

**EL DORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: January 3, 2007
Item No.: 5.b.
Staff: Tom Dougherty

CERTIFICATE OF COMPLIANCE

FILE NUMBER: COC 06-0062

APPLICANT: Warren Grimes

REQUEST: Certificate of Compliance for Assessor's Parcel Number 074-280-15, created by Grant Deed on April 8, 1981 and transferred to Warren and Charlene Grimes by Grant Deed recorded on September 24, 1985.

LOCATION: The subject parcel is located on the north and south side of Penobscot Road approximately 2.2 miles south of the intersection with State Route 193, in the Cool area. (Exhibit A)

APN: 074-280-15

ACREAGE: 40 acres

GENERAL PLAN: Rural Residential (RR) and Important Biological Corridor (IBC) (Exhibit B)

ZONING: Residential Agricultural Forty-acre (RA-40) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration

SUMMARY RECOMMENDATION: Approval of a Conditional Certificate of Compliance

BACKGROUND: This application is a request for a certificate of compliance on Assessor's Parcel Number 074-280-15, which will acknowledge the County's acceptance of the parcel as legally created accordance with the Subdivision Map Act and local subdivision ordinances. The County's issuance of a certificate of compliance on the parcels would allow development of the

property consistent with the Residential Agricultural Forty-acre (RA-40) Zone District, which allows a single-family residence and limited horticultural and agricultural pursuits.

Without the certificate of compliance the County cannot issue any development permits, including building permits. In this instance, the parcel would be issued a conditional certificate of compliance requiring specific conditions and/or mitigation measures be completed prior to the issuance of an unconditional or *clear* certificate of compliance. The parcel cannot be developed until such time as a *clear* certificate of compliance is recorded.

Subsequent to this subject certificate of compliance application (COC 06-0062), the parcel owners applied for a certificate of compliance (COC 05-0098) to recognize the parcel with the Surveyor's Office who referred the application to Planning Services since the property was the result of a division of land after March 4, 1972 which resulted in more than four (4) parcels being created from the original parent parcel. Further, it was not done under the guidelines of any local ordinance or with the benefit of a Parcel or Subdivision Map.

Bay Doro Properties obtained a large piece of property consisting of approximately 1,120 acres by grant deed 1794/672 on August 23, 1979. Of that, 480 acres are within the subject parcel area which has all been subject to certificates of compliance.

Bay Doro Properties sold off three 160-acre parcels keeping deeds of Trust on all of them in April of 1981. Each buyer had a Record of Survey done which designated four 40-acre tracts within each 160-acre piece. The subject parcel was part of Record of Survey 9-78.

Bay Doro Properties owned the four (4), 40-acre subject parcels from Record of Survey 9-78 and they transferred them to Dan Sabol et al on April 4, 1981 by Document 1968-204 by who then deeded them back to Bay Doro Properties in foreclosure on December 20, 1983 by document 2238-161.

The applicants acquired the subject property by Grant Deed from Bay Doro Properties, recorded on September 24, 1985 by 2484/258. As such, the County may issue a conditional certificate of compliance and impose any conditions that would have been applicable to the division of the property at the time the applicant acquired interest in the properties pursuant to *Government Code Section 66499.35(b)*.

STAFF ANALYSIS

Project Description: Certificate of Compliance for Assessor's Parcel Number 074-280-15 created by Grant Deed on April 8, 1981, and transferred to Warren and Charlene Grimes by Grant Deed recorded on September 24, 1985, which will acknowledge the County's acceptance of the parcel as legally created accordance with the Subdivision Map Act and local subdivision ordinances.

Site Description: The site is located on a 40-acre parcel that varies from 1,520 to 1,600-foot elevation above sea level. The parcel is dissected roughly through the middle from east to west by Penobscot Road. Five Oaks Way dissects the southern portion into east and west portions by

adjoining midway and heading south. The scattered vegetation includes predominantly interior live oaks (*Quercus wislizenii*) and blue oaks (*Quercus douglasii*), gray pine (*Pinus sabiniana*) and California buckeye (*Aesculus californica*). The scattered shrubs include the non-native scotch broom (*Cytisus scoparius*), and the natives including white-leaf manzanita (*Arctostaphylos viscida*), coffeeberry (*Rhamnus californica*), poison oak (*Toxicodendron diversilobum*) and toyon (*Heteromeles arbutifolia*). There are noticeable slivers of serpentine rock/Gabbro soil areas cutting through the parcel evidenced by the rock outcroppings and small isolated areas where only gray pines and shrubs are growing.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RA-40	RR/IBC	Vacant
North	AE	RR/A/IBC	Single-family Residence/grazing
South	RA-40	RR/AL/IBC	Single-family Residence
East	AE	RR/IBC	Single-family Residence
West	RA-40	RR/IBC	Single-family Residence

General Plan: The subject property is designated as Rural Residential (RR), and Important Biological Corridor (IBC) on the General Plan Land Use Map. The RR land use designation establishes areas for residential and agricultural development and shall maintain a density range from one dwelling unit per 10 to 160 acres. The subject parcel is 40 acres in size and thus conforms to the minimum parcel size requirement for the Rural Residential land use designation. The single family development that would result from this Certificate of Compliance is consistent with this land use designation.

Policy 2.1.1.7 directs that development be limited in some cases until such time as adequate roadways, utilities, and other public service infrastructures become available and wildfire hazards are mitigated as required by an approved Fire Safe Plan. As discussed further below, the 40-acre size exempts the parcel from imposition of road improvements. There will be a review of a well production report prior to the finaling of any future building permit. Penobscot Road and many of the parcels on it have been established for many years. At the present time it is not feasible to bring in G.D.P.U.D. water and establish a secondary road out of the current dead end situation.

Policy 5.2.3.5 directs that “the average residential density shall not be greater than one dwelling unit per five acres in proposed groundwater dependent developments except in areas known to have groundwater supply limitations. In those areas, a minimum parcel size of ten acres or larger may be required...” This 40-acre parcel conforms to this standard.

Policy 5.7.1.1 directs that prior to approval of new development, the applicant will be required to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or will be provided concurrent with development.

Policy 6.2.3.2 directs that the applicant must demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area. El Dorado County Fire Protection District will require that any future residence shall not be approved unless they install a sprinkler system and a 3,000 gallon water storage tank because the parcel exists and is further than one mile from a circulating road and it is not required to do road improvements at this time pursuant to the El Dorado County Subdivision Ordinance. There is not a current viable option available to connect a second road connection out because of the terrain and the amount of private parcel owners not involved in discretionary applications or with no plan to be in the future. El Dorado County Department of Transportation reviewed the project and is recommending an irrevocable offer of dedication for portion of the two roads within the parcel boundaries.

Georgetown Divide Public Utility District does not currently have facilities that reach the subject parcel. The Environmental Health Division researched permitted wells in the vicinity of the subject parcel and determined there is a strong indicator that it seems likely a well could be drilled that would produce adequately enough to support the typical uses of a single-family dwelling.

Septic disposal for the parcel will be provided by an on-site septic disposal system and will need to be analyzed by the Environmental Health Division for any future single family dwelling. A percolation test will be provided that shows adequate percolation and potential area for an adequate septic system and will be analyzed prior to issuance of a building permit.

Policy 7.4.2.9 directs that the Important Biological Corridor (-IBC) overlay shall apply to lands identified as having high wildlife habitat values because of extent, habitat function, connectivity, and other factors. There are neither trees nor shrubs proposed to be removed in the process of recognizing this parcel. The parcel could in the future both have primary and second dwelling units which would increase the impact to the corridor and that would have to be reviewed at that time. However, significant disturbances not typical of single-family residential uses would not be expected. The recognition of the parcel's legality will not impede the intent of this policy any more than the situation that exists today. At this time the intent or direction of this policy has not been fully implemented and exact standards to do so have not been established. Staff has determined that the recognition of this existing 40-acre parcel in and of itself would not adversely affect wildlife habitat in a significant manner because of the 40-acre size which is the equivalent size of parcels recommended to have the Natural Resource (NR) land use designation.

Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards and requires that 70 percent of the existing oak tree canopy for the parcel be retained as aerial photos and site visit revealed an oak canopy of approximately 60 percent. The recognition of the legality of the parcel in and of itself will impact the woodland in an insignificant level because significant disturbance not typical of single-family residential uses would not be expected, and will be further analyzed during the building permit stage. It has been determined that there is

sufficient area for construction without exceeding the maximum percentage of oak tree canopy removal. The imposition of and compliance to *Policy 7.4.4.4* will create a less than significant affect.

Policy 8.1.3.2 directs that agriculturally incompatible uses adjacent to agricultural zoned lands shall provide a minimum setback of 200 feet from the boundary of the agriculturally zoned lands. Any future development proposal on this parcel would have these setbacks imposed on them for incompatible uses.

Conclusion: The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies and it has been determined that the project is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Zoning: The subject parcel is zoned Residential Agricultural Forty-acre (RA-40) which is intended to provide areas for development of residential and agricultural uses consistent with natural conditions. All development on the parcel is subject to the development standards contained in *Section 17.30.100* of the County Code. The project parcels size is 40 acres and meets the minimum parcel size for the RA-40 Zone District.

Authority to Issue a Certificate of Compliance: *Section 16.76.090* establishes that El Dorado County Planning Services is authorized to process, issue and record unconditional and conditional certificates of compliance. The County Surveyor had determined that the parcel was a result of a division of land after March 4, 1972 which resulted in more than four (4) parcels being created from the original parent parcel, but was not done so under the guidelines of any local ordinance or with the benefit of a Parcel or Subdivision Map. As such, the County Surveyor referred the application to Planning Services.

Section 16.44.120, Design Criteria of the *El Dorado County Code* establishes the design criteria and improvements made and installed in conjunction with the approval of maps. Section E states that *when an applicant proposes to create parcels in all other areas, any one of which is less than forty (40) acres or less than a quarter-quarter section or five (5) or more parcels, he/she shall construct and improve a road which conforms to the standard, as set forth in the Subdivision Design and Improvement Standards Manual.* Since the subject parcel is greater than 40 acres in size, staff has determined that road improvements are not required for this existing parcel however; they will be required to provide proof of legal access and to irrevocably offer to dedicate a 50-foot wide road and public utility easement along the onsite portions of Penobscot Road and Five Oaks Way.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project has a significant effect on the environment. Based on the Initial Study staff has determined that there is no substantial evidence that the proposed project will have a significant effect on the environment, and a Negative Declaration has been prepared.

This project is found to be de minimis (having no effect on fish and game resources). Pursuant to Resolution No. 240-93, a \$35.⁰⁰ processing fee is required by the County Recorder to file the Notice of Determination and Certificate of Fee Exemption with the State in accordance with State Legislation (California Fish and Game Code Section 711.4).

RECOMMENDATION

Staff recommends the Zoning Administrator take the following actions:

- 1. Adopt the Negative Declaration based on the Initial Study prepared by staff.
- 1. Issue a Conditional Certificate of Compliance, subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1Conditions of Approval
Attachment 2Findings

Exhibit A.....Vicinity Map
Exhibit BGeneral Plan Land Use Map
Exhibit CZoning Map
Exhibit D1Assessor’s Map
Exhibit D2.....Record of Survey 9-78
Exhibit ESoils Map
Exhibit F.....U.S.G.S. Quadrangle
Exhibit G.....Environmental Checklist and Discussion of Impacts
Exhibit H1Aerial Photo Close-up
Exhibit H2.....Aerial Photo Far Away
Exhibit I1Site Visit Photos 7/28/06
Exhibit I2Site Visit Photos 7/28/06

ATTACHMENT 1

CONDITIONS OF APPROVAL

File Number COC 06-0062 - Warren and Charlene Grimes
January 3, 2007 Zoning Administrator Hearing

El Dorado County Fire Protection District

1. The applicant shall record a Notice of Restriction (NOR) that states that any future structure built on the subject parcel shall require a El Dorado County Fire Protection District approved NFPA 13D residential sprinkler system with 3,000 gallons of water storage. Said Notice of Restriction shall be reviewed and approved by the El Dorado County Fire Protection District prior to recordation. The approved NOR shall then be recorded and a copy of the recorded document shall be received by Planning Services and the El Dorado County Fire Protection District prior to issuance of a certificate of compliance.
2. The applicant shall develop and implement a Wildland Fire Safe Plan for the project. Said plan shall be reviewed and approved by the El Dorado County Fire Protection District prior to issuance of a certificate of compliance.

El Dorado County Department of Transportation

3. The applicant shall irrevocably offer to dedicate a 50-foot wide road and public utility easement along the onsite portions of Penobscot Road and Five Oaks Way. This offer will be rejected by the County.

ATTACHMENT 2

FINDINGS

File Number COC 06-0062 - Warren and Charlene Grimes
January 3, 2007 Zoning Administrator Hearing

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The project will not affect wetland, watercourses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the State Department of Fish and Game. Therefore, the project has a de minimis impact on the environment and a Certificate of Fee Exemption (DFG 753.5-5/91) is applicable.
- 1.4 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 General Plan Findings

- 2.1 It can be found the project is consistent with the Rural Residential (RR) designation because the subject parcel is 40 acres in size and thus conforms to the minimum parcel size requirement for the Rural Residential land use designation. The single-family development that would result from this Certificate of Compliance is consistent with this land use designation.
- 2.2 The proposal, as conditioned, is consistent with the intent of *Policies 2.1.1.7, 5.2.3.5, 5.7.1.1 and 6.2.3.2* because the issues of adequate roadways, utilities, and other public service infrastructure available and wildfire hazards have been addressed as adequately as possible at the current time.
- 2.3 The proposal, as conditioned, is consistent with the intent of *Policy 7.4.2.9 and 7.4.4.4* because significant disturbance not typical of single-family residential uses would not be expected, and it has been determined that there is sufficient area for construction without exceeding the maximum percentage of oak tree canopy removal and any new development proposal will be further analyzed during the building permit stage. The imposition of and compliance to *Policy 7.4.4.4* will create a less than significant affect.

- 2.4 The proposal, as conditioned, is consistent with the intent of *Policy 8.1.3.2* because any future development permit proposal determined to be incompatible with agriculture will have a 200-foot setback imposed on it unless relieved through the administrative relief process.



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

**ENVIRONMENTAL CHECKLIST FORM
AND DISCUSSION OF IMPACTS**

Project Title: COC 06-0062 Grimes

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

Contact Person: Tom Dougherty, Associate Planner

Phone Number: (530) 621-5355

Property Owner/ Applicant's Name and Address: Warren and Charlene Grimes, 1515 Elles Lake Drive, #23, Marysville, CA 95901

Project Location: On the north and south side of Penobscot Road, approximately 2.2 miles south of the intersection with State Route 193, in the Cool area.

Assessor's Parcel Number: 074-280-15

Zoning: Residential Agricultural Forty-Acre (RA-40)

Section: 22 & 27 **T:** 12N **R:** 90E

General Plan Designation: Rural Residential (RR) and Important Biological Corridor (IBC)

Description of Project: Certificate of Compliance for Assessor's Parcel Number 074-280-15, created by Grant Deed on April 8, 1981 and transferred to Warren and Charlene Grimes on September 24, 1985.

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:	RA-40	RR/IBC	Single-family Residential
North:	AE	AL/IBC	Single-family Residence
East:	AE	RR/IBC	Single-family Residence
South:	RA-40	RR/IBC	Single-family Residence
West:	RA-40	RR/IBC	Single-family Residence

Briefly Describe the environmental setting: The site is located on a 40-acre parcel that varies from 1,520 to 1,600-foot elevation above sea level. The scattered vegetation includes predominantly interior live oaks (*Quercus wislizenii*) and blue oaks (*Quercus douglasii*), gray pine (*Pinus sabiniana*) and California buckeye (*Aesculus californica*). The scattered shrubs include the non-native scotch broom (*Cytisus scoparius*), and the natives including white-leaf manzanita (*Arctostaphylos viscida*), coffeeberry (*Rhamnus californica*), poison oak (*Toxicodendron diversilobum*) and toyon (*Heteromeles arbutifolia*). There are noticeable slivers of serpentine rock/Gabbro soil areas cutting through the parcel evidenced by the rock outcroppings and small isolated areas where only gray pines and shrubs are growing.

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

El Dorado County Fire Protection District and El Dorado County Department of Transportation

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: November 28, 2006

Printed Name: Tom Dougherty, Associate Planner For: El Dorado County

Signature: _____ Date: November 28, 2006

Printed Name: Peter Maurer, Principal Planner 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, then 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
--------------------------------	---	------------------------------	-----------

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) No identified public scenic vistas or designated scenic highway will be substantially affected by this project. The subject parcel is not located adjacent to any designated scenic highways or scenic vistas.
- b) The proposed project will have no impact on existing scenic resources including, but not limited to, trees, rock outcroppings, and historic resources within a corridor defined as a State scenic highway adjacent to the project site.
- c) The proposed project will not degrade the visual character or quality of the site and its surroundings. The surrounding area has been developed with mainly single family residences. The project will not introduce residential development that is out of character with the surrounding existing development.
- d) Some limited light and glare may result from the addition of residential structures on the parcel in the future. These increases are expected to be typical for Residential Agricultural Forty-Acre (RA-40) zone district and are not expected to have a significant effect or adversely affect day or nighttime views adjacent to the project site.

FINDING: It has been determined that there will be no impacts to aesthetic or visual resources. Identified thresholds of significance for the “Aesthetics” category have not been exceeded and no significant adverse environmental effects will result from the project.

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			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

II. AGRICULTURE RESOURCES. <i>Would the project:</i>			
or nature, could result in conversion of Farmland, to non-agricultural use?			

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 site is located within an area of Locally Important Farmland as shown on the Important Farmland Maps prepared by the California Resources Agency using the USDA-NRCS Soil Surveys. It is currently zoned Residential Agricultural Forty-Acre (RA-40). However, no existing agricultural land will be converted to non-agricultural use as a result of the proposed project. Any future development of uses determined to be “non-compatible” with agriculture will be required to be setback 200 feet from the parcel boundaries on all four sides of the subject parcel would be applied at the time of any future development permit.

FINDING: It has been determined that the project will not result in any new impacts to agricultural lands, or properties subject to a Williamson Act Contract. The surrounding area is developed with a mix of residential and agricultural uses. For this “Agriculture” category, the identified thresholds of significance have not been exceeded and no significant adverse environmental effects will result from the project.

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 non-attainment 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);

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

- 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, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.

a) El Dorado County adopted the *Rules and Regulations of the El Dorado County Air Pollution Control District* (February 15, 2000) establishing rules and standards for the reduction of stationary source air pollutants (ROG / VOC, NO_x, and O₃). The proposed project will not conflict with or obstruct the implementation of this plan.

b&c) The El Dorado County Air Quality Management District’s *Guide to Air Quality Assessment* establishes a threshold of 48 dwelling units with fireplaces or woodstoves, which would result in potentially significant ROG and Nox emissions. Vehicular emissions are based upon a trip rate of 9.53 vehicle trips per day per residence. The request for a Certificate of Compliance will result in recognizing an existing parcel as legal which would not result in a significant increase in ROG or Nox. Additionally, the maximum total daily vehicle trips generated would be 9.53 trips per day. Using the thresholds in the *Guide to Air Quality Assessment*, this has been determined to be less than significant.

The parcel is in an area requiring asbestos review during any future development permit. If the future project construction will involve grading and excavation operations which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust, then District Rules 223, 223.1 and 223.2, which address the regulations and mitigation measures for fugitive dust emissions and asbestos emission, shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust and asbestos shall comply with the requirements of Rule 223, 223.1 and 223.2, whichever rule is appropriate. In addition, the appropriate Fugitive dust Plan (FDP) Application or Asbestos Dust Mitigation Plan (ADMP) Application shall be submitted to and approved by the District prior to the start of project construction.

- d) Sensitive receptors include such groups as young children and 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.” It has been determined that the proposed site and use will not substantially impact any sensitive receptors in the area.
- e) Single-family Residential Agricultural Forty-Acre (RA-40) Zone District does not permit activities that could generate objectionable odors. Those activities, which might result in objectionable odors, dust, or smoke, require the review and approval of a special use permit. This subsequent discretionary permit would require further environmental review addressing the potential impacts resulting from the proposed activity.

FINDING: It was determined that a less than significant impact will result from the project because it will not: obstruct implementation of the El Dorado County California Clean Air Act Plan; violate any air quality standard; result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable Federal or State ambient air quality standard; expose sensitive receptors to substantial pollutant concentrations; or create objectionable odors affecting a substantial number of people.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

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
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) Potential development of the 40-acre with typical dwellings associated with single-family residency will not in and of itself 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, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Staff's review of the California Natural Diversity Database did not reveal the presence of any species of concern within the project vicinity.

b&c) The United States Department of the Interior National Wetlands Inventory Map for the project area (Coloma, CA Quadrangle, 1995) was reviewed to determine if any identified wetland or riparian habitat areas exist on or adjacent to the project site. This review indicates that there are no mapped wetlands or riparian habitat areas on or adjacent to the project.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

- d) Review of Planning Services GIS *Deer Ranges Map* (January 2002) indicates that the Yollobolly deer migration corridor exists on the project site. The existing parcel recognized by this project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with any established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, any more then it currently does. Future development opportunities guided by those allowed in the RA-40 zone district will only permit uses currently typical in the surrounding parcels.
- e) The subject parcels are located in the blue oak woodland habitat type, (El Dorado County General Plan EIR, Biological Resources, May 2003), and on this parcel the multi-trunked interior live oaks (*Quercus wislizenii*) dominate the site. The parcel is located in a General Plan designated Important Biological Corridor area. The intent of this overlay has been interpreted to attempt to keep corridors for wildlife intact as best as possible although there is no clear, current direction that has been determined on how exactly how to do that. The typical parcel in the vicinity has four-foot tall field fencing with 6-inch openings and with two strands of barbed wire atop which deer can jump over and smaller mammals can squeeze through. The horse fencing type of field fence will impede smaller mammals but deer can still jump over the top of the said height of fence.

The scattered vegetation includes predominantly interior live oaks (*Quercus wislizenii*) and blue oaks (*Quercus douglasii*), gray pine (*Pinus sabiniana*) and California buckeye (*Aesculus californica*). The scattered shrubs include the non-native scotch broom (*Cytisus scoparius*), and the natives including white-leaf manzanita (*Arctostaphylos viscida*), coffeeberry (*Rhamnus californica*), poison oak (*Toxicodendron diversilobum*) and toyon (*Heteromeles arbutifolia*). There are noticeable slivers of serpentine rock/Gabbro soil areas cutting through the parcel evidenced by the rock outcroppings and small isolated areas where only gray pines and shrubs are growing. Staff can only assert that limited tree removal would result from the development of a single-family residence on the parcel on the assumption that development would be typical as that in similar scenarios however; tree canopy removal will further be addressed during the review of any future development application.

- f) The project site is not located in an area identified as critical habitat for the Red-legged Frog (*Rana aurora draytonii*), or for the Gabbro soil rare plants which are subject to the draft Recovery / Habitat Conservation Plans proposed by the U.S. Fish and Wildlife Service.

FINDING: It has been determined that all potential biological resource impacts as a result of the proposed project are less than significant. Therefore, the established thresholds for significance in the “Biological Resources” category will not be exceeded.

V. CULTURAL RESOURCES. Would the project:				
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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

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)The applicant supplied an archeological survey, (“Cultural Resources Study of Assessor’s Parcel Number 074-280-15,” Historic Resources Associates, October 2006), which indicated that through archival research and a site survey, it was determined that no cultural resource sites have been identified within the subject property and no archaeological remains were noted on the subject property.

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. The Department of Transportations Grading Ordinance states that, in the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place and determine its significance.

d) During any future grading requiring a permit and in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the Department of Transportations Grading Ordinance requires that all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code.

FINDING: Although the project has the potential to create significant impacts to sub-surface cultural or historic resources, or disturb human remains located outside of a designated cemetery, the incorporation of policies required by the Department of Transportation will reduce the impacts to a less than significant level. Established thresholds of significance will not be exceeded within the “Cultural Resources” category.

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	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

VI. GEOLOGY AND SOILS. <i>Would the project:</i>			
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.
- a) As shown in the Division of Mines and Geology’s publication Fault Rupture Hazard Zones in California, there are no Alquist-Priolo Special Studies Zones mapped in El Dorado County. The impacts from fault ruptures, seismically induced ground shaking, or seismic ground failure or liquefaction are considered to be less than significant. Any potential impact caused by locating structures in the project area will be offset by the compliance with the Uniform Building Code earthquake standards. The project is not located in an area with significantly abrupt topographic variation in slope and amongst any large cuts in the landscape. Any future grading permit would require erosion control measures. Therefore, the potential for mudslides or landslides is less than significant.
 - b) All grading activities shall comply with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which will reduce any potential impacts to a less than significant level.
 - c) The soils on the project site are classified as Auburn very rocky silt loam typically having 2 to 30 percent slopes (AxD), and Serpentine rock land (SaF) typically having undulating to very steep slopes with rock out outcrops and stones making up fro 50 to 90 percent of the surface, and there is a thin layer of soil, (*Soil Survey of El Dorado Area, California, April, 1974*). At lower elevations it is associated with Delpiedra soils. This type of soil is characterized as having rapid surface runoff and the erosion hazard is slight to moderate. All grading must be in compliance with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which will reduce any potentially

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

significant impact to a less than significant level. If the project construction will involve grading and excavation operations which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust, then District Rules 223, 223.1 and 223.2, which address the regulations and mitigation measures for fugitive dust emissions and asbestos emission, shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust and asbestos shall comply with the requirements of Rule 223, 223.1 and 223.2, whichever rule is appropriate. In addition, the appropriate Fugitive dust Plan (FDP) Application or Asbestos Dust Mitigation Plan (ADMP) Application shall be submitted to and approved by the District prior to the start of project construction.

- d) The Natural Resources Conservation Service (NRCS) has mapped soils on the site as Auburn very rocky silt loam (AxD) and Serpentine rock land (SaF), (*Soil Survey of El Dorado Area, California, 1974*). Review of the *Soil Survey of El Dorado Area* indicates that the mapped soil types for the proposed project area in the AxD areas have a low shrink-well potential. The SaF areas have properties that are too variable to be estimated and would be analyzed during any future development permit. Based upon this review, the impact from expansive soils is less than significant.
- e) Prior to the approval of a building permit, the property owner will be required to comply with all Environmental Management Department requirements for an on-site septic disposal system. Any impacts from the installation of the proposed septic system for the 40-acre project parcel have been determined to be less than significant.

FINDING: No significant impacts will result from geological or seismological anomalies on the project site. The site does not contain expansive soils or other characteristics that will result in significant impacts. For the “Geology and Soils” category, established thresholds will not be exceeded by development of the project and no significant adverse environmental effects will result from the project.

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 <i>Government Code Section 65962.5</i> and, as a result, would it create a significant hazard to the public or the environment?			X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X
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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>			
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) Any hazardous materials utilized at the project site shall comply with the *El Dorado County Hazardous Waste Management Plan*.
 - b) No significant amounts of hazardous materials will be utilized for the project. The project will not result in any reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
 - c) As proposed, the project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
 - d) The project site is not identified on any list compiled pursuant to California Government Code 65962.5 identifying any hazardous material sites in the project vicinity. As such, there will be a less than significant impact from hazardous material sites.
 - e) *The San Francisco Sectional Aeronautical Chart*, last updated September 1, 2005 was reviewed and the project site is not located within two miles of a public airport. As such, the project is not subject to any land use limitations contained within any adopted Comprehensive Land Use Plan. There are less than significant impacts to the project site resulting from public airport operations and the over-flight of aircraft in the vicinity of the project.
 - f) *The San Francisco Sectional Aeronautical Chart*, last updated September 1, 2005, was reviewed and the project site is not located within two miles of a privately owned airstrip. As such, there is no significant safety hazard resulting from private airport operations and aircraft overflights in the vicinity of the project site.
 - g) The proposed project will not physically interfere with the implementation of the County adopted emergency response and/or evacuation plan for the County.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

- h) Recognizing an existing parcel as being compliant with the Subdivision Map Act and local ordinance, will not expose people to a significant risk of loss, injury or death involving wildland fires or wildland fires adjacent to or located in an urbanized area in any way that it does not currently do so. Future development will be required to install sprinklers within any future structure that are connected to a 3000-gallon water tank.

FINDING: The proposed recognition of the legality of this parcel will not expose people and property to hazards associated with the use, storage, transport and disposal of hazardous materials, and expose people and property to risks associated with wildland fires. For this “Hazards and Hazardous Materials” category, the thresholds of significance will not be exceeded by the proposal.

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 dam?			X
j. Inundation by seiche, tsunami, or mudflow?			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

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) Permit applicants are required to prepare and retain on the construction site, a Stormwater Pollution Prevention Plan that describes the site, erosion and sediment controls, means of waste control, implementation of local plans required by the Resource Conservation District, control of post-construction sediment and erosion control, and non-stormwater management controls. Compliance with the Erosion Control Plan will limit water runoff and discharge that would violate water quality standards or discharge requirements established by the Regional Water Quality Control Board
- b) 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) There is no evidence that the grading and ground disturbances that could be associated with future uses this COC will allow will substantially alter the existing drainage patterns on or off the site because none is proposed as a part of this application. The *Grading Erosion and Sediment Control Ordinance* contains specific requirements that limit the impacts to a drainage system (Section 15.14.440 & Section 15.14.590). The standards will apply to this project for any future development of the subject parcel.
- d & e) In this case, the residential development that the approval of this COC will potentially allow will require a grading permit grading. An erosion control plan will be required by any future development permit that requires the reduction of erosion and sediment discharge off the site to a less than significant level.
- f) The project will not directly result in substantial degradation of water quality in either surface or sub-surface water bodies in the vicinity of the project area. All stormwater and sediment control methods contained in the *Grading, Erosion and Sediment Control Ordinance* must be met during all construction activities, as well as the required development of any permanent storm drainage facilities and erosion control measures on the project site.
- g & h) The Flood Insurance Rate Maps (Panels 060040 0200 B, and 060040 0450 B, October 18, 1983) for the project area establishes that the project site is not located within a mapped 100-year floodplain.
- i) The subject property is not located near a dam nor located adjacent to or downstream from a dam or levee that has the potential to fail and inundate the project site with floodwaters.
- j) The potential for a seiche or tsunami is considered less than significant. Potential for a mudflow is also considered to be less than significant.

FINDING: As discussed above, any future development allowed by the approval of this COC will be required to submit a residential grading permit for review and approval by the Department of Transportation and or Building Services. The residential grading permit is required to include provisions addressing erosion and sediment control. An approved residential

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

grading permit will reduce on-site stormwater runoff water quality to a level of insignificance. No other additional significant hydrological impacts will result from development of the project. For the “Hydrology and Water Quality” section, it has been determined the project will not exceed the identified thresholds of significance and therefore no significant adverse environmental effects will result from the project.

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 project will not result in the physical division of an established community since it exists as proposed and is typical in size and use to that of surrounding parcels.
- b) The proposed project is consistent with the specific, fundamental, and mandatory land use development goals, objectives, and policies of the 2004 General Plan and is consistent with the development standards contained within the El Dorado County Zoning Ordinance.
- c) The project site is not located in an area identified as critical habitat for the Red-legged Frog (*Rana aurora draytonii*), or for the Gabbro soil rare plants which are subject to draft Recovery / Habitat Conservation Plans proposed by the U.S. Fish and Wildlife Service.

FINDING: For the “Land Use Planning” section, the project will not exceed the identified thresholds of significance.

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			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

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

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) The project site is not mapped as being within a Mineral Resource Zone (MRZ) by the State of California Division of Mines and Geology or in the El Dorado County General Plan.
- b) The Western portion of El Dorado County is divided into four, 15 minute quadrangles (Folsom, Placerville, Georgetown, and Auburn) mapped by the State of California Division of Mines and Geology showing the location of Mineral and Resource Zones (MRZ). Those areas which are designated MRZ-2a contain discovered mineral deposits that have been measured or indicate reserves calculated. Land in this category is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that the subject property does not contain any mineral resources of known local or statewide economic value.

FINDING: No impacts to any known mineral resources will occur as a result of the project. Therefore, no mitigation is required. In the “Mineral Resources” section, the project will not exceed the identified thresholds of significance.

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 above levels existing without the project?			X
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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

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)The project will not result in a substantial increase in existing ambient noise levels in the project vicinity. The project will not generate noise levels exceeding the performance standards contained in Table 6-1 and Table 6-2 within the General Plan.

The project is not located in an area exposed to existing noise levels exceeding the performance standards contained in Table 6-1 and Table 6-2 within the General Plan. As such, an acoustical analysis was not provided as part of the project application submittal. The project will not generate noise levels exceeding the performance standards contained in Table 6-1 and Table 6-2 of the General Plan.

b & d)Persons adjacent to the project vicinity will not be subjected to long-term excessive ground borne noise or ground borne vibration as a result of project operation. This conclusion is based upon the use of the property as residential. By nature of the use, minimal noise is expected. However, persons adjacent to the project vicinity may be subjected to short-term ground borne noise and vibration as a result of grading and excavation during potential future development of the parcel that will not exceed the thresholds of significance

e) The proposed project is not located adjacent to or in the vicinity of a public airport and is not subject to any noise standards contained within a Comprehensive Land Use Plan. As such, the project will not be subjected to excessive noise from a public airport.

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 to excessive noise from a private airport.

FINDING: As mentioned above, residential use as well as potential project related short-term construction and related noise will not exceed the thresholds of significance within the vicinity of the project area. For the “Noise” category, the thresholds of significance have not been exceeded and no significant adverse environmental effects will occur from the proposed development.

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

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 has been determined to have no growth-inducing impact as the project does not include any proposal to extend, or expand infrastructure or roads, and does not include any school or large scale employment opportunities that lead to indirect growth. No residential development is proposed as part of the project.
- b) No substantial numbers of existing housing stock will be displaced by the proposed project.
- c) No substantial numbers of people will be displaced necessitating the construction of replacement housing elsewhere.

Finding: The project will not displace housing. There is no potential for a significant impact due to substantial growth with the recognition of the legality of this parcel either directly or indirectly. For this “Population and Housing” category, the thresholds of significance have not been exceeded.

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	
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.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

- a) **Fire Protection:** The El Dorado County Fire Protection District currently provides fire protection services to the project area. Development of the project would result in a minor increase in the demand for fire protection services, but would not prevent the Fire District from meeting its response times for the project or its designated service area in any different time frame than currently exists. The El Dorado County Fire Protection District will review building permit plans to determine compliance with their fire standards including, but not limited to: location of fire hydrants, accessibility around buildings, turning radii within parking lots, fire sprinklers within buildings, building identification and construction phasing. Fire Department fees are collected prior to building permit issuance.
- b) **Police Protection:** The project site will be served by the El Dorado County Sheriff’s Department with a response time depending on the location of the nearest patrol vehicle. The minimum Sheriff’s Department service standard is an 8-minute response to 80% of the population within Community Regions. No specific minimum level of service or response time was established for Rural Centers and Rural Regions. The Sheriff’s Department stated goal is to achieve a ratio of one sworn officer per 1,000 residents. The development of a single-family residence will not significantly impact the achievement of this goal, or significantly impact the current response times to the project area.
- c) **Schools:** The project site is located within the Black Oak Mine Unified School District. Impact to the affected school district from the proposed residential development will be less than significant. School district fees are collected prior to building permit issuance.
- d) **Parks:** The proposed project will not substantially increase the local population necessitating the development of new park facilities. Section 16.12.090 of County Code establishes the method to calculate the required amount of land for dedication for parkland, or the in-lieu fee amount for residential projects. Provisions to provide parkland were not included as part of the project design in accordance with Section 16.12.090 of County Code. The conditions that can be applied to this project are those applicable in 1985. Therefore, the current park ordinance is not applicable as it was not effective in 1987.
- e) No other public facilities or services will be substantially impacted by the project.

FINDING: Adequate public services are available to serve the project. Therefore, there is no potential for a significant impact due to the development of the subject parcel either directly or indirectly. No significant public service impacts are expected. For this “Public Services” category, the thresholds of significance have not been exceeded.

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

- Substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur.
- a) The proposed project will not substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur.
- b) The project proposal does not include the provision of on-site recreation facilities, nor does it require the construction of new facilities or expansion of existing recreation facilities.

FINDING: No impacts to recreation or open space will result from the project. For this “Recreation” section, the thresholds of significance have not been exceeded.

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) Access to the subject parcels is from an encroachment onto State Route 193 from Penobscot Road. The approval of the Certificate of Compliance will allow the construction of a single family residence in an area that currently is primarily

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

residential and agricultural in use and will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system.

- b) The issuance of a Certificate of Compliance to the subject parcels and the subsequent potential development of a single-family residence will not significantly impact the existing level of service State Route 193 and Penobscot Road.
- c) The project will not result in a major change in established air traffic patterns for publicly or privately operated airports or landing field in the project vicinity.
- d) The proposed project does not include any design features, such as sharp curves or dangerous intersections, or incompatible uses that will substantially increase hazards. No traffic hazards will result from the project design.
- e) The project will not directly result in making a more inadequate emergency access to the parcel than exists today for similar parcels that use Penobscot Road. El Dorado County Fire Protection District has recognized the current access situation on Penobscot Road that has existed for many years as it is. They will require sprinklers to be installed in any future dwelling at least and to have a back-up emergency water storage tank. There is not a current viable option available to connect a second road connection out because of the terrain and the amount of private parcel owners not involved in discretionary applications or with no plan to be in the future. The cost of such an endeavor would be prohibitive for a one-parcel COC applicant to incur.
- f) Section 17.18.060 of the Zoning Ordinance lists the parking requirements by use. A single-family residence requires two on-site parking spaces not in tandem. Parking will be reviewed at the time of building permit plan check.
- g) The proposed project does not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation.

FINDING: For the “Transportation/Traffic” category, the identified thresholds of significance have not been exceeded and no significant adverse environmental effects will result from the project.

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	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>			
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:

- 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) No significant wastewater discharge or surface run-off will result from the development of a potential single-family residence on the parcel.
- b) No new water or wastewater treatment plants are proposed or are required because of the project.
- c) On-site stormwater drainage facilities are required on-site so as to reduce runoff to discharge levels that do not exceed site discharge levels, which existed prior to development of the site. All such drainage facilities shall be built in conformance with the standards contained in the *County of El Dorado Drainage Manual*.
- d) Georgetown Divide Public Utility District does not currently have facilities that reach the subject parcel. The Environmental Health Division researched permitted wells in the vicinity of the subject parcel and determined there is a strong indicator that it seems likely a well could be drilled that would produce adequately enough to support the typical uses of a single-family dwelling.
- e) Septic disposal for the parcel will be provided by an on-site septic disposal system and will need to be analyzed by the Environmental Health Division for any future single family dwelling. A percolation test will be provided that shows adequate percolation and potential area for an adequate septic system and will be analyzed prior to issuance of a building permit.
- f) In December of 1996, direct public disposal into the Union Mine Disposal Site was discontinued and the Material Recovery Facility / Transfer Station was opened. Only certain inert waste materials (e.g., concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site. All other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. In 1997, El Dorado County signed a 30-year contract with the Lockwood Landfill Facility for continued waste disposal services. The Lockwood Landfill has a remaining capacity of 43 million tons over the 655-acre site. Approximately six million tons of waste was deposited between 1979 and

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

1993. This equates to approximately 46,000 tons of waste per year for this period. This facility has more than sufficient capacity to serve the County for the next 30 years.

- f) County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. For residential development, curbside trash and pick-up of recyclable materials is provided by a local provider contracting to the property owner for the service.

FINDING: No significant impacts will result to utility and service systems from development of the project. For the "Utilities and Service Systems" section, the thresholds of significance have not been exceeded and no significant environmental effects will result from the project.

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 human beings, either directly or indirectly?			X

Discussion:

- a) There is no substantial evidence contained in the whole record that the project will have the potential to degrade the quality of the environment. The project does not have the potential to 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 California history or pre-history. Any impacts from the project will be less than significant due to existing standards and requirements imposed in the conditioning of the project.
- b) Cumulative impacts are defined in Section 15355 of the California Environmental Quality Act (CEQA) Guidelines as "two or more individual effects, which when considered together, are considerable or which compound or increase other environmental impacts." Based on the analysis in this Initial Study, it has been determined that the project will not result in cumulative impacts.
- c) Based upon the discussion contained in this document, it has been determined that the project will not have any environmental effects which cause 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 1 of 3 – EIR Text, Chapter 1 through Section 5.6
Volume 2 of 3 – EIR Text, Section 5.7 through Chapter 9
Appendix A
Volume 3 of 3 – Technical Appendices B through 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.)

“Cultural Resources Study of Assessor’s Parcel Number 074-280-15,” Historic Resources Associates, October 2006