

**STAFF REPORT TO AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF JULY 19, 2016**

**ITEM NO. 1 – RECOMMENDATIONS TO THE AMADOR COUNTY BOARD OF SUPERVISORS ON THE
FOLLOWING ITEMS:**

- 1. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) PREPARED FOR THE PROPOSED FINAL AMADOR COUNTY GENERAL PLAN;**
- 2. ADOPTION OF CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS;**
- 3. ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM;**
- 4. ADOPTION OF THE PROPOSED FINAL AMADOR COUNTY GENERAL PLAN; AND**
- 5. APPROVE THE IMPLEMENTATION PLAN**

BACKGROUND

The County commenced an update to its General Plan in May 2006. After considerable public outreach through:

- information booths at the Italian Picnic and Amador County Fair in 2006;
- 5 Open Houses (Plymouth, Mace Meadows, Pine Grove, Lone, and Jackson in Sept., 2006);
- 5 public workshops (4 in June and 1 in Sept., 2008); and

public input through:

- 27 GPAC meetings spanning almost 2 years (July 2006 through April 2008);
- 18 Joint Panel Meetings beginning in October of 2008 – ending January 2015 and 2 of which were scoping sessions in August 2009; and
- Public comments (written and verbal) on the Draft General Plan and DEIR;

the County is now at the point of considering the certification of the Final EIR and adoption of the update to the Amador County General Plan.

NOTE: A more detailed summary of the General Plan Update review and EIR process can be found in the General Plan Introduction and the FEIR Preface and Introduction chapters.

GENERAL PLAN UPDATE

The General Plan Update (hereinafter referred to as “proposed Final General Plan”) includes nine elements, but with different topics than the current General Plan. The Draft General Plan includes the seven elements mandated by State law (Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety), along with two optional elements, Governance and Economic Development. The organization of the proposed Final General Plan is distinct from the current plan in that topics addressed in the 1969 Recreation Element are now found in the Land Use, Open Space, and Conservation Elements and topics addressed in the 1985 Scenic Highways Element are now located in the Circulation Element. Due to statutory requirements, the Housing Element was updated on a different timeline under a separate California Environmental Quality Act (CEQA) review. The updated Housing Element, adopted on July 14, 2015 and certified by HCD on December 16, 2015, will be incorporated into the proposed Final General Plan upon its adoption. The General Plan Implementation Plan is a separate document that will guide the County’s elected and appointed officials, staff, and the public when putting the adopted General Plan goals and policies into practice.

The proposed Final General Plan clarifies and articulates the County’s intentions with respect to the expectations of residents, landowners, and businesses, and their long-term vision for the community. Through its General Plan, the County outlines its goals, policies, and standards. Since the General Plan is the constitution for all future development, future County land use decisions must be consistent with the General Plan. An action, program, or project would be considered consistent with the General Plan if, considering all of its aspects, it will further the objectives and policies set forth within the General Plan and not obstruct their attainment.

FINAL EIR

The FEIR prepared for the proposed Final General Plan includes the revised Draft EIR, as well as written comments received on the DEIR and responses to these comments. Chapter 10 of the FEIR includes copies of each written comment, two “Master Responses,” and individual responses to over 1800 individual comments.

The FEIR contains modifications to the DEIR as a result of responses to comments, as well as to clarify or amplify information, or correct minor errors (changes are shown in ~~strikeout~~ and underline format). Also, the Final EIR includes the Mitigation Monitoring and Reporting Program (MMRP) as Appendix G. None of the information added to the Draft EIR resulted in the identification of new or worse significant impacts or represented other significant new information requiring recirculation of the Draft EIR under CEQA Guidelines Section 15088.5.

The main areas of controversy identified through the EIR process were loss of agricultural land, loss of wildlife habitat, residential growth rates, locations of land use change (including Special Planning Areas),

transportation and transit, historic preservation, aesthetics, provision of public services and infrastructure, and fire hazards.

Staff and the consultants worked diligently to respond to Draft EIR comments and to ensure all the information is consistent throughout the FEIR, the MMRP, and the proposed Final General Plan. The County sent the FEIR to commenting public agencies and to those who submitted comments on the Draft EIR. Copies were also made available at the public libraries throughout the County. The County also made the FEIR as well as the proposed Final General Plan available to the public on June 22, 2016 for public review on the County's website at

<http://www.amadorgov.org/departments/planning/general-plan-update-draft-environmental-impact-report-and-draft-general-plan>

Key changes made to the Draft EIR include the following:

1. Modified Mitigation Measure 4.1-4 pertaining to outdoor lighting requirements. (Hearing 2)
2. Biological Resources: Impact 4.4-6 Potential for interference with wildlife movement, was added to Section 4.4 of the EIR to clarify the reasons that impacts on wildlife movement would be less than significant (Foothill 2-257); updated the status of two sensitive species (CDFW) and added several species to Table 4.4-3 of the DEIR. (Foothill2-304)
3. Cultural Resources: Revised, corrected, and clarified DEIR Chapter 4.5 Cultural Resources text and mitigation measures. (Foothill 2-500 through -604) Included in Mitigation Measure 4.5-2 language addressing the potential for impacts on known as well as unknown Cultural Resources. (Buena Vista)
4. Clarified traffic impact fee mitigation mechanisms (Impact 4.14-1). (Caltrans)
5. Clarified, corrected, and updated information relative to LAFCO's statutory authority, purpose and responsibilities. (LAFCO)
6. Added to Mitigation Measure 4.3-1b implementation of construction best management practices to minimize fugitive dust emissions. (Foothill2 -123)
7. Added to Mitigation Measure 4.3-2a that projects, to the extent feasible and practical, use materials that minimize particulate matter emissions and when feasible and appropriate for the scale and intensity of the use, roads should be permeable. (Foothill2-125)
8. Amended Mitigation Measure 4.3-2b to include the text of Implementation Program D-7, Air Emissions and Sensitive Receptors. (Foothill 2-154 and Business Council-12)
9. Added information to Chapter 4.9 Hydrology and Water Quality on the Sustainable Groundwater Management Act and the Sacramento-Amador Water Quality Coalition (SAWQA). (Foothill2-636 and -647)
10. Deleted Item 4 in Mitigation Measure 4.13-1b (referencing the County's commitment to communicate to federal agencies that Federal Wild and Scenic, National Recreation Area, or

similar designations of surface waters would be incompatible with the long term water needs of the County).¹. (Hearing 2-26; Foothill2-929; Business Council-42)

11. Revised Mitigation Measure 4.14-1b to incorporate more specific language about fair-share funding requirements. (Business Council-45)
12. Added Appendix H, "Energy Impacts," to document the EIR's consideration of CEQA Guidelines Appendix F ("energy conservation").

PROPOSED FINAL GENERAL PLAN

The proposed Final General Plan also contains modifications to the Draft General Plan as a result of responses to comments, as well as to clarify or amplify information, or correct minor errors. Key changes made to Draft General Plan include the following:

1. The Land Use Diagram was:
 - a. Corrected to properly show the designation for property located at the eastern end of Lake Camanche as Agricultural General instead of as "water". (EBMUD)
 - b. Changed to use a different shade of brown to represent the "Mineral Resource Zone" designation to provide more contrast between the color used to designate General Forest. (EBMUD)
 - c. Changed to revise the boundaries of the proposed expanded Industrial area around the existing Carbondale Industrial Park in the west end of the County. The revised boundary more closely follows existing property lines and avoids some sensitive species habitat. The result is an overall reduction of approximately 180 acres in the proposed Industrial area. (initiated by Staff)
2. Amended Policy OS-3.6 to include in the County's grading and erosion control requirements (Chapter 15.40), a section addressing the requirement to limit the potential for the introduction and spread of invasive species during soil disturbance and construction activities. (Heissenbuttel)
3. Corrected, clarified and augmented information in the Safety Element and augmented or added Implementation Plan² measures to Programs (P-3, D-1, D-2, D-10, C-3, C-4, F-1 and P-3) related to urban and wildland fire hazards and fire protection. (Bd. of Forestry)
4. Added Complete Streets discussion to the Circulation Element and revised policies in the Circulation Element to more closely match Caltrans's Active Transportation Program. (Caltrans)
5. Added language in the Safety Element pursuant to SB 1241 relative to very high fire hazard severity zones. (Curtis-8)
6. Revised the compatible uses allowed in TPZ to be consistent with those uses set out in Govt. Code section 51104. (SPI-1 and 2)

¹ The language, however, was retained but slightly modified as an Implementation Program in Program P-3, Future Water Supply, in the Implementation Plan.

² The Implementation Plan is not a formal component of the General Plan.

GENERAL STANDARDS FOR EIR ADEQUACY

When considering the adequacy of the Final EIR, the Planning Commission may wish to consider the following general standards. An EIR should, when looked at as a whole, provide a reasonable, good faith disclosure and analysis of environmental impacts. (*Laurel Heights Improvement Ass'n v Regents of Univ. of Cal.* (1988) 47 Cal.3d 376.) When evaluating EIR adequacy, courts frequently consider the following principles, reflected in the CEQA Guidelines:

- EIRs should "provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences";
- The evaluation of impacts need not be exhaustive;
- The sufficiency of the EIR's analysis must be reviewed in light of what is reasonably feasible;
- Adequacy, completeness, and good faith effort in an EIR, not perfection;
- EIRs need not be delayed to include studies in progress that may contain additional information;
- Agencies can make reasonable forecasts in completing the impact analysis; and
- Disagreements among experts do not invalidate an EIR.

(CEQA Guidelines Sections 15144-15145, 15151.)

PUBLIC HEARING NOTICE

Notice of this public hearing was given pursuant to Government Code section 65353 at least 10 days prior to the meeting by publication of an 1/4 page notice in a newspaper of general circulation within the County's jurisdiction on July 8, 2016. In addition, on June 22, 2016, a Notice of Availability of Final Environmental Impact Report and Notice of Public Hearing for the Amador County Proposed Final General Plan (public hearing notice) was sent to those parties requesting notification of hearings on the General Plan Update via email and U.S. postal service on June 22, 2016. The public hearing notice, the FEIR, the proposed Final General Plan, and the Implementation Plan were also provided to and made available at each of the County's five public libraries as well as was posted on the Amador County website. The entities identified in Government Code section 65352 and those agencies and individuals who commented on the Draft EIR were sent the Notice of Public Hearing and Availability of the FEIR and proposed Final General Plan along with an electronic copy of the documents. An additional notice regarding availability of Appendix H was sent to those same parties receiving the public hearing notice (see above) via email and U.S. postal service on July 8, 2016.

PROPOSED ACTIONS

This Planning Commission public hearing is for the purpose of taking comments on the FEIR as well as the proposed Final General Plan. Following close of the public hearing, the Planning Commission will then consider making recommendations to the Board of Supervisors for their consideration on the certification of the FEIR and adoption of the Findings of Fact and Statement of Overriding Considerations, the Mitigation Monitoring and Reporting Program, and the proposed Final General Plan. The Planning Commission may recommend that the proposed Final General Plan be approved, be approved with modifications, or disapproved.

ERRATA ITEMS

A list of some minor corrections which were discovered after document production is included for acceptance (see Attachment A). They are non-substantive in nature to correct typographical errors and for consistency in internal referencing. It is requested the Commission recommend incorporation of these errata items in the final documents.

COMMENT LETTERS

Comment letters received prior to the preparation of this Staff Report are attached along with any staff recommended responses or actions (see Attachment B).

Comments received after the release of the Staff Report will be provided to the Commissioners prior to the start of the meeting. Staff will attempt to respond to these letters as well, but due to the time constraint and depending on the volume of comments received, may not be able to prepare responses to all comments.

STAFF RECOMMENDATION

Staff recommends the Planning Commission make the following recommendations to the Board of Supervisors. The Board of Supervisors should:

1. Certify the FEIR (SCH # 2009072089) pursuant to CEQA Guidelines Section 15090, certifying that:
 - a. The FEIR has been completed in compliance with CEQA;
 - b. The FEIR has been presented to the Board of Supervisors, which has independently reviewed and considered the information and analysis contained therein prior to considering approval of the Final General Plan; and
 - c. The Final EIR reflects the independent judgment of the Board of Supervisors of Amador County.
2. Adopt the proposed CEQA Findings of Fact and Statement of Overriding Considerations pursuant to CEQA Guidelines Sections 15091 and 15093 (attached hereto as Attachment C).

3. Adopt the Mitigation Monitoring and Reporting Program pursuant to CEQA Guidelines Section 15097 (previously distributed with the FEIR and proposed Final General Plan documents)
4. Adopt the proposed Final General Plan (*or, as proposed to be amended if any changes are recommended by the Commission*).
5. Approve the Implementation Plan which is a reference document for, not a formal component of, the General Plan (previously distributed with the FEIR and proposed Final General Plan documents).

Attachment A

Errata Items

GENERAL PLAN ERATA ITEMS

Pg. CM-13: typo in Policy CM-3.7 – “mains streets” should be “main streets”.

Implementation Plan: In light of the new text added on page S-18 of the Safety Element identifying those Programs contained in the Implementation Plan that carry out the Safety Element goals and policies related to Fire Hazards and Protection, the following corrections are recommended to the Implementation Plan.

Program C-3: add S-2.4 to Related Policies.

Program C-4: add S-2.5 to Related Policies.

Program P-6: add S-3.1 and 3.2 to Related Policies.

Program P-12: add S-7.2 to Related Policies and delete S-7.5 (there isn't a Policy S-7.5).

Program D-10: add S-2.4 to Related Policies.

Program F-3: delete S-2.3 from Related Policies.

Attachment B

Comment Letters & Responses

STAFF RECOMMENDED RESPONSES TO COMMENT LETTERS:

1. Washoe Tribe of Nevada and California.

- a. Comment 1 – Request to receive redacted cultural resources information.

Response: The requested information was provided to the tribe on July 12, 2016.

- b. Comment 2 – Page 4.5-13 – Add language to MM 1.5-1b [sic] (should be 4.5-1b) to read, “If avoidance is not feasible, recovery, documentation and recordation of resources is required prior to project implementation, and copies of the documentation will be forwarded to the NCIC. *However, all reasonable options and alternatives will be explored to maintain site integrity prior to the data collection phase.*”

Response: Staff has no objection to adding this language to Mitigation Measure 4.5-1b.

- c. Comment 3 – Page 4.5-13 – Add language to Significance after Mitigation for MM 4.5-1b to read, “...when avoidance is not feasible, substantially reduce impacts to resources under the direction of a qualified archaeologist or architectural historian *with consultation of the affiliated tribal entity affected by the undertaking.*”

Response: Suggested change not required by state law or necessary because:

- a. The language in MM 4.5-1b notes that, “These regulations generally require consultation with appropriate agencies, the Native American Heritage Commission, knowledgeable Native American groups and individuals, new and updated record searches...” ; and
- b. Future projects will be subject to AB 52 consultation if requested by an affiliated tribe.

Therefore, staff does not recommend this change be made.

- d. Comment 4 – Page 4.5-14 – Relative to Impact 4.5-2 Destruction of or Damage to As-Yet-Unknown Cultural Resources discussion it is requested that, *“Regardless of human remains or cultural resources, any inadvertent discoveries of Native American origin, the affiliated tribe should be made aware of the findings.”*

Response: Suggested change not required by state law or necessary because:

- a. As required by MM 4.5-2, in the event of an inadvertent discovery a qualified archaeologist shall be contracted to assess the significance of

the find and prepare an evaluation, avoidance or mitigation plan, as appropriate, which shall be implemented before resuming ground disturbing activities. The findings of the archaeologist would be recorded with NCIC and therefore available to tribes; and

- b. Future projects will be subject to AB 52 consultation if requested by an affiliated tribe.

Therefore, staff does not recommend this change be made.

2. Linda Raymond

- a. Response 1 – Commenter disagrees with the responses to her original letter and urges the Board of Supervisors to reduce the speed limit to 45 mph for Ridge Rd. and support more enforcement to make the road safer.

Response: Master Response 2, “Disagreement Regarding Methodologies or Conclusions of the Draft Environmental Impact Report.” The setting of speed limits is a process outside of the scope of the General Plan as is the enforcement of speed limits. Additionally, there are protocols and standards that determine enforceable speed limits which would be implemented irrespective of the General Plan.

- b. Response 2 – Commenter rejects the EIR finding that noise impacts will remain significant and unavoidable, as unacceptable and states a slower speed limit would help.

Response: Master Response 1, “Adequacy of Impact Analysis and Mitigation Measures.” Master Response 2, “Disagreement Regarding Methodologies or Conclusions of the Draft Environmental Impact Report.”

The DEIR determined that Impact 4.11-2, “Result in a Substantial Permanent Increase in Ambient (Traffic) Noise Levels” would remain significant and unavoidable. This impact conclusion is based on traffic noise for the entire project area, not a specific location such as Ridge Road. Therefore, even if traffic speeds were reduced on Ridge Road, the overall impact conclusion for Impact 4.11-2 would remain significant and unavoidable.

- c. Response 3 – Commenter asserts that traffic should be increased on the State Highways, not on County roads which are not “structured” for large trucks and fast moving vehicles.”

Response: Ridge Road has a functional class of Major Collector and is designed and constructed to be used by large trucks. As noted in Chapter 10 of the FEIR Response to Comment Raymond-3, it is uncertain just how effective reducing the speed limit would be on encouraging trucks to avoid Ridge Road, as

alternative routes may be somewhat limited, particularly if the end origin or destination of trucks is located in close proximity to or only accessible via Ridge Road. Forcing these trucks to use other routes would likely increase their total travel distance and the associated secondary impacts on air quality as a result of greenhouse gas emissions, while increasing congestion on critical segments of the county's roadway network such as SR 88." Master Response 2, "Disagreement Regarding Methodologies or Conclusions of the Draft Environmental Impact Report."

3. **Wendell G. Peart, DVM**

- a. Commenter states a Drought Safety Standard to address the shortage of water during drought should be part of all EIRs.

Response: See Mitigation Measure 4.13-1b, Implement Program P-3 a1-3 and b, Future Water Supply, which reads:

"a. The County will provide input to water suppliers in their efforts to plan for coordinated response to future water demand, and future water supply emergencies, including needed capacity during wildfires, and droughts. These efforts would include integrated regional water management plans (addressing surface and groundwater resource, wastewater, stormwater treatment and use, development of reclaimed water, and flooding). These plans should include information on areas with water service capacity. The objective of this planning effort is to assure sufficient reliable water supplies are available to serve new projects, as well as existing and planned development. This planning effort will include:

- 1. Planning for adequate water supply and water treatment capacity to support future development.*
- 2. Development and implementation of reasonable best management practices for water conservation. These may include (but are not limited to) use of graywater, reclaimed, or recycled water for irrigation, water-conserving plumbing fixtures, and low-water landscapes.*
- 3. Development of water-use standards and regulations to limit demands during water supply emergencies and droughts.*

b. The County will consult with water suppliers as they pursue water and wastewater plans to develop adequate water supplies through expansion of surface water storage, conjunctive use of surface water and groundwater, water conservation, and water recycling."

- b. Commenter questions EIR's statement that surface water supply available for normal, dry, or multiple years remains the same for surface water diversions.

Response: Please refer to response to comment Foothill2-792 through -794 which states:

The commenter requests a further explanation of water availability to the AWA in normal, dry, and multiple-dry year scenarios. As explained on DEIR page 4.13-14, even during the recent extreme drought of 1976/1977 and prolonged drought of 1988 to 1994, spring runoff each year filled PG&E's reservoirs to near capacity. These reservoirs form the head of both the AWS and CAWP surface water diversions. By July, runoff is typically near zero and system water demands are met by storage facilities. The timing of the runoff is about the same for wet or dry years with the only difference being the magnitude of the runoff and the amount of reservoir spill. PG&E is able to provide the full annual water contract entitlements to AWA due to the priority of the water rights involved and the amount of water stored on behalf of AWA. Therefore, the surface water supply available for normal, dry, or multiple dry year scenarios (shown in Table 4.13-5) remains the same for surface water diversions. As indicated in Table 4.13-5, the source for this information is AWA's Urban Water Management Plan (Amador Water Agency 2011, updated 2014). The DEIR reasonably relies on AWA's water rights being available during the period of General Plan implementation, and need not speculate about whether they are "guaranteed in perpetuity."

- c. Commenter asks whether future new lot development should also incorporate the 100 foot setback from all property lines and be a part of new EIRs.

Response: See Mitigation Measure 4.8-7a, Implement Program D-2, Fire-Safe Development, which reads:

"a. The County will review new development applications in moderate, high, and very high fire hazard severity zones to confirm they meet the standards of the Title 24 Wildland Urban Interface Building Codes and 14 CCR 1270.

b. The County will require new structures and improvements to be built to support effective firefighting.

c. New development applications in very high fire hazard severity zones shall include specific fire protection plans, actions, and/or comply with Wildland Urban Interface codes for fire engineering features.

d. The County will seek fire district input on development applications to allow proposed projects to incorporate fire-safe planning and building measures.

Such measures may include (but are not limited to) buffering properties, creating defensible space around individual units, using fire-resistant building materials, installing sprinkler systems, and providing adequate on-site water supplies for firefighting.

e. Transportation improvements shall incorporate access for firefighting, within and between existing neighborhoods to provide improved connectivity, but also in areas with no structures. Access standards include minimum width, surface, grade, radius, turnaround, turnout, and bridge standards, as well as limitations on one-way roads, dead-end roads, driveways, and gate entrances.

f. Where public water is available, the County will consult with water agencies on needs for additional water, water mains, fire hydrants, and related appurtenances needed to meet required fire flow criteria and for sufficient water capacity to serve peak demands of multiple fire engines to protect improvements from wildland fires.

g. A 100' setback for defensible space will be required, when possible, for high density multiple-family residential or sensitive uses (e.g., care homes, schools, large day care facilities, etc.) proposed to be located in high or very high fire hazard severity zones."

Washoe Tribe of Nevada and California
 Tribal Historic Preservation Office
Protect, Preserve, Promote Washoe Culture



RECEIVED
 Amador County

JUL 11 2016

PLANNING DEPARTMENT

July 8, 2016

Amador County Planning Department
 810 Court Street
 Jackson, CA. 95642

Subject: Amador County General Plan Update 2016

Dear Planning Department,

Thank you for consulting with the Tribal Historic Preservation Office of the Washoe Tribe of Nevada and California on the proposed Amador County General Plan Update 2016 and providing supporting documentation.

As you know the Washoe people lived in what is now Amador County. We still maintain value and connection to the cultural resources of Amador County.

We respect your efforts to protect and preserve the cultural resources of Amador County and we would like to offer our comments, suggestions and questions regarding the Cultural Resources in the General Plan Update. I have reviewed the General Plan and focused on the 4.5 Cultural Resources, Appendix D-Final Cultural Working Paper and Appendix G-MMRP chapters.

Page 4.5-6, SHPO Redacted Page: I understand the importance of confidentiality of sensitive information; however as the Tribal Historic Preservation Officer (THPO) for the Washoe Tribe, I would like to be able to view the information on the Redacted pages to understand how that information relates to the General Plan Update and Washoe ancestral cultural resources. Please respond

Page 4.5-13, Mitigation 1.5-1b: Statement-"If avoidance is not feasible, recovery, documentation and recordation of resources is required prior to project implementation"
Comment and suggestion: However, all reasonable options and alternatives be explored to maintain site integrity before it gets to the data collection phase.

Page 4.5-13 Significance after Mitigation, Statement- "when avoidance is not feasible, substantially reduce impacts to resources under the direction of an qualified archaeologist"
Comment and suggestion: With consultation of the affiliated tribal entity affected by the undertaking.

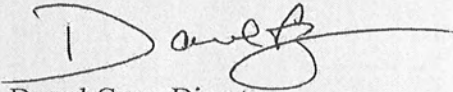
919 Highway 395 South, Gardnerville, Nevada 89410
 Office (775) 265-8600

Page 4.5-14, Destruction of or Damage to As-Yet-Unknown Cultural Resources.

Comment: Regardless of human remains or cultural resources, any inadvertent discoveries of Native American origin, the affiliated tribe should be made aware of the findings.

Thank you and please call me if you have any questions at (775) 265-8600.

Respectfully,

A handwritten signature in black ink, appearing to read "Darrel Cruz", with a long horizontal flourish extending to the right.

Darrel Cruz, Director
Tribal Historic Preservation Office

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Amador County

JUL 13 2016

PLANNING DEPARTMENT

Susan Grijalva
810 Count St.
Jackson, CA
95642

July 10, 2016

Regarding: General Plan

Thank you for sending the responses to my comments on the Draft General Plan. I would like to address those traffic concerns with some further clarifications and suggestions.

Response 1 "DEIR Impact 4.14-2 addresses increases in traffic levels on local roadways resulting in unacceptable LOS, including Ridge Rd. As indicated on DEIR page 4.14-17, the County would implement Mitigation Measures 4.14-1a, 4.14-1 b, and 4.12-2 to reduce significant traffic impacts. However due to uncertainties related to the timing and availability of funding for improvements, this impact was considered to be significant and unavoidable."
Paragraph 1

"...An LOS F condition for this type of roadway typically results in average travel speeds of less than 40 mph along the roadway." Paragraph 3 The traffic speed is posted at 55 mph. Traffic of all types moves at that speed or higher along the section of Ridge between the Church of the Nazarene and the junctions with Hwy 49. **In talking with members of that church, residents along this section of Ridge Road, residents living in Running Gold, and members of the Church of the Latter Day Saints and the Seventh Day Adventists, there is significant concern about the safety of this road at present. I would urge the Board of Supervisors to reduce this section to 45 mph, as it is near the Rancheria. This change, supported by more enforcement, would make this section much safer.**

Response 2 Regarding noise impacts "The DEIR determined that this impact would remain significant and unavoidable." **This is not an acceptable response. There should be a mitigation to reduce this noise. A slower speed limit would help.**

Response 3 "While reducing the speed limit on roadways would reduce noise levels and improve overall traffic safety, it is uncertain what positive effect, if any, it would have on LOS--- while a shift in traffic may slightly improve LOS along Ridge Rd., it is also likely to exacerbate LOS along alternate routes such as SR88..."
An increase on the State Road would be wise. State roads are structured for more traffic and are maintained by the state. Ridge Road was structured for local traffic, not for large trucks and fast moving vehicles. Ridge Road is maintained by the county. I think a traffic shift to the Highways when possible would help everyone in Amador County.

Please include this in the EIR meeting. Please share it with the Board of Supervisors and the Roads Department. Please let me know of the resolution of this on-going problem.

Thanks,

Linda Raymond
PO Box 1634
Sutter Creek, CA
95685

I do not believe that the Draft General Plan is adequate!

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Amador County

JUL 13 2016

PLANNING DEPARTMENT

12870 Burnt Cedar Lane
Pine Grove, California 95665
July 13, 2016

Chairman Ray Lindstrom
Amador County Planning Commission
810 Court Street
Jackson, California 95642

Dear Chairman Lindstrom:

I am enclosing you a copies of my reference material that I will be using in my address before your Planning Commission on July 19, 2016. There are 21 items of interest that bear directly and indirectly as to the subjects that I will be addressing. They are two; namely, water and the need for a Drought Safety Standard to address the shortage of water during drought. The other item of interest is the need for new lot development to be such that all structures built be located at least 100 feet from all sides from the property line. Such a development would be in keeping with Cal-Fire's policy of creating 100 foot defensible space.

My presentation is based on the information now before you. Its presentation follows closely as to the arrangement of the items mentioned from 1-21.

Item 1 "Outdated Water Plan Puts Drain on Future Needs is an that appeared in the UC Davis by Bob Reeb 1990 General Manager of the El Dorado Water Agency. The important part of this article is that he states unequivocally. THERE IS A LIMIT CALIFORNIA'S RESOURCES CAN SUPPORT. NO ONE HAS QUANTIFITED THAT LIMIT. PERHAPS SOMEONE SHOULD.

Item 2 A letter from Placer County Supervisor, Phil Ozenick that he championed the idea of a Drought Safety Standard as well as championed Placer County Resolution 92-250 on immigration reform.

Item 3 The front page of an information pamphlet distributed by then candidate Phil Ozenick for Placer County Supervisor for District One. This pamphlet introduced the new Planning Tool a Drought Standard Plan to the voters. He won over an entrenched legislator.

Item 4 Case S-1100 A petition for writ of administrative mandate. A couple of sentences are worthy of note. "the adequacy of the water supply under drought conditions was not addressed in the EIR. The other sentence of interest is: "Ignoring the existence of periodic drought in calculating the effect of a project on water supplies is as inadequate and shortsighted as ignoring the statistically inevitable 100-year storm in planning for drainage capacity."

Item 5 A commendation letter from Senator Quentin Kopp about the concept of a Drought Safety Standard and my efforts in helping pass SB 901 in 1995.

Item 6 Another letter of commendation from Senator Jim Costa thanking Supervisor Phil Ozenick and myself in the successful passage of his water bill SB 901

Item 7 A letter from the Governor's Office --Office of Planning and Research confirming my appearance before the Governor's Interagency Council on Growth Management.

Item 8 A copy Drought Safety Standards given before the Growth Management Council on July 31, 1991.

Item 9 A letter from the Office of Planning and Research thanking me for my participation in the Growth Management Council, wherein I presented the new concept Drought Safety Standards.

Item 10 An article, Common Sense Bill from the Sacramento Bee 9-26-91 extolling the merits of SB 901. A significant reads: "The bill was first introduced after developers tried to get the supervisors in Contra Costa County to require a local water agency to annex their proposed development and supply it with water even though the agency didn't have the capacity to do so and would have wound up soaking its other customers to pay for a new system."

Item 11 An article "Tapped Out---Water legislation would make builders and cities get real from the San Jose Mercury News, 9-21-91

Item 12 An article, "Growth Planners Must Find Water First" from the San Francisco Chronicle 9-25-95. A side headline reads. "Planners still operate on the principle that if you build the houses, the water will be there."

Item 13 An editorial, Planning for Water, 9-25-95 from the Business Journal. A key sentence reads: "Real estate interests resisted the bill until the closing weeks of the recent Legislative session, "

Item 14 A letter from Mrs. J. Thomas Wallace III commenting about my quoting Bob Reeb at the 1991 Drought Hearing held by the SWRCB on January 30, 1990. Apparently I struck a favorable cord as to my comments about Reeb's statement there is a limit to the number of people California's resources can support."

Item 15 A letter, 6-28-1999 from the General Manager of the AWA wherein he stated that: "The average household would typically use approximately 250 gallons per day in the CAWP system and 400 gallons per day in the Amador Water System." In another sentence, the Manager wrote, this is the amount of water that would be use during drought. Now contrast what developed some 27 years later---See item 16

Item 16. This item was an urgent message sent out by the AWA on 3-27-14 to their water customers to voluntarily reduce water usage by 20%. A very important sentence followed. "The average Amador County indoor water use about 6000 gallons per month for a family or four." On a daily basis this represent a use of 200 gallons per house per day.

Thus in the space of 27 years, for the CAWP users this represented a reduction of 20 % and for the AWS system a reduction of 50 %. But the agency is requesting still more of water reduction by 20 % or for an individual a use of 40 gallons per day, rather than the 50 gallons per day.

A reduction down to 40 gallons a day per person would appear a violation of what the State Water Resource Board in an email made public on 4-24-14 stated. "The State Water Resource Control Board expects to allow limited diversions of no more than 50 gallons per person per day for public health and safety needs where there is no other supply available for emergency human health, sanitation and safety needs."

The present EIR doesn't seem to square with the above facts when one reads "the surface water supply available for normal, dry, or multiple dry years, scenario remain the same for surface water diversions."

Item 17 Amador County's Faulty Drought Land Use Planning This article relates the difficulty the Amador County Board of Supervisors had in addressing measures to deal with Drought.

Item 18. A column from the Ledger Dispatch 5-25-12 about Cal-Fire's 100 foot defensible space and the miniscule five foot set back now present in the Pine Acres North Subdivision Plan. It is impossible to have a 100 foot set back as pursuant to Cal-Fire's prevention plan. Does this present EIR address this pressing concern ? See item 19

Item 19 A fact sheet published by Cal-Fire and being distributed by the Amador Fire Prevention District in the same room as the Amador Planning Department. Of significance is the following statement by Cal-Fire. "A defensible space of 100 feet around your home is required by law." If this is so, does this mean all EIRs should require a 100 foot set back from all sides of the house ?

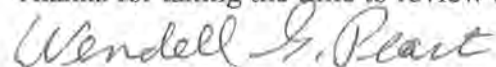
Item 20 Layout of Pan Acres North showing the set back on the sides are 5 five feet

Item 21 Article, State Looks To Control Land Use by Dan Walters. A key sentence reads, "Davis (Governor Davis) signed a bill that keyed subdivision approval to water supplies.

As you can see there is quite a bit of material that I am having to work with. At this juncture I have been able to reduce my presentation from 60 minutes to between and 5 and 10 minutes. and hope to get it reduced more.

I trust you and the other commissioners will have a better understanding why a Drought Safety Standard should be a part of all EIRs. Future new lot development should also incorporate the 100 foot set back from all sides and be a part of new EIRs.

Thanks for taking the time to review this material.



Wendell G. Peart, DVM Former Member Amador Water Resource Advisory Committee

#1

Commentary

Outdated water plan puts drain on future needs



Bob Reeb '77 is manager of the El Dorado County Water Agency (EDWA). Reeb directs water resources planning and management for EDWA, the jurisdiction of which covers prime watershed extending from Lake Tahoe to Folsom Lake. Since becoming the 30-year-old agency's first full-time manager in June 1989, he has been assessing legal, engineering, environmental, and financing considerations to provide direction on water project selection.

Reeb uses what he calls a multi-disciplinary approach, building on his varied background. Before joining EDWA, he spent five years as a senior consultant to the state Assembly's Water, Parks and Wildlife Committee, specializing in water policy issues. Prior to that Reeb was with the Dixon Tribune newspaper for four years, first as a reporter and then as editor.

He also served as an elected official—a term on the Dixon City Council from 1980 to 1984. At UC Reeb majored in political science-public

Concern about developing an adequate water supply has been notably absent in California's effort to satisfy the public's resource needs of the 1990s.

The repercussions of California's explosive population growth are difficult to ignore. California primary and secondary school classroom sizes are 22 percent higher than the national average, air quality has worsened, roadways are congested, and fewer families can afford to pay the increased cost of housing. These are some of the recognized consequences confronting a growing number of Californians.

California's population is increasing by about 600,000 people a year, with more than half of that growth occurring south of the Tehachapi Mountains. In 1985, the state had 26.1 million residents. By 2010, according to projections, the state's population will reach 36.3 million.

The ability to maintain existing resources and finance the improvements required to keep pace with population growth has seriously eroded in recent years. Increasing revenues have not been able to keep up with increasing demands. The reliance on general obligation bond financing for infrastructure—schools, roadways and public transportation, utilities, water resources, wastewater management, and other essential programs—concerns both state officials and the public finance and investment community.

Funding for new water supply projects—arguably one of California's most critical infrastructure needs—has been largely neglected. No funds remain in a \$1.75 billion bond program approved in 1960. Since that initial investment, the state general obligation bonds that have been approved for the development of new water supplies total only \$20 million. However, local public agencies recently identified much-needed projects totaling over \$350 million, according to a survey conducted by the Association of California Water Agencies.

The reduced financial commitment from state government is coupled with a change in federal policy that eliminates federal funding for water supply projects (some small federal reclamation loans remain available). The paucity of federal and state funding is in stark contrast to the increasing cost and complexity of building new water supply projects.

Most of the major facilities serving California today were developed prior to enactment of significant environmental protection laws. Projects today face new challenges. The National Environmental Policy Act and the federal Water Pollution Control Act (also known as the Clean Water Act) place a tremendous burden on agencies

responsible for the development of new water supplies. Issues raised by California's own Environmental Quality Act must also be addressed.

The challenge facing California, then, is to balance the need to develop new water supplies with the need to maintain water quality and flows that are adequate for fish and wildlife. This balancing process was absent in early federal, state and local water supply development projects. Fishery losses in the Sacramento and San Joaquin river systems—including the Sacramento-San Joaquin Delta—and damage to the Mono Lake ecosystem illustrate just two instances in which inadequate environmental safeguards were attached to dam and reservoir development in the first half of the century.

The decades-long debate continues over how to establish an appropriate balance between water diversions and the Sacramento-San Joaquin Delta ecosystem. Nearly two-thirds of all Californians rely on the delta for their water supply. The popular myth is that all water exported from the delta goes to farmers in the San Joaquin Valley and Southern California. Actually, a substantial amount of water is diverted to the nine-county San Francisco Bay area. Additional water supplies are diverted around the delta by San Francisco Peninsula and East Bay Area communities.

The current manner of transferring water through the mish-mash of delta islands and channels is inefficient at best; at worst, it wastes fresh water, degrades water quality, and decimates fisheries. Reaching an accord on operational efficiencies and environmental protection is critical; yet the task seems all but impossible.

□

The keys to addressing California's water supply development challenge are no different from the keys to solving most problems: communication, education, planning and implementation. Federal, state and local policymakers must work together so that conflicting goals and objectives can be reconciled. The California Water Plan should be overhauled immediately given the costs and complexities of developing new water supplies today. Water agencies should have a stronger voice in the land use planning process.

Environmental protection and water supply development must be balanced.

There is a limit to the number of people California's water resources can support. No one has quantified that limit. Perhaps someone should.

■

County of Placer Board of Supervisors

175 FULWEILER AVENUE
AUBURN, CALIFORNIA 95603
916/889-4010 • FAX: 916/889-4299

PHIL OZENICK
District 1

ALEX FERREIRA
District 2

RON LICHAU
District 3

KIRK UHLER
District 4

REX BLOOMFIELD
District 5

2



November 23, 1994

Dear Wendell:

New ideas and new concepts for governing seldom surface. Even more rare is their expression into formal resolutions, ordinances, plans and laws.

It is a pleasure to commend you for advancing two ideas and their conceptual frameworks. They were: A Drought Safety Standard and immigration reform.

Accept my gratitude for introducing me to the merits of the Drought Safety Standard as a planning devise, not only to control growth in an orderly fashion, but also to give reasonable assurance to current surface water users that water restrictions would not become a permanent way of life.

As you know, I championed the idea of the the Drought Safety Standard and it became a part of the 1994 updated Placer County General Plan. This Drought Safety Standard is the first in California and the United States. The standard is based on the water available in our reservoirs at the lowest point of a four-year drought (1928-1933 is the bench mark). It limits population growth of an area served from those reservoirs to assure each family one acre foot of water per year. No Water -- No Development. New development in the unincorporated areas will not take water from current users. Unfortunately, the cities in Placer County do not have such a planning tool.

Such a common sense proposal now offers planners a means to provide orderly population growth. Water is the nutrient of population growth and now we have the means to monitor population fairly. With time, Placer County will be credited with taking the vital leadership role in a new concept which has implications, not only for California, but may have national and worldwide applications.

Population growth attributed to both legal and illegal

immigration has been an important component of California's 38 to 44 per cent annual growth. In this regard, your brilliant insight into the relationship of the water problems of the State and a burgeoning population due in large measure to legal and illegal immigrants is commendable.

You called my attention to those collateral issues in you August 3, 1992 letter to me. It was a crystal ball of the future saying, "... As you can see, a major key to solving the state's explosive growth, diminishing water supply, and hemorrhaging finances is to reduce the flow of illegal immigrants now pouring over the State's borders which in turn are overwhelming the State's resources, both natural and financial...". In that letter you suggested a resolution the Placer County Board of Supervisors adopt urging the State legislature to recommend to the U. S. Congress to enact legislation to stop illegal immigration and to reduce legal immigrants to 300,000 persons a year into the U.S.

As a result of your suggestion on immigration reform, the Placer County Board of Supervisors, under my leadership, adopted Resolution 92-250 in 1992, on a 3-2 vote and resolution 93-248 in 1993, on a 5-0 vote. Those resolutions were the first of their kind in the United States and calls upon the California Legislature to request that the U.S. Congress provide a secure border against illegal immigrants, enforce sanctions on employers of illegal immigrants and to enact legislation to reduce legal immigration to 300,000 persons a year into the U.S. Through my building of consensus, the 58 member California State Association of Counties adopted most of the Placer resolutions, and no doubt played a large role in Governor Wilson's steadfast resolve that the federal government secure the borders and pay for the costs borne by California due to illegal immigrants.

Interestingly, the Placer County Immigration Resolutions (now referred throughout California as the Placer Resolution) states, "... California's population growth has already outstripped the State's finite water resources; and California's population is projected to increase to 35 million by the year 2000, 43 million by 2020 and 48 million by 2035...". We now know those projections were understated. The population is projected by the State Finance Department to be 63 million by the year 2035.

Your two ideas and conceptual frameworks have become guiding principles for elected officials and their staffs. They point

out that we, as a society, are faced with the need to increase the water supply to satisfy the population growth or we must restrict the population growth to protect the diminishing water supply or a combination of both. The Drought Safety Standard and the Placer Resolution says it all. What more can I say!

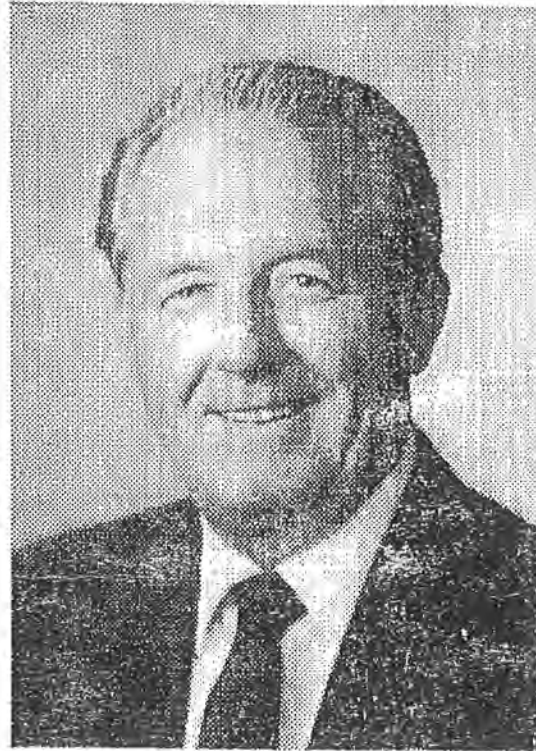
Wendell, thank you for allowing me the opportunity to serve you and through you, the people of Placer County. It is my hope that those who follow me will be as responsive as I to people of vision and a concern for a better quality of life here. In a sense, together, we have served all of the people of the United States America.

Sincerely,

Phil Ozernick
Phil Ozernick

Phil Ozenick for Supervisor
District 1, Placer County

Proven
Leadership
A
Phil Ozenick
Trademark



I propose that one prerequisite to growth be based on a THOUGHT STANDARD PLAN. The PLAN would limit population in our region to the water available in the reservoirs over a 4 year dry period, based on a family of 5 using 1 acre foot of water per year.

I also propose that growth in the areas from Auburn through Granite Bay and Dry Creek dependent on well water remain at 3% per year.

I WILL LISTEN & WORK WITH YOU!
ELECT PHIL OZENICK SUPERVISOR
on NOVEMBER 6th

#4

FILED Page 20
Item 1 - Page 27 of 153

MAY 20 1992

CAROL DEB
CLERK OF THE SUPERIOR COURT
BY C. M. Lawrence DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER

SIERRA CLUB AND FRED LOHSE,

Petitioners,

v.

CITY COUNCIL OF THE CITY OF
ROSEVILLE,

Respondents,

JOHNSON RANCH INVESTORS, AKT
DEVELOPMENT, AND ROSEVILLE
HOSPITAL,

Real Parties in Interest.

CASE NO. S-1100

ORDER REGARDING ORAL
ARGUMENTS ON PETITION
FOR WRIT OF ADMINISTRATIVE
MANDATE

The court hereby issues its tentative ruling on the petition for writ of administrative mandate. Oral arguments will be heard on Monday, June 15, 1992, at 3:00 p.m. in Department 4 of the Placer County Superior Court, 101 Maple Street, Auburn.

The court will permit 25 minutes of oral argument for each side, that is, 25 minutes for petitioners, and 25 minutes for respondents and real parties in interest. The respondents and real parties in interest may allocate that time among themselves as agreed among counsel. If either side wishes to make rebuttal arguments, they should plan to reserve adequate time from their allotted 25 minutes.

DATE:

5/20/92

James L. Roeder
James L. Roeder
Judge of the Superior Court

H4-2

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B. Failure to properly analyze significant environmental effects of project

1. Inadequate data to support conclusions regarding water supply

Petitioners target the impact of the project under drought conditions--i.e. will the city be able to supply sufficient water to the facility when its deliveries of water are cut? Respondents point to the analysis of impact on water supply, which concludes that the city, given the supply of water that it contractually is supposed to receive from the Federal Government, can properly supply the medical campus. The EIR contains adequate information on the impact of the medical campus on the water supply under normal conditions, first, as it relates to extending city water utilities to the area and who will pay for that, and second, as it relates to the water needs of the campus. However, the adequacy of the water supply under drought conditions was not addressed in the EIR. The question that the court must consider is whether water supply impacts under drought conditions need to be discussed in the EIR. The parties have not cited any authority on this issue one way or another, but some discussion on a similar issue is found in Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 727-728. In KCFB, availability of water was an issue that related to the feasibility of a mitigation measure for groundwater supplies. The EIR had proposed as a mitigation measure payments of money with which to purchase water to recharge groundwater

1 supplies. The city public works director submitted a memo that
2 stated in part: "The EIR writers need to know that money does not
3 constitute water recharge. Kings County Water District has a large
4 capital reserve and cannot purchase enough water to bring into
Kings County. They cannot find the additional water because it is
not available. Money will not solve that problem." The court held
that to the extent that the agreement to pay sums of money was an
independent basis for the finding of no significant impact, the
failure to evaluate whether the agreement was feasible and to what
extent water would be available for purchase was fatal to a
meaningful evaluation by the city council and the public.

Although the issue in KCFB was one of feasibility of
mitigation and the issue here is one of adequacy of impacts
analysis, the underlying factual problem--the actual availability
of water which is presumed to be available for purposes of analysis
in the EIR--is the same. KCFB serves as a reminder that the aim of
CEQA is to force decision-makers to face the facts squarely and not
avoid thorny issues.

In this case, this issue was raised two separate times during
consideration of the EIR by the Council and the public. During
council discussions, Councilmember Hamel asked if the hospital
could be supplied with water in the current state of reduced water
allocations. The answer was that the EIR did not contain that
analysis. (AR 2950, 2952) Although she stated that she believed
that that analysis was necessary, it was never provided later. In
addition, a commentator, Wendell Pert, brought up the same issue in

#4-4

1 a letter (AR 1899). The EIR's response to this comment is that the
 2 development of a "Drought Standard Plan" or any other similar water
 3 conservation policy document represents a separate and independent
 4 policy review outside the scope of this EIR; it then points to the
 5 data about projected water demand at buildout of the projected
 6 general plan land use designations, and states there is enough
 7 water under contract to supply the hospital. (AR 1965) The second
 8 portion of this response ignores the heart of the question asked,
 9 i.e., 'what if the water isn't available?' The first portion of
 10 the response begs the question, which is whether an EIR is required
 11 to take into account periodic drought in calculating the effect of
 12 a project on the area's water supplies. The court believes that
 13 this question answers itself. It is a meteorological fact that
 14 California is subject to drought/flood cycles, and that is the
 15 environment in which the project is being built. Ignoring the
 16 existence of periodic drought in calculating the effect of a
 17 project on water supplies is as inadequate and shortsighted as
 18 ignoring the statistically inevitable 100-year storm in planning
 19 for drainage capacity. Such an analysis would not greatly expand
 20 the amount of information that would have to go into every EIR;
 21 however, in a project, such as this, with heavy water usage, the
 22 information ought to be included so that, if the impact on drought-
 23 reduced water supplies would be sufficiently severe, design steps
 24 can be taken to mitigate that impact.

25 2. Destruction of Vernal Pools

26 Petitioners contend the EIR did not contain adequate
27

Item 1 - Page 31 of 153
SACRAMENTO ADDRESS
STATE CAPITOL
95814
(916) 445-0503

DISTRICT OFFICE
3 EL CAMINO REAL, #205
SAN FRANCISCO, CA 94080
(415) 952-5666

California State Senate



H5

STATE SENATOR
QUENTIN L. KOPP

EIGHTH SENATORIAL DISTRICT
REPRESENTING SAN FRANCISCO AND SAN MATEO COUNTIES

October 12, 1995

Dear Dr. Peart:

With the enactment of Senate Bill 901 in this year's proceedings of the 1995-96 legislative session, I am impelled to memorialize your pioneering and imaginative efforts in aborting California policymakers to the imperative of linking new development to water supply.

In 1990, you formulated the concept of a Drought Standard Plan. You purveyed a new concept, to wit, that available water, not land, should be the determinating factor respecting the construction of new structures. You noted the relevance of population growth to the problem of water supply and sought to initiate an evaluation of national immigration policies. You advocated legislation to require planning agencies to subordinate project approval to a central water agency. Your concept was adopted in substance by the County of Placer through the auspices of former Supervisor Phil Ozenick. Your advocacy persuaded Assemblyman Dominic Cortese to introduce AB 455, a measure requiring lead agencies on development projects to consult with water retailers regarding the availability of water to serve a proposed development project. Although AB 455 was not enacted, it represented the precursor of Senator Jim Costa's SB 901.

Item 1 - Page 31 of 153
STANDING COMMITTEES
TRANSPORTATION - CHAIRMAN
AGRICULTURE & WATER
RESOURCES
BUDGET AND FISCAL REVIEW
CRIMINAL PROCEDURE
HOUSING AND LAND USE
LOCAL GOVERNMENT
REVENUE AND TAXATION

SELECT COMMITTEES
INFORMATION SERVICES IN
STATE GOVERNMENT -
CHAIRMAN
DEFENSE BASE CLOSURES
MARITIME INDUSTRY
NORTHRIDGE EARTHQUAKE
STATE PROCUREMENT AND
EXPENDITURE PRACTICE
VOTING PRACTICES AND
PROCEDURES

SUBCOMMITTEES
BUDGET SUBCOMMITTEE
NO. 2 ON RESOURCES,
ENVIRONMENTAL
PROTECTION AND
JUDICIARY - CHAIRMAN

JOINT COMMITTEES
JOINT COMMITTEE ON RUI

Commencing with your address to the January 29-30, 1991 Drought Conference conducted by the California Water Quality Resources Board in Sacramento, you have persisted and persevered in convincing Californians of the need to consider available water in relationship to proposed construction projects. Your conduct constitutes good citizenship and public service of the highest order.

I write to record my admiration and appreciation for your unwavering commitment to a concept which you promulgated in the face of disinterest and to thank you for your singular dedication to the public weal. You deserve commendation and encomiums from all Californians.

Sincerely yours,


QUENTIN L. KOPP

QLK:tt

MEMBERS:

RUBEN S. AYALA

VICE CHAIRMAN

CHARLES M. CALDERON

WILLIAM A. CRAVEN

MAURICE JOHANNESSEN

DAVID G. KELLEY

ANTHONY L. KOPP

MARK MONTEITH

DON ROGERS

MIKE THOMPSON

CATHIE WRIGHT

California Legislature

Senate Committee

on

Agriculture and Water Resources

JIM COSTA
CHAIRMAN

CONSULTANTS:

LINDA ADAMS
MARK HITE

SECRETARY:

LINDA ROSE RODRIGUEZ

STATE CAPITOL
ROOM 2031
SACRAMENTO, CA 95814
(916) 445-2206
FAX (916) 327-8290

December 12, 1995

Dr. Wendell G. Peart
12870 Burnt Cedar Lane
Pine Grove, Ca. 95665-9476

Dear Dr. Peart:

I would like to thank you for your assistance in the passage of my Senate Bill 901, the Water Supply Planning Act.

Your perseverance and commitment to the relationship between proposed development and available water was invaluable in the passage of SB 901. As you know, the bill was signed by the Governor and will take effect January 1, 1996. Your vision to create a Drought Standard Plan back in 1990 helped lead to the historical shifting of emphasis from land to water availability in new construction permits. With the help of former Placer County Supervisor Phil Ozenick, you have proven the power of a concerned citizen.

May I commend you for your hard work and persistence. You deserve much credit in how California's cities and counties will now handle growth issues.

Sincerely,


JIM COSTA
Chairman

JC:sg

47
State of California

GOVERNOR'S OFFICE
OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET
SACRAMENTO 95814
(916) 322-2318



PETE WILSON
GOVERNOR

July 25, 1991

Mr. Wendell Peart
Population Environment Balance
1452 Southwood Way
Roseville, California 95678

Dear Mr. Peart:

I am writing to confirm your appearance at a hearing in the City of Sacramento hosted by the Governor's Interagency Council on Growth Management. This hearing is scheduled for Wednesday, July 31 from 9:00 a.m. to 3:30 p.m. in the City Council Chambers located at 915 I Street.

The Growth Management Council appreciates your interest in testifying on the important growth issues facing this region, as well as those of the State. Your input will help the Council in the formulation of recommendations that it will present to Governor Wilson later this year.

Please find enclosed a list of the various panels of witnesses that are to appear at this hearing, including the approximate time that you are scheduled to testify. As we have a full agenda, it is requested that comments be limited to seven minutes. To maintain a record, the Council would also appreciate a written copy of your testimony. Please mail your comments to the attention of the undersigned at the Governor's Office of Planning and Research.

In addition, approximately 10-15 copies should be made available at the hearing for the Growth Management Council panel members and staff.

Should you have any questions, please feel free to call me.

Sincerely,

Patrick Dorais

PATRICK DORAIS

DROUGHT SAFETY STANDARDS

July 31 1991

Water purveyors that furnish water to counties, cities, municipalities and unincorporated areas whose supply source such as dam impoundments or who obtain water from rivers and streams that are supplied by dams will distribute water according to the Drought Standard Formula.

This standard statewide water allocation is to ensure an adequate water supply during reoccurring drought cycles is based on a family of 5 using one acre foot of water per year that is available in the reservoirs over a four year dry period. A dry period would be a period that equaled or exceeded the drought that occurred from 1928 to 1933.

Nothing in this section will prevent a water purveyor from selling or allowing a transfer of water to another area whose supply source is deficient relative to the definition of the Drought Standard.

The implementation of this act will be under the direction of the State Water Resource Control Board. The present local county and city building departments will represent the Department of Water Resources Control Board in the issuance of building permits relative to the Drought Standard Formula.

The Board will apportion the available water in the following proportion 80% Agriculture and 20% Municipal use that will include domestic, municipal, commercial, and industrial use.

For example if a 4 year low average of a reservoir is 500,000 acre feet, then the allocation would be for agriculture 400,000 acre feet or 80% and 100,000 acre feet for municipal or 20%. Since the municipal use is composed of four components; 1. Municipal *DEFINED AS* (municipal government, state and federal government); 2. Domestic (homes); 3. Commercial, and 4. Industrial, the four entities must share the available water that would support 500,000 people.

The Board through its transfer authority can add additional water to an area needing it or withdraw surplus water from an area that is in excess to keep in balance the final 80% to 20% ratio of water distribution for the whole state.

Nothing in this section will supercede the state and federally mandated environmental use for water.

1-9



PETE WILSON
GOVERNOR

State of California

GOVERNOR'S OFFICE
OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET
SACRAMENTO 95814

(916) 322-2318

August 28, 1991

Mr. Wendell Peart
Population Environment Balance
1452 Southwood Way
Roseville, California 95678

Dear Mr. Peart:

Thank you for participating in the Growth Management Council's recent hearings. The hearings are an important part of the Council's work this year on the issues facing our State. Ultimately, the findings from the hearings will make their way to Governor Wilson's desk in recommendations and reports on State policies on growth management.

Your testimony will be carefully considered as part of these deliberations. We will strive to construct a fair and balanced response to California's growth management challenges. With your help, Governor Wilson's leadership on these issues will take our State forward to our next century.

Sincerely,


RICHARD SYBERT
Director



TUESDAY
September 26, 1995

The Sacramento Bee

► OPINION

9-26-95

Common-sense water bill

State Sen. Jim Costa's water planning bill, SB 901, is so obviously a matter of common sense that the fact it took two years of lobbying to get it to the governor's desk says a lot about what's wrong with California's water politics these days.

The basic idea behind SB 901 is that a city or county that's considering a major new subdivision ought to ask whether there's enough water available to support it. In a state with limited water resources, that should be automatically a part of any environmental impact analysis or land-use plan. But it's often sloughed off or ignored. And Costa's bill only takes a small step toward correcting that kind of willful myopia.

The bill was first introduced after developers tried to get the supervisors in Contra Costa County to require a local water agency to annex their proposed development and supply it with water even though the agency didn't have the capacity to do so and would have wound up soaking its other customers to pay for a new system. The bill that has finally emerged from the Legislature won't prevent that from happening. It won't even stop local officials from going ahead with new subdivisions when they know there's a water supply problem. But at least it will require them to ask their local water agencies about what supplies are available and where the additional resources are supposed to come from.

Who stood up for this elementary effort and who did not among the various interest groups lobbying the Legislature suggests how much the water debate in California is changing. Even though it's the residents and

new home buyers in rapidly developing urban areas who would gain the most protection from this kind of forethought, the principal backing for SB 901 came from the California Farm Bureau. That's because cities and counties resent being required to consult with local water agencies, while agricultural leaders recognize they're the ones most likely to be drained as the competition for water continues to tighten.

The major environmental groups took no position, even though their demands for additional water to supply wetlands and wildlife refuges and the recent massive transfers of federal water supplies to serve those needs make careful resource planning all the more important. The Bank of America and the other promoters of water marketing as a solution to the state's water problems also stayed on the sidelines; anything that might slow the transfer of water supplies from farming to suburban expansion is anathema to the marketeers.

But what's most interesting - and especially hopeful - about the bill is that the building trades, the state Chamber of Commerce and some of the other major industrial lobbies came round to urging Gov. Pete Wilson to sign the bill even though it means creating another regulatory hoop to jump through. They recognize that they can't continue to complain about the very real drag that uncertainties about water supplies are putting on the state's economy and not support so basic a step, small as it is, toward sensible resource management. The governor should sign SB 901.

San Jose Mercury News

ONTREY EDITION

Serving Northern California Since 1851

September 21, 1995

EDITORIALS

Tapped out

Water legislation would make builders and cities get real

THE dreamers and schemers who built Los Angeles knew they could never create a city without water. They built an aqueduct most of the way to Nevada to get it.

New towns are still springing up. Around the state, 110 new towns or large subdivisions are on the planning maps. They would add 2 million people and increase the state's urban water use by 10 percent.

But the developers don't have to work as hard for the water. They just point to some existing source, such as the State Water Project. They're dreaming. The state Department of Water Resources says all the existing water sources are already spoken for.

A hole in the law has permitted this game of Let's Pretend. Gov. Pete Wilson has a chance to fill it with a bill on his desk that would finally coordinate urban growth and water supply. He should sign it.

Sen. Jim Costa, D-Fresno, is the sponsor of the bill, SB 90. But the pioneer was Assemblyman Dom Cortese, D-San Jose, who persevered over several years and through a hail of criticism to

link growth and water.

The current law permits development that can force everyone, new customers and old, to cut back when water runs short. The threat to existing users is the reason farm groups back this bill so strongly. So do urban water agencies that have been confronted with new developments that they fear they cannot find water for.

The Costa bill requires that cities or counties obtain a report from the local water agency before approving developments of 500 homes or more.

The water assessment becomes an official part of the environmental impact report, which is not the case now. Lack of water would be considered a significant environmental impact.

Such findings do not necessarily stop the development. Local governments could either arrange other sources of water or declare that the need for the new development outweighs its environmental drawbacks.

The bill wouldn't end bad development, but it would force cities, counties and builders to stop pretending that "pray for rain" is a water plan.

San Francisco Chronicle

THE VOICE OF THE WEST

EDITORIALS

Growth Planners Must Find Water First

CALIFORNIA IS just one pen stroke away from ending one of the greater scandals of a quarter century of mis-managed suburban sprawl: the lack of any connection between growth and water availability. Governor Wilson's signature on SB 901 would finally provide that vital link by requiring, for the first time, that local governments at least consider the critical

problem of water supplies before permitting developers to turn a spade of dirt.

Planners still operate on the principle that if you build the houses, the water will be there

It boggles the mind to realize that suburban growth policies in this semi-arid state still operate on the ancient principle that if you build the houses, the water will be there — somehow. That

may have been true 25 years ago. But it is a patent falsehood today, and it will only become a bigger lie in the future. As the state Department of Water Resources stated one year ago, "For the first time in recent history, Californians are finding that existing water management systems are no longer able to provide sufficiently reliable water service to users."

What that means — even without the forecast that there may be 50 million Californians by the year 2020 — is that periods of drought will result in increasingly seri-

ous water shortages and economic dislocations — factors that already are driving manufacturers, and new jobs, to other states.

Yet right now, up and down the state, there are no fewer than 110 towns and subdivisions — as well as 44 golf courses — in various stages of the development approval process. And in the vast majority of cases, scant or no attention has been given to what should be one of the first questions asked: Is there an adequate water supply?

Of those 110 planned new towns, the 80 that have already received local government approval will house about 1.5 million new residents who will require an estimated 486,000 acre-feet of water per year.

At the same time, the state is warning that the next drought could result in a 2.7 million acre-foot deficit.

The commonsense answer to this absurdity is to require local planning agencies to go to local water agencies — before they approve major new developments — and ask if there's enough water. If so, fine. If not, then the planners would either have to find new water or say no to the development — or explain to the public why they're increasing the likelihood of shortages in order to fill new suburban swimming pools and turn scrubland into fairways.

That answer is provided by SB 901, sponsored by Senator Jim Costa, D-Fresno, which — after two years of fierce debate and opposition from home builders — finally passed both houses of the Legislature late this session and is now on the governor's desk. We strongly urge him to sign it.

THE BUSINESS JOURNAL

WEEK OF SEPTEMBER 25, 1995

EDITORIAL

Planning for water

Sitting in that neglected pile of nonpresidential issues on Gov. Pete Wilson's desk is a landmark bill that would require California cities and counties to figure out where the water is or isn't going to come from before they approve major new development projects.

Wilson should sign Senate Bill 901, a piece of long-overdue legislation. It is strange that such law does not already exist in this arid state.

California development has long followed an illogical pattern: Build suburbs, then take water for them from existing residents and farmers.

Fresno Democrat Jim Costa's bill requires local governments to consult with local water agencies about water availability for large subdivisions or so-called "new towns." Currently, 110 new-town projects are in the planning pipeline in this state, including eight in the four-county Sacramento area. Most of them have been approved, with little discussion about water. Developers typically say they'll tap ground water or state and federal water supplies that are already struggling to meet demand. These new projects would require, if built out, roughly 10 percent of the water urban California now consumes.

The Costa bill would apply to projects of more than 500 dwelling units which require an amendment to a city or county's specific or general plan. Local water agencies would have to determine whether there would be adequate water over the next 20 years to meet projected demand. If a shortage were found, it would create a "significant environmental impact" under the California Environmental Quality Act. In order to approve the project, then, local officials would have to mitigate that impact by finding water or phasing in construction. Or they could make a finding that the need for new housing outweighed the effects of a water shortage.

Real estate interests resisted the bill until the closing weeks of the recent Legislative session, when it was amended so that local water agencies would not have veto power over development approvals. Fearing more restrictive proposals later, the housing industry then signed off on the proposal.

The governor should sign off as well. It elevates water planning to the status it surely must have in California. And it clears the way for vying interests — real estate, agriculture, business, local governments, environmentalists and the general public — to begin exploring ways to solve California's long-term water needs.

Macready Ranch, Inc.
Mariposa, California

#14

FEBRUARY 1, 1921

Editor
Enterprise Record
Chico, CA 95926

Dear Sir:

As everyone in the State of California is aware, we have a real water problem. At the California State Water Resources Control Board meeting in Sacramento on January 30, 1991, which I attended, along with hundreds of other interested parties, many ideas but few solutions were suggested.

One solution was suggested by a participant quoting Bob Reid, Manager of the El Dorado Co. Water Agency, who said: "Water agencies should have a stronger voice in land use planning process. There is a limit to the number of people California water resources can support. No one has quantified that limit; perhaps someone should." The man got a standing ovation, but I have yet to see anything in any newspaper reporting on the meeting.

I suggest, then, that planning agencies subordinate their building programs to the water resources; it is the available water, not land, that should be the determinate factor as to the number of structures to be built. Local water agencies need to be included in the development and planning process for future growth in California's communities.

Sincerely,

Mrs. J. Thomas Wallace
Mrs. J. Thomas Wallace III

*That person was
Wendell Peart*

A Public Agency



12800 RIDGE ROAD, SUTTER CREEK, CA 95685-9630

(209) 223-3018
FAX: (209) 257-5281

June 28, 1999

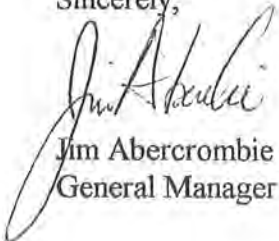
Mr. Wendell Peart
12870 Burnt Cedar Lane
Pine Grove, CA 95665

Dear Mr. Peart:

At the last Board meeting, you asked the Board Members to submit to you their opinion of the amount of water an average household should use for water consumption during a drought period. The Board directed me you respond to your question.

The average household would typically use approximately 250 gallons per day in the CAWP system and 400 gallons per day in the Amador Water System.

Sincerely,



Jim Abercrombie
General Manager

c.c. Board of Directors
Files

JA/kt

3 27-14

7000 3-27-14
Saving Gallons!

Due to severe water supply conditions in California, AWA is encouraging customers to voluntarily reduce water usage by 20%. The average Amador County indoor water use is about 6000 gallons (or about 8 "units") per month for a family of four.

There are many simple ways to reduce the amount of water that we use.

How much can you save?

INDOORS:

- Fill the bathtub half-way: 12 gallons
- Low-flow shower heads: 2.5 gals/minute
- Turn water off while brushing teeth or shaving: 10 gals/person/day
- 5-minute shower instead of 10 minute shower: up to 25 gals/shower
- Aerators on faucets: 1.2 gals/person/day
- High efficiency toilets: 19 gals/person/day

OUTDOORS:

- Clean your driveway with a broom and not a hose: up to 150 gallons each time
- Mulch around plants and trees: 20 - 30 gals each time you water
- Drought resistant plants: 30 - 60 gals each time you water

FIX A LEAK:

Even small leaks add up to many gallons per day. If you suspect a leak in a pipe or appliance, call AWA customer service for help.

Visit www.saveourh2o.org for more tips on water conservation in the home and garden, or see AWA's Conservation web page at www.amadorwater.org.

Amador County's Faulty Drought Land Use Planning

Wendell G. Peart, DVM

GUEST COMMENTARY

With the current drought devastating the water supply, is it fair to ask what measures have the authorities at the national, state, and local level been doing to alleviate the hardship that drought brings us.

This being the case, lets examine what the authorities in Amador County have been doing to minimize the hazards of drought. In a few words not much. A memorandum of 11-18-96 to the Public Works Director from the Land Use Agency Director demonstrates a frightening lack of knowledge of how to address California's historic droughts and there have been many.

In part the memorandum read: The Land Use Committee is considering the adoption of a new general plan policy regulating new development water supplies. They wish to also review potential drought standards. They have been informed.... that Placer County has adopted drought criteria in their general plan policies. Obviously we must first have a definition of drought. Is there an accepted definition for Amador County?"

Had the Land Use Agency Director contacted the U.S. Weather Bureau they would have told him, "there is no standard definition for drought." Had he taken the time, a phone call or a simple letter to the State Water Resource Control Board about drought, he would have been informed the SWRCB uses the years 1928-1933 as a drought reference point. Had this Director done his home work, he would have discovered that the normal rainfall in the Sacramento Area was about 20 inches where the average rainfall during the 1928-1933 was, on average, about 10.63 inches. As to the definition of drought, all the

Director had to do was to look up in the dictionary to find the definition for drought. Webster's Ninth New Collegiate Dictionary defines drought as: "1. A period of dryness esp when prolonged and causing extensive damage to crops or preventing their successful growth. 2. A prolonged or chronic shortage or lack of something."

This ducking the issue, passing the buck if you please, was a constant theme of the Amador authorities attempt to address the water supply during drought. Placer County had no problem in passing a Drought Safety Standard. Don't you find it strange that Amador's Land Use Agency did not bother to contact Placer County to see how they did it?

In a memorandum dated 12-10-96 from the Public Works Director to the Land Use Director, the communication read: "To define a drought-proof water supply is complicated because of the many facets such as regional or local versus County as a whole, transmission versus distribution, water rights and transfers, firming up existing water rights and or assignments, predicting sustainability of existing wells, conservation programs and enforcement."

The memorandum is cor-

rect there is no such thing as a Drought-Proof Water Supply. The ultimate source of any water supply is the precipitation of rain and snow and neither rain or snow can be guaranteed. A Drought Safety Standard was something the authorities were not interested in discussing. So hung up were the authorities in

Amador County about somehow cobbling together a land use plan that would be a Drought Proof Plan during drought that no thought was given to a Drought Safety Standard.

A number of meetings, then ensued that resulted in a draft resolution that was proposed to bring to the Board of Supervisors to amend the text of the Amador County General Plan adding Policy 25 (Water Supply). The chief features of Policy 25 would require a County-certified agency shall provide assurance there is a guaranteed adequate quality of water even under drought conditions for a project.

After much discussion by the Board of Supervisors, it was moved to refer the matter back to the Land Use Committee. In so far as a Drought Safety Standard was concerned this was something the authorities were not interested. It smacked of growth limitation.

Don't you find it curious that we have safety standards for about every aspect of or daily lives, such as limits to the number of people in an elevator, on an airplane, on a ship, in public rooms, and how about brakes on automobiles. Land Use Planning that does not factor in droughts as it relates to the water supply is like driving a car without brakes. If the Land Use Planners can prohibit development in a 100 year old flood plain, then is not acceptable not to build more than what the available supply of water will support during drought. After all droughts in California have an ugly habit of returning more often than that is comfortable and many do occur within a 100 year span.

Not to be over looked, in matters of water supply and drought, were the findings of a Superior Court that determined in an Environmental Impact Report that an EIR was patently deficient if it failed to address the potential for a serious water shortage in drought periods. This case was know as S-1100 Tentative Ruling on Writ of Administrative Mandate, Superior Court, County of Placer, Filed May 20, 1992. The opinion referred to the planning tool used as

a "Drought Safety Standard" and required the lead agency to address the reality that water supplies are not only seasonal in this arid state but suffer drastic vicissitudes.

A key sentence in this ruling read: "It is a meteorological fact that California is subject to drought/flood cycles, and that is the environment in which the project is being built. Ignoring the existence of drought in calculating the effect of a project on water supplies is an inadequate and short sighted as ignoring the statistically inevitable 100-year storm planning for drainage capacity."

Editor's Note: Wendell G. Peart, DVM, is a former member of the Amador Water Resource Advisory Committee.

Wendell Peart and Bob Lucas live in Wildwood Estates, near Pine Grove, adjacent to a subdivision named Pine Acres North, which was recently approved by the Amador County Planning Commission and Board of Supervisors for 98 dwelling units on 44 acres. Pine Acres North is in a wooded area

that has been designated as a very high hazard zone on CAL FIRE's severity zone map, which is viewable at www.fire.ca.gov/fire_prevention/fhsz_maps/fhsz_maps_amador.php.

Approval for Pine Acres North was not done casually. A 40-page Fire Management Plan document was attached to the final environmental impact report, outlining details such as the distance between hydrants as 500 feet, and specifying the fire flow of hydrants at 1,000 gallons per minute.

All seemed well with the subdivision approval, except for the fact that Lucas and Peart noticed that the building setbacks were a mere five feet from the property next door.

Struck by the evident contradiction between CAL FIRE's highly broadcast 100-foot defensible space and the relatively miniscule five-foot setback in Pine Acres North, Lucas and Peart began to look into the matter.

At the same time, Lucas and Peart have been working to focus the attention of county officials on an increasingly dire fire insurance problem in the Upcountry — insurance compa-

nies are growing ever more unwilling to issue fire insurance policies to homeowners in high-hazard areas, such as Wildwood Estates.

The situation in Amador's Upcountry is far from unique. There are 31 members in the Regional Council of Rural Counties, all of whom must deal with similar problems.

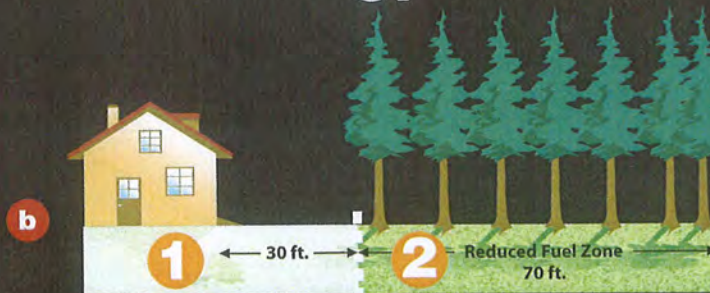
"Rural counties could get together," suggested Lucas, "and that could be a vehicle to dealing with the impending problems with fire insurance."

In recognition of the danger of a recurrence of a massive east wind-fed fire; in following the thread that Lucas and Peart have unravelled; in honor of Monday's designation as opening day of fire season; and with the humble realization that wildfires pose a nearly unimaginable danger to those living in the beautiful forested areas of California, Ledger Dispatch staff will be delving into the numerous aspects of the situation vis-a-vis fire insurance, real estate, regulations, fire codes, water availability, official points of view and whatever else comes into range.

100' DEFENSIBLE SPACE Make Your Home FIRE SAFE



or



Contact your local CDF office, fire department,
or Fire Safe Council for tips and assistance.

www.fire.ca.gov

Why 100 Feet?

Following these simple steps can dramatically increase the chance of your home surviving a wildfire!

A **Defensible Space** of 100 feet around your home is required by law.¹ The goal is to protect your home while providing a safe area for firefighters.

1 "Lean, Clean and Green Zone."

– Clearing an area of 30 feet immediately surrounding your home is critical. This area requires the greatest reduction in flammable vegetation.

2 "Reduced Fuel Zone."

– The fuel reduction zone in the remaining 70 feet (or to property line) will depend on the steepness of your property and the vegetation.

Spacing between plants improves the chance of stopping a wildfire before it destroys your home. You have two options in this area:

- a** Create horizontal and vertical spacing between plants. The amount of space will depend on how steep the slope is and the size of the plants.
- b** Large trees do not have to be cut and removed as long as all of the plants beneath them are removed. This eliminates a vertical "fire ladder."

When clearing vegetation, use care when operating equipment such as lawnmowers. One small spark may start a fire; a string trimmer is much safer.

Remove all build-up of needles and leaves from your roof and gutters. Keep tree limbs trimmed at least 10 feet from any chimneys and remove dead limbs that hang over your home or garage. The law also requires a screen over your chimney outlet of not more than ½ inch mesh.

¹ These regulations affect most of the grass, brush, and timber-covered private lands in the State. Some fire department jurisdictions may have additional requirements. Some activities may require permits for tree removal. Also, some activities may require special procedures for, 1) threatened and endangered species, 2) avoiding erosion, and 3) protection of water quality. Check with local officials if in doubt. Current regulations allow an insurance company to require additional clearance. The area to be treated does not extend beyond your property. The State Board of Forestry and Fire Protection has approved Guidelines to assist you in complying with the new law. Contact your local CDF office for more details.



19.24.040

Specification for the Pine Acres North
 Subdivision
 that was approved
 by Amador County
 Note sit back of only 5 feet

Dis- trict	Subject to the provisions of Chapter 19.48, none but the following uses, or uses which in the opinion of the planning commission are similar in nature, will be allowed.	Use Permt Required	Building Site			Yards Required			Build- ing Height Limit in ft.	Lot Area Per Res- idential Unit (Sq. Ft.)		
			Area (Sq. Ft.) Interior Lot	Width in ft. Mini- mum	Depth in ft. Mini- mum	Percent Cover- age	Front in ft.	Rear in ft.			Side in ft. Corner	
R-1	1. Single-family dwellings 2. Home occupations 3. Guest houses, servants' quarters 4. Crop and tree farming	NO	6,000	60	90	35	25	15	5	10	30	6,000
R-2	1. Two-, three- and four-family dwellings 2. Rooming and boarding houses, accommodating not more than three guests	NO				50	15	30	30	17.5	35	1,500
R-3	1. Multiple-family dwellings 2. Dwelling groups	NO	7,000	70	90	50	25	30	30	17.5	35	1,000
RE and R-2A	1. One-family dwellings 2. Home occupations, providing there shall be no external evidence of any home occupation excepting nameplate not exceeding one square foot in area 3. Accessory buildings and accessory uses including servant quarters and noncommercial guest houses 4. The building site area in all RE districts shall contain not less than five acres and the front, side and rear yard required shall comply with the requirements for R-1 districts within the county 5. The building site area in all R-2A districts shall contain not less than two acres and the front, side and rear yard required shall comply with the requirements for R-1 districts within the county											
C-1	1. Retail, office and business and personal services uses, conducted within a building, and mini-warehouses 2. Service stations 3. Drive-in uses, including theaters 4. Outdoor areas, nurseries, boat docks and boat repairs 5. Single-family dwelling when combined in the same structure as a commercial use 6. Sea/land storage containers in conjunction with a mini-warehouse operation, and approved in accordance with Section 19.48.160(h)	NO	5,000	50	90	90	10	0	0	0	45	
C-2	1. Wholesale, service and storage uses, conducted within a building 2. Retail outlets and offices incidental and accessory to above uses 3. Service stations, repair garages 4. Business offices 5. All uses allowed in C-1 district, Sections 3 and 4 6. Lumber and building materials yards 7. Sale, rental, repair and storage of new or used autos, trucks, trailers, boats, buses, construction and farm equipment 8. Nurseries, garden supplies 9. Veterinary hospital or clinic 10. Sea/land storage containers in conjunction with a mini-warehouse operation, and approved in accordance with Section 19.48.160(h)	NO				90	10	0	0	0	45	

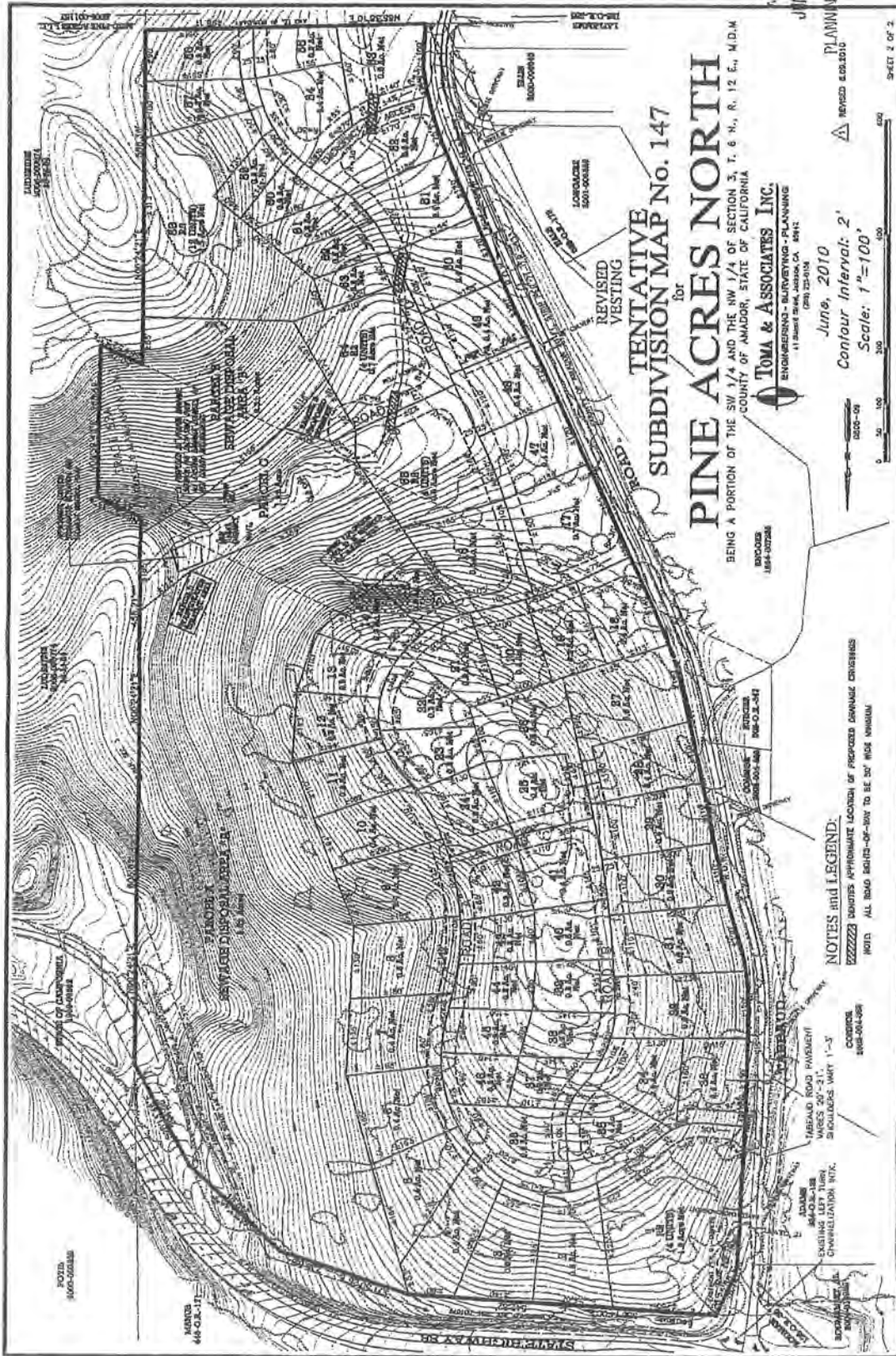
* No requirement

AS SPECIFIED IN THE USE PERMIT

601

80

Item 711



Bee 6-10-07



DAN WALTERS

Bee 6-10-07
State looks to control land use

When Attorney General Jerry Brown sued San Bernardino County over alleged inadequacies in its plan governing growth, he accelerated an incremental and potentially historic - albeit little-noticed - state takeover of local governments' jealously guarded power over land use.

Legislative measures - including a number in the current session - administrative regulations and court cases such as Brown's lawsuit have advanced the trend, which alarms city and county officials. They see their authority over an issue in which there is intense, often emotional interest among local voters being eroded, and are concerned about the effects on land use-based tax revenue.

Land use has, as a topic for debate and sometimes action, been kicked around political and academic circles for decades. A landmark shift of policy occurred in the mid-1970s when voters and the Legislature, plus then-Gov. Brown, created a Coastal Commission with land use power - sometimes applied very narrowly with tinges of corruption - over a "coastal zone."

Expansion of state land use authority went into a hiatus during the two Republican governorships that followed, but picked up a bit when Gray Davis became governor in 1999.

Among other things, the state began enforcing a long-dormant state law requiring local governments to plan for housing demand, and Davis signed a bill that keyed subdivision approval to water supplies.

Gov. Arnold Schwarzenegger's embrace of global warming has inspired many current efforts to exert more state control over land use, including Brown's lawsuit. He contends that San Bernardino County's planning for a 25 percent population increase over the next quarter-century should address the effect on

even though there's no explicit requirement in state law.

Dozens of bills to control land use or building standards are floating around the Capitol this year, but the underlying issue predates the recent concern about global warming: the years-long debate over whether California's development should continue to be low-density, single-family homes on individual lots, with personal cars as the primary transportation mode, or shift to a higher-density, multifamily model, which requires less land and is more conducive to mass transit.

A case in point is a bill by Sen. Darrell Steinberg, D-Sacramento, which sparked a sharp clash on the Senate floor last week with Sen. Tom McClintock, R-Thousand Oaks, who accused Steinberg of wanting the state to dictate where and how Californians should live. The bill would, in effect, require transportation funds to be allocated on the higher-density "preferred growth scenario."

Nor is global warming the only rationale - or pretext, to opponents - for greater state involvement in land use. Several pending bills would impose tighter controls on housing development near flood-prone rivers, a philosophy that a new policy paper being circulated by Schwarzenegger's Department of Water Resources also embraces.

The multifront conflict over land use authority is, as the Steinberg-McClintock dust-up implies, an ideological one, and that means it's also an interregional conflict in which coastal and urban liberals are attempting to impose their philosophy of development on the faster-growing, conservative suburban and rural counties of inland California - San Bernardino, for instance.

Whether the state should become intimately involved in land use, in effect extending the Coastal Commission approach to the rest of the state, is a legitimate issue, whatever the rationale. It may even be justified. But doing it piecemeal, without any comprehensive assessment of its economic and social consequences, is a bit sneaky and could be counterproductive.



Reach Dan Walters at (916) 321-1195 or dwalters@sacbee.com.
Back columns: www.sacbee.com/walters.

Attachment C

DRAFT CEQA Findings of Fact & Statement of Overriding Considerations

Amador County General Plan

California Environmental Quality Act Findings of Fact and Statement of Overriding Considerations

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1 Introduction

1.1 Overview

1.1.1 CEQA PROCESS

These findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code §21000 et seq., “CEQA”) and the CEQA Guidelines (Cal. Code Regs. Title 14, §15000 et seq.) by the Amador County Board of Supervisors (Board) as the lead agency decision-making body for the Amador County General Plan (“General Plan” or “project.”) These findings pertain to Environmental Impact Report (“EIR”) 2009072089.

To assist the County in determining the focus and scope of analysis for the EIR, the County circulated a Notice of Preparation (NOP) dated July 29, 2009 to government agencies, special service districts, organizations, and individuals with an interest in or jurisdiction over the project. The NOP review period starting on July 30, 2009 and extending until August 31, 2009. This step ensured early consultation on the scope of the EIR. The County held two public scoping meetings for the project on August 13, 2009 to receive comments on the NOP. The County also conducted public outreach on various formats and settings to support the Draft General Plan and EIR and received substantial email input from citizens and agencies. The Draft General Plan EIR was released on October 31, 2014 for review by public agencies, organizations, and members of the public. Two joint public meetings of the Board and Planning Commission were held on the Draft EIR and Draft General Plan on December 2, 2014 and January 20, 2015. Comments on the Draft EIR were accepted throughout the meeting and were recorded. All comments as to the adequacy of the Draft EIR received by 5:00 p.m. on January 30, 2015, were responded to by the County in writing.

The Final EIR contains the Draft EIR, comments received on the Draft EIR, written responses to the significant environmental issues raised in those comments, revisions to the text of the Draft EIR reflecting changes made in response to comments and other information, along with other minor changes to the text of the Draft EIR.

Amador County published the Final EIR on June 21, 2016. The County provided written responses to all public agencies that commented on the Draft EIR on June 22, 2016, which is at least 10 days prior to certifying the EIR. The County held a public hearing on _____ 2016 (To Be Determined), to consider certification of the Final EIR.

1.1.2 TYPE OF EIR

The EIR for the General Plan is a Program EIR, which CEQA Guidelines Section 15168(a) defines as an EIR that may be prepared on a series of actions that can be characterized as one large project and are related (1) geographically; (2) as logical parts in the chain of contemplated actions; (3) in connection with the issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or (4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental impacts that can be mitigated in similar ways.

A Program EIR can provide a comprehensive environmental review for a program of related projects, such as the General Plan, that are to be developed over a long period of time. This allows lead agencies to consider program-wide alternatives and cumulative impacts consistently, and avoids unnecessary repetition of analysis in subsequent project-specific reviews (see CEQA Guidelines Section 15168(b)).

The degree of specificity in an EIR corresponds to the degree of specificity of the underlying activity being evaluated (CEQA Guidelines Section 15146). The General Plan EIR analyzes impacts of the General Plan at the same level of detail as the General Plan. This EIR provides a foundation for second-tier CEQA documents for subsequent projects, but does not analyze the project-specific impacts of individual projects. Project-specific and site-specific details of subsequent projects will vary widely. When a first-tier Program EIR is prepared, “leaving project-specific details to subsequent EIRs when specific projects are considered” is a proper approach to CEQA tiering (In re Bay Delta [2008] 43 Cal. 4th 1143, 1174).

1.1.3 FINDINGS REQUIREMENT

CEQA provides that “public agencies Pursuant to Public Resources Code Section 21081 and 14 California Code of Regulations Section 15091, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency makes one or more of the following findings with respect to each significant impact:

1. “[c]hanges 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,”
2. “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding [and] [s]uch changes have been adopted by such other agency or can and should be adopted by such other agency,” or
3. “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the final EIR”.

CEQA defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, legal, environmental, social and technological factors” (Public Resources Code Section 21061.1; CEQA Guidelines, 14 California Code of Regulations Section 15364). The concept of feasibility also encompasses whether a particular alternative or mitigation measure promotes the Project’s underlying goals and objectives, and whether an alternative or mitigation measure is impractical or undesirable from a policy standpoint. See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.

Because the General Plan EIR identified significant effects that may occur as a result of the project, and in accordance with the provisions of CEQA and the CEQA Guidelines, the Board hereby adopts these CEQA Findings of Fact. For each of the significant effects identified, as set forth in greater detail in these Findings below, the Board makes one or more findings required under Public Resources Code Section 21081. Those findings are presented below, along with a presentation of facts in support of the findings. The Board certifies these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed. .

Section 15091 of the State CEQA Guidelines does not require specific findings to address environmental effects that an EIR identifies as having “no impact” or a “less than significant” impact. Nevertheless, these Findings fully account for all resource areas, including resource areas that were identified in the EIR to have either no impact or a less than significant impact on the environment.

1.2 Project Description

The General Plan, as described below and in EIR Chapter 3, establishes a planning framework and policies through the year 2030 and will replace the existing General Plan.

1.2.1 PROJECT LOCATION

Amador County’s planning area encompasses the land outside city limits within the County’s boundaries (that is, excluding the land within the city limits of Amador City, Ione, Jackson, Plymouth, and Sutter Creek). Goals and policies, as well as land use and circulation plans set forth and quantified in the General Plan, address the planning area, which is the “project site” as defined by CEQA. Since the NOP was published in 2009, there have been expansions of city limits, resulting in some areas being removed from the former planning area; however, EIR analyses were conducted for the current jurisdiction of the County.

1.2.2 PROJECT CHARACTERISTICS

Each California city and county is required to prepare a general plan to provide comprehensive, long-term guidance “for the physical development of the county or city, and any land outside its boundaries which in the planning agency’s judgment bears relation to its planning” (see Government Code Section 65300). The Amador County General Plan consists of nine elements, or chapters, that together meet state requirements for a general plan. These elements are: 1) land use, 2) circulation, 3) economic development, 4) conservation, 5) open space, 6) governance, 7) safety, 8) noise, and 9) housing. The General Plan also includes an introduction chapter and a glossary. Due to statutory requirements, the Housing Element was updated on a different timeline during the preparation of the General Plan, and most recently updated again in December 2015 as part of a joint effort with the five cities. The Housing Element was subject to its own CEQA review, and will be incorporated into the rest of the General Plan, once the General Plan is adopted. Impacts of implementing the Housing Element therefore, are not considered in the General Plan EIR or these findings.

The General Plan represents the County’s policy for determining the appropriate physical development and character of Amador County, and designates the location of different land use categories. The environmental impact analysis in the EIR is based on the change between existing conditions and likely development in accordance with the General Plan by 2030, with a separate discussion of the impacts of maximum theoretical buildout (Chapter 4.15).

The General Plan assumes a population of 25,241 in the unincorporated area of the County in 2030, based on Department of Finance projections for the County as a whole, 13,364 dwelling units, 17,586 local jobs, and approximately 6.1 million square feet of non-residential development at buildout of the Land Use Designations depicted in the County’s Land Use Diagram (General Plan Land Use Element Figure LU-1). In addition, the General Plan accommodates additional parks and recreational facilities, school facilities and expansions, open space for conservation and for passive recreational use, open space buffers, drainage areas and non-vehicular trails, public infrastructure, and other improvements.

1.3 Project Objectives

Per section 15124 of the CEQA Guidelines, an EIR must provide a statement of project objectives. This statement of objectives is used to guide the environmental impact analysis and as the basis for evaluating alternatives to the General Plan.

The General Plan proposes an update of the County's existing General Plan, most of which was updated between 1988 and 1991. This comprehensive General Plan Update involves significant revisions to goals, objectives, and policies, as well as a reorganization of the document, new policy diagrams, and various other important updates. The County's intent for development and conservation is outlined throughout the Elements of the General Plan.

As part of the General Plan update public outreach process, County residents established a Community Vision Statement, "Vision 2030." The Vision Statement is the foundation for General Plan goals, policies, and programs. It is an expression of residents' shared values and desires for Amador County's future. The Vision identifies the ideal conditions to work toward over the next 15 years and provides guidance for policy makers as they work to improve the quality of life in Amador County. For purposes of the EIR, the vision statement establishes the basic premises of the overarching project objectives, as follows:

- Project Objective 1: Adopt a General Plan that complies with current state law.
- Project Objective 2: Focus development of new residential, commercial, and industrial uses in and near existing communities.
- Project Objective 3: Accommodate the most recent population growth, housing, and employment projections in an orderly manner.
- Project Objective 4: Encourage development of higher-wage jobs and support business, especially locally-owned and unique businesses.
- Project Objective 5: Support provision of housing affordable to those who live or work in Amador County, including accommodating HCD's housing unit allocations for the County.
- Project Objective 6: Protect Amador County's unique character, including historic and cultural heritage, scenic vistas, agriculture, rivers, streams, natural areas, and historic buildings and towns.
- Project Objective 7: Judiciously manage and enhance the County's natural resources, including mineral, agricultural, timber, water, soil, air, open space, and wildlife resources.
- Project Objective 8: Provide a multi-modal circulation network that accommodates vehicles, pedestrians, cyclists, and public transit.
- Project Objective 9: Maintain and enhance access to services, including health services, emergency services, quality child care and senior services, and educational opportunities for children and adults.
- Project Objective 10: Provide for the continued economic viability of the County's agricultural production.
- Project Objective 11: Conserve the land base necessary to conduct agricultural activities.

Based on the community vision, the General Plan defines long-term community goals and policies, through text and maps in each of nine elements (see below for a description of these elements, except for the Housing Element). Each element also has implementation programs set forth in the Implementation Plan, which serve as the basis for future programming decisions related to the assignment of staff and expenditure of County funds.

1.4 Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The Notices of Preparation (NOP) and all other public notices issued by the County of Amador in conjunction with the proposed project, comments received in response to the NOP, and comments made at the scoping meetings.
- The Draft Environmental Impact Report (Draft EIR), and the General Plan Technical Background Reports, along with technical appendices (Appendices A – F).
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR.
- The Final Environmental Impact Report (Final EIR) for the proposed project, which includes Chapter 10 (Comments and Responses), Appendix G (Mitigation Monitoring and Reporting Program), and Appendix H (Energy Impacts).
- All written and verbal public testimony presented during a noticed public hearing for the Draft General Plan at which such testimony was taken.
- The Mitigation Monitoring and Reporting Program (MMRP), which includes the policies and programs in the General Plan determined necessary to address potentially significant impacts associated with implementation of the General Plan.
- The documents, reports, and technical memoranda included or referenced in the technical appendices of the Draft EIR.
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and Response to Comments.
- Amador County Staff Reports related to the General Plan.
- The Resolution adopted by the County of Amador in connection with the proposed project, and all documents incorporated by reference therein.
- Any documents expressly cited in these Findings or in the resolution adopting these Findings.
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e) (excluding privileged materials).

The Board relied on all of the documents listed above in reaching its decision on the General Plan, even if one or more of the documents was not formally presented to the Board or County staff as part of the County files generated in connection with the General Plan.

1.5 Custodian and Location of Records

The documents and other materials that constitute the administrative record for Amador County's actions related to the project are located at the Amador County Planning Department, 810 Court Street, Jackson, CA 95642.

Copies of these documents, which constitute the record of proceedings, are, and at all relevant times, have been and will be available upon request at the Amador County Planning Department. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and CEQA Guideline Section 15091(e).

1.6 Basis for Board Findings

In making its determination to certify the Final EIR and to approve the General Plan, the Board recognizes that the General Plan addresses a number of potentially controversial environmental issues, and that a range of technical and scientific opinion exists with respect to those issues. The Board has acquired an understanding of the range of this technical and scientific opinion by its review of the Draft EIR, the comments received on the Draft EIR and the responses to those comments in the Final EIR, as well as testimony, letters, and reports regarding the Final EIR and the merits of the Project.

The Board has reviewed and considered, as a whole, the evidence and analysis presented in the Draft EIR, the evidence and analysis presented in the comments on the Draft EIR, the evidence and analysis presented in the Final EIR, the information submitted on the Final EIR, and the reports prepared by the experts who prepared the EIR, the County's General Plan consultants, and by staff, addressing these comments.

The Board has gained a comprehensive and well-rounded understanding of the environmental issues presented by the 2030 General Plan and EIR. In turn, this understanding has enabled the Board to make its decisions after weighing and considering the various viewpoints on these important issues. The Board accordingly certifies that its findings are based on a full appraisal of all of the evidence contained in the Final EIR, as well as the evidence and other information in the record addressing the Final EIR.

1.7 Incorporation by Reference

As noted, the Final EIR and General Plan are incorporated into these findings in their entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the General Plan in spite of the potential for associated significant and unavoidable adverse impacts.

1.8 General Findings

1.8.1 RELATIONSHIP OF FINDINGS TO FINAL EIR CONTENTS

These Findings summarize the evidence, reasoning, and conclusions of the Board regarding the environmental impacts of the General Plan and the mitigation measures included as part of the Final EIR and adopted by the Board as part of the General Plan. To avoid duplication and redundancy, and because the Board agrees with, and hereby adopts, the conclusions in the Final EIR, these findings will not always repeat the analysis and conclusions in the Final EIR, but instead incorporates them by reference herein and relies upon them as substantial evidence supporting these findings. In making these findings, the Board has considered the opinions of other agencies and members of the public. The Board finds that:

- the determination of significance thresholds is a judgment decision within the discretion of Amador County's Board;
- the significance thresholds used in the EIR are supported by substantial evidence in the record, including the expert opinion of the EIR preparers and County staff; and
- the significance thresholds used in the EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.

Although, as a legal matter, the Board is not bound by the significance determinations in the EIR (see Public Resources Code, Section 21082.2, subd. [e]), the Board finds them persuasive, and hereby adopts them as its own.

A full explanation of these findings can be found in the Final EIR, and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the Final EIR's determination regarding the General Plan's impacts and mitigating policies and programs designed to address those impacts. In making these findings, the Board ratifies, adopts and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

1.8.2 FINDINGS ON RESPONSES TO DRAFT EIR COMMENTS AND FINAL EIR REVISIONS

Chapter 10 of the EIR includes the comments received on the Draft EIR and responses to those comments. The focus of the responses to comments is on the disposition of significant environmental issues as raised in the comments, as specified by CEQA Guidelines § 15088(b). The EIR also incorporates information obtained and produced after the Draft EIR was completed, including additions, clarifications, and modifications, including Appendix H (Energy Impacts). The Board has reviewed and considered the Final EIR and all of this information. The Board finds that responses to comments made on the Draft EIR and revisions to the Final EIR merely clarify, amplify or make insignificant modifications to the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines § 15088.5(b). Similarly, revisions to the project description since publication of the Draft EIR do not result in any new significant impacts or any substantial increases in the severity of an environmental impact, and do not trigger the need to recirculate per CEQA Guidelines § 15088.5(b). This finding is based upon all the information presented in the Final EIR and the record of proceedings.

2 Impacts Determined not to be Significant¹

The Board agrees with the characterization in the EIR of all project-specific impacts identified as “less than significant,” and finds that those impacts have been described accurately and are either less than significant or have no impact as described in the EIR. Although Section 15091 of the State CEQA Guidelines does not require specific findings to address environmental effects that an EIR identifies as having “no impact” or a “less than significant” impact, these findings account for all resource areas in their entirety. The impacts where General Plan would result in either no impact or a less than significant impact in the following resource areas include:

2.1 Agricultural Resources

2.1.1 SUBSTANTIALLY CONFLICT WITH EXISTING WILLIAMSON ACT CONTRACTS USES (IMPACT 4.2-2)

Under the General Plan, future development of residential uses or lot splits within the AT (Agricultural Transition) land use designations could conflict with existing Williamson Act contracts or result in the cancellation of such contracts, potentially resulting in loss or conversion of Farmland. However, this would only represent a tiny fraction of the more than 93,000 acres of land under Williamson Act contracts in the County. This impact would be less than significant.

2.1.2 CONFLICT WITH FORESTLAND AND TIMBERLAND ZONING (IMPACT 4.2-4)

Under the General Plan, proposed land use designations would not conflict with zone districts permitting forest and timber uses such as timber harvesting, silviculture, and tree farming. This impact would be less than significant.

2.2 Air Quality

2.2.1 GENERATION OF LONG-TERM, OPERATIONAL, AND LOCAL MOBILE-SOURCE EMISSIONS OF CO (IMPACT 4.3-3)

Emissions of CO from local mobile sources and generated by long-term project operations would not result in or substantially contribute to emissions concentrations that exceed the 1-hour ambient air quality standard of 20 ppm or the 8-hour standard of 9 ppm, respectively. As a result, this impact would be less than significant.

2.3 Biological Resources

2.3.1 POTENTIAL INTERFERENCE WITH WILDLIFE MOVEMENT (IMPACT 4.4-6)

Implementation of the General Plan would include new development in the planning area, including buildings, structures, paved areas, roadways, utilities, and other improvements. However, proposed new

¹ EIR Chapter 4 and Appendix H provide further factual support for these findings.

uses would not interfere substantially with the movement of any native resident or migratory wildlife species because it would not eliminate important connections between any areas of natural habitat that would otherwise be isolated. This impact would be less than significant.

2.4 Geology, Soils, Mineral Resources, and Paleontological Resources

2.4.1 POTENTIAL FOR EXPOSURE TO SEISMIC GROUND SHAKING (IMPACT 4.6-1)

Implementation of the General Plan would not result in construction of improvements or buildings in areas prone to strong seismic ground shaking. This impact would be less than significant.

2.4.2 POTENTIAL FOR SEISMIC GROUND FAILURE (IMPACT 4.6-2)

Implementation of the General Plan would result in construction of improvements or buildings in areas with the potential for seismic-related ground failure, including liquefaction, but existing County Regulations and the California Building Standards Code (CBC, California Code of Regulations [CCR] Title 24) would reduce effects. This impact would be less than significant.

2.4.3 POTENTIAL FOR EXPOSURE TO LANDSLIDES OR AVALANCHE (IMPACT 4.6-3)

Implementation of the General Plan would result in construction of improvements and buildings in areas prone to landsliding, although implementation of County regulations and grading restrictions, including those concerning steepening of slopes, would reduce the risk of damage. Very limited development of structures, roadways, or utilities could occur in areas subject to avalanche, but existing County Regulations and the CBC would reduce effects. This impact would be less than significant.

2.4.4 POTENTIAL FOR UNSTABLE SOILS (IMPACT 4.6-5)

Implementation of the General Plan would result in construction of occupied structures in areas located on a geologic unit or soil that is unstable or that would become unstable, potentially resulting in on- or off-site lateral spreading, subsidence, liquefaction, or collapse, but existing County Regulations and the CBC would reduce effects. This impact would be less than significant.

2.4.5 CONSTRUCTION IN AREAS WITH EXPANSIVE SOILS (IMPACT 4.6-6)

Implementation of the General Plan would result in construction of occupied structures in areas with expansive soils, but existing County regulations and the CBC would reduce effects. This impact would be less than significant.

2.4.6 CONSTRUCTION IN AREAS WITH SOILS WITH POOR SEPTIC SUITABILITY (IMPACT 4.6-7)

Residential dwellings and non-residential uses implementing the General Plan could result in construction of occupied structures in areas with soils poorly suited to septic systems. Should septic systems be used in these areas, implementation of existing regulations would require use of best practices for septic systems. This impact would be less than significant.

2.4.7 POTENTIAL DAMAGE FROM A SEICHE (IMPACT 4.6-10)

Land adjacent to the County's reservoirs is generally held in recreational use and open space, with few occupied structures. For those bodies of water in Amador County large enough to be subject to seiche, the General Plan would not change existing land uses or increase risks or exposure to hazards adjacent to these water bodies. This impact would be less than significant.

2.5 Hazards and Hazardous Materials

2.5.1 ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS (IMPACT 4.8-1)

Implementation of the General Plan would result in an increase in the routine transport, use, and/or disposal of hazardous materials, which could result in exposure of such materials to the public through either routine use or accidental release. However, compliance with existing federal, state, and local regulations would reduce risks of accidents associated with the routine transport, use, or disposal of hazardous materials to a less-than-significant level.

2.5.2 SAFETY HAZARDS TO PEOPLE RESIDING OR WORKING WITHIN 2 MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT (IMPACT 4.8-5)

Implementation of the General Plan could result in construction of residential, commercial, and industrial uses in the Martell RSC in close proximity to Westover Field airport. However, General Plan policy language in LU-13.1 and LU-13.2 would ensure that projects implementing the General Plan would be consistent with ALUP and would not result in incompatible land uses or obstructions to navigable airspace. This impact would be less than significant.

2.5.3 SAFETY HAZARDS TO PEOPLE RESIDING OR WORKING IN THE VICINITY OF A PRIVATE AIRSTRIP (IMPACT 4.8-6)

Implementation of the General Plan could result in construction of residential and industrial uses in the vicinity of one or more of the private airstrips in the planning area. However, due to the land use designations and minimum lot sizes (40 acre minimum in both Agricultural General and Mineral Resource Zone) applied in proximity to the private airstrips, the concentration of people that could occur in areas subject to elevated crash hazards would not be substantially increased. Tall structures would require discretionary actions by the County due to existing height limitations in the Zoning Ordinance. This impact would be less than significant.

2.6 Hydrology and Water Quality

2.6.1 POTENTIAL FOR FAILURE OF A LEVEE OR DAM (IMPACT 4.9-6)

When levees or dams fail, people and structures are exposed to inundation, and death, injury, or loss of property could result. There are no levee flood protection zones within Amador County. The Pardee, Salt Springs, Lower Bear River, and Jackson Creek dams have been constructed and are maintained consistent with California Water Code Division 3. There is no substantial evidence to suggest that dam failure is likely, and implementation of the General Plan would do nothing to increase the potential for dam failure. Adoption and implementation of the proposed policies in the General Plan, combined with other relevant state and local regulations, would minimize the potential for effects on the planning area from inundation as a result of dam failure. This impact would be less than significant.

2.7 Land Use Planning

2.7.1 DIVIDE AN ESTABLISHED COMMUNITY (IMPACT 4.10-1)

New residential, commercial, and industrial uses would be focused in Regional Service Center and Town Center areas, and the Carbondale Industrial area where they could be served with the most efficient expansion of existing infrastructure. No new infrastructure improvements with the potential to divide existing communities (i.e., large roadways) are proposed as part of the General Plan. Goals LU-10 AND

LU-11 and their associated policies would guide and focus residential and commercial development in the Regional Service Center and Town Center areas. A primary objective of the General Plan is to maintain and enhance established communities. This impact would be less than significant.

2.7.2 CONFLICT WITH OTHER PLANS (IMPACT 4.10-2)

The General Plan would not conflict with other applicable land use plans, policies, or regulations. For example, implementation of the General Plan would be consistent with the County Zoning Ordinance, Amador Local Agency Formation Commission policies, and the Westover Field Airport Land Use Plan. This impact would be less than significant.

2.8 Population and Housing

2.8.1 DISPLACEMENT OF EXISTING HOUSING OR PEOPLE (IMPACT 4.12-2)

Implementation of the General Plan would not result in the displacement of existing housing or people necessitating the construction of replacement housing elsewhere. This impact would be less than significant.

2.9 Public Services and Utilities

2.9.1 INCREASED GENERATION OF SOLID WASTE (IMPACT 4.13-4)

Class I waste is transported to General Environmental Management's hazardous waste storage and treatment facility in Rancho Cordova and Clean Harbors Aragonite, LLC in Grantsville, Utah, and Class II waste is anticipated to be transported to Recology Hay Road Landfill in Vacaville, California. Local solid waste haulers would have the responsibility to either handle disposition of these wastes by transfer to the appropriate receiving facility or provide information of proper disposition. Class III waste generated in the planning area is transported to the Kiefer Landfill. Currently, the landfill is operating below permitted capacity, and the closure date of the Kiefer Landfill is anticipated to be approximately 2064. Kiefer Landfill has sufficient permitted capacity to meet the County's solid-waste disposal needs based on development under the General Plan. This impact would be less than significant.

2.9.2 INCREASED DEMAND FOR PUBLIC SCHOOL FACILITIES AND SERVICES (IMPACT 4.13-7)

Implementation of the General Plan would increase the demand for public school services in the ACUSD service area. Constructing and operating additional school facilities is the responsibility of the ACUSD, which would provide school facilities to serve growth in the planning area. New development would be required to pay state-mandated school impact fees to ACUSD. The additional students generated through implementing the General Plan would raise enrollment to 4,491 compared to a recent peak of 4,794 students in the 1998-99 school year. Therefore, it is unlikely that new or substantially expanded facilities beyond those already available to the district would be required to accommodate the enrollment increase from implementing the General Plan. This impact would be less than significant.

2.9.3 SUFFICIENCY OF PROPOSED PARKLAND TO MEET INCREASED DEMAND AND POTENTIAL INCREASED USE AND DETERIORATION OF EXISTING FACILITIES (IMPACT 4.13-8)

Implementation of the General Plan would result in new residents, which would increase the use and could cause the potential physical deterioration of existing park facilities. Future subdivisions and parcels maps for residential development within the planning area would be required, pursuant to County Code Chapter 17.50, to dedicate parkland or pay an in-lieu fee at fair market value. Because current parkland to

population ratios exceed Quimby Act thresholds (i.e., 3 acres per 1,000 residents) and implementation of existing fee and land dedication requirements would ensure the provision of park and recreational facilities to serve the planning area, the impact related to the availability of park and recreation facilities would be less than significant.

2.10 Transportation

2.10.1 AIR TRAFFIC PATTERNS (IMPACT 4.14-3)

Implementation of the General Plan would not affect air traffic patterns, and compliance with existing airport land use regulations would result in a less-than-significant impact.

2.10.2 DESIGN HAZARDS (IMPACT 4.14-4)

Implementation of the General Plan would include construction of new roadways and other circulation improvements and could increase hazards due to a design feature, changes in traffic patterns, or incompatible land uses. With compliance with Caltrans and County roadway improvement standards, this impact would be less than significant.

2.10.3 NON-MOTORIZED TRANSPORTATION AND TRANSIT (IMPACT 4.14-5)

The General Plan would not propose changes (such as large-scale road improvements, utility corridor changes) that would impede current pedestrian, bicycle, or transit modes; would increase the use of alternative transportation modes, including pedestrian, bicycle, and transit trips; and would provide for additional non-motorized transportation and transit facilities. This impact would therefore be less than significant.

2.11 Energy

As documented in Appendix H, implementation of the General Plan would not have a significant impact on energy resources. As demonstrated by Appendix H, it would not result in the wasteful, inefficient or unnecessary consumption of energy during construction or operation. Furthermore, as discussed in Appendix H, General Plan policies would incorporate renewable energy and energy efficiency measures into building design and transportation.

3 Impacts that Can Be Mitigated to a Level of Insignificance²

The EIR identified significant project-specific adverse impacts of the Draft General Plan and identified Plan policies and programs that avoid or substantially lessen those impacts. Those impacts and mitigation measures are identified in the following section. The County of Amador finds, based on the facts set forth in the record, which include but are not limited to the facts as set forth below, that the incorporation of the

² EIR Chapter 4 provides further factual support for these findings.

identified policies, programs, and mitigation measures will reduce the following identified significant project-specific adverse impacts to a level that is considered less than significant.

3.1 Aesthetics

3.1.1 DAMAGE TO SCENIC RESOURCES WITHIN A STATE SCENIC HIGHWAY (IMPACT 4.1-2)

Caltrans has designated SR 88 (Carson Pass Highway) from the Dew Drop Ranger Station, east, to the Nevada state line as a state scenic highway. Implementation of General Plan policies and Caltrans requirements for development adjacent to this segment of SR 88 would reduce the impact related to damage to scenic resources within a state scenic highway, but the impact would remain significant.

3.1.1.1 *Mitigation*

Mitigation Measure 4.1-2: Implement Program P-13, Scenic Highway Corridor Ordinance

- a. The County will develop and adopt an ordinance specifying standards to implement state scenic highway requirements. The intent of this ordinance is to provide land use controls and regulatory safeguards to preserve and enhance an area of special and unique natural beauty and aesthetic interest in Amador County which has been identified as being a basic resource in the economy of the County. In order to accomplish this goal, the ordinance will establish design review controls to ensure that future development within this corridor will not substantially detract from the aesthetics and the County will consequently retain the overall scenic value, as well as economic resource value of SR 88. The objective of this ordinance will be to reduce or avoid visual impacts to state-designated scenic highway corridors. This ordinance will be based on standards in the County's 1985 Scenic Highways Element. Standards will address landscaping, signs, appearance of buildings (including exterior colors, materials, and height), parking, maintenance, grading, and undergrounding of utilities.

3.1.1.2 *Finding*

The Board finds that the provisions of Mitigation Measure 4.1-2 have been required in, or incorporated into, the General Plan. The existing General Plan has scenic highway standards that are detailed and regulatory, and more appropriately located in the County's Code of Ordinances. Because implementation of Mitigation Measure 4.1-2 would reproduce the existing General Plan standards as an ordinance and require future projects within the scenic highway corridor to incorporate landscaping, signage, building appearance, and other features that do not substantially detract from the corridor's aesthetics, substantial damage to scenic resources would not occur, and the impact would be reduced to less than significant.

3.2 Air Quality

3.2.1 EXPOSURE OF SENSITIVE RECEPTORS TO CONSTRUCTION-GENERATED EMISSIONS OF NATURALLY OCCURRING ASBESTOS (IMPACT 4.3-5)

Asbestos is a toxic air contaminant. Residents and other receptors located close to construction activity would be exposed to dust from naturally occurring asbestos (NOA) rock and soils during earth disturbance activities. This impact would be significant.

3.2.1.1 *Mitigation*

Mitigation Measure 4.3-5: Naturally-Occurring Asbestos Control

- a. The County will amend Chapter 15.40 of the County Code (governing grading and erosion control) to include a section addressing the reduction of asbestos exposure for grading permits in areas likely to contain naturally occurring asbestos (mapped as Ultramafic (um), Copper Hill Volcanics (Jch), the Gopher Ridge Volcanics (Jgo), or Logtown Ridge (Jlr) on the Geologic Atlas of California – Sacramento Sheet, or based on mapping developed by the California Geological Survey). Methods to reduce asbestos exposure may include requiring grading permits or building permits that would result in earth disturbance to have a California-registered geologist knowledgeable about asbestos-containing formations inspect the project area, using appropriate test methods, for the presence of asbestos. If the investigation determines that NOA is present, then the County will require the project applicant to prepare an Asbestos Dust Control Plan as required in Section 93105 of the California Health and Safety Code, including measures to reduce exposures consistent with Section 93105(d) and (e) of the California Health and Safety Code. These measures include wetting unpaved areas subject to vehicle traffic; limiting speed to 15 miles per hour; stabilizing storage piles and disturbed areas with water, cover, or chemical suppressant; washing down equipment before moving from the property onto a paved public road; and applying water to prevent visible dust in areas where ground disturbance or grading occurs.

3.2.1.2 *Finding*

The Board finds that the provisions of Mitigation Measure 4.3-5 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measure 4.3-5 would reduce potential impacts related to exposure to NOA because future projects that would occur under the General Plan would be required to develop an Asbestos Dust Control Plan and implement specified measures that would avoid or substantially reduce health risks from asbestos exposure. This impact would be reduced to less than significant after mitigation.

3.2.2 EXPOSURE OF SENSITIVE RECEPTORS TO ODORS. (IMPACT 4.3-6)

The County has anticipated the possibility that sensitive receptors may be exposed to sources of odor during implementation of the General Plan. All new development projects will be required to meet existing regulations, including permitting requirements and disclosure laws. However, even with these measures, projects constructed under the General Plan could create objectionable odors affecting a substantial number of people. This impact would be significant.

3.2.2.1 *Mitigation*

Mitigation Measure 4.3-6: Implement Measures to Control Exposure of Sensitive Receptors to Odorous Emissions

- a. The County will require the project applicant(s) for all project phases to implement the following measures:
 - For every proposed land use that has the potential to emit odor, the project applicant shall perform a review as part of the CEQA analysis to determine whether existing or proposed sensitive receptors will be exposed to significant levels of odorous emissions.
 - For existing odor-producing sources, sensitive receptors shall be sited as far away as possible from the existing sources.

- For new project-generated odor-producing sources, sensitive receptors shall be sited as far away as possible from the new sources.

3.2.2.2 Finding

The Board finds that the provisions of Mitigation Measure 4.3-6 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measure 4.3-6 would reduce odor emissions because project-level CEQA review and mitigation measures imposed at the project level would avoid conflicts between odor emissions and sensitive receptors. This impact would be reduced to less than significant after mitigation because a substantial number of people would not be exposed to odor impacts.

3.3 Biological Resources

3.3.1 SUBSTANTIAL ADVERSE EFFECT ON RIPARIAN HABITAT, A SENSITIVE NATURAL COMMUNITY (IMPACT 4.4-2)

Implementation of the General Plan would include new development in the planning area, including buildings, structures, paved areas, roadways, utilities, and other improvements. These new uses would occur in existing, developed communities and undeveloped areas of the County. This could result in direct impacts to riparian areas through habitat conversion, encroachment, routine maintenance, or other activities in the immediate vicinity of rivers and other water bodies that currently support or could support riparian habitat. Indirect impacts to riparian habitat could result from changes in hydrology. This impact would be significant.

3.3.1.1 Mitigation

Implement Mitigation Measure 4.4-1a and 4.4-1b. (see details under “4.4 Biological Resources”)

Mitigation Measure 4.4-2: Riparian Habitat Protection

If projects require encroachment into the riparian habitat, project applicants will be required to develop a riparian habitat mitigation plan. The mitigation plan will include the following:

- implementation of Best Management Practices (BMPs) while working near riparian habitats to avoid inadvertent damage to riparian vegetation to be retained. BMPs will include establishment of no-disturbance buffers around the outer edge of the riparian vegetation to prevent root and crown damage, soil compaction, and implementation of standard BMPs to reduce erosion and water quality impacts, and introduction and spread of invasive species. Exceptions to riparian buffers will be granted to permit necessary road and bridge repair and construction, trails construction, and other recreational access structures that are water dependent, such as docks and piers;
- methods to be implemented to avoid and/or compensate for impacts on riparian habitat at a ratio adequate to offset the loss of riparian habitat functions and values. At a minimum, riparian habitat losses will be compensated at a 1:1 ratio;
- identification of mitigation sites and criteria for selecting these sites;
- site-specific management procedures to benefit establishment and maintenance of native riparian plant species;

- monitoring protocol, including schedule and annual report requirements (compensatory riparian habitats shall be monitored for a minimum period of five years);
- ecological performance standards and corrective measures if performance standards are not met;
- responsible parties for monitoring and preparing reports; and
- responsible parties for receiving and reviewing reports and for verifying success or prescribing implementation or corrective actions.

Mitigation may be accomplished through preservation, replacement, restoration or enhancement of degraded habitat, re-establishing riparian vegetation in areas that historically supported it, or purchase of credits at an established mitigation bank, such as the Cosumnes Floodplain Mitigation Bank. Compensatory mitigation will be provided within Amador County to the extent feasible and available; however, certain impacts may be compensated at an agency-approved mitigation bank in an adjacent county if required by CDFW and an agency-approved mitigation bank is not available in Amador County. If a proposed project requires work on the bed or bank of a stream, or other water body, the project applicant will also obtain a streambed alteration agreement under Section 1602 of the Fish and Game Code from CDFW prior to project implementation, and will implement all requirements of the agreement in the timeframes required therein.

3.3.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.4-1a, 4.4-1b, and 4.4-2 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.4-1a, 4.4-1b, and 4.4-2 would prevent substantial adverse impacts to riparian habitat because it would require impact avoidance or minimization through feasible project design modification or mitigation at a ratio sufficient to offset the loss of riparian habitat function and values. This impact would be reduced to less than significant after mitigation.

3.3.2 SUBSTANTIAL ADVERSE EFFECT ON OAK WOODLAND, A SENSITIVE NATURAL COMMUNITY (IMPACT 4.4-4)

Implementation of the General Plan would include new development in the planning area, including buildings, structures, paved areas, roadways, utilities, and other improvements. These new uses could occur in existing, developed communities and undeveloped areas of the County. This could result in direct impacts to oak woodland from loss of individual oak trees and stands of oak trees and associated species. It could also lead to increased habitat fragmentation which results in adverse effects to the plant and wildlife species dependent on oak woodlands. This impact would be significant.

3.3.2.1 Mitigation

Implement Mitigation Measures 4.4-1a and 4.4-1b.

Mitigation Measure 4.4-4a: Implement Program D-1a(12), Development Proposal Evaluation

The County will review proposed projects for consistency with goals, policies, and implementation programs of this general plan.

Evaluation criteria for discretionary development proposals include:

- Impacts to oak woodlands. The County will assess impacts of proposed projects on oak woodlands, and require mitigation per Public Resources Code Section 21083.4.

Mitigation Measure 4.4-4b: Oak Woodlands

When considering discretionary development proposals implementing the General Plan, the County, through CEQA reviews, will require that project applicants map oak woodland resources on the project site and, where feasible, establish buffers around existing oak woodland stands to prevent adverse effects. The County will require implementation of BMPs while working near oak woodlands to be retained to avoid inadvertent damage to oak trees. BMPs will include establishment of no-disturbance buffers around the outer canopy edge to prevent root and crown damage, soil compaction, and standard management practices to reduce introduction and spread of invasive species and other indirect effects.

For those impacts on oak woodland that cannot be avoided, the County will require the project applicant to minimize adverse effects. If conversion of oak woodland will occur, the County will require one or more of the following mitigation measures be implemented to mitigate the impact from loss of oak woodland habitat pursuant to Public Resources Code Section 21083.4:

- Conserve oak woodlands through the purchase of conservation easements
- Plant acorns and container stock from a local seed source to replace oak woodland removed. The following parameters will be applied:
 - Plant an appropriate number of trees, including maintaining plantings and replacing dead or diseased trees
 - Maintain trees for seven years after the trees are planted
 - Planting may not account for more than 50% of the required mitigation
 - Mitigation through planting may be used to restore former or degraded oak woodlands.
- Contribute funds to the Oak Woodlands Conservation Fund, as established under subdivision (a) of Section 1363 of the Fish and Game Code, for the purpose of purchasing oak woodland conservation easements

The County will require project applicants to develop a mitigation and monitoring plan to compensate for the loss of oak woodland habitat. The mitigation and monitoring plan will describe in detail how loss of oak woodlands shall be avoided or offset, including details on restoration and creation of habitat, compensation for the temporal loss of habitat, success criteria ensuring habitat function goals and objectives are met, performance standards to ensure success, and remedial actions if performance standards are not met. The plan will include detailed information on the habitats present within the preservation and mitigation areas, the long-term management and monitoring of these habitats, legal protection for the preservation and mitigation areas (e.g., conservation easement, declaration of restrictions), and funding mechanism information (e.g., endowment).

If planting is used as part of compensatory mitigation, an oak planting plan will be developed by a qualified professional such as a professional biologist, arborist, or registered professional forester using the best available science and will clearly state all mitigation measures required.

Oak woodlands habitat placed under conservation easements will be at appropriate ratios to offset the loss of habitat functions and values of the oak woodland to be lost. Oak woodland habitat preserved this way should have similar tree sizes and densities, species composition, site condition, and landscape context to the oak woodland to be removed to serve the same function and have similar habitat value. At a minimum, 1 acre of oak woodland habitat providing similar functions and values will be placed under conservation easement for every acre of oak woodlands habitat lost.

The County may also permit project applicants to contribute to an established oak woodland fund to meet up to 50 percent of their mitigation requirements.

3.3.2.2 *Finding*

The Board finds that the provisions of Mitigation Measures 4.4-1a, 4.4-1b, 4.4-4a, and 4.4-4b have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.4-1a, 4.4-1b, 4.4-4a, and 4.4-4b would prevent substantial adverse impacts on oak woodlands resulting from General Plan implementation because it would require impact avoidance or minimization through feasible project design modification or mitigation at a ratio sufficient to offset the loss of oak woodland habitat function and values. This impact would be reduced to less than significant after mitigation.

3.3.3 SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS, WATERS OF THE UNITED STATES AND WATERS OF THE STATE (IMPACT 4.4-5)

Implementation of the General Plan would include new development in the planning area, including buildings, structures, paved areas, roadways, utilities, and other improvements. These new uses could occur in existing, developed communities and undeveloped areas of the County. This could result in direct impacts to federally protected wetlands and other waters of the United States, and waters of the state, including vernal pools, seasonal wetlands, marshes and rivers, stream, drainages and other water bodies in the County. Impacts could occur through habitat conversion, encroachment, routine maintenance, or other activities in the immediate vicinity of rivers and other water bodies and in habitat supporting wetlands. Indirect impacts could result from changes in hydrology. This impact would be significant.

3.3.3.1 *Mitigation*

Implement Mitigation Measures 4.4-1a and 4.4-1b.

Mitigation Measure 4.4-5: Wetlands

Project applicants will be required to conduct wetland delineations according to USACE standards and submit the delineations to the USACE for verification. Based on the verified delineation, project applicants will quantify impacts to wetlands and other waters of the United States resulting from their proposed projects. A permit from the USACE will be required for any activity resulting in impacts of “fill” of wetlands and other waters of the United States.

If projects require activities that result in impacts to wetlands and other waters of the United States, the County during discretionary project review will require project applicants to obtain all necessary permits under Section 404 of the CWA, and implement compensatory mitigation consistent with USACE and EPA’s April 10, 2008 *Final Rule for Compensatory Mitigation for Losses of Aquatic Resources* (33 CFR Parts 325 and 332 and 40 CFR Part 230), including preparation of a wetland mitigation plan if required. The wetland mitigation plan will include ecological performance standards, based on the best available science that can be assessed in a practicable manner. Performance standards must be based on attributes that are objective and verifiable. The County will require project applicants to commit to replace, restore,

or enhance on a “no-net-loss” basis (in accordance with USACE Section 404 no-net-loss requirements) the acreage of all wetlands and other waters of the United States that would be removed, lost, and/or degraded by discretionary projects. The County will require similar mitigation for loss of non-jurisdictional wetlands and waters that are waters of the state and have value as biological resources.

For Section 404 mitigation, in accordance with the Final Rule, mitigation banks (e.g., Cosumnes Floodplain Mitigation Bank) will be given preference over other types of mitigation because much of the risk and uncertainty regarding mitigation success is alleviated by the fact that mitigation bank wetlands must be established and demonstrating functionality before credits can be sold. The Final Rule also establishes a preference for compensating losses of aquatic resources within the same watershed as the impact site. A combination of mitigation bank credits and permittee-responsible on and off-site mitigation may be used as needed to fully offset project impacts on wetlands and other waters of the United States and waters of the state.

Project applicants that obtain a Section 404 permit will also be required to obtain certification from the Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the CWA. If the project involves work on the bed or bank of a river, stream or lake, a Streambed Alteration Agreement from CDFW pursuant to Section 1602 of the Fish and Game Code will also be needed, which will include mitigation measures required by CDFW. The County will require project applicants to obtain all needed permits prior to project implementation, and to abide by the conditions of the permits, including all mitigation requirements.

3.3.3.2 *Finding*

The Board finds that the provisions of Mitigation Measures 4.4-1a, 4.4-1b and 4.4-5 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.4-1a, 4.4-1b, and 4.4-5 would prevent substantial adverse impacts to wetlands and other waters of the United States and the state by requiring avoidance and minimization of impacts if feasible. If avoidance or minimization is not feasible, project applicants would be required to replace, restore, or enhance on a “no-net-loss” basis the acreage of all wetlands and other waters of the United States or state that would be removed, lost, and/or degraded by discretionary projects. This impact would be reduced to less than significant after mitigation.

3.4 Cultural Resources

3.4.1 DESTRUCTION OF OR DAMAGE OF KNOWN CULTURAL RESOURCES (IMPACT 4.5-1)

Implementation of the General Plan would result in new development in the planning area, including buildings, structures, paved areas, roadways, utilities, and other improvements which would have the potential to destroy or damage known cultural resources. This impact would be significant.

3.4.1.1 *Mitigation*

Mitigation Measure 4.5-1a: Historic Preservation, Cultural Resources

- a. The objective of Amador County’s Implementation Plan Program D-6 is to substantially reduce or avoid impacts to cultural resources through preservation in place. Data recovery as a mitigation measure would only be implemented when preservation or mitigation is not feasible. Through the discretionary review process, the County will work with applicants to assure their projects comply with state and federal laws that preserve and protect cultural resources, including historic resources and archeological sites. These mitigation measures would be developed by an archaeologist that specializes in prehistoric or historic archaeology, and/or an architectural historian (as appropriate) that

meets the Secretary of Interior's Standards. With regard to traditional tribal cultural places, preservation of values would be the preferred method of protecting a sacred area from adverse impacts. If preservation is not feasible, then one or more of the alternative methods outlined in CEQA Guidelines Section 15126.4(b)(3) may be implemented. The County will work with applicants to comply with state and federal laws that preserve and protect cultural resources, including historic resources and archeological sites.

- b. When evaluating discretionary projects, the County will use its review process to guide the applicant toward the use of the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings; or use of the Secretary of the Interior's Standards for Rehabilitation; and the Guidelines for Rehabilitating Historic Buildings (Weeks and Grimmer 1995). The Secretary of the Interior's Standards for the Treatment of Historic Properties presume each historical resource is unique. Thus, each significant resource presents its own identity and its own distinctive character. Character in this instance refers to those visual aspects and physical features that comprise the appearance of a historical resource. As commonly referred, character-defining features include the overall shape of the resource, its materials, craftsmanship, decorative details, interior spaces and features, as well as the various aspects of its site and environment (Nelson, ND). Following the Secretary's Standards will result in the retention of as many key character-defining features as possible in the protection, preservation, restoration, or renovation of cultural resources such as historic buildings, structures, objects, landscapes, or sites, where feasible. When possible, project applicants shall also strive to maintain or restore original proportions, dimensions, and elements of historic buildings or structures and preserve or restore features of historic objects, landscapes, or sites. Applicants may be required to use historic preservation techniques and standards to maintain the historical integrity of historic buildings or structures (including the Historic Building Code [Title 24, Part 8]) where mandated. Where restoration or renovation is undertaken to meet the proposed use of the owner, upgrades to plumbing, electrical, HVAC, and interior arrangements will be allowed. An expansion that meets building code guidelines will be permitted so long as the style of the expansion matches the original structure. Individuals that meet the Secretary of Interior's Standards for architectural preservation will be used to determine that the impact on the historical resource resulting from the expansion is mitigated to a less-than-significant level.
- c. Where restoration or preservation of a cultural resource is not feasible, applicants shall document the resource and retain the information in a secure location. Access to confidential information will be conducted pursuant to federal and state laws, including but not limited to the California Public Records Act, Government Code § 6250 et seq., and the Information Practices Act of 1977, Civil Code § 1798 et seq. Archaeological collections will be curated according to the *Guidelines for the curation of Archeological Collections* (State Historical Resources Commission (1993), and will funded by the project applicant.

Mitigation Measure 4.5-1b: Implement CEQA Review of Discretionary Projects

The County will require applicants for discretionary projects that could have significant adverse impacts to prehistoric or historic-era archaeological resources to assess impacts and provide mitigation as part of the CEQA process, and consistent with the requirements of CEQA Guidelines Section 15126.4(b)(3) and Public Resources Code Section 21083.2, or equivalent County regulation. These regulations generally require consultation with appropriate agencies, the Native American Heritage Commission, knowledgeable Native American groups and individuals, new and updated record searches conducted by the North Central Information Center and federal and incorporated local agencies within and in the vicinity of the project site, repositories of historic archives including local

historical societies, and individuals, significance determinations by qualified professionals, and avoidance of resources if feasible. If avoidance is not feasible, recovery, documentation and recordation of resources is required prior to project implementation, and copies of the documentation will be forwarded to the NCIC. In the event human remains are discovered, the applicant and landowner will comply with California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097. When the County is the applicant the same mitigation applies.

3.4.1.2 *Finding*

The Board finds that the provisions of Mitigation Measures 4.5-1a and 4.5-1b have been required in, or incorporated into, the General Plan. Mitigation Measures 4.5-1a and 4.5-1b would substantially reduce or avoid impacts to CEQA-defined "historical resources," consistent with recommendations in CEQA Guidelines Section 15126.4(b). Preservation in place would be preferred, and data recovery would only be implemented when preservation or mitigation is not feasible. Development projects that implement the Draft General Plan would be required to identify resources, avoid resources where feasible, and when avoidance is not feasible substantially reduce impacts to resources under the direction of a qualified archaeologist or architectural historian. With regard to traditional tribal cultural places, preservation of values would be the preferred method of protecting a sacred area from adverse impacts. With regard to historic structures, Secretary of Interior Standards for architectural preservation would be used to guide mitigation, and individuals meeting these standards would determine that the impact on the historical resource is mitigated to a less-than-significant level. Therefore, the impact would be reduced to less than significant.

3.4.2 DESTRUCTION OF OR DAMAGE TO AS-YET-UNKNOWN CULTURAL RESOURCES (IMPACT 4.5-2)

Implementation of the General Plan would result in construction and development activities that would include grading, excavation or other ground-disturbing activities. These activities could disturb or damage as-yet-undiscovered archaeological resources or human remains. This impact would be potentially significant.

3.4.2.1 *Mitigation*

Implement Mitigation Measures 4.5-1a and 4.5-1b.

Mitigation Measure 4.5-2: Impose Standard Conditions on Development

The County will continue to impose the following conditions on projects which include ground disturbing activity. Applicants, including the County, will be required to do the following:

- During ground-disturbing activity, if paleontological, historic or pre-historic resources such as chipped or ground stone, fossil-bearing rock, large quantities of shell, historic debris, building foundations, or human bone are inadvertently discovered, the operator/permittee shall immediately cease all such activities within 100 feet of the find and notify the Amador County Technical Advisory Committee. A qualified archaeologist shall be contracted by the operator/permittee to assess the significance of the find and prepare an evaluation, avoidance or mitigation plan, as appropriate, which shall be implemented before resuming ground disturbing activities.
- When a discretionary project will involve subsurface impacts in highly sensitive areas a qualified archaeologist will monitor ground disturbing activities, and will have the authority to halt construction until the resource can be evaluated and mitigated if necessary. Native American

monitors will be invited to attend. In addition, future CEQA projects will require AB52 consultation with tribes including the development of mitigation measures.

- In the event of discovery or recognition of any human remains anywhere within the work area, the operator/permittee shall comply with the following protocol:
 1. Immediately cease any disturbance of the area where such suspected remains are discovered and any nearby areas reasonably suspected to overlie adjacent remains until the Amador County Coroner is contacted, per Section 7050.5 of the California Health and Safety Code. The coroner shall, within two working days:
 - Determine if an investigation of cause of death is required;
 - Determine if the remains are most likely that of Native American origin, and if so suspected, the coroner shall notify the NAHC within 24 hours of making his or her determination.
 2. The descendants of the deceased Native Americans shall make a recommendation to the operator/permittee for the means of handling the remains and any associated grave goods as provided in Public Resources Code (PRC) Section 5097.98.
 3. The NAHC shall immediately notify those persons it believes to be most likely descended from the deceased Native American.
 4. The descendants may, with the permission of the landowner or their representative, inspect the site of the discovered Native American remains and may recommend possible treatment or disposition within 24 hours of their notification.
 5. Whenever the commission is unable to identify a descendent, or the descendent identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendent and the mediation provided for in subdivision (k) of PRC Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

3.4.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.5-1a, 4.5-1b and 4.5-2 have been required in, or incorporated into, the General Plan. Mitigation Measures 4.5-1a, 4.5-1b, and 4.5-2 require halting construction upon the discovery of as-yet-undiscovered significant prehistoric sites and avoiding these resources where feasible, and substantially reduce impacts to resources under the direction of an archaeologist where avoidance would not be feasible. Standard conditions will be imposed on development as to the treatment of any paleontological, historic or pre-historic resources such as chipped or ground stone, fossil-bearing rock, large quantities of shell, historic debris, building foundations, or human bone that are inadvertently discovered during ground-disturbing activity to avoid or significantly reduce potential adverse impacts to these resources. Because these mitigation measures would prevent substantial adverse changes in the significance of unknown cultural resources, the impact would be reduced to less than significant.

3.4.3 DISTURBANCE OF HUMAN REMAINS (IMPACT 4.5-3)

Many areas of Amador County are known to have been heavily utilized by Native American groups during the prehistoric period; in addition, the discovery of gold brought a rush of new residents starting in the mid-1800s. While some burial ground locations (generally from the historic era) are known, there is the possibility that ground disturbing activities that would occur during implementation of the General Plan could encounter prehistoric or historic human remains. This impact would be significant.

3.4.3.1 *Mitigation*

Implement Mitigation Measures 4.5-1b and 4.5-2.

3.4.3.2 *Finding*

Because implementation of Mitigation Measures 4.5-1b and 4.5-2 would require compliance with state laws which require contact with the County coroner and a professional archeologist to determine the nature of the find, as well as contact with the NAHC and appropriate treatment of the remains if determined to be those of a Native American, the impact associated with disturbance of human remains would be reduced to less than significant.

3.5 Geology, Soils, Mineral Resources, and Paleontological Resources

3.5.1 SOIL EROSION OR LOSS OF TOPSOIL (IMPACT 4.6-4)

Implementation of the General Plan would result in new development in the planning area, including buildings, structures, paved areas, roadways, utilities, and other improvements that could lead to soil erosion or the loss of topsoil. This impact would be significant.

3.5.1.1 *Mitigation*

Implement Mitigation Measures 4.9-1a, 4.9-1c, 4.9-1d, 4.9-2, and 4.9-3 (see details under “3.6 Hydrology and Water Quality”)

3.5.1.2 *Finding*

The Board finds that the provisions of Mitigation Measures 4.9-1a, 4.9-1c, 4.9-1d, 4.9-2, and 4.9-3 have been required in, or incorporated into, the General Plan. Mitigation Measures 4.9-1a, 4.9-1c, 4.9-1d, 4.9-2, and 4.9-3 would assure that implementation of the General Plan would not result in substantial soil erosion or the loss of topsoil, and therefore this impact would be less than significant.

3.5.2 LOSS OF AVAILABILITY OF KNOWN MINERAL RESOURCES (IMPACT 4.6-8)

Implementation of the General Plan could result in construction of new residential dwellings or non-residential uses in areas near existing or potential future mineral resource development, potentially affecting the availability of mineral resources. This impact would be significant.

3.5.2.1 *Mitigation*

Mitigation Measure 4.6-8a: Implement P Program P-9, Mineral Resource Management

In order to ensure extraction and processing of mineral resources and aggregate deposits may continue, the County will regulate land uses in Mineral Resource Zone 2 areas to ensure compatibility between mineral extraction, and surrounding existing and planned uses.

Mitigation Measure 4.6-8b: Implement Program D-1a(13), Development Project Evaluation

The County will review proposed projects for consistency with goals, policies, and implementation programs of this general plan.

- Evaluation criteria for discretionary development proposals include:
 13. The County will evaluate development proposals for compatibility with nearby mineral extraction activities and mapped resources to reduce or avoid the loss of mineral resource availability.

3.5.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.6-8a and 4.6-8b have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.6-8a and 4.6-8b would require the County to regulate land uses in MRZ-2 areas to ensure continued compatibility with mineral extraction and would also evaluate development proposals to reduce or avoid the loss of mineral extraction potential, including locally important minerals. This impact would be reduced to less than significant after mitigation because losses of availability of known mineral resources would be minimized.

3.5.3 POSSIBLE DAMAGE TO UNKNOWN, POTENTIALLY UNIQUE PALEONTOLOGICAL RESOURCES DURING EARTHMOVING ACTIVITIES (IMPACT 4.6-9)

Implementation of the General Plan would result in construction and other earthmoving activities that could disturb previously unknown paleontological resources in the unincorporated area of Amador County. This impact would be significant.

3.5.3.1 Mitigation

Implement Mitigation Measure 4.5-2 (related to paleontological resources)

Mitigation Measure 4.6-9: Paleontological Resource Assessment

When reviewing discretionary development proposals where a CEQA document is required, the County will require project applicants to conduct a paleontological resources impact assessment for projects proposed within the Modesto, Riverbank, Mehrten, and Ione Formations. These formations are sensitive for paleontological resources and underlie certain areas of the County (as shown in Exhibit 4.6-3). Impacts to paleontological resources will be evaluated on a site-specific basis, pursuant to the State CEQA Guidelines. Where such impacts are found to be potentially significant, the County will require project applicants to implement feasible mitigation measures to reduce impacts, such as construction worker personnel education, consultation with a qualified paleontologist should resources be encountered, avoidance of resources if feasible, and recovery and curation of specimens, as appropriate.

Actions that do not meet the CEQA definition of a “project” and therefore do not require an environmental analysis under the CEQA process shall not be required to perform a paleontological resources analysis.

3.5.3.2 Finding

The Board finds that the provisions of Mitigation Measure 4.6-9 have been required in, or incorporated into, the General Plan. Because Mitigation Measure 4.6-9 would require site-specific investigation prior

to discretionary projects involving ground disturbance in sensitive formations in Amador County, and offers a menu of potentially feasible measures to either avoid resources, or to recover and curate specimens, impacts on unique paleontological resources or sites would be avoided or substantially reduced. This impact would be reduced to less than significant after mitigation.

3.6 Hazards and Hazardous Materials

3.6.1 INTERFERENCE WITH AN ADOPTED EMERGENCY-RESPONSE PLAN (IMPACT 4.8-2)

Implementation of the proposed General Plan would result in additional traffic and residents requiring evacuation in case of an emergency. The current emergency response plans do not consider growth and development under the General Plan, and new development has the potential to impede existing emergency access to some portions of the planning area in the event of a disaster. This impact would be significant.

3.6.1.1 Mitigation

Mitigation Measure 4.8-2a: Implement Program P-12, Emergency Response

- a. In order to maintain effective emergency and disaster response and reduce hazards related to fire, flood, and public safety emergencies, the County will implement and periodically update disaster plans, including the Multi-Hazard Mitigation Plan and Emergency Operations Plan, to meet federal, State, and local emergency requirements. This effort will include planning to coordinate response actions and the identification and planning for evacuation routes for dam failure, wildfire, and flooding.
- b. The County will regularly assess the resources needed to effectively respond to disaster situations, and ensure proper staffing levels at emergency response agencies.
- c. The County will regularly assess the operational integrity of essential public facilities during emergencies, including flood emergencies, and identify actions to maintain operations, as necessary.
- d. The County will update equipment and training as necessary, including adopting training standards that meet or exceed State and national standards.
- e. The County will develop its capability to handle mass shelters in case of major disasters by maintaining a list of appropriate emergency shelter locations. These sites should be well connected to evacuation routes.

Mitigation Measure 4.8-2b: Implement Program D-10, Evacuation Planning and Routes

- a. When considering development proposals and discretionary actions, the County will ensure that actions will not prevent the implementation of emergency response plans or viability of evacuation routes established by the Office of Emergency Services.
- b. Establish adequate fire buffers along heavily traveled roads by promoting grazing, thinning, mowing, plowing, disking, or controlled burning of roadside grass. Favor those methods that have the least impact on air quality, such as grazing.

3.6.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.8-2a and 4.8-2b have been required in, or incorporated into, the General Plan. Mitigation Measures 4.8-2a and 4.8-2b would require that adequate fire buffers along heavily traveled roads be established, that evacuation routes and emergency response plans be considered in the development review process, and that the County ensure that development proposals and discretionary actions do not prevent the implementation of emergency response plans or viability of evacuation routes. This impact would therefore be reduced to less than significant after mitigation.

3.6.2 POTENTIAL EXPOSURE OF PEOPLE AND THE ENVIRONMENT TO SIGNIFICANT PHYSICAL AND/OR CHEMICAL HAZARDS RELATED TO ABANDONED OR UNUSED MINES (IMPACT 4.8-3)

Implementation of the General Plan could place new development in proximity to abandoned or unused mines, potentially exposing people and the environment to physical and/or chemical hazards. This impact would be significant.

3.6.2.1 Mitigation

Mitigation Measure 4.8-3a: Implement Program D-9, Hazardous Materials

- a. The County will maintain and update a list of hazardous sites, buildings, and uses in the unincorporated area, or use databases tracking the location of hazardous materials sites, buildings, and similar features, including active and abandoned mines. If possible, the County will make this list available to applicants.
- b. The County will consult the hazardous sites list to evaluate and condition future development applications and projects, as necessary, to protect environmental and public health.
- c. For applications submitted to the County involving construction activities at Cortese-listed sites, project applicant(s) shall comply with requirements of the California Department of Toxic Substance Control, the Central Valley Regional Water Quality Control Board, and/or other applicable agency regulating the investigation and cleanup of the site.

Mitigation Measure 4.8-3b: Implement Program D-8, Soils and Geotechnical Evaluation

- a. The County will require geotechnical evaluation and recommendations in compliance with California Building Code requirements before construction of buildings meant for occupancy.
- b. The County will provide any available soil shrink-swell information upon request, and ensure appropriate foundation elements are included on all projects proposed in areas prone to expansive soils.
- c. New structures and improvements shall incorporate project features avoiding or minimizing the hazards identified through geotechnical evaluation to the satisfaction of the County.

3.6.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.8-3a and 4.8-3b have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measure 4.8-3a and 4.8-3b would prevent significant impacts related to potential exposure of people and the environment to physical and/or

chemical hazards associated with active and abandoned mines because the location of mines would be documented, risks would be substantially reduced through permit conditions or requirements when granting discretionary or building permits, and geotechnical surveys would be required to include identification of potential subsurface voids associated with past mining activities. Risks would be substantially reduced through project conditions when approving discretionary projects and through requirements in building permits, in accordance with the California Building Code and other federal, state, and local regulations. This impact would be reduced to less than significant after mitigation.

3.6.3 CREATE A SIGNIFICANT HAZARD THROUGH LOCATION ON SITES ON THE CORTESE LIST (IMPACT 4.8-4)

Implementation of the General Plan could place new residential, commercial, or industrial uses in proximity to Cortese-listed sites. This impact would be significant.

3.6.3.1 *Mitigation*

Implement Mitigation Measure 4.8-3a

Mitigation Measure 4.8-4: Implement Program P-14, Hazardous Materials Tracking

- a. In order to avoid or substantially reduce hazards related to the use, transport, or disposal of hazardous materials, the County will continue implementing the Certified Unified Program Agency program, identifying businesses using, storing, and/or transporting hazardous materials. The County will continue to monitor these operations, and will require compliance with State and federal laws.
- b. The County will review, revise, and continue permitting and inspection practices for businesses using, storing, and/or transporting hazardous materials, and will provide public agencies (the sheriff, fire departments, California Highway Patrol, and city police departments) with a list of such businesses upon request to encourage hazardous material training before an event occurs.

3.6.3.2 *Finding*

The Board finds that the provisions of Mitigation Measures 4.8-3a and 4.8-4 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measure 4.8-3a and 4.8-4 would prevent significant hazards from development on sites on the Cortese List because the County would require that applications and activities on Cortese-listed sites comply with requirements of regulatory agencies, including cleanup requirements, designed to protect public health and the environment. This impact would be therefore reduced to less than significant after mitigation.

3.7 Hydrology and Water Quality

3.7.1 VIOLATION OF WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS, OR OTHERWISE SUBSTANTIALLY DEGRADE WATER QUALITY (IMPACT 4.9-1)

Implementation of the General Plan could result in additional water pollutant discharges from surface runoff, construction activities, on-site wastewater treatment systems, mining activities, agricultural activities, and municipal and industrial point source. An increase in the amount of impervious surfaces (e.g., rooftops, sidewalks, driveways, streets, parking lots) as a result of implementation of the General Plan would result in higher rates of runoff during rain events. Surface runoff from impervious surfaces can be a source of surface water pollution. Although the goals and policies of the General Plan include

Low Impact Development and other stormwater management and urban runoff pollution prevention practices, implementation requirements are not specified and therefore, this impact would be significant.

Onsite wastewater treatment systems could result in increased contamination of groundwater and surface water resources; however, implementation of General Plan policies and existing regulations assures that such impacts would be less than significant. Discharges from mining activities could adversely affect both surface and groundwater quality as well as aquatic ecosystems; however, implementation of General Plan policies and the Central Valley RWQCB Mining Program assures that such impacts would be less than significant. Discharges from agricultural activities could adversely affect water quality through the discharge of nutrients, sediment, pathogens, pesticides, metals, and salts into surface waters, or through percolation to groundwater, however, implementation of General Plan policies and the Central Valley RWQCB ILRP assures that such impacts would be less than significant.

Discharges from municipal and industrial point sources (such as wastewater treatment plants) could result in surface and groundwater contamination if effluent is discharged without appropriate treatment. These point sources are regulated under Central Valley RWQCB NPDES permits and/or WDRs, which include requirements governing the types and amount of discharge and monitoring and reporting requirements specific to each permitted facility. NPDES permits and WDRs, and RWQCB enforcement of these permits, would assure impacts from municipal and industrial discharges would be less than significant because these permits set limits on the amount of pollutants that can be discharged to waterbodies through technology-based and/or water quality based effluent limits and monitoring is required to verify performance.

3.7.1.1 *Mitigation*

Mitigation Measure 4.9-1a: Implement Program P-5b, Stormwater Management

- a. Develop a recommended menu of best management practices (BMPs) to limit soil erosion and runoff from residential, commercial, mining, industrial and hazardous materials sites, which may include (but are not limited to) reduced pavement cover, permeable pavement, and drainage features which increase infiltration and groundwater recharge. The County will require use of some or all of these measures as permit conditions to reduce or avoid adverse erosion, water quality, and hydrology effects, including potential effects on the lifespan of existing water storage facilities. The menu may include low-impact development practices (such as naturalized stormwater management techniques and climate appropriate landscaping) which should be reviewed as part of Program P-1(e).

Mitigation Measure 4.9-1b: Implement Program P-5a, Stormwater Management

- a. The County will develop and implement a comprehensive stormwater management program. The objective of this program is to reduce adverse hydrology and water quality impacts by limiting the quantity and increasing the water quality of runoff flowing to the County's streams and rivers.

This program will incorporate stormwater management programs for agricultural land that are developed and maintained within the Amador County Department of Agriculture and follow state agricultural guidelines.

Mitigation Measure 4.9-1c: Implement Program P-1e, Zoning Code and Development Regulations

- a. The County will review its design and improvement standards (in Chapter 17 of the Amador County Code), and modify codes and specifications as needed to provide for the use of low impact

development techniques. The objective of these changes is to maintain the County's surface- and groundwater quality.

3.7.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.9-1a, 4.9-1b, and 4.9-1c have been required in, or incorporated into, the General Plan. Mitigation Measure 4.9-1a would include development of a menu of BMPs to be implemented by future projects under the General Plan. Under Mitigation Measure 4.9-1b, implementation of a comprehensive stormwater management program and improvement of existing drainage and development of new infrastructure, when needed, would be protective of water quality. Mitigation Measure 4.9-1c would require that LID techniques be used for new development.

Implementation of Mitigation Measures 4.9-1a, 4.9-1b, and 4.9-1c would reduce water quality effects from nonpoint sources to a less-than-significant level because appropriate BMPs and LID features would prevent violations of water quality standards or WDRs, or substantial degradation of water quality.

3.7.2 ON-SITE AND DOWNSTREAM EROSION, AND SEDIMENTATION (IMPACT 4.9-2)

Implementation of the General Plan would result in new development in the planning area, including buildings, structures, paved areas, roadways, utilities, and other improvements. This would increase the amount of impervious surfaces, thereby increasing the total volume and peak discharge rate of stormwater runoff, potentially altering local drainage patterns and increasing watershed flow rates above the natural background level (i.e., peak flow rates). Increased peak flow rates may exacerbate erosion in overland flow and drainage swales and creeks, and result in downstream sedimentation. Sedimentation, in turn, could increase the rate of deposition in natural receiving waters and reduce conveyance capacities, resulting in an increased risk of flooding. Erosion of upstream areas and related downstream sedimentation typically leads to adverse changes to water quality and hydrology. This impact would be significant.

3.7.2.1 Mitigation

Mitigation Measure: Implement Mitigation Measure 4.9-1a

Mitigation Measure 4.9-2: Implement Program P-1c, Zoning Code and Development Regulations

- a. The County will adopt development regulations with the objective of reducing the potential for erosion and landslides. These regulations include requirements to avoid locating development on a geologic unit or soil that is unstable or would become unstable as a result of the project. The regulations will also include site grading standards to avoid making unstable slopes steeper.

3.7.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.9-1a and 4.9-2 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.9-1a and 4.9-2 would reduce this impact because the LID standards and other BMPs would assure that implementation of the General Plan would not result in substantial on- or off-site erosion or siltation, result in increased on- or off-site flooding or siltation, or exceed the capacity of stormwater drainage systems. This impact would be reduced to less than significant after mitigation.

3.7.3 CONSTRUCTION-RELATED WATER QUALITY EFFECTS (IMPACT 4.9-3)

Construction and grading activities during development consistent with the General Plan could result in soil erosion and stormwater discharges of suspended solids and increased turbidity. Such activities could

mobilize other pollutants from project construction sites as contaminated runoff to on-site and ultimately off-site drainage channels. Many construction-related wastes have the potential to degrade existing water quality. Project construction activities that are implemented without mitigation could violate water quality standards or cause direct harm to aquatic organisms. This impact would be significant.

3.7.3.1 *Mitigation*

Mitigation Measure 4.9-3: Implement Program D-5, Stormwater Protection

- a. Prior to the approval of project construction and grading activities, project applicant(s) shall prepare a Stormwater Pollution Prevention Plan consistent with the statewide National Pollution Discharge and Elimination System stormwater permit for general construction activity. Project applicant(s) shall also prepare and submit the appropriate Notices of Intent and any other necessary engineering plans and specifications for pollution prevention and control (including a Stormwater Pollution Prevention Plan) to Amador County and the Central Valley Regional Water Quality Control Board. Where practical, stormwater management requirements related to the County's comprehensive stormwater management program (described in Program P-5) may be incorporated into the SWPPP. The objective of this program is to reduce or avoid impacts related to stormwater pollution.
- b. Where required by law, best management practices (identified in the Stormwater Pollution Prevention Plan) shall be in place throughout all site work.
- c. All construction contractors shall retain a copy of the approved Stormwater Pollution Prevention Plan on the construction site, when required by law.

3.7.3.2 *Findings*

The Board finds that the provisions of Mitigation Measure 4.9-3 have been required in, or incorporated into, the General Plan Implementation of Mitigation Measure 4.9-3 would substantially reduce this impact because preparation and implementation of a SWPPP with appropriate BMPs such as source control, detention basins, revegetation and erosion control would be required, in order to conform with the SWRCB statewide NPDES stormwater permit for general construction activity, and any other necessary site-specific WDRs or waivers under state or local regulations. This mitigation measure would assure that construction and grading activities would not violate water quality standards, otherwise substantially degrade water quality, or cause substantial harm to aquatic organisms. This impact would be reduced to less than significant after mitigation.

3.7.4 EXPOSURE OF PEOPLE OR STRUCTURES TO FLOOD HAZARDS (IMPACT 4.9-5)

Implementation of the General Plan would result in new development in the planning area, including buildings, structures, paved areas, roadways, utilities, and other improvements. This could result in the exposure of people or structures to flood hazards. This impact would be significant.

3.7.4.1 *Mitigation*

Mitigation Measure 4.9-5a: Implement Program P-4, Flood Planning

- a. In order to avoid or substantially reduce the risk that flooding poses to people and property, the County will conduct an annual review of the floodplain map shown in Figure S-1 of the Safety Element, comparing Figure S-1 to flood mapping available from state and federal agencies such as the Federal Emergency Management Agency and the Department of Water Resources. The purpose

of this review is to ensure changes are noted and corresponding portions of the General Plan, including land use designations if necessary, are revised.

- b. The County will update flood protection policies and programs in the General Plan and applicable land use regulations (including the Zoning Code) to integrate data from the State Plan of Flood Control and the Central Valley Flood Protection Plan on an annual basis, if required, based on the annual review. For flood-related revisions to the Safety Element, the County will consult with relevant agencies serving the County, consistent with State law. Subsequent subdivision approvals, development agreements, permits, and other County entitlements will incorporate these revised policies and regulations.
- c. The General Plan's description of locations which may accommodate floodwater for groundwater recharge and stormwater management will be updated following subsequent annual reviews, as necessary

Mitigation Measure 4.9-5b: Implement Program P-1b, Zoning Code and Development Regulations

- a. The County will update development regulations to require on-site retention and detention of stormwater, with the objective of avoiding potential increases in downstream flood flows. The County will not regulate stormwater retention and detention to a greater degree than state or federal requirements, unless it is determined by the Board of Supervisors that a clear and overarching need exists.

Mitigation Measure 4.9-5c: Implement Program D-1a(11), Development Proposal Evaluation

- a. The County will review proposed projects for consistency with goals, policies, and implementation programs of this general plan.

Evaluation criteria for discretionary development proposals include:

- Proximity to and compatibility with flood prone areas. In order to substantially reduce or avoid flood hazards, no development (as defined in 15.16.050 of the Amador County Code) may be proposed in floodways, and floodproofing must be adequate (including elevation above 100-year flood stage) for all developed uses proposed within the floodplain.

3.7.4.2 Finding

The Board finds that the provisions of Mitigation Measures 4.9-5a, 4.9-5b, and 4.9-5c have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.9-5a, 4.9-5b, and 4.9-5c would require enforcement of and compliance with existing state and federal flood control regulations, and would minimize the exposure of people or structures to flood hazards resulting from development under the General Plan. Mitigation Measure 4.9-5a would require that the latest and most accurate flood mapping be used in County design standards. Mitigation Measure 4.9-5b and 4.9-5c include requirements that would prohibit development of structures in floodways, and ensure adequate drainage and detention of stormwater in the appropriate facilities, avoiding increases in severity for downstream flooding. Through these mitigation measures, implementation of the General Plan would not place housing within a floodways or expose people or structures to a significant risk of loss, injury, or death involving flooding. This impact would be reduced to less than significant after mitigation.

3.8 Noise

3.8.1 EXPOSE PEOPLE RESIDING OR WORKING WITHIN AN AIRPORT LAND USE PLAN OR WITHIN 2 MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, OR IN THE VICINITY OF A PRIVATE AIRSTRIP TO EXCESSIVE NOISE LEVELS (IMPACT 4.11-6)

Long-term noise generated by airports could exceed noise level limits at existing and potential future sensitive receptors located in proximity. This impact would be significant.

3.8.1.1 *Mitigation*

Mitigation Measure: Implement Mitigation Measures 4.11-2, 4.11-5a, and 4.11-5b

Mitigation Measure 4.11-6: Implement Program D-11(j), Noise Standards

The County will require that development proposals in the vicinity of airports/airstrips, including Westover Field and Eagle's Nest Airport, demonstrate compatibility with current and projected airport noise levels for each facility (including the Airport Land Use Plan) in accordance with the noise standards presented in Table N-3 [Table 4.11-1] of the General Plan.

3.8.1.2 *Finding*

The Board finds that the provisions of Mitigation Measures 4.11-2, 4.11-5a, 4.11-5b, and 4.11-6 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.11-2, 4.11-5a, 4.11-5b, and 4.11-6 would prevent people and workers from being exposed to excessive airport noise levels because future noise sensitive uses proposed within the 65 CNEL contour of an airport would be required to consider noise generated at any nearby airports and incorporate design measures to insure that the noise standards associated with such uses, especially interior standards, would be achieved. This impact would be reduced to less than significant after mitigation.

3.8.2 EXPOSE PERSONS TO OR GENERATE EXCESSIVE GROUND BORNE VIBRATION OR GROUND BORNE NOISE LEVELS (IMPACT 4.11-7)

Short-term project-generated construction source vibration levels could exceed Caltrans' recommended standard of 0.2 in/sec peak particle velocity (PPV) with respect to the prevention of structural damage for normal buildings and the FTA maximum acceptable vibration standard of 80 vibration decibels (VdB) with respect to human response for residential uses (i.e., annoyance), at vibration-sensitive land uses. However, vibration from vehicular traffic and industrial and commercial operations would not exceed Caltrans and FTA recommended standards. This impact would be significant.

3.8.2.1 *Mitigation*

Mitigation Measure 4.11-7a: Construction Vibration Setbacks

The County will require that development proposals that would potentially generate construction vibration in proximity to vibration sensitive receptors (structures and humans), employ appropriate setback distances for operating construction equipment and vehicles to reduce vibration levels below the recommended FTA and Caltrans guidelines of 80 VdB and 0.2 in/sec PPV, respectively when located within 500 feet and 300 feet of impact pile drivers, and within 70 feet and 45 feet of large bulldozers (and other heavy-duty construction equipment). Construction vibration impact and mitigation, including site-specific setback distances based on the project's anticipated vibration would be determined during project-specific CEQA review.

Mitigation Measure 14.11-7b: Mining Operation Vibration Setbacks

The County will require mining development proposals that would potentially generate vibration in proximity to vibration sensitive receptors (structures and humans), to employ appropriate setback distances for operating construction equipment and vehicles to reduce vibration levels below the recommended FTA and Caltrans guidelines of 80 VdB and 0.2 in/sec PPV, respectively. Vibration impact and mitigation, including site-specific setback distances based on the project's anticipated vibration, would be determined during project-specific CEQA review.

3.8.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.11-7a and 4.11-7b have been required in, or incorporated into, the General Plan. With implementation of Mitigation Measures 4.11-7a and 4.11-7b, program-level vibration impacts from construction and mining would be less than significant after mitigation. These mitigation measures would assure that people are not exposed to excessive groundborne vibration. Individual new projects would be required to undergo project-specific environmental review. If project-level significant impacts are identified, setback distances would be required under CEQA to meet the performance standards in Mitigation Measures 4.11-7a and 4.11-7b.

3.9 Public Services and Utilities

3.9.1 INCREASED DEMAND FOR FIRE PROTECTION FACILITIES, SYSTEMS, EQUIPMENT, AND SERVICES (IMPACT 4.13-5)

Implementation of the General Plan would result in increased demand for fire protection facilities and services within the AFD service area, resulting in the need for additional facilities, the construction of which could have adverse impacts on the physical environment, and staff and equipment to maintain the existing level of service. This impact would be significant.

3.9.1.1 Mitigation

Mitigation Measure 4.13-5a: Implement Program P-6, Effective County Services

- a. In order to evaluate and maintain the effectiveness of County services, The County will develop service standards for library, public safety, fire response, emergency response, human, and social services. Actual performance will be compared to these standards on an annual basis, and results presented to the Board, with recommendations for action if necessary.
- b. Develop a standard for public safety staffing, facilities, and equipment. Based on the cost of maintaining this standard, the County will establish a program consistent with the Mitigation Fee Act to levy proportional impact fees on new development proposals.

Mitigation Measure 4.13-5b: Implement Program P-12, Emergency Response

- a. In order to maintain effective emergency and disaster response and reduce hazards related to fire, flood, and public safety emergencies, the County will implement and periodically update disaster plans, including the Multi-Hazard Mitigation Plan and Emergency Operations Plan, to meet federal, state, and local emergency requirements. This effort will include planning to coordinate response actions and the identification and planning for evacuation routes for dam failure, wildfire, and flooding.

- b. The County will regularly assess the resources needed to effectively respond to disaster situations, and ensure proper staffing levels at emergency response agencies.
- c. The County will regularly assess the operational integrity of essential public facilities during emergencies, including flood emergencies, and identify actions to maintain operations, as necessary.
- d. The County will update equipment and training as necessary, including adopting training standards that meet or exceed state and national standards.
- e. The County will develop its capability to handle mass shelters in case of major disasters by maintaining a list of appropriate emergency shelter locations. These sites should be well connected to evacuation routes.

Mitigation Measure 4.13-5c: Implement Program D-1a(3), Development Proposal Evaluation

- a. The County will review proposed projects for consistency with goals, policies, and implementation programs of this general plan.

Evaluation criteria for discretionary development proposals will include:

- Adequate provision of emergency services, including fire services. Applicants must demonstrate that emergency services meeting the County's standards (see Program P-6 [Effective County Services]) can be provided to the proposed project. The objective of this program is to avoid or substantially reduce impacts to public services.

Mitigation Measure 4.13-5d: Implement Program F-3, Fire Services Funding

- a. The County will consult with the Amador Fire Protection District to establish funding mechanisms, including impact fees, to offset fire protection costs for new development in areas of high wildfire risk.

3.9.1.2 Findings

The Board finds that the provisions of Mitigation Measures 4.13-5a, 4.13-5b, 4.13-5c, and 4.13-5d have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.13-5a, 4.13-5b, 4.13-5c, and 4.13-5d would reduce this impact because the County would establish service standards for fire protection, permit future development only in areas that meet those standards, and establish and collect fees necessary to support fire services. Impacts of specific new or expanded fire protection facilities would be mitigated through project-specific CEQA review. This impact would therefore be reduced to less than significant after mitigation.

3.9.2 INCREASED DEMAND FOR LAW ENFORCEMENT PROTECTION FACILITIES, SYSTEMS, EQUIPMENT, AND SERVICES. (IMPACT 4.13-6)

Implementation of the General Plan would increase the demand for new or expanded police protection facilities and services, resulting in the need for additional facilities, the construction of which could have adverse impacts on the physical environment, and staff and equipment to maintain the existing level of service. This impact would be significant.

3.9.2.1 Mitigation

Mitigation Measure: Implement Mitigation Measures 4.13-5a, 4.13-5b, and 4.13-5c

3.9.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.13-5a, 4.13-5b, and 4.13-5 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.13-5a, 4.13-5b, and 4.13-5c would reduce this impact because the County would establish service standards for public safety services, and establish and collect fees necessary to support these services. Impacts of specific new or expanded law enforcement facilities would be mitigated through project-specific CEQA review. This impact would therefore be reduced to less than significant after mitigation.

3.9.3 REQUIRE THE CONSTRUCTION OF NEW OR EXPANDED STORMWATER DRAINAGE FACILITIES. (IMPACT 4.13-9)

New and expanded stormwater drainage facilities would be needed to accommodate future land uses consistent with the General Plan. The impact would be significant.

3.9.3.1 Mitigation

Mitigation Measure 4.13-9a: Implement Program F- 1b, Infrastructure Improvements

- b. The County will maintain and improve existing drainage and stormwater infrastructure. Where right-of-way is available, new drainage and stormwater infrastructure may be developed as needed. The County will explore consolidation of this function to a single County department or responsible agency. When maintaining or developing drainage and/or stormwater infrastructure, the County will consider vector control needs.

Mitigation Measure 4.13-9b: Implement Program P-5, Stormwater Management

- a. The County will develop and implement a comprehensive stormwater management program. The objective of this program is to reduce adverse hydrology and water quality impacts by limiting the quantity and increasing the water quality of runoff flowing to the county's streams and rivers.

This program will incorporate stormwater management programs for agricultural land that are developed and maintained within the Amador County Department of Agriculture

- b. Develop a recommended menu of best management practices (BMPs) to limit soil erosion and runoff from residential, commercial, mining, industrial and hazardous materials sites, which may include (but are not limited to) reduced pavement cover, permeable pavement, and drainage features which increase infiltration and groundwater recharge. The County will require use of some or all of these measures as permit conditions to reduce or avoid adverse erosion, water quality, and hydrology effects, including potential effects on the lifespan of existing water storage facilities. The menu may include low-impact development practices (such as naturalized stormwater management techniques and climate appropriate landscaping) which should be reviewed as part of Program P-1(e).

3.9.3.2 Finding

The Board finds that the provisions of Mitigation Measures 4.13-9a and 4.13-9 have been required in, or incorporated into, the General Plan Implementation of Mitigation Measures 4.13-9a and 4.13-9b would reduce impacts to stormwater drainage facilities because the County would ensure that new stormwater infrastructure is developed as needed to accommodate new growth, and would develop and implement a

comprehensive stormwater management program to reduce hydrology and water quality impacts. Impacts of specific new or expanded stormwater infrastructure would also be mitigated through project-specific CEQA review. This impact would therefore be reduced to less than significant after mitigation.

4 Significant and Unavoidable Impacts³

The Final EIR identified certain impacts within the following resource categories that cannot be mitigated to a less than significant level: aesthetics, agriculture, air quality, biological resources, greenhouse gases (GHGs), hydrology and water quality, population and housing, public services and utilities, and traffic and transportation. The Board hereby finds that, as explained below, for most of these impacts, feasible mitigation measures have been identified in the EIR and adopted that will lessen the following significant environmental impacts, but not to a less than significant level.

The Board finds, based on the facts set forth in the record, which include but are not limited to the facts as set forth below, those facts contained in the EIR and the Responses to Comments, and any other facts set forth in materials prepared by the County and/or County consultants, that there are no feasible mitigation measures or alternatives available to avoid or substantially lessen these impacts to a less than significant level.

4.1 Aesthetics

4.1.1 EFFECT ON SCENIC VISTAS (IMPACT 4.1-1)

Implementation of the General Plan would result in new development in the planning area, including buildings, structures, paved areas, roadways, utilities, and other improvements, potentially altering scenic vistas in the planning area. These new uses would occur west of Dew Drop, including in areas visible from major roadways such as SR 16, SR 49, SR 88, and Ridge Road; thereby substantially altering views from these roadways. This impact would be significant.

4.1.1.1 Mitigation

Mitigation Measure 4.1-1: Condition Projects to Minimize Effects on Scenic Vistas and Visual Character

- a. To reduce impacts associated with scenic vistas and visual character, the County will require that new projects be conditioned to incorporate measures to reduce their effect on scenic views and visual character to the maximum extent practicable. Conditions may include, but are not limited to, the following:
 - Limiting building heights.
 - Placing and orienting buildings to reduce or avoid impacts on scenic vistas or to be consistent with the existing visual character.

³ EIR Chapter 4 provides further factual support for these findings.

- Regulating setbacks to be compatible with surrounding uses and existing visual character.
- Regulating signs to reduce or avoid impacts to scenic views or visual character.

4.1.1.2 Finding

The Board finds that the provisions of Mitigation Measure 4.1-1 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measure 4.1-1 (Condition Projects to Minimize Effects on Scenic Vistas and Visual Character) would reduce impacts associated with scenic vistas and visual character by imposing conditions, such as limits on building heights, that reduce or avoids impacts. However, there are no feasible mitigation measures available that could fully preserve existing publicly accessible views throughout the planning area and prevent substantial impacts on scenic views, while still accommodating future growth in the County. Therefore, this impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.1.2 DEGRADATION OF VISUAL CHARACTER (IMPACT 4.1-3)

Implementation of the General Plan would alter the existing visual character of unincorporated Amador County through changes and intensification in rural residential areas, agricultural lands, and conifer forests. This impact would be significant.

4.1.2.1 Mitigation

Implement Mitigation Measure 4.1-1

4.1.2.2 Finding

The Board finds that the provisions of Mitigation Measure 4.1-1 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measure 4.1-1 would reduce impacts to visual character but not to a less-than-significant level. No feasible mitigation is available that could fully preserve existing visual character throughout the planning area and prevent substantial degradation of visual character, while also accommodating future growth in the County. Because the basic purpose of the General Plan is to provide a framework governing future growth in the unincorporated part of the County, including accommodating a projected population increase to meet economic development and housing needs, no feasible mitigation measures are available to reduce the potential for new development to reduce effects on visual character to a less-than-significant level. The County cannot meet its economic development and housing needs without accommodating additional residents and workers, and the physical facilities necessary to accommodate these residents and workers will affect the existing visual character within the planning area. Therefore, this impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.1.3 INCREASE IN LIGHT AND GLARE AND SKYGLOW EFFECTS (IMPACT 4.1-4)

Implementation of the General Plan would require lighting of new development, which could cause increased light and glare, potentially obscuring views of stars and other features of the night sky. In addition, nighttime lighting or the presence of reflective surfaces on buildings in commercial and

industrial areas may result in light and glare shining on existing and proposed residences in the vicinity of these land uses and onto motorists traveling along SR 49, SR 88, Ridge Road, and other local roadways in day and nighttime conditions. This impact would be significant.

4.1.3.1 *Mitigation*

Mitigation Measure 4.1-4: Condition Projects to Minimize Light and Reflectance

- a. To reduce impacts associated with light and glare, the County will require that new projects be conditioned to incorporate measures to reduce light and reflectance to the maximum extent practicable. Conditions may include, but are not limited to, the following:
- Exterior building materials on non-residential structures shall be composed of a minimum 50% low-reflectance, non-polished finishes.
 - Bare metallic surfaces (e.g., pipes, vents, light fixtures) shall be painted or etched to minimize reflectance.
 - Require public lighting in commercial, industrial, and residential areas to be of a type(s) that are shielded and downward directed, utilizing light sources that are the best available technology for eliminating light bleed and reflectance into surrounding areas to the maximum extent possible.
 - Prohibit light fixtures that are of unusually high intensity or brightness or that blink or flash.
 - Use automatic shutoffs or motion sensors for lighting features to further reduce excess nighttime light.

4.1.3.2 *Finding*

The Board finds that the provisions of Mitigation Measure 4.1-4 have been required in, or incorporated into, the General Plan. New urban development under the General Plan would permanently add nighttime lighting in areas that are currently relatively void of nighttime light and glare. Implementation of Mitigation Measure 4.1-4 would reduce the potential light and glare impacts of future development projects to the maximum extent practicable, but would not reduce the impacts to a less-than-significant level because it is infeasible to eliminate all substantial future sources of light and glare. No additional feasible mitigation is available to reduce this impact to a less-than-significant level. Thus, the impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.2 Agricultural and Forest Resources

4.2.1 CONVERSION OF FARMLAND (IMPACT 4.2-1)

Under the General Plan, future development, including residential dwellings or lot splits within the RR (Rural-Residential), RL (Residential Low Density) and AT (Agricultural Transition) land use designations, future mining activities within the MRZ (Mineral Resource Zone) designated areas, future public facilities in the PS (Public Service) designation, and construction of roadways and utilities, could

result in the conversion of 310.5 acres of Farmland to nonagricultural uses. This impact would be significant.

4.2.1.1 Mitigation

Mitigation Measure 4.2-1a: Implement Program P-11, Farmland

- a. It is the County's objective to maintain key farmlands for agricultural and agritourism uses, and reduce impacts related to conversion of Farmland (Prime Farmland, Farmland of Local or Statewide Importance, and Unique Farmland) to other uses. The County will seek to keep Farmland in agricultural designations when land use or zoning changes are proposed in the unincorporated area. For future changes to non-agricultural designations that affect Farmland areas, the County will reduce or avoid loss of Farmland to the extent feasible.
- b. The County will also work with cities and LAFCO to promote the protection of Farmland, including identifying alternatives to expansion of spheres of influence into areas of Farmland.

Mitigation Measure 4.2-1b: Implement Program D-1a(9), Development Proposal Evaluation

- a. The County will review proposed projects for consistency with goals, policies, and implementation programs of this general plan.

Evaluation criteria for discretionary development proposals include:

- The presence of Farmland, proximity of development to working farms, and other effects on agricultural resources. Where the potential for conflicts exist that could adversely affect the operations of working farms, the County will work with the applicant to provide setbacks or use other site planning techniques (such as berms, fencing, landscaping, and building orientation), as appropriate, to substantially reduce or avoid impacts to agriculture from encroachment by other conflicting land uses. Include conditions (such as sizing of facilities or service area boundaries) for proposals which would require infrastructure improvements into areas of Farmland to avoid inducing urban growth.

Mitigation Measure 4.2-1c: Implement Agricultural Land Conversion Easements

In order to reduce the loss of Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) through conversion to non-agricultural uses, the County shall require that when granting discretionary approvals or permits, the applicant shall purchase an agricultural conservation easement to mitigate for the loss of Farmland exceeding 5 acres, to be granted in perpetuity. The easement should be purchased for equivalent value Farmland in Amador County at a minimum acreage ratio of 1:1.

4.2.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.2-1a, 4.2-1b, and 4.2-1c have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.2-1a, 4.2-1b, and 4.2-1c would reduce impacts related to the conversion of Farmland to non-agricultural use because the County will seek to reduce or avoid conversion of Farmland to the extent feasible, including through evaluation of projects to use site planning techniques to avoid impacts related to encroachment by other land uses. The County will also condition projects to ensure that residential development is compatible with surrounding agricultural activities. The County will also reduce the cumulative loss of Farmland by requiring that one acre of Farmland be protected through conservation easements for each acre of

Farmland that is permanently removed from agricultural use. However, because no new Farmland would be created, and the productivity of existing Farmland would not be improved as a result of implementing Mitigation Measures 4.2-1a, 4.2-1b, and 4.2-1c, full compensation for losses of Farmland would not be achieved and a net loss of Farmland could still occur. No additional feasible mitigation is available to reduce this impact to a less-than-significant level. This impact would remain significant and unavoidable.

Comments on the NOP from the Foothill Conservancy suggested that the EIR consider 3:1 mitigation for agricultural land conversion. This mitigation measure was not included in the EIR because the 1:1 mitigation proposed in Mitigation Measure 4.2-1c, together with Mitigation Measures 4.2-1a and 1b, substantially reduce Farmland conversion impacts, and because a net loss of Farmland would occur even with 3:1 mitigation. In addition, 3:1 mitigation may be economically infeasible for project applicants to implement, as evidenced by the fact that no other California jurisdiction imposes a uniform 3:1 mitigation ratio for agricultural land conversion.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.2.2 LAND USE CONFLICTS WITH EXISTING AGRICULTURAL USES (IMPACT 4.2-3)

Implementation of the General Plan would result in changes to the physical environment which could result in conflicts with agricultural uses. These conflicts could impair agricultural activities and potentially cause conversion of agricultural lands to other uses. This impact would be significant.

4.2.2.1 Mitigation

Implement Mitigation Measures 4.2-1a, 4.2-1b, and 4.2-1c

4.2.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.2-1a, 4.2-1b, and 4.2-1c have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.2-1a, 4.2-1b and 4.2-1c would reduce impacts related to conflict with agricultural uses by requiring use of setbacks and site planning techniques to buffer agricultural lands from incompatible uses and by reducing future zoning and land use changes that would affect Farmland. Implementation of these mitigation measures would substantially reduce potential conflicts, but not to a less-than-significant level. No additional feasible mitigation measures are available to reduce potential land use conflicts to a less-than-significant level. Therefore, this impact would remain significant and unavoidable.

Comments on the NOP from the Foothill Conservancy suggested that the EIR consider as a mitigation measure 200-foot setbacks for uses conflicting with agricultural uses. This mitigation measure was not included in the EIR because Mitigation Measure 4.2-1b would substantially reduce potential conflicts with agricultural uses. Where the potential for conflicts exist that could adversely affect agricultural operations, the County will work with the applicant to provide setbacks or use other site planning techniques (such as berms, fencing, landscaping, and building orientation), as appropriate, to substantially reduce or avoid impacts to agriculture from encroachment by other conflicting land uses.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.2.3 RESULT IN CONVERSION OF FORESTLAND TO NON-FOREST USE (IMPACT 4.2-5)

Implementation of the General Plan would result in land use changes, including construction of new residential, commercial, and industrial uses which could directly and indirectly result in conversion of forestland to non-forest use. This impact would be significant.

4.2.3.1 Mitigation

Mitigation Measure 4.2-5a: Implement Program P-10, Timber Production

- a. In order to reduce impacts related to conversion of forestland, timberland, and Timberland Production Zones (TPZ) to other uses, the County will seek to keep forestland and timberland in compatible land use designations and zone districts. The County will maintain land presently designated Open Forest or other general plan designations and zoned TPZ in those current general plan designations if a change would result in the conversion of existing forested lands.
- b. The County will continue to designate lands which are prime timberlands as Timber Production Zone areas. For lands so designated, the County will encourage responsible forestry and timber harvesting.
- c. The County will continue to encourage value-added activities (such as sawmills, cogeneration plants, timber-based manufacturing, and other uses) which contribute to the economic viability of timber production at appropriate locations.

Mitigation Measure 4.2-5b: Implement Program D-1a(10), Development Proposal Evaluation

- a. The County will review proposed projects for consistency with goals, policies, and implementation programs of this general plan.

Evaluation criteria for discretionary development proposals include:

- Proximity to and compatibility with forestland, timberland, and Timberland Production Zones. The County will work with the applicant to provide setbacks or use other site planning techniques (such as berms, fencing, landscaping and building orientation) in order to substantially reduce or avoid impacts to forestland, timberland, or Timberland Production Zones from encroachment by incompatible land uses.

4.2.3.2 Finding

The Board finds that the provisions of Mitigation Measures 4.2-5a and 4.2-5b have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.2-5a and 4.2-5b would substantially lessen potential conversion of timber- and forestland to non-forest use by keeping forestlands in compatible designations, and evaluating discretionary project proposals to reduce encroachment by incompatible uses into areas of timberland. However, conversions of timber- and forestland would still occur, and no additional feasible mitigation is available to reduce this impact to a less-than-significant level. Therefore, this impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.3 Air Quality

4.3.1 CONSTRUCTION-RELATED EMISSIONS (IMPACT 4.3-1)

Implementation of the General Plan would lead to project-generated construction activities that would result in emissions of ROG, NO_x, PM₁₀, and PM_{2.5} with the potential to substantially contribute to emissions concentrations that exceed the NAAQS and CAAQS (Table 4.3-1). Construction-related emissions of these criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, result in a cumulatively considerable net increase in non-attainment criteria pollutants, and/or expose sensitive receptors to substantial pollutant concentrations. This impact would be significant.

4.3.1.1 Mitigation

Mitigation Measure 4.3-1a: Implement Measures to Control Particulate Matter Emissions Generated by Construction Activities

- a. The County will require each project applicant, as a condition of development project discretionary approval, to implement fugitive dust control measures to meet the requirements of Amador Air District Rule 218 (Fugitive Dust). Example measures include, but are not limited to:
 - Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
 - Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along major roadways should be covered.
 - Limit vehicle speeds on unpaved construction roads to 15 miles per hour (mph).
 - All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
 - Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.
 - Water exposed soil with adequate frequency for continued moist soil. However, do not overwater to the extent that sediment flows off the site.
 - Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph.
 - Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established.
 - Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads.

- Post a publicly visible sign with the telephone number and person to contact at the construction site regarding dust complaints. This person shall respond and take corrective action within 48 hours.

Mitigation Measure 4.3-1b: Reduce Exhaust Emissions from Construction Equipment

b. The County will require each project applicant, as a condition of development project discretionary approval, to implement measures to reduce exhaust emissions from construction equipment. Example measures include:

- Where feasible, equipment requiring the use of fossil fuels (e.g., diesel) shall be replaced or substituted with electrically driven equivalents (provided that they are not run via a portable generator set).
- To the extent feasible, alternative fuels and emission controls shall be used to further reduce exhaust emissions.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site.
- The hours of operation of heavy-duty equipment and/or the amount of equipment in use at any one time shall be limited.
- Staging areas for heavy-duty construction equipment shall be located as far as possible from sensitive receptors.
- Implement construction best management practices to minimize fugitive dust emissions. Best management practices should be approved by AAD and could include, but are not limited to Sacramento Metropolitan Air Quality Management District's Basic Construction Emission Control Practices. To the extent feasible, use best available control technology at the time of construction activities to minimize exhaust emissions from construction equipment and vehicles. Provide construction management plan for minimizing fugitive dust and exhaust emissions to Amador Air District prior to commencing construction activities.

4.3.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.3-1a and 4.3-1b have been required in, or incorporated into, the General Plan. Mitigation Measures 4.3-1a and 4.3-1b would reduce this impact, but not to a less-than-significant level. Construction ROG, NO_x PM₁₀, and PM_{2.5} emissions could still violate or contribute substantially to an existing or projected air quality violation, result in a cumulatively considerable net increase in non-attainment criteria pollutants, and/or expose sensitive receptors to substantial pollutant concentrations because the intensity of construction activity and the acreage of ground disturbance that could occur at any one point in time, would be substantially high and/or take place in close proximity to existing or future planned sensitive receptors (e.g., residents, schools). No additional feasible mitigation is available to reduce this impact to a less-than-significant level. The impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.3.2 GENERATION OF LONG-TERM OPERATIONAL (REGIONAL) EMISSIONS OF ROG, NO_x, PM₁₀, AND PM_{2.5} (IMPACT 4.3-2)

Operational area- and mobile-source emissions from implementation of the General Plan would lead to long-term operational emissions of ROG, NO_x, PM₁₀, and PM_{2.5} that could violate or contribute substantially to an existing or projected air quality violation, result in a cumulatively considerable net increase in non-attainment criteria pollutants, and/or expose sensitive receptors to substantial pollutant concentrations. This impact would be significant.

4.3.2.1 Mitigation

Mitigation Measure 4.3-2a: Implement Reduction Measures for Discretionary Projects

- a. The County will require each project applicant, as a condition of development project discretionary approval, to implement measures to reduce operational emissions of criteria air pollutants. Measures to reduce operational emissions will only be required for projects that exceed the applicable thresholds of significance for ROG, NO_x, PM₁₀, or PM_{2.5} emissions, as demonstrated by project-level CEQA analysis. It should be noted that measures and programs implemented as a result of the climate action plan would also reduce air quality emissions from new and existing projects. Example measures include:
 - Install solar, wind, and geothermal power systems and solar hot water heaters.
 - Install solar panels on unused roof and ground space and over carports and parking areas.
 - Promote “least polluting” ways to connect people and goods to their destinations.
 - Incorporate bicycle lanes, routes and facilities into roadway systems.
 - Require amenities for non-motorized transportation, such as secure and convenient bicycle parking.
 - Institute teleconferencing, telecommute and/or flexible work hour programs to reduce unnecessary employee transportation.
 - Provide information on alternative transportation options for consumers, residents, tenants and employees to reduce transportation-related emissions.
 - Purchase, or create incentives for purchasing, low or zero-emission vehicles.
 - Create a ride sharing program. Promote existing ride sharing programs e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles, and providing a web site or message board for coordinating rides.
 - Enforce and follow limits regarding idling times for commercial vehicles, including delivery and construction vehicles.

- To the extent feasible and practical, construct new roadways for residential, commercial, or industrial projects in the County using materials that minimize particulate matter emissions (e.g., paved roads rather than unpaved, dirt roads). Roads should also be permeable when feasible and appropriate for the scale and intensity of planned use.

Mitigation Measure 4.3-2b: Implement Program D-7, Air Emissions and Sensitive Receptors

- a. In the review of development proposals, the County will require projects to comply with all applicable Amador Air District (AAD) rules, and obtain all required AAD permits.
- b. In the review of development proposals, the County will reference the guidelines presented in the ARB's Air Quality and Land Use Handbook: A Community Health Perspective (ARB Land Use Handbook), or the Amador Air District guidelines and recommendations available at the time, when establishing buffers around existing or proposed sources of toxic air contaminants or odorous emissions. If the buffer distances stated in the ARB Land Use Handbook are maintained for sensitive receptors, projects should qualitatively evaluate if the proposed operational activities would exceed the assumptions used by ARB to develop the established buffer distances. If projects would be located closer than the prescribed buffer distances to sensitive receptors, would result in substantial TAC emissions directly or indirectly (e.g., industrial sources), or for land use projects that would expose sensitive receptors to substantial TAC concentrations (e.g., residential land uses located near existing TAC sources), the County will require an HRA to be performed by project applicants to determine whether existing or proposed on-site sensitive receptors will be exposed to significant levels of TAC emissions. An HRA would only be required for those projects that would be anticipated to expose sensitive receptors to substantial TAC concentrations based on the project description or other relevant characteristics as determined by County Planning staff during the environmental review process. If the results of the HRA indicate a significant impact, the individual project applicant shall employ measures (e.g., air filters, project redesign) to reduce exposures to levels below the acceptable limits (e.g., 10 in a million excess cancer risk, 1.0 health hazard index).

4.3.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.3-2a and 4.3-2b have been required in, or incorporated into, the General Plan. Mitigation Measures 4.3-2a and 4.3-2b would reduce this impact, but not to a less-than-significant level, because project-level mitigation cannot be guaranteed to be effective for all projects. Operational PM₁₀, and PM_{2.5} concentrations could still violate or contribute substantially to an existing or projected air quality violation, result in a cumulatively considerable net increase in non-attainment criteria pollutants, and/or expose sensitive receptors to substantial pollutant concentrations. No additional feasible mitigation is available to reduce this impact to a less than significant level. The impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.3.3 EXPOSURE OF SENSITIVE RECEPTORS TO SHORT- AND LONG-TERM EMISSIONS OF TOXIC AIR CONTAMINANTS (IMPACT 4.3-4)

Implementation of the General Plan would result in exposure of sensitive receptors to short- and long-term emissions of Toxic Air Contaminants (TACs) from on-site stationary and mobile sources, or from off-site mobile sources. This impact would be significant.

4.3.3.1 Mitigation

Implement Mitigation Measure 4.3-2b.

4.3.3.2 Finding

The Board finds that the provisions of Mitigation Measure 4.3-2b have been required in, or incorporated into, the General Plan. Where environmental review under CEQA indicates TAC concerns, the County will require individual projects constructed under the General Plan to also prepare an HRA, reduce exposure to sensitive receptors, and/or to implement alternative approaches to development that reduce exposure to toxic air contaminant sources. Implementation of Mitigation Measures 4.3-2b would lessen health-related risks associated with operational sources of TAC emissions. However, exposure to substantial TAC concentrations would not necessarily be reduced to less-than-significant levels. No additional feasible mitigation is available to reduce this impact to a less-than-significant level. Therefore, this impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.4 Biological Resources

4.4.1 ADVERSE EFFECT ON SPECIAL-STATUS SPECIES (IMPACT 4.4.-1)

Implementation of the General Plan would include new development in the planning area, including buildings, structures, paved areas, roadways, utilities, and other improvements. These new uses would occur in existing developed communities and undeveloped areas of the County. This would result in direct impacts to special-status species inhabiting future growth areas or in indirect impacts resulting from loss or modification of suitable habitat. This impact would be significant.

4.4.1.1 Mitigation

Mitigation Measure 4.4-1a: Implement Program D-4, Biological Resources

When considering discretionary development proposals, it is the County's objective to avoid or substantially reduce impacts to special-status species, riparian habitat, Ione chaparral, oak woodlands, and wetlands (including vernal pools and non-jurisdictional wetlands) through project design and modification to the extent feasible.

Mitigation Measure 4.4-1b: Special-Status Species Protection

When considering discretionary development proposals implementing the General Plan, the County, through CEQA reviews, will require assessments of potential habitat for special-status species on proposed projects sites, and avoidance or substantial reduction of impacts to that habitat through feasible alternatives or mitigation measures, including compensatory mitigation where unavoidable losses of occupied habitat would occur.

Mitigation measures will be developed consistent with applicable state and federal requirements. For those species for which published mitigation guidance exists (such as VELB, burrowing owl, and Swainson's hawk), developed mitigation measures will follow the guidance provided in these publications or provide a similar level of protection.

If previous published guidance does not exist, mitigation will be developed in consultation with the appropriate agencies (USFWS for federally listed plant, wildlife and fish species; NMFS for listed anadromous fish species; CCDFW for state listed species, species of special concern and CRPR-ranked species). The County will require project applicants to obtain any required take permits prior to project implementation.

4.4.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.4-1a and 4.4-1b have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.4-1a and 4.4-1b would reduce impacts on special-status species resulting from implementation of the General Plan by requiring the consideration of special-status species habitat in site selection, and by implementing mitigation in accordance with regulatory guidance and the best available science. Complete avoidance of all impacts would not be possible because special-status species would occur on land which would transition to developed land uses under the General Plan. Similarly, although these mitigation measures would lessen reduction in wildlife habitat and help prevent substantial reductions in the number or restrictions to the range of endangered and threatened species, substantial reductions in habitat could still occur. No additional feasible mitigation measures are available to reduce this impact to a less-than-significant level. This impact would be significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.4.2 SUBSTANTIAL ADVERSE EFFECT ON IONE CHAPARRAL, A SENSITIVE NATURAL COMMUNITY (IMPACT 4.4-3)

Impacts to Ione chaparral would result primarily from mining of the Ione formation, but could also result from incremental loss of this community due to industrial and urban development and infrastructure projects. The General Plan contains policies that encourage preservation of Ione chaparral (Policies OS-3.4 and OS-4-1). However, these policies do not guarantee that conservation measures will be implemented and that Ione chaparral will be protected in the long term. The impact to Ione chaparral would be significant.

4.4.2.1 Mitigation

Implement Mitigation Measures 4.4-1a and 4.4-1b.

Mitigation Measure 4.4-3: Ione Chaparral Avoidance and BMPs

The County will require project applicants to submit a mitigation plan for unavoidable impacts to Ione chaparral. The mitigation plan will address how Ione chaparral to be retained on the project site will be avoided or how impacts will be minimized. The mitigation plan will include the following:

- BMPs for work near Ione chaparral to prevent the inadvertent spread of pathogens. BMPs may include the establishment of buffers and exclusion zones and mandatory equipment cleaning prior to and after work to prevent cross contamination among sites.
- Consideration of the recovery plan for the Ione chaparral plant community, once published, and other publications on the community or associate species.

- Measures for the management of soil-borne pathogens before, during and after project implementation and measures aimed at the prevention of their spread.
- Methods to be implemented to avoid and/or compensate for impacts on Ione chaparral at a ratio adequate to offset the loss of Ione chaparral functions and values. At a minimum, Ione chaparral losses will be compensated at a 1:1 ratio.

Because Ione chaparral is known to support several federally listed plant species as well as other plant species considered special-status species by local and state agencies, mitigation will be developed in consultation with USFWS and CDFW, as appropriate depending on species status. Mitigation may include replanting and enhancement of degraded stands of Ione chaparral. However, because it is difficult to rehabilitate land to support Ione chaparral once it has been mined, planting and enhancement will be combined with preservation to help ensure the loss of habitat is compensated. The preferred conservation method will be the purchase of conservation easements by project applicants. Mitigation lands will be managed for the long term protection and survival of Ione chaparral and, if possible, be contiguous with lands already protected to maximize the likelihood of mitigation success.

If a project requires a Reclamation Plan under the State's Surface Mining and Reclamation Act (SMARA), the plan may be developed to address multiple agencies' requirements to avoid redundancy, and would address protection of Ione chaparral as required by SMARA's Reclamation Plan standards and by CEQA.

4.4.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.4-1a, 4.4-1b and 4.4-3 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.4-1a, 4.4-1b, and 4.4-3 would reduce impacts on Ione chaparral by requiring avoidance and minimization of impacts on Ione chaparral through feasible project design modifications and BMPs and development of mitigation plans to compensate for unavoidable losses of Ione chaparral. However, the distribution of this sensitive natural community is extremely limited and mining activities directly depend on the same substrates where this plant community grows; thus avoidance, minimization and mitigation options to prevent substantial adverse effects are very limited. No additional feasible mitigation measures are available to reduce this impact to a less-than-significant level. The impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.5 Greenhouse Gas Emissions

4.5.1 GENERATION OF GHG EMISSIONS (IMPACT 4.7-1)

The General Plan would result in an operating GHG efficiency of 8.2 MT CO₂e (metric tons of carbon dioxide equivalent) per service population per year. The General Plan contains a variety of policies and programs aimed at reducing GHG emissions:

- ▶ Policy C-10.1: Evaluate the potential effects of climate change on the County's human and natural systems and prepare strategies that allow the County to appropriately respond and adapt.

- ▶ Policy C-10.2: Develop and adopt a comprehensive strategy to reduce GHGs within Amador County by at least 15 percent from current levels by 2020.
- ▶ Policy C-10.3: Guide new development to areas where pedestrian and bicycle access to existing activity centers are possible, in order to reduce the need for automobile travel and VMT.
- ▶ Policy C-10.4: Work with service providers to ensure that transit offerings in the County are stable or expanding, and that transit is tailored to meet residents' needs.
- ▶ Policy C-10.5: Require new development projects to incorporate building placement and design features to increase energy efficiency in new structures.
- ▶ Policy C-10.6: Support green building through incentives for Leadership in Energy and Environmental Design (LEED) certification of new commercial, industrial, public, and multi-family residential buildings. Promote incentives for compliance with this standard as a way to increase the energy efficiency of new structures. Promote increased energy efficiency and green building practices through the County's use of these practices.
- ▶ Policy C-10.7: Support parcel-scale energy generation, including addition of solar panels for residential structures and cogeneration for larger commercial or industrial uses.

It is uncertain whether the policies in the General Plan would ensure that the region would meet the emission reduction goals of AB 32 or the significance threshold of 3.09 MT CO₂e per service population per year in 2030. Therefore, long-term operational emissions associated with the General Plan would result in a significant impact, which would be further increased by construction GHG emissions. This impact would be significant.

4.5.1.1 Mitigation

Mitigation Measure 4.7-1a: Develop and Implement a Greenhouse Gas Reduction Plan

The County will develop and implement a GHG reduction plan. The GHG reduction plan will have three primary objectives: to reduce total greenhouse gas emissions in the county to 1990 levels by 2020 pursuant to the AB 32 GHG reduction targets, to the extent feasible to meet the 2030 efficiency metric of 3.09 MT CO₂e per service population, and to create adaptation strategies to address the impacts of climate change on the county. As noted in Table 4.7-1, farming, mining, logging, and manufacturing jobs are not included in the jobs or emissions estimates and therefore this mitigation measure would not apply to those activities and sources. The contents of the GHG reduction plan would include:

- A description the County's rationale for developing and implementing the plan, describing state policy mandates to reduce GHG emissions.
- GHG emissions forecasts for 2020 and 2030. Forecasts will build upon the baseline GHG emissions inventory provided in the General Plan EIR for the base year 2005 (the AB 32 base year) , with any necessary updates.
- Emission reduction measures and actions. This will include a description of the feasible measures and actions that are necessary to reduce emissions in the County and achieve the reduction targets. Measures could include, but are not limited to the following and the Attorney General's Office mitigation measures (CAPCOA 2010) (CAPCOA 2010 documents the effectiveness of many of these measures in reducing GHG emissions):

1. Increase density and location efficiency of new development.
2. Improve pedestrian and transit access and amenities in new development.
3. Implement trip reduction and carpool programs.
4. Support telecommuting and alternative work schedules for new job-generating uses.
5. Install programmable thermostat timers for new buildings.
6. Use on-site renewable energy systems.
7. Limit outdoor lighting requirements for new commercial properties.
8. For new commercial land uses, employers allow telecommuting and alternative work schedules for employees.
9. Provide electrical vehicle and carpool vehicle priority parking in new commercial sites.
10. Install low-flow water fixtures in all new residential and commercial developments.
11. Adopt a water conservative strategy applicable to all residential and commercial developments.
12. Require commercial building landscaping to be water-efficient (e.g., native or drought-resistant plants, minimize turf and lawn area).
13. Recycle demolished construction materials.
14. Use alternative fuels, electric, and/or hybrid construction equipment.
15. Protection and adaptation strategies. This section will describe strategies, policies, and measures that will be used to protect the County from, and facilitate adaptation to, the potential effects of climate change.
16. Benchmarks, monitoring procedures, amendment requirements, and other steps needed to ensure the County achieves its emissions reduction, protection, and adaptation goals.
17. Re-evaluation of policies, and measures relevant to climate change in the General Plan each time the General Plan is updated.

Mitigation Measure 4.7-1b: Implement Interim Project-Specific Greenhouse Gas Reduction Measures

Until a Greenhouse Gas Reduction Plan is adopted, the County will require discretionary projects to implement mitigation measures to reduce greenhouse gas emissions to help meet the 2020 emission reduction goals of AB 32 and the significance threshold of 3.09 MT CO₂e per service population per year in 2030. This process will include:

- Evaluating project emissions compared to the 2020 emission reduction goals of AB 32 and the significance threshold of 3.09 MT CO₂e per service population per year in 2030, and formulating feasible measures necessary for the project to demonstrate the ability to help meet these targets.

Reduction potentials for adopted measures should be calculated using the most currently available research and literature and CAPCOA's Quantifying Greenhouse Gas Mitigation Measures report (CAPCOA 2010).

- Assessing VMT and implementing measures to reduce VMT, including but not limited to:
 1. Providing pedestrian, bicycle, and/or transit access, amenities, or funding, including (but not limited to) internal access, bike lanes, bike parking, and ride sharing;
 2. Traffic calming measures to reduce vehicle speeds;
 3. Providing a mix of uses and density that support pedestrian and transit access;
- Assessing energy consumption and implementing measures to reduce energy use. Sample measures include but are not limited to installing energy efficient appliances and boilers, "cool" roofs and pavements, higher-efficiency interior and exterior lighting, and on-site renewable energy generation.
- Reducing water use, including but not limited to use of grey water, low-flow fixtures, water-efficient landscapes and irrigation systems, reduced turf, and native or drought-tolerant landscaping.

4.5.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.7-1a and 4.7-1b have been required in, or incorporated into, the General Plan. Mitigation Measure 4.7-1a would require development of a formal GHG reduction plan that would ensure GHG reduce emissions to be consistent with the AB 32 2020 goal and to the extent feasible to meet the 2030 efficiency metric of 3.09 MT CO₂e per service population. Mitigation Measure 4.7-1b would require that individual projects would implement measures to reduce GHG emissions during the interim period until the GHG reduction plan is adopted. However, it is unclear whether Mitigation Measures 4.7-1a and 4.7-1b would achieve the 2020 emission reduction goals of AB 32 and the 2030 efficiency metric of 3.09 MT CO₂e per service population due to uncertainties in the timing and effectiveness of implementation of State GHG regulations, as well as uncertainties in the ability of feasible mitigation measures to achieve the 2020 goals and the 2030 efficiency metric. No additional feasible mitigation measures are available to reduce this impact to a less-than-significant level. Therefore, the impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.5.2 CONFLICT WITH A GHG REDUCTION PLAN (IMPACT 4.7-2)

The General Plan would conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions because it would not achieve AB 32's emission reduction goals. This impact would be significant.

4.5.2.1 Mitigation

Implement Mitigation Measures 4.7-1a and 4.7-1b

4.5.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.7-1a and 4.7-1b have been required in, or incorporated into, the General Plan. Mitigation Measure 4.7-1a would require development of a formal GHG reduction plan that would ensure GHG reduce emissions to be consistent with the AB 32 2020 goals and to the extent feasible to meet the 2030 efficiency metric of 3.09 MT CO₂e per service population. Mitigation Measure 4.7-1b would ensure that individual projects would implement measures to reduce GHG emissions. However, it is unclear whether Mitigation Measures 4.7-1a and 4.7-1b would achieve the 2020 emission reduction goals of AB 32 and the 2030 efficiency metric of 3.09 MT CO₂e per service population due to uncertainties in the timing and effectiveness of implementation of State GHG regulations, as well as uncertainties in the ability of feasible mitigation measures to achieve the 2020 goals and the 2030 efficiency metric. No additional feasible mitigation measures are available to reduce this impact to a less-than-significant level. Therefore, the impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.6 Hazards and Hazardous Materials

4.6.1 EXPOSURE OF STRUCTURES TO URBAN AND WILDLAND FIRE (IMPACT 4.8-7)

Implementation of the General Plan would result in development of areas considered to have a moderate, high, or very high fire threat level. Compliance with California Building Code regulations and other state fire safety requirements would minimize wildland fire risks. However, despite implementing regulatory requirements, the General Plan would still place increasing numbers of people and structures in areas subject to high- and very-high fire hazard severity, exposing people and structures to a significant risk of loss, injury, or death. Thus, this impact would be significant.

4.6.1.1 Mitigation

Mitigation Measure 4.8-7a: Implement Program D-2: Fire-Safe Development

- a. The County will review new development applications in moderate, high, and very high fire hazard severity zones to confirm they meet the standards of the Title 24 Wildland Urban Interface Building Codes and 14 CCR 1270.
- b. The County will require new structures and improvements to be built to support effective firefighting.
- c. New development applications in very high fire hazard severity zones shall include specific fire protection plans, actions, and/or comply with Wildland Urban Interface codes for fire engineering features.
- d. The County will seek fire district input on development applications to allow proposed projects to incorporate fire-safe planning and building measures. Such measures may include (but are not limited to) buffering properties, creating defensible space around individual units, using fire-resistant

building materials, installing sprinkler systems, and providing adequate on-site water supplies for firefighting.

- e. Transportation improvements shall incorporate access for firefighting, within and between existing neighborhoods to provide improved connectivity, but also in areas with no structures. Access standards include minimum width, surface, grade, radius, turnaround, turnout, and bridge standards, as well as limitations on one-way roads, dead-end roads, driveways, and gate entrances.
- f. Where public water is available, the County will consult with water agencies on needs for additional water, water mains, fire hydrants, and related appurtenances needed to meet required fire flow criteria and for sufficient water capacity to serve peak demands of multiple fire engines to protect improvements from wildland fires.
- g. A 100' setback for defensible space will be required, when possible, for high density multiple-family residential or sensitive uses (e.g., care homes, schools, large day care facilities, etc.) proposed to be located in high or very high fire hazard severity zones.

Mitigation Measure 4.8-7b: Implement Program F-3: Fire Services Funding

- a. The County will consult with the Amador Fire Protection District to establish funding mechanisms, including impact fees, to offset fire protection costs for new development in areas of high wildfire risk.

4.6.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.7-7a and 4.7-7b have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.8-7a and 4.8-7b would reduce impacts associated with an increased risk of wildland fires because they would require vegetation management, reduce the fire threats associated with new development in the wildland urban interface, and identify funding sources for improved fire protection. However, implementation of these programs would not reduce the hazard below the level of significance. Because nearly the entire County is characterized as a high- or very high- fire hazard severity zone, construction of new residential, commercial, and industrial uses would result in an increased population in areas subject to significant wildland fire risks. No additional feasible mitigation is available to reduce this impact to a less-than-significant level. This impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.7 Hydrology and Water Quality

4.7.1 INTERFERENCE WITH GROUNDWATER RECHARGE OR SUBSTANTIAL DEPLETION OF GROUNDWATER SUPPLIES (IMPACT 4.9-4)

Implementation of the General Plan would result in new development in the planning area, including buildings, structures, paved areas, roadways, utilities, and other improvements. This new development would result in additional impervious surfaces and could reduce groundwater recharge and the yield of hydrologically connected wells. This impact would be significant.

4.7.1.1 Mitigation

Implement Mitigation Measure 4.9-1c: Implement Program P-1e, Zoning Code and Development Regulations.

Mitigation Measure 4.9-4a: Implement Program F-2a, Future Water Supplies and Funding

- a. In consultation with the County's water suppliers and local agencies, the County will identify and pursue alternative funding sources for projects that improve water resources and management in Amador County.

Mitigation Measure 4.9-4b: Implement Program P-3 a1-3 and b, Future Water Supply

- a. The County will provide input to water providers in their efforts to plan for coordinated response to future water demand, and future water supply emergencies, including needed capacity during wildfires, and droughts. These efforts would include integrated regional water management plans (addressing surface and groundwater resource, wastewater, stormwater treatment and use, development of reclaimed water, and flooding). These plans should include information on areas with water service capacity. The objective of this planning effort is to assure sufficient reliable water supplies are available to serve new projects, as well as existing and planned development. This planning effort will include:
 1. Planning for adequate water supply and water treatment capacity to support future development.
 2. Development and implementation of reasonable best management practices for water conservation. These may include (but are not limited to) use of graywater, reclaimed, or recycled water for irrigation, water-conserving plumbing fixtures, and low-water landscapes.
 3. Development of water-use standards and regulations to limit demands during water supply emergencies and droughts.
- b. The County will consult with water suppliers as they pursue water and wastewater plans to develop adequate water supplies through expansion of surface water storage, conjunctive use of surface water and groundwater, water conservation, and water recycling.

Mitigation Measure 4.9-4c: Adequate Water Supply

- a. Where required by State law, the County shall prepare water supply assessments pursuant to the California Water Code (§10910-10915) at the applicants' expense to analyze the ability of water supplies to meet the needs of regulated projects, The County shall not approve projects which cannot demonstrate an adequate water supply.

4.7.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.9-4a, 4.9-4b, 4.9-4c, and 4.9-1c have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.9-4a, 4.9-4b, 4.9-4c, and 4.9-1c would reduce the potential for impacts on groundwater levels, but not to a less-than-significant level because the General Plan could still substantially deplete groundwater supplies and interfere substantially with groundwater recharge. These mitigation measures would require water

conservation BMPs, standards, and regulations to limit demand in normal and drought years. Mitigation Measure 4.9-4c would require that any developments as a result of the General Plan have adequate water supplies, both in the AWA service area and the fractured rock groundwater environments outside of the service area and DWR-defined groundwater basins in the western portion of the County under the auspices of the MAC IRWMP. Mitigation Measure 4.9-4b would also require that the County consult with water suppliers to insure adequate water supplies without depleting groundwater, would implement conjunctive use and other approaches to insure sustainable perennial yield and avoidance of overdraft to help ensure reliable groundwater levels, and would involve County support of groundwater studies and management plans by local and state agencies. Mitigation Measure 4.9-1c would require the use of LID techniques in new development, which would help to maintain the surface area available for recharge. However, since the majority of groundwater use in the planning area would continue to come from individual private wells, and data concerning groundwater yield is not consistently available, and no additional feasible mitigation is available to reduce this impact to a less-than-significant level, this impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.8 Noise

4.8.1 RESULT IN A SUBSTANTIAL TEMPORARY OR PERIODIC INCREASE IN AMBIENT NOISE LEVELS (IMPACT 4.11-1)

Short-term construction source noise levels could result in a substantial temporary or periodic increase in ambient noise levels at nearby noise-sensitive receptors. This impact would be significant.

4.8.1.1 Mitigation

Mitigation Measure 4.11-1a: Implement Program D-11(m), Noise Standards

All construction equipment shall be properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (e.g., mufflers, silencers, wraps); all impact tools will be shrouded or shielded; and all intake and exhaust ports on power equipment will be muffled or shielded.

Mitigation Measure 4.11-1b: Construction Noise Abatement

The County will require the use of noise control techniques during construction activities to avoid effects on nearby sensitive receptors. In addition to properly maintained construction equipment, these techniques may include temporary construction sound barriers adjacent to construction noise sources or receptors when all other feasible methods fail to reduce construction noise to acceptable levels.

4.8.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.11-1a and 4.11-1b have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.11-1a and 4.11-1b would reduce impacts from construction noise requiring on-site mitigation of noise-generating equipment and use of construction noise control techniques, potentially including temporary construction sound barriers, where appropriate. Individual, new development projects would be required to undergo project-specific environmental review. If project-level significant impacts are identified, project-specific mitigation measures would be required under CEQA. However, construction noise, depending on the location of

nearby sensitive receptors in relation to a particular construction site, could result in a substantial temporary increase in ambient noise levels at those receptors even after all feasible mitigation measures are imposed. No additional feasible mitigation is available to reduce this impact to a less-than-significant level. As a result, impacts are significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.8.2 RESULT IN A SUBSTANTIAL PERMANENT INCREASE IN AMBIENT (TRAFFIC) NOISE LEVELS (IMPACT 4.11-2)

Long-term project-generated traffic noise under the General Plan could create a substantial permanent increase in ambient noise levels at noise-sensitive receptors due to increased traffic noise. This impact would be significant.

4.8.2.1 Mitigation

Mitigation Measure 4.11-2: Implement Program D-11(h), Noise Standards

During review of development proposals by the Land Use Agency and CEQA review, the County will apply noise standards from Tables N-3 and N-4 in the Noise Element. New developments proposing noise-sensitive land uses in areas exposed to existing or projected noise levels from transportation and other noise sources shall incorporate noise control techniques, including but not limited to those identified in Table N-2 [Table 4.11-12] to reduce noise exposure in outdoor activity areas and interior spaces to acceptable levels, as specified in Tables N-3 [Table 4.11-1] and N-4 [Table 4.11-2] of the General Plan.

4.8.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.11-2 have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measure 4.11-2 would reduce traffic noise impact for new potentially noise-sensitive uses; these uses would be required to reduce noise levels in accordance with the County's noise standards. In addition, individual, new development projects and transportation projects would be required to undergo project-specific environmental review. If project-level significant impacts are identified, project-specific mitigation measures would be required under CEQA.

However, increases in traffic noise would also have the potential to affect existing developed uses. Since long-term noise levels from project-generated vehicular traffic would result in substantial increases in ambient noise levels based on the significance criteria identified above in Table 4.11-10, and no additional feasible mitigation is available to reduce this impact to a less-than-significant level, this impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.8.3 EXPOSE NOISE SENSITIVE RECEPTORS TO OPERATIONAL (TRAFFIC) NOISE LEVELS EXCEEDING STANDARDS (IMPACT 4.11-3)

Long-term traffic noise under the General Plan would exceed OPR standards at noise-sensitive receptors. Development under the General Plan would increase traffic noise levels substantially and above applicable noise standards for sensitive receptors. This impact would be significant.

4.8.3.1 *Mitigation*

Implement Mitigation Measure 4.11-2

4.8.3.2 *Finding*

The Board finds that the provisions of Mitigation Measures 4.11-2 have been required in, or incorporated into, the General Plan. With implementation of Mitigation Measure 4.11-2, traffic noise impacts would be reduced because new potentially noise-sensitive uses would be required to adhere to the noise standards set forth in these mitigation measures. In addition, individual, new development projects and transportation projects would be required to undergo project-specific environmental review. If project-level significant impacts are identified, project-specific mitigation measures would be required under CEQA. However, even with implementation of this program, traffic noise could exceed standards at some locations, and increases in traffic noise would also have the potential to affect existing developed uses. Since long-term noise levels from project-generated vehicular traffic would cause certain roadway segments to exceed 60 dBA Ldn, and no additional feasible mitigation is available to reduce this impact to a less-than-significant level, this impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.8.4 EXPOSE NOISE SENSITIVE RECEPTORS TO RAILROAD NOISE LEVELS EXCEEDING AMADOR COUNTY STANDARDS (IMPACT 4.11-4)

Long-term noise generated by railroads could exceed noise levels at existing and future noise sensitive receptors, exposing them to substantial increases in noise levels. This impact would be significant.

4.8.4.1 *Mitigation*

Implement Mitigation Measure 4.11-2

Mitigation Measure 4.11-4: Implement Program D-11(i), Noise Standards

The County will require the evaluation of railroad noise impacts for any proposed residential or other sensitive use development located within 750 feet of a railroad corridor. The evaluation shall include potential for waking associated with rail movement and horn blowing.

4.8.4.2 *Finding*

The Board finds that the provisions of Mitigation Measures 4.11-2 and 4.11-4 have been required in, or incorporated into, the General Plan. With adherence to and implementation of Mitigation Measures 4.11-2 and 4.11-4, program-level railroad noise impacts would be reduced by requiring design considerations specific to noise levels and the potential for increase in the incidence of noise due to rail traffic, both instantaneous and average daily noise levels, in order to maintain the noise level standards of the County. In addition, individual, new development projects would be required to undergo project-specific environmental review. If project-level significant impacts are identified, project-specific mitigation measures would be required under CEQA.

However, even with implementation of these measures, rail noise would exceed standards at some locations, including for existing sensitive receptors along the rail line. Thus, since long-term noise levels from rail traffic on land uses that could be permitted under the project would result in substantial increases in ambient noise levels based on the significance criteria identified above in Table 4.11-9, and

no additional feasible mitigation is available to reduce this impact to a less-than-significant level, this impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.8.5 EXPOSURE OF NOISE SENSITIVE RECEPTORS TO STATIONARY SOURCE NOISE LEVELS EXCEEDING AMADOR COUNTY STANDARDS. (IMPACT 4.11-5)

Existing and future stationary sources of noise could conflict with noise standards and affect nearby sensitive receptors, exposing them to substantial increases in noise levels. This impact would be significant.

4.8.5.1 Mitigation

Implement Mitigation Measure 4.11-2

Mitigation Measure 4.11-5a: Implement Program D-11(c), Noise Standards

Where legally permitted, the County will require that the newest land use is responsible for mitigating noise, whether as a generator or sensitive receptor. If a new use that generates noise is proposed adjacent to lands zoned for uses that may be sensitive to noise (i.e., residential neighborhoods), then the noise-generating use is responsible for mitigating noise consistent with Noise Element Tables N-3 [Table 4.11-1] and N-4 [Table 4.11-2] standards along the property line of the affected land use. Where sensitive uses are proposed near noise sources or lands with zoning that would permit new noise sources, these new uses are responsible for mitigating their noise exposure consistent with the standards in Tables N-3 and N-4 of the Noise Element. The County seeks to protect the continued viability of economically valuable activities that produce noise (including farm operations, mining activities, commercial and industrial facilities, and airports).

Mitigation Measure 4.11-5b: Implement Program D-11(d), Noise Standards

During review of development proposals, the County will apply daytime and nighttime land use/noise environment standards at the property line of the source as shown in Table N-4 [Table 4.11-2] of the Noise Element for non-transportation sources.

Mitigation Measure 4.11-5c: Implement Program D-11(e), Noise Standards

During review of development proposals, the County will apply the standards in Table D-11-1 [Table 4.11-10]. These standards identify what changes to ambient noise levels at the property line of a sensitive receptor will be considered to be significant noise increases. Land uses within the County that are considered to be noise-sensitive include any residential property or residential unit located within a vertical mixed-use development on a single-parcel, residential divisions of land, residential land use designations, schools, churches, hospitals, care facilities, libraries, and auditoriums.

Mitigation Measure 4.11-5d: Implement Program D-11(f), Noise Standards

During review of development proposals by the Land Use Agency and CEQA review, the County will apply the noise standards identified in Table N-3 [Table 4.11-1], as measured at the property line. These standards limit acceptable periodic noise increases to the levels shown in Table D-11-2 [Table 4.11-13].

Period of Noise Level Increase	Allowable Increase
Cumulative period of 30 minutes per hour	0 dB L _{eq}
Cumulative period of 15 minutes per hour	5 dB L _{eq}
Cumulative period of 5 minutes per hour	10 dB L _{eq}
Cumulative period of 1 minutes per hour	15 dB L _{eq}
Not be exceeded at any time	20 dB L _{eq}
Note: CNEL = community noise equivalent level; dB = decibels; L _{dn} = day-night average noise level Sources: Federal Interagency Committee on Noise. 1992 (August). <i>Federal Agency Review of Selected Airport Noise Analysis Issues</i> . Washington, DC. Page 3-5.	

4.8.5.2 Finding

The Board finds that the provisions of Mitigation Measures 4.11-2, 4.11-5a, 4.11-5b, 4.11-5c, and 4.11-5d have been required in, or incorporated into, the General Plan. Implementation of Mitigation Measures 4.11-2, 4.11-5a, 4.11-5b, 4.11-5c, and 4.11-5d, would reduce noise levels attributable to stationary sources. However, it may not be feasible for some projects to achieve the County's noise standards or the allowable increases in Table 4.11-10 or allowable hourly increase in Table 4.11-13, of this EIR, (60 dBA L_{eq} daytime, 45 dBA L_{eq} nighttime) at noise sensitive receptors. No additional feasible mitigation is available to reduce this impact to a less-than-significant level. Therefore, this impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.9 Population and Housing

4.9.1 PERMANENT INCREASE IN POPULATION GROWTH. (IMPACT 4.12-1)

Implementation of the General Plan would result in substantial population growth through future development of residential, commercial, and industrial uses throughout the planning area. This impact would be significant.

4.9.1.1 Mitigation

No feasible mitigation measures are available.

4.9.1.2 Finding

Because the purpose of the General Plan is to accommodate the most recent population growth, housing, and employment projections in an orderly manner, no feasible mitigation measures are available to reduce the potential for population growth to a less-than-significant level. The County cannot meet its economic development and housing needs without accommodating additional residents and workers. Because there are no feasible mitigation measures, this impact would remain significant and unavoidable.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.10 Public Services and Utilities

4.10.1 INCREASED DEMAND FOR WATER SUPPLIES. (IMPACT 4.13-1)

Implementation of the General Plan would increase the demand for surface water and groundwater supplies in the planning area. Although the County's water purveyors have identified plans to provide an adequate water supply, uncertainties regarding the availability of long-term water supplies needed to serve new development under the General Plan in certain locations make this impact significant.

4.10.1.1 Mitigation

Mitigation Measure 4.13-1a: Implement Program D-1a(4-5), Development Proposal Evaluation

- a. The County will review proposed projects for consistency with goals, policies, and implementation programs of this general plan.

Evaluation criteria for discretionary development proposals include:

4. Availability of public water and wastewater, and ability to connect to existing water and wastewater systems. The objective of this program is to avoid impacts related to lack of reliable water supply, including sufficient water for fire hydrant flow criteria, or wastewater service. If feasible, new units will be required to connect to nearby existing water or wastewater systems. Project applicants must demonstrate the availability of water supply, water treatment capacity and wastewater treatment.

If increased water or wastewater capacity is required, applicants must pay their fair share of the necessary improvements. Where septic or connection to an existing wastewater system is not feasible, the County will require new development to demonstrate a means of wastewater collection, treatment, and reuse or disposal will be created that would be operated by an approved entity with adequate technical, financial, and managerial resources to assure safe and effective operation. Any such proposed method shall be consistent with goals and objectives of the general plan as well as any planning goals of the operating entity.

5. Availability of water and septic capacity. For projects being served by private well and septic systems, the applicant must demonstrate the availability of sufficient water and septic treatment capacity in accordance with the County's Code.

Mitigation Measure 4.13-1b: Implement Program P-3 a1-3 and b, Future Water Supply

- a. The County will provide input to water suppliers in their efforts to plan for coordinated response to future water demand, and future water supply emergencies, including needed capacity during wildfires, and droughts. These efforts would include integrated regional water management plans (addressing surface and groundwater resource, wastewater, stormwater treatment and use, development of reclaimed water, and flooding). These plans should include information on areas with water service capacity. The objective of this planning effort is to assure sufficient reliable water supplies are available to serve new projects, as well as existing and planned development. This planning effort will include:

1. Planning for adequate water supply and water treatment capacity to support future development.
 2. Development and implementation of reasonable best management practices for water conservation. These may include (but are not limited to) use of graywater, reclaimed, or recycled water for irrigation, water-conserving plumbing fixtures, and low-water landscapes.
 3. Development of water-use standards and regulations to limit demands during water supply emergencies and droughts.
- b. The County will consult with water suppliers as they pursue water and wastewater plans to develop adequate water supplies through expansion of surface water storage, conjunctive use of surface water and groundwater, water conservation, and water recycling.

Mitigation Measure 4.13-1c: Implement Program F-1, Infrastructure Improvements

- a. In order to assure that adequate infrastructure is in place to support existing and planned development, the County will consult with water and wastewater providers to support development of new treatment facilities or conveyance systems to minimize:
1. Disposal by leach field in areas of marginal soils or site conditions which may lead to degrading groundwater quality.
 2. Potential threats to water resources or the public from wastewater treatment system failures.
 3. The risk of loss of life or property due to inadequate water infrastructure that serves fire hydrants.
- b. The County will maintain and improve existing drainage and stormwater infrastructure. Where right-of-way is available, new drainage and stormwater infrastructure may be developed as needed. The County will explore consolidation of this function to a single County department or responsible agency. When maintaining or developing drainage and/or stormwater infrastructure, the County will consider vector control needs.
- c. The County will consult with businesses interested in expanding existing operations or establishing new operations regarding installation of necessary infrastructure improvements. County actions may include:
1. Share existing engineering studies and plans (in conjunction with Amador Water Agency and other water providers) on water supply and treatment capacities, wastewater collection, conveyance and treatment capacities, stormwater drainage and roadway improvements.
 2. Consult with project applicants where County improvement plans call for extension or upgrades to infrastructure.
 3. Consider financing options to assist applicants in providing necessary infrastructure, including tax credits, deferred fee payment programs, reimbursement of costs for infrastructure improvements and amortization of infrastructure fees.
 4. Allow for phased extension or upgrades to infrastructure in conjunction with approved phasing plans for site development.

Mitigation Measure 4.13-1d: Implement Program F-2a-c & e, Future Water Supplies and Funding

- a. In consultation with the County's water suppliers and local agencies, the County will identify and pursue alternative funding sources for projects that improve water resources and management in Amador County.
- b. Consult with Amador County water purveyors to find adequate water for agricultural users. Agricultural water users should be encouraged to utilize surface water supplies, reclaimed water or treated wastewater. Encourage water purveyors to develop an agricultural water fee scale.
- c. Consult with Amador County water purveyors to retain access to water rights and both existing and potential points of diversion on all rivers and waterways within the County.
- e. Encourage local, state and federal water development projects beneficial to Amador County and work to develop additional water rights.

4.10.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, and 4.13-1d have been required in, or incorporated into, the General Plan. Implementation of mitigation measures 4.13-1a, 4.13-1b, 4.13-1c, and 4.13-1d would reduce this impact by requiring any development that would occur under the General Plan to demonstrate available water supply, from a public system if available or from a private water well meeting the County's existing requirements, along with efforts to fund and efficiently provide future capacity. However, because of uncertainties associated with the potential availability of future surface water and groundwater supplies in some locations, this impact would remain significant and unavoidable. No other feasible mitigation measures are available to reduce this impact to less than significant levels.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.10.2 INCREASED DEMAND FOR WATER CONVEYANCE AND TREATMENT FACILITIES. (IMPACT 4.13-2)

Implementation of the General Plan would increase demand for water storage, conveyance, and treatment facilities in the planning area. The availability of new water service connections is restricted by limited capacity at the Ione and Tanner WTPs and supply facilities at the Jackson Valley Irrigation District. New or expanded water supply facilities that could have significant impacts would be needed to serve growth under the General Plan. This impact would be significant.

4.10.2.1 Mitigation

Mitigation Measure: Implement Mitigation Measures 4.13-1a, 4.13-1b 4.13-1c, and 4.13-1d

4.10.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, and 4.13-1d have been required in, or incorporated into, the General Plan. Implementation of mitigation measures 4.13-1a, 4.13-1b, 4.13-1c, and 4.13-1d would reduce this impact by requiring any development that would occur under the General Plan to demonstrate available water supply facilities, along with efforts to fund and efficiently provide future facility capacities. However, because of uncertainties associated with the future

water conveyance and treatment capacity in certain locations, and because project-specific mitigation of the impacts of specific water supply facilities cannot be guaranteed, this impact would remain significant and unavoidable. No other feasible mitigation measures are available to reduce this impact to less than significant levels.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.10.3 INCREASED DEMAND FOR WASTEWATER COLLECTION, CONVEYANCE, AND TREATMENT FACILITIES. (IMPACT 4.13-3)

Implementation of the General Plan in compliance with the Central Valley Regional Water Control Board requirements would increase the demand for wastewater collection, conveyance, and treatment facilities in the planning area. AWA maintains eight community leachfield systems and two systems treat wastewater to a secondary level; however, some of these systems have limited capacity to serve new development. Wastewater collected by the AWA in the Martell area is conveyed to the Sutter Creek WWTP, which is currently operating at capacity. New or expanded wastewater facilities that could have significant impacts would be needed to serve growth under the General Plan. This impact would be significant.

4.10.3.1 Mitigation

Mitigation Measure: Implement Mitigation Measures 4.13-1a, 4.13-1b, and 4.13-1c

4.10.3.2 Finding

The Board finds that the provisions of Mitigation Measures 4.13-1a, 4.13-1b, and 4.13-1c have been required in, or incorporated into, the General Plan. Implementation of mitigation measures 4.13-1a, 4.13-1b, and 4.13-1c would reduce this impact by requiring any development that would occur under the General Plan to demonstrate available wastewater conveyance and treatment capacity, and working to fund and efficiently provide future capacity. However, because of uncertainties associated with the future wastewater conveyance and treatment capacity, and because project-specific mitigation of new or expanded wastewater facilities cannot be guaranteed, this impact would remain significant and unavoidable. No other feasible mitigation measures are available to reduce this impact to less than significant levels.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.11 Transportation

4.11.1 INCREASE IN TRAFFIC LEVELS ON STATE HIGHWAYS RESULTING IN UNACCEPTABLE LOS. (IMPACT 4.14-1)

Development and land use changes consistent with the General Plan would result in increased traffic levels on the following state highways within the County that would operate below the Caltrans LOS thresholds:

- ▶ SR 16 from the Sacramento/Amador County Line to SR 49

- ▶ SR 49 from the Calaveras/Amador County Line to the City of Jackson;
- ▶ SR 49 from SR 104 in Martell to the City of Plymouth;
- ▶ SR 88 from the San Joaquin/Amador County Line to Kirkwood Meadows Drive; and
- ▶ SR 104 in Ione and Martell.

This impact would be significant.

4.11.1.1 *Mitigation*

Mitigation Measure 4.14-1a: Implement Program D-1a(6), Development Proposal Evaluation

- a. The County will review proposed projects for consistency with goals, policies, and implementation programs of this general plan.

Evaluation criteria for discretionary development proposals (Program D-1a(6) shall also apply to ministerial development proposals) include:

- Impact on traffic and transportation infrastructure and provision of alternative transportation. The County will continue to require developments to pay into the traffic mitigation fee program(s) to mitigate impacts to roadways.

The County will require future ministerial and discretionary projects that exceed threshold traffic volumes to conduct traffic studies (following Amador County Traffic Impact Study Guidelines). The purpose of these traffic studies will be to identify and mitigate any cumulative or project impacts (roadways below the County's standard of LOS C for rural roadways, and LOS D for roadways in urban and developing areas) beyond the limits of the mitigation fee program(s).

Projects will be required to mitigate their identified offsite impacts by constructing improvements and/or pay a "fair share" of those improvements that would be required to mitigate impacts outside the established mitigation fee program(s) (See Program F-4). [see Mitigation Measure 4.14 1b, below] The objective of this program is to substantially reduce or avoid traffic impacts, including cumulative impacts, of development which would occur to implement the General Plan.

Mitigation Measure 4.14-1b: Implement Program F-4, Transportation Improvements

- a. Maintain the Regional and Local Traffic Impact Fee programs so that new transportation needs (including bicycle and pedestrian needs) generated by new development are paid for by the development on a proportional basis. Increased roadway capacity should be funded through developer fees to the extent legally possible.
- b. Use the County's annual Capital Improvement Program (CIP) process to prioritize, fund, and build required roadway improvements, and to address phasing and construction of circulation infrastructure throughout the County. Coordinate CIP priorities with the Regional Transportation Plan (RTP) and planned improvements to Caltrans facilities.
- c. Use the established CIP process to implement the circulation system shown on the Circulation Diagram (Figure CM-1). The County will secure funding for roadway improvements, will design and

build new roadways, and will complete roadway repairs and improvements. Future roadways must meet the County's roadway classification design specifications and performance criteria.

- d. For those project that require a traffic study, per Mitigation Measure 4.14-1a, and which identify required roadway improvements that are not included in the current RTP or CIP at the time, a fair-share fee calculation shall be conducted to identify the applicable fair-share requirements for the identified improvement(s). The results of fee calculation shall be paid and accounted for in a special account to fund the identified improvement(s), as applicable. The special account list for fair share funded improvement projects shall be posted or reported on a yearly basis to reflect total fair share contributions of the development projects to the identified traffic improvement(s).
- e. Review the Regional and Local Traffic Impact Fee program and the CIP process to ensure that bicycle and pedestrian improvements, goods movement, and transit facilities are represented to provide for the provision of Complete Streets.

Mitigation Measure 4.14-1c: Implement State Highway Roadway Improvements

- a. Caltrans has ultimate jurisdiction for implementing improvements—such as addition of travel lanes, turn lanes, or construction of bypasses—on State highways. The County will work with Caltrans and ACTC to implement roadway improvements required to meet Caltrans LOS standards on the identified segments of SR 16, SR 49, SR-88, and SR 104, to the extent feasible. These improvements consist of:
 - Improving SR 16 to four lanes throughout the County.
 - Improving SR 49 to four lanes from French Bar Rd in Jackson to Bush Street in Plymouth
 - Improving SR 88 to four lanes throughout the County.
 - Provide a new two-lane Ione bypass facility on SR 104, on an alignment north of the City of Ione between existing SR 104 west of Ione and SR 88 near Jackson Valley Road (east).

4.11.1.2 Finding

The Board finds that the provisions of Mitigation Measures 4.14-1a, 4.14-1b, and 4.14-1c have been required in, or incorporated into, the General Plan. Mitigation Measures 4.14-1a and 4.14-1b would require that projects under the General Plan provide their fair share of funding for future transportation improvements.

Mitigation Measure 4.14-c describes roadway improvements that would be required to improve LOS for state highways in Amador County. For the following segments, implementation of Mitigation Measure 4.14-1c would reduce the significant impacts on state highway LOS at the following locations, but not to a less-than-significant level, for the following reasons (post-mitigation LOS for the identified segments is provided in Appendix E of this document):

- b. Even with widening to four lanes, some of the urban portions of SR 49 in Jackson and north of SR 104 (east) in Martell could still experience LOS E or F conditions.
- c. If the portion of SR 49 from Amador/Calaveras County line to French Bar Rd in Jackson remains as two lanes consistent with the SR 49 transportation route concept then LOS would change from LOS C to E.

- d. The portion of SR 88 west of SR 104 (east) near Martell could still experience LOS E conditions.
- e. Even with widening to four lanes, some of the urban portions of SR 88 in Martell, Jackson, and Pine Grove could still experience LOS E or F conditions.
- f. If portions of SR 88 remain as two lanes or two-lanes with passing lane then LOS impacts on these portions would change from LOS D to F.
- g. If the portion of SR 104 in Martell from SR 88 to SR 49 remains as two lanes consistent with the SR 104 transportation route concept then this roadway would operate at LOS E.

Implementation of Mitigation Measure 4.14-1c would reduce the significant LOS impacts on the remaining state highway segments LOS to a less-than-significant level, by allowing these facilities to operate at LOS C or higher (See Appendix E for details). However, roadway expansion projects and new roadways could have the unintended adverse effect of inducing traffic and increasing VMT.

Caltrans's Transportation Concept Reports (TCRs) establish the "concept" or desired LOS for specific corridor segments and identify long-range improvements necessary to bring the existing facility up to the design concept to adequately serve 20-year traffic forecasts. In some cases (including SR 49 and SR 104), the necessary improvements to achieve LOS standards with implementation of the General Plan would require improvements beyond the existing Caltrans TCR plans. Furthermore, although the Regional Transportation Plan (RTP) identifies numerous improvements to state highways—including intersection improvements, passing lanes, and an Ione bypass—that would improve LOS, funding has not been identified to demonstrate with certainty that these improvements will be built before significant traffic impacts occur. Improvements to state highways would require a mix of State funding (including State Highway Operations and Protection Program, which provides funding for capital improvements relative to the maintenance, safety, and rehabilitation of state highways and bridges, and Minor construction program funding) and local funding, with the Amador County Traffic Mitigation Fee Nexus Plan as the primary local source of funding. Specific funding mechanisms and contributions for the remainder of the improvements identified in Mitigation Measure 4.14-1c have not been identified in the RTP.

The County and Caltrans may coordinate and implement improvements in accordance with the Transportation Route Concept for each facility that may reduce impacts at each of these facilities to a less-than-significant level. The County cannot assure the timely funding and implementation of improvements to State highways. Furthermore, the timing of many of these improvements is uncertain, and funding sources for these improvements have not been identified with certainty. Because of these uncertainties related to the timing and availability of funding for state highway improvements, as well as the fact that implementation of Mitigation Measure 4.14-1c would still not achieve acceptable LOS at several locations, this impact would be significant and unavoidable. No other feasible mitigation measures are available to reduce this impact to less-than-significant levels.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

4.11.2 INCREASE IN TRAFFIC LEVELS ON LOCAL ROADWAYS RESULTING IN UNACCEPTABLE LOS. (IMPACT 4.14-2)

Development and land use changes consistent with the General Plan would result in increased traffic levels that could produce unacceptable LOS conditions on portions of Ridge Road, Buena Vista Road,

Camanche Parkway, Camanche Road, Jackson Valley Road, and New York Ranch Road. This impact would be significant.

4.11.2.1 Mitigation

Implement Mitigation Measures 4.14-1a and 4.14-b.

Mitigation Measure 4.14-2: Implement Local Roadway Improvements

- a. The County will consult with ACTC to implement roadway improvements as required to meet the County's LOS standard (LOS C outside cities and developed communities, and LOS D within cities and developed communities). Typical improvements to be implemented may include (but are not limited to):
- b. Shoulder widening, lane widening, addition of left turn lanes or passing lane, and other intersection improvements to improve traffic carrying capacity;
- c. Addition of left-turn lanes and other intersection improvements to improve intersections and major access points; and
- d. Widening roadways from two lanes to four lanes.

4.11.2.2 Finding

The Board finds that the provisions of Mitigation Measures 4.14-1a, 4.14-1b, and 4.14-2 have been required in, or incorporated into, the General Plan. Funding has not been identified to demonstrate with certainty that these improvements will be built before General Plan growth causes unacceptable LOS. The Regional Traffic Mitigation Fee Program is the primary local source of funding, both for improvements to local roads, and for local contributions to improvements on State facilities. Specific funding mechanisms and contributions for the improvements identified in Mitigation Measure 4.14-2 have not been identified. Mitigation Measures 4.14-1a and 4.14-1b would generate funding for improvements based on the "fair share" of the cost from each project that would proceed under the General Plan. However, the 2004 RTP indicates that more than \$96 million in local road improvements had no foreseeable funding source (ACTC 2004:VII-2). Given the lack of funding for improvements that are already needed under baseline conditions, and uncertainty related to the timing of future projects, funding might not be in place and all improvements might not be feasible prior to increases in traffic that would result in inadequate LOS on the facilities identified in this impact discussion. Because of these uncertainties related to the timing and availability of funding for improvements, this impact would be significant and unavoidable. As discussed above, roadway expansion projects and new roadways could have the unintended adverse effect of inducing traffic and increasing VMT. No other feasible mitigation measures are available to reduce this impact to less than significant levels.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

5 Cumulative Impacts⁴

5.1 Impact 6-1 Cumulative Aesthetic Impacts

The General Plan would result in significant impacts related to scenic vistas (Impact 4.1-1), scenic highways (Impact 4.1-2), degradation of existing visual character (Impact 4.1-3), and new sources of light and glare (Impact 4.1-4). Although Mitigation Measures 4.1-1, 4.1-2, and 4.1-4 would help reduce these impacts, as explained in Section 4.1 there are no feasible mitigation measures to reduce these impacts to a less-than-significant level.

Land use changes that would occur in the planning area with implementation of the General Plan would create significant cumulative impacts on scenic vistas, visual character, and light and glare and skyglow effects. Although impacts related to scenic highways (SR 88) are significant with implementation of the General Plan, in the regional context, because projected growth in the incorporated cities would not affect conditions along the portion of SR 88 that is designated as a scenic highway, there would be no significant cumulative effects related to scenic highways.

5.1.1 FINDING

Despite mitigation measures identified in the EIR that would reduce impacts related to scenic vistas, visual character, and increased light and glare and skyglow effects, these impacts would occur in the context of broader regional growth and land use change, and therefore result in cumulatively considerable contributions to significant cumulative impacts. No additional feasible mitigation is available to reduce these impacts to a less-than-cumulatively considerable level. These impacts would remain cumulatively considerable and unavoidable even after mitigation.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

5.2 Impact 6-2 Cumulative Agricultural and Forest Resources Impacts

Because only a tiny fraction of the more than 93,000 acres of land under Williamson Act contracts could potentially be developed for residential use under the General Plan, the impact on lands under Williamson Act contracts (Impact 4.2-2) is less than significant and there would be no significant cumulative effects on these lands. All General Plan land use designations, except industrial, are compatible with existing forestland and timberland zoning districts and the General Plan does not allow industrial land use in any new forest or timberland areas; therefore, impacts related to conflicts with forestland and Timberland Zoning (Impact 4.2-4) are less than significant and would not contribute to significant cumulative effects.

Because agricultural and forest resources in the planning area represent the largest share of these resources within the County as a whole, the significant impacts resulting from the implementation of the General Plan including Farmland conversion (Impact 4.2-1), conflict with existing agricultural uses (Impact 4.2-3), and conversion of forestland to non-forest uses (Impact 4.2-5) represent significant

⁴ EIR Chapter 6 provides further factual support for the cumulative impact findings.

cumulative impacts because regional growth would add to these impacts; the General Plan's contribution to these impacts would be cumulatively considerable.

Through mitigation measures, the County will seek to reduce impacts related to conversion of Farmland), including evaluation of projects to use site-planning techniques to avoid or reduce encroachment on Farmland and through enforcement of the County's Agricultural Lands and Operations Ordinance. The County will also reduce the cumulative loss of Farmland by requiring that one acre of Farmland be protected through conservation easements for each acre of Farmland that is permanently removed from agricultural use. However, no new Farmland would be created and the productivity of existing Farmland would not be improved through these measures. Mitigation measures would also reduce conversion of forestland to non-forest uses.

5.2.1 FINDING

The purpose of the General Plan is to accommodate long-range physical development of the community. There is no additional feasible mitigation other than the mitigation measures referenced in the EIR for impacts related to conversion of Farmland and forestland to other uses, and conflicts with existing agricultural uses. Given the growth in population and resulting development from implementation of the General Plan, combined with growth and development in the incorporated cities, and the rural nature of the regional setting, impacts related to conversion of Farmland and forestland to other uses from implementing projects under the General Plan, and on conflicts with agricultural uses, would result in cumulatively considerable contributions to significant cumulative impacts. These impacts would remain cumulatively considerable and unavoidable even after mitigation. No additional feasible mitigation is available to reduce impacts on Farmland conversion, conflicts with existing agricultural uses, and conversion of forestland to non-forest uses to less-than-cumulatively considerable levels.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

5.3 Impact 6-3 Cumulative Air Quality Impacts

Construction activities associated with General Plan implementation could result in significant criteria air pollutant and precursor emissions (Impact 4.3-1). Although the County will implement several mitigation measures to reduce this impact (Mitigation Measures 4.3-1a and 4.3-1b) these measures would not reduce the impact to a less-than-significant level. However, construction related emissions are temporary and based on the projected growth rate in the County, the amount of development occurring simultaneously is not anticipated to result in a considerable cumulative impact. Additionally, during site grading and rock blasting activities related to construction under the General Plan, serpentine soils could be disturbed potentially exposing sensitive receptors (e.g., schools) to naturally occurring asbestos (NOA) (Impact 4.3-5); however, the County would implement Mitigation Measure 4.3-5, which would reduce the impact to less than significant. Because the exposure would be localized and short-term, construction activities would not result in a significant cumulative effect.

Implementation of the General Plan is not anticipated to generate significant long-term CO emissions (Impact 4.3-3) from local mobile sources and long-term project operations, because they do not significantly differ from the County's CO emissions average; therefore, this impact (CO emissions) is not a significant cumulative effect. The County would also implement Mitigation Measure 4.3-6 that requires projects to undergo environmental review and to mitigate for odor impacts (Impact 4.3-6), resulting in a

less than significant impact. Odor impacts are inherently localized and site-specific, and therefore, would not contribute to a significant cumulative effect.

Increases in operational emissions associated with new development under the General Plan would emit additional criteria air pollutants and precursors (ROG, NOX, PM₁₀, and PM_{2.5}) (Impact 4.3-2). Although Mitigation Measures 4.3-2a and 4.3-2b would reduce these impacts, there would still be significant long-term impacts on the region's emission profile. There is no additional feasible mitigation. The General Plan's operational emissions would contribute to a significant cumulative effect, and are cumulatively considerable.

Exposure to toxic air contaminants (TACs) (Impact 4.3-4), associated with the use of heavy-duty construction equipment for projects implemented under the General Plan would not result in significant impacts to sensitive receptors (e.g., schools) because they are typically isolated to a single area (e.g., project site) and for a short period of time. Therefore, construction activity TACs would not result in a significant cumulative impact. However, TACs associated with operations of new development (stationary sources) could result in significant impacts to sensitive receptors. Although ARB's Air Quality and Land Use Handbook establishes siting distances from sensitive receptors, ARB also acknowledges that local agencies need to balance these "buffer zones" with other considerations, such as transportation needs. Implementation of the General Plan may result in operation of new land uses in areas that could expose sensitive receptors to existing TAC sources. Increased exposure to TACs under the General Plan emissions would contribute to a significant cumulative effect, and is a cumulatively considerable impact. Although Mitigation Measures 4.3-2a, 4.3-2b and 4.3-4a would reduce these impacts, they would still be significant. There is no additional feasible mitigation.

5.3.1 FINDING

In the regional context, and despite mitigation measures identified in the EIR that would reduce impacts related to long-term operational emissions and exposure of sensitive receptors to TACs, these impacts are cumulatively considerable contributions to significant cumulative air quality impacts. No additional feasible mitigation is available to reduce these impacts to a less-than-cumulatively considerable level. These impacts would remain cumulatively considerable and unavoidable even after mitigation.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

5.4 Impact 6-4 Cumulative Biological Resources Impacts

The geographic scope for cumulative biological impacts includes the entire County, as well as other nearby related habitat areas in eastern Sacramento and San Joaquin Counties and northwestern Calaveras County. Despite mitigation measures identified in the EIR that would reduce impacts to biological resources, the General Plan would have significant and unavoidable effects and significant cumulative effects on special-status species (Impact 4.4-1) resulting from land uses that would be allowed under the Plan. These new land uses could potentially reduce habitat and result in a loss of occurrences of species that are already vulnerable or imperiled statewide. Additionally, impacts to Ione chaparral (Impact 4.4-3) would remain significant after mitigation and result in significant cumulative effects under the General Plan.

Significant impacts related to riparian habitat (Impact 4.4-2), oak woodlands (Impact 4.4-4), and wetlands (Impact 4.4-5) would be less than significant after mitigation under the General Plan. However, impacts

to riparian habitat, oak woodlands, and wetlands from implementation of the General Plan in the regional context would result in significant cumulative impacts. Although Mitigation Measures 4.4-1a, 4.4-1b, 4.4-2, 4.4-3, 4.4-4a, 4.4-4b, and 4.4-5 would reduce these impacts, the incremental contribution from new development under the General Plan is a cumulatively considerable contribution to significant cumulative impacts with regard to riparian habitat, oak woodlands, and wetlands.

5.4.1 FINDING

Despite mitigation measures identified in the EIR to reduce impacts related to special status species, Ione chaparral, riparian habitat, oak woodlands, and wetlands, implementation of the General Plan would result in cumulatively considerable contributions to significant cumulative impacts on these resources. No additional feasible mitigation is available to reduce these impacts to a less-than-cumulatively considerable level. These impacts would remain cumulatively considerable and unavoidable even after mitigation.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

5.5 Impact 6-5 Cumulative Cultural Resources Impacts

The scope for cumulative impacts to cultural resources includes the entire County, where a similar environment and similar historic and prehistoric occupation patterns yield similar resources. Cumulative gains in population, households, and jobs would require a commensurate increase in infrastructure, capital facilities, services, housing, and commercial uses in the planning area and the incorporated cities. Each of these increases carries with it a corresponding increase in the magnitude of ground disturbance and the construction of new buildings and structures and other site development.

The General Plan would have significant effects related to the destruction of or damage to known cultural resources (Impact 4.5-1). The General Plan's contribution to significant cumulative impacts on known cultural resources would also be cumulatively considerable. Mitigation Measures 4.5-1a and 4.5-1b would reduce this impact to less than significant and less than cumulatively considerable levels.

The General Plan's impacts on cultural resources related to as-yet-unknown cultural resources (Impact 4.5-2) and disturbance of human remains (Impact 4.5-3) are significant, but would be reduced to a less-than-significant level with implementation of Mitigation Measures 4.5-1a, 4.5-1b, and 4.5-2. Although the cumulative impact on cultural resources and human remains from regional development would also be significant, these same mitigation measures would also reduce the General Plan's contribution to cumulative impacts on cultural resources to less than cumulatively considerable.

5.5.1 FINDING

For the reasons discussed above, implementing the General Plan, with applicable mitigation measures, would not result in a cumulatively considerable contribution to a significant cumulative impact on cultural resources.

5.6 Impact 6-6 Cumulative Geology, Soils, Minerals, and Paleontological Resources Impacts

Geology and soil hazards, including seismic ground shaking (Impact 4.6-1), seismic ground failure (Impact 4.6-2), landslides or avalanche (Impact 4.6-3), soil erosion (Impact 4.6-4), unstable soils (Impact 4.6-5), expansive soils (Impact 4.6-6), and soils with poor septic suitability (Impact 4.6-7) are related to conditions and circumstances at specific, individual sites. Although cumulative development in the County and its incorporated cities may include numerous projects with geologic and soil impacts, these impacts would affect each individual project, rather than resulting in an additive significant cumulative effect. Therefore, development under the General Plan would not result in a significant cumulative impact related to geology and soils.

The planning area has substantial mineral resources, including unique resources such as the Ione Formation. Development under the General Plan could result in a significant impact on known mineral resources (Impact 4.6-8) and create a significant cumulative impact because regional construction of new residential dwellings or non-residential uses in areas near existing or potential sources of mineral resources could affect their availability. However, Mitigation Measures 4.6-8a and 4.6-8b would require the County to regulate land uses in MRZ-2 areas (mineral resource zones) to ensure compatibility with mineral extraction, and would also evaluate development proposals to substantially reduce or avoid loss of mineral extraction potential, including locally important minerals. These measures would reduce the General Plan's impact to less than significant and render it less than cumulatively considerable post-mitigation.

Regional growth could add to the General Plan's significant impacts on unknown and potentially unique paleontological resources (Impact 4.6-9). Implementation of the General Plan would result in construction and other earthmoving activities that could disturb previously unknown paleontological resources in the County. However, implementation of Mitigation Measure 4.6-9 would reduce the General Plan's impact to less than significant and would render the General Plan's contribution to a significant cumulative impact to less than cumulatively considerable post-mitigation. Because implementation of the General Plan would not change existing land uses or increase risks or exposure to hazards adjacent to water bodies large enough to be subject to seiche (lakes and reservoirs including Camanche Reservoir, Pardee Reservoir, Lake Amador, etc.), this Impact (4.6-10) is less than significant and also less than cumulatively considerable.

5.6.1 FINDING

For the reasons discussed above, implementing the General Plan, with applicable mitigation measures, would not result in a cumulatively considerable contribution to a significant cumulative impact on geological, soil, mineral, and paleontological resources.

5.7 Impact 6-7 Cumulative Greenhouse Gas Emissions Impacts

Greenhouse gas (GHG) emissions impacts are inherently cumulative (Impacts 4.7-1 and 4.7-2), so the General Plan's significant GHG impacts are also cumulatively considerable contributions to significant cumulative GHG impacts. Implementation of Mitigation Measures 4.7-1a and 4.7-1b (Develop and Implement a Greenhouse Gas Reduction Plan and Implement Interim Project-Specific Greenhouse Gas Mitigation Measures) would not render the General Plan's contributions to cumulative GHG impacts less than significant or less than cumulatively considerable.

5.7.1 FINDING

Despite inclusion of mitigation measures identified in the EIR to reduce impacts related to GHG emissions, implementation of the General Plan would result in cumulatively considerable contributions to significant cumulative impacts. No additional feasible mitigation is available to reduce these impacts to a less-than-cumulatively considerable level. These impacts would remain cumulatively considerable and unavoidable even after mitigation.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

5.8 Impact 6-8 Cumulative Hazards and Hazardous Materials Impacts

The cumulative context for hazards and hazardous materials would be the County and its incorporated cities, where similar terrain and transportation systems present similar hazards.

Regional growth and development in the County would increase the use, transport, and disposal of hazardous materials (Impact 4.8-1). However, as with the County, other regional jurisdictions are required to follow federal, state and local hazardous materials regulations that would ensure that this incremental impact and the cumulative impact would be less than significant.

Regional growth and development would result in increased traffic congestion and additional residents requiring evacuation in case of an emergency, resulting in significant incremental and cumulative impacts regarding interference with adopted emergency plans (Impact 4.8-2). Population growth would also increase the potential for people to be exposed to hazards related to abandoned or unused mines (Impact 4.8-3) and creating hazards through location of development on sites on the Cortese List (Impact 4.8-4), resulting in cumulatively significant impacts. However, Mitigation Measures 4.8-2a (Implement Program P-12, Emergency Response), 4.8-2b (Implement Program D-10, Evacuation Planning and Routes), 4.8-3a (Implement Program D-9, Hazardous Materials), 4.8-3b (Implement Program D-8, Soils and Geotechnical Evaluation), and 4.8-4 (Implement Program P-14, Hazardous Materials Tracking), would reduce these impacts under the General Plan to less than significant. These mitigation measures would also render the General Plan's contribution to the significant cumulative impacts to less than cumulatively considerable post-mitigation.

Implementation of the General Plan would increase the population within 2 miles of a public or public use airport (Impact 4.8-5) (Westover Field Airport); however, General Plan policies LU-13.1 and LU-13.2 would ensure projects implementing the General Plan would be consistent with the Airport Land Use Compatibility Plan (ALUCP), resulting in a less-than-significant impact. Regional growth in the incorporated cities of Sutter Creek and Jackson would also increase the population within 2 miles of Westover Field Airport. However, as with the General Plan, compliance with the ALUCP would result in a less-than-significant cumulative effect. Additionally, growth in the County would not increase hazards related to private airstrips (Impact 4.8-6) because land use designations and minimum lot sizes apply within proximity to the private airstrips. With no substantial increase in the concentration of people in areas subject to elevated crash hazards, the private airstrips impact is both less than significant and less than cumulatively considerable.

Regional growth in Amador County would place an increasing number of residents and structures in wildfire hazard zones (Impact 4.8-7). This impact would be a significant and cumulatively considerable

impact, and the General Plan's incremental contribution would be cumulatively considerable. Implementation of Mitigation Measures 4.8-7a and 4.8-7b would reduce the General Plan's contribution to this impact, but the impact would remain significant and the incremental contribution cumulatively considerable.

5.8.1 FINDING

For the reasons discussed above, implementing the General Plan, with applicable mitigation measures, would not result in a cumulatively considerable contribution to a significant cumulative impact on hazards and hazardous materials, other than wildfire hazards. Despite mitigation measures identified in the EIR that would reduce impacts related to wildfire hazards, implementation of the General Plan would result in a cumulatively considerable contribution to a significant cumulative impact with regard to exposure of structures to urban and wildland fire. No additional feasible mitigation is available to reduce this impact to a less-than-cumulatively considerable level. This impact would remain cumulatively considerable and unavoidable even after mitigation.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

5.9 Impact 6-9 Cumulative Hydrology and Water Quality Impacts

Development that would occur under to the General Plan and growth in the County's cities would combine to create significant cumulative impacts related to water quality and erosion (Impacts 4.9-1 through 4.9-3). Mitigation Measures 4.9-1a, 4.9-1b, 4.9-1c, 4.9-2, and 4.9-3 would reduce the General Plan's direct water quality impacts to less-than-significant levels, and would also reduce the General Plan's contributions to these cumulative water quality impacts to less than cumulatively significant. See Section 4.9 for a more detailed explanation.

Impacts from regional development on groundwater recharge and supplies (Impact 4.9-4) would be significant, and the General Plan's cumulative contribution of this impact would be cumulatively significant. Although Mitigation Measures 4.9-4a, 4.9-4b, and 4.9-4c would reduce the General Plan's contribution to this significant cumulative impact, the General Plan's incremental contribution would remain significant and cumulatively considerable.

Flood hazards could increase due to increases in impermeable surfaces and alterations to stormwater drainage (Impacts 4.9-5) caused by regional growth and development. These impacts would be cumulatively significant, and the General Plan's regional contribution would be cumulatively considerable. Mitigation measures that would be applied to the General Plan (4.9-5a, 4.9-5b, and 4.9-5c) would reduce these impacts and render the General Plan's contribution to this impact less than significant and less than cumulatively considerable through minimizing exposure of people and structures to flood hazards, prohibiting development in floodways, and managing stormwater to avoid increases in severity for downstream flooding.

Portions of Amador County are subject to inundation in the unlikely event of the failure of dams on the Mokelumne River, North Fork Mokelumne River, Bear River, and Jackson Creek (Impact 4.9-6). However, because these dams (Pardee, Salt Springs, Lower Bear River, and Jackson Creek dams) were constructed and are maintained in a manner consistent with California Water Code Division 3, which has regulatory jurisdiction over these dams and contains specific requirements for maintenance and operations, emergency work, investigations and studies, repairs, alterations, and inspections, risks of

inundation are less than significant and less than cumulatively considerable. Although growth allowed under the General Plan and in the cities could potentially place additional people and property at risk from dam or levee failure, there is no evidence to suggest that dam failure is likely, and implementation of the General Plan would do nothing to increase the risk of dam failure.

5.9.1 FINDING

For the reasons discussed above, implementing the General Plan, with applicable mitigation measures, would not result in a cumulatively considerable contribution to a significant cumulative impact on hydrology and water quality, other than groundwater recharge and supplies. Despite mitigation measures in the General Plan EIR that would reduce impacts related to groundwater recharge and supplies, implementation of the General Plan would result in a cumulatively considerable contribution to a significant cumulative impact. No additional feasible mitigation is available to reduce this impact to a less-than-cumulatively considerable level. This impact would remain cumulatively considerable and unavoidable even after mitigation.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

5.10 Impact 6-10 Cumulative Land Use and Planning Impacts

Development that would occur under the General Plan and the plans of surrounding communities would not result in significant cumulative impacts related to land use. These plans establish a framework for the orderly development of the region, and would not result in land uses or circulation routes that would physically divide existing communities, or conflict with existing plans, policies, or regulations. Therefore, implementation of the General Plan would not contribute to a significant cumulative land use impact.

5.10.1 FINDING

For the reasons discussed above, implementation of the General Plan would not result in a cumulatively considerable incremental contribution to a significant cumulative impact related to division of existing communities or conflicts with other adopted land use plans.

5.11 Impact 6-11 Cumulative Noise Impacts

The General Plan would result in significant impacts related to temporary [construction] noise increases (Impact 4.11-1) and vibration (Impact 4.11-7); however, construction noise from individual projects would be localized and would not result in an additive cumulative effect. Therefore, the General Plan and regional growth would not result in a significant cumulative impact related to temporary construction noise or vibration.

Operational noise from regional growth would primarily occur from motor vehicle traffic (Impacts 4.11-2 and 4.11-3). Future land uses consistent with the General Plan would create new vehicle trips that would result in substantial increases in ambient noise levels near roadways in the unincorporated County, including ambient noise levels above noise standards. Regional growth adds vehicle trips to these roadways, resulting in a significant cumulative traffic noise impact. Therefore, implementation of the General Plan would result in a cumulatively considerable impact on traffic noise. Although Mitigation

Measure 4.11-2 would reduce the impact, traffic noise impacts resulting from implementation of the General Plan would remain significant and cumulatively considerable.

The General Plan would result in significant impacts related to exposure of sensitive receptors (e.g., schools) to railroad noise (Impact 4.11-4). In particular, growth associated with the Newman Ridge project could increase the number of daily trains by up to 3 trains per day, which could increase the area for sensitive receptor exposure to railroad noise. Although Mitigation Measures 4.11-2 and 4.11-4 would reduce the impact, this cumulative impact would be significant, and the General Plan's contribution would be considerable.

The General Plan would result in significant impacts related to exposure of sensitive receptors to stationary source noise levels (Impact 4.11-5); however, effects on sensitive receptors from individual projects would affect local areas, rather than resulting in an additive cumulative effect. Therefore, regional development would not result in a cumulative significant impact regarding noise exposure from stationary sources for sensitive receptors.

Similarly, impacts to new development from airport noise (Impact 4.11-6) or mining vibration (Impact 4.11-7) are localized impacts, so regional growth would not combine with General Plan growth to cause significant cumulative airport noise or mining vibration impacts.

5.11.1 FINDING

For the reasons discussed above, implementing the General Plan, with applicable mitigation measures, would not result in a cumulatively considerable contribution to a significant cumulative impact on noise, other than traffic and railroad noise. Despite mitigation measures identified in the EIR to reduce traffic and railroad noise impacts, implementation of the General Plan would result in cumulatively considerable contributions to these significant cumulative impacts. No additional feasible mitigation is available to reduce these impacts to a less-than-cumulatively considerable level. These impacts would remain cumulatively considerable and unavoidable even after mitigation.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

5.12 Impact 6-12 Cumulative Population and Housing Impacts

The General Plan and the plans of surrounding communities establish a framework for the orderly development of the region, and would not result in land uses or circulation routes that would require construction of replacement housing elsewhere (Impact 4.12-2). This cumulative impact would be less than significant.

Although these plans provide a mechanism for accommodating the growth forecast for the region and for individual jurisdictions, implementation of these plans would result in substantial population growth over baseline conditions (Impact 4.12-1), resulting in a significant cumulative impact to which the General Plan would make a cumulatively considerable contribution. No feasible mitigation is available that would render the General Plan's incremental contribution to population growth to less than significant or less than cumulatively considerable.

5.12.1 FINDING

Implementation of the General Plan would result in cumulatively considerable contributions to a significant cumulative population growth impact. No feasible mitigation is available to reduce this impact to a less-than-cumulatively considerable level.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

5.13 Impact 6-13 Cumulative Public Services and Utilities Impacts

The focus on the cumulative impact analysis for public services and facilities is whether implementation of the General Plan, in combination with the impacts of city general plans and plans of other public agencies in Amador County, could create a significant cumulative impact due to the need for the construction of additional facilities to serve the population and businesses of Amador County.

Water supply and wastewater service providers serving the unincorporated areas of Amador County also serve incorporated cities. The Amador Water Agency (AWA) provides either raw or treated water to the County's cities, and the Sutter Creek wastewater treatment facility serves both incorporated and unincorporated areas. Although some water providers (the Central Amador Water Project [CAWP] and the Jackson Valley Irrigation District (JVID) and some wastewater systems (Pine Grove, Buckhorn, and several smaller systems) serve only the unincorporated area, cumulative impacts related to water supply, water conveyance, and wastewater service would be similar to project specific impacts described in the analysis in Chapter 4.13, "Public Services and Utilities" (Impacts 4.13-1 through 4.13-3). These cumulative impacts would be significant, and the General Plan's contribution to these impacts would be cumulatively considerable. Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, and 4.13-1d would reduce the General Plan's contribution to cumulative water and wastewater impacts, but the impacts would remain significant and cumulatively considerable.

The analysis in Section 4.13, "Public Services and Utilities," demonstrates that Kiefer Landfill has ample capacity to accommodate solid waste generation (Impact 4.13-4) from city growth, as well as from growth and development under the General Plan. Therefore, there is no significant cumulative impact.

The geographic scope of cumulative public services impacts to fire protection and law enforcement services, public schools, and parks and recreational facilities is generally limited to the boundaries of the affected service provider. Future regional growth would result in increased demand for these services and facilities within these boundaries throughout the region. Regional growth could add to the General Plan's significant impacts on fire and law enforcement services (Impacts 4.13-5 and 4.13-6), creating significant cumulative impacts to which the General Plan's contributions would be cumulatively considerable. Implementation of Mitigation Measures 4.13-5a, 4.13-5b, 4.13-5c, and 4.13-5d would reduce these impacts to less than significant under the General Plan, and render its contribution less than significant and less than cumulatively considerable. New or expanded facilities will be subject to CEQA review and mitigation to reduce both project-specific and cumulatively considerable impacts. See Section 4.13 for further explanations.

Impacts resulting from implementation of the General Plan on schools and parks and recreation facilities (Impacts 4.13-7 and 4.13-8) are less than significant, and regional growth would not contribute to a significant cumulative effect because school districts and recreation providers must continue to evaluate the level of service desired and the funding sources available to meet increases in demand. These services

are ensured through concurrency requirements, assessment district requirements, and development impact fees. School enrollment trends have also been stable or declining and school facilities to accommodate regional growth could be accommodated at existing school sites. Because school districts and recreation providers are generally planning for projected regional growth, with expanded facilities funded through impact fees, implementation of the General Plan would not result in a cumulatively considerable contribution to a significant cumulative impact. New or expanded facilities will be subject to CEQA review and mitigation to reduce project-specific impacts.

The General Plan's impact on stormwater drainage facilities (Impact 4.13-9) would be significant, and would contribute to a significant cumulative impact related to the need for new stormwater drainage facilities; however, implementing Mitigation Measures 4.13-9a and 4.13-9b would render the General Plan's contribution to this significant cumulative impact to less than significant and less than cumulatively considerable.

5.13.1 FINDING

For the reasons discussed above, implementing the General Plan, with applicable mitigation measures, would not result in a cumulatively considerable contribution to a significant cumulative impact on public services and utilities, other than water supply and wastewater. No additional feasible mitigation is available to reduce water supply and wastewater impacts to a less-than-cumulatively considerable level. These impacts would remain cumulatively considerable and unavoidable even after mitigation.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

5.14 Impact 6-14 Cumulative Transportation Impacts

The traffic analysis included in this EIR addresses cumulative impacts to the regional transportation system (state highways and county roads). A regional traffic model was used to analyze impacts of the General Plan development, together with projected regional growth. The regional traffic model already assumes a level of growth for other nearby jurisdictions based on plans and population/employment projections. Impacts 4.14-1 and 4.14-2 are considered cumulative by nature because anticipated land use forecasts for other areas are included in the traffic model.

For example the increase in traffic levels on certain state highway and local roadway segments would result in unacceptable LOS and would be a significant cumulative impact (Impacts 4.14-1 and 4.14-2), to which the General Plan's contribution is cumulatively considerable. Mitigation Measures 4.14-1a through 4.14-1c for state highways and 4.14-2 for local roadways would reduce but would not render this impact less than significant or less than cumulatively considerable. See Section 4.14 for further explanations.

No other transportation impacts associated with the General Plan were found to be significant, and regional growth would not add to these impacts to create significant cumulative impacts. Impacts related to air traffic patterns and design hazards (Impacts 4.14-3 and 4.14-4) are localized, so growth in cities would not result in additive cumulative impacts. Conflicts by other jurisdictions with adopted policies, plans, or programs for alternative transportation (Impact 4.14-5) would not have an additive effect when combined with County actions under the General Plan, so there would be no significant cumulative impact.

5.14.1 FINDING

Despite mitigation measures identified in the EIR that would reduce impacts related to impacts on state highways and local roadways, implementation of the General Plan would result in a cumulatively considerable contribution to a significant cumulative impact with regard to unacceptable LOS on state highways and local roadways. No additional feasible mitigation is available to reduce these impacts to a less-than-cumulatively-considerable level. These impacts would remain cumulatively considerable and unavoidable even after mitigation.

Pursuant to CEQA Guidelines Section 15091 (a)(3), the Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures or project alternatives identified in the Final EIR.

6 Project Alternatives⁵

Public Resources Code § 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives...which would substantially lessen the significant environmental effects of such projects.” “Feasible” means “capable of being accomplished in a reasonable period of time taking into account economic, environmental, legal, social, and technological factors” (CEQA Guidelines § 15364). The concept of feasibility also encompasses whether a particular alternative promotes the project’s underlying goals and objectives, and whether an alternative is impractical or undesirable from a policy standpoint. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.)

When CEQA findings are made after EIR certification, the lead agency decision-making body independently evaluates whether the alternatives are actually feasible, including whether an alternative is impractical or undesirable from a policy standpoint. (See *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.) In making this determination, the decision-making body considers information in the Draft EIR, additional information in the Final EIR and elsewhere in the administrative record, and policy factors. (See Guidelines Section 15091(a)(3).) Where the feasibility of alternatives evaluated in the EIR is dependent upon changes in existing laws, regulations or funding patterns, the decision-making body must consider the likelihood that such changes will occur within the time frame for implementation of the proposed project.

An EIR must only evaluate reasonable alternatives to a project that could feasibly attain most of the project objectives and evaluate the comparative merits of the alternatives (CEQA Guidelines § 15126.6(a)). The General Plan project objectives are listed in Section 1.3 of these Findings. In all cases, the consideration of alternatives is to be judged against a rule of reason. The lead agency is not required to choose the environmentally superior alternative identified in the EIR if the alternative is infeasible.

During the General Plan update process, there were a number of conceptual land use alternatives considered by County staff, decision makers, and the public. The County developed a series of diagrams, with accompanying analysis and narrative to facilitate a public discussion regarding the preferred alternative that should be used as the basis of developing the General Plan.

⁵ EIR Chapter 5 provides further factual support for the alternatives findings.

The primary difference between General Plan and EIR alternatives has to do with their purpose. General Plan alternatives are designed to evaluate various development and conservation concepts for the purpose of exploring different policy directions and emphasis in the General Plan update process. General Plan alternatives provide the platform for a discussion of pros and cons of different conceptual approaches to managing land use change, resource conservation, transportation, local economy, and other key General Plan policy topics. EIR alternatives – those presented in this section – are developed specifically to reduce significant impacts attributable to implementing the General Plan.

Alternatives considered in the EIR are described below. Following the description of each alternative, the alternative's impacts are compared to those of the General Plan.

6.1 Alternative 1 – No Project/Existing General Plan

This alternative assumes that the General Plan would not be implemented but instead the County would build out as provided in the existing General Plan, as it has been amended in the time since adoption. As with the General Plan, this alternative assumes that the DOF-forecasted growth would occur. However, unlike the General Plan (where approximately half of the forecast growth would be accommodated in town centers and the Regional Service Center), growth in Alternative 1 would occur following historical growth patterns. The increase in commercial and industrial square footage would be similar to that provided for by the General Plan, although this alternative would not include 1,300 acres designated for Industrial use northwest of Ione in the General Plan. Although encompassing the same number of residential units when compared to the General Plan, this alternative would involve more dispersed development.

6.1.1 IMPACT ANALYSIS

6.1.1.1 *Aesthetics*

Alternative 1 would accommodate a similar number of new residents to the General Plan, but in a scattered pattern across Residential Suburban (RS) and Agricultural Transition (AT) areas, with no focus on developing mixed-use centers at Martell, Pine Grove, Buckhorn, and River Pines. A similar amount of commercial and industrial development would occur, in existing Commercial (C) and Industrial (I) designated areas across the planning area. As with the General Plan, the development that would likely occur under Alternative 1 would be similar to and intermingled with existing development, and would significantly change scenic vistas, visual character, resources within a state scenic highway, and increase light and glare and skyglow effects. Aesthetics impacts would be similar under Alternative 1 compared to the General Plan. [Similar]

6.1.1.2 *Agricultural and Forest Resources*

Alternative 1 would also result in significant impacts related to conversion of Farmland; however, it may have a greater impact on the cancellation of Williamson Act contracts because of more scattered development. Alternative 1 would exacerbate land use conflicts between agricultural and residential and commercial uses on Farmland of statewide, regional and local importance because a greater number of new residential units would be accommodated in AT and RS areas that are currently sparsely developed. Alternative 1 would have greater agricultural resources impacts than the General Plan.

Alternative 1 would not conflict with Forestland and Timberland zoning. Like the General Plan, Alternative 1 would potentially increase conflicts with Forestland uses, leading to the conversion of forestland to non-forest uses. Alternative 1 would likely have greater significant impacts than the General

Plan on conversion of forestland to non-forest uses due to more scattered development, but would not have new significant impacts related to forest resources. [Greater]

6.1.1.3 Air Quality

Alternative 1 would include a similar number of new residential units and a similar amount of other development to the General Plan, and would result in similar significant construction emissions of criteria air pollutants. This alternative would have higher VMT than the General Plan because development would be more scattered and automobile emissions are a large component of operational air pollutant emissions; thus, operational emissions of criteria air pollutant effects would be greater than for the General Plan. Significant impacts related to emission of dust containing naturally occurring asbestos (NOA), and exposure of sensitive receptors to toxic air contaminants (TACs) and odors would be similar to the General Plan. As with the General Plan, impacts related to carbon monoxide (CO) emissions would be less than significant because of the similar amount and type of development to the General Plan. [Greater]

6.1.1.4 Biological Resources

Alternative 1 would have a similar amount of new development as the General Plan, but new residential uses would be dispersed on larger lots potentially disturbing a larger area of habitat. Because of this difference, significant impacts related to habitat loss, population reduction, riparian habitat, Ione chaparral, oak woodlands, and wetlands would all be greater under Alternative 1 compared to the General Plan. [Greater]

6.1.1.5 Cultural Resources

Alternative 1 would have a similar amount of new development as the General Plan, but new residential uses would be dispersed on larger lots disturbing a larger footprint and increasing the potential effects on all cultural resources. Because of this difference, significant and potentially significant cultural resource impacts would be greater under Alternative 1 compared to the General Plan. [Greater]

6.1.1.6 Geology, Soils, Mineral Resources, and Paleontological Resources

Alternative 1 would have a similar amount of new development as the General Plan, resulting in similar exposure to seismic hazards, landslides, avalanches and seiche; however, new residential uses would be dispersed at a lower density, potentially reducing soil hazards because of greater design flexibility on individual sites. Although reduced, soil erosion would still be significant. Significant mineral and paleontological resources impacts would be greater than the General Plan because of the larger area which would be affected. [Greater]

6.1.1.7 Greenhouse Gas (GHG) Emissions

Although there would be a similar amount of new development under Alternative 1, the development would be more scattered increasing VMT and thus GHG emissions compared to the General Plan; thus, the impact would be greater. Similar to the General Plan, this alternative would exceed the applicable GHG the significance threshold of 3.09 MT CO₂e per service population, and conflict with AB 32's emission reduction target. When compared to the General Plan, the alternative would have a greater impact regarding conflicts with a GHG emission reduction plan, policy, or regulation because GHG emissions would be higher. [Greater]

6.1.1.8 Hazards and Hazardous Materials

Significant impacts related to interference with an adopted emergency-response plan, exposure to physical and/or chemical hazards related to mines, sites listed on the Cortese List, as well as a less-than-significant impacts related to hazards and hazardous materials including routine transport, use, or disposal of hazardous materials, hazards related to proximity to private airstrips and public and public use airports, would be similar because of the comparable amount of new development as the General Plan. Although Alternative 1 would have a similar number of new residential units and amount of commercial and industrial development as the General Plan, the new residential units would be dispersed more widely throughout the County, especially in higher fire risk areas east of SR 49. Therefore, significant wildland fire hazard impacts would be greater under this Alternative compared to the General Plan. Because this alternative would have increased fire hazard impacts compared to the General Plan, hazards impacts would be greater under this alternative compared to the General Plan. [Greater]

6.1.1.9 Hydrology and Water Quality

Alternative 1 would have similar significant impacts to water quality standards; waste discharge, or degradation of water quality; and exposure to flooding hazards, and a similar less-than-significant impact for levee or dam failure as the General Plan. This assumes that Alternative 1 would rely on the land use designations and policy direction from the existing General Plan and be in compliance with applicable federal and state regulations regarding water quality standards, and supply. Amador County Code includes regulations, provisions, and ordinances for floodplain management (including regulation of development within a floodplain), construction erosion control, enforcement, drainage performance standards, and wastewater location and performance standards.

Other significant hydrology and water quality impacts would be greater for Alternative 1 than for the General Plan. Development resulting from Alternative 1 would have increased runoff from impervious surfaces compared to the General Plan, and effects on groundwater recharge would also be greater because of the construction of more new private domestic wells than would occur with the General Plan. Construction activities associated with Alternative 1 would occur over larger areas than the General Plan and substantial construction-related alteration of drainages could result in soil erosion and stormwater discharges of suspended solids, increased turbidity, and potential mobilization of other pollutants from construction sites, as contaminated runoff to on-site and ultimately off-site drainage channels. [Greater]

6.1.1.10 Land Use and Planning

Like the General Plan, Alternative 1 would not propose any land use or infrastructure changes that could divide an existing community. Because no change from the existing General Plan would occur in this alternative, there would be no conflict with other plans. Alternative 1 would not conflict with other plans, policies, or agency regulations, including the Amador Regional Transportation Plan, Amador LAFCO policies, and the Westover Field Airport Land Use Plan. [Similar]

6.1.1.11 Noise

Alternative 1 would have similar significant effects compared to the General Plan from all sources of noise based on the same level of residential, non-residential and population growth as the General Plan. As with the General Plan, Alternative 1 would accommodate a variety of land uses, including residential, commercial, office, industrial, agricultural, open space and recreation, and institutional and public facilities (e.g., electrical substations, wastewater treatment facilities and filtered water treatment facilities, schools). The long-term operation of these uses could result in significant stationary source noise from sources such as mechanical equipment (e.g., pumps, generators, heating, ventilation, and cooling systems); landscape maintenance activities (e.g., lawn and garden equipment); office, commercial, and

industrial noise; agricultural activities; and other noise sources. Although development would be more scattered, Alternative 1 would have a comparable amount of development; thus, the noise impacts would be similar to the General Plan. [Similar]

6.1.1.12 Population and Housing

Alternative 1 would have similar significant impacts resulting from a permanent increase in population growth to that of the General Plan. Alternative 1 would have the same projected population growth – total population growth would be 3,118 more than the 2010 population (22,123) and equal 25,241 by 2030. Alternative 1 would also result in a total of 13,364 residential units and 6,185,000 square feet of commercial and industrial uses by 2030. As with the General Plan, Alternative 1 would not propose new development or include direct physical changes that would result in removal or displacement of existing housing so this impact would also be less than significant. [Similar]

6.1.1.13 Public Services and Utilities

Alternative 1 would have a similar amount of new development to the General Plan, although more of this new development would occur outside of areas which receive public water or wastewater services. Water and wastewater impacts would therefore be lesser than those of the General Plan, although these impacts would still be significant. Similar to the General Plan, impacts to fire protection and law enforcement services would be significant but would increase due to a more dispersed development pattern. Other public service and utilities impacts (including solid waste, school facilities, and parks) would be similar to the General Plan and therefore, also less than significant. [Similar]

6.1.1.14 Transportation

Alternative 1 would result in significant LOS impacts on state highway facilities at 15 locations and on local roadways at 3 locations (see Table 5-3), which is less (for both highway facilities and local roadways) than the General Plan. Alternative 1 would have a similar amount of new development to the General Plan, therefore other transportation impacts, including air traffic patterns, design hazards, and non-motorized transportation and transit would be similar to those of the General Plan. [Lesser*⁶]

6.1.2 EVALUATION

Under the No Project/Existing General Plan Alternative, the County would continue to implement its existing (pre-update) General Plan adopted more than 20 years ago (1992), which would remain as the adopted long-range planning policy document for the County. As identified in the project description, the first objective for this project is to adopt a general plan that complies with current state law. Continuing development in the County under the existing General Plan (Alternative 1) would not meet this objective because it was mostly adopted and amended more than 20 years ago (between 1988 and 1991).

Adoption of this alternative would not provide the County a comprehensive update to goals and policies to help incorporate current planning, environmental, and regulatory trends and objectives. The updated General Plan better reflects current on-the-ground conditions than the existing General Plan. Alternative 1 also does not meet Objective 2 (focus development in existing communities) because development would be more scattered around the County.

Further, failure to adopt new economic strategies, such as those outlined in the Economic Development Element and the failure to update the County's land use designations make this alternative inconsistent

⁶ Note: Asterisks (*) indicate that lesser impacts would still be significant.

with objectives to support economic development. Without changes in the County's land use policies, the County would be unable to achieve basic project objectives such as protecting Amador County's unique character, managing and enhancing the County's natural resources, providing a multi-modal transportation network, and providing continued economic viability of agriculture.

The General Plan is focused on the community planning issues suggested by the public, Planning Commission, and Board during the extensive outreach that accompanied the General Plan update process. The General Plan addresses greenhouse gas emissions and climate change, where the existing General Plan does not. In many other ways, the existing General Plan does not address, or does not adequately address the full range of key social, economic, and environmental issues that will confront Amador County between now and 2030.

6.1.3 FINDING

The Board finds that specific economic, financial, legal, social, technological or other considerations make Alternative 1 infeasible and rejects this alternative for the following reasons. First, Alternative 1 does not reduce any of the General Plan's significant impacts to less than significant levels. Second, as discussed above, Alternative 1 fails to meet many of the basic project objectives.

6.2 Alternative 2 – City- and Community-Center Growth

Alternative 2 would provide for future residential, commercial, and industrial growth focused within the Martell RSC, the Town Centers, and city spheres of influence (SOIs). This alternative assumes that development within unincorporated SOI areas will be required, as a condition of approval, to be consistent with city general plans. The expected number of residential units and commercial and industrial square footage would be similar to the General Plan and Alternative 1. The Martell RSC and the Town Centers at Buckhorn, Pine Grove, and River Pines would remain, and would be similar to the General Plan. The Camanche Village SPA would not be part of this alternative. Alternative 2 would introduce a new land use designation, Urban Reserve (UR), which is not present in the General Plan. The UR designation would be applied within the spheres of influence (SOIs) of Ione, Jackson, Plymouth and Sutter Creek, and approximately 375 residential units, would be provided for within these SOIs. At this time, Amador City's SOI is conterminous with its city limits. If this changes in the future, the UR designation would be applied within the revised SOI.

Alternative 2 would also revise policy language in several General Plan elements to be consistent with the above description.

6.2.1 IMPACT ANALYSIS

6.2.1.1 *Aesthetics*

Alternative 2 would result in similar impacts on alteration of scenic vistas, damage to scenic resources within a state scenic highway, degradation of visual character, and increase new light and glare and skyglow effects as the General Plan because it would include a similar number of new dwellings and amount of commercial and industrial development. Although a new Economic Development policy would necessitate the County identify minimum economically viable parcel sizes for future AG and GF land uses, this would not reduce the overall amount of development; the impacts would still be significant. [Similar]

6.2.1.2 *Agricultural and Forest Resources*

Alternative 2 would reduce impacts related to conversion of Farmland and land use conflicts with existing agricultural uses through a combination of city- and community- centered growth and increased minimum parcel size requirements for economically-viable agricultural parcels; however, these impacts would still be significant. Impacts to Williamson Act contracts would be reduced and thus, similar to the General Plan, would not be significant.

Alternative 2 would include restrictions on the conversion of Farmland. The amount of future residential development which would occur in AG, AT, and RR areas would be approximately one-half of what would occur with the General Plan. This reduction would be partially accomplished through an increase in minimum lot sizes for AG (80 acres) AT (20 acres), and RR (10 acres) designation which would reduce potential for parcelization of viable agricultural land. Additionally, a new Economic Development policy would also necessitate the County identify minimum economically viable parcel sizes for both future AG and GF land use designations, reducing the impact to agricultural or forestland conversion. Also, Alternative 2 would direct the development of approximately 375 residential units to SOIs instead of the unincorporated area. Alternative 2 would likely have lesser, but still significant, impacts than the General Plan on conversion of forestland to non-forest uses because development would be focused on existing city centers and SOIs and the new Economic Development Element policy. Alternative 2 would also not conflict with forestland and Timberland zoning. Overall, impacts to agricultural and forest resources would be lesser under Alternative 2 compared to the General Plan, but because conflict to agricultural uses, and Farmland and forestland conversion would still occur, no significant impacts of the General Plan would be avoided. [Lesser*]

6.2.1.3 *Air Quality*

Alternative 2 would include a similar number of new residential units and a similar amount of other development to the General Plan, and would result in similar construction emissions of criteria air pollutants. This alternative would have lower VMT than the General Plan because development would be more focused around existing similar uses; thus, significant operational criteria air pollutant effects would be less than for the General Plan. Significant impacts related to emission of dust containing naturally occurring asbestos (NOA), and exposure of sensitive receptors to toxic air contaminants (TACs) and odors would be similar to the General Plan. As with the General Plan, impacts related to carbon monoxide (CO) emissions would be less than significant because of the similar amount and type of development to the General Plan. [Lesser*]

6.2.1.4 *Biological Resources*

Alternative 2 would have a similar amount of new development as the General Plan, but new residential uses would be concentrated in existing community areas and city spheres of influence. New development would potentially disturb a smaller area of habitat under this alternative. Because of this difference, impacts related to special status species habitat loss and population reduction, riparian habitat, Ione chaparral, oak woodlands, and wetlands would all be lesser under Alternative 2 compared to the General Plan, but still significant. [Lesser*]

6.2.1.5 *Cultural Resources*

Alternative 2 would have a similar amount of new development as the General Plan, but new residential uses would be concentrated in city spheres of influence. New development would disturb a smaller area under this alternative, but because current settlements tend to be co-located with earlier settlement locations, cultural resources are more prevalent in these areas. Overall, significant impacts related to cultural resources would generally be similar under Alternative 2 compared to the General Plan. [Similar]

6.2.1.6 Geology, Soils, Mineral Resources, and Paleontological Resources

Alternative 2 would have a similar amount of new development as the General Plan, resulting in a similar exposure to seismic hazards, landslides, avalanches and seiche; however, new residential uses would be concentrated in and near existing communities potentially reducing hazards related to septic suitability because of increased use of public wastewater systems. Impacts related to unstable and expansive soils and erosion would be similar to those of the General Plan. Mineral and paleontological resources impacts, because of the smaller development footprint, would be less than the General Plan, but still significant. Although more development would take place along the mother lode in this alternative, areas of Ione Formation and paleontologically sensitive formations would be less affected compared to the General Plan. [Lesser*]

6.2.1.7 Greenhouse Gas (GHG) Emissions

Although a similar amount of new development would occur under Alternative 2, the development would be more focused around existing development compared to the General Plan, reducing VMT; thus, the impact on GHG emissions would be less than under the General Plan. Although GHG emissions would be reduced under this alternative, similar to the General Plan this alternative would exceed the applicable GHG the significance threshold of 3.09 MT CO₂e per service population and conflict with AB 32's emission reduction target. When compared to the General Plan, the alternative would have a lesser impact regarding conflicts with a GHG emission reduction plan, policy, or regulation because GHG emissions would be lower. [Lesser*]

6.2.1.8 Hazards and Hazardous Materials

With a similar number of new residents compared to the General Plan, this Alternative would have similar less-than-significant impacts related to hazards and hazardous materials including routine transport, use, or disposal of hazardous materials and proximity to private airstrips and public and public use airports. Significant impacts related to interference with an adopted emergency-response plan, exposure to physical and/or chemical hazards related to mines, and sites listed on the Cortese List would also be similar because of the comparable amount of new development. However, Alternative 2 would have the new residential units concentrated in and near existing communities, as well as a safety element policy that would restrict parcels to no less than 40 acres in high fire hazard zones without adequate evacuation plans and emergency response, resulting in a smaller area of "interface" with wildland areas. This would result in generally lower fire hazard. Therefore, wildland fire hazard impacts would be less under this alternative compared to the General Plan; however, these impacts would still be significant. Because this alternative would have reduced fire hazard impacts compared to the General Plan, hazards impacts would be less under this alternative compared to the General Plan. [Lesser*]

6.2.1.9 Hydrology and Water Quality

Alternative 2 would have similar significant impacts to water quality standards; waste discharge, or degradation to water quality; exposure to flooding hazards; and construction-related water quality impacts, and a similar less-than-significant impact for levee or dam failure as the General Plan. This assumes that Alternative 2 would be in compliance with applicable federal and state regulations regarding water quality standards, and supply, as well as the Amador County Code for floodplain management.

Alternative 2 has some potential to reduce impacts to hydrology and water quality because it would concentrate development in the Martell RSC, the Town Centers, and city spheres of influence (SOIs), and reduce by approximately one-half the amount of future residential development in AG, AT, and RR areas. The focus on development within existing developed areas would result in more new residential units and commercial and industrial facilities in areas that are already paved or covered with impermeable

materials. Alternative 2 would have lesser but still significant impacts related to downstream erosion and sedimentation, and interference with groundwater recharge. If development occurs through larger development projects, impacts would be further reduced by project-specific construction monitoring, water supply studies, and other mitigation measures. [Lesser*]

6.2.1.10 Land Use and Planning

Like the General Plan, Alternative 2 would not propose any land use or infrastructure changes that could divide an existing community. Because development under this alternative would either be similar to the General Plan or occur in accordance with city general plans, there would be no conflict with other plans. [Similar]

6.2.1.11 Noise

As with the General Plan, Alternative 2 would have significant effects from all sources of noise based on the same level of residential, non-residential and population growth as the General Plan. Alternative 2 would accommodate a variety of land uses, including residential, commercial, office, industrial, agricultural, open space and recreation, and institutional and public facilities (e.g., electrical substations, wastewater treatment facilities and filtered water treatment facilities, schools). The long-term operation of these uses could result in significant levels of stationary source noise (e.g. mechanical equipment, landscape maintenance activities). However, development would be more focused around existing uses, population centers, and high-volume roadways, potentially exposing more sensitive receptors to long-term traffic noise, as well as temporary noise and vibration from construction, resulting in greater effects in higher density areas as compared to the General Plan. [Greater]

6.2.1.12 Population and Housing

Alternative 2 would have similar significant impacts resulting from a permanent increase in population growth. Alternative 2 would have the same projected population growth as the General Plan – total population growth would be 3,118 more than the 2010 population (22,123) and equal 25,241 by 2030. Alternative 2 would also result in a total of 13,364 residential units and 6,185,000 square feet of commercial and industrial uses by 2030; however, this alternative would result in greater population growth to Martell RSC, the town centers, and into city spheres of influence (SOIs); and reduce by 50 percent residential development (and by extension population growth) in AG, AT, and RR areas. Alternative 2 would direct the development of approximately 375 residential units to SOIs instead of the unincorporated area. Similar to the General Plan, Alternative 2 would not propose new development or include direct physical changes that would result in removal or displacement of existing housing, so this impact would also be less than significant. [Similar]

6.2.1.13 Public Services and Utilities

Alternative 2 would have a similar amount of new development to the General Plan, although a new policy in the Land Use Element would focus more of this new development in existing community areas which receive public water or wastewater services. Significant water and wastewater impacts would therefore be greater than those of the General Plan. However, a new Conservation Element policy would apply conservation measures (e.g. low flow plumbing fixtures) to reduce water use, helping to lower, but not eliminating, these significant impacts to water supply and utilities. Impacts on fire protection and law enforcement would be reduced because of more centralized development, but still significant. Impacts regarding solid waste, school facilities, and parks would be similar to those of the General Plan because of the similar growth expected under Alternative 2. [Similar]

6.2.1.14 Transportation

Alternative 2 would result in significant LOS impacts on state highway facilities at 20 locations and on local roadways at 5 locations (see Table 5-3), which is less (for both state highway facilities and local roadways) than the General Plan. Additionally, VMT standards would be developed and applied to discretionary projects through a new Circulation Element policy, further reducing these impacts on the County's roadway system. Alternative 2 would have a similar amount of new development to the General Plan, therefore other transportation impacts, including air traffic patterns, design hazards, and non-motorized transportation and transit would be similar to those of the General Plan. [Lesser*]

6.2.2 EVALUATION

As mentioned earlier, Alternative 2 would result in a similar number of residential units and commercial and industrial square footage to the General Plan. Unlike the General Plan, it would exclude the Camanche Village SPA and introduce a new land use designation, Urban Reserve (UR), to be applied to the SOIs of the County's cities (Ione, Jackson, Plymouth, and Sutter Creek). Approximately 375 residential units would be provided within these SOIs (contingent on city general plan consistency) that may otherwise be located in the Regional Service Center at Martell and the Pine Grove, Buckhorn, and River Pines Town Centers.

Because some development would occur in the city SOIs, this alternative would reduce all impacts related to additional development, land coverage, demand for additional public services and utilities, and water supply. However, the alternative would not reduce any of the General Plan's significant impacts to less than significant levels. It also proposes more restrictive policies, as suggested by the Foothill Conservancy, than the General Plan, including restricting development in areas of wildfire risk, setting standards for preservation of agricultural lands and biological resource areas, using alternative circulation standards in addition to LOS standards, and setting measureable performance standards for reduced water use.

This alternative is undesirable from a policy standpoint because these restrictions would likely make some future development projects more difficult or economically infeasible, which may make it challenging for the County to accommodate the needs of future DOF-projected growth. For example, a new economic development policy would assess a fee on all building permits issued in high- or very-high hazard severity zones to fund full-time professional fires and emergency response services. While this may decrease exposure to risk of wildland fire hazards, as noted in the EIR, nearly the entire County is characterized as a high- or very high-fire hazard severity zone and requiring additional fees may make many projects, including housing and commercial development, economically infeasible. Also, a new Economic Development Element Policy would require a minimum parcel size for future agricultural and timber regions to be applied to future AG and GF land use designations. Under this policy, general plan amendments removing land from these designations would require that the amendment encourage growth contiguous to existing developed areas (including city SOIs) and not reduce agricultural viability to adjacent lands. This policy would reduce impacts related to conversion of agricultural or timberland to other uses within the County. However, as described earlier, agricultural and forest resources in the planning area represent the largest share of these resources within the County as a whole. Furthermore, while the County may actively seek to have new urban development within an incorporated city's SOI (Urban Reserve designated lands) annexed into the applicable city pursuant to a new Land Use Element policy, there is no guarantee that these areas will be annexed into the city. One purpose of the General Plan is to accommodate long-range physical development of the community and greater restrictions on development would make it difficult or infeasible for the County to adequately accommodate forecasted population growth.

This alternative is also undesirable from a policy standpoint because it conflicts with the following important General Plan goals and policies, including:

Goal LU-1: Attain a diverse and integrated mix of residential, commercial, agricultural, industrial, recreational, public, and open space land uses.

- ▶ **Policy LU-1.2:** Designate residential areas of varying densities to create the opportunity to provide affordable housing for all income levels. Consider affordable and senior housing needs in the siting and design of residential projects.
- ▶ **Policy E-4.2:** Promote a balance of commercial and industrial development to residential development which maintains the fiscal health of the county.

6.2.3 FINDING

The Board finds that specific economic, financial, legal, social, technological or other considerations make Alternative 2 infeasible and rejects this alternative for the following reasons. First, Alternative 2 does not reduce any of the General Plan's significant impacts to less than significant levels. Second, as discussed above, Alternative 2 is undesirable from a policy standpoint because it conflict with several important General Plan goals and policies.

6.3 Alternative 3 – Restricted Growth

This alternative would apply the same land use diagram as the General Plan, and was developed to evaluate the impacts of a lower growth alternative. Because Amador County has existing parcels which could accommodate the anticipated population growth between 2012 and 2030 without requiring discretionary action on the part of the County, changes to the land use map could not, in and of themselves, generate a lower-growth alternative. Because land use designation changes would not be sufficient to address this issue, this alternative would include an annual cap on the number of new residential building permits issued each year.

In Alternative 3, rather than the 1,685 new units which would be expected under the General Plan, a maximum of 50 building permits for new homes would be issued each year, resulting in a total of 750 new units countywide through 2030. The projected new commercial and industrial square footage was reduced by a similar percentage based on the reduced level of demand from new residents. This Alternative would not accommodate the unincorporated county's share of DOF-forecasted population growth for the County; as a result, a larger proportion of Amador County's growth would likely occur within the boundaries of one or more of the cities in this Alternative.

6.3.1 IMPACT ANALYSIS

6.3.1.1 Aesthetics

Alternative 3 would result in similar alteration of scenic vistas, scenic highways, and degradation of visual character as the General Plan. Although the overall number of new units and non-residential uses would be smaller under Alternative 3, they would develop under a similar pattern to existing conditions throughout the County. New light and glare and skyglow effects would be less than for the General Plan, because this alternative would include fewer new dwellings and a smaller amount of commercial and industrial development; however, although there would be less development, impacts would still be significant because it would create a new source of substantial light or glare. Because light, glare and

skyglow effects would be less, aesthetics impacts would be less under Alternative 3 than the General Plan. [Lesser*]

6.3.1.2 Agriculture and Forest Resources

Similar to the General Plan, Alternative 3 would not result in significant impacts in the cancellation of Williamson Act contracts, and in forestland and Timberland zoning. However, Alternative 3 would result in fewer impacts related to conversion of Farmland and land use conflicts with existing agricultural uses, and leading to the conversion of forestland to non-forest use, because it results in the development of fewer additional residential units and new commercial and industrial uses than the General Plan.

Although the potential for Farmland and forestland conversion would be lesser under this alternative compared to the General Plan, agricultural and forest resources impacts would still be significant under Alternative 3. [Lesser*]

6.3.1.3 Air Quality

Alternative 3 would include a smaller number of new residential units and other development than the General Plan, and would result in fewer but still significant construction emissions of criteria air pollutants. Because this alternative would have lower VMT than the General Plan and mobile emissions are a large component of operational air pollutant emissions, operational criteria air pollutant effects would be less than the General Plan, but still significant. Impacts related to emission of dust containing naturally occurring asbestos (NOA) would be less than for the project, because there would be less development which could occur in NOA areas, and exposure of sensitive receptors to toxic air contaminants (TACs) and odors would also be less, but still significant. As with the General Plan, impacts related to carbon monoxide (CO) emissions would be less than significant because of the smaller amount and type of development to the General Plan. [Lesser*]

6.3.1.4 Biological Resources

Alternative 3 would have a smaller number of new residential units and lesser amount of new development compared to the General Plan. New development would potentially disturb a smaller potential area of habitat under this alternative. Because of this difference, significant impacts related to special status species habitat loss and population reduction, riparian habitat, Ione chaparral, oak woodlands, and wetlands would all be lesser under Alternative 3 compared to the General Plan, but still significant. [Lesser*]

6.3.1.5 Cultural Resources

Alternative 3 would have fewer new residential units and non-residential uses compared to the General Plan, resulting in a smaller development footprint and fewer potential effects on cultural resources. Because of this difference, all cultural resource impacts would be less under Alternative 3 compared to the General Plan, but still significant. [Lesser*]

6.3.1.6 Geology, Soils, Mineral Resources, and Paleontological Resources

Alternative 3 would have a smaller number of new residential units and reduced amount of new non-residential development compared to the General Plan, resulting in a smaller increase in exposure to seismic hazards, landslides, avalanches and seiche. Unstable and expansive soil, soil erosion, and septic suitability would be similar to the General Plan. Mineral and paleontological resources impacts would be less than with the General Plan because of the smaller development footprint, but still significant. [Lesser*]

6.3.1.7 Greenhouse Gas (GHG) Emissions

Under Alternative 3, there would be less development of residential and non-residential uses; therefore, the impact on GHG emissions would be less than under the General Plan. Although GHG emissions would be reduced under this alternative, similar to the General Plan this alternative would exceed the applicable GHG the significance threshold of 3.09 MT CO₂e per service population and conflict with AB 32's emission reduction target. When compared to the General Plan, this alternative would have a lesser impact regarding conflicts with a GHG emission reduction plan, policy, or regulation because GHG emissions would be lower. [Lesser*]

6.3.1.8 Hazards and Hazardous Materials

Alternative 3 would have a smaller number of new residential units and lesser amount of commercial and industrial development compared to the General Plan, but the same land use diagram would be employed and would result in a similar significant impact regarding interference with an adopted emergency-response plan. Under this alternative, impacts related to exposure to physical and/or chemical hazards related to mines, sites listed on the Cortese List, and fire hazards would be reduced because of the smaller amount of new development, but would still be significant. With smaller amounts of development proposed, this alternative would also have less impact related to the already less-than-significant impacts of the General Plan for hazards and hazardous materials including routine transport, use, or disposal of hazardous materials and hazards related to proximity to private airstrips and public and public use airports. [Lesser*]

6.3.1.9 Hydrology and Water Quality

Because it would include fewer new residential units and commercial and industrial development than the General Plan, Alternative 3 would have lesser but still significant construction-related water quality impacts; impacts to water quality standards; waste discharge, or degradation of water quality; and exposure to flooding hazards. This assumes that Alternative 3 would be in compliance with applicable federal and state regulations regarding water quality standards, and supply, as well as the Amador County Code for floodplain management. Also similar to the General Plan, this alternative would have a less-than-significant impact for levee or dam failure. Alternative 3 would reduce impacts related to downstream erosion and sedimentation, and interference with groundwater recharge because there would be less new development than would occur under the General Plan. [Lesser*]

6.3.1.10 Land Use and Planning

Alternative 3 would include the same land use diagram and the same or fewer infrastructure changes as would occur under the General Plan. The only difference between this alternative and the General Plan is a reduction in growth rate including a policy restricting residential building permits for new construction to 50 permits per year. Therefore, land use and planning impacts would be similar to the General Plan, including no conflict with other plans. [Similar]

6.3.1.11 Noise and Vibration

Alternative 3 would have lesser but still significant impacts compared to the General Plan for temporary construction noise, long term generation of traffic noise, exposure of sensitive noise receptors, stationary source and airport noise, and construction groundborne vibration and noise based on the lower level of residential, non-residential and population growth compared to the General Plan. Alternative 3 would accommodate a variety of land uses, including residential, commercial, office, industrial, agricultural, open space and recreation, and institutional and public facilities (e.g., electrical substations, wastewater treatment facilities and filtered water treatment facilities, schools). The long-term operation of these uses

could result in significant levels of stationary source noise (e.g. mechanical equipment, landscape maintenance activities). Because there would be a lower level of development compared to the General Plan, traffic-related noise would be less, although still significant. [Lesser*]

6.3.1.12 Population and Housing

Alternative 3 would have lesser (but still significant) impacts resulting from a permanent increase in population growth. Alternative 3 would have a smaller increase in population growth – total population growth would be 1,388 more than the 2010 population (22,123) and equal 23,511 by 2030. Alternative 3 would result in a total of 12,429 residential units and 4,226,300 square feet of commercial and industrial uses by 2030. Alternative 3 would not propose new development or include direct physical changes that would result in removal or displacement of existing housing, so this impact would also be less than significant. [Lesser*]

6.3.1.13 Public Services and Utilities

Alternative 3 would have a lesser amount of new development to the General Plan, distributed similarly to the new development that would occur under the General Plan. Water and wastewater impacts would therefore be less than those of the General Plan, but still significant. Other public service and utilities impacts (including fire protection, law enforcement, solid waste, school facilities, and parks) would also be less than those of the General Plan because of the smaller amount of growth expected under Alternative 3. However, impacts to fire protection and law enforcement would still remain significant. [Lesser]

6.3.1.14 Transportation

Alternative 3 would result in significant LOS impacts on state highway facilities at 17 locations and on local roadways at 6 locations (see Table 5-3), which is less (for both state highway facilities and local roadways) than the General Plan. Alternative 3 would implement the same land use plan as the General Plan, but would restrict the number of new building permits, resulting in less growth than the General Plan. Based on the lesser increase in new population and employment associated with non-residential uses on the same land use plan, this alternative would have lesser, but still significant, traffic impacts than the General Plan. With less new development, other transportation impacts, including air traffic patterns, design hazards, and non-motorized transportation and transit would be reduced compared to those of the General Plan. [Lesser*]

6.3.2 EVALUATION

As identified in Chapter 4 of the EIR (“Alternatives”), for purposes of the EIR, Alternative 3 is environmentally superior. This alternative would reduce all impacts related to additional development, land coverage, demand for additional public services and utilities, and water supply. To the extent that additional housing, service, and employment development would occur within cities, this alternative could increase public service, utilities, and potable water demand within cities; increase the extent of change in the visual environment related to more intense urban development; expose more sensitive receptors to urban noise; and increase traffic on city roadways. Also, this alternative would not reduce any of the significant impacts of the General Plan to less than significant levels.

Alternative 3 would not meet two basic project objectives:

- e. Objective 3: Accommodate the most recent population growth, housing, and employment projections in an orderly manner. The County would not be able to accommodate the entire unincorporated county’s share of DOF-forecasted population growth for the County; as a result, a larger proportion of

Amador County's growth would likely occur within the boundaries of one or more of the cities in this alternative.

- f. Objective 5 (Support provision of housing affordable to those who live or work in Amador County, including accommodating HCD's housing unit allocations for the County) because it would restrict growth and development of both residential and non-residential uses.

6.3.3 FINDING

The Board finds that specific economic, financial, legal, social, technological or other considerations make Alternative 3 infeasible and rejects this alternative for the following reasons. First, Alternative 3 does not reduce any of the General Plan's significant impacts to less than significant levels, and many of the General Plan's significant impacts would likely be displaced to city boundaries. Second, as discussed above, Alternative 3 fails to meet the basic project objectives of accommodating projected growth and providing affordable housing.

7 Finding Regarding Mitigation Monitoring and Reporting Program

The Board finds that a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the General Plan and has been adopted concurrently with these Findings (Public Resources Code, § 21081.6(a)(1)). Amador County will use the MMRP to track compliance with mitigation measures.

8 Statement of Overriding Considerations

Pursuant to State CEQA Guidelines Section 15092, the Board finds that, in approving the General Plan, it has eliminated or substantially lessened all significant and potentially significant effects of the General Plan on the environment where feasible, as described in these Findings. Even with implementation of all feasible mitigation, however, the General Plan will result in significant and unavoidable impacts, both direct and cumulative, with the following resource categories: aesthetic resources, agricultural and forest resources, air quality, biological resources, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, population and housing, public services and utilities, and transportation.

The Board further finds that it has balanced the economic, legal, social, environmental, and other benefits, including regional or statewide environmental benefits, of the General Plan against the remaining unavoidable impacts in determining whether to approve the Plan and has determined that those benefits outweigh the unavoidable environmental impacts and that those impacts are acceptable. The Board makes this statement of overriding considerations in accordance with CEQA Guidelines Section 15093, in support of approval of the General Plan.

The following analysis documents the reasons why, in the Board's judgment, the benefits of the General Plan as approved outweigh its unavoidable significant effects. Any one of the stated reasons below is sufficient to justify approval of the General Plan in spite of the unavoidable impacts. Thus, even if a court were to conclude that not every reason set forth in these Statements is supported by substantial evidence, the Board finds that any individual reason is separately sufficient. The conclusions about benefits are supported by the substantial evidence set forth in the EIR, the Findings set forth above, and in the documents contained in the administrative record.

8.1 The General Plan Reflects Current Trends, Changes in the Regulatory Environment, and Emerging Opportunities

The County initiated this comprehensive General Plan Update to achieve a number of important community objectives. The General Plan required revisions to better address the consensus vision of the community. Various updates were also necessary to address changes in the legislative, regulatory, and economic environment. The County wanted to draft a legally defensible General Plan and environmental analysis that provides clear and concise policy language to unambiguously guide decisions on projects, plans, and public investments between present and 2030. The existing General Plan has outdated policies that do not provide locally relevant guidance related to current state laws that relate to general plans or take into consideration emerging trends and opportunities, in addition the community's present-day goals. As identified in the project description, the first objective for this project is to adopt a general plan that complies with current state law. Continuing development in the County under the existing General Plan would not meet this objective because it was mostly adopted and amended more than 20 years ago (between 1988 and 1991).

8.2 Framework for Achieving the Community's Goals

The General Plan provides the basis for Amador County's regulation of the overall amount, character, and location of urban development, as well as preservation and natural resource conservation, economic development, transportation, safety, public facilities and services, and housing. As the County's "constitution," the General Plan fulfills state legal requirements for long-range comprehensive planning and provides a framework for the County to exercise its land use entitlement authority, as provided under state law. The General Plan updates the County's existing General Plan. The General Plan is both comprehensive and internally consistent – it addresses a broad range of topics with policies that are mutually supportive.

The General Plan is intended to be implemented over the long-term. It identifies key locations within the County where there is capacity for growth using existing infrastructure, and identifies how the County will also protect, enhance, and maintain a high quality of life and the unique historical character of the community. Because the General Plan includes projections of future growth and development capacity, it serves as a tool for the County and other service providers to plan for services, facilities, infrastructure improvements, and environmental mitigation.

The General Plan is intended to be a decision making guide used on a daily basis. The County will rely on the General Plan when reviewing private development applications, public investments, and other important actions to ensure that they are consistent with General Plan goals. Actions taken by the Board should help to achieve General Plan objectives. The General Plan also provides a guide for other public or private agencies or organizations that do business in the County's Planning Area.

Beyond its regulatory function, the General Plan articulates Amador County's consensus vision for the future. Development of the General Plan was in part to promote a shared understanding among decision makers, County staff, other public agency staff, property owners, developers and builders, and the general public of the community's long-term goals. The General Plan addresses issues of great importance to the community, such as job creation, fiscal and economic sustainability, resource conservation, and the local quality of life.

The General Plan is meant to be a living document that is regularly reviewed and adjusted to remain consistent with the County's long-term vision. The County will encourage projects that support General Plan goals, adhering to the framework presented in the General Plan to manage growth and development at a fiscally and environmentally supportable pace. Some variation from the policy language may be allowed, so long as such variations further General Plan goals. As conditions and needs change, the County may consider proposed amendments to the General Plan. Some of these will be policy changes, while others may be changes to land use designations.

8.3 Long-Range Guide for Growth and Conservation

The General Plan provides the County with a guide for day-to-day decision making toward long-term prosperity and sustainability. Together, the General Plan Elements are a comprehensive statement of the goals, policies, standards, and implementation programs for managing growth and conservation within the County's Planning Area.

The General Plan is structured to achieve its goals by the year 2030. The planning process allows periodic updates to address any deviations from the General Plan's goals or political-economic conditions. The General Plan's goals, objectives, and policies are intended to maintain and enhance the character of the community, while allowing for economic growth and conservation of environmental resources. The updated policies are considered feasible and as such, take into account current land economic conditions and realistic growth assumptions. Population and employment growth forecasts were considered in the development of the 2030 General Plan, including updates to the land use diagram and allowable densities and development intensities. These updates were required in order to adequately provide for local population growth, economic development, and job expansion while supporting the community's goals to manage and enhance the County's natural resources such as mineral, timber, and open space, as well as preserving its unique historical characteristics and natural areas.

8.4 Community Objectives

The population is projected to grow and the County is responsible for accommodating its fair share through housing and jobs creation, and the provision of adequate services (e.g., utilities, parks, fire protection) in a safe manner. One of the County's responsibilities and objectives is to develop in an orderly manner to accommodate growth, housing, jobs, and to provide for adequate services for existing and future community members. It is also the County's duty to balance its responsibilities, goals, and objectives with the environmental impacts resulting from development by avoiding or reducing these impacts through mitigation measures to the extent feasible. However, it may not always be possible to reduce all impacts to a less than significant level, as not all mitigation measures are feasible in light of important project objectives, or County fiscal sustainability.

Amador County residents and businesses value a high quality rural lifestyle, historic resources, healthy natural environment, vibrant local economy, scenic resources and vistas, and services that meet people's

needs. The primary benefit of the Amador County General Plan (General Plan) is that it allows the County to control, to the degree possible, its own destiny in achieving these objectives. It will provide the flexibility needed to accommodate growth and change while effectively managing the County's wealth of natural resources.

8.4.1 ECONOMIC DEVELOPMENT

One of the primary goals for the General Plan is to guide development and resource conservation in a way that supports the County's economic base. The General Plan is designed to provide orderly growth and offer residents a greater range of employment opportunities. While general plans are not precise tools for targeting and attracting businesses, the policy framework herein is critical in establishing the overall context for economic development and economic opportunity in the County during the coming decades.

The County's economic goal to continue the economic viability of the County's agricultural production will depend on development patterns that allow for conserving the County's land base necessary to conduct agricultural activities. Additional growth is anticipated and thoughtful community design and land use and transportation planning can reduce the impacts on Important Farmland and other natural resources, while balancing the needs of the growing community. The Economic Development Element of the General Plan addresses the appropriate balance that will allow the County to maintain agricultural economic viability, while expanding services, commercial and business development, and employment opportunities suited to the local workforce through careful coordination with related policies and programs from the other elements.

8.4.1.1 *Agricultural and Forest Resources*

Agriculture is important to the history, character, culture, economy, and environment of Amador County. The County's primary agricultural policy is to maintain the economic viability of agricultural land uses. For this reason, economic issues related to agriculture are addressed in the Economic Development Element, which also includes the majority of goals and policies for agriculture in the General Plan, and a description of the county's agricultural areas and produce.

Timber harvesting is an important industry in Amador County. Amador County supports the continued viability of timber harvesting. Effective management and production of timber resources can also reduce the risk of catastrophic wildfire, especially in the eastern portion of the county. The Economic Development Element includes a goal (E-11) and policies describing conservation and protection of timber resources.

The General Plan project objectives support and enhance agricultural and forest resources. Project Objective 7 manages and enhances the County's natural resources including agricultural and timber resources. Project Objective 10 provides for the continued economic viability of the County's agricultural production and the conservation of the land base necessary to conduct agricultural activities.

8.4.1.2 *Job-Generating Uses*

Project Objective 4 encourages development of higher-wage jobs and support business, especially locally-owned and unique businesses. Much of the County's commercial and retail activity takes place in the Martell Regional Service Center and the three rural Town Centers, located in Buckhorn, Pine Grove, and River Pines. The AEDC anticipates the fastest growing industry in the County will be personal services until approximately 2020, followed by public services and retail trade. The goal of the General Plan is to enhance these communities, building upon existing infrastructure, transportation, and local businesses. The General Plan includes a mixing of land uses in these communities to support residential, commercial,

public, and industrial uses (those that are compatible with residential and sensitive uses) that could provide new economic opportunities for both existing and new businesses, as well as jobs for local residents.

8.4.1.3 *Tourism*

In addition to attracting and expanding commercial and industrial businesses, the County's economic development strategy includes components directed to the agricultural industry, with a particular focus on tourism, agri-tourism and agriculture-supporting businesses. Agri-tourism could include hospitality services, such as bed-and-breakfasts, farm stays, farm tours, winery tours, education, entertainment, and outfitter services. In addition to agricultural attractors, historic resources, scenic beauty, outdoor recreation opportunities, and tribal gaming offer continued opportunities to boost tourism. By attracting tourists, Amador County will also increase demand for service and retail industry jobs supporting these visitors.

8.4.2 NATURAL AND HISTORIC ENHANCEMENT

Historic resources such as the County's gold-rush-era towns and buildings, cultural and artistic offerings, vineyards and agricultural lands, and other natural resource areas all offer valuable opportunities to enjoy the County's scenic beauty and outdoor activities. Given the importance and anticipated growth of tourism and visitor services within the County's economy, the County's economic development activities should include preservation and enhancement of resource areas attractive to visitors as a high priority.

The second project objective is to focus development of new residential, commercial and industrial uses in and near existing communities. The General Plan would focus new growth toward existing unincorporated communities (Martell, Pine Grove, Buckhorn, River Pines) which represent key centers in the County, each with unique future development objectives that respond to the priorities established by the community in its Vision Statement. The Town Centers and the Regional Service Center seek to restore and build anew the county's historic town environments, creating places where residents and visitors can walk and bike to services, stores, restaurants, parks and other public uses. Focusing growth in these areas that already exist and contribute to these effects will also help maintain the scenic features and night sky in other more rural sections of the County.

8.4.3 REDUCING TRAFFIC

As identified in the General Plan EIR and the above Findings, development under the General Plan, and Alternatives 1, 2, and 3 would result in significant and unavoidable impacts regarding long-term operational and mobile-source emissions and GHG emissions. Project Objective 8 calls for a multi-modal circulation network that accommodates vehicles, pedestrians, cyclists, and public transportation. Implementation of the General Plan would reduce VMT per service population for the region compared to existing conditions. The General Plan's Land Use Element contains several policies that would promote high-density, mixed-use, and infill development. Policies LU-1.2 and 1.3 would help promote areas with higher density residential land uses that are connected via transit, bicycle, and pedestrian transportation, which would reduce the need for single-occupancy vehicle trips and vehicle miles traveled in the region. Policies LU-10.1 to 10.3 would promote mixed use Town Centers that site residents, jobs, and retail amenities in proximity of each other to reduce the need for motor vehicle travel and facilitate the use of transit, bicycle, and walking to reach daily necessities. Policies LU-11.1 and 11.2 further support these development patterns (i.e., mixed use, high density) in the Martell RSC. In addition, Policy LU-11.2 promotes low impact development and green building standards to reduce energy and water consumption, which would also indirectly reduce air quality emissions in the region.

To an extent for a mostly rural county, the General Plan can encourage shifts in travel to transit, bicycling, and walking. Land use and transportation policies that reduce VMT benefit not only pedestrians, cyclists, and transit users, but the community as a whole. Land and transportation policies that reduce vehicle miles traveled (VMT) also reduce harmful air pollution, enhance mobility, and reduce commuting time. Communities that provide for efficient transportation choices can reduce household and business costs. Land-efficient development patterns reduce VMT and air pollution, but also reduce up-front and ongoing infrastructure costs (per unit). Many other benefits are available to communities that thoughtfully integrate land use, transportation, design, and infrastructure planning. The General Plan allows the County to comply with existing legislative requirements for non-vehicular transportation and optimizes local choices for practical alternatives to the single occupant vehicular trip.

8.4.4 ACCOMMODATE AFFORDABLE HOUSING AND FAIR SHARE

The County is committed to a vision of a sustainable, rural community that increases housing choices for all current and future residents. The most immediate challenge to finding adequate housing is cost, although condition and suitability are also important factors. For this reason, the State and local governments have made housing affordability a focus of public policymaking. California Government Code Section 65584 requires each city and county plan to accommodate a fair share of the region's housing construction needs. As identified in the General Plan EIR, the population and jobs are forecasted to grow in Amador County. Without adequate construction of new housing, housing demand and cost would continue to grow. The County also cannot meet its economic development and housing needs without accommodating these additional residents and workers. Project Objective 5 is to provide affordable to those who live or work in Amador County, including HCD's housing unit allocations. Under the General Plan, the County could accommodate DOF-projected growth and its fair share of the region's housing construction need.

8.4.5 MAINTAINING AND ENHANCING SERVICES

Project Objective 9 is to maintain and enhance access to services, including health services, emergency services, quality child care and senior services, and education opportunities for children and adults. As identified in the General Plan EIR and the above Findings, existing facilities have the capacity to accommodate projected growth and development under the General Plan in terms of increased need for handling solid waste, public education, and parks and recreation opportunities.

8.5 Addressing Air Quality and Greenhouse Gas Emissions

Land Use planning decisions directly affect local air quality. Since transportation is a major source of criteria pollutants and toxic air contaminants, land use and transportation planning policies must be coordinated in order to protect public health and the environment. Additionally, operational GHG emissions would be primarily generated by energy and mobile sources associated with growth and development under the General Plan. Because of this, it is important to take advantage of co-benefits of land and transportation policies that reduce VMT and promote alternatives to automobile travel, which in turn reduces household and business transportation costs, harmful air pollution, and time spent commuting, and enhances mobility.

Development under the General Plan will focus on development in the County's commercial and retail activity centers (Region Service Center of Martell and the Town Centers of Buckhorn, Pine Grove, and River Pines), building upon existing infrastructure, transportation, and local businesses. These mixed-use communities will support residential, commercial, public, and industrial uses (those that are compatible with residential and sensitive uses) that could provide new economic opportunities for both existing and

new businesses, as well as jobs for local residents, and will help reduce mobile-source emissions through reduced vehicle use. Additionally, the General Plan includes the development of a GHG emission reduction program. The GHG reduction programs will work toward reducing GHG emissions and create adaptation strategies to address the impacts of climate change on the County to maintain and enhance the quality of life in the community.

8.6 Improving Fiscal Sustainability

The County's fiscal sustainability will be enhanced through expanding the local revenue base, while managing up-front and ongoing costs associated with new and existing development. Thoughtful community design is required for efficient and cost-effective infrastructure and public service provision. Thoughtful community design can also reduce household and business costs related to energy, transportation, and other infrastructure. In general, municipal costs can be reduced with more compact, planned development. The County can help to free up discretionary income that can support expanded local retail activity through planning strategies that reduce travel and utility costs for households. The General Plan has provided a policy framework that will, through implementation of the General Plan, help to reduce household transportation costs and household and business utility costs.

County revenues come from a variety of sources. Property tax revenue increases as property values increase. Property values increase as the desirability of the community increases. Factors include good public safety, quality schools, proximity to retail and service businesses, low commute times, pedestrian amenities, proximity to "walk and ride" fixed rail transit stations, and other factors. Sales tax is also an important source of local revenue. Retail location decisions depend on local household composition, disposable income, access to labor and markets, and existing retail competition.

The ability of the County to attract additional retail activity will depend on attracting a concentration of additional households and associated household incomes. Population growth, including an increased daytime working population, will create opportunities for new retail and commercial services to serve expanding local needs, which will, in turn provide opportunities to increase County revenues.

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