

# Memorandum

**To:** CHAIR AND COMMISSIONERS

**CTC Meeting:** June 27-28, 2024

**From:** TANISHA TAYLOR, Executive Director

**Reference Number:** 2.2c.(9), Action

**Prepared By:** Cherry Zamora  
Associate Deputy Director

**Published Date:** June 14, 2024

**Subject:** Approval of Project for Future Funding Consideration – Final Environmental Impact Report and Final Supplemental Environmental Impact Report for the Diamond Springs Parkway Phase 1B Project, Resolution #E-24-65

**Recommendation:**

Staff recommends the California Transportation Commission (Commission), as a Responsible Agency under the California Environmental Quality Act (CEQA), approve the attached Resolution E-24-65 (Attachment A), which accepts the Final Environmental Impact Report and Final Supplemental Environmental Impact Report for the Diamond Springs Parkway Phase 1B Project (Project) in El Dorado County; makes CEQA Findings (Attachment C); and approves the Project for future funding consideration.

**Issue:**

El Dorado County is the CEQA Lead Agency for the Project. The Project is located between Missouri Flat Road and State Route 49 in Diamond Springs in El Dorado County. The Project would construct a 3,300 linear foot, 4-lane arterial roadway between Missouri Flat Road and State Route 49; widen and realign approximately 1,875 feet of Missouri Flat Road; realign approximately 500 feet of Bradley Drive; and realign Old Depot Road. The Project would also construct three signalized intersections; drainage improvements; curb, gutter, and sidewalk; and a paved parking area.

For all projects that are anticipated to be funded through a program under the purview of the Commission, full compliance with the California Environmental Quality Act is required. The Commission will not allocate funds to projects for design, right-of-way, or construction until the environmental document is complete, and the Commission has approved the environmentally cleared project for future funding consideration.

**Background:**

On May 24, 2011, El Dorado County certified the Final Environmental Impact Report for the Project. On May 3, 2016, El Dorado County certified a Final Supplemental Environmental Impact Report for the Project to address modifications to the vertical profile of the eastern portion of Diamond Springs Parkway. El Dorado County found that the Project would not have a significant impact on the environment with implementation of mitigation measures.

Impacts that require mitigation measures to be reduced to less than significant levels relate to air quality; biological resources; cultural resources; geology and soils; hazards and hazardous materials; and noise. Mitigation measures include compliance with El Dorado County Air Pollution Control District Rule 223 regarding fugitive dust, Rule 224 regarding asphalt paving materials, and Rule 215 regarding architectural coatings; use of low-emission, properly operating construction equipment; implementing techniques such as reducing the number of construction equipment used simultaneously, increasing distance between emission sources, and scheduling construction during off-peak hours; use of light emitting diodes or the most energy-efficient technology available; implement a County-approved Solid Waste Diversion and Recycling Plan; California red-legged frog surveys; nesting bird and bat surveys; avoidance of riparian habitat to the maximum extent feasible and obtaining a Section 1602 Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife; habitat restoration, rehabilitation, or replacement of jurisdictional Waters of the United States, including wetlands; implementation of Best Management Practices to protect water quality; compliance with the El Dorado County's Oak Woodland Management Plan; if cultural resources are encountered during subsurface earthwork activities, stopping construction activities within a 100-foot radius of the find and evaluation of the resource by a qualified archaeologist; inadvertent discovery measures for paleontological resources; stopping work if human remains are encountered during earth-disturbing activities and, if the remains are Native American in origin, notifying the Native American Heritage Commission and designated Most Likely Descendant; incorporation of soil stabilization procedures as recommended in the final geotechnical report; implementation of a work plan for remedial actions associated with oil-impacted soil; conducting soil vapor surveys or groundwater testing; lead abatement or special construction worker health and safety procedures during demolition; lead-based paint surveys and proper disposal in accordance with Department of Toxic Substances Control laws and regulations; preliminary site investigation of aerially deposited lead; asbestos surveys; construction monitoring and soil sampling for hazardous materials; preconstruction sampling for agricultural chemicals and hydrocarbons; coordination with the El Dorado County Fire District regarding propane tanks and proximity vehicle traffic; installation of noise-reducing pavement; and compliance with local regulations regarding noise suppression and attenuation, such as timing of construction and placement of equipment.

On May 30, 2024, El Dorado County confirmed that the Final Environmental Impact Report and Final Supplemental Environmental Impact Report remain valid; there are no new impacts requiring mitigation; and the Project analyzed in the Final Environmental Impact Report and Final Supplemental Environmental Impact Report for the Project are consistent with the Project scope of work programmed by the Commission.

The Project is estimated to cost \$36,461,000 and is funded through construction through Local Partnership Program (\$5,320,000), State Highway Operation and Protection Program (\$1,000,000) and local (\$30,141,000) funds.

Construction is estimated to begin in fiscal year 2024-25.

Attachments:

- Attachment A: Resolution E-24-65
- Attachment B: El Dorado County - Findings of Fact from 2016 and 2011
- Attachment C: California Transportation Commission – Findings of Fact
- Attachment D: Notice of Determination
- Attachment E: Project Location Map

**CALIFORNIA TRANSPORTATION COMMISSION**  
**Resolution for Future Funding Consideration**

**3 – El Dorado County**  
**Resolution E-24-65**

- 1.1 WHEREAS, El Dorado County has completed and certified a Final Environmental Impact Report and Final Supplemental Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) for the Diamond Springs Parkway Phase 1B Project (Project), in El Dorado County; and
- 1.2 WHEREAS, the Project is located between Missouri Flat Road and State Route 49 in Diamond Springs in El Dorado County; and
- 1.3 WHEREAS, the Project would construct a 3,300 linear foot, 4-lane arterial roadway between Missouri Flat Road and State Route 49; widen and realign approximately 1,875 feet of Missouri Flat Road; realign approximately 500 feet of Bradley Drive; and realign Old Depot Road. The Project would also construct three signalized intersections; drainage improvements; curb, gutter, and sidewalk; and a paved parking area; and
- 1.4 WHEREAS, on May 24, 2011, El Dorado County certified the Final Environmental Impact Report for the Project. On May 3, 2016, El Dorado County certified a Final Supplemental Environmental Impact Report for the Project to address modifications to the vertical profile of the eastern portion of Diamond Springs Parkway. El Dorado County found that the Project would not have a significant impact on the environment with implementation of mitigation measures; and
- 1.5 WHEREAS, impacts that require mitigation measures to be reduced to less than significant levels relate to air quality; biological resources; cultural resources; geology and soils; hazards and hazardous materials; and noise. Mitigation measures include compliance with El Dorado County Air Pollution Control District Rule 223 regarding fugitive dust, Rule 224 regarding asphalt paving materials, and Rule 215 regarding architectural coatings; use of low-emission, properly operating construction equipment; implementing techniques such as reducing the number of construction equipment used simultaneously, increasing distance between emission sources, and scheduling construction during off-peak hours; use of light emitting diodes or the most energy-efficient technology available; implement a County-approved Solid Waste Diversion and Recycling Plan; California red-legged frog surveys; nesting bird and bat surveys; avoidance of riparian habitat to the maximum extent feasible and obtaining a Section 1602 Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife; habitat restoration, rehabilitation, or replacement of jurisdictional Waters of the United States, including wetlands; implementation of Best Management Practices to protect water quality; compliance with the El Dorado County's Oak Woodland Management Plan; if cultural resources are encountered during subsurface earthwork activities, stopping construction

activities within a 100-foot radius of the find and evaluation of the resource by a qualified archaeologist; inadvertent discovery measures for paleontological resources; stopping work if human remains are encountered during earth-disturbing activities and, if the remains are Native American in origin, notifying the Native American Heritage Commission and designated Most Likely Descendant; incorporation of soil stabilization procedures as recommended in the final geotechnical report; implementation of a work plan for remedial actions associated with oil-impacted soil; conducting soil vapor surveys or groundwater testing; lead abatement or special construction worker health and safety procedures during demolition; lead-based paint surveys and proper disposal in accordance with Department of Toxic Substances Control laws and regulations; preliminary site investigation of aerially deposited lead; asbestos surveys; construction monitoring and soil sampling for hazardous materials; preconstruction sampling for agricultural chemicals and hydrocarbons; coordination with the El Dorado County Fire District regarding propane tanks and proximity vehicle traffic; installation of noise-reducing pavement; and compliance with local regulations regarding noise suppression and attenuation, such as timing of construction and placement of equipment; and

- 1.6 WHEREAS, on May 30, 2024, El Dorado County confirmed that the Final Environmental Impact Report and Final Supplemental Environmental Impact Report remain valid; there are no new impacts requiring mitigation; and the Project analyzed in the Final Environmental Impact Report and Final Supplemental Environmental Impact Report for the Project are consistent with the Project scope of work programmed by the Commission; and
- 1.7 WHEREAS, the Commission, as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report and Final Supplemental Environmental Impact Report; and
- 1.8 WHEREAS, the Commission has made findings as required by California Code of Regulations, title 14, section 15096, subdivision (h); and
- 2.1 NOW, THEREFORE, BE IT RESOLVED that the Commission does hereby accept the Final Environmental Impact Report and Final Supplemental Environmental Impact Report and approves the above-referenced Project for future funding consideration.

**FINDINGS OF FACT REGARDING THE  
FINAL SUPPLEMENT TO THE  
DIAMOND SPRINGS PARKWAY PROJECT  
2011 ENVIRONMENTAL IMPACT REPORT  
FOR  
PHASE 1B DESIGN MODIFICATION  
(SCH NO. 2007122033)**

**1.0 INTRODUCTION**

El Dorado County, as lead agency, in cooperation with El Dorado Irrigation District (“EID”), prepared an Environmental Impact Report (“EIR”) for the Diamond Springs Parkway Project (“project” or “proposed project”). The EIR (State Clearinghouse No. 2007122033) consists of the June 2010 Draft EIR, July 2010 Traffic Information Reissuance, and the April 2011 Final EIR (collectively referenced herein as the “2011 EIR”). El Dorado County certified the 2011 EIR pursuant to Section 15090 of the CEQA Guidelines and approved the project on May 24, 2011. El Dorado County has prepared a Supplement to the Diamond Springs Parkway Project 2011 Environmental Impact Report for Phase 1B Design Modification (“2016 SEIR”). The SEIR consists of the January 2016 Draft SEIR and the March 2016 Final SEIR and evaluates the potential environmental effects associated with proposed modifications to the design of certain aspects of the approved project.

Prior to approving a project for which an EIR has been certified, and for which the EIR identifies one or more significant environmental impacts, the approving agency must make one or more of three findings for each identified significant impact accompanied by a brief explanation of the rationale, pursuant to Section 15091 of the CEQA Guidelines. El Dorado County made such findings prior to the 2011 project approval as documented in “Findings of Fact Regarding the Environmental Impact Report for the Diamond Springs Parkway Project” (“2011 Findings”), attached hereto as “Attachment A”. The 2011 EIR identified significant effects on the environment that may occur as a result of the project and provided mitigation measures to reduce those impacts to a less than significant level. The 2011 EIR and 2011 Findings determined that with implementation of the mitigation measures adopted in the 2011 Diamond Springs Parkway Project Mitigation Monitoring and Reporting Plan (“MMRP”), included as an attachment to the 2011 Findings and also included in Attachment A of these Findings, the project would not result in any significant and unavoidable effects on the environment.

Pursuant to Section 15163(e) of the CEQA Guidelines, pertaining to a Supplement to an EIR, “[w]hen the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 15091 shall be made for each significant

effect shown in the previous EIR as revised.” In this instance, the 2016 SEIR concluded that the proposed Phase 1B Design Modification would not increase the severity of any impacts identified in the 2011 EIR.

El Dorado County has prepared these Findings of Fact Regarding the Final Supplement to the Diamond Springs Parkway Project 2011 Environmental Impact Report for Phase 1B Design Modification (“2016 Findings”) to document El Dorado County’s findings that the proposed Phase 1B Design Modification would not result in any new significant impacts and would not increase the severity of any previously identified significant impacts. In fact, the analysis in the 2016 SEIR concluded that the proposed Phase 1B Design Modification would reduce certain impacts as compared to the approved Project and as compared to the environmentally preferred alternative (Alternative C) identified in the 2011 EIR. These 2016 Findings summarize and supplement the 2011 Findings regarding the project as necessary to document El Dorado County’s CEQA findings associated with the proposed Phase 1B Design Modification. The Phase 1B Design Modification would not affect the EID Intertie Improvements associated with the project, and El Dorado County Findings made in 2011 associated those improvements remain unchanged.

### **1.1 Purpose and Objectives**

The purpose and objectives of the project have not changed from those identified in the 2011 EIR and 2011 Findings. The purpose of the project is to provide parallel capacity for SR-49 between Missouri Flat Road and Diamond Road (SR-49) and alternate access to US-50 via Missouri Flat Road to relieve traffic congestion and provide an acceptable level of service through the historic town of Diamond Springs to meet General Plan Policy TC-1. During design of the Phase 1B portion of the Project, the El Dorado County Community Development Agency, Transportation Division (“Transportation”) determined that modifications to the vertical profile of the eastern portion of Diamond Springs Parkway would provide benefits of reduced rights-of-way acquisition, reduced fill material and reduced footprint of fill material, and reduced construction costs, while still achieving the purpose and objectives of the project as defined in the 2011 EIR. See Section 1.1, Purpose and Objectives, of the 2011 Findings (Attachment A) for a listing of the specific project objectives.

### **1.2 Background**

Section 1.2, Background, of the 2011 Findings (Attachment A) provides a discussion of the 2011 EIR scoping, public comment period and meetings, traffic information reissuance, and responses to public comments. The Draft SEIR was circulated for public and agency review and comment for a 45-day period between January 11, 2016 and February 24, 2016. A public notice requesting comment on the Draft SEIR, was sent to the 497 individual property owners within an approximate mile radius of the Project and was posted in the Mountain Democrat on January 11, 2016. Copies of the Draft SEIR were

provided to state agencies for review through the State Clearinghouse (State Clearinghouse No. 2007122033) and were available for review at the County Library in Placerville, as well as at the public counter of the El Dorado County Division of Transportation. The document was also available on the Transportation website. Two comment letters were submitted during the Draft SEIR review period. The County has reviewed all comments and provided responses to the comments in Section 2 of the Final SEIR. No changes to the text of the Draft SEIR were required to address comments.

### **1.3 Project Description**

**1.3.1 Project Location.** The project is located within unincorporated El Dorado County, California, south of the Missouri Flat Road/U.S. Route 50 (“US-50”) Interchange, west of the City of Placerville, and north of the town of Diamond Springs. The principal roadways in the vicinity of the project include Missouri Flat Road, Pleasant Valley Road (State Route 49 [“SR-49”]), Diamond Road (SR-49), Lime Kiln Road, and China Garden Road. The proposed Phase 1B Design Modification does not change the location of the project.

**1.3.2 Approved Project.** Construction of the project as approved in 2011 is planned to be completed in two phases, Phase 1A and 1B as described in the Adopted 2015 Capital Improvement Program (“CIP”). Phase 1A will realign SR-49/Diamond Road from Pleasant Valley Road to north of Lime Kiln Road. Phase 1A also will realign SR-49/Diamond Road to the west to create frontage road for residences along the east. SR-49/Diamond Road will be improved with two 12-foot lanes and 8-foot shoulders. This phase also includes signal modification at Pleasant Valley Road/SR-49 intersection and potential underground utility district.

Phase 1B will construct a new four-lane arterial roadway with concrete curb, gutter and sidewalk from Missouri Flat Road east of Golden Center Drive to a new T-intersection with SR-49 south of Bradley Drive. The project also includes widening and improvements to SR-49/Diamond Road from the new roadway intersection to Pleasant Valley Road and signalization of multiple intersections. The project also includes a sidewalk on the east side of SR-49. Under the 2011 approved project design of Phase 1B, the elevation of the eastern portion of Diamond Springs Parkway would be as much as approximately 10 feet above the existing ground surface. The design requires substantial imported fill material, and the slopes required for the fill area would extend into the western end of the existing Bradley Drive near the Bradley Drive/Throwita Way intersection. As a result, the approved project would eliminate the Bradley Drive/Throwita Way intersection and require the construction of a new north-south connector road from Bradley Drive to Truck Street to maintain full vehicle access and circulation within the area.

**1.3.3 Phase 1B Design Modification.** The proposed Phase 1B Design Modification would lower the vertical profile of the Diamond Spring Parkway eastern segment as compared to the 2011 approved



design. The lower profile would more closely match existing terrain requiring less fill material resulting in a smaller construction disturbance footprint. The reduced fill would also allow for maintaining the Bradley Drive and Throwita Way connection (at an intersection that would be constructed slightly north of the existing Bradley Drive/Throwita Way intersection) and would avoid the need for a new north-south connection road.

#### **1.4 Required CEQA Findings**

Public Resources Code section 21002 requires that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a proposed project, the lead agency (in this case the El Dorado County Board of Supervisors) must issue a written finding reaching one or more of three permissible conclusions:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR (hereinafter referred to as “Finding (1)”).
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (hereinafter referred to as “Finding (2)”).
- (3) Specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR (hereinafter referred to as “Finding (3)”).

The 2011 EIR identified significant effects on the environment that may occur as a result of the project and provided mitigation measures to reduce those impacts to a less than significant level. El Dorado County made 2011 Findings as required regarding mitigation measures, the mitigation monitoring and reporting plan, alternatives, cumulative impacts, and growth inducement. Section 1.5 of the 2011 Findings discusses the MMRP prepared for the project. Section 2.0 of the 2011 Findings discusses the potential for the proposed project to result in environmental impacts that are significant and unavoidable. Section 3.0 of the 2011 Findings discusses impacts of the project that are less than significant and do not require mitigation because of the type or design of the project. Section 4.0 of the 2011 Findings sets forth potential environmental effects of the project that are significant or potentially significant but can be mitigated to a level of less than significant. Section 5.0 of the 2011 Findings summarizes the alternatives discussed in the 2011 EIR and makes findings with respect to the feasibility of alternatives and whether the alternatives would lessen the significant environmental effects of the project. Section 6.0 of the 2011

Findings summarizes findings regarding the project's potential cumulative impacts. Section 7.0 of the 2011 Findings provides findings regarding the project's effects on growth inducement.

### **1.5 Mitigation Monitoring and Reporting Plan**

The 2011 Diamond Springs Parkway Project Mitigation Monitoring and Reporting Plan ("MMRP") was prepared for the project, and was adopted by El Dorado County in 2011, in accordance with CEQA Guidelines sections 15091(d) and 15097. Transportation will use the MMRP to track compliance with applicable project mitigation measures. The MMRP will remain available for public review during the compliance period. The MMRP is attached to the 2011 Findings, which are included as Attachment A to these 2016 Findings. The MMRP was approved in conjunction with certification of the EIR and adoption of the 2011 findings. With approval of the Phase 1B Design Modifications, the County maintains the previous approval and adoption of the 2011 MMRP. Thus, all significant and potentially significant impacts identified in the 2011 EIR and 2011 Findings would be reduced to less than significant levels with the Phase 1B Design Modification through implementation of the 2011 MMRP and no new or modified mitigation measures are required.

### **2.0 POTENTIAL ENVIRONMENTAL IMPACTS WHICH ARE SIGNIFICANT AND UNAVOIDABLE**

The 2011 EIR identified a number of potentially significant environmental impacts that may be caused in whole or in part by the project. The County determined that, after the implementation of mitigation measures, there are no significant and unavoidable environmental impacts that would result from implementation of the project. All impacts resulting from the project have been reduced to a less than significant level with mitigation adopted in the 2011 MMRP. The Board of Supervisors was not required to adopt overriding considerations when approving the project in 2011. The proposed Phase 1B Design Modification would not result in any new significant impacts and would not increase the severity of impacts previously identified. Mitigation measures identified in the adopted 2011 MMRP would still be implemented with the project as modified by the proposed Phase 1B Design Modification. The proposed Phase 1B Design Modification would not result in any potential environmental impacts that are significant and unavoidable.

### **3.0 FINDINGS REGARDING LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACTS**

The 2011 EIR concluded that the project would result in certain impacts that were found to be less than significant. The 2011 EIR concluded that such impacts do not require mitigation. Draft SEIR Table 1, Summary of Potential Changes in Project Impacts Resulting from the Proposed Phase 1B Design Modification, provides a comprehensive review and comparison of each impact identified in the 2011 EIR and documents the potential change in the severity of each impact associated with the Phase 1B

Design Modification as compared to the approved project. In each instance, the 2016 SEIR concludes that the proposed Phase 1B Design Modification would not increase the severity of any of the previously identified less than significant impacts. In some instances, the proposed Phase 1B Design Modification would reduce the severity of previously identified less than significant impacts. Thus, all less than significant impacts identified in the 2011 EIR and 2011 Findings would remain less than significant with the Phase 1B Design Modification and no new or modified mitigation measures are required.

#### **4.0 FINDINGS REGARDING IMPACTS WHICH ARE SIGNIFICANT OR POTENTIALLY SIGNIFICANT WHICH WERE MITIGATED BELOW A LEVEL OF SIGNIFICANCE**

The 2011 EIR concluded that the project would result in certain impacts that were found to be significant or potentially significant in the absence of mitigation measures. The 2011 EIR identified mitigation measures that would avoid or substantially lessen the severity of each significant or potentially significant impact, reducing all to levels of less than significant. In approving the project in 2011, El Dorado County found that each such mitigation measure was appropriate and feasible, and adopted each mitigation measure by directed that each be incorporated into the MMRP.

Draft SEIR Table 1, Summary of Potential Changes in Project Impacts Resulting from the Proposed Phase 1B Design Modification, provides a comprehensive review and comparison of each impact identified in the 2011 EIR and documents the potential change in the severity of each impact associated with the Phase 1B Design Modification as compared to the approved project. In each instance, the 2016 SEIR concluded that the proposed Phase 1B Design Modification would not increase the severity of any of the previously identified significant or potentially significant impacts. In some instances, the proposed Phase 1B Design Modification would reduce the severity of previously identified significant or potentially significant impacts. The 2016 SEIR concludes that each previously identified mitigation measure remains applicable and no elimination or modification of previously identified mitigation measures is recommended. Thus, for all previously adopted mitigation measures in the 2011 MMRP, the County finds that for the proposed Phase 1B Design Modification each such mitigation measure remains appropriate and feasible, and will lessen the respective significant or potentially significant impact to a less than significant level.

With approval of the Phase 1B Design Modifications, the County maintains the previous adoption of the 2011 MMRP. Thus, all significant and potentially significant impacts identified in the 2011 EIR and 2011 Findings would be reduced to less than significant levels with the Phase 1B Design Modification through implementation of the 2011 MMRP and no new or modified mitigation measures are required.

#### **5.0 FINDINGS REGARDING ALTERNATIVES**

CEQA requires that an EIR consider a reasonable range of alternatives to the proposed project. Alternatives must generally achieve the project objectives, and alternatives that avoid or reduce significant impacts of the project should be considered. The 2011 EIR documents the County's consideration of alternatives and describes the County's consideration of alternatives. This included consideration of several alternatives during the development of the Missouri Flat Area Master Circulation and Funding Plan ("MC&FP") in 1998, and the subsequent refinement and evaluation of three alternatives in the 2011 EIR. The 2011 EIR considered a "no project" alternative, as required by CEQA, and three alternative design configuration alternatives for the project (Alternatives A, B, and C). The proposed Phase 1B Design Modification would not result in any significant and unavoidable impacts, and the 2016 SEIR does not, and is not required to, evaluate additional alternatives.

Alternative C was identified in the 2011 EIR as the environmentally preferred alternative due to reduced air pollutant emissions associated with construction activities resulting from lesser amount of imported fill material required for the alternative. The 2016 SEIR concludes that the proposed Phase 1B Design Modification would result in even less fill and a smaller footprint and less construction-related air pollutant emissions as compared to the previously evaluated Alternative C. Thus, the County finds that the proposed Phase 1B Design Modification is environmentally preferable as compared to the approved Project and as compared to all of the alternatives evaluated in the 2011 EIR.

## **6.0 FINDINGS REGARDING CUMULATIVE IMPACTS**

The 2011 EIR and Findings concluded that all project impacts would either be less than significant or would be mitigated to a less than significant level with the implementation of mitigation as identified in the 2011 EIR and MMRP. The 2011 Findings documented that because other development in the project vicinity would also be required to mitigate potential impacts, the proposed project, in combination with other past, present or reasonably foreseeable future projects, would not result in significant adverse cumulative impacts. The 2016 SEIR concludes that the proposed Phase 1B Design Modification would not increase the severity of any adverse impacts identified in the 2011 EIR. Therefore, the County finds that the Phase 1B Design Modification would not result in the potential for significant adverse cumulative impacts when considered in combination with other past, present or reasonably foreseeable future projects.

## **7.0 FINDINGS REGARDING GROWTH INDUCEMENT**

The 2011 EIR and Findings adequately evaluated the project's effects on growth in the area. The project was identified and analyzed in the County's 2004 General Plan and the County concluded in 2011 that the project is designed to accommodate existing predicted traffic increases and is consistent with the 2004 General Plan. The County concluded in 2011 that the project EIR, and the General Plan EIR, adequately

evaluated the project's effects on growth in the area. The County also concluded that the future growth in the area would be subject to its own CEQA review and appropriate mitigation will be analyzed at that time. The County finds that the Phase 1B Design Modifications would not result in a potential to increase growth inducement beyond that previously identified in the 2011 EIR and Findings.

**ATTACHMENT A.**  
**2011 FINDINGS OF FACT REGARDING THE**  
**ENVIRONMENTAL IMPACT REPORT FOR**  
**THE DIAMOND SPRINGS PARKWAY PROJECT**  
**(SCH NO. 2007122033)**

**FINDINGS OF FACT REGARDING THE  
ENVIRONMENTAL IMPACT REPORT FOR  
THE DIAMOND SPRINGS PARKWAY PROJECT  
(SCH No. 2007122033)**

**1.0 INTRODUCTION**

The California Environmental Quality Act (Public Resources Code section 21000, et seq.) (CEQA) and the CEQA Guidelines (California Code of Regulations, title 14, section 15000, et seq.) state that if it has been determined that a project may have significant impacts on the environment, then an Environmental Impact Report (EIR) must be prepared.

El Dorado County, as lead agency, in cooperation with El Dorado Irrigation District (EID), prepared an Environmental Impact Report for the Diamond Springs Parkway Project (“project” or “proposed project”). The EIR (State Clearinghouse No. 2007122033) consists of the June 2010 Draft EIR, July 2010 Traffic Information Reissuance, and the April 2011 Final EIR.

Before project approval, an EIR must be certified pursuant to Section 15090 of the CEQA Guidelines. Prior to approving a project for which an EIR has been certified, and for which the EIR identifies one or more significant environmental impacts, the approving agency must make one or more of three findings for each identified significant impact accompanied by a brief explanation of the rationale, pursuant to Section 15091 of the CEQA Guidelines (see Section 1.4).

These findings have been prepared in accordance with CEQA and the CEQA Guidelines to satisfy the requirements of Sections 15090, 15091, 15092, 15093, and 15097 of the CEQA Guidelines. All significant and potentially significant impacts identified in the EIR are reduced to levels of insignificance through mitigation measures identified in the EIR. (The Final EIR incorporates the Draft EIR and Traffic Information Reissuance by reference.) (References to the “EIR” are to the collective documentation contained in the Draft EIR, Traffic Information Reissuance and Final EIR.)

As the lead agency for the Diamond Springs Parkway Project under California, Title 14, Section 15367, having certified the EIR as adequately addressing the impacts of the project, the County of El Dorado Board of Supervisors hereby adopts the following CEQA findings relating to the Diamond Springs Parkway Project Final Environmental Impact Report, SCH #2007122033.

**1.1 Purpose and Objectives**

The project description, location, and existing environmental setting for the project are fully described in Section 3.0 of the Traffic Information Reissuance, which revised and superseded Section 3.0, Project Description, of the Draft EIR. The primary objectives of the project, as described in the EIR include:

**Objective 1a.** Improve traffic safety and operations on portions of Pleasant Valley Road (SR-49) in the vicinity of Diamond Springs as provided in the County's 2004 General Plan (Policy 10.2.7.3) including:

- Provide parallel capacity for SR-49 between Missouri Flat Road and Diamond Road (SR-49) and alternate access to US-50 via Missouri Flat Road to relieve traffic congestion and provide an acceptable level of service through the historic town of Diamond Springs to meet the General Plan Policy TC-1.
- Provide a safe, efficient, and convenient roadway that meets the travel needs of people and goods.
- Improve safety by reducing residential driveway access to Diamond Road (SR-49) between Pleasant Valley Road (SR-49) and Black Rice Road by provision of a frontage road.

**Objective 1b.** Implement the Parkway as included in the County's 2004 General Plan (Policy 10.2.7.3) and the County's CIP in the most cost effective manner.

**Objective 1c.** Improve roadway and intersection capacities along Missouri Flat Road, south of US-50, to support the anticipated commercial/retail square footage development identified and planned for in the 1998 Missouri Flat Master Circulation and Funding Plan (MC&FP) and the 2004 El Dorado General Plan.

**Objective 1d.** Provide opportunities for improved bicycle, pedestrian and transit facilities consistent with the 2004 El Dorado County General Plan and coordinate the construction of the Parkway with the El Dorado Multi-Use Trail.

**Objective 1e.** Protect natural resources, including local wetlands, riparian features, and oak woodlands by aligning the project to avoid these features, to the extent feasible, by providing transportation services facilities that cause the least amount of environmental damage and yield environmental benefits wherever feasible.

## **1.2 Background**

DOT released a Notice of Preparation (NOP) for public review from December 12, 2007 to January 18, 2008 (37 day review period). Two EIR scoping meeting were held on January 9, 2008 at the Firefighters Memorial Hall in Diamond Springs, California. Each scoping meeting included an introductory presentation and provided time for public comment, questions and discussion. The NOP and copies of comments received are included in the Draft EIR in Appendix A.

The Draft EIR was circulated for public review between June 23, 2010 and August 23, 2010 (61 day review period). The public review period was extended beyond the statutorily required 45



days due to the issuance of the Traffic Information Reissuance which provided clarification and updates on the traffic analysis, minor lane geometry changes at two intersections and the addition of exhibits to further illustrate the proposed right of ways.. The Traffic Information Reissuance was circulated for public review between July 7, 2010 and August 23, 2010 (45 day review period). The Draft EIR and Traffic Information Reissuance were publicly available at DOT's Placerville Office at 2850 Fairlane Court in Placerville, California, and at the El Dorado County Library at 345 Fair Lane in Placerville, California. In addition, both documents were posted on the DOT website at <http://www.co.el-dorado.ca.us/dot/ceqa.html> during the public review period.

On July 28, 2010, DOT held two public meetings, at the Diamond Springs Firefighters Memorial Hall at 501 Main Street in Diamond Springs, California. During each meeting all attendees (individuals/organizations/agency representatives) were invited to provide written and oral comments on the Draft EIR and Traffic Information Reissuance. DOT subsequently reviewed all oral and written comments and have responded to them in the Final EIR.

### **1.3 Project Description**

**1.3.1 Project Location.** The proposed project is located within unincorporated El Dorado County, California, south of the Missouri Flat Road/U.S. Route 50 (US-50) Interchange, west of the City of Placerville, and north of the town of Diamond Springs. The principal roadways in the vicinity of the project include Missouri Flat Road, Pleasant Valley Road (State Route 49 [SR-49]), Diamond Road (SR-49), Lime Kiln Road, and China Garden Road.

**1.3.2 Project Details.** The need for a roadway connecting Missouri Flat Road to Diamond Road (SR-49) to relieve traffic congestion is identified in the County's General Plan Circulation Element. The General Plan Circulation Map identifies the connector as a four-lane, divided roadway. This connection is also included in the County's 2009 Capital Improvement Plan (CIP) and Traffic Impact Mitigation (TIM) Fee Program. The proposed Parkway would extend eastward from Missouri Flat Road near its intersection with the Sacramento-Placerville Transportation Corridor (also known as the El Dorado Multi Use Trail or EDMUT) approximately 1000 feet east of Golden Center Drive, and would connect to Diamond Road (SR-49) approximately 280-feet south of Bradley Drive. The Parkway also includes minor improvements and/or realignment of China Garden Road, Throwita Way, Truck Street, Bradley Street and Old Depot Road and construction of a new Truck Street/Bradley Drive Connector.

The Parkway would provide fully signalized access at three new intersections and allow only limited access points (e.g., driveways) from adjoining parcels. The Parkway would have a design speed of 50 miles per hour (mph), and the proposed lane configurations would reflect the ultimate roadway design contemplated in the County's General Plan.

As part of the proposed project, a connection from the El Dorado Multi Use Trail (EDMUT) to the signalized intersection of Diamond Springs Parkway and Missouri Flat Road would be constructed; this construction would be done concurrently with construction of the Parkway. The proposed project would also construct an 8-foot-wide, Class I bike path along the western side of Missouri Flat Road, providing EDMUT users the opportunity to cross the Missouri Flat Road/Diamond Springs Parkway intersection, utilize the Class I bike path, and connect to the potential future western extension of the EDMUT within the Sacramento-Placerville Transportation Corridor (SPTC). For added multi-modal accessibility, the proposed project would also construct a parking lot for trail users. The paved parking lot would consist of up to 40 parking spaces and be located at the northwestern corner of the Diamond Springs Parkway and Missouri Flat Road intersection. The proposed project would include sidewalks along the north and south sides of the entire length of the Parkway and along Missouri Flat Road from the El Dorado Multi-Use Trail Parking lot, northwest to existing sidewalks along Missouri Flat Road.

The project also includes improving SR-49, from the Parkway to Pleasant Valley Road to a major four-lane highway by adding travel lanes, providing standard shoulders and eliminating nearly all existing driveway encroachments. The improvements would be accomplished by creating a new frontage road along the existing roadway and widening the roadway to the west. A new median would be included to provide sufficient separation between the frontage road and SR-49. The SR-49 improvements would require minor improvements and/or realignment of Black Rice Road, Happy Lane, and Lime Kiln Road. Sidewalks would be constructed along the east side of Diamond Road (SR-49) or frontage road from Pleasant Valley Road to the Diamond Springs Parkway.

Another component of the project is the construction of Highway 49 Intertie Improvements by EID. These improvements would be constructed concurrently or prior to the Parkway and SR-49. These improvements include a new 12-inch waterline that would replace the existing 6-inch and 8-inch waterlines from the intersection of SR-49 and Finch Road south to the existing 12-inch waterline within SR-49 near Pleasant Valley Road. Installation of the replacement waterline would occur within EID's permanent easement along SR-49. EID would also construct a new 18-inch waterline within the Parkway that would extend from the Parkway/SR-49 intersection and ultimately connect to the existing 18-inch line within Missouri Flat Road.

#### **1.4 Required CEQA Findings**

Public Resources Code section 21002 requires that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a proposed project, the lead agency (in this case the El Dorado County Board of Supervisors) must issue a written finding reaching one or more of three permissible conclusions:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR (hereinafter referred to as “Finding (1)”).
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (hereinafter referred to as “Finding (2)”).
- (3) Specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR (hereinafter referred to as “Finding (3)”).

Furthermore, CEQA Guidelines, Section 15091, requires that the findings be supported by substantial evidence in the record.

For purposes of these findings, the term "mitigation measure" constitutes "changes or alterations" as discussed above. The term "avoid or substantially lessen" refers to the effectiveness of one or more of the mitigation measures to reduce an otherwise significant or potentially significant environmental effect to a less-than-significant level.

“Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors. The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*Sequoyah Hills Homeowner Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

Moreover, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.)

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. In the process of adopting mitigation, the County has made a determination regarding whether the mitigation proposed in the EIR is “feasible.” In some cases, modifications may have been made to the mitigation measures proposed in the EIR to update, clarify, streamline, correct, or revise those measures. Where that has occurred, the modifications are discussed herein.

The EIR for the Diamond Springs Parkway Project identifies significant effects on the environment which may occur as a result of the project and provides mitigation measures to reduce those impacts to a less than significant level. Findings are required regarding mitigation

measures, the mitigation monitoring plan, alternatives, cumulative impacts and growth inducement. Section 2.0 discusses the potential for the proposed project to result in environmental impacts which are significant and unavoidable. Section 3.0 discusses impacts of the proposed project that are less than significant and do not require mitigation because of the type or design of the project. Section 4.0 sets forth potential environmental effects of the project which are significant or potentially significant but can be mitigated to a level of less than significant. Section 5.0 summarizes the alternatives discussed in the EIR and makes findings with respect to the feasibility of alternatives and whether the alternatives would lessen the significant environmental effects of the project. Section 6.0 summarizes findings regarding the proposed project's potential cumulative impacts. Section 7.0 provides findings regarding the proposed project's effects on growth inducement.

**1.4.1 Certification of Final EIR.** In accordance with CEQA in adopting these findings, the Board of Supervisors considered the environmental effects as shown in the Final EIR prior to approval. These findings represent the independent judgment and analysis of the Board of Supervisors.

These findings are based upon substantial evidence in the entire record before the Board of Supervisors. The references to the EIR set forth in the findings are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

**1.4.2 Location and Custodian of Records.** Pursuant to PRC §21081.6 and California Code of Regulations, title 14, §15091, El Dorado County is custodian of documents and other material that constitute the record of proceedings upon which the County's decision is based, and such documents and other material are located at the El Dorado County Department of Transportation Offices, 2850 Fairlane Court, Placerville, CA.

## **1.5 Mitigation Monitoring and Reporting Program**

A Mitigation Monitoring and Reporting Program (MMRP) was prepared for the proposed project, and was adopted with these findings, in accordance with CEQA Guidelines sections 15091(d) and 15097. DOT will use the MMRP to track compliance with applicable project mitigation measures. The MMRP will remain available for public review during the compliance period. The MMRP is attached to these findings as Attachment A. The MMRP is approved in conjunction with certification of the EIR and adoption of these findings.

Pursuant to Section 15091(d) of the CEQA Guidelines, all feasible mitigation measures that avoid or substantially lessen the significant effects of the proposed project and that are adopted by the County become binding on the proposed project at the time of approval as requirements of the proposed project.

## **2.0 POTENTIAL ENVIRONMENTAL IMPACTS WHICH ARE SIGNIFICANT AND UNAVOIDABLE.**

The EIR identified a number of potentially significant environmental impacts that may be caused in whole or in part by the proposed project. The County has determined that, after the implementation of mitigation measures, there are no significant and unavoidable environmental impacts that would result from implementation of the proposed project. All impacts resulting from the proposed project have been reduced to a less than significant level with mitigation. Therefore, the Board of Supervisors is not required to adopt overriding considerations when approving this project.

## **3.0 FINDING REGARDING LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACTS**

The EIR concluded that, for the following environmental impacts, the project as proposed cause impacts that are less than significant. The EIR therefore concludes that the following impacts do not require mitigation. Public comments did not provide additional evidence to revise the impact analysis or conclusions of the EIR. The following summary provides a brief explanation why the impact was determined to be less than significant. A full explanation of these environmental impacts, mitigations, and conclusions can be found in the EIR and associated record.

### **Aesthetics, Light, and Glare**

**Impact 4.2-1** The proposed project has the potential to result in a substantial adverse effect on a scenic vista. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project would not cross, or come in proximity to, any areas identified as a scenic viewpoint as identified in the El Dorado County General Plan Draft EIR.
- (2) The addition of signage and lighted intersection signals would be visually consistent with surrounding areas and would not degrade scenic vistas.
- (3) The potential removal of existing utility poles and aboveground utility lines would benefit visual quality.

**Impact 4.2-2** The proposed project has the potential to substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. The EIR concluded there is no impact based on the following facts:

- (1) There are no officially designated state scenic highways in the project vicinity.

**Impact 4.2-3** The proposed project has the potential to substantially degrade the existing visual character or quality of the site and its surroundings. The EIR concluded the impact is less than significant based on the following facts:

- (1) The MC&FP EIR concluded that, “since many of the uses adjacent to the (Interconnector’s) alignment are industrial, the introduction of a four-lane roadway would not adversely change the visual character of the surrounding area.”
- (2) Changes in visual character would be compatible with the existing landscape and would not result in a large change in visual quality due to the existing roadways and surrounding industrial and commercial land use types.
- (3) Views from the residences east of SR-49 after project construction would consist of a frontage road and a major two-lane divided highway, with a retaining wall in the background. Since views from the residences already consist of a two-lane rural roadway and private stucco wall (approximately 6 feet in height), construction of the proposed project would not be considered a significant alteration of the existing visual character.

**Impact 4.2-4** The proposed project has the potential to adversely affect day or nighttime views in the area. The EIR concluded the impact is less than significant based on the following facts:

- (1) The MC&FP EIR concluded that improvements to existing roadways would add new sources of light but that the effects would be consistent with existing settings and, therefore, less than significant, since roadways and associated lighting already exist.
- (2) Since certification of the MC&FP EIR, the proposed Parkway site and vicinity has been further developed according to General Plan designations and currently contains lighting associated with the industrial and commercial uses.
- (3) The project’s improvements to existing roadways (Diamond Road, Lime Kiln Road, Black Rice Road, Old Depot Road, etc.) would not introduce new sources of light and glare beyond what is currently present.
- (4) New roadways constructed by the County of El Dorado do not include the provision of street lighting. As such, new sources of lighting along the proposed Parkway would be installed only at signalized intersections and as necessary for traffic safety purposes. All lighting would be directional or shielded in order to reduce light spillage onto adjacent land uses and constructed in accordance with California Department of Transportation Standards.

- (5) While new lighting would be introduced from cars traveling along the new Parkway, there is only one residence which may be exposed to car lights from the new Parkway. This residence is a non-conforming land use on industrially zoned land, and is currently exposed to existing industrially related lighting.

### **Air Quality**

**Impact 4.3-1** The proposed project has the potential to conflict with or obstruct implementation of the applicable air quality plan. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project is consistent with the 1994 Sacramento Regional Clean Air Plan.

**Impact 4.3-3** The proposed project has the potential to violate ambient carbon monoxide (CO) standards or contribute substantially to an existing or projected air quality violation of CO standards as a result of construction. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project would not exceed the California ambient air quality standards (CAAQS) 1-hour ambient concentrations of carbon monoxide of 20 parts per million (ppm) or the CAAQS 8-hour ambient concentration of 9.0 ppm.

**Impact 4.3-4** The proposed project has the potential to result in a cumulatively considerable net increase of inhalable particulate matter (PM<sub>10</sub>) and ozone during construction. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project will not result in new operational emissions such as PM<sub>10</sub> or ozone.
- (2) After the incorporation of standard fugitive dust control measures, construction generated PM<sub>10</sub> levels are below thresholds.
- (3) ROG and NO<sub>x</sub> construction emissions (ozone precursors) will not exceed EDAQMD significance thresholds of 82 pounds per day.

**Impact 4.3-5** The proposed project has the potential to violate ambient CO standards or contribute substantially to an existing or projected air quality violation of CO standards as a result of the realignment of roadways. The EIR concluded the impact is less than significant based on the following facts:

- (1) The estimated 1-hour and 8-hour average CO concentrations for the most congested project intersections in the near-term (2010) with project traffic and cumulative (2030) with project traffic combined with background would not exceed the CAAQS 1-hour ambient concentrations of CO of 20 ppm or the CAAQS 8-hour ambient concentration of 9.0 ppm.

**Impact 4.3-6** The proposed project has the potential to expose sensitive receptors to substantial pollution concentrations of naturally occurring asbestos or diesel particulate matter. The EIR concluded the impact is less than significant based on the following facts:

The following facts indicate this potential impact is not significant.

- (1) The project site is not located within an Asbestos Review Area as designated by EDAQMD.
- (2) The duration of construction, during which diesel particulate matter would be emitted, would not be long enough to result in risk from exposure.

**Impact 4.3-7** The proposed project has the potential to create objectionable odors affecting a substantial number of people. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project would not represent a new sensitive receptor to odors.
- (2) Diesel exhaust and ROGs would be emitted during construction of the project, which are objectionable odors to some; however, emissions would disperse rapidly from the project site, and therefore, would be unlikely to occur in levels that would induce a negative response from receptors.

### **Biological Resources**

**Impact 4.4-4** The proposed project has the potential to 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 wildlife nursery sites. The EIR concluded the impact is less than significant based on the following facts:

- (1) The unnamed drainage and associated habitat is considered marginal and connects to fragmented, marginal habitat to the south.

**Impact 4.4-6** The proposed project the potential to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local,



regional, or state habitat conservation plan. The EIR concluded the impact is less than significant based on the following facts:

- (1) The project site is not located in an area covered by an approved habitat conservation plan, natural community conservation plan, or other conservation plan.
- (2) The project site is not identified as containing any resources mapped by the County's Draft Integrated Natural Resources Management Plan (INRMP).

### **Geology and Soils**

**Impact 4.6-1** The proposed project has the potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

- 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. (Less than Significant)
- ii) Strong seismic ground shaking. (Less than Significant)
- iii) Seismic-related ground failure, including liquefaction. (Less than Significant)
- iv) Landslides. (Less than Significant)

The EIR concluded the impact is less than significant based on the following facts:

- (1) No active faults or Earthquake Fault Zones are located within the project area.
- (2) The would be designed and constructed in accordance with the American Associate of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets.
- (3) The project site is located in area of relatively low seismicity.
- (4) The potential for liquefaction and ground failure at the project site is considered negligible.
- (5) The potential for substantial adverse effects result from landslides is minimal due to minimal onsite topography.
- (6) EID Intertie Improvements would be design in accordance with applicable standards to reduce impacts from potential seismic activity.

**Impact 4.6-2** The proposed project has the potential to result in substantial soil erosion or the loss of topsoil. The EIR concluded the impact is less than significant based on the following facts:

- (1) Erosion from water would be controlled by the project's National Pollutant Discharge Elimination System (NPDES) permit and associated Stormwater Pollution Prevention Plan (SWPPP).
- (2) Erosion from wind within the project area would be minimal due to the type of onsite soils.

**Impact 4.6-5** The proposed project has the potential to include soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. The EIR concluded there is no impact based on the following facts:

- (1) The proposed project does not include the installation of septic tanks or alternative wastewater disposal systems.

### **Hazards**

**Impact 4.7-1** The proposed project has the potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The EIR concluded the impact is less than significant based on the following facts:

- (1) Small amounts of hazardous materials would be used during construction activities (i.e., equipment maintenance, fuel, solvents, roadway resurfacing and striping materials). Hazardous materials would only be used during construction of the proposed project, and any hazardous material users would be required to comply with all applicable local, state and federal standards associated with the handling and storage of hazardous materials.

**Impact 4.7-2** The proposed project has the potential to 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. The EIR concluded the impact is less than significant based on the following facts:

- (1) Existing state and federal laws would govern the safe transport of hazardous materials on the project's roadways.

**Impact 4.7-3** The proposed project has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an

existing or proposed school. The EIR concluded there is no impact based on the following facts:

- (1) The proposed project is not located within one-quarter mile of an existing or proposed school.

**Impact 4.7-6** The proposed project has the potential to be located within an airport land use plan or within two miles of a public airport, public use airport or private airstrip and would not result in a safety hazard for people residing or working in the project area. The EIR concluded there is no impact based on the following facts:

- (1) The proposed project site is not located within an airport land use plan or within two miles of a public airport.

**Impact 4.7-7** The proposed project has the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The EIR concluded the impact is less than significant based on the following facts:

- (1) The Operational Area Multi-Hazard Functional Emergency Operations Plan for El Dorado County identifies that SR-49 is a major emergency response route within the County.
- (2) During construction activities on SR-49, the construction contractor would close one lane of traffic and traffic would be re-routed to use the portion of the right-of-way not being affected.
- (3) Lane closures would be coordinated with local law enforcement and emergency service providers.
- (4) Construction and operation of the Parkway and improved SR-49 would help to increase circulation and alleviate congestion in the Diamond Springs area. This would benefit the ability of local law enforcement and emergency service providers to efficiently reach emergencies in the Diamond Springs area and assist in area evacuation if needed.

**Impact 4.7-8** The proposed project has the potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires. The EIR concluded there is no impact based on the following facts:

- (1) According to the California Fire Alliance's Fire Planning and Mapping Tools database, the proposed project is in an area dominated by fuels classified as "low" in terms of wildland fire risk.

- (2) Following construction, the project site would consist primarily of paving, which is not associated with the generation or spread of wildland fire.

### **Hydrology and Water Quality**

**Impact 4.8-1** The proposed project has the potential to violate a water quality standards or waste discharge requirement. The EIR concluded the impact is less than significant based on the following facts:

- (1) Water quality standards would be maintained and waste discharge would be minimized by the project's National Pollutant Discharge Elimination System (NPDES) permit and associated Stormwater Pollution Prevention Plan (SWPPP) which would ensure implementation of best management practices (BMPs) for controlling the introduction of materials to stormwater and flow of stormwater from within the construction area to off-site areas.

**Impact 4.8-2** The proposed project has the potential to 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). The EIR concluded there is no impact based on the following facts:

- (1) Water would only be used during project construction for dust control and other construction related purposes.
- (2) Dust control water would be provided by a contracted service and would not deplete groundwater supplies.
- (3) Upon project completion, the proposed project would add impervious surfaces but would not affect groundwater recharge because all water would be directed to existing water conveyance features where recharge may take place.

**Impact 4.8-3** The proposed project has the potential to substantially alter the existing drainage pattern of the area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion, siltation or flooding on- or off-site. The EIR concluded the impact is less than significant based on the following facts:

- (1) Construction of the proposed project would include individual drainage crossings along the proposed Parkway corridor consisting of either closed conduit culverts or open bottom culverts, depending on site-specific constraints. These crossings would be designed to handle a 100-year storm flow and allow the existing general drainage

patterns to be maintained. Alteration of these drainage features would be required to adhere to the SWPPP as well as mitigation included in the Section 4.4, Biological Resources.

- (2) The road surface drainage system has been designed to direct anticipated storm flows from the roadways toward well-defined channels or existing storm drain systems at an increased rate between 2.3 and 2.7 cfs during a 100-year storm event. Water would eventually flow to Weber Creek, which has a 100-year storm flow level of approximately 7,381 cfs. Therefore, the increase of 2.3 to 2.7 cfs is minimal and would result in less than significant impacts related to erosion, siltation, or flooding.

**Impact 4.8-4** The proposed project has the potential to 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. The EIR concluded the impact is less than significant based on the following facts:

- (1) The Preliminary Drainage Report indicates that the proposed roadway drainage system has been designed to convey a 10-year storm per the El Dorado County Drainage Manual, Section 4.
- (2) The Preliminary Drainage Report also indicates that the proposed stormwater facilities are designed to pass a 100-year event without damage to structures or flooding of roadways.
- (3) The proposed project would result in peak flow increases during 100-year flood events of 2.7 cfs (cubic feet per second) at the Missouri Flat Road tie-in and 2.3 cfs at the north ditch (both existing storm drain systems).
- (4) Existing storm drain systems in the project area have been examined and determined to have adequate capacity for the increase in peak flows resulting from the project.

**Impact 4.8-5** The proposed project has the potential to substantially degrade water quality. The EIR concluded the impact is less than significant based on the following facts:

- (1) Short-term construction activities which may result in water quality degradation would be lessened or avoided through the adherence to County policies and regulations, specifically the County's Grading Ordinance and Storm Water Management Plan for Western El Dorado County, regarding erosion and ground instability
- (2) To minimize water degradation, the County's contractor would prepare a Stormwater Pollution Prevention Plan (SWPPP) for County approval and would implement best

management practices (BMPs) for controlling the introduction of materials to stormwater and the flow of stormwater from within the construction area to off-site areas.

**Impact 4.8-6** The proposed project could place housing within a 100-year flood hazard area mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. The EIR concluded there is no impact based on the following facts:

- (1) Construction of the proposed project does not involve the development of housing.
- (2) The proposed project is not located within a 100-year flood hazard area.

**Impact 4.8-7** The proposed project could place within a 100-year flood hazard area structures which would impede or redirect flood flows. The EIR concluded there is no impact based on the following facts:

- (1) The proposed project is not located within a 100-year flood hazard area.

**Impact 4.8-8** The proposed project has the potential to expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of a failure of a levee or dam. The EIR concluded there is no impact based on the following facts:

- (1) The proposed project is not located in an area of flooding or in the vicinity of a levee or dam.

**Impact 4.8-9** The proposed project has the potential to be subjected to inundation by seiche, tsunami, or mudflow. The EIR concluded there is no impact based on the following facts:

- (1) The proposed project is not located in an area susceptible to inundation by seiche, tsunami, or mudflow.

### **Land Use and Planning**

**Impact 4.9-1** The proposed project has the potential to physically divide an established community. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project would involve the construction of the Diamond Springs Parkway in an area currently containing structures associated with industrial and commercial buildings. These land uses are non-residential and non-dependant on one another and do not represent an established community.

**Impact 4.9-2** The proposed project has the potential to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed 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. The EIR concluded there is no impact based on the following facts:

- (1) The proposed project is included in the 2004 General Plan Circulation Element and is therefore consistent with the General Plan.
- (2) The project is consistent with all applicable goals and policies of the General Plan.

**Impact 4.9-3** The proposed project has the potential to conflict with an applicable habitat conservation plan or natural communities conservation plan. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project is not located in an area covered by any approved habitat conservation plan, natural community conservation plan, or other conservation plan.
- (2) The County is in the process of preparing an Integrated Natural Resources Management Plan (INRMP); however, initial resource mapping indicates that no resources are located within the project site.

## **Noise**

**Impact 4.10-2** The proposed project has the potential to result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. The EIR concluded the impact is less than significant based on the following facts:

- (1) Construction activities associated with the proposed project, such as operation of large pieces of equipment (i.e., heavy trucks), may result in the periodic temporary generation of groundborne vibration.
- (2) Given the nature of any potential groundborne vibration and given that any impacts would be temporary and periodic, potential impacts are less than significant.
- (3) No historical buildings are located within the area of potential affect of the project site and therefore would not be affected by temporary groundborne vibrations.

**Impact 4.10-5** 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, the project has the potential to expose people residing or working in the project area to excessive noise levels. The EIR concluded there is no impact based on the following facts:

- (1) The project site is not located within an airport land use plan or within two miles of a public airport.

**Impact 4.10-6** For a project within the vicinity of a private airstrip, the project has the potential to expose people residing or working in the project area to excessive noise levels. The EIR concluded there is no impact based on the following facts:

- (1) The project site is not located within the vicinity of a private airstrip.

### **Public Services**

**Impact 4.11-1** The proposed project has the potential to adversely impact fire protection services. The EIR concluded the impact is less than significant based on the following facts:

- (1) As a part of the traffic management plan created for the proposed project, DOT or its construction contractors will conduct early coordination with emergency service providers to ensure minimal disruption to service during construction.
- (2) The proposed project would improve circulation in the Missouri Flat/Diamond Springs area thereby reducing delay times that the emergency services may encounter on roadways.
- (3) Signal preemptors would be installed at each new signalized intersection for use by emergency vehicles.

**Impact 4.11-2** The proposed project has the potential to adversely impact police protection services. The EIR concluded the impact is less than significant based on the following facts:

- (1) As a part of the traffic management plan created for the proposed project, DOT or its construction contractors will conduct early coordination with emergency service providers to ensure minimal disruption to service during construction.
- (2) The proposed project would improve circulation in the Missouri Flat/Diamond Springs area thereby reducing delay times that the emergency services may encounter on roadways.
- (3) Signal preemptors would be installed at each new signalized intersection for use by emergency vehicles.
- (4) Operation of the proposed project would not result in unacceptable service ratios, response times, or impaired police protection



**Impact 4.11-3** The proposed project has the potential to adversely impact school services. The EIR concluded the impact is less than significant based on the following facts:

- (1) Construction of the proposed Parkway, associated roadways and infrastructure could interfere with existing school bus travel by creating temporary route delays that reduce the flow of vehicular traffic at certain times of day. Delays would occur only during the construction phase and implementation of the traffic management plan would ensure that a through-route is provided at all times.
- (2) The direct increase in demand for schools is normally associated with new residential projects that bring new families with school-aged children to a region. Residential development is not a component of the proposed project, and the project study area is not zoned residential. The proposed project, therefore, would not result in an influx of new students in the study area and is not expected to result in an increased demand upon District resources

**Impact 4.11-4** The proposed project has the potential to adversely impact park facilities. The EIR concluded there is no impact based on the following facts:

- (1) The proposed project would not result in an increase in demand for parks and recreation facilities because it would not result in an increase in population.

**Impact 4.11-5** The proposed project has the potential to adversely impact public facilities. The EIR concluded there is no impact based on the following facts:

- (1) The proposed project does not propose residential, commercial, or industrial development. The proposed project, therefore, would not result in increased demand for, or impacts on, other public facilities such as library services.

### **Traffic and Transportation**

**Impact 4.12-1** The proposed project has the potential to result in 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). This impact evaluates the impacts of the proposed project on existing plus project intersection and roadway operations. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project does not result in a level of service (LOS) deficiency at any of the studied intersections or roadway segments under the Existing (2010) Plus Proposed Intersection and Roadway Operations scenario.

- (2) The proposed project would improve a number of existing LOS deficiencies under the Existing (2010) Plus Proposed Intersection and Roadway Operations scenario.

**Impact 4.12-2** The proposed project has the potential to exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways. This impact evaluates the impacts of the proposed project on cumulative (2030) plus project intersection and roadway operations. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project does not result in a LOS deficiency at any of the studied intersections or roadway segments under the Cumulative (2030) Plus Project Intersection and Roadway Operations scenario.
- (2) The proposed project would improve a number of existing LOS deficiencies under the Cumulative (2030) Plus Proposed Intersection and Roadway Operations scenario.

**Impact 4.12-3** The proposed project has the potential to contribute unacceptable queue lengths. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project would increase queuing lane lengths to accommodate project traffic under the Cumulative (2030) Plus Project Intersection and Roadway scenario for the five impacted intersections.

**Impact 4.12-4** Construction activities associated with the proposed project may adversely affect circulation and parking on nearby roadways. The EIR concluded the impact is less than significant based on the following facts:

- (1) Under standard DOT procedures, special provisions within construction contracts would require that a traffic management plan be prepared for the proposed project. The traffic management plan would include construction staging, parking and traffic control measures to be implemented during construction to minimize impacts to traffic. Minor traffic stoppages or delays may be allowed if necessary during project construction. Full roadway closures would be minimized during project construction and provisions for emergency vehicle movement through the project area and private property access would be provided at all times during construction.
- (2) Traffic to the Material Recovery Facility (MRF) on Throwita Way would be temporarily diverted during construction of a portion of the Parkway; an alternate access route to the MRF would be provided during that state of construction. Upon completion of the Parkway, MRF traffic would resume access via Throwita Way.

- (3) All construction staging and equipment storage would occur within the identified project study area. The bulk of the staging and storage is anticipated to occur on APN 051-250-12, which is located adjacent to and south of the proposed Parkway, and west of SR-49.

**Impact 4.12-5** The proposed project has the potential to change air traffic patterns. The EIR concluded there is no impact based on the following facts:

- (1) The nearest airport to the project site is the Placerville Airport, located approximately 2.8 miles to the northeast. This distance, and the type of project proposed, precludes the possibility of changes to air traffic patterns.

**Impact 4.12-6** The proposed project has the potential to substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project will be constructed to AASHTO, Caltrans, and County roadway design standards.
- (2) Standard roadway design procedures and planned safety improvements are incorporated into the proposed project's design and would ensure that no hazardous design features would be implemented.

**Impact 4.12-7** The proposed project has the potential to result in inadequate emergency access. The EIR concluded the impact is less than significant based on the following facts:

- (1) As a part of the traffic management plan created for the proposed project, DOT or its construction contractors will conduct early coordination with emergency service providers to ensure minimal disruption to service during construction.
- (2) The proposed project would improve circulation in the Missouri Flat/Diamond Springs area thereby reducing delay times that the emergency services may encounter on roadways.
- (3) Signal preemptors would be installed at each new signalized intersection for use by emergency vehicles.
- (4) Operation of the proposed project would not result in unacceptable emergency service ratios or response times.

**Impact 4.12-8** The proposed project has the potential to conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks). The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project would include the construction a Class I bike path connection of the El Dorado Multi-Use Trail (EDMUT) to the signalized intersection of Diamond Springs Parkway and Missouri Flat Road and an 8-foot-wide, Class I bike path along the western side of Missouri Flat Road leading to the future EDMUT extension.
- (2) The proposed project would include a paved parking lot for EDMUT users consisting of up to 40 parking spaces.
- (3) The proposed project would include three bus turnouts: one westbound and one eastbound on the Parkway, and one along northbound Diamond Road (SR-49).
- (4) The proposed project would include sidewalks on both the north and south sides of the Parkway and the eastern side of Diamond Road (SR-49).

**Impact 4.12-9** The proposed project may result in inadequate parking supply or loading facilities. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project does not include the addition or removal of parking capacity within the right-of-way (ROW) of any roadway.
- (2) The proposed project would potentially fully remove an existing 15-space EDMUT parking lot, but would construct a new EDMUT parking lot with up to 40 spaces, thereby increasing overall parking capacity.

**Impact 4.12-10** The construction of recreational facilities has the potential to create an adverse physical effect on the environment. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project would construct a connection of the EDMUT, an 8-foot wide, Class I bike path along the western side of Missouri Flat Road, and a 30- to 40-space parking lot for EDMUT trail users.
- (2) All recreational facilities implemented as a part of the proposed project are located within the project's footprint and all related construction would be required to adhere to applicable mitigation set forth in the EIR and incorporated into this document.

- (3) EDMUT trail traffic may be temporarily detoured to avoid construction areas.  
Detours would be properly marked to ensure that recreational traffic (e.g. pedestrians or equestrian riders) would not adversely affect areas outside of the project area by deviating from the designated route and potentially affecting vegetation and wildlife or creating soil erosion issues.

**Impact 4.12-11** The proposed project has the potential to increase the use of the El Dorado Multi-Use Trail such that substantial physical deterioration of the facility would occur or be accelerated. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project would construct a parking lot and connection to the EDMUT, which would allow increased access and, therefore, increased use of the EDMUT. However, the EDMUT has been designed for increased recreational use and, therefore, would not be expected to experience substantial physical deterioration.

#### **Utilities and Service Systems**

**Impact 4.13-1** The proposed project would have the potential to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board or wastewater treatment capacity. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project does not include any residential, industrial, or commercial development and would not generate any wastewater.
- (2) EID Intertie Improvements may indirectly result in additional creation of wastewater associated with new development. However, new development requiring potable water and wastewater service would need to be approved by the County, during which time individual impacts to wastewater capacity would be considered.

**Impact 4.13-2** The proposed project has the potential to 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. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project does not include any residential, industrial, or commercial development and would not generate any wastewater.
- (2) EID Intertie Improvements may indirectly result in additional creation of wastewater associated with new development. However, new development requiring potable water and wastewater service would need to be approved by the County, during which time individual impacts to wastewater capacity would be considered.

**Impact 4.13-3** The proposed project has the potential to 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. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project would include the construction and installation of drainage inlets and culverts and all applicable mitigation set forth the EIR to avoid significant environmental effects would be implemented during such construction.

**Impact 4.13-4** The proposed project has the potential to require new or expanded entitlements to ensure sufficient water supplies available to serve the proposed project. The EIR concluded the impact is less than significant based on the following facts:

- (1) Water would only be used during project construction for dust control and other construction related purposes.
- (2) Dust control water would be provided by a contracted service and would not require new or expanded water entitlements.
- (3) Upon project completion, EID's water service capacity to the area would be increased; however, such increases would come from existing EID water supply.

**Impact 4.13-5** The proposed project may not be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. The EIR concluded the impact is less than significant based on the following facts:

- (1) Solid waste generated by the proposed project would be limited to construction debris, including asphalt and concrete, generated by the excavation of existing roadway and construction of the proposed Parkway.
- (2) Sufficient landfill capacity exists to meet the short term demand of construction debris.

**Impact 4.13-6** The proposed project may not comply with federal, state, and local statutes and regulations related to solid waste. The EIR concluded there is no impact based on the following facts:

- (1) The proposed project is consistent with relevant local, state, and federal solid waste statutes and regulations.

**Impact 4.13-7** The proposed project has the potential to result in temporary disruption of electrical, cable, telephone, and water service. The EIR concluded the impact is less than significant based on the following facts:

- (1) Short-term disruption of utility services would potentially occur during the replacement or relocation of utility poles within the project site. Disruptions would be of short duration and all potentially affected property owners would be notified by DOT, the utility company, or its contractors approximately one week prior to the service interruption.

**Impact 4.13-8** The proposed project may not demonstrate the wise and efficient use of energy by such means as:

- i) decreasing overall per capita energy consumptions.
- ii) decreasing reliance on natural gas and oil.
- iii) increasing reliance on renewable energy resources.

The EIR concluded there is no impact based on the following facts:

- (1) While the proposed project would not use any form of energy, cars traveling along the roadway would use gas or oil. The proposed project would ease congestion within the Diamond Springs area and therefore would decrease idling time spent by cars waiting in traffic at existing intersections and streets that are currently operating at less than acceptable LOS. Decreasing the amount of time automobiles spend idling would result in higher efficiency of gasoline use, thereby decreasing overall energy consumption.

**Impact 4.13-9** The proposed project has the potential to result in the inefficient, unnecessary, or wasteful consumption of energy. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project would require the use of diesel and gas in construction equipment during construction. Section 4.3, Air Quality, contains mitigation (Mitigation Measure 4.3-1b and 4.3-1c) that would contribute to efficient equipment operation thereby reducing the chance of wasteful, inefficient or unnecessary consumption of diesel/gas.
- (2) Upon project completion, the roadway would not require the use of electricity.

**Impact 4.13-10** The proposed project has the potential to preempt future energy development or future energy conservation. The EIR concluded the impact is less than significant based on the following facts:

- (1) The proposed project would require the replacement or relocation of existing utility poles which carry electrical lines. All roadways and associated roadway improvements constructed as a part of the project would be designed to meet minimal utility line clearances.
- (2) To ensure compliance with standards and assess potential utility facility impacts, the DOT would coordinate with appropriate utility service providers during development planning and prior to construction activities.

**The Board has reviewed the EIR analysis. For all impacts identified as less than significant in the EIR, the less-than-significant impact conclusion contained in the EIR is hereby confirmed by the Board based on the evidence and analysis provided in the EIR.**

**4.0 FINDINGS REGARDING IMPACTS WHICH ARE SIGNIFICANT OR POTENTIALLY SIGNIFICANT WHICH WERE MITIGATED BELOW A LEVEL OF SIGNIFICANCE.**

The EIR found the following environmental impacts to be potentially significant in the absence of mitigation measures. Mitigation measures identified in the EIR for each of these impacts will avoid or substantially lessen potentially significant or significant effects of the project. Public comments did not provide additional evidence to revise the impact analysis or conclusions of the EIR. As such, the Board makes Finding (1) (see page 5). The following findings do not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, these findings provide a summary description of each impact of the project, identifies the applicable mitigation measures identified in the EIR and adopted by the County and states the County's findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental impacts, mitigations, and conclusions can be found in the EIR. In making these findings, the County adopts and incorporates in these findings the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures.

For all adopted mitigation measures, the County hereby directs that the stated mitigation measure shall be incorporated into the MMRP. The County finds that each such measure is appropriate and feasible, and will lessen the impact to a less than significant level. The County has adopted all of the mitigation measures identified in the Final EIR and also in the MMRP which is attached as Attachment A.



Some of the mitigation measures identified in EIR and in these Findings are also within the jurisdiction and control of other agencies including the El Dorado Irrigation District (EID) and/or Caltrans. Refer to the MMRP for indication of which measures are subject to the jurisdiction and control of other agencies (Attachment A). To the extent of any of the mitigations are within the jurisdiction of other agencies, the County finds those agencies can and should implement those measures within their jurisdiction and control. (See CEQA Guidelines, section 15091(a)(2).) In such cases, the County has made Finding (2) in addition to Finding (1). Where Finding (2) is applicable to only certain mitigation measures for an impact, it is noted as such.

The following section provides a summary of all impacts and mitigation required reduce the impact to be less than significant.

### **Air Quality**

**Impact 4.3-2** The proposed project has the potential to violate an air quality standard or contribute substantially to an existing or projected air quality violation from construction impacts.

**Findings.** The Board of Supervisors hereby makes Finding (1). In addition, the Board of Supervisors hereby makes Finding (2) regarding Mitigation Measure 4.3-1a, 4.3-1b, 4.3-1c, 4.3-1d, 4.3-1e, and 4.3-1f.

**Facts in Support of Findings.** The following mitigation measures will mitigate the impact below the level of significance.

- (1) The MC&FP EIR Mitigation Measures 4.3-1a, 4.3-1b, 4.3-1c, 4.3-1d, 4.3-1e, 4.3-1f, 4.3-1g.

**MM 4.3-1a.** Comply with El Dorado County APCD Rule 223 (Fugitive Dust), as required by the Air Pollution Control Officer. Compliance may include, but is not limited to, implementation of the following measures:

- Application of water or suitable chemicals or other specified covering on material stockpiles, wrecking activity, excavation, grading, sweeping, clearing of land, solid waste disposal operations, or construction or demolition of buildings or structures (all exposed soil shall be kept visibly moist during grading);
- Installation and use of hoods, fans and filters to enclose, collect, and clean the emissions of dusty materials;
- Covering or wetting at all times when in motion of open-bodied trucks, trailers or other vehicles transporting materials, which create a nuisance by generating particulate matter in areas where the general public has access.
- Application of asphalt, oil, water or suitable chemicals on dirt roads;
- Paving of public or commercial parking surfaces;

- Removal from paved streets and parking surfaces of earth or other material which has a tendency to become airborne;
- Alternate means of control as approved by the Air Pollution Control Officer.

**MM 4.3-1b.** Use only low-emission mobile construction equipment (e.g., tractor, scraper, dozer, etc.).

**MM 4.3-1c.** Maintain construction equipment engines in proper operating condition.

**MM 4.3-1d.** Develop and implement construction activity management techniques, such as extending construction period, reducing number of pieces used simultaneously, increasing distance between emission sources, reducing or changing hours of construction, and scheduling activity during off-peak hours.

**MM 4.3-1e.** Comply with El Dorado County APCD Rule 224 (Cutback and Emulsified Asphalt Paving Materials).

**MM 4.3-1f.** Comply with El Dorado County APCD Rule 215 pertaining to architectural coatings.

**MM 4.3-1g.** Obtain permission from the APCD and/or the local fire agency prior to burning of wastes from land development clearing, depending upon the time of year the burning is to take place. Only vegetative waste materials may be disposed of using an outdoor fire.

**Impact 4.3-8** The proposed project has the potential to result in an increase in greenhouse gas emissions that would significantly hinder or delay the State's ability to meet the reduction targets contained in AB 32.

Findings. The Board of Supervisors hereby makes Finding (1). In addition, the Board of Supervisors hereby makes Finding (2) regarding Mitigation Measure 4.3-8b.

Facts in Support of Findings. The following mitigation measures will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.3-8a and 4.3-8b.

**MM 4.3-8a.** Any traffic lights installed or replaced as part of this project shall use Light Emitting Diodes (LEDs) or the most energy-efficient technology available, unless technical feasibility or safety concerns take precedent.

**MM 4.3-8b.** Prior to commencement of construction, the project construction contractor(s) shall have in place a County-approved Solid Waste Diversion and Recycling Plan (or such other documentation to the satisfaction of the County)

that demonstrates the diversion and recycling of salvageable and re-useable wood, metal, plastic, and paper products during project construction. The Solid Waste Diversion and Recycling Plan shall comply with County Ordinance Chapter 8.43–Construction and Demolition Debris Recycling Within the County of El Dorado. This requirement shall be included in the construction/specification bid documents for the project.

### **Biological Resources**

**Impact 4.4-1** The proposed project has the potential to result in a substantial adverse impact, either directly or through habitat modifications, on a 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 the U.S. Fish and Wildlife Service.

Findings. The Board of Supervisors hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measures will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.4-1a, 4.4-1b and 4.4-1c.

**MM 4.4-1a.** A qualified biologist shall conduct a California red-legged frog (CRLF) survey of the project site 48 hours before the onset of work activities. If any life stage of CRLF is found, and these individuals are likely to be killed or injured by work activities, the approved biologist shall be allowed sufficient time to move them from the site before work activities begin. The biologist shall relocate CRLF(s) the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with the proposed project.

Exclusion fencing shall be installed to prevent frogs from entering the project site during construction. The exclusion fence shall be made of a fine mesh material with openings small enough to prevent passage of CRLF. The exclusion fence shall be a minimum of 18 inches tall above ground, and buried a minimum of six inches below ground. Prior to initiation of construction activities, the fencing shall be placed to the north of construction activities to prevent frogs that may disperse from Weber Creek from entering the project site. The fence shall extend no less than 100 feet beyond the limits of active construction, including any staging areas. The exclusion fencing shall be regularly monitored and repaired as needed. As construction progresses, fencing may be removed and re-installed in areas of active construction; however, fencing shall not be removed from those areas with active construction until all construction-related activities are completed.

During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

**MM 4.4-1b.** Nesting Bird and Bat Surveys Associated with Vegetation Clearing and Other construction Activities: Removal of any trees and shrubs (multi-stemmed woody plants  $\geq 6$  feet in height) shall be conducted outside of the breeding season (typically March 1 through October 1). If no tree and shrub removal will occur during the breeding season, no further mitigation will be necessary.

If removal of trees and shrubs must occur during the breeding season, nesting bird surveys shall be conducted by a qualified biologist within 250 feet of where removal would occur, no more than 14 days prior to removal. Concurrently, the biologist shall also survey for trees capable of supporting a sizeable bat maternity roost. If no active nests or roost trees are identified, then no additional mitigation is necessary.

If an active nest or potential maternity roost is identified, the nest shall be mapped and photographed. No tree removal shall occur within 250 feet of the active nest/roost unless approved by CDFG. For trees removed that are located more than 250 feet but less than 500 feet from an active nest, a biological monitor shall be present to observe the nest/roost during tree removal.

**MM 4.4-1c.** Nesting Bird Surveys Associated with Project Construction: During the breeding season (February through August), a nesting bird and bat survey shall be conducted in suitable habitat within 250 feet of construction activities prior to construction initiation. The survey shall be conducted no more than 14 days prior to initiation of construction activities. If an active nest/roost is observed in this area, all construction activities shall be halted, and CDFG shall be consulted to determine the appropriate mitigation measure. Nest/roost disturbance is dependent on a number of site-specific and activity-specific factors, including the sensitivity of the species, proximity to work activity, amount of noise or frequency of the work activity, and intervening topography, vegetation, structures, etc. Mitigation may be required to minimize disturbance nests/roosts, such as allowing nesting activity to conclude before continuing construction in an area, restricting certain types of construction practices/activities, creating screening devices to shield nest sites from construction activity, and establishing buffer areas around active nest/roost sites.

**Impact 4.4-2** The proposed project has the potential to result in a substantial adverse impact on riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service.

Findings. The Board of Supervisors hereby makes Finding (1).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.4-2.

**MM 4.4-2.** Riparian habitat would be avoided to the maximum extent feasible. Prior to initiation of any ground clearing or other construction activities, a CDFG Section 1602 Lake and Streambed Alteration Agreement shall be prepared and approved by CDFG. Mitigation required for direct and indirect impacts to all riparian habitat under CDFG jurisdiction will be carried out in accordance with the conditions of the Lake and Streambed Alteration Agreement.

Mitigation for impacts to riparian habitat shall include the following:

- 1) Prior to project construction, a riparian habitat restoration and enhancement mitigation and monitoring plan shall be prepared and submitted to CDFG for approval. The plan shall include the following:
  - a) The plan shall identify those portions of the onsite drainage (ED3) and other riparian habitats within the project study area that would benefit most from riparian restoration and enhancement activities. This includes removal of trash, removal of noxious weed species, identification of areas requiring bank stabilization, and identification of areas most suitable for revegetation and a list of plants suitable for those areas.
  - b) The plan shall stipulate a vegetated setback along drainages, where feasible, of not less than 50 feet from the bank, in accordance with General Plan policies. The plan shall stipulate that, where vegetation is not present within the 50-foot buffer, suitable native plants shall be installed in order to create a vegetated buffer that will improve water quality and create wildlife habitat.
  - c) Restoration: Immediately following completion of construction, trash within the drainage shall be removed and suppression of noxious weed species shall be implemented. This shall be completed prior to planting of any additional plants.
  - d) Replacement: Replacement of all permanently affected riparian habitat (including that along ED3 and the three riparian inclusions) shall occur at a minimum ratio of 1:1 per woody riparian species removed. Species suitable for areas outside of but adjacent to the drainage include, but are not limited to, valley oak, coyote brush, and California sycamore. Species suitable for wetter portion of the channel and bank include, but are not limited to, Fremont cottonwood, California blackberry, black willow, arroyo willow, and California pipevine.
  - e) The plan shall include a timeline that identifies when activities shall occur and completion dates.
  - f) The plan shall include detailed monitoring that identifies quantifiable success criteria. Monitoring shall occur for a minimum of 5 years following completion of restoration and enhancement activities.

**Impact 4.4-3** The proposed project has the potential to result in a substantial adverse impact 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.

Findings. The Board of Supervisors hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measures will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.4-3a and 4.4-3b.

**MM 4.4-3a.** The jurisdictional delineation prepared by MBA shall be used in preparation of USACE Section 404 permit applications. Mitigation required for direct and indirect impacts to all features will be carried out in accordance with permit requirements prior to initiation of project construction.

- a) As part of the permitting process, mitigation measures addressing impacts to jurisdictional Waters of the United States, including wetlands, will be defined and implemented. The acreage will be replaced or rehabilitated on a “no-net-loss” basis in accordance with USACE regulations. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to USACE.
- b) All grading plans will include adequate setback for preserved seasonal and perennial drainages in accordance with General Plan Policy 7.3.3.4. Measures to minimize erosion and runoff into seasonal and perennial drainages that are preserved will also be included in all grading plans. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation and the potential discharge of pollutants into preserved drainages.

**MM 4.4-3b.** Standard BMPs to protect water quality shall be implemented prior to project construction and maintained until construction, including any revegetation, is completed. These include standard erosion control BMPs that are outlined in Section 4.8, Hydrology and Water Quality.

**Impact 4.4-5** The proposed project has the potential to conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings. The Board of Supervisors hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.4-5.

**MM 4.4-5.** The County shall comply with the Oak Woodland Management Plan (OWMP) by mitigating for oak woodland canopy removed in accordance with either Option A (On-Site Mitigation, Replanting and Replacement), Option B (Conservation Fund In-Lieu Fee), or a combination of these. As outlined in the OWMP, a 1:1 mitigation ratio shall be applied to the oak canopy removed that falls below the threshold in Table 1, while a 2:1 mitigation ratio shall be applied to the remaining oak canopy removed.

## **Cultural Resources**

**Impact 4.5-1** The proposed project has the potential to cause a substantial adverse change in the significance of a known historical resource as defined in Section 15064.5 of the CEQA Guidelines. Subsurface construction activities associated with the proposed project may damage or destroy previously undiscovered historic resources.

Findings. The Board of Supervisors hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.5-1.

**MM 4.5-1.** If a potentially significant cultural resource is encountered during subsurface earthwork activities for the project, standard County practice will be implemented and all construction activities within a 100-foot radius of the find will be stopped until a qualified archaeologist determines whether the resource requires further study. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramic, wood, or shell artifacts; fossils; or features including hearths, structural remains, or historic dumpsites. Furthermore, El Dorado County DOT will include a standard inadvertent discovery clause in every construction contract. Any previously undiscovered resources found during construction will be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA and Section 106 of the NHPA criteria by a qualified archeologist. If the resource is determined significant under CEQA or the NHPA, the archaeologist will prepare and implement a research design and archaeological data recovery plan that captures those categories of data for which the site is significant. The archaeologist will also perform appropriate technical analyses, prepare a comprehensive report and file it with the appropriate Information Center, and provide for the permanent curation of the recovered materials. Construction activities within the 100-foot radius may continue once all appropriate recovery measures have been completed.

**Impact 4.5-2** The proposed project has the potential to cause a substantial adverse change in the significance of a known archaeological resource pursuant to Section 15064.5. Subsurface construction activities associated with the proposed project may damage or destroy previously undiscovered archaeological resources.

Findings. The Board of Supervisors hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.5-1.

**MM 4.5-1.** If a potentially significant cultural resource is encountered during subsurface earthwork activities for the project, standard County practice will be implemented and all construction activities within a 100-foot radius of the find will be stopped until a qualified archaeologist determines whether the resource requires further study. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramic, wood, or shell artifacts; fossils; or features including hearths, structural remains, or historic dumpsites. Furthermore, El Dorado County DOT will include a standard inadvertent discovery clause in every construction contract. Any previously undiscovered resources found during construction will be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA and Section 106 of the NHPA criteria by a qualified archeologist. If the resource is determined significant under CEQA or the NHPA, the archaeologist will prepare and implement a research design and archaeological data recovery plan that captures those categories of data for which the site is significant. The archaeologist will also perform appropriate technical analyses, prepare a comprehensive report and file it with the appropriate Information Center, and provide for the permanent curation of the recovered materials. Construction activities within the 100-foot radius may continue once all appropriate recovery measures have been completed.

**Impact 4.5-3** The proposed project has the potential to directly destroy a unique paleontological resource or site or unique geologic feature.

Findings. The Board of Supervisors hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.5-3.

**MM 4.5-3.** El Dorado County shall require that a standard inadvertent discovery clause be included in every construction contract. In the event a fossil is discovered during any earthwork activities for the proposed project (including those occurring at depths of less than 10 feet), all excavations within 100 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall determine the procedures to be followed before construction is allowed to resume at the location of the find. If the find is determined to be significant and DOT determines that avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards. The plan shall be incorporated into the project.

**Impact 4.5-4** The proposed project has the potential to disturb human remains, including those interred outside of formal cemeteries.

Findings. The Board of Supervisors hereby makes Finding (1) and Finding (2).



Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.5-4.

**MM 4.5-4.** If human remains are encountered during earth-disturbing activities for the project, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, the Native American Heritage Commission shall be notified and will identify the Most Likely Descendent, who will be consulted for recommendations for treatment of the discovered remains.

### **Geology and Soils**

**Impact 4.6-3** The proposed project has the potential to be located on a geologic unit or soil that could become unstable as a result of the proposed project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Findings. The Board of Supervisors hereby makes Finding (1).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.6-3.

**MM 4.6-3.** Prior to project construction a final geotechnical report will be prepared in order to assess, among other things, the location and depth of expansive materials, undocumented fills, and tailings, including those located within the parcel to be used as a borrow, staging and storage site. Recommended soil stabilization procedures provided in the report (i.e., excavation, engineered fill replacement, moisture barrier, drainage improvements) will be incorporated into the project design.

**Impact 4.6-4** The proposed project has the potential to be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), and may create substantial risks to life or property.

Findings. The Board of Supervisors hereby makes Finding (1).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.6-3.

**MM 4.6-3.** Prior to project construction a final geotechnical report will be prepared in order to assess, among other things, the location and depth of expansive materials, undocumented fills, and tailings, including those located within the parcel to be used as a borrow, staging and storage site. Recommended soil stabilization procedures provided in the report (i.e., excavation, engineered fill replacement, moisture barrier, drainage improvements) will be incorporated into the project design.

### **Hazards and Hazardous Materials**

**Impact 4.7-4** The proposed project has the potential to be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, may create a significant hazard to the public or the environment.

Findings. The Board of Supervisors hereby makes Finding (1).

Facts in Support of Findings. The following mitigation measures will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.7-4a and 4.7-4b.

**MM 4.7-4a.** El Dorado County Department of Transportation will work with the EDCEMD to create an approved work plan that would evaluate the lateral and vertical extent of contamination associated with oil-impacted soil on the Bahlman Parcel, APN 327-270-04. The work plan will include the removal of the upper 2 to 3 feet of soil for later use as on-site backfill and the excavation, transportation, and proper disposal of the lower 3 to 4 feet of on-site soil, or other remedial actions as agreed upon by the El Dorado County Department of Transportation and the EDCEMD. The work plan will be implemented prior to the commencement of the Diamond Springs Parkway construction activities.

**MM 4.7-4b.** El Dorado County Department of Transportation will conduct a soil vapor survey and/or groundwater testing within the Sierra Door property, APN 327-300-08, where construction activities related to the proposed project would occur. If the survey and tests indicate that contaminated soil and/or groundwater are present, El Dorado County Department of Transportation will coordinate with the EDCEMD and implement agreed upon remediation measures in areas disturbed by the proposed project prior to the commencement of the Diamond Springs Parkway construction activities.

**Impact 4-7.5** The proposed project has the potential to result in the exposure of persons or the environment to hazardous materials associated with past and current uses of the project site.

Findings. The Board of Supervisors hereby makes Finding (1). In addition, the Board of Supervisors hereby makes Finding (2) regarding Mitigation Measures 4.7-5c.

The County made modifications to the original wording of one mitigation measure presented in the EIR (Mitigation Measure 4.7-5d). Mitigation Measure 4.7-5d was clarified to ensure proper remediation for potential hazardous substances is conducted and to provide the County with an option to perform pre-construction soil-sampling to determine the presence of hazardous materials. The modification was for the purposes of clarification of the measure and implementation, did not deprive the public of meaningful opportunity to comment and therefore doesn't constitute significant new information. The Board of Supervisors makes the finding that this clarification is not considered to constitute "significant new information," as that term is defined in CEQA. CEQA Guidelines, Section 15088.5(a) provides that "significant new information" requiring recirculation include, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The draft EIR was so fundamentally flawed and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043.)

The Board of Supervisors hereby determines based on substantial evidence in the record that the changes to Mitigation Measure 4.7-5d serves to clarify, amplify, or make insignificant modifications to an adequate EIR, and do not trigger any of the previously listed thresholds. Therefore, recirculation of the EIR (or part thereof) is not required because of these changes.

Facts in Support of Findings. The following mitigation measures will mitigate the impact below the level of significance.

- (1) Implementation of Mitigation Measure 4.7-5a, 4.7-5b, 4.7-5c, 4.7-5d, 4.7-5e, and 4.7-5f.

**MM 4.7-5a.** If lead is found during construction, El Dorado County Department of Transportation shall either abate the lead or provide special construction worker health and safety procedures during demolition activities. A lead-based paint survey shall be performed for all structures constructed prior to 1980 that will be demolished during project construction activities. Caltrans standard special provisions for removal of the existing yellow thermoplastic and yellow paint used for pavement markings throughout the project area shall be implemented.

Disposal of any lead containing materials will occur at a Class 1 disposal facility in accordance with DTSC hazardous materials laws and regulations. All work shall be conducted in accordance with applicable construction worker health and safety requirements, including CalOSHA Construction Safety Orders for lead (Title 8 CCR Section 1532.1). These requirements may include air monitoring during construction, worker training, and preparation of a Lead Compliance Plan prior to construction.

**MM 4.7-5b.** A preliminary site investigation will be conducted prior to construction to identify levels of aerially deposited lead (ADL) in soils within 30 feet of SR-49 that are to be disturbed during project construction. Soil samples shall be tested prior to construction for total and/or soluble lead to properly classify the soils and ensure that all necessary soil management and disposal procedures are followed for the following APNs: 051-250-04, 051-250-06, 051-250-11, 051-250-12, 051-250-13, 051-250-31, 051-461-11, 051-461-12, 051-461-37, 051-461-51, 051-550-47, 054-342-15, 051-342-20, 051-342-23, 054-342-35, 054-342-36, 054-342-27, and 054-351-19.

If ADL is encountered, earthwork involving materials containing ADL shall conform to the provisions in Section 19, "Earthwork," of Caltrans Standard Specifications and of Special Provisions for "Aerially Deposited Lead." According to Caltrans requirements, the El Dorado County Department of Transportation or its contractor will prepare and implement a project-specific Lead Compliance Plan to prevent or minimize worker exposure to ADL while handling material containing ADL. The Lead Compliance Plan will be prepared in compliance with Title 8, California Code of Regulations, Section 1532.1 "Lead." The Plan will include monitoring, and average ADL concentrations shall not exceed 1.5 microgram per cubic meter of air per day. If concentrations exceed this level, the contractor shall stop work and modify the work to prevent release of ADL. The Plan will also include safety training for construction personnel. Excavation, reuse, and disposal of material with ADL shall be in conformance with all rules and regulations of responsible state and federal agencies.

**MM 4.7-5c.** If asbestos is found during construction, the asbestos shall be abated or DOT or EID shall provide special construction work health and safety procedures during demolition activities. An asbestos survey shall be performed for all structures constructed prior to 1980 that will be demolished or disturbed during project construction activities. If asbestos-containing materials are determined to be present, the materials shall be abated by a certified asbestos abatement contractor. All work shall be conducted in accordance with applicable construction worker health and safety requirements, including CalOSHA Construction Safety Orders for asbestos (Title 8 CCR Section 1529). These requirements may include air monitoring during construction, worker training, and preparation of an Asbestos Compliance Plan prior to construction. Furthermore, demolition and disposal shall be conducted in accordance with the El Dorado Air Quality Management District requirements.

**MM 4.7-5d.** The Department of Transportation will provide on-site monitoring, by a qualified environmental professional, during construction activities, or contract

with a qualified environmental professional to conduct soil-sample surveys prior to the start of construction for parcels formerly part of the Diamond & Caldor Railway depot and engine house on APNs 327-300-08, 327-270-03, 327-270-26, 327-270-27, 327-270-46, 327-270-48, and 327-270-49, and the Diamond Lime Mineral Plant (051-250-46 and 051-250-54). Construction monitoring or soil-sampling will be used to determine the presence of any hazardous materials releases, disposal areas, or contaminated soils. If suspected or recognized environmental conditions are identified during project soil excavation activities, the Department of Transportation will stop construction and consult with a qualified environmental remediation consultant to determine the appropriate course of action. Conversely, if pre-construction soil samples indicate contamination, the qualified environmental professional will prepare a remediation plan to be implemented prior to the start of construction.

In either case, the qualified environmental professional will develop and the Department of Transportation will implement a plan for remediation that addresses the encountered hazardous substances and provides for the appropriate disposal and monitoring required to provide remediation in accordance with existing Department of Toxic Substances Control standards.

**MM 4.7-5e.** Department of Transportation will conduct preconstruction sampling for all agricultural chemicals and hydrocarbons where soil is to be disturbed as a result of project activities. If contaminated soils are determined to be present, Department of Transportation will consult with a qualified environmental remediation consultant to determine the appropriate course of action according. Recommend remediation actions shall be approved by the EDCEMD and implemented prior to the start of construction.

**MM 4.7-5f.** Department of Transportation, in coordination with the El Dorado County Fire District shall conduct a risk management program (according to 40 CRF Part 68) specific to risks resulting from the proximity of vehicle traffic to existing large-volume propane tanks located near Bradley Drive. Should protection from vehicle traffic for the propane tanks be required the Department of Transportation will construct protection barriers in compliance with the Uniform Fire Code, the National Fire Protection Association's Liquefied Petroleum Gas Code 58 and any other applicable regulations.

## **Noise**

**Impact 4.10-1** The proposed project has the potential to result in the 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.

**Findings.** The Board of Supervisors hereby makes Finding (1) and Finding (2).

**Facts in Support of Findings.** The following mitigation measures will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.10-1a and 4.10-1b.

**MM 4.10-1a.** Noise-reducing pavement shall be installed at SR-49/Diamond Road between the north end of the Bradley Drive intersection and the south end of the future Parkway intersection. If noise-reducing pavement is not installed, alternative noise reduction methods shall be agreed upon by the El Dorado County Department of Transportation and Caltrans and implemented in such a way to offer the same or greater noise reduction levels as the noise-reducing pavement.

**MM 4.10-1b.** The County shall require that construction contractors comply with all applicable local regulations regarding noise suppression and attenuation and shall require that engine-driven equipment be fitted with mufflers according to manufacturers' specifications. The following requirements shall be included in the construction specifications:

- a) Limit construction activities to the hours of 7:00 a.m. to 7:00 p.m. on weekdays and the hours of 8:00 a.m. to 5:00 p.m. on weekends and federally recognized holidays except as required to alleviate traffic congestion or safety hazards;
- b) Locate fixed construction equipment such as compressors and generators at distances no less than 250 feet from sensitive receptors (including occupied residential property boundaries);
- c) Shroud or shield impact tools, and muffle or shield intake and exhaust ports on power construction equipment; and
- d) Construction equipment using internal combustion engines shall be in proper tune.

**Impact 4-10.3** The proposed project has the potential to result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the proposed project.

Findings. The Board of Supervisors hereby makes Finding (1).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.10-1a.

**MM 4.10-1a.** Noise-reducing pavement shall be installed at SR-49/Diamond Road between the north end of the Bradley Drive intersection and the south end of the future Parkway intersection. If noise-reducing pavement is not installed, alternative noise reduction methods shall be agreed upon by the El Dorado County Department of Transportation and Caltrans and implemented in such a way to offer the same or greater noise reduction levels as the noise-reducing pavement.

**Impact 4.10-4** The proposed project has the potential to result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the proposed project.

Findings. The Board of Supervisors hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.10-1b.

**MM 4.10-1b.** The County shall require that construction contractors comply with all applicable local regulations regarding noise suppression and attenuation and shall require that engine-driven equipment be fitted with mufflers according to manufacturers' specifications. The following requirements shall be included in the construction specifications:

- a) Limit construction activities to the hours of 7:00 a.m. to 7:00 p.m. on weekdays and the hours of 8:00 a.m. to 5:00 p.m. on weekends and federally recognized holidays except as required to alleviate traffic congestion or safety hazards;
- b) Locate fixed construction equipment such as compressors and generators at distances no less than 250 feet from sensitive receptors (including occupied residential property boundaries);
- c) Shroud or shield impact tools, and muffle or shield intake and exhaust ports on power construction equipment; and
- d) Construction equipment using internal combustion engines shall be in proper tune.

## **5.0 FINDINGS REGARDING ALTERNATIVES**

Section 15126.6(f) of the CEQA Guidelines provides a discussion of the factors that can be taken into account in determining the feasibility of alternatives. These factors include:

- Failure to achieve the basic objectives of the project
- Failure to avoid or substantially lessen significant environmental effects of the project
- Site suitability
- Economic viability
- Availability of infrastructure
- General plan consistency
- Limitations of other plans or regulations
- Jurisdictional boundaries
- Ability of the project proponent to reasonably acquire, control, or otherwise have access to an alternative roadway alignment

- Alternatives for which effects cannot be reasonably ascertained and whose implementation is remote and speculative

Based on impacts identified in the EIR, and other reasons documented below, the County finds that adoption and implementation of the proposed project as approved is the most desirable, feasible, and appropriate action and rejects the other alternatives as either less desirable or infeasible based on consideration of the relevant factors identified herein. A summary of each alternative and its relative characteristics, and documentation of the County's findings in support of rejecting the alternative as less desirable or infeasible are provided below.

## **5.1 Proposed Alternatives**

This section presents findings regarding alternatives to the proposed project. The section provides a summary and discussion of the feasibility of the following alternatives evaluated in the EIR:

- No Project Alternative
- Alternative A (MC&FP Proposed Project)
- Alternative B (MC&FP Alternative 4)
- Alternative C (Lower Vertical Profile)

Prior to identification of these alternatives, the range of possible alternatives was initially narrowed in response to various issues, opportunities and constraints identified in the 1997 Technical Memorandum prepared by DOT that identified six potential connector alignments between Missouri Flat and Pleasant Valley roads. The range of alternatives previously considered and rejected as well as the alternatives to the proposed project are summarized in Section 5.0 of the EIR.

## **5.2 Feasibility and Comparative Environmental Effects of Alternatives**

**5.2.1 The No Project Alternative.** Under the No Project Alternative, the project site would remain in its existing condition, and the proposed parkway and associated roadway improvements would not be constructed. No right-of-way acquisition would be required.

The No Project Alternative is rejected as being infeasible for the following reasons:

1. The No Project Alternative would not attain project objectives 1a, 1b, 1c and 1d
2. The No Project Alternative would not be compliant with the 2004 County General Plan.
3. Existing LOS deficiencies would continue to worsen on Missouri Flat Road and SR-49.



4. The No Project Alternative would result in greater impacts than the proposed project to air quality, land use, public services, traffic, and utilities because existing level of service deficiencies would not be improved (and continue to worsen), and existing utilities would not be upgraded. The No Project Alternative would result in lesser impacts than the proposed project in the areas of aesthetics, biology, cultural resources, geology, hazards, hydrology, and noise because no changes or disturbances to the existing project site would occur.

The No Project Alternative would result in significant traffic impacts that would not be mitigated to less than significant. The proposed project, as altered with mitigation measures, does not have any significant impacts. Overall, the County finds the proposed project superior to the No Project Alternative because the proposed project would improve roadway LOS, updates utilities and meets General Plan policies and objectives.

**5.2.2 Alternative A (MC&FP Proposed Project).** Under Alternative A (previously considered in the MC&FP EIR as the preferred alignment and included in the 1997 Technical Memorandum as Alternative 3), the proposed Parkway would be constructed according to the third conceptual alignment presented to the Board of Supervisors in the April 9, 1997 Technical Memorandum. A full description of this alternative can be found in the Draft EIR. Significant right-of-way acquisitions for Diamond Road (SR-49) would be required under this alternative; however, this alternative would not require the potential relocation of businesses located near Old Depot Road. This alternative would require SR-49 through-traffic to turn at a new intersection, thereby segmenting SR-49 and necessitate a formal process for a Route Adoption through Caltrans.

Alternative A is rejected as being infeasible for the following reasons:

1. Alternative A featured a sweeping alignment that bisects or fragments several properties and would result in greater land use impacts.
2. Alternative A has greater construction costs.
3. Alternative A would not meet project objective 1d, to coordinate with the El Dorado Multi-Use Trail, because it would require use of a portion of the EDMUT right-of-way and displace the recently constructed trail facility.
4. Alternative A would result in greater impacts to seasonal wetlands, ephemeral drainages, and oak woodland canopy than the proposed project, and would therefore not meet Objective 1e to the same extent as the proposed project.

5. Alternative A would result in greater impacts to aesthetics, biologic resources, land use, and traffic and transportation. Alternative A would result in impacts similar to the proposed project with regard to air quality, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, and utilities and services systems. Alternative A would not result in fewer impacts to any resource areas when compared to the proposed project.

Overall, the County finds the proposed project superior to Alternative A because the proposed project results in fewer environmental impacts, meets the project objectives, does not segment SR-49, and has less construction costs

**5.2.2 Alternative B (MC&FP Alternative 4).** Under Alternative B (previously considered in the MC&FP EIR as Alternative 4) the proposed Parkway would be constructed according to the fourth conceptual alignment presented to the Board of Supervisors in the April 9, 1997 Technical Memorandum. The Board of Supervisors selected this alternative on April 29, 2008 as the preferred alignment, rescinding its previous decision to move forward with the alignment included as the proposed project in the MC&FP EIR. A full description of this alternative can be found in the Draft EIR.

Alternative B's alignment is very similar to the alignment proposed in this Draft EIR with the exception of the EDMUT corridor usage and realignment of Diamond Road (SR 49) between Lime Kiln Road and Diamond Road (SR 49). Right-of-way acquisitions would be similar to that of the proposed project; however, this alternative would not result in the potential relocation of businesses located near Old Depot Road.

Alternative B is rejected as being infeasible for the following reasons:

- (1) Alternative B would not meet project objective 1d, coordinate with El Dorado Multi-Use Trail, as it requires the use of a portion of the EDMUT right-of-way and displace the recently constructed trail facility
- (2) Alternative B would require more right of way acquisitions than the proposed project and would result in greater land use impacts.
- (3) Alternative B would result in greater impacts to aesthetics, biologic resources, land use, and traffic and transportation. Alternative B would result in impacts similar to the proposed project with regard to air quality, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, and utilities and services systems. Alternative B would not result in fewer impacts to any resource areas when compared to the proposed project.

Overall, the County finds the proposed project superior to Alternative B because the proposed project results in fewer environmental impacts and meets the project objectives.

**5.2.3 Alternative C (Lower Vertical Profile).** Under Alternative C (also known as the Lower Vertical Profile Alternative), the proposed Parkway and all associated roadway improvements would be constructed at a lower topographic elevation, up to five feet lower, than the proposed project. A full description of this alternative can be found in the Draft EIR. Accordingly, this alternative's vertical profile would more closely mimic the existing topography of the project site and reduce required soil grading. The lower vertical profile would slightly reduce the size of the required roadway prism thereby resulting in a fractionally smaller footprint than the proposed project. All other features of the proposed project would be included in this alternative, including creation of the frontage road, three new signalized intersections, additional bicycle, pedestrian and transit facilities, EID Intertie, and overhead utility undergrounding or relocations. Right-of-way acquisitions and potential business relocations would be similar to that of the proposed project.

Alternative C is feasible for the following reasons:

1. Alternative C would meet all project objectives.
2. Alternative C would result in impacts similar to that of the proposed project related to aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, public services, traffic and transportation, and utilities and service systems.
3. Alternative C would result in less air quality impacts than the proposed project because less earth movement and grading would be required.
4. Alternative C would result in less right of way acquisition than the proposed project.

While Alternative C results in less earth movement and grading than the proposed project, Mitigation Measures 4.3-1a, 4.3-1b, 4.3-1c, 4.3-1d, 4.3-1e, 4.3-1f and 4.3-1g would ensure that the proposed project's impacts to air quality would be reduced to a less than significant level.

Alternative C requires less right of way acquisition; however the reduced right of way acquisitions do not significantly increase the ability to use the parcels in comparison to the proposed project.

The Board hereby chooses the proposed project. The proposed project meets all project objectives and mitigates all impacts to less than significant, as does Alternative C. The proposed project varies from Alternative C in elevation only, not horizontal alignment. The elevation of the proposed project was designed to be compatible with the proposed, adjacent Diamond Dorado

Retail Center (DDRC) and balances the earthwork between the two projects such that neither project is required to import or export soil. If DDRC is approved, this balanced earthwork would reduce the construction costs and air quality impacts of both projects cumulatively. Alternative C was designed to balance the earthwork of the proposed project only. By providing compatibility with the proposed DDRC, the proposed project has more potential to support economic growth within the Missouri Flat area and, therefore, better fulfills the project objective 1c. The Board finds that, while Alternative C has comparable environmental impacts, the proposed project is the most desirable, feasible, and appropriate action.

## **6.0 FINDINGS REGARDING CUMULATIVE IMPACTS**

The County finds that all project impacts would either be less than significant or would be mitigated to a less than significant level with the implementation of mitigation as identified in the EIR and MMRP. Because other development in the project vicinity would also be required to mitigate potential impacts, the proposed project, in combination with other past, present or reasonably foreseeable future projects, would not result in significant adverse cumulative impacts.

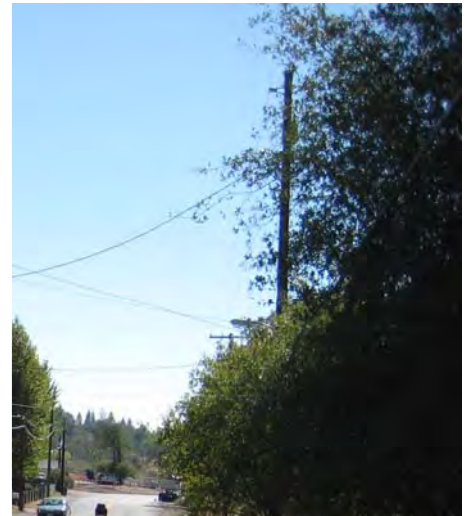
## **7.0 FINDINGS REGARDING GROWTH INDUCEMENT**

The County finds that the project will improve circulation in the area and will therefore facilitate development on adjacent properties. However, this project was identified and analyzed in the County's 2004 General Plan. The County finds that the Parkway and associated improvements have been designed to accommodate existing predicted traffic increases and is consistent with the 2004 General Plan. The County finds that the project EIR, and the General Plan EIR, adequately evaluated the project's effects on growth in the area. The County further finds that the future growth in the area would be subject to its own CEQA review and appropriate mitigation will be analyzed at that time.

The County finds that the EID Intertie Improvements would increase existing water supply reliability in an area already served by EID, and would supply water for future growth that has been planned for in the 2004 El Dorado County General Plan and analyzed in the El Dorado County General Plan EIR. As such, the County finds that the EID Intertie Improvements would allow for the future growth identified in the General Plan, but that the improvements will not induce growth beyond that which is identified in the General Plan.

## **ATTACHMENT A**

### **Mitigation Monitoring and Reporting Plan**



# Diamond Springs Parkway Project Mitigation Monitoring and Reporting Plan

State Clearinghouse No. 2007122033



El Dorado County Department of Transportation

May 10, 2011



Michael Brandman Associates

2000 "O" Street, Suite 200  
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# **Mitigation Monitoring and Reporting Plan Diamond Springs Parkway Project County of El Dorado, California**

State Clearinghouse No. 2007122033

Prepared for:



**El Dorado County Department of Transportation**

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May 10, 2011





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## **MITIGATION MONITORING AND REPORTING PROGRAM**

### **Introduction**

El Dorado County has prepared an Environmental Impact Report (EIR) for the Diamond Springs Parkway Project (project) (State Clearinghouse No. 2007122033) pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code, Section 21000, et seq.). The April 2011 Final EIR for the project identifies potentially significant adverse environmental effects of the project. The Final EIR also identifies mitigation measures for each potentially significant impact that would serve to avoid or reduce these impacts to a less-than-significant level.

### **Summary of Project Description**

Under the Diamond Springs Parkway Project the County of El Dorado, as the lead agency, through its Department of Transportation (DOT), proposes to improve traffic circulation along the Pleasant Valley Road and Missouri Flat Road corridors, in the vicinity of Diamond Springs, California, by constructing the Diamond Springs Parkway (Parkway), which would connect Missouri Flat Road with State Route 49 (SR-49)/Diamond Road.

The Diamond Springs Parkway is identified in the County's General Plan Circulation Element Table TC-1 and Circulation Map from Missouri Flat Road to SR-49 as a future four-lane, divided roadway, and it is included in the County's 2009 CIP and TIM Fee Program. As previously described, the proposed Parkway would extend eastward from Missouri Flat Road near its intersection with the Sacramento-Placerville Transportation Corridor, north of China Garden Road, and would connect to Diamond Road (SR-49). Construction of the Parkway would also require improvements and/or realignment to the following roadways: China Garden Road, Throwita Way, Truck Street, Bradley Street, and Old Depot Road. Additionally, a new Truck Street/Bradley Drive Connector would be constructed west of Diamond Road (SR-49) to enhance circulation within the project area.

As a part of the proposed project, El Dorado Irrigation District (EID), proposes to install a new 18-inch waterline in Diamond Springs Parkway and upgrade existing 6-inch and 8-inch waterlines with a new 12-inch waterline in SR- 49/Diamond Road from Pleasant Valley Road to Finch Road. Along with the installation of the waterlines, there will be appurtenances located outside of the roadway pavement such as vaults, blow-offs, above-ground air relief valves (ARV), manholes, and valves that may need to be installed and/or adjusted to grade.

The Final EIR for the Diamond Springs Parkway Project was approved on May 17, 2011 and, per CEQA Guidelines Section 15126.4, included mitigation measures to avoid any potentially significant impacts that may occur as a result of project implementation.

## **Mitigation Monitoring and Reporting Program**

Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the CEQA Guidelines require public agencies “to adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.” This Mitigation Monitoring and Reporting Plan (MMRP) has been prepared pursuant to Section 15097 of CEQA Guidelines to provide a mechanism for implementation, monitoring and verifying implementation of the mitigation measures identified in the Final EIR. This MMRP defines the implementation, responsibilities and reporting for the mitigation measures identified in the Final EIR.

The specific objectives of this MMRP are to:

- Assign responsibility for implementation and funding of mitigation measures identified in the Final EIR;
- Assign responsibility for and provide for verification of compliance with mitigation measures; and
- Provide the mechanism to identify areas of non-compliance and the need for enforcement action before irreversible environmental damage occurs.

### ***Review of Mitigation Monitoring and Reporting Program***

The overall management of the Mitigation Monitoring and Reporting Program will be implemented by the County of El Dorado’s Department of Transportation (DOT). DOT’s Project Engineer will review each mitigation measure in the Mitigation Monitoring and Reporting Program to ensure each measure was properly implemented. If the mitigation measure has been completed for the project, the Project Engineer should line through the mitigation measure on the form, and initial and date the line indicating that the mitigation measure has been completed.

Before the final project plans are approved, the Project Engineer will ensure that all mitigation measures are incorporated into construction documents, site plans, improvements plans, etc., as applicable.

For measures that require a report, program, or plan, the Project Engineer should determine if that report, program, or plan is due, based on the progress of implementing the program to date. If the report, program, or plan is timely, that fact should be reported in a review memorandum to the County Board of Supervisors. If no such program is necessary at that time, the memorandum should so state.

For ongoing measures, the memorandum should report whether these measures are actively being pursued, and if not, what action is appropriate. If the measures are no longer appropriate or necessary

because the environmental effect is no longer an issue, then that fact should be reported in the review memorandum, and the discontinuation of the mitigation measure should be recommended. If measures are not being implemented adequately, recommendations should be made to improve the application of the mitigation measure.

In addition to the mitigation measures identified herein, the County is required to obtain and comply with all state and federal regulatory permitting requirements and all applicable federal, state and local rules and regulations pertaining to the project and project construction activities. Section 3 of the Draft EIR (as incorporated by reference to the Final EIR) includes a discussion of regulatory requirements pertaining to environmental resources. It shall be the responsibility of the El Dorado County DOT to confirm and obtain all required permits and comply with all applicable regulatory requirements.

In some instances, a mitigation measure may fall under the joint responsibility of DOT and EID and/or Caltrans. In such cases, the implementing authority is indicated as such in the Mitigation Monitoring and Reporting Program Tables.

#### ***Availability of Mitigation Monitoring and Reporting Program***

The completed MMRP will be retained in the County DOT project file and will be available for public inspection upon request.

#### **Mitigation Monitoring and Reporting Program Tables**

The following tables will assist the responsible parties in implementing the MMRP. The tables include the mitigation measures identified in the Final EIR and list the parties responsible for funding, implementing and verifying that mitigation measures have been implemented. The numbering of mitigation measures follows the numbering sequence used by the Draft and Final EIR.

## AIR QUALITY

### Mitigation Measure 4.3-1a

**MM 4.3-1a.** Comply with El Dorado County APCD Rule 223 (Fugitive Dust), as required by the Air Pollution Control Officer. Compliance may include, but is not limited to, implementation of the following measures:

- Application of water or suitable chemicals or other specified covering on material stockpiles, wrecking activity, excavation, grading, sweeping, clearing of land, solid waste disposal operations, or construction or demolition of buildings or structures (all exposed soil shall be kept visibly moist during grading);
- Installation and use of hoods, fans and filters to enclose, collect, and clean the emissions of dusty materials;
- Covering or wetting at all times when in motion of open-bodied trucks, trailers or other vehicles transporting materials, which create a nuisance by generating particulate matter in areas where the general public has access.
- Application of asphalt, oil, water or suitable chemicals on dirt roads;
- Paving of public or commercial parking surfaces;
- Removal from paved streets and parking surfaces of earth or other material which has a tendency to become airborne;
- Alternate means of control as approved by the Air Pollution Control Officer.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> During project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT <b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b> <b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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### Mitigation Measure 4.3-1b

<b>MM 4.3-1b.</b> Use only low-emission mobile construction equipment (e.g., tractor, scraper, dozer, etc.).				
<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> During project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
			<b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	

### Mitigation Measure 4.3-1c

<b>MM 4.3-1c.</b> Maintain construction equipment engines in proper operating condition.				
<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> During Project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## Mitigation Measure 4.3-1d

<b>MM 4.3-1d.</b> Develop and implement construction activity management techniques, such as extending construction period, reducing number of pieces used simultaneously, increasing distance between emission sources, reducing or changing hours of construction, and scheduling activity during off-peak hours.				
<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> Prior to and during Project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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			<b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	

### Mitigation Measure 4.3-1e

<b>MM 4.3-1e.</b> Comply with El Dorado County APCD Rule 224 (Cutback and Emulsified Asphalt Paving Materials).				
<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> During Project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
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### Mitigation Measure 4.3-1f

<b>MM 4.3-1f.</b> Comply with El Dorado County APCD Rule 215 pertaining to architectural coatings.				
<b>Funded by:</b> El Dorado County.	<b>Implemented by: 9.75</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> During Project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT <b>Name:</b> <b>Title:</b> <b>Date:</b>	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>

## Mitigation Measure 4.3-1g

<b>MM 4.3-1g.</b> Obtain permission from the APCD and/or the local fire agency prior to burning of wastes from land development clearing, depending upon the time of year the burning is to take place. Only vegetative waste materials may be disposed of using an outdoor fire.				
<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors.	<b>Implementation timing:</b> Prior to and during project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
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## Mitigation Measure 4.3-8a

<b>MM 4.3-8a.</b> Any traffic lights installed or replaced as part of this project shall use Light Emitting Diodes (LEDs) or the most energy-efficient technology available, unless technical feasibility or safety concerns take precedent.				
<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors.	<b>Implementation timing:</b> During Project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## Mitigation Measure 4.3-8b

**MM 4.3-8b.** Prior to commencement of construction, the project construction contractor(s) shall have in place a County-approved Solid Waste Diversion and Recycling Plan (or such other documentation to the satisfaction of the County) that demonstrates the diversion and recycling of salvageable and re-useable wood, metal, plastic, and paper products during project construction. The Solid Waste Diversion and Recycling Plan shall comply with County Ordinance Chapter 8.43–Construction and Demolition Debris Recycling Within the County of El Dorado. This requirement shall be included in the construction/specification bid documents for the project.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> Prior to and during Project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
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## BIOLOGICAL RESOURCES

### Mitigation Measure 4.4-1a

**MM 4.4-1a.** A qualified biologist shall conduct a California red-legged frog (CRLF) survey of the project site 48 hours before the onset of work activities. If any life stage of CRLF is found, and these individuals are likely to be killed or injured by work activities, the approved biologist shall be allowed sufficient time to move them from the site before work activities begin. The biologist shall relocate CRLF(s) the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with the proposed project.

Exclusion fencing shall be installed to prevent frogs from entering the project site during construction. The exclusion fence shall be made of a fine mesh material with openings small enough to prevent passage of CRLF. The exclusion fence shall be a minimum of 18 inches tall above ground, and buried a minimum of six inches below ground. Prior to initiation of construction activities, the fencing shall be placed to the north of construction activities to prevent frogs that may disperse from Weber Creek from entering the project site. The fence shall extend no less than 100 feet beyond the limits of active construction, including any staging areas. The exclusion fencing shall be regularly monitored and repaired as needed. As construction progresses, fencing may be removed and re-installed in areas of active construction; however, fencing shall not be removed from those areas with active construction until all construction-related activities are completed.

During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> Prior to and during Project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## Mitigation Measure 4.4-1b

**MM 4.4-1b.** Nesting Bird and Bat Surveys Associated with Vegetation Clearing and Other construction Activities: Removal of any trees and shrubs (multi-stemmed woody plants  $\geq$  6 feet in height) shall be conducted outside of the breeding season (typically March 1 through October 1). If no tree and shrub removal will occur during the breeding season, no further mitigation will be necessary.

If removal of trees and shrubs must occur during the breeding season, nesting bird surveys shall be conducted by a qualified biologist within 250 feet of where removal would occur, no more than 14 days prior to removal. Concurrently, the biologist shall also survey for trees capable of supporting a sizeable bat maternity roost. If no active nests or roost trees are identified, then no additional mitigation is necessary.

If an active nest or potential maternity roost is identified, the nest shall be mapped and photographed. No tree removal shall occur within 250 feet of the active nest/roost unless approved by CDFG. For trees removed that are located more than 250 feet but less than 500 feet from an active nest, a biological monitor shall be present to observe the nest/roost during tree removal.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> Prior to and during Project construction activities (Phase 1).	<b>Verified by:</b> El Dorado County DOT <b>Name:</b> <b>Title:</b> <b>Date:</b>	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## Mitigation Measure 4.4-1c

**MM 4.4-1c.** Nesting Bird Surveys Associated with Project Construction: During the breeding season (February through August), a nesting bird and bat survey shall be conducted in suitable habitat within 250 feet of construction activities prior to construction initiation. The survey shall be conducted no more than 14 days prior to initiation of construction activities. If an active nest/roost is observed in this area, all construction activities shall be halted, and CDFG shall be consulted to determine the appropriate mitigation measure. Nest/roost disturbance is dependent on a number of site-specific and activity-specific factors, including the sensitivity of the species, proximity to work activity, amount of noise or frequency of the work activity, and intervening topography, vegetation, structures, etc. Mitigation may be required to minimize disturbance nests/roosts, such as allowing nesting activity to conclude before continuing construction in an area, restricting certain types of construction practices/activities, creating screening devices to shield nest sites from construction activity, and establishing buffer areas around active nest/roost sites.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> Prior to and during Project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## Mitigation Measure 4.4-2

**MM 4.4-2.** Riparian habitat would be avoided to the maximum extent feasible. Prior to initiation of any ground clearing or other construction activities, a CDFG Section 1602 Lake and Streambed Alteration Agreement shall be prepared and approved by CDFG. Mitigation required for direct and indirect impacts to all riparian habitat under CDFG jurisdiction will be carried out in accordance with the conditions of the Lake and Streambed Alteration Agreement.

Mitigation for impacts to riparian habitat shall include the following:

- 1) Prior to project construction, a riparian habitat restoration and enhancement mitigation and monitoring plan for shall be prepared and submitted to CDFG for approval. The plan shall include the following:
  - a) The plan shall identify those portions of the onsite drainage (ED3) and other riparian habitats within the project study area that would benefit most from riparian restoration and enhancement activities. This includes removal of trash, removal of noxious weed species, identification of areas requiring bank stabilization, and identification of areas most suitable for revegetation and a list of plants suitable for those areas.
  - b) The plan shall stipulate a vegetated setback along drainages, where feasible, of not less than 50 feet from the bank, in accordance with General Plan policies. The plan shall stipulate that, where vegetation is not present within the 50-foot buffer, suitable native plants shall be installed in order to create a vegetated buffer that will improve water quality and create wildlife habitat.
  - c) Restoration: Immediately following completion of construction, trash within the drainage shall be removed and suppression of noxious weed species shall be implemented. This shall be completed prior to planting of any additional plants.
  - d) Replacement: Replacement of all permanently affected riparian habitat (including that along ED3 and the three riparian inclusions) shall occur at a minimum ratio of 1:1 per woody riparian species removed. Species suitable for areas outside of but adjacent to the drainage include, but are not limited to, valley oak, coyote brush, and California sycamore. Species suitable for wetter portion of the channel and bank include, but are not limited to, Fremont cottonwood, California blackberry, black willow, arroyo willow, and California pipevine.
  - e) The plan shall include a timeline that identifies when activities shall occur and completion dates.
  - f) The plan shall include detailed monitoring that identifies quantifiable success criteria. Monitoring shall occur for a minimum of 5 years following completion of restoration and enhancement activities.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors.	<b>Implementation timing:</b> Prior to, during and after project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## Mitigation Measure 4.4-3a

**MM 4.4-3a.** The jurisdictional delineation prepared by MBA shall be used in preparation of USACE Section 404 permit applications. Mitigation required for direct and indirect impacts to all features will be carried out in accordance with permit requirements prior to initiation of project construction.

- a) As part of the permitting process, mitigation measures addressing impacts to jurisdictional Waters of the United States, including wetlands, will be defined and implemented. The acreage will be replaced or rehabilitated on a “no-net-loss” basis in accordance with USACE regulations. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to USACE.
- b) All grading plans will include adequate setback for preserved seasonal and perennial drainages in accordance with General Plan Policy 7.3.3.4. Measures to minimize erosion and runoff into seasonal and perennial drainages that are preserved will also be included in all grading plans. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation and the potential discharge of pollutants into preserved drainages.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> Prior to, during and after project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## Mitigation Measure 4.4-3b

<b>MM 4.4-3b.</b> Standard BMPs to protect water quality shall be implemented prior to project construction and maintained until construction, including any revegetation, is completed. These include standard erosion control BMPs that are outlined in Section 4.8, Hydrology and Water Quality.				
<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> Prior to and during project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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			<b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	

## Mitigation Measure 4.4-5

**MM 4.4-5.** The County shall comply with the Oak Woodland Management Plan (OWMP) by mitigating for oak woodland canopy removed in accordance with either Option A (On-Site Mitigation, Replanting and Replacement), Option B (Conservation Fund In-Lieu Fee), or a combination of these. As outlined in the OWMP, a 1:1 mitigation ratio shall be applied to the oak canopy removed that falls below the threshold in Table 1, while a 2:1 mitigation ratio shall be applied to the remaining oak canopy removed.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> Prior to, during and after project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## CULTURAL RESOURCES

### Mitigation Measure 4.5-1

**MM 4.5-1.** If a potentially significant cultural resource is encountered during subsurface earthwork activities for the project, standard County practice will be implemented and all construction activities within a 100-foot radius of the find will be stopped until a qualified archaeologist determines whether the resource requires further study. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramic, wood, or shell artifacts; fossils; or features including hearths, structural remains, or historic dumpsites. Furthermore, El Dorado County DOT will include a standard inadvertent discovery clause in every construction contract. Any previously undiscovered resources found during construction will be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA and Section 106 of the NHPA criteria by a qualified archeologist. If the resource is determined significant under CEQA or the NHPA, the archaeologist will prepare and implement a research design and archaeological data recovery plan that captures those categories of data for which the site is significant. The archaeologist will also perform appropriate technical analyses, prepare a comprehensive report and file it with the appropriate Information Center, and provide for the permanent curation of the recovered materials. Construction activities within the 100-foot radius may continue once all appropriate recovery measures have been completed.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> During project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## Mitigation Measure 4.5-3

**MM 4.5-3.** El Dorado County shall require that a standard inadvertent discovery clause be included in every construction contract. In the event a fossil is discovered during any earthwork activities for the proposed project (including those occurring at depths of less than 10 feet), all excavations within 100 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall determine the procedures to be followed before construction is allowed to resume at the location of the find. If the find is determined to be significant and DOT determines that avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards. The plan shall be incorporated into the project.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> Prior to, and during project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## Mitigation Measure 4.5-4

**MM 4.5-4.** If human remains are encountered during earth-disturbing activities for the project, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, the Native American Heritage Commission shall be notified and will identify the Most Likely Descendent, who will be consulted for recommendations for treatment of the discovered remains.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> During project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## GEOLOGY AND SOILS

### Mitigation Measure 4.6-3

**MM 4.6-3.** Prior to project construction a final geotechnical report will be prepared in order to assess, among other things, the location and depth of expansive materials, undocumented fills, and tailings, including those located within the parcel to be used as a borrow, staging and storage site. Recommended soil stabilization procedures provided in the report (i.e., excavation, engineered fill replacement, moisture barrier, drainage improvements) will be incorporated into the project design.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors.	<b>Implementation timing:</b> Prior to and during project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
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## HAZARDS AND HAZARDOUS MATERIALS

### Mitigation Measure 4.7-4a

<p><b>MM 4.7-4a.</b> El Dorado County Department of Transportation will work with the EDCEMD to create an approved work plan that would evaluate the lateral and vertical extent of contamination associated with oil-impacted soil on the Bahlman Parcel, APN 327-270-04. The work plan will include the removal of the upper 2 to 3 feet of soil for later use as on-site backfill and the excavation, transportation, and proper disposal of the lower 3 to 4 feet of on-site soil, or other remedial actions as agreed upon by the El Dorado County Department of Transportation and the EDCEMD. The work plan will be implemented prior to the commencement of the Diamond Springs Parkway construction activities.</p>				
<p><b>Funded by:</b> El Dorado County.</p>	<p><b>Implemented by:</b> El Dorado County DOT, El Dorado County Environmental Management Department, and project construction contractors.</p>	<p><b>Implementation timing:</b> Prior to project construction activities (Phase 1 and Phase 2).</p>	<p><b>Verified by:</b> El Dorado County DOT</p>	<p><b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b></p>
			<p><b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b></p>	
			<p><b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b></p>	

## Mitigation Measure 4.7-4b

**MM 4.7-4b.** El Dorado County Department of Transportation will conduct a soil vapor survey and/or groundwater testing within the Sierra Door property, APN 327-300-08, where construction activities related to the proposed project would occur. If the survey and tests indicate that contaminated soil and/or groundwater are present, El Dorado County Department of Transportation will coordinate with the EDCEMD and implement agreed upon remediation measures in areas disturbed by the proposed project prior to the commencement of the Diamond Springs Parkway construction activities.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT El Dorado County Environmental Management Department and project construction contractors.	<b>Implementation timing:</b> Prior to project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
			<b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	

## Mitigation Measure 4.7-5a

**MM 4.7-5a.** If lead is found during construction, El Dorado County Department of Transportation shall either abate the lead or provide special construction worker health and safety procedures during demolition activities. A lead-based paint survey shall be performed for all structures constructed prior to 1980 that will be demolished during project construction activities. Caltrans standard special provisions for removal of the existing yellow thermoplastic and yellow paint used for pavement markings throughout the project area shall be implemented. Disposal of any lead containing materials will occur at a Class 1 disposal facility in accordance with DTSC hazardous materials laws and regulations. All work shall be conducted in accordance with applicable construction worker health and safety requirements, including CalOSHA Construction Safety Orders for lead (Title 8 CCR Section 1532.1). These requirements may include air monitoring during construction, worker training, and preparation of a Lead Compliance Plan prior to construction.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors.	<b>Implementation timing:</b> During project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
			<b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	

## Mitigation Measure 4.7-5b

**MM 4.7-5b.** A preliminary site investigation will be conducted prior to construction to identify levels of aerially deposited lead (ADL) in soils within 30 feet of SR-49 that are to be disturbed during project construction. Soil samples shall be tested prior to construction for total and/or soluble lead to properly classify the soils and ensure that all necessary soil management and disposal procedures are followed for the following APNs: 051-250-04, 051-250-06, 051-250-11, 051-250-12, 051-250-13, 051-250-31, 051-461-11, 051-461-12, 051-461-37, 051-461-51, 051-550-47, 054-342-15, 051-342-20, 051-342-23, 054-342-35, 054-342-36, 054-342-27, and 054-351-19.

If ADL is encountered, earthwork involving materials containing ADL shall conform to the provisions in Section 19, "Earthwork," of Caltrans Standard Specifications and of Special Provisions for "Aerially Deposited Lead." According to Caltrans requirements, the El Dorado County Department of Transportation or its contractor will prepare and implement a project-specific Lead Compliance Plan to prevent or minimize worker exposure to ADL while handling material containing ADL. The Lead Compliance Plan will be prepared in compliance with Title 8, California Code of Regulations, Section 1532.1 "Lead." The Plan will include monitoring, and average ADL concentrations shall not exceed 1.5 microgram per cubic meter of air per day. If concentrations exceed this level, the contractor shall stop work and modify the work to prevent release of ADL. The Plan will also include safety training for construction personnel. Excavation, reuse, and disposal of material with ADL shall be in conformance with all rules and regulations of responsible state and federal agencies.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors.	<b>Implementation timing:</b> Prior to and during project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
			<b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	

## Mitigation Measure 4.7-5c

<p><b>MM 4.7-5c.</b> If asbestos is found during construction, the asbestos shall be abated or DOT or EID shall provide special construction work health and safety procedures during demolition activities. An asbestos survey shall be performed for all structures constructed prior to 1980 that will be demolished or disturbed during project construction activities. If asbestos-containing materials are determined to be present, the materials shall be abated by a certified asbestos abatement contractor. All work shall be conducted in accordance with applicable construction worker health and safety requirements, including CalOSHA Construction Safety Orders for asbestos (Title 8 CCR Section 1529). These requirements may include air monitoring during construction, worker training, and preparation of an Asbestos Compliance Plan prior to construction. Furthermore, demolition and disposal shall be conducted in accordance with the El Dorado Air Quality Management District requirements.</p>				
<p><b>Funded by:</b> El Dorado County.</p>	<p><b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.</p>	<p><b>Implementation timing:</b> Prior to and during project construction activities (Phase 1 and Phase 2).</p>	<p><b>Verified by:</b> El Dorado County DOT</p>	<p><b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b></p>
			<p><b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b></p>	
			<p><b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b></p>	

## Mitigation Measure 4.7-5d

**MM 4.7-5d.** The Department of Transportation will provide on-site monitoring, by a qualified environmental professional, during construction activities, or contract with a qualified environmental professional to conduct soil-sample surveys prior to the start of construction for parcels formerly part of the Diamond & Caldor Railway depot and engine house on APNs 327-300-08, 327-270-03, 327-270-26, 327-270-27, 327-270-46, 327-270-48, and 327-270-49, and the Diamond Lime Mineral Plant (051-250-46 and 051-250-54). Construction monitoring or soil-sampling will be used to determine the presence of any hazardous materials releases, disposal areas, or contaminated soils. If suspected or recognized environmental conditions are identified during project soil excavation activities, the Department of Transportation will stop construction and consult with a qualified environmental remediation consultant to determine the appropriate course of action. Conversely, if pre-construction soil samples indicate contamination, the qualified environmental professional will prepare a remediation plan to be implemented prior to the start of construction.

In either case, the qualified environmental professional will develop and the Department of Transportation will implement a plan for remediation that addresses the encountered hazardous substances and provides for the appropriate disposal and monitoring required to provide remediation in accordance with existing Department of Toxic Substances Control standards.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors.	<b>Implementation timing:</b> Prior to and during project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
			<b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	

## Mitigation Measure 4.7-5e

**MM 4.7-5e.** Department of Transportation will conduct preconstruction sampling for all agricultural chemicals and hydrocarbons where soil is to be disturbed as a result of project activities. If contaminated soils are determined to be present, Department of Transportation will consult with a qualified environmental remediation consultant to determine the appropriate course of action according. Recommend remediation actions shall be approved by the EDCEMD and implemented prior to the start of construction.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT, El Dorado County Environmental Management Department and project construction contractors.	<b>Implementation timing:</b> Prior to project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
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## Mitigation Measure 4.7-5f

**MM 4.7-5f.** Department of Transportation, in coordination with the El Dorado County Fire District shall conduct a risk management program (according to 40 CRF Part 68) specific to risks resulting from the proximity of vehicle traffic to existing large-volume propane tanks located near Bradley Drive. Should protection from vehicle traffic for the propane tanks be required the Department of Transportation will construct protection barriers in compliance with the Uniform Fire Code, the National Fire Protection Association's Liquefied Petroleum Gas Code 58 and any other applicable regulations.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT, El Dorado County Fire District and project construction contractors.	<b>Implementation timing:</b> Prior to, during and after project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
			<b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	



## NOISE

### Mitigation Measure 4.10-1a

<b>MM 4.10-1a.</b> Noise-reducing pavement shall be installed at SR-49/Diamond Road between the north end of the Bradley Drive intersection and the south end of the future Parkway intersection. If noise-reducing pavement is not installed, alternative noise reduction methods shall be agreed upon by the El Dorado County Department of Transportation and Caltrans and implemented in such a way to offer the same or greater noise reduction levels as the noise-reducing pavement.				
<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT Caltrans and project construction contractors.	<b>Implementation timing:</b> Prior to and during project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes  regarding implementation  and effectiveness of  measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
			<b>Phase 2 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	

## Mitigation Measure 4.10-1b

**MM 4.10-1b.** The County shall require that construction contractors comply with all applicable local regulations regarding noise suppression and attenuation and shall require that engine-driven equipment be fitted with mufflers according to manufacturers' specifications. The following requirements shall be included in the construction specifications:

- a) Limit construction activities to the hours of 7:00 a.m. to 7:00 p.m. on weekdays and the hours of 8:00 a.m. to 5:00 p.m. on weekends and federally recognized holidays except as required to alleviate traffic congestion or safety hazards;
- b) Locate fixed construction equipment such as compressors and generators at distances no less than 250 feet from sensitive receptors (including occupied residential property boundaries);
- c) Shroud or shield impact tools, and muffle or shield intake and exhaust ports on power construction equipment; and
- d) Construction equipment using internal combustion engines shall be in proper tune.

<b>Funded by:</b> El Dorado County.	<b>Implemented by:</b> El Dorado County DOT and its construction contractors; EID and its construction contractors.	<b>Implementation timing:</b> During project construction activities (Phase 1 and Phase 2).	<b>Verified by:</b> El Dorado County DOT	<b>El Dorado County DOT notes regarding implementation and effectiveness of measure:</b>
			<b>Phase 1 Verification</b> <b>Name:</b> <b>Title:</b> <b>Date:</b>	
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**Project Name:** Diamond Springs Parkway Phase 1B Project

**SCH#** 2007122033

**CALIFORNIA TRANSPORTATION COMMISSION  
FINDINGS OF FACT**

FOR

**DIAMOND SPRINGS PARKWAY PHASE 1B PROJECT IN SACRAMENTO COUNTY**

The following information is presented to comply with State California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations, Title 14, Sections 15091 and 15096 and also Title 21, Section 1501 et seq. Reference is made to the Final Environmental Impact Report (EIR) and Final Supplemental Environmental Impact Report for the project, which are the basic sources for the information.

The California Transportation Commission (Commission), in its independent judgment as a CEQA responsible agency, reviewed and considered the Final EIR and Final Supplemental EIR prepared by El Dorado County and finds that the Final EIR and Final Supplemental EIR contain a complete, objective, and substantiated reporting of the project's potential impacts.

The following effects have been identified in the Final EIR and Final Supplemental EIR as resulting from the project. Effects found not to be significant have not been included.

**FINDINGS REGARDING IMPACTS WHICH ARE SIGNIFICANT OR POTENTIALLY SIGNIFICANT WHICH WERE MITIGATED BELOW A LEVEL OF SIGNIFICANCE**

Public Resources Code section 21002 requires that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a proposed project, the public agency must issue a written finding reaching one or more of three permissible conclusions:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR (hereinafter referred to as "Finding (1)").

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes



have been adopted by such other agency or can and should be adopted by such other agency (hereinafter referred to as "Finding (2)").

(3) Specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR (hereinafter referred to as "Finding (3)").

### **Air Quality**

**Impact 4.3-2:** The proposed project has the potential to violate an air quality standard or contribute substantially to an existing or projected air quality violation from construction impacts.

**Findings.** The Commission hereby makes Finding (1). In addition, the Commission makes Finding (2) regarding Mitigation Measure 4.3-1a, 4.3-1b, 4.3-1c, 4.3-1d, 4.3-1e, and 4.3-1f.

**Facts in Support of Findings.** The following mitigation measures will mitigate the impact below the level of significance.

(1) The 1998 Missouri Flat Master Circulation and Funding Plan (MC&FP) EIR Mitigation Measures 4.3-1a, 4.3-1b, 4.3-1c, 4.3-1d, 4.3-1e, 4.3-1f, 4.3-1g.

**MM 4.3-1a.** Comply with El Dorado County Air Pollution Control District (APCD) Rule 223 (Fugitive Dust), as required by the Air Pollution Control Officer. Compliance may include, but is not limited to, implementation of the following measures:

- Application of water or suitable chemicals or other specified covering on material stockpiles, wrecking activity, excavation, grading, sweeping, clearing of land, solid waste disposal operations, or construction or demolition of buildings or structures (all exposed soil shall be kept visibly moist during grading);
- Installation and use of hoods, fans and filters to enclose, collect, and clean the emissions of dusty materials;
- Covering or wetting at all times when in motion of open-bodied trucks, trailers or other vehicles transporting materials, which create



a nuisance by generating particulate matter in areas where the general public has access.

- Application of asphalt, oil, water or suitable chemicals on dirt roads;
- Paving of public or commercial parking surfaces;
- Removal from paved streets and parking surfaces of earth or other material which has tendency to become airborne;
- Alternate means of control as approved by the Air Pollution Control Officer.

**MM 4.3-1b.** Use only low-emission mobile construction equipment (e.g., tractor, scraper, dozer, etc.).

**MM 4.3-1c.** Maintain construction equipment engines in proper operating condition.

**MM 4.3-1d.** Develop and implement construction activity management techniques, such as extending construction period, reducing number of pieces used simultaneously, increasing distance between emission sources, reducing or changing hours of construction, and scheduling activity during off-peak hours.

**MM 4.3-1e.** Comply with El Dorado County APCD Rule 224 (Cutback and Emulsified Asphalt Paving Materials).

**MM 4.3-1f.** Comply with El Dorado County APCD Rule 215 pertaining to architectural coatings.

**MM 4.3-1g.** Obtain permission from the APCD and/or the local fire agency prior to burning of wastes from land development clearing, depending upon the time of year the burning is to take place. Only vegetative waste materials may be disposed of using an outdoor fire.

**Impact 4.3-8** The proposed project has the potential to result in an increase in greenhouse gas emissions that would significantly hinder or delay the State's ability to meet the reduction targets contained in AB 32.



Findings. The Commission hereby makes Finding (1). In addition, the Commission hereby makes Finding (2) regarding Mitigation Measure 4.3-8b.

Facts in Support of Findings. The following mitigation measures will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.3-8a and 4.3-8b.

**MM 4.3-8a.** Any traffic lights installed or replaced as part of this project shall use Light Emitting Diodes (LEDs) or the most energy-efficient technology available, unless technical feasibility or safety concerns take precedent.

**MM 4.3-8b.** Prior to commencement of construction, the project construction contractor(s) shall have in place a County-approved Solid Waste Diversion and Recycling Plan (or such other documentation to the satisfaction of the County) that demonstrates the diversion and recycling of salvageable and re-useable wood, metal, plastic, and paper products during project construction. The Solid Waste Diversion and Recycling Plan shall comply with County Ordinance Chapter 8.43—Construction and Demolition Debris Recycling Within the County of El Dorado. This requirement shall be included in the construction/specification bid documents for the project.

## **Biological Resources**

**Impact 4.4-1** The proposed project has the potential to result in a substantial adverse impact, either directly or through habitat modifications, on a 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 the U.S. Fish and Wildlife Service.

Findings. The Commission hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measures will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.4-1a, 4.4-1b and 4.4-1c.

**MM 4.4-1a.** A qualified biologist shall conduct a California red-legged frog (CRLF) survey of the project site 48 hours before the onset of work



activities. If any life stage of CRLF is found, and these individuals are likely to be killed or injured by work activities, the approved biologist shall be allowed sufficient time to move them from the site before work activities begin. The biologist shall relocate CRLF(s) the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with the proposed project.

Exclusion fencing shall be installed to prevent frogs from entering the project site during construction. The exclusion fence shall be made of a fine mesh material with openings small enough to prevent passage of CRLF. The exclusion fence shall be a minimum of 18 inches tall above ground, and buried a minimum of six inches below ground. Prior to initiation of construction activities, the fencing shall be placed to the north of construction activities to prevent frogs that may disperse from Weber Creek from entering the project site. The fence shall extend no less than 100 feet beyond the limits of active construction, including any staging areas. The exclusion fencing shall be regularly monitored and repaired as needed. As construction progresses, fencing may be removed and re-installed in areas of active construction; however, fencing shall not be removed from those areas with active construction until all construction-related activities are completed.

During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

**MM 4.4-1b.** Nesting Bird and Bat Surveys Associated with Vegetation Clearing and Other construction Activities: Removal of any trees and shrubs (multi-stemmed woody plants  $\geq$  6 feet in height) shall be conducted outside of the breeding season (typically March 1 through October 1). If no tree and shrub removal will occur during the breeding season, no further mitigation will be necessary.

If removal of trees and shrubs must occur during the breeding season, nesting bird surveys shall be conducted by a qualified biologist within 250 feet of where removal would occur, no more than 14 days prior to removal. Concurrently, the biologist shall also survey for trees capable of supporting a sizeable bat maternity roost. If no active nests or roost trees are identified, then no additional mitigation is necessary.



If an active nest or potential maternity roost is identified, the nest shall be mapped and photographed. No tree removal shall occur within 250 feet of the active nest/roost unless approved by California Department of Fish and Wildlife. For trees removed that are located more than 250 feet but less than 500 feet from an active nest, a biological monitor shall be present to observe the nest/roost during tree removal.

**MM 4.4-1c.** Nesting Bird Surveys Associated with Project Construction: During the breeding season (February through August), a nesting bird and bat survey shall be conducted in suitable habitat within 250 feet of construction activities prior to construction initiation. The survey shall be conducted no more than 14 days prior to initiation of construction activities. If an active nest/roost is observed in this area, all construction activities shall be halted, and California Department of Fish and Wildlife shall be consulted to determine the appropriate mitigation measure. Nest/roost disturbance is dependent on a number of site-specific and activity-specific factors, including the sensitivity of the species, proximity to work activity, amount of noise or frequency of the work activity, and intervening topography, vegetation, structures, etc. Mitigation may be required to minimize disturbance nests/roosts, such as allowing nesting activity to conclude before continuing construction in an area, restricting certain types of construction practices/activities, creating screening devices to shield nest sites from construction activity, and establishing buffer areas around active nest/roost sites.

**Impact 4.4-2** The proposed project has the potential to result in a substantial adverse impact on riparian habitat or other sensitive natural community identified in local or regional plans, policies and regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.

Findings. The Commission hereby makes Finding (1).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.4-2.

**MM 4.4-2.** Riparian habitat would be avoided to the maximum extent feasible. Prior to initiation of any ground clearing or other construction activities, a California Department of Fish and Game (California Department of Fish and Wildlife) Section 1602 Lake and Streambed





Alteration Agreement shall be prepared and approved by the California Department of Fish and Wildlife. Mitigation required for direct and indirect impacts to all riparian habitat under California Department of Fish and Wildlife jurisdiction will be carried out in accordance with the conditions of the Lake and Streambed Alteration Agreement.

Mitigation for impacts to riparian habitat shall include the following:

1) Prior to project construction, a riparian habitat restoration and enhancement mitigation and monitoring plan for shall be prepared and submitted to California Department of Fish and Wildlife for approval. The plan shall include the following:

a) The plan shall identify those portions of the onsite drainage (ED3) and other riparian habitats within the project study area that would benefit most from riparian restoration and enhancement activities. This includes removal of trash, removal of noxious weed species, identification of areas requiring bank stabilization, and identification of areas most suitable for revegetation and a list of plants suitable for those areas.

b) The plan shall stipulate a vegetated setback along drainages, where feasible, of not less than 50 feet from the bank, in accordance with General Plan policies. The plan shall stipulate that, where vegetation is not present within the 50-foot buffer, suitable native plants shall be installed in order to create a vegetated buffer that will improve water quality and create wildlife habitat.

c) Restoration: Immediately following completion of construction, trash within the drainage shall be removed and suppression of noxious weed species shall be implemented. This shall be completed prior to planting of any additional plants.

d) Replacement: Replacement of all permanently affected riparian habitat (including that along ED3 and the three riparian inclusions) shall occur at a minimum ratio of 1:1 per woody riparian species removed. Species suitable for areas outside of but adjacent to the drainage include, but are not limited to, valley oak, coyote brush, and California sycamore. Species suitable for wetter portion of the channel and bank include, but are not limited to, Fremont



cottonwood, California blackberry, black willow, arroyo willow, and California pipevine.

e) The plan shall include a timeline that identifies when activities shall occur and completion dates.

f) The plan shall include detailed monitoring that identifies quantifiable success criteria. Monitoring shall occur for a minimum of 5 years following completion of restoration and enhancement activities.

**Impact 4.4-3** The proposed project has the potential to result in a substantial adverse impact 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.

Findings. The Commission hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measures will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.4-3a and 4.4-3b.

**MM 4.4-3a.** The jurisdictional delineation prepared by MBA shall be used in preparation of U.S. Army Corps of Engineers (USACE) Section 404 permit applications. Mitigation required for direct and indirect impacts to all features will be carried out in accordance with permit requirements prior to initiation of project construction.

a) As part of the permitting process, mitigation measures addressing impacts to jurisdictional Waters of the United States, including wetlands, will be defined and implemented. The acreage will be replaced or rehabilitated on a "no-net-loss" basis in accordance with USACE regulations. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to USACE.

b) All grading plans will include adequate setback for preserved seasonal and perennial drainages in accordance with General Plan Policy 7.3.3.4. Measures to minimize erosion and runoff into seasonal and perennial drainages that are preserved will also be



included in all grading plans. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation and the potential discharge of pollutants into preserved drainages.

**MM 4.4-3b.** Standard Best Management Practices (BMPs) to protect water quality shall be implemented prior to project construction and maintained until construction, including any revegetation, is completed. These include standard erosion control BMPs that are outlined in Section 4.8, Hydrology and Water Quality.

**Impact 4.4-5** The proposed project has the potential to conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings. The Commission hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.4-5.

**MM 4.4-5.** The County shall comply with the Oak Woodland Management Plan (OWMP) by mitigating for oak woodland canopy removed in accordance with either Option A (On-Site Mitigation, Replanting and Replacement), Option B (Conservation Fund In-Lieu Fee), or a combination of these. As outlined in the OWMP, a 1:1 mitigation ratio shall be applied to the oak canopy removed that falls below the threshold in Table 1, while a 2:1 mitigation ratio shall be applied to the remaining oak canopy removed.

### **Cultural Resources**

**Impact 4.5-1** The proposed project has the potential to cause a substantial adverse change in the significance of a known historical resource as defined in Section 15064.5 of the CEQA Guidelines. Subsurface construction activities associated with the proposed project may damage or destroy previously undiscovered historic resources.

Findings. The Commission hereby makes Finding (1) and Finding (2).



Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.5-1.

**MM 4.5-1.** If a potentially significant cultural resource is encountered during subsurface earthwork activities for the project, standard County practice will be implemented and all construction activities within a 100-foot radius of the find will be stopped until a qualified archaeologist determines whether the resource requires further study. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramic, wood, or shell artifacts; fossils; or features including hearths, structural remains, or historic dumpsites. Furthermore, El Dorado County DOT will include a standard inadvertent discovery clause in every construction contract. Any previously undiscovered resources found during construction will be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA and Section 106 of the National Historic Preservation Act (NHPA) criteria by a qualified archeologist. If the resource is determined significant under CEQA or the NHPA, the archaeologist will prepare and implement a research design and archaeological data recovery plan that captures those categories of data for which the site is significant. The archaeologist will also perform appropriate technical analyses, prepare a comprehensive report and file it with the appropriate Information Center, and provide for the permanent curation of the recovered materials. Construction activities within the 100-foot radius may continue once all appropriate recovery measures have been completed.

**Impact 4.5-2** The proposed project has the potential to cause a substantial adverse change in the significance of a known archaeological resource pursuant to Section 15064.5. Subsurface construction activities associated with the proposed project may damage or destroy previously undiscovered archaeological resources.

Findings. The Commission hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.5-1.



**MM 4.5-1.** If a potentially significant cultural resource is encountered during subsurface earthwork activities for the project, standard County practice will be implemented and all construction activities within a 100-foot radius of the find will be stopped until a qualified archaeologist determines whether the resource requires further study. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramic, wood, or shell artifacts; fossils; or features including hearths, structural remains, or historic dumpsites.

Furthermore, El Dorado County DOT will include a standard inadvertent discovery clause in every construction contract. Any previously undiscovered resources found during construction will be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA and Section 106 of the NHPA criteria by a qualified archeologist. If the resource is determined significant under CEQA or the NHPA, the archaeologist will prepare and implement a research design and archaeological data recovery plan that captures those categories of data for which the site is significant. The archaeologist will also perform appropriate technical analyses, prepare a comprehensive report and file it with the appropriate Information Center, and provide for the permanent curation of the recovered materials. Construction activities within the 100-foot radius may continue once all appropriate recovery measures have been completed.

**Impact 4.5-3** The proposed project has the potential to directly destroy a unique paleontological resource or site or unique geologic feature.

Findings. The Commission hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.5-3.

**MM 4.5-3.** El Dorado County shall require that a standard inadvertent discovery clause be included in every construction contract. In the event a fossil is discovered during any earthwork activities for the proposed project (including those occurring at depths of less than 10 feet), all excavations within 100 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with



Society of Vertebrate Paleontology standards. The paleontologist shall determine the procedures to be followed before construction is allowed to resume at the location of the find. If the find is determined to be significant and DOT determines that avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards. The plan shall be incorporated into the project.

**Impact 4.5-4** The proposed project has the potential to disturb human remains, including those interred outside of formal cemeteries.

Findings. The Commission hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.5-4.

**MM 4.5-4.** If human remains are encountered during earth-disturbing activities for the project, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, the Native American Heritage Commission shall be notified and will identify the Most Likely Descendent, who will be consulted for recommendations for treatment of the discovered remains.

## **Geology and Soils**

**Impact 4.6-3** The proposed project has the potential to be located on a geologic unit or soil that could become unstable as a result of the proposed project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Findings. The Commission hereby makes Finding (1).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.6-3.



**MM 4.6-3.** Prior to project construction a final geotechnical report will be prepared in order to assess, among other things, the location and depth of expansive materials, undocumented fills, and tailings, including those located within the parcel to be used as a borrow, staging and storage site. Recommended soil stabilization procedures provided in the report (i.e., excavation, engineered fill replacement, moisture barrier, drainage improvements) will be incorporated into the project design.

**Impact 4.6-4** The proposed project has the potential to be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), and may create substantial risks to life or property.

Findings. The Commission hereby makes Finding (1).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.6-3.

**MM 4.6-3.** Prior to project construction a final geotechnical report will be prepared in order to assess, among other things, the location and depth of expansive materials, undocumented fills, and tailings, including those located within the parcel to be used as a borrow, staging and storage site. Recommended soil stabilization procedures provided in the report (i.e., excavation, engineered fill replacement, moisture barrier, drainage improvements) will be incorporated into the project design.

### **Hazards and Hazardous Materials**

**Impact 4.7-4** The proposed project has the potential to be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, may create a significant hazard to the public or the environment.

Findings. The Commission hereby makes Finding (1).

Facts in Support of Findings. The following mitigation measures will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.7-4a and 4.7-4b.





**MM 4.7-4a.** El Dorado County Department of Transportation will work with the EDCEMD to create an approved work plan that would evaluate the lateral and vertical extent of contamination associated with oil-impacted soil on the Bahlman Parcel, APN 327-270-04. The work plan will include the removal of the upper 2 to 3 feet of soil for later use as on-site backfill and the excavation, transportation, and proper disposal of the lower 3 to 4 feet of on-site soil, or other remedial actions as agreed upon by the El Dorado County Department of Transportation and the EDCEMD. The work plan will be implemented prior to the commencement of the Diamond Springs Parkway construction activities.

**MM 4.7-4b.** El Dorado County Department of Transportation will conduct a soil vapor survey and/or groundwater testing within the Sierra Door property, APN 327- 300-08, where construction activities related to the proposed project would occur.

If the survey and tests indicate that contaminated soil and/or groundwater are present, El Dorado County Department of Transportation will coordinate with the EDCEMD and implement agreed upon remediation measures in areas disturbed by the proposed project prior to the commencement of the Diamond Springs Parkway construction activities.

**Impact 4-7.5** The proposed project has the potential to result in the exposure of persons or the environment to hazardous materials associated with past and current uses of the project site.

Findings. The Commission hereby makes Finding (1). In addition, the Commission hereby makes Finding (2) regarding Mitigation Measures 4.7-5c.

The County made modifications to the original wording of one mitigation measure presented in the EIR (Mitigation Measure 4.7-5d). Mitigation Measure 4.7-5d was clarified to ensure proper remediation for potential hazardous substances is conducted and to provide the County with an option to perform pre-construction soil-sampling to determine the presence of hazardous materials. The modification was for the purposes of clarification of the measure and implementation, did not deprive the public of meaningful opportunity to comment and therefore doesn't constitute significant new information. The Board of Supervisors made the finding that this clarification is not considered to constitute "significant new information," as that term is defined in CEQA. CEQA Guidelines, Section 15088.5(a) provides that "significant new information" requiring recirculation include, for example, a disclosure showing that:





(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The draft EIR was so fundamentally flawed and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043.)

The Board of Supervisors determined based on substantial evidence in the record that the changes to Mitigation Measure 4.7-5d served to clarify, amplify, or make insignificant modifications to an adequate EIR, and do not trigger any of the previously listed thresholds. Therefore, recirculation of the EIR (or part thereof) was not required because of these changes.

Facts in Support of Findings. The following mitigation measures will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.7-5a, 4.7-5b, 4.7-5c, 4.7-5d, 4.7-5e, and 4.7-5f.

**MM 4.7-5a.** If lead is found during construction, El Dorado County Department of Transportation shall either abate the lead or provide special construction worker health and safety procedures during demolition activities. A lead-based paint survey shall be performed for all structures constructed prior to 1980 that will be demolished during project construction activities. Caltrans standard special provisions for removal of the existing yellow thermoplastic and yellow paint used for pavement markings throughout the project area shall be implemented.

Disposal of any lead containing materials will occur at a Class 1 disposal facility in accordance with Department of Toxic Substances Control



(DTSC) hazardous materials laws and regulations. All work shall be conducted in accordance with applicable construction worker health and safety requirements, including California Division of Occupational Safety and Health (CalOSHA) Construction Safety Orders for lead (Title 8 California Code of Regulations [CCR] Section 1532.1). These requirements may include air monitoring during construction, worker training, and preparation of a Lead Compliance Plan prior to construction.

**MM 4.7-5b.** A preliminary site investigation will be conducted prior to construction to identify levels of aerially deposited lead (ADL) in soils within 30 feet of SR-49 that are to be disturbed during project construction. Soil samples shall be tested prior to construction for total and/or soluble lead to properly classify the soils and ensure that all necessary soil management and disposal procedures are followed for the following APNs: 051-250-04, 051-250-06, 051-250-11, 051-250-12, 051-250-13, 051-250-31, 051-461-11, 051-461-12, 051-461-37, 051-461-51, 051-550-47, 054-342-15, 051-342-20, 051-342-23, 054-342-35, 054-342-36, 054-342-27, and 054-351-19.

If ADL is encountered, earthwork involving materials containing ADL shall conform to the provisions in Section 19, "Earthwork," of Caltrans Standard Specifications and of Special Provisions for "Aerially Deposited Lead." According to Caltrans requirements, the El Dorado County Department of Transportation or its contractor will prepare and implement a project-specific Lead Compliance Plan to prevent or minimize worker exposure to ADL while handling material containing ADL. The Lead Compliance Plan will be prepared in compliance with Title 8, California Code of Regulations, Section 1532.1 "Lead." The Plan will include monitoring, and average ADL concentrations shall not exceed 1.5 microgram per cubic meter of air per day. If concentrations exceed this level, the contractor shall stop work and modify the work to prevent release of ADL. The Plan will also include safety training for construction personnel. Excavation, reuse, and disposal of material with ADL shall be in conformance with all rules and regulations of responsible state and federal agencies.

**MM 4.7-5c.** If asbestos is found during construction, the asbestos shall be abated or DOT or El Dorado Irrigation District (EID) shall provide special construction work health and safety procedures during demolition activities. An asbestos survey shall be performed for all structures constructed prior to 1980 that will be demolished or disturbed during project construction activities. If asbestos-containing materials are



determined to be present, the materials shall be abated by a certified asbestos abatement contractor. All work shall be conducted in accordance with applicable construction worker health and safety requirements, including CalOSHA Construction Safety Orders for asbestos (Title 8 CCR Section 1529). These requirements may include air monitoring during construction, worker training, and preparation of an Asbestos Compliance Plan prior to construction. Furthermore, demolition and disposal shall be conducted in accordance with the El Dorado Air Quality Management District requirements.

**MM 4.7-5d.** The Department of Transportation will provide on-site monitoring, by a qualified environmental professional, during construction activities, or contract with a qualified environmental professional to conduct soil-sample surveys prior to the start of construction for parcels formerly part of the Diamond & Caldor Railway depot and engine house on APNs 327-300-08, 327-270-03, 327-270-26, 327-270-27, 327-270-46, 327-270-48, and 327-270-49, and the Diamond Lime Mineral Plant (051-250-46 and 051-250-54). Construction monitoring or soil sampling will be used to determine the presence of any hazardous materials releases, disposal areas, or contaminated soils. If suspected or recognized environmental conditions are identified during project soil excavation activities, the Department of Transportation will stop construction and consult with a qualified environmental remediation consultant to determine the appropriate course of action. Conversely, if pre-construction soil samples indicate contamination, the qualified environmental professional will prepare a remediation plan to be implemented prior to the start of construction. In either case, the qualified environmental professional will develop and the Department of Transportation will implement a plan for remediation that addresses the encountered hazardous substances and provides for the appropriate disposal and monitoring required to provide remediation in accordance with existing Department of Toxic Substances Control standards.

**MM 4.7-5e.** Department of Transportation will conduct preconstruction sampling for all agricultural chemicals and hydrocarbons where soil is to be disturbed as a result of project activities. If contaminated soils are determined to be present, Department of Transportation will consult with a qualified environmental remediation consultant to determine the appropriate course of action according. Recommend remediation actions shall be approved by the El Dorado County Environmental Management Department (EDCEMD) and implemented prior to the start of construction.



**MM 4.7-5f.** Department of Transportation, in coordination with the El Dorado County Fire District shall conduct a risk management program (according to 40 CRF Part 68) specific to risks resulting from the proximity of vehicle traffic to existing large-volume propane tanks located near Bradley Drive. Should protection from vehicle traffic for the propane tanks be required the Department of Transportation will construct protection barriers in compliance with the Uniform Fire Code, the National Fire Protection Association's Liquefied Petroleum Gas Code 58 and any other applicable regulations.

## **Noise**

**Impact 4.10-1** The proposed project has the potential to result in the 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.

Findings. The Commission hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measures will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.10-1a and 4.10-1b.

**MM 4.10-1a.** Noise-reducing pavement shall be installed at SR-49/Diamond Road between the north end of the Bradley Drive intersection and the south end of the future Parkway intersection. If noise-reducing pavement is not installed, alternative noise reduction methods shall be agreed upon by the El Dorado County Department of Transportation and Caltrans and implemented in such a way to offer the same or greater noise reduction levels as the noise-reducing pavement.

**MM 4.10-1b.** The County shall require that construction contractors comply with all applicable local regulations regarding noise suppression and attenuation and shall require that engine-driven equipment be fitted with mufflers according to manufacturers' specifications. The following requirements shall be included in the construction specifications:

- a) Limit construction activities to the hours of 7:00 a.m. to 7:00 p.m. on weekdays and the hours of 8:00 a.m. to 5:00 p.m. on weekends



and federally recognized holidays except as required to alleviate traffic congestion or safety hazards;

b) Locate fixed construction equipment such as compressors and generators at distances no less than 250 feet from sensitive receptors (including occupied residential property boundaries);

c) Shroud or shield impact tools, and muffle or shield intake and exhaust ports on power construction equipment; and

d) Construction equipment using internal combustion engines shall be in proper tune.

**Impact 4-10.3** The proposed project has the potential to result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the proposed project.

Findings. The Commission hereby makes Finding (1).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.

(1) Implementation of Mitigation Measure 4.10-1a.

**MM 4.10-1a.** Noise-reducing pavement shall be installed at SR-49/Diamond Road between the north end of the Bradley Drive intersection and the south end of the future Parkway intersection. If noise-reducing pavement is not installed, alternative noise reduction methods shall be agreed upon by the El Dorado County Department of Transportation and Caltrans and implemented in such a way to offer the same or greater noise reduction levels as the noise-reducing pavement.

**Impact 4.10-4** The proposed project has the potential to result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the proposed project.

Findings. The Commission hereby makes Finding (1) and Finding (2).

Facts in Support of Findings. The following mitigation measure will mitigate the impact below the level of significance.



(1) Implementation of Mitigation Measure 4.10-1b.

**MM 4.10-1b.** The County shall require that construction contractors comply with all applicable local regulations regarding noise suppression and attenuation and shall require that engine-driven equipment be fitted with mufflers according to manufacturers' specifications. The following requirements shall be included in the construction specifications:

- a) Limit construction activities to the hours of 7:00 a.m. to 7:00 p.m. on weekdays and the hours of 8:00 a.m. to 5:00 p.m. on weekends and federally recognized holidays except as required to alleviate traffic congestion or safety hazards;
- b) Locate fixed construction equipment such as compressors and generators at distances no less than 250 feet from sensitive receptors (including occupied residential property boundaries);
- c) Shroud or shield impact tools, and muffle or shield intake and exhaust ports on power construction equipment; and
- d) Construction equipment using internal combustion engines shall be in proper tune.

Documents or other material which constitute the record of the proceedings upon which the California Transportation Commission's decision is based are available at the El Dorado County Department of Transportation Offices, 2850 Fairlane Court, Placerville, CA.

Tanisha Taylor

Executive Director

Signature

Date

**NOTICE OF DETERMINATION**

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To: Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

From: California Transportation Commission  
Attn: Cherry Zamora  
1120 N Street, MS 52  
Sacramento, CA 95814  
(916) 654-4245

**Subject: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.**

**Project Title:** Diamond Springs Parkway Phase 1B Project

2007122033	Dustin Harrington	(530) 621-5950
<b>State Clearinghouse Number</b>	<b>Lead Agency Contact Person</b>	<b>Area Code/Telephone</b>

**Project Location** (include county): The project is located between Missouri Flat Road and State Route 49 in Diamond Springs in El Dorado County.

**Project Description:** The project would construct a 3,300 linear foot, 4-lane arterial roadway between Missouri Flat Road and State Route 49; widen and realign approximately 1,875 feet of Missouri Flat Road; realign approximately 500 feet of Bradley Drive; and realign Old Depot Road. The project would also construct three signalized intersections; drainage improvements; curb, gutter, and sidewalk; and a paved parking area.

This is to advise that the California Transportation Commission has approved the above-described  
( ☐ Lead Agency/ ☒ Responsible Agency)

project on June 27-28, 2024, and has made the following determinations regarding the above-described project:

1. The project ( ☐ will/ ☒ will not) have a significant effect on the environment.
2. ☒ A Final Environmental Impact Report and Final Supplemental Environmental Impact Report were prepared for this project pursuant to the provisions of CEQA.  
☐ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ( ☒ were/ ☐ were not) made a condition of the approval of the project.
4. Mitigation reporting or monitoring plan ( ☒ was / ☐ was not) adopted for this project.
5. A Statement of Overriding Considerations ( ☐ was / ☒ was not) adopted for this project.
6. Findings ( ☒ were/ ☐ were not) made pursuant to the provisions of CEQA.

The above identified documents with comments and responses and record of project approval are available to the General Public at: El Dorado County Department of Transportation Offices, 2850 Fairlane Court, Placerville, CA.

TANISHA TAYLOR

Executive Director  
California Transportation Commission

*Signature (Public Agency)*

*Date*

*Title*

Date received for filing at OPR:



## Project Location Map

Diamond Springs Parkway Phase 1B

