant and unavoidable or irreversible adverse environmental impacts of the project.

## **Balance of Competing Goals**

The Board finds that it is imperative to balance competing goals in approving the General Plan. The adopted General Plan encourages a balance between population growth, economic development, and the need to protect the environment. The Plan will expand housing and employment choices for its citizens while serving the regional demand for a diverse range of housing types, including low and very-low income housing. The Plan will also provide for a wide range of retail services, business development, natural resource conservation and production, open space and habitat preservation, and recreation.

Several significant environmental impacts have not been fully mitigated because of the need to meet competing concerns, and/or the need to recognize economic, legal, social, technological, and other issues as factors in decision-making. Accordingly, the Board has chosen to accept significant adverse environmental impacts because to eliminate them would unduly compromise important economic, legal, social, technological, and other goals. The Board of Supervisors finds and determines, based on the EIR, the Environmental Assessments of Policy Modifications and Revisions to Mitigation Measures, testimony from the hearings, and other supporting information in the record, that the General Plan will provide for a positive balance of the competing goals and that the benefits to be obtained by the project outweigh the adverse environmental impacts of the project.

## **SECTION C.**

### **OVERRIDING CONSIDERATIONS**

The Board of Supervisors has made a number of specific determinations regarding the remaining significant and unavoidable impacts that are relevant to the decision to approve the project:

#### **Fiscal and Economic Considerations**

Substantial evidence in the record demonstrates various fiscal and economic benefits which the County will derive from the implementation of the adopted General Plan. Included among these are (in no relevant order):

- Best supports the local economy by designating the greatest amount of land for development, and responds best to the needs of small landowners, business owners, and agriculturalists. Housing development has been shown to be a central component in a strong local economy. (Robert Fountain, Bldg. Indus. Ass'n. of Superior California, *The Economic Impact of New Housing Construction in the Sacramento Region* (June 24, 2004).) The adopted General Plan would promote a strong, community-centered economy by encouraging development in the Community Regions. Such residential development will allow for thriving community-centered commercial uses in those areas.
- Best protects economic viability of agricultural land uses. Agricultural operations bring substantial benefits to the local economy. It is estimated that the impact of agriculture on El Dorado County's economy totaled approximately \$391 million in 2002. (Bill Snodgrass, Agricultural Commissioner/Sealer, 2002 El Dorado County Crop Report.) These benefits accrue from the direct harvesting and manufacturing of crops, retail sales, and the impact on local and other job markets. In addition, agricultural production supports agri-tourism, and provides a tax base based on sales tax, income tax, property tax, and in the case of tourism, contributes to the tourism tax. Tourist activities in the County include wine tasting, apple harvesting, and choose-and-cut Christmas trees. (See, for example, Valerie Zentner, Executive Director, El Dorado County Farm Bureau, *The Positive Economic Impact of Agricultural Operations in El Dorado County*.) Agricultural production in El Dorado County requires substantial investment and generally yields limited returns, resulting in very narrow profit margins. In order to ensure that agriculture remains an economically viable use in the County, it is necessary to reduce regulatory burdens on agricultural operators to the extent possible consistent with prudent environmental management. The adopted General Plan does this by including an Agricultural Lands designation, by requiring the County to develop agricultural Best Management Practices, and by providing agricultural operators with greater flexibility in complying with certain General Plan policies to minimize the regulatory burdens on agricultural production while ensuring environmentally sound agricultural operations.
- Designates the most land for job- and revenue-producing commercial, industrial, and research and development land uses (about 6,700 acres). This capacity will allow for the most efficient, market-based allocation of commercial and industrial growth as population increases in the County, while limiting these designations to 0.6 percent of the County's land area. Over 85 percent of the County will remain designated for rural residential or resource-related uses (open space, agricultural, resource extraction).
- Recognizes that much of the County's economy depends on agriculture, resource extraction, and recreational activities throughout the County and distributes rural centers and community regions accordingly in order to provide services and commercial opportunities in the rural areas.

- Provides an oversupply of land use designations to provide landowner and project proponent flexibility. Under the Adopted General Plan, the market and other constraints (e.g., water availability) will direct the location, type, and size of new development. This approach will provide substantial economic benefits to the County. (See, for example, Harry W. Richardson & Peter Gordon, "Market Planning: Oxymoron or Common Sense?" 59 APA Journal 347, 350-351 (Summer 1993); see also Growth Management Council to Governor Wilson, Strategic Growth: Taking Charge of the Future (Jan. 25 1993), pp. 17-18; Council on California Competitiveness, California's Jobs and Future (April 23, 1992), pp. 27-28, 31, 44-47.)
- Provides an oversupply of land use designations so that after application of policy and environmental constraints adequate land remains available to achieve the goals of the General Plan. The oversupply in combination with the environmental protection policies also ensures that the land that is developed will be the most suitable for development.
- Plans for growth in a way designed to provide more housing and employment options for the County's new and existing residents. The Economic Development Element will direct the County's efforts toward attracting new businesses, which can supply employment opportunities for County residents.
- Maintains continuity of economic development policies to provide stability and certainty to the El Dorado County business community, residents, and investors in El Dorado County businesses. The economic development policies of the adopted plan are the most comprehensive among the alternatives.

## **Legal and Regulatory Considerations**

Substantial evidence in the record demonstrates various legal and regulatory benefits which the County would derive from the implementation of the General Plan. Included among these are (in no relevant order):

- Recognizes the numerous constraints on land use planning due to widely varying physical and economic features throughout different parts of the County. For example, much of the County is devoted to federally owned and managed timberland and/or has topography which constrains the type of development that is feasible.
- Balances the protection of property interests and the need for economic development with strong commitments to environmental protection. The General Plan represents the best compromise in terms of a property owner's ability to fully use and enjoy their land. An approach to private property that affords property owners broader rather than more restrictive opportunities to determine the use of their property is an important component of the County's customs and culture, and

the source of much of the area's economic prosperity. This approach to the ability of property owners to use their lands is best reflected and protected under this plan.

- Maintains continuity of economic development policies to provide stability and certainty to the El Dorado County business community, residents, and investors in El Dorado County businesses. The economic development policies of the adopted plan are the most comprehensive among the alternatives.
- Does not interfere with, or rely on relinquishment of, vested property rights obtained through development agreements or other mechanisms.
- Acknowledges landowner expectations arising from historic County land use planning. The County began its General Plan update process in 1989 within the context of having 24 Area Plans and the Long Range Land Use Plan. The 24 Area Plans, consistent with the goals of the citizens' advisory committee for each area, allocated land use designations that took into account the desires of local residents. Often this process resulted in land use designations with density or intensity beyond what might be feasible on a particular property. In deference to the Area Plans, which constitute a statement by County residents of their vision for the development of different areas within the County, the County has chosen to maintain as much of the land use designations from the Area Plans as possible. Thus, this approach carries through from the Area Plans to the Adopted General Plan the extensive work and cooperation between County staff and local residents. Maintaining the Area Plan land use designations by avoiding down planning and down zoning to the extent feasible also provides continuity between the Area Plans and the General Plan.
- As discussed in Exhibit B, each of the alternatives to the adopted General Plan is infeasible. Accordingly, the only option available to the County other than adopting the General Plan would be to take no action. The effects of this decision would generally be as described in the No Project Alternative. In addition, failure to act would:
  - Not allow for final certification of the Housing Element by the State. This would deny the County the ability to compete for up to \$4.7 million in affordable housing funds and grants (such as CDBG).
  - Not satisfy the Writ of Mandate or allow the County to recapture local land use authority from the Sacramento Superior Court.
  - Not allow water purveyors to proceed with water supply planning to perfect new water rights.

## Social Considerations

Substantial evidence in the record demonstrates various social benefits which the County would derive from the implementation of the General Plan. Included among these are (in no relevant order):

- Best reflects the community's expressions of quality of life and community values and guides the County's growth through 2025 in a manner consistent with the community's vision. The General Plan encourages a balance between population growth, economic development, and the need to protect the environment. The Plan will expand housing and employment choices for its citizens while serving the regional demand for a diverse range of housing types, including low and very-low income housing. The Plan will also provide for a wide range of retail services, business development, natural resource conservation and production, open space and habitat preservation, and recreation.
- Building on work initiated with development of the Area Plans beginning in 1975, best reflects community consensus as a result of an extensive public planning process. The vast majority of the public testimony received at the six Planning Commission hearings and seven hearings before the Board of Supervisors on the General Plan was in favor of the 1996 Alternative. Numerous speakers testified to their belief that the 1996 General Plan Alternative was vetted at all levels, and that it best reflected the input of all interest groups. The General Plan includes extensive environmental mitigation through the changes in policy brought about by the EIR analysis and conclusions. This Plan represents a true compromise between the interests of environmental protection and those of social and economic development in the County.
- Resolves lengthy negotiations and deliberations by the Board, the Planning Commission, and the community of legitimate and inherent conflicts over social equity, environmental protection, infrastructure availability, and fiscal responsibility. This Plan represents a workable compromise on land use issues with which the County has grappled for over 15 years. The County began its General Plan update process within the context of having 24 Area Plans each developed by a local citizens' advisory committee. The Area Plans were a statement by County residents of their vision for the development of different areas within the County and provide the best indicator of the most appropriate land uses to guide the County into the future. This approach carries through from the Area Plans to the Adopted General Plan the extensive work and cooperation between County staff and local residents.
- Best maintains the County's rural character and provides opportunities for residents desiring a rural lifestyle by allocating the considerably more land to large-lot residential land use designations than any other alternative. Large residential lots are an essential part of a constellation of policies designed to promote the rural

living experience. The land use diagram and policies work together to provide the combined experience of community privacy and openness that is critical to rural residential living. The General Plan would designate approximately 110,000 acres with designations of one acre or more while the Environmentally Constrained alternative would have designated only 62,000. These land use designations will help the County achieve its objectives of providing housing to support the local and regional economy while maintaining the County's rural character.

- Responds to the needs of small landowners, business owners, and agriculturalists by recognizing their reliance on prior policies and planning efforts in making decisions regarding their use and acquisition of property in the County. The Plan represents the best compromise in terms of a property owner's ability to use and enjoy his or her land. Private property is an important component of the County's customs and culture, and the source of much of the area's economic prosperity.
- Best reflects the expectations of individuals and families throughout the County who have purchased land in the County with the intention of eventually subdividing to create new parcels for family members or as a form of savings to finance retirement, education, or other expenses. With the exception of lands in Western El Dorado County that are subject to development agreements and the expanses of timberland above 3000' elevation, much of the land in El Dorado County is family-owned. The County is largely rural and has a long history of family land ownership, which helps to build and maintain strong communities. The General Plan avoids penalizing those that chose to hold their land rather than sell it off sooner by limiting changes in General Plan land use designations that would reduce development potential below the level authorized by the Area Plans. Any alternative would be unfair and disproportionately affect small landowners in the County, to the advantage of the few large developers who negotiated development agreement protections up to 15 years ago.
- Protects expectations based on longstanding zoning designations by adopting land use designations that, during the zoning ordinance update following plan adoption, will require the least amount of "downzoning", among the various alternatives considered. The administrative record contains hundreds of requests from individual property owners demonstrating that adoption of any alternative besides the 1996 General Plan would frustrate the attainment of their long term goals for their property. Overwhelmingly these citizens are not land speculators with unrealistic expectations for the development of their property, but rather small long-time land holders.
- Best recognizes the historic communities of the County. In contrast to the other alternatives, the adopted General Plan recognizes the existing historic communities of Kelsey, originally established as Slatington during the Gold Rush era; Latrobe, established when the Placerville and Sacramento Valley Railroad built a station to accommodate Amador County rail customers, around 1864; Mt. Ralston, one of a

number of communities established along the upper South Fork American River during the gold rush era; Nashville, established as Quartzburg in 1851; and Quintette, established in the gold rush era to support the Blue Bird Mine and logging camp. These historic communities, which are among the oldest in the County and are an important part of the County's social, economic, and cultural environment. By locating these communities in a Rural Center the General Plan allows these communities to maintain their community identity and integrity and to maintain economic viability. This will promote the County's objectives of maintaining distinct, economically sound, communities to protect the County's historic resources and to provide services to the rural regions to support residential and resource-based uses in the those areas.

- Provides the most equitable dispersal of growth. The land use diagram keeps the majority of the property owners with undeveloped land consistent with the already realized expectations of their neighbors.

### **Traffic and Circulation Considerations**

Substantial evidence in the record demonstrates various traffic and circulation benefits which the County would derive from the implementation of the General Plan. Included among these are (in no relevant order):

- Limits traffic congestion by applying all the policies of "Measure Y" adopted by the voters in 1998;
- Extends the life of the Measure Y policies by including similar policies that will remain in effect even if Measure Y is not renewed by the voters in 2008;
- Applies new, more restrictive standards to limit traffic congestion and ensure that new roads are developed concurrently with new development and paid for by that development and not taxpayer funds;
- Sets a cap on growth in the El Dorado Hills Business Park to address traffic impacts on White Rock Road, Latrobe Road, and Highway 50;
- Includes planning for a new arterial roadway connection from the Business Park to Highway 50.

### **Environmental and Biological Considerations**

Substantial evidence in the record demonstrates various environmental and biological benefits which the County would derive from the implementation of the General Plan. Included among these are (in no relevant order):

- Builds on the policies of the 1996 General Plan to provide important new resource protection policies and implementation tools. These include:
  - Improved transportation and circulation policies clarifying and making permanent the protections of Measure Y;
  - A new land use designation for Agricultural Lands;
  - An Important Biological Corridor (-IBC) Overlay to protect important habitat;
  - A cap on growth in the El Dorado Hills Business Park to address traffic impacts on White Rock Road, Latrobe Road, and Highway 50;
  - A review process to ensure that all development projects conform to General Plan policies;
  - A requirement that water supply needs of new development projects be taken into account before approval of tentative subdivision maps;
  - Strengthened protections for scenic corridors and ridgelines;
  - 1:1 mitigation required for loss of agricultural land;
  - A monitoring program for septic systems throughout the County;
  - Strengthened protections against exposure to naturally occurring asbestos;
  - Policies requiring additional Fire Safe measures for protection against wildfire;
  - Policies protecting the economic viability of agricultural land uses together with sensitive environmental resources by requiring development of new agricultural Best Management Practices to ensure environmentally sound agricultural operations;
  - Standards for wood-burning fireplaces and stoves to promote improved air quality;
  - Standards for development and implementation of countywide Integrated Natural Resources Management Plan;
  - Minimum mitigation ratios for loss of important biological habitat;
  - Minimum woodland habitat and tree preservation standards; and
  - Standards for development of a Cultural Resources Ordinance.

## **Housing Considerations**

Substantial evidence in the record demonstrates various housing benefits which the County would derive from the implementation of the General Plan. Included among these are (in no relevant order):

- The State of California has made the early attainment of decent housing and a suitable living environment for every Californian a statewide priority. As set forth in Government Code section 65580, El Dorado County must facilitate the

improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. In addition, section 65580 recognizes that local governments have the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the state in addressing regional housing needs. Similarly, CEQA recognizes the importance of balancing the prevention of environmental damage with the provision of a “decent home and satisfying living environment for every Californian.” Public Resources Code § 21000(g). The adopted General Plan sets forth the County of El Dorado’s long-range plan for complying with its regional housing needs, during both present and future housing cycles, while balancing economic, environmental, fiscal factors and community goals.

- Provides numerous incentives for development of affordable housing including priority permit processing, encouraging manufactured homes, and establishing a fee-waiver ordinance.
- Provides the greatest flexibility for meeting State mandated housing requirements. Housing prices in El Dorado County have increased substantially over the last 5 years. In many areas of the County, the monthly mortgage payments required to purchase a home at the median home price substantially exceeds that which is considered affordable for a family earning the County median income which is \$57,300 for a family of four. Limiting the supply of land available for residential development through more restrictive land use designations would increase the cost of housing in El Dorado County. This would reduce the affordability of housing. Numerous studies have shown that governmental constraints on the availability of land are a major factor contributing to the cost of housing. (For example: Malpezzi, Stephen, 1996, Housing Prices, Externalities, and Regulation in U.S. Metropolitan Areas, *Journal of Housing Research*, 7(2):209-241; Glaeser, Edward and Gyourko, Joseph, 2002, Zoning’s Steep Price, Regulation, Fall 2002:24-30; Advisory Commission on Regulatory Barriers to Affordable Housing, Not in My Back Yard: Removing Barriers to Affordable Housing (1991), ch. 1, 2, 3, and 8; William A. Fischel, Do Growth Controls Matter (May 1990), pp. 29-41; William A. Fischel, The Economics of Zoning Laws: A Property Rights Approach to American Land Use Controls (1985), pp. 239-241; Forrest E. Huffman, et al., Who Bears the Burden of Development Impact Fees?@ APA Journal (Winter 1988), pp. 49-55; Lawrence Katz and Kenneth T. Rosen, The Interjurisdictional Effects of Growth Controls on Housing Prices,@ Journal of Law & Economics (April 1987); John D. Landis, Land Regulation and the Price of New Housing,@ APA Journal (Winter 1986), pp. 9, 19-20; John Landis et al., Housing Price Impacts of Land-Use Initiatives: Evidence from California@ Superior California Builder (June 1992); Henry O. Pollakowski & Susan M. Wachter, The Effects of Land-Use Constraints on Housing Prices,@ 66 Land Economics 315, 323-324 (1990); Larry D. Singell & Jane H. Lillydahl, An Empirical Examination of the Effect of Impact Fees on the Housing Market,@

66 Land Economics 82, 90-91 (1990).) The adopted General Plan makes the most land available for housing, and is therefore the best option for reducing housing costs in El Dorado County.

The Board of Supervisors has balanced these fiscal, economic, legal, regulatory, social, traffic, circulation, environmental and biological considerations against the unavoidable and irreversible environmental risks identified in the EIR and has concluded that those impacts are outweighed by these considerations, among others. Upon balancing the environmental risks and countervailing benefits of each of the individual considerations identified above, the Board of Supervisors has concluded that the benefits that the County will derive from the implementation of the General Plan outweigh those environmental risks.

## **SECTION D.**

### **CONCLUSION**

The EIR for the County of El Dorado General Plan was prepared pursuant to the CEQA Guidelines. The Board of Supervisors independently determined that the EIR, fully and adequately addresses the impacts and mitigations of the proposed operation.

The number of project alternatives identified and considered in the EIR meet the test of "reasonable" analysis and provide the Board with important information from which to make an informed decision.

Public hearings were held before the Planning Commission and the Board of Supervisors. Substantial evidence in the record from those meetings and other sources demonstrates various benefits and considerations including economic, legal (regulatory), social, technological, environmental, and other benefits which the County would achieve from the implementation of the General Plan.

The Board of Supervisors has balanced these project benefits and considerations against the unavoidable and irreversible environmental risks identified in the EIR and has concluded that those impacts are outweighed by the project benefits. Upon balancing the environmental risks and countervailing benefits, the Board of Supervisors has concluded that the benefits that the County will derive from the implementation of the General Plan, as compared to the existing and planned future conditions, outweigh those environmental risks.

The Board of Supervisors has determined that the above-described project benefits override the significant, unavoidable and irreversible environmental impacts of the General Plan.

In conclusion, the Board of Supervisors finds that any remaining (residual) effects on the environment attributable to the project, which are found to be unavoidable in the preceding

Findings of Fact, are acceptable due to the overriding concerns set forth in Sections B (Specific Findings) and C (Overriding Considerations) of this Statement of Overriding Considerations.

The Board concludes that the General Plan should be adopted.