

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: December 10-11, 2008

Reference No.: 2.2c.(2)  
Action Item

From: CINDY McKIM  
Chief Financial Officer

Prepared by: Jay Norvell  
Division Chief  
Environmental  
Analysis

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING**  
**03-ED-50, PM 14.3/15.8**  
**RESOLUTION E-08-22**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends that the California Transportation Commission (Commission), as a responsible agency, approve the attached Resolution E-08-22.

## **ISSUE:**

The attached resolution proposes to approve for future consideration of funding the following project for which a Final Environmental Impact Report (FEIR) has been completed:

- Route 50 in El Dorado County – Construct a new interchange to connect Missouri Flat Road to Route 50 north of Cameron Park.

This project in El Dorado County would construct a new interchange with roadway improvements on Route 50 at Missouri Flat Road. The project is fully funded in the 2008 State Transportation Improvement Program (STIP) with Regional Improvement Program (RIP) shares and local transportation funds. The estimated cost of the project is \$29,731,000, capital and support, and is estimated to begin construction in Fiscal Year 2008-09.

A copy of the FEIR has been provided to Commission staff. Issues with the construction permanently removing several businesses and residences, permanent impacts to waters of the U.S., oak woodlands, and the public controversy regarding the project resulted in an Environmental Impact Report (EIR) being completed for this project. Impacts related to farmlands are anticipated to be significant and unmitigable. As a result, a Statement of Overriding Consideration was adopted.

The Department has approved this project for construction. This approval and the filing of the Notice of Determination with the Office of Planning and Research will satisfy the environmental requirements for this stage of the project planning process.

Attachments

## **CALIFORNIA TRANSPORTATION COMMISSION**

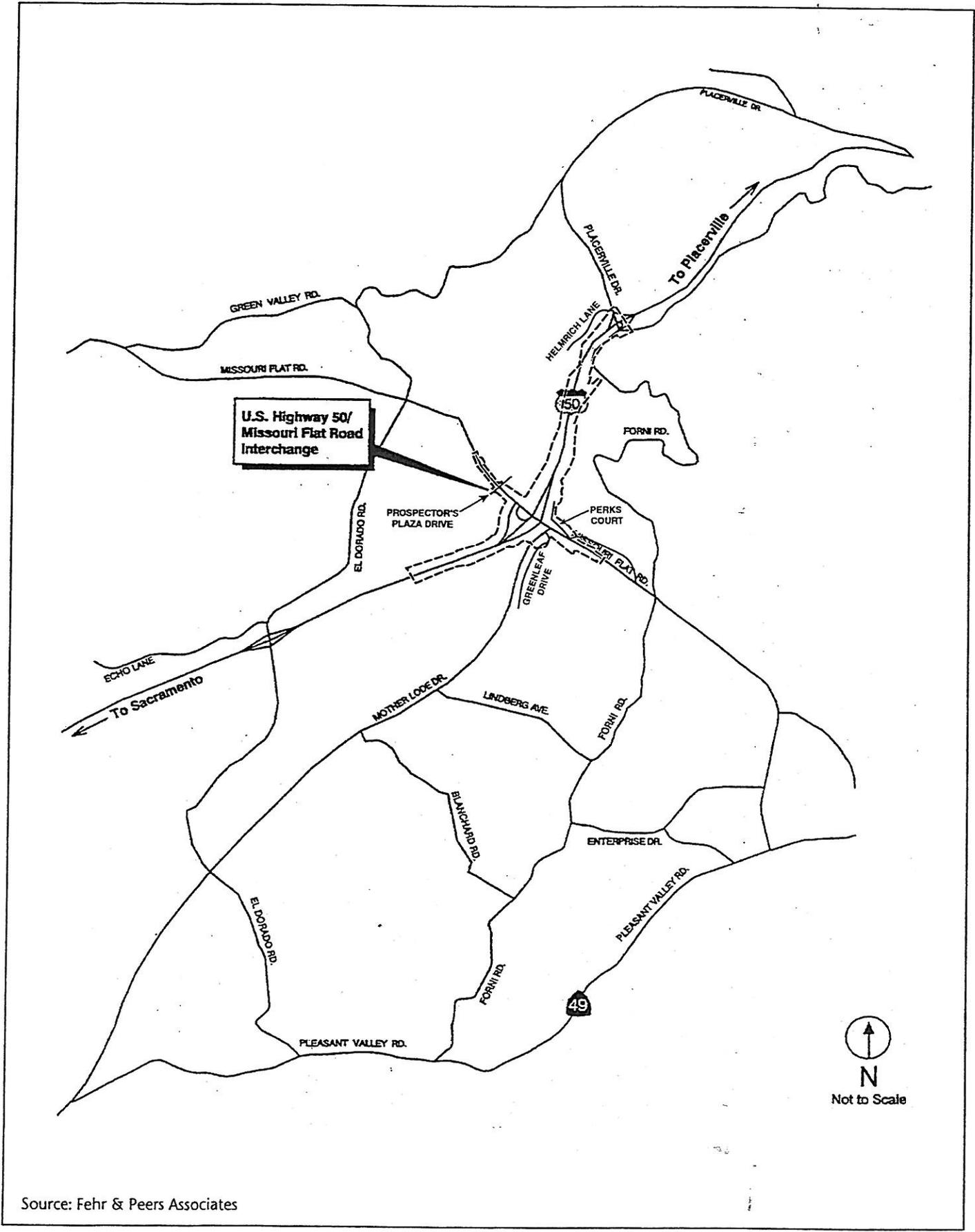
### **Resolution for Future Consideration of Funding**

**03-ED-50, PM 14.3/15.8**

**Resolution E-08-22**

- 1.1** **WHEREAS**, the California Department of Transportation (Department) has completed a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:

  - Route 50 in El Dorado County – Construct a new interchange to connect Missouri Flat Road to Route 50 north of Cameron Park.
- 1.2** **WHEREAS**, the Department has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3** **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.4** **WHEREAS**, the Final Environmental Impact Report did identify significant effects after mitigation; and
- 1.5** **WHEREAS**, a Statement of Overriding Considerations was adopted and Findings were made pursuant to the State CEQA Guidelines.
- 2.1** **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby adopt the Findings and Statement of Overriding Considerations that support approval of the above referenced project to allow for future consideration of funding.



Source: Fehr & Peers Associates

Figure 1.1-1  
Project Vicinity

**Errata to**  
**Exhibit A of Resolution No. 273-2004**

**U.S. Highway 50/Missouri Flat Road Interchange Project:  
Phase 1 with Perks Court Cul-de-Sac Design Option**

**Findings of Fact and  
Statement of Overriding Considerations**

**August 31, 2004**

The following shows all errata to the Findings of Fact and Statement of Overriding Considerations for the U.S. Highway 50/Missouri Flat Road interchange project. Text in standard print is original text, underlined text is added text, and text that is struck out is deleted text.

## **Section 2 Findings on Significant Impacts of the Proposed Project**

Revise the findings for Impact T4, beginning on page 89, as follows:

### **Impact T4: 2005—Elimination of 20 Park-and-Ride Lot Spaces**

#### ***Finding***

The Joint Document recommends changes or alterations that, if required in or incorporated into Phase 1 of the U.S. 50/Missouri Flat Road interchange project, would avoid the potentially significant environmental effect identified in the final joint document. Such changes or alterations, however, are ~~primarily~~ within the responsibility of the County, as well as the and jurisdiction of another public agency (Caltrans the El Dorado County Transit Authority) and not the agency making the finding (the County). The County agrees to carry out its obligations with respect to such changes or alterations, should Caltrans also agree to implement its responsibilities under this measure the Transit Authority decide to proceed. With respect to such full implementation, the County concludes that the recommended changes or alterations can and should also be adopted by Caltrans the Transit Authority.

#### **Explanation**

Implementation of the Phase 1 would result in the loss of up to 20 automobile parking spaces in the existing 73-space park-and-ride lot in the southwest quadrant of the Missouri Flat Road interchange. This lot does not accommodate buses. This impact is considered significant since loss of these parking spaces could result in an inadequate supply of parking at this facility. (Draft Joint Document, page 5-35.)

#### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-35.)

- **T4a: Establish Another Park-and-Ride Lot:** The County will replace up to 20 automobile park-and-ride spaces in an existing or new park-and-lot in the project area. If a new lot is developed, the County will coordinate with Caltrans regarding management of the lot by working with El Dorado County Transit Authority on its proposal to develop another park and ride lot that will serve the project area. One possible location for a ~~the~~ new lot is the northwest quadrant of the Missouri Flat Road interchange where the existing westbound on-ramp and off-ramps are located. Since the northwest quadrant was included within the project area for the proposed project,

the potential for sensitive environmental resources to occur in this quadrant has been evaluated and is addressed in this joint document. No sensitive environmental resources exist in this area (A non-jurisdictional seasonal wetland [0.0055 hectare or 0.01 acre in size] is located in this area. This wetland is a small, artificial feature that was created by highway construction activities, and it has been disturbed by human activities.

#### Significance after Mitigation

The County agrees to carry out its responsibilities under Mitigation Measure T4a. If Caltrans also agrees to implement its responsibilities under this measure, the El Dorado County Transit Authority, with the County's cooperation, implements Mitigation Measure T4a, as the County encourages it to do, the impact will be mitigated to a less than significant level (Draft Joint Document, page 5-35). Because the Board of Supervisors, at the time of adoption of these findings, has no way of knowing with certainty whether such action will be taken by Caltrans the Authority, the Board must conservatively assume, for the present, that the impact is potentially significant and unavoidable. The Board does hereby agree, however, to fully cooperate with Caltrans the Transit Authority should the latter decide to implement its responsibilities under Measure T4a. If both agencies work together to complete the measure, the impact will be rendered less than significant.

### **Section 3 Project Alternatives**

Revise the second paragraph on page 86, as follows:

The detailed discussion in Section 2 demonstrates that all but one of the significant environmental effects of the project can be avoided (rendered less than significant). Only one significant impact, Impact BR5 ("Removal of and disturbance to up to 8–12 Hectares [20–30 Acres] of blue oak woodland and an undetermined number of native trees") will be substantially lessened through the impositions of mitigation measures recommended in the EIR, but not to a less-than-significant level. The impact is significant and unavoidable in the short-term, though less-than-significant in the long term. (Draft Joint Document, p. 5-82; Final Environmental Impact Report, p. 3-1.) In addition, because the Board of Supervisors, at the time of project approval, is not certain whether Caltrans the El Dorado Transit Authority will implement its responsibilities under adopt recommended Mitigation Measure T4a (Establish Another Park and Ride Lot), the Board has conservatively assumed that Impact T4 (Elimination of 20 Park and Ride Lot Spaces) is also potentially significant and unavoidable at present. As noted earlier, however, the Board has agreed that the County will cooperate with Caltrans the Transit Authority should the latter entity decide to proceed with its responsibilities under the measure.

### **Section 4 Statement of Overriding Considerations**

Revise the first paragraph on page 90, as follows:

As set forth in Section 2, the County's approval of the proposed project will result in one impact that will certainly remain significant after mitigation: BR5: the short-term loss of oak trees. In addition, as noted earlier, because the Board of Supervisors, at the time of project approval, is not certain whether Caltrans ~~the El Dorado Transit Authority~~ will implement its responsibilities under adopt recommended Mitigation Measure T4a (Establish Another Park and Ride Lot), the Board has conservatively assumed that Impact T4 (Elimination of 20 Park and Ride Lot Spaces) is also *potentially* significant and unavoidable at present. Despite these two impacts, however, the Board of Supervisors has chosen to approve the project, as mitigated. To do so, the Board must first adopt this Statement of Overriding Considerations. The Board of Supervisors finds that the proposed project will have the benefits identified below. The substantial evidence supporting the various benefits identified below can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Record of Proceedings, as defined in Section 1.



# **RESOLUTION NO. 273-2004**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO**

**Resolution to: (i) Certify the Final Environmental Impact Report For the U.S. Highway 50/Missouri Flat Road Interchange Project 71317 and Final Supplemental Environmental Impact Report For the Missouri Flat Master Circulation and Funding Plan; (ii) Adopt Findings of Fact, a Mitigation Monitoring Program, and a Statement of Overriding Considerations; (iii) Amend the Missouri Flat Master Circulation and Funding Plan; and (iv) Approve Phase 1 of the U.S. Highway 50/ Missouri Flat Road Interchange Project**

**WHEREAS**, the County of El Dorado is the designated Lead Agency for the development of an Environmental Impact Report (EIR) to address the environmental impacts of the proposed U.S. Highway 50/Missouri Flat Road Interchange Project.

**WHEREAS**, the U.S. Highway 50/Missouri Flat Road Interchange Project site is at the Missouri Flat Road interchange on U.S. Highway 50 in the foothills of the Sierra Nevada in western El Dorado County, approximately 0.5 mile west of the Placerville City Limits.

**WHEREAS**, after the County Department of Transportation conducted its review and community outreach effort, staff concluded that because the project had the potential to cause significant adverse effects on the environment, an Environmental Impact Report (EIR) would be required pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000.

**WHEREAS**, a Notice of Preparation of an EIR was advertised to the public with a 30-day solicitation for comments between July 16 and August 14, 2001, was mailed to all responsible and affected agencies pursuant to Public Resources Code Section 21080.4 and was available for public viewing at the El Dorado County Department of Transportation and at the Main Library in Placerville and County branch libraries.

**WHEREAS**, a Notice of Availability of the Draft Environmental Assessment/Environmental Impact Report and Supplemental EIR for the Missouri Flat Master Circulation and Funding Plan (Draft EIR) was filed with the State Clearinghouse, mailed to owners and occupants of contiguous properties and all interested parties, published in the Mountain Democrat newspaper, circulated for public review and comment from December 22, 2003 to February 5, 2004, and was available for review at several locations, including the public

counter at the County Department of Transportation and the public El Dorado County Libraries in Placerville and Cameron Park, and the County web site.

**WHEREAS**, during the public review period, a public hearing was held on January 15, 2004 in the multi-purpose room at Herbert Green Middle School to receive oral comments and to consider public testimony.

**WHEREAS**, responses to oral testimony, written comments, e-mail messages and phone messages are contained in Chapter 2 "Comments and Responses to Comments" in the Final EIR, dated July 2004.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of El Dorado County, the following:

1. It is hereby certified that: (i) the Final EIR for the U.S. Highway 50/Missouri Flat Road Interchange Project 71317/Final Supplemental Environmental Impact Report for the Missouri Flat Master Circulation and Funding Plan (MC&FP) (Final EIR) was prepared in accordance with CEQA Guidelines (14 California Code of Regulations, Section 15000 et seq.); (ii) that the Final EIR was presented to the Board of Supervisors, as the decision making body for the Project, which has reviewed and considered the information contained therein; and (iii) that the Final EIR reflects the independent judgment of the County of El Dorado.
2. Consistent with CEQA Guidelines Section 15132, the Final EIR is comprised of the Draft EIR and appendices, the comments received on the Draft EIR, the Responses to Comments, the Errata, the Mitigation Monitoring Program, References and Appendices.
3. The Final EIR has identified all significant environmental effects of the Project and there are no known potential environmental impacts not addressed in the Final EIR.
4. The Final EIR has described reasonable, potentially feasible alternatives to the Project that could meet most of the basic objectives of the Project.
5. No "significant new information" (as the term is defined pursuant to CEQA Guidelines Section 15088.5) has been added to the EIR since publication of the Draft EIR. No significant new information concerning the Project became known through the public hearings held on the Project, or through the comments on the Draft EIR and Responses to Comments.
6. Each fact in support of the findings contained in Exhibit A attached hereto, "U.S. Highway 50/Missouri Flat Road Interchange Project: Phase 1 with Perks Court Cul-de-Sac Design Option Findings of Fact – Statement of Overriding Considerations," is based upon substantial evidence in the record, including the Final EIR. Exhibit A attached hereto was prepared in accordance with CEQA Guidelines sections 15091 and 15093 and is hereby adopted and incorporated herein by this reference.

7. Although the Final EIR identifies that there are certain significant and unavoidable impacts on the environment, all significant effects which can feasibly be mitigated or avoided have been mitigated or avoided by the incorporation of the project design features, standard conditions and requirements, and by imposition of mitigation measures on the approved project. All mitigation measures are included in the table entitled " Mitigation Monitoring Program for Phase 1, 4-Lane Tight Diamond Interchange, of the U.S. Highway 50/Missouri Flat Road Interchange Project, August 2004", which was prepared in accordance with Public Resources Code, Section 21081.6, Subdivision (a)(1), CEQA Guidelines Section 15097 and is attached hereto as Exhibit B to this resolution and hereby adopted and incorporated herein by this reference. The "Mitigation Monitoring Program" establishes a mechanism and procedures for implementing and verifying the mitigation measures identified in the Final EIR and in Exhibit A attached hereto. These measures shall be incorporated into the project prior to, concurrent with, and after the project implementation, as required.
8. The unavoidable and potentially unavoidable significant impacts identified in Exhibit "A" have been lessened in their severity by the application of standard conditions, the inclusion of Project design features and the imposition of the mitigation measures. In the Board's judgment, the unavoidable significant impacts are outweighed by the technical (Traffic operations and safety) and other benefits of the Project, as set forth in the "Statement of Overriding Considerations" included within Exhibit "A" hereto. The Board of Supervisors adopts the recitation of overriding considerations that justify approval of the Project notwithstanding certain unavoidable and potentially unavoidable significant impacts that cannot feasibly be mitigated as set forth in the "Statement of Overriding Considerations."
9. The Phase 1, 4-Lane Tight Diamond Interchange is hereby approved as the Proposed Project under CEQA, including the Perks Court cul-de-sac at Missouri Flat Road and future bikeway/pedestrian path modifications, the Findings of Fact, the Statement of Overriding Considerations, and the Mitigation Monitoring Program. The Board hereby instructs County Staff to commence the process of obtaining the necessary regulatory approvals, permits, and financial resources needed to purchase property required for the project and to construct the project.
10. The Board hereby amends the Missouri Flat Master Circulation and Financing Plan as shown in Exhibit C attached hereto and incorporated herein by this reference, by making changes to Mitigation Measure 4.8-1, as previously adopted.
11. With adoption of this modification, the U.S. 50/Missouri Flat Road interchange project would not be subject to the requirement that post-development stormwater peak discharge levels remain at existing pre-project peak levels. This requirement is not needed for this project since the change in water surface elevation associated with this project would be negligible, and the project would not result in any additional flood risk to life or property.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 31 day of AUGUST, 2004, by the following vote of said Board:

**ATTEST**

**CINDY KECK**

Clerk of the Board of Supervisors

By *Cynthia Johnson*  
Deputy Clerk 8/31/04

**Ayes:** SUPERVISORS: SWEENEY, BAUMANN, DUPRAY,

PAINÉ, SOLARO

**Noes:**

**Absent:** NONE

NONE

*[Signature]*  
Chairman, Board of Supervisors 8/31/04

**I CERTIFY THAT:**

**THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.**

**DATE**

**ATTEST: CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California**

**By**

**Deputy Clerk**

## **EXHIBIT A**

### **U.S. Highway 50/Missouri Flat Road Interchange Project: Phase 1 with Perks Court Cul-de-Sac Design Option**

#### **Findings of Fact and Statement of Overriding Considerations**

#### **Pursuant to Section 21081 of the Public Resources Code and Sections 15091 and 15093 of the California Environmental Quality Act Guidelines**

##### **Related Environmental Document:**

**U.S. Highway 50/Missouri Flat Road Interchange Project  
Draft Environmental Assessment/Environmental Impact Report and  
Missouri Flat Area Master Circulation and Funding Plan  
Draft Supplemental Environmental Impact Report**

**SCH No. 1998092077**

**El Dorado County Board of Supervisors  
330 Fairlane Court  
Placerville, CA 95667**

**August 31, 2004**

# **Section 1** Introduction and Purpose

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## **Introduction**

El Dorado County, through its Department of Transportation (EDCDOT), is proposing to improve the U. Highway 50 (U.S. 50)/Missouri Flat Road interchange by constructing a 4-lane tight diamond interchange (Phase 1). A revised environmental assessment/final environmental impact report (EIR) (referred to as final joint document in this report) was prepared for this project that addresses the potential environmental effects associated with this project. The final joint document also included analysis of a Phase 2 interchange improvement project. Finally, the EIR portion of the final joint document also served as a supplemental EIR for the Missouri Flat Area Master Circulation and Funding Plan (MC&FP) for modification of one drainage-related mitigation measure adopted as part of the MC&FP.

This report presents findings that must be made by El Dorado County Board of Supervisors, as the decision-making body of the state lead agency, prior to approval of the proposed project to comply with the requirements of the California Environmental Quality Act (CEQA) (Pub. Resource Code, Section 21000 et seq) and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). These findings will only address Phase 1 and the modification to the MC&FP drainage-related mitigation measure, as Phase 2 is not being approved at this time, and may require further environmental analysis in the future, depending on how many years hence the Board decides to consider approval of Phase 2, and the potentially changed circumstances existing at that time.

## **Project Location**

The project site is located in the foothills of the Sierra Nevada mountains in western El Dorado County (County) at the U.S. 50/Missouri Flat Road interchange, approximately 1.3 kilometers (0.8 mile) west of the Placerville city limits between the El Dorado Road and the Forni Road/Placerville Drive interchanges.

## **Project Objectives**

The proposed project would improve the U.S. 50/Missouri Flat Road interchange. The County has identified two primary objectives that the project is intended to achieve.

- The first objective is to increase the U.S. 50/Missouri Flat Road interchange capacity to solve existing operational deficiencies and to accommodate traffic associated with planned growth in the County.

This objective reflects the fact that, as recent operational analyses indicate, the Missouri Flat Road/Mother Lode Drive intersection operates at level of service (LOS) F (oversaturation, forced flow, extensive queuing) during the p.m. peak hour which affects upstream

intersection operations. As a result, extensive queuing occurs at most intersections for more than one hour during the evening. Field observations confirm that significant delays and queuing occurs at several locations along the Missouri Flat Road corridor during the p.m. peak hours and that the overall corridor can be described as operating at LOS F.

The Project Study Report (HDR Engineering, Inc. 2000) for this project indicates that gridlock conditions are expected during all peak periods under 2020 conditions if no improvements are made to the interchange. The interchange ramps, weaving sections, and intersections are expected to operate at LOS F during peak hours without improvements.

- The second objective is to address safety problems associated with the interchange.

Accident data for U.S. 50 in the vicinity of the Missouri Flat Road interchange for the 3-year period from July 1997 to June 2000 indicate that the accident rate was greater than the average rate for similar mainline facilities. The accident rate was also greater than average for the eastbound ramps and westbound on-ramp. Although none of the accidents resulted in fatalities, injuries occurred in approximately 45% of the mainline accidents and about 35% of the ramp accidents.

## Project Background

In 1995, the County began to consider various methods for reducing traffic delays and congestion through the Missouri Flat corridor. As Caltrans requires that State facilities be designed for a 20-year design life (Caltrans 1995), the County evaluated interchange designs that would provide an adequate level of service through year 2025, assuming population projections issued by SACOG.

In December 1998, the County certified a final program EIR for, and then adopted, the Missouri Flat Area MC&FP, consistent with Policies 2.1.4.8 and 10.2.7.3 of the County's January 1996 General Plan (General Plan). At that time, the General Plan had not yet been held to be invalid by the Sacramento County Superior Court in *El Dorado County Taxpayers for Quality Growth et al. v. County of El Dorado*. Policy 2.1.4.8 of the 1996 General Plan calls for the adoption of a specific plan, redevelopment plan, or *master circulation and funding plan* to address development in the Missouri Flat area and current and future roadway capacity deficiencies. Policy 10.2.7.3 calls for development of a comprehensive road circulation plan for the Missouri Flat Road Corridor Area that includes the identification and development of a specific funding mechanism that overcomes existing operational deficiencies and accommodates future traffic demands to the year 2015. Although the MC&FP EIR looked at a two-phase interchange project that would provide an adequate level of service through 2025, the Board of Supervisors, in approving the MC&FP, approved only the first phase.

In December 2000, the County implemented the MC&FP by adopting a finding that an adequate threshold level of funding was available ("critical mass") to finance the circulation plan element of the MC&FP. In March 2002, the County formed a Community Facilities District to provide the financial mechanism for implementing the MC&FP. The MC&FP intends to fund more than \$40 million (2000 dollars) for improvements to the U.S. 50/Missouri Flat Road interchange and

adjacent arterials and collector roads. The proposed Phase 1 improvements are included in the MC&FP financing plan.

The County's 1996 General Plan was set aside in June 1999 as the result of a determination by the Sacramento County Superior Court that, in certain respects, the County had not fully complied with CEQA in preparing the EIR and findings for the General Plan. (See *El Dorado County Taxpayers for Quality Growth, et al. v. El Dorado County Board of Supervisors and El Dorado County* (No. 96CS01290.) After a hearing and argument on the form of the writ to be issued, including the scope of the remedy to be imposed during the period in which the County worked to correct these CEQA violations, the court issued a Writ of Mandate that governs the County's land use decisions during the interim period between the issuance of the Writ and the completion of a new General Plan. The proposed 4-lane tight diamond interchange configuration (Phase 1 of the CEQA proposed project), as a capital improvement project, is clearly authorized under the Writ.

The Board of Supervisors adopted a new County General Plan on July 19, 2004. However, that plan cannot be implemented until the Writ of Mandate is "lifted". The County anticipates that the process of having the Writ lifted will require three to six months from the date of formal plan adoption, after which, the County will again be able to process development projects that were prohibited under the provisions of the Writ.

In addition, at the time of this writing, a "No Gridlock" initiative has qualified for the ballot in 2005 and a referendum to "stay" the adoption of the General Plan is in the process of verifying signatures. If signatures are verified, the General Plan would revert back to the 1996 Plan, along with the terms of the Writ. The initiative, if passed, would amend the County Charter to link future residential development to U.S. 50 capacity improvements.

## Project Description

The proposed project entails construction of an interim 4-lane tight diamond interchange configuration during Phase 1 to replace the existing interchange. The interim 4-lane tight diamond interchange configuration is the minimum design that solves existing traffic operational deficiencies and provides adequate capacity for development in the County allowed by the Court-issued Writ of Mandate. (Draft Joint Document, page 1-12.)

Construction of the 4-lane tight diamond interchange would consist of replacing the existing westbound loop off-ramp with a diagonal ramp, moving the beginning of the ramp eastward. A diagonal on-ramp opposite the proposed diagonal westbound off-ramp would replace the existing westbound on-ramp. The westbound ramp intersection would be relocated approximately 90 meters (295 feet) south of its existing location. The eastbound off-ramp would include 1 left-turn lane, 1 combination left-turn/right-turn lane, and 1 right-turn lane. The westbound off-ramp would include 2 left-turn lanes and 2 right-turn lanes. Grading would be provided along the westbound on-ramp to allow for future ramp metering when warranted. Retaining walls would be constructed as needed to reduce impacts on adjacent properties. Missouri Flat Road would also be reconstructed between 235 meters (771 feet) north of Prospector's Plaza Drive to approximately 150 meters (357 feet) south of Perks Court to provide 2 through lanes in each

direction. Missouri Flat Road would be realigned slightly to the east in order to reduce impacts to traffic during construction. The existing overcrossing structure would be replaced. Two left-turn lanes would be provided on Missouri Flat Road at the ramp intersections. The Prospector's Plaza and Mother Lode Drive intersections would be reconstructed to conform to the realigned Missouri Flat Road. Perks Court would be cul-de-saced close to Missouri Flat Road. (Draft Joint Document, page 1-14)

The eastbound and westbound Weber Creek bridges would be seismically retrofitted, including providing additional strength to the structural steel bracing members and providing additional concrete at the top of the piers. Both bridges would also be widened to provide for 1 auxiliary lane and standard shoulders eastbound (connecting the eastbound on-ramp at the Missouri Flat Road interchange to the eastbound off-ramp at the Forni Road/Placerville Drive interchange) and westbound (connecting the westbound on-ramp at the Forni Road/Placerville Drive interchange to the westbound off-ramp at the Missouri Flat Road interchange). To support the widened superstructure, a total of 6 additional piers and associated foundations would be constructed adjacent to the 6 existing piers. The bridge abutments would also be widened to accommodate the widened superstructure. These proposed improvements to the superstructure of the Weber Creek bridges represent the minimum design that is required to seismically retrofit the bridges, solve existing traffic operational deficiencies, and provide adequate capacity for development in the County allowed by the court-issued Writ of Mandate. (Draft Joint Document, pages 1-14 and 1-15.)

The EIR portion of this joint document is not only a project EIR for the interchange, but it is also a supplemental EIR for the MC&FP with an extremely narrow focus. The MC&FP was the subject of a program EIR certified in December 1998 (EDAW 1998). In approving the MC&FP, the Board adopted Findings of Fact that, among other things, committed the County to numerous mitigation measures detailed in the program EIR. Because one of these measures – labeled 4.8-1 in the program EIR and Board Findings of Fact – has proven to be unnecessary and unworkable in one small respect, County staff has proposed, and the Board has determined, to modify that measure as part of the proposed approvals for this interchange project. (See CEQA Guidelines, Section 15163.) (Draft Joint Document, page 1-11.)

## Record of Proceedings

For the purposes of CEQA and these findings, the Record of Proceeding for the project consists of the following documents, at a minimum:

Dokken Engineering. 2001. *Project study report for western Placerville interchanges on U. S. Route 50 from the Missouri Flat Road overcrossing to the west Placerville Drive undercrossing in and near the city of Placerville.* Prepared for the El Dorado County Transportation Commission, Placerville, CA. Placerville, CA.

Economic & Planning Systems. 1998. *Missouri Flat Master Circulation and Funding Plan Public Review Draft Report.* April. Prepared for El Dorado County. Sacramento, CA.

- Economic & Planning Systems. 2000. *Final report update, Missouri Flat master circulation and funding plan*. November. Prepared for El Dorado County. Sacramento, CA.
- Economic & Planning Systems. 2002. *Hearing Report, Missouri Flat Area, CFD No. 2002-01 Financing Plan*. Prepared for Hearing before the Board of Supervisors of the County of El Dorado, March 19, 2002, Placerville, CA. Sacramento, CA.
- EDAW. 1998. *Draft and final environmental impact report for the Missouri Flat area MC&FP and Sundance Plaza and El Dorado Villages Shopping Center projects*. State Clearinghouse No. 97092074. Prepared for El Dorado County Department of Transportation, Placerville, CA.
- El Dorado County. 1991. *El Dorado County. 1991. Grading, erosion, and sediment control ordinance*. Placerville, CA.
- El Dorado County. 1994. *El Dorado County General Update Draft Environmental Impact Report*. December. Placerville, CA.
- El Dorado County. *El Dorado County General Plan Update Supplement to the Draft Environmental Impact Report*. September. Placerville, CA.
- El Dorado County. 1995. *El Dorado County General Plan Final Environmental Impact Report (Volumes I through V)*. December. Placerville, CA.
- El Dorado County. 1996. *Circulation Element and Land Use Element Maps for the El Dorado County General Plan*. Placerville, CA.
- El Dorado County. 1996. *El Dorado County general plan (volumes I and II)*. Planning Department. January. Placerville, CA.
- El Dorado County. 1996. *Mitigated negative declaration and initial study for the Missouri Flat Road Widening Project*. Placerville, CA.
- El Dorado County. 1998. *CEQA Findings of Fact and Statement of Overriding Considerations for the Missouri Flat Master Circulation and Funding Plan*. December. Placerville, CA.
- El Dorado County. 1996. *El Dorado County General Plan Findings*. January 23, revised January 26, 1996. Placerville, CA.
- El Dorado County. 1977. *El Dorado County bikeway master plan*. Placerville, CA.
- El Dorado County Parks and Recreation Division, General Services Department. March 11, 2001. *El Dorado County bicycle transportation plan*. (revisions). Placerville, CA.
- Fehr & Peers Associates, Inc. 2002. *Final Traffic Report for the U. S. 50/Missouri Flat Road Interchange Project Report*. March. Prepared for Quincy, Engineering, Inc., Sacramento, CA. Roseville, CA.

- HDR Engineering, Inc. 2000. *Project study report for modifications to the interchange at U.S. Highway 50/Missouri Flat Road in El Dorado County*. August. Prepared for El Dorado County Department of Transportation, Placerville, CA.
- Jones & Stokes. 2002a. *Draft Biological Assessment for the U.S. Highway 50/ Missouri Flat Road Interchange Project*. July. Prepared for Quincy Engineering, Inc., Sacramento, CA. Sacramento, CA.
- Jones & Stokes. 2002b. *Final Air Quality Technical Report for the U.S. Highway 50/ Missouri Flat Road Interchange Project*. October. Prepared for Quincy Engineering, Inc., Sacramento, CA. Sacramento, CA.
- Jones & Stokes. 2002c. *Final Community Impact Assessment for the U.S. Highway 50/ Missouri Flat Road Interchange Project*. October. Prepared for Quincy Engineering, Inc., Sacramento, CA. Sacramento, CA.
- Jones & Stokes. 2002d. *Final Earth Resources Technical Report for the U.S. Highway 50/ Missouri Flat Road Interchange Project*. October. Prepared for Quincy Engineering, Inc., Sacramento, CA. Sacramento, CA.
- Jones & Stokes. 2002e. *Final Hydrology and Water Quality Technical Report for the U.S. Highway 50/ Missouri Flat Road Interchange Project*. October. Prepared for Quincy Engineering, Inc., Sacramento, CA. Sacramento, CA.
- Jones & Stokes. 2002f. *Final Natural Environment Study Report for the U.S. Highway 50/ Missouri Flat Road Interchange Project*. July. Prepared for Quincy Engineering, Inc., Sacramento, CA. Sacramento, CA.
- Jones & Stokes. 2002g. *Final Noise Study Report for the U.S. Highway 50/ Missouri Flat Road Interchange Project*. October. Prepared for Quincy Engineering, Sacramento, CA. Sacramento, CA.
- Jones & Stokes. 2002h. *Final Relocation Impact Statement for the U.S. Highway 50/ Missouri Flat Road Interchange Project*. October. Prepared for Quincy Engineering, Sacramento, CA. Sacramento, CA. (Contained in the Final Community Impact Assessment report as Appendix A)
- Jones & Stokes. 2002i. *Final Visual Resources Technical Report for the U.S. Highway 50/ Missouri Flat Road Interchange Project*. October. Prepared for Quincy Engineering, Inc., Sacramento, CA. Sacramento, CA.
- Jones & Stokes. 2002j. *Historic Property Survey Report for the U.S. Highway 50/ Missouri Flat Road Interchange Project*. January. Prepared for Quincy Engineering, Inc., Sacramento, CA. Sacramento, CA.

Jones & Stokes. 2002k. *Revised Delineation of Waters of the United States for the U.S. Highway 50/Missouri Flat Road Interchange Project*. October. Prepared for Quincy Engineering, Inc., Sacramento, CA. Sacramento, CA.

Jones & Stokes. 2002l. *Results of a Site Assessment and Protocol-Level Surveys for the California Red-Legged Frog, U.S. Highway 50/Missouri Flat Road Interchange Project, El Dorado County, California*. May. Prepared for Quincy Engineering, Inc., Sacramento, CA. Sacramento, CA. (Contained in the Draft Biological Assessment as Appendix B)

Jones & Stokes. 2003. *Final Biological Assessment U.S. Highway 50/Missouri Flat Road Interchange Project*. August. Prepared for Quincy Engineering, Sacramento, CA. Sacramento, CA.

Norman S. Braithwaite Inc. 2002. *Design Hydraulic Study. U.S.-50 over Weber Creek Bridge No. 35-005L. Missouri Flat Road Interchange Project*. Prepared for Quincy Engineering, Inc., Sacramento, CA. Redding, CA.

Quincy Engineering. 1999. *Alternatives analysis report; Missouri Flat Road Interchange*. Prepared for El Dorado County Department of Transportation, Placerville, CA. Sacramento, CA.

Quincy Engineering, Inc. 2001. *Final seismic assessment report; El Dorado County Weber Creek Bridge at U.S. 50 (03-ED-50-15.4) Br. No. 25-0005R/L*. April. Prepared for El Dorado County Department of Public Works, Placerville, CA.

Quincy Engineering. 2002. *Final drainage report. Missouri Flat Interchange*. Prepared for El Dorado County Department of Transportation, Placerville, CA. August. Sacramento, CA.

Taber Consultants. 2001a. *Geologic/geotechnical review; Missouri Flat Road interchange at U.S. 50, Weber Creek Bridge at U.S. 50, 03-ED-50-23.1/25.4, El Dorado County, California*. Prepared for Quincy Engineering, Inc., Sacramento, CA.

Taber Consultants. 2001b. *Initial site assessment; U.S. Route 50/Missouri Flat Road interchange project, El Dorado County, California*. Prepared for Quincy Engineering, Inc., Sacramento, CA.

Taber Consultants. 2003. *Supplemental Site Assessment, Russell Property-APN 327-130-20, Missouri Flat Road Interchange Project, El Dorado County, California*. September. Prepared for Jones & Stokes, Sacramento, CA. West Sacramento, CA.

The Notice of Preparation and all other public notices issued by the County in conjunction with the project.

All comments submitted by agencies or members of the public during the 45-day public comment period on the Draft Joint Document.

All comments and correspondence submitted to the County with respect to the project, in addition to timely comments on the Draft Joint Document.

The mitigation monitoring and reporting program for the project.

All findings and resolutions adopted by the County decision-makers in connection with the project, and all documents cited or referenced to therein.

All reports, studies, memoranda, maps, staff reports, or other planning documents related to the project prepared by the County, consultants to the County, or responsible or trustee agencies with respect to the County's compliance with the requirements of CEQA and with respect to the County's actions on the Project.

All documents submitted to the County by other public agencies or members of the public in connection with the project, up through the close of the public hearing by the Board of Supervisors on August 31, 2004.

Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the County in connection with the project.

Any documentary or other evidence submitted to the County at such information sessions, public meetings and public hearings.

Depending on the nature of the issues raised in any litigation challenging the proposed project, the formal Record of Proceedings may also include, at the County's discretion, any of all of the documents set forth below. Based on the nature of the issues raised in litigation, and the costs involved in copying some or all of the following materials, the County will determine whether all, or only some, of the documents will actually be integrated into the full Record as submitted to a reviewing Court:

Banta, B. H., and D. J. Morafka. 1968. An annotated check list of the recent amphibians and reptiles of the Pinnacles National Monument and Bear Valley, San Benito and Monterey counties, California, with some ecological observations. *The Wasmann Journal of Biology* 26(2):161-183.

Barr, C.B. 1991. *The distribution, habitat, and status of the valley elderberry longhorn beetle: Desmocerus californicus dimorphus*. U.S. Fish and Wildlife Service, Sacramento, CA.

Beedy, E.C., and S.L. Granholm. 1991. *Discovering Sierra birds*. Yosemite and Sequoia Natural History Association, Yosemite, CA.

Benson, P.E. 1989. *CALINE4 – a dispersion model for predicting air pollution concentrations near roadways*. California Department of Transportation. Sacramento, CA.

Blow, B. 1920. *California Highways: A Descriptive Record of Road Development by the State and by Such Counties as Have Paved Highways*. H.S. Crocker Company, San Francisco, CA.

- Boudier, W. H. 1966. *The Paths of Humanity: A Chronicle of California Highway Development*. California Transportation Agency, Department of Public Works, Division of Highways. Sacramento, CA.
- California Air Resources Board. 2002. *California air quality data statistics*. Available: <http://www.arb.ca.gov/adam>. Accessed: May 2002.
- California Department of Health Services, Office of Noise Control. 1977. *Model Community Noise Control Ordinance*. Berkeley, CA.
- California Department of Transportation. 1995. *Highway design manual*. July 1. Sacramento, CA.
- California Department of Transportation. 1997. *Community impact assessment*. (Caltrans Environmental Handbook Volume 4.) Sacramento, CA.
- California Department of Transportation. 2001. *Statewide Storm Water Management Plan*. Sacramento, CA.
- California Department of Water Resources. 1978. *Evaluation of ground water resources: Sacramento Valley*. Bulletin 118-6. Prepared in cooperation with U.S. Geological Survey. Sacramento, CA.
- California Division of Mines and Geology. 1995. *Fault-rupture hazard zones in California*. Special Publication 42. Sacramento, CA.
- California Employment Development Department. 2000. *California employment development department labor market information division (county snapshots)*. Available: <http://www.calmis.ca.gov/file/COsnaps/eldorsnap.pdf>. Accessed: January 2002.
- California Fish and Game Commission. 1987. *Wetlands resources policy*. Sacramento, CA.
- California Natural Diversity Data Base. 2001. *Records search of the Garden Valley, Slate Mtn., Coloma, Shingle Springs, Placerville, Camino, Latrobe, Fiddletown, and Aukum 7.5-minute quadrangle*. California Department of Fish and Game. Sacramento, CA.
- California Regional Water Quality Control Board. 1998. *Water quality control plan (basin plan) for the Central Valley region, Sacramento River and San Joaquin River Basins*. Sacramento, CA.
- Caltrans (California Department of Transportation). 1998. *Traffic noise analysis protocol for new highway construction and highway reconstruction projects*. Environmental Program: Noise, Air Quality, and Hazardous Waste Management Office. Sacramento, CA.
- Coy, O.C., Ph.D. 1973. *California County Boundaries*. Valley Publishers, Fresno, CA.

- Derr, E. H. 1996. *Historic Resource Evaluation Report for the Missouri Flat Road/Interstate 50 Interchange Project, El Dorado County, California*. Prepared for HDR Engineering. Rancho Cordova, CA.
- Environmental Laboratory. 1987. *Corps of Engineers wetlands delineation manual*. (Technical Report Y-87-1.) U.S. Army Corps of Engineers Experiment Station, Vicksburg, MS.
- Federal Highway Administration. 1983. *Visual impact assessment for highway projects*. (Contract DOT-FH-11-9694). Washington, D.C.
- Federal Highway Administration. 1995. *Highway Traffic Noise Analysis and Abatement Policy and Guidance*. Washington, D.C.
- Federal Transit Administration. 1995. *Transit noise and vibration impact assessment*. (DOT-T-95-16.) Office of Planning. Washington, DC. Prepared by Harris Miller Miller & Hanson, Inc., Burlington, MA.
- Garza, Vincente et al. 1997. *Transportation project-level carbon monoxide protocol*. Institute of Transportation Studies, University of California, Davis, CA.
- Gudde, E. G. 1975. *California Gold Camps*. University of California Press, Berkeley, CA.
- Hickman, J.C. (ed.). 1993. *The Jepson manual: higher plants of California*. University of California Press, Berkeley, CA.
- Hokanson, D. 1985. The Lincoln Highway, First across the Country. *Smithsonian* 16(5):58.
- Holland, D.C., and R.B. Bury. 1992. *Status of the western pond turtle (Clemmys marmorata) in 1991*. In presentation at the Western Section of the Wildlife Society Annual Meeting; 1992. San Diego, CA.
- Holland, R. 1986. Preliminary description of the terrestrial natural communities of California. Unpublished report. California Department of Fish and Game. Sacramento, CA.
- Howard, T. F. 1998. *Sierra Crossing: First Roads to California*. University of California Press, Berkeley, CA.
- Jennings, M.R., and M.P. Hayes. 1994. *Amphibian and reptile species of special concern in California*. Final report. California Department of Fish and Game, Inland Fisheries Division. Rancho Cordova, CA.
- Jones & Stokes Associates, Inc. 1985. *Survey of the habitat and populations of the valley elderberry longhorn beetle along the Sacramento River*. 1985 progress report. Prepared for the U.S. Fish and Wildlife Service, Sacramento Endangered Species Field Office, Sacramento, CA.

- Jones & Stokes Associates, Inc. 1986. *Survey of the habitat and populations of the valley elderberry longhorn beetle along the Sacramento River*. 1986 progress report. Prepared for the U.S. Fish and Wildlife Service, Sacramento Endangered Species Field Office, Sacramento, CA.
- Jones & Stokes Associates, Inc. 1987. *Survey of the habitat and populations of the valley elderberry longhorn beetle along the Sacramento River*. Final report. Prepared for the U.S. Fish and Wildlife Service, Sacramento Endangered Species Field Office, Sacramento, CA.
- Jones & Stokes Associates, Inc. 1999. *Draft environmental impact report/environmental assessment for the U.S. Highway 50/El Dorado Hills Boulevard-Latrobe Road interchange project*. Volume I. Prepared for El Dorado County Department of Transportation, Placerville, CA.
- JRP Historical Consulting Services and California Department of Transportation. 2000. *Water Conveyance Systems in California: Historic Context Development and Evaluation Procedures*. Sacramento, CA.
- Kavanaugh, D. H. 1979. *Studies on the Nebriini (Coleoptera: Carabidae), III*. New nearctic *Nebria* species and subspecies, nomenclatural notes, and lectotype designations. *Proceedings of the California Academy of Sciences* 42(4):87-133.
- Kilcline, W. F. 1952. News bureau manager of California State Automobile Association. July 9, 1952 letter from William Kilcline to R.C. Kennedy, Secretary of the California Highway Commission. Lincoln Highway Folder. On file at the California Department of Transportation Library, Sacramento, CA.
- Kyle, D. E., M. B. Hoover, H.E. Rensch, E.G. Rensch, and W.N. Abeloe. 1990. *Historic Spots in California*. Stanford University Press, Stanford, CA.
- Lincoln Highway Association. 1920. *A Picture of Progress on the Lincoln Highway*. Detroit, MI.
- Lincoln Highway Association. 1935. *The Lincoln Highway: The Story of a Crusade that Made Transportation History*. Dodd, Mead, & Company, New York, NY.
- Linsley, E.G. and J.A. Chemsak. 1972. Cerambycidae of North America, Part VI, No.1. Taxonomy and classification of the subfamily Lepturinae. *University of California Publications in Entomology* 69:1-13.
- Moyle, P.B. 1973. Effects of introduced bullfrogs, *Rana catesbeiana*, on native frogs of the San Joaquin Valley, California. *Copeia*. Pp.18-22
- National Association of Realtors. 2001. *Database of homes for sale*. Available: <http://www.realtor.com>. Accessed: January 2002.

- Phillips, E. and J. H. Miller. 1915. El Dorado County. *Sacramento Valley and Foothill Counties of California: An Illustrated Description of all the Counties Embraced in this Richly Productive Geographical Subdivision of the Golden State.* 45-47. The Sacramento Valley Expositions Commission, Sacramento, CA.
- Quad Consultants. 1990. *Missouri Flat Specific Plan.* Prepared for El Dorado County. Placerville, CA.
- Remsen, J.V. 1978. *Bird species of special concern in California: an annotated list of declining or vulnerable bird species.* (Nongame Wildlife Investigations, Wildlife Management Branch alluvial report No. 78-1.) California Department of Fish and Game. Sacramento, CA.
- Ripley, W. M. 1947. Gold. *Directory of the Residents and Businesses of the City of Placerville.* 1-4. El Dorado District of the Church of Jesus Christ of Latter Day Saints. Placerville, CA.
- Sioli, P. 1998. *Sesquicentennial Reprint of Paolo Sioli's Historical Souvenir of El Dorado County California: With Illustrations and Biographical Sketches of Its Prominent Men & Pioneers.* Cedar Ridge Publishing, Georgetown, CA.
- Smardon, R.C., J.F. Palmer, and J.P. Felleman. 1986. *Foundations for visual project analysis.* John Wiley & Sons, Inc., New York, NY.
- Starns, J. E. 1992. *Bray Treatment/Placerville Ridge Conduit Facility Plan; Cultural Resource Mitigation Reports.* Planning Division, Engineering Department, El Dorado Irrigation District, Placerville, CA.
- State Board of Equalization. 2000. *Annual report 1999-2000.* Sacramento, CA.
- State of California, Department of Public Works, Division of Highways. 1937. *Special Provisions Proposal and Contract for Constructing a Bridge on the State Highway in El Dorado County, Across Webber Creek about 2 ½ Miles West of Placerville; District III, Route 11, Section C.* California Printing Office, Sacramento. On file at the California Department of Transportation Library, Sacramento, CA.
- State of California, Department of Public Works. 1938. *Final Report for Construction of a Reinforced Concrete Girder Bridge across Webber Creek About Three Miles West of Placerville in the County of El Dorado on Road III - ED- -11-C.* California Printing Office, Sacramento. On file at the California Department of Transportation Library, Sacramento, CA.
- Stebbins, R.C. 1985. *A field guide to western reptiles and amphibians.* Houghton Mifflin Company, Boston, MA.

- Supernowicz D.E. 1993. *Surmounting the Sierra: An Historical Narrative and Determination of Eligibility for the Highway 50 Corridor between Union Hill and Lake Valley, Placerville*. Report prepared for the Eldorado National Forest.
- Thomas Fitch and Company. 1862. *Directory of the City of Placerville and Towns of Upper Placerville, El Dorado, Georgetown, and Coloma Containing a History of These Places, Names of Their Inhabitants, and Everything Appertaining to a Complete Directory, Together with a Business Directory*. Placerville Republican Printing Office, Placerville, CA.
- Tollestrup, K. 1981. *The social behavior and displays of two species of horned lizards, Phrynosoma platyrhinos and Phrynosoma coronatum*. *Herpetologica* 37(3):130-141.
- Transportation Research Board. 1994. *Highway capacity manual (special report 209)*. 3<sup>rd</sup> Edition. National Research Council. Washington D.C.
- U.S. Fish and Wildlife Service. 1997. *Guidance on site assessment and field surveys for California red-legged frogs*. Ecological Services, Sacramento Field Office. Sacramento, CA.
- U.S. Forest Service. 1974. *National forest landscape management*. Volume 2, Chapter 1: The Visual Management System (Agriculture Handbook Number 462). Washington, D.C.
- U.S. Natural Resources Conservation Service. 1974. *Soil survey of El Dorado, California*. Government Printing Office. Washington, DC.
- U.S. Soil Conservation Service. 1978. *Procedure to establish priorities in landscape architecture*. (Technical Release No. 65). Washington, D.C.
- Werschkul, D.F., and M.T. Christensen. 1977. Differential predation by *Lepomis macrochirus* on the eggs and tadpoles of *Rana*. *Herpetologica* 33:237-241.
- Williams, D. F. 1986. *Mammalian species of special concern in California*. (Wildlife Management Division Administrative Report 86-1.) California Department of Fish and Game. Sacramento, CA.
- Wilson, N.L, and A.H. Towne. 1978. Nisenan. In *Handbook of North American Indians, Volume 8: California*, edited by R.L. Heizer, 387-397. Smithsonian Institution, Washington, DC.
- Zeiner, D.C., W.F. Laudenslayer, Jr., and K.E. Mayer (compiling eds.). 1988. *California's wildlife; volume I - amphibians and reptiles*. (California Statewide Wildlife Habitat Relationships System.) California Department of Fish and Game. Sacramento, CA.
- Zeiner, D.C., F. Laudenslayer, K.E. Mayer, and M. White. 1990. *California wildlife; volume II: birds*. California Department of Fish and Game.

## Section 2 Findings on Significant Impacts of the Proposed Project

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### Findings Required under CEQA

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects". The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects."

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that "[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." (CEQA Guidelines, § 15091, subd. (a)(1).) The second permissible finding is that "such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (CEQA Guidelines, § 15091, subd.(a)(2).) The third potential conclusion is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(3).) Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* ("Goleta II") (1990) 52 Cal.3d 553, 565 [276 Cal. Rptr. 410].)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 [183 Cal.Rptr. 898].) "[F]easibility under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*Ibid*; see also *Sequoiah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (29 Cal.Rptr.2d 182].)

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. The County must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." (Pub. Resources Code, § 21002.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 519-527 [147 Cal.Rptr. 842], in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question (e.g., the "regional traffic problem") less than significant.

CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] or substantially lessened," these findings, for purposes of clarity, in each case will specify whether the effect in question has been avoided (i.e., reduced to a less than significant level) or has simply been substantially lessened but remains significant.

Moreover, although section 15 09 1, read literally, does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these findings will nevertheless fully account for all such effects identified in the Final EIR.

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subs. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or a feasible environmentally superior alternative, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 2108 1, subd. (b).) The California Supreme Court has stated that, "[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply

requires that those decisions be informed, and therefore balanced.” (*Goleta II*, 52 Cal.3d at p. 576.)

## Legal Effects of Findings

To the extent that these findings conclude that various proposed mitigation measures outlined in the final joint document are feasible and have not been modified, superseded, or withdrawn, the County hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when County decision-makers formally approve the project.

The full text of each mitigation measure is contained below and will be effectuated through the process of constructing and implementing the project.

## Mitigation Monitoring Program

A Mitigation Monitoring Program (MMP) has been prepared for the Project and has been adopted concurrently with these Findings. (See Pub. Resources Code, § 21081.6, subd. (a)(1).) The County will use the MMP to track compliance with Project mitigation measures. The MMP will remain available for public review during the compliance period.

## Significant Effects and Mitigation Measures

The final joint document identified a number of significant environmental effects (or “impacts”) that the proposed project will cause. Some of these significant effects can be fully avoided through the adoption of feasible mitigation measures. Others can be substantially lessened, but not avoided, by feasible mitigation measures, and thus will remain significant. In the Board’s judgment, however, the negative consequences of all of these significant unavoidable impacts are outweighed by overriding considerations set forth in Section 4 of this report. This section presents in greater detail the Board’s findings with respect to the environmental effects of the project. For the sake of full disclosure, this section will also identify those impacts that, even in the absence of mitigation, will be less than significant.

## Land Use, Planning, and Growth

### Thresholds of Significance

Appendix G of the State CEQA Guidelines provides guidance for the evaluation of project effects on land use and planning issues. Based on these guidelines, the project is considered to have a significant impact if it would:

- physically divide an established community;

- conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect; or
- result in adequate parking supply.

(Draft Joint Document, page 5-5.)

### **Impact LU 1: Permanent Right-of-Way Acquisitions from 19 Parcels**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

Impacts on land uses within the project area would result from the widening of Missouri Flat Road and the modifications to the U.S. 50 interchange. Phase 1 would require corner or sliver permanent right-of-way acquisitions from residential or commercial parcels. Because these acquisitions would not affect the land uses occupying these parcels and because the project is compatible with existing land uses in the area, this impact is considered less than significant. (Draft Joint Document, pages 5-5 and 5-6.)

#### ***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 5-6.)

#### ***Significance***

Less than significant (Draft Joint Document, page 5-6.)

### **Impact LU2: Compatible with Planned Land Uses**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

Phase 1 is not anticipated to result in conflicts with planned land uses in the project area and is consistent with the Writ of Mandate and the Missouri Flat Area MC&FP. One new development, El Dorado Villages shopping center, has begun construction of a Safeway market in the northeast quadrant of the Missouri Flat Road interchange. The Missouri Flat Road interchange project is being designed to be consistent with the design and layout of the shopping center. This impact is considered less than significant. (Draft Joint Document, page 5-6.)

#### ***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 5-6.)

#### ***Significance***

Less than significant (Draft Joint Document, page 5-6.)

### **Impact LU3: No Impact on Community Cohesion**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

The residential area to the southeast of the Missouri Flat Road interchange does not constitute a cohesive community because it lacks the features common to neighborhoods and does not contain substantial cohesion. Since the proposed project would not divide any community, in that improvements are being made to an interchange that already exists, this impact is considered less than significant. (Draft Joint Document, pages 5-6 and 5-7.)

#### ***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 5-7.)

#### ***Significance***

Less than significant (Draft Joint Document, page 5-7.)

### **Impact LU4: Consistent with Local and Regional Plans and Policies**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

Phase 1 is consistent with applicable policies of the 1996 El Dorado County General Plan, 1998 Missouri Flat Area MC&FP, and 2025 Metropolitan Transportation Plan. This impact is considered less than significant. (Draft Joint Document, pages 5-7 through 5-10.)

#### ***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 5-10.)

#### ***Significance***

Less than significant (Draft Joint Document, page 5-10.)

### **Impact LU5: Potential Displacement of 35 Parking Spaces at Prospector's Plaza**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

The preferred alternative would result in the displacement of approximately 35 spaces on APN 327-290-058, used by patrons of the Prospector's Plaza shopping center. The County ordinance

requires 960 spaces in Prospector's Plaza based on 1 space/250 square feet and 240,000 square feet. Currently, approximately 1,020 spaces exist. Therefore, this impact is considered less than significant. (Draft Joint Document, page 5-10.)

### ***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 5-10.)

### ***Significance***

Less than significant (Draft Joint Document, page 5-10.)

## **Cumulative Short-term Land Use Impact**

### ***Finding***

Changes or alterations have been required in, or incorporated into, the Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the project's cumulatively considerable contribution to significant cumulative land use, planning, and growth-related impacts.

### ***Explanation***

The MC&FP EIR states that retail development and construction of roadway improvements in the MC&FP area would result in a significant cumulative conversion of approximately 52.7 acres of primarily vacant land in an area that generally contains commercial and rural residential uses. Proposed development would occur in an area that has changed and is continuing to change from being predominantly of a rural residential character to one with urban uses. Planned roadway improvements in the MC&FP area could also result in partial takes of land from parcels that are developed. Land use conflicts between proposed commercial uses and existing rural residential uses could occur. Temporary construction impacts related to construction noise, dust, and effects on access to businesses and residential uses may also occur. (EDAW 1998.) (Draft Joint Document, page 4-3.)

### ***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce the project's contribution to less than cumulatively considerable: (Draft Joint Document, pages 4-3 and 5-14.)

- **LU6a: Implement a traffic management plan:** To address this concern, the County will implement a traffic management plan (TMP), consistent with County and Caltrans roadway construction guidelines, that will identify the locations of temporary detours and signage to facilitate local traffic patterns and through-traffic requirements. On U.S. 50 and Missouri Flat Road, 1 lane in each direction will be kept open at all times during construction. Except in emergencies, U.S. 50 ramp closures will occur only during nonpeak hours and likely only at night; any ramp closure will comply with Caltrans ramp closure chart. Daytime access to businesses along Missouri Flat Road will be retained during construction. To the extent that business access must be disrupted, the disruption will occur only at night. Access to residences along Missouri Flat Road, Perks Court, and Helmrich Lane will be maintained during construction. The County will notify affected businesses and residences at least 1 week in advance of any lane or roadway closures or impacts related to access. The County

will also notify personnel of emergency response services, such as fire and police protection, 1–2 weeks in advance of any lane or roadway closures so that alternate routes can be taken.

**Significance after Mitigation**

Less than significant (Draft Joint Document, page 4-3.)

**Cumulative Long-Term Land Use Impacts**

***Finding***

Under CEQA, no mitigation measures are required for projects with incremental impacts that are less than cumulatively considerable (CEQA Guidelines, § 15064(h), 15130(a)).

***Explanation***

The MC&FP EIR states that retail development and construction of roadway improvements in the MC&FP area would result in a significant cumulative conversion of approximately 52.7 acres of primarily vacant land in an area that generally contains commercial and rural residential uses. Proposed development would occur in an area that has changed and is continuing to change from being predominantly of a rural residential character to one with urban uses. Planned roadway improvements in the MC&FP area could also result in partial takes of land from parcels that are developed. Land use conflicts between proposed commercial uses and existing rural residential uses could occur. Temporary construction impacts related to construction noise, dust, and effects on access to businesses and residential uses may also occur. (EDAW 1998.) Phase 1 contributes a minor increment to these permanent land use changes. (Draft Joint Document, page 4-3.)

***Mitigation***

No mitigation is proposed. (Draft Joint Document, pages 4-3 and 4-4.)

**Significance**

Less than significant (Draft Joint Document, pages 4-3 and 4-4.)

**Community Impacts**

**Thresholds of Significance**

A community impact is considered significant if it would displace a large number of residents thereby substantially changing the character or cohesion of an existing neighborhood.

**Impact C1: Minor Population Impacts**

***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

***Explanation***

A estimated 8 persons residing in 3 single-family homes located in the southeast quadrant of the Missouri Flat Road interchange could be displaced. The potential change in population would

be considered minor in the context of the current population of the County and the study area. Because the project would not displace a large number of people or substantially change the character or cohesion of an existing neighborhood, this impact is considered less than significant. (Draft Joint Document, page 5-17.)

**Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-17.)

**Significance**

Less than significant (Draft Joint Document, page 5-17.)

**Impact C3: Minor Local and Roadside Impacts**

**Finding**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

**Explanation**

Phase 1 construction could result in the displacement of three businesses in the study area, including H&S Gas Mart, a Jack-in-the-Box restaurant, and a Chevron Station & Gas Mart. Assuming these businesses do not relocate to sites within the study area, an estimated 27 retail jobs would be permanently lost within the area. While adverse, the loss of these jobs would not represent a substantial reduction in employment opportunities for study area or regional residents, representing 0.6% of 2000 study area employment and less than 0.1% of countywide employment. Ultimately, the employment effects may not be as great as 27 jobs since the sales of displaced businesses may be absorbed by businesses elsewhere in the county, resulting in new jobs being created in those businesses. Additionally, the loss of employment would be somewhat offset by employment opportunities generated by construction of the preferred alternative, although these jobs would be temporary and located within the construction sector rather than the retail trade sector. This impact is considered to be less than significant since the project would not displace a large number of businesses. (Draft Joint Document, page 5-19.)

**Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-19.)

**Significance**

Less than significant (Draft Joint Document, page 5-17.)

**Cumulative Community Impacts**

**Finding**

Changes or alterations have been required in, or incorporated into, the Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the project's cumulatively considerable contribution to significant cumulative community impacts.

### **Explanation**

The MC&FP area includes approximately 65-70 commercially-designated parcels that are currently in rural residential uses. Future retail and roadway development in the MC&FP area could result in the cumulative displacement of residences on commercially-designated land; the precise number of residences that would be displaced would depend on where retail development ultimately occurs. Private retail development would afford private landowners with the choice of whether or not to sell their property. However, in the case of public roadway improvements, affected landowners may or may not have this choice if the County employs its power of eminent domain in the interest of the greater public welfare. (EDAW 1998.) (Draft Joint Document, pages 4-3 and 4-4.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce the project's contribution to less than cumulatively considerable: (Draft Joint Document, pages 4-3, 4-4, and 5-26.)

- **R1a: Compensate displaced land uses in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act:** The County will compensate displaced residences and businesses in conformance with Federal and state laws (i.e., the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Public Law 91-646, as amended April 2, 1987; California Government Code, Chapter 16, Section 7260, et seq. [the Uniform Relocation Act]). These laws require that relocation assistance be provided to any person, business, or nonprofit organization displaced because of the acquisition of real property by a public entity for public uses. Compliance with the federal act is required where federal funds are to be used in the acquisition or construction of the project. The Federal Uniform Relocation Assistance Act of 1970 (as amended) and the California Relocation Assistance Act (Government Code Section 7260 et seq.) both require that, within a reasonable period of time prior to displacement, comparable replacement housing and commercial properties will be available or provided for each displaced person. Such assurance must be specifically given on every project requiring residential or business displacement. (California Department of Transportation 1997.)

A local certified public agency (El Dorado County) shall carry out the relocation plan to help eligible displaced individuals move with as little inconvenience as possible. All rights and services provided under Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, shall be strictly adhered to. Persons displaced as a result of the project shall receive fair and equitable treatment and shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole. Relocation resources will be made available to all commercial and residential displacees without discrimination. Appraisals to determine actual market value will be conducted for each property to be relocated once a final alignment has been selected and the Finding of No Significant Impact (FONSI) is signed.

### **Significance after Mitigation**

Less than significant (Draft Joint Document, pages 4-3 and 4-4.)

## Relocation

### Thresholds of Significance

A relocation impact is considered significant if it would:

- substantially change the character or cohesion of an existing neighborhood by dividing, isolating, or disrupting the community;
- displace substantial numbers of existing housing or residents, necessitating the construction of replacement housing elsewhere; or
- displace existing businesses that provide essential or critical services to the local community.

(Draft Joint Document, page 5-21.)

### Impact R1: Displacement of 3 Residences

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

In the area immediately southeast of the Missouri Flat Road interchange, Phase 1 construction would displace a total of 3 residences located in a rural residential neighborhood along Perks Court (Assessor Parcel Numbers [APNs] 327-130-18, 327-130-19, and 327-130-20), resulting in the displacement of an estimated 8 residents. None of the potentially displaced residents is known to have special relocation needs. According to 2000 Census data for the Census tract containing the displaced residents (i.e., Census tract 315.02), the age and ethnic characteristics of residents in the displacement area are similar to those of nearby Placerville.

The County would comply with the requirements of state and federal laws to mitigate relocation impacts. The residents of the displaced homes are likely to seek single-family homes on parcels of 0.17-2.1 hectare (0.42-5.13 acres) within the same region. A recent review of homes-for-sale data indicates more than 30 homes, many situated on acreage, were available (*Mountain Democrat*, classified listings, April 22, 2002). The County would need to comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act since it meets the legal obligations that arise under a law other than CEQA. (Draft Joint Document, pages 5-21 through 5-23.)

#### ***Mitigation Measures***

No mitigation is proposed. (Draft Joint Document, page 5-23.)

#### ***Significance***

Less than significant (Draft Joint Document, page 5-23.)

## **Impact R2: Displacement of 3 Commercial Businesses**

### ***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

### ***Explanation***

Construction of Phase 1 would displace 3 businesses that employ an estimated 27 persons. One of the businesses is located on Perks Court south of U.S. 50 and the other 2 are located along Missouri Flat Road north of U.S. 50. It is likely that these displacements along Missouri Flat Road will occur during Phase 1. During the final design phase of the project, a final determination will be made concerning the extent of acquisitions of these properties.

The County would comply with the requirements of state and federal laws to mitigate relocation impacts. The 3 displaced businesses would require replacement commercial properties suitable for their types of businesses. (Draft Joint Document, pages 5-23 through 5-26.)

### ***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-26.)

- **R1a: Compensate displaced land uses in conformance with the Uniform Relocation Assistance and Real Property Acquisition Polices Act:** See description of this measure under “Cumulative Community Impacts” above.

### ***Significance after Mitigation***

Less than significant (Draft Joint Document, page 5-26.)

## **Cumulative Relocation Impacts**

### ***Finding***

Changes or alterations have been required in, or incorporated into, the Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the project’s cumulatively considerable contribution to significant cumulative relocation impacts.

### ***Explanation***

The MC&FP area includes approximately 65-70 commercially-designated parcels that are currently in rural residential uses. Future retail and roadway development in the MC&FP area could result in the cumulative displacement of residences on commercially-designated land; the precise number of residences that would be displaced would depend on where retail development ultimately occurs. Private retail development would afford private landowners with the choice of whether or not to sell their property. However, in the case of public roadway improvements, affected landowners may or may not have this choice if the County employs its power of eminent domain in the interest of the greater public welfare. (EDAW 1998.) (Draft Joint Document, pages 4-3 and 4-4.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce the project's contribution to a less than cumulatively considerable level: (Draft Joint Document, pages 4-3, 4-4, and 5-26.)

- **R1a: Compensate displaced land uses in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act:** See description of this measure under "Cumulative Community Impacts" above.

### **Significance after Mitigation**

Less than significant (Draft Joint Document, pages 4-3 and 4-4.)

## **Traffic and Transportation/Pedestrian and Bicycle Facilities**

### **Thresholds of Significance**

Based on the policies of the El Dorado County General Plan and Caltrans, an impact is considered to be significant if any of the following would occur:

- Project implementation changes the level of service on any component of U.S. 50 (mainline, weaving segments, or ramp junctions) from acceptable levels (LOS A, B, C, or D) to unacceptable levels (E or F), or worsens an unacceptable LOS;
- Project implementation changes level of service at the Missouri Flat Road/ Prospector's Plaza Drive or the Missouri Flat Road/Bank Driveway intersections in the project vicinity from acceptable levels (LOS A, B, or C) to unacceptable levels (LOS D, E, or F), or worsens an unacceptable LOS;
- Project implementation changes level of service at the Missouri Flat Road/U.S. 50 westbound ramps intersection in the project vicinity from acceptable levels (LOS A, B, C, or D) to unacceptable levels (LOS E or F), or worsens an unacceptable LOS;
- Project implementation changes level of service at the Missouri Flat Road/U.S. 50 eastbound ramps intersection or the Missouri Flat Road/ Mother Lode Drive intersection in the project vicinity from acceptable levels (LOS A, B, C, D, or E) to unacceptable levels (LOS F), or worsens an unacceptable LOS;
- Project implementation disrupts existing or planned transit operations and facilities of the El Dorado Transit Authority;
- Project implementation disrupts existing or planned bicycle or pedestrian facilities contained in the El Dorado County Bicycle Transportation Plan (El Dorado County Parks and Recreation Division 2001) and the El Dorado County Bikeway Master Plan (El Dorado County 1977);
- Project construction results in unacceptable traffic safety concerns;
- Project implementation substantially increases hazards due to a design feature (such as sharp curves or dangerous intersections) or incompatible uses (such as farm equipment);

- Project implementation results in inadequate emergency access; or
- The project is in conflict with adopted policies, plans, or programs supporting alternative transportation (such as bus turnouts and bicycle racks).

(Draft Joint Document, pages 5-30 and 5-31.)

### **Impact T1: 2005—Acceptable LOS at All Ramp Junctions**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

All ramp junctions would operate at LOS C in 2005 with construction of the Phase 1 4-lane tight diamond interchange. The project would not degrade existing or 2005 No-Project LOS from an acceptable to an unacceptable level (the minimum acceptable LOS is considered C at the Missouri Flat Road/Prospector's Plaza Drive and Missouri Flat Road/Bank Driveway intersections, D at the Missouri Flat Road/U.S. 50 westbound ramps intersection, and E at the Missouri Flat Road/U.S. 50 eastbound ramps and the Missouri Flat Road/Mother Lode Drive intersections). Therefore, this impact is considered to be less than significant. (Draft Joint Document, page 5-31.)

#### ***Mitigation Measures***

No mitigation is proposed. (Draft Joint Document, page 5-31.)

#### ***Significance***

Less than significant (Draft Joint Document, page 5-31.)

### **Impact T2: 2005—Unacceptable Weaving Conditions at the U.S. 50/Missouri Flat Road Eastbound On-Ramp until the U.S. 50/Forni Road/Placerville Drive Interchange is Improved**

#### ***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

#### ***Explanation***

Unacceptable weaving conditions are expected to occur at the U.S. 50 eastbound on-ramp because of existing queuing from the U.S. 50/Forni Road/Placerville Drive interchange that originates at the ramp terminal intersections based upon the current weaving threshold criteria of LOS D (Caltrans has allowed LOS E at other locations in the state). Weaving conditions at the U.S. 50 westbound on-ramp are expected to be acceptable in 2005.

The eastbound queues are projected to extend onto the U.S. 50 mainline as far back as the U.S. 50/Missouri Flat Road interchange under Phase 1 conditions. The proposed Phase 1 improvements to the Missouri Flat Road interchange would allow more peak-hour traffic to enter eastbound U.S. 50 from Missouri Flat Road, which would exacerbate the existing queuing problem. This impact is considered to be significant in the short-term (until the U.S. 50/Forni Road/Placerville Drive interchange is improved) because the project would change the existing LOS of this weaving section from an acceptable one (LOS C) to an unacceptable one. (Draft Joint Document, pages 5-31 and 5-32.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, pages 5-32 through 5-34.)

- **T2a: Provide temporary ramp metering for the U.S. 50 eastbound on-ramp from Missouri Flat Road:** The CORSIM micro-simulation model that was developed for this project was used to analyze ramp metering at the U.S. 50 eastbound on-ramp for Phase 1. This analysis (David Stanek pers. comm.) assumed that the ramp meter has two metered lanes and the ramp geometry provides a storage length of approximately 313.9 meters (1,030 feet) (from the eastbound ramp intersection to the ramp meter stop bar). It was also assumed that two vehicles per lane would enter the freeway during each ramp meter cycle. This analysis included a.m. and p.m. peak hour analysis involving multiple iterations testing varying the ramp metering rates. The goal of this analysis was to provide a balance between freeway mainline and arterial intersection operations. Two ramp metering rates were evaluated:
  - Option 1 (minimum headway) with headways of 20 and 16.4 seconds per cycle for the a.m. and p.m. peak hours, respectively, such that queues on the ramp would not extend onto Missouri Flat Road and more traffic would be allowed onto U.S. 50 (360 vph per lane in the a.m. peak hour and 438 vph per lane in the p.m. peak hour);
  - Option 2 (maximum headway) with maximum rate of 240 vph per lane (or 30 seconds per cycle) in the a.m. and p.m. peak hours to reduce demand on U.S. 50 approaching the Forni Road interchange.

Table 3.4-16 of the Draft Joint Document shows that adding a ramp meter at the eastbound on-ramp improves the average speed to near free-flow conditions during the a.m. peak hour and significantly improves speeds during the p.m. peak hour. Option 2 provides higher freeway speeds, primarily during the p.m. peak hour.

According to the 1994 HCM, average speeds above 42 mph for non-weaving vehicles and 40 mph for weaving vehicles are associated with LOS D conditions. Average speeds less than 35 mph are associated with LOS F conditions. Because CORSIM does not differentiate between non-weaving and weaving vehicles, a direct comparison to the 1994 HCM criteria is not possible. Nevertheless, the improvement in average speed during the a.m. peak hour is considered to generate LOS D or better conditions for both options.

Table 3.4-17 of the Draft Joint Document describes intersection operations results for Missouri Flat Road. This table shows results for three options:

- Phase 1 with no ramp metering;
- Phase 1 with minimum headway; and
- Phase 1 with maximum headway.

The results in Table 3.4-17 show that both ramp metering options provide acceptable levels of service (LOS D or better) during the a.m. peak hour. Option 1 also has acceptable LOS during the p.m. peak hour since queues from the ramp meter do not interfere with traffic operations on Missouri Flat Road. However, Option 2 creates unacceptable levels of service (LOS F) at all study intersections during the p.m. peak hour. In the a.m. peak hour, the queue from the Forni Road off-ramp extends about half-way back to the Missouri Flat Road on-ramp in the auxiliary lane. Both ramp meter options reduce this queue by about half. The queue at the ramp meter does not affect Missouri Flat Road under Option 1, but Option 2 has congestion on northbound Missouri Flat Road approaching the interchange.

For the p.m. peak hour, Phase 1 has congestion on eastbound U.S. 50 at the Forni Road off-ramp that extends back to the Missouri Flat Road overcrossing. Ramp metering under Option 1 shrinks the congested area so that the back of queue is east of the Missouri Flat Road on-ramp. Option 2 reduces the queuing to only the auxiliary lane so that through traffic is relatively unimpeded. The ramp meter queue under Option 1 has little or no effect on Missouri Flat Road; however, the lower ramp metering rate under Option 2 causes a long ramp queue which extends onto Missouri Flat Road in both directions causing significant congestion at the adjacent intersections.

Installing a ramp meter at the eastbound on-ramp from Missouri Flat Road can mitigate the congestion on eastbound U.S. 50 for Phase 1. If the metering rate is set such that the queues on the ramp do not back onto Missouri Flat Road (Option 1), the freeway speeds can be improved to near free-flow during the a.m. peak hour and increased over no project conditions in the p.m. peak hour. Freeway operations in the p.m. peak hour can be further improved by reducing the metering rate to the minimum practicable rate (Option 2). However, this causes new negative impacts to intersection operations on Missouri Flat Road resulting in LOS F. Therefore, it is recommended that Option 1 be implemented.

#### Significance after Mitigation

Less than significant (Draft Joint Document, page 5-32.)

### **Impact T3: 2005—Acceptable LOS at All Arterial Intersections**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

All study intersections would operate at LOS C or better during both the a.m. and p.m. peak hours. Construction of the Phase 1 improvements would improve a.m. and p.m. peak-hour traffic operations compared to existing and No-Project 2005 conditions, under both of which

LOS F is expected at all study intersections during the p.m. peak hour. The project would not degrade existing or 2005 No-Project LOS from an acceptable to an unacceptable level (the minimum acceptable LOS is considered C at the Missouri Flat Road/Prospector's Plaza Drive and Missouri Flat Road/Bank Driveway intersections, D at the Missouri Flat Road/U.S. 50 westbound ramps intersection, and E at the Missouri Flat Road/U.S. 50 eastbound ramps and the Missouri Flat Road/Mother Lode Drive intersections). Therefore, this impact is considered to be less than significant. (Draft Joint Document, page 5-34.)

### **Mitigation Measures**

No mitigation is proposed. (Draft Joint Document, page 5-34.)

### **Significance**

Less than significant (Draft Joint Document, page 5-35.)

## **Impact T4: 2005—Elimination of 20 Park-and-Ride Lot Spaces**

### **Finding**

The Joint Document recommends changes or alterations that, if required in or incorporated into Phase 1 of the U.S. 50/Missouri Flat Road interchange project, would avoid the potentially significant environmental effect identified in the final joint document. Such changes or alterations, however, are primarily within the responsibility and jurisdiction of another public agency (the El Dorado County Transit Authority) and not the agency making the finding (the County). The County agrees to carry out its obligations with respect to such changes or alternations, should the Transit Authority decide to proceed. With respect to such full implementation, the County concludes that the recommended changes or alterations can and should be adopted by the Transit Authority.

### **Explanation**

Implementation of the Phase 1 would result in the loss of up to 20 automobile parking spaces in the existing 73-space park-and-ride lot in the southwest quadrant of the Missouri Flat Road interchange. This lot does not accommodate buses. This impact is considered significant since loss of these parking spaces could result in an inadequate supply of parking at this facility. (Draft Joint Document, page 5-35.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-35.)

- **T4a: Establish Another Park-and-Ride Lot:** The County will replace up to 20 automobile park-and-ride spaces by working with El Dorado County Transit Authority on its proposal to develop another park-and-ride lot that will serve the project area. One possible location for the new lot is the northwest quadrant of the Missouri Flat Road interchange where the existing westbound on-ramp and off-ramps are located. Since the northwest quadrant was included within the project area for the proposed project, the potential for sensitive environmental resources to occur in this quadrant has been evaluated and is addressed in this joint document. No sensitive environmental resources exist in this area (A non-jurisdictional

seasonal wetland [0.0055 hectare or 0.01 acre in size] is located in this area. This wetland is a small, artificial feature that was created by highway construction activities, and it has been disturbed by human activities.

#### **Significance after Mitigation**

If the El Dorado County Transit Authority, with the County's cooperation, implements Mitigation Measure T4a, as the County encourages it to do, the impact will be mitigated to a less than significant level (Draft Joint Document, page 5-35). Because the Board of Supervisors, at the time of adoption of these findings, has no way of knowing with certainty whether such action will be taken by the Authority, the Board must conservatively assume, for the present, that the impact is *potentially* significant and unavoidable. The Board does hereby agree, however, to fully cooperate with the Transit Authority should the latter decide to implement Measure T4a. If both agencies work together to complete the measure, the impact will be rendered less than significant.

#### **Impact T5: Provision of Class II Bicycle Lanes and a Continuous Sidewalk on Both Sides of Missouri Flat Road**

##### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

##### ***Explanation***

The proposed project includes providing bicycle lanes (Class II facilities) along Missouri Flat Road within the project boundaries. In addition, sidewalks will be provided on Missouri Flat Road including on both sides of the overcrossing. The project would not disrupt an existing bicycle or pedestrian facility, nor would it interfere with the implementation of a planned facility. As such, the project is consistent with the El Dorado County Bicycle Transportation Plan, which calls for a Class II facility on Missouri Flat Road from U.S. 50 to Green Valley Road and from Forni Road to Mother Lode Drive, and the El Dorado County Bikeway Master Plan which calls for a Class II facility on Missouri Flat Road from Pleasant Valley to Green Valley Road. (Draft Joint Document, pages 5-35 and 5-36.)

It should also be noted that the County staff has recommended and the County Board of Supervisors has determined that the project include the following elements to preserve the option of constructing a Class 1 facility in the future, as a separate project:

- slightly increasing the size of the proposed bridge columns on the eastbound Weber Creek bridge from approximately 4.0 meters (13 feet) in diameter to approximately 4.5 meters (15 feet) in diameter to support a possible future Class 1 facility, as well as the proposed auxiliary lanes; and
- increasing the height of a proposed retaining wall along the eastbound U.S. 50 lanes east of Weber Creek.

By including these elements as part of the project, impacts on Weber Creek would also be minimized by only constructing within the creek once. (Final Joint Document, page 2-5.)

This impact is determined to be less than significant. (Draft Joint Document, page 5-36.)

### ***Mitigation Measures***

No mitigation is proposed. (Draft Joint Document, page 5-36.)

### ***Significance***

Less than significant (Draft Joint Document, page 5-36.)

## **Impact T6: Construction-Related Safety Concerns**

### ***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

### ***Explanation***

During construction of Phase 1 improvements, motorists, bicyclists, and pedestrians may experience delays and be required to take alternative routes to their destinations. This impact is considered significant since the proposed project has the potential to result in temporary construction-related safety concerns. (Draft Joint Document, page 5-36.)

### ***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-36.)

- **LU6a: Implement a Traffic Management Plan:** See description of this measure under “Cumulative Short-Term Land Use Impact” above.

### ***Significance after Mitigation***

Less than significant (Draft Joint Document, page 5-36.)

## **Impact T7: 2015—Acceptable LOS and Weaving Conditions at All Ramp Junctions**

### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

### ***Explanation***

All ramp junctions would operate at LOS D or better during both the a.m. and p.m. peak hours. Weaving sections are also expected to operate acceptably in both directions. The project would not degrade existing or 2005 No-Project LOS from an acceptable (A, B, C, or D) to an

unacceptable level (E or F). Therefore, this impact is considered to be less than significant. (Draft Joint Document, page 5-36.)

**Mitigation Measures**

No mitigation is proposed. (Draft Joint Document, page 5-36.)

**Significance**

Less than significant (Draft Joint Document, p. 5-36.)

**Impact T8: 2015—Acceptable LOS at All Arterial Intersections**

**Finding**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

**Explanation**

The proposed Phase 1 improvements would provide LOS C or better operations at study intersections in 2015. Implementation of these improvements would improve LOS over both existing and 2005 No-Project p.m. peak-hour levels (LOS F). The project would not degrade existing or 2005 No-Project LOS from an acceptable to an unacceptable level (the minimum acceptable LOS is considered C at the Missouri Flat Road/Prospector's Plaza Drive and Missouri Flat Road/Bank Driveway intersections, D at the Missouri Flat Road/U.S. 50 westbound ramps intersection, and E at the Missouri Flat Road/U.S. 50 eastbound ramps and the Missouri Flat Road/Mother Lode Drive intersections). Therefore, this impact is considered to be less than significant. (Draft Joint Document, pages 5-36 and 5-37.)

**Mitigation Measures**

No mitigation is proposed. (Draft Joint Document, page 5-37.)

**Significance**

Less than significant (Draft Joint Document, page 5-37.)

**Air Quality**

**Thresholds of Significance**

Appendix G of the State CEQA Guidelines provides guidance for evaluation of project effects on air quality. Based on these guidelines and professional standards, the proposed project would result in a significant impact on air quality if it would:

- conflict with or obstruct implementation of the applicable air quality management plan;
- violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality

standard (including releasing emissions that exceed quantitative thresholds for O<sub>3</sub> precursors);

- expose sensitive receptors to substantial pollutant concentrations; or
- create objectionable odors affecting a substantial number of people.

In addition to the above significance criteria, emission thresholds are contained in the EDCAPCD's Guide to Air Quality Assessment (EDCAPCD 2002). The EDCAPCD's threshold of significance for project construction and operation is 82 ppd of reactive organic gases (ROG) or nitrogen oxide (NO<sub>x</sub>). (Draft Joint Document, p. 5-43.)

### **Impact AQ1: 2005—No Exceedances of CO Standards**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

The construction year for the Phase 1 was not modeled because all the intersections and links are expected to have LOS C or better based on the project traffic report. Therefore, no violations of either the 1-hour or the 8-hour CO state standard are expected to occur in 2005, and this impact is considered to be less than significant. (Draft Joint Document, page 5-43.)

#### ***Mitigation Measures***

No mitigation is proposed. (Draft Joint Document, page 5-44.)

#### ***Significance***

Less than significant (Draft Joint Document, page 5-43.)

### **Impact AQ2: Temporary Increase in Construction-Related ROG and NO<sub>x</sub> Emissions during Grading and Construction Activities**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

Implementation of the project would result in the construction of new ramps and embankments, as well as bridge construction. Based on the Sacramento Metropolitan AQMD-approved Road Construction Model, Version 3.1, NO<sub>x</sub> emissions estimate is over the threshold of 82 lbs/day set by the EDCAPCD. Therefore, this impact is considered to be significant. (Draft Joint Document, page 5-44.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, pages 5-44 and 5-45.):

- **AQ2a: Mitigate construction equipment exhaust emissions consistent with EDCAPCD requirements:** To reduce construction-related emissions below the EDCAPCD threshold and reduce this impact to less than significant, the County will mitigate construction equipment exhaust emissions by keeping construction-related fuel use below the fuel use screening levels established by the EDCAPCD or by implementing measures required by the EDCAPCD. Based on conservative assumptions regarding emissions and fuel use rates for diesel-powered equipment used for construction, Table 3.5-4 on page 3-69 of the Draft Joint Document sets forth the average daily fuel use per quarter for all construction equipment at a single site that would ensure that emissions remain below the combined 82 lbs/day significance thresholds for ROG and NO<sub>x</sub> on a quarterly basis. The quarterly averaging approach is based on the quarterly calculation of emission offsets used for stationary facilities in the District's New Source Rule 523. If average daily fuel use is kept below the levels shown in Table 3.5-4 on a quarterly basis, implementation of additional measures is not required to reduce ROG and NO<sub>x</sub> emissions from construction equipment.

If project construction fuel use exceeds these screening levels, the County will implement the following measures as required by the ECDAQMD:

- Contractor must ensure that the maximum amount of ground disturbed on any single day of construction is 12 acres or less.
- Contractor must use aqueous emulsified fuel (such as PuriNox) that has been verified by the California ARB or otherwise documented through emissions testing to have the greatest NO<sub>x</sub> and PM10 reduction benefit available, provided each pollutant is reduced by at least 15%.

### **Significance after Mitigation**

Less than significant (Draft Joint Document, page 5-45.)

### **Impact AQ3: Temporary Increase in Construction-Related PM10 Emissions during Grading and Construction Activities**

#### ***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

#### ***Explanation***

EDCAPCD air quality assessment guidelines (EDCAPCD 2002) considers mass emissions of fugitive dust PM10 to be minor if the project includes mitigation measures that will prevent visible dust beyond the project boundaries, in compliance with Rule 403 of the South Coast AQMD, as required by the EDCAPCD. PM10 impacts are considered significant without compliance with this rule. (Draft Joint Document, p. 5.45.)

### ***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-45.)

- **AQ3a: Comply with Rule 403 of the South Coast AQMD, as required by the EDCAPCD:** The County will comply with all applicable aspects of Rule 403 as shown in Tables 3.5-5 and 3.5-6 that follow page 3-70 of the Draft Joint Document.

### ***Significance after Mitigation***

Less than significant (Draft Joint Document, page 5-45.)

## **Impact AQ4: 2015—No Exceedances of CO Standards**

### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

### ***Explanation***

No violations of either the 1-hour or the 8-hour CO state standard would occur under Phase 1 (2015). On the basis of assumptions about improvements in vehicle emission technology and the turnover in the vehicle fleet, estimated future CO concentrations for each project condition and averaging time would be well below the thresholds established for the state and federal ambient CO standards. Therefore, this impact is considered to be less than significant. (Draft Joint Document, page 5-45.)

### ***Mitigation Measures***

No mitigation is proposed. (Draft Joint Document, page 5-45.)

### ***Significance***

Less than significant (Draft Joint Document, page 5-45.)

## **Impact AQ5: Transportation Conformity Achieved**

### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

### ***Explanation***

Phase 1 of the proposed project is included in the 2025 MTP, approved by FHWA on July 24, 2002, and the 2003/05 MTIP amendment #1, approved by FHWA on December 23, 2002. The reference to Phase 1 in these documents refer to the 4-lane tight diamond interchange. The design concept and scope of Phase 1 have not changed from what was analyzed for air quality conformity, and, therefore, it is a conforming transportation project. Because Phase 1's ozone precursor emissions constitute a piece of the Sacramento region's total transportation emissions that have been found to be less than the ozone precursor emissions budget for the region, the

project would not cause or contribute to violations of the federal ozone standards (0.12 parts per million (ppm) averaged over one hour and 0.08 ppm averaged over 8 hours). The proposed project also would not interfere with the timely implementation of transportation control measures from the applicable SIP. (Draft Joint Document, page 5-46, and Final Joint Document, page 2-6.)

To determine whether Phase 1 would result in violations of the California ozone standard (0.09 ppm averaged over one hour), the Phase 1 improvements were also analyzed to determine whether they would increase the ozone precursors, reactive organic gases (ROG) or oxides of nitrogen (NO<sub>x</sub>), by more than 82 pounds per day (ppd), which is the EDCAPCD's significance threshold designed to conform to the California Clean Air Act and the California ozone standard. The conclusion of this analysis was that Phase 1, by reducing congestion in the project area, would result in direct and cumulative emission reduction benefits and would not cause or contribute to violations of state 1-hour ozone standard. (Final Joint Document, pages 2-6 through 2-10.)

This impact is less than significant. (Draft Joint Document, page 5-46.)

### **Mitigation Measures**

No mitigation is proposed. (Draft Joint Document, page 5-46.)

### **Significance**

Less than significant (Draft Joint Document, page 5-46.)

## **Noise**

### **Thresholds of Significance**

Thresholds of significance for noise impacts were established based on the CEQA Environmental Checklist found in Appendix G of the State CEQA Guidelines and on professional judgment. Noise standards from the 1996 General Plan were used as the basis for assessing the significance of noise impacts associated with the proposed project and alternatives.

An operational noise impact is considered significant if:

- Design-year traffic noise levels exceed noise compatibility standards in the County General Plan noise element and the project design-year noise level is more than 3 dB greater than the no-project design-year noise level (that is future-year no-project noise level); or
- Design-year traffic noise level is more than 5 dB greater than the existing noise level.

Construction noise impacts are considered significant if:

- Construction noise would exceed the limits in Table 3.6-6 of the Draft Joint Document (California Office of Noise Control construction noise limits);, or
- Airblast peak overpressures from blasting exceed 112 dB.

(Draft Joint Document, pages 5-49 and 5-50.)

## **Impact N1: Exposure of Noise-Sensitive Land Uses to Construction Noise**

### ***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

### ***Explanation***

During construction of the project, noise from construction activities (primarily operation of heavy equipment) may intermittently dominate the noise environment in the immediate area of construction. Construction noise is regulated by Caltrans' standard specifications (section 7-1.01I, "Sound Control Requirements"), which state that noise levels generated during construction shall comply with applicable local, state, and federal regulations and that all equipment shall be fitted with adequate mufflers according to the manufacturers' specifications.

Construction equipment is expected to generate noise levels ranging from 70–90 dB at a distance of 15 meters (50 feet), and noise produced by construction equipment would be reduced over distance at a rate of about 6 dB per doubling of distance. In general, adverse noise impacts from construction are not anticipated because construction would be conducted in accordance with Caltrans' standard specifications and would be short-term, intermittent, and dominated by local traffic noise. However, there may be instances where construction operations in close proximity to residences could result in noise that exceeds the State Office of Noise Control limits. Therefore, this impact is considered significant. (Draft Joint Document, pages 5-50 and 5-51.)

### ***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, pages 5-51 and 5-52.):

- **N1a: Employ noise-reduction construction measures:** The County will incorporate the following noise-reduction measures into the construction contract:
  - For construction of the interchange, the County will prohibit the construction contractor from undertaking construction activities within 1,000 feet of residences on Sunday, legal holidays, or between the hours of 7 p.m. and 7 a.m. on other days, unless other factors (such as disruptions of peak hour traffic, disruptions to businesses, and traffic safety considerations) render this time frame infeasible.
  - The County will require the construction contractor to use equipment with sound control devices no less effective than those provided on the original equipment.
  - The County will require that no equipment have an unmuffled exhaust.
  - As directed by the County, the contractor shall implement appropriate additional noise mitigation measures, including but not limited to changing the location of stationary construction equipment, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, and installing acoustic barriers around stationary construction noise sources such that noise from construction

does not exceed the limits specified in Table 3.6-6 on page 3-84 of the Draft Joint Document. If the existing background noise levels exceed the values in Table 3.6-6, then the limit for construction noise will be 5 db greater than the levels specified in Table 3.6-6.

- Where Caltrans requires construction during nighttime hours within 1,000 feet of an occupied residence, and the additional measures described above will not reduce construction to less than the limits specified in Table 3.6-6 (or to 5dB or less above the existing background noise levels), the County will consider temporarily relocating the affected resident, upon request, by providing hotel vouchers for nights when construction must occur.

### Significance after Mitigation

Less than significant (Draft Joint Document, page 5-52.)

## **Impact N2: Exposure of Noise-Sensitive Land Uses to Noise from Blasting**

### **Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

### **Explanation**

The installation of new piers at the Weber Creek bridges may require rock blasting. Noise resulting from blasting during construction has the potential to result in adverse noise impacts at residences on Helmrich Lane and Wamego Road. According to researchers investigating human response to blasting, the threshold of persons becoming highly annoyed occurs when peak overpressures exceed about 122 dB. About 10% of the people in the surrounding area would be expected to become highly annoyed if peak overpressures exceed 125 dB. There is very poor correlation between air blasts below 112 dB and the percentage of people highly annoyed. Therefore, it can be concluded that peak overpressures below 112 dB would generally not cause people to become annoyed.

The specific type and location of the blasting that may be required for this project has not been determined. However, based on the proximity of residences to the Weber Creek bridges construction area, there is potential for blasting to exceed 112 dB peak overpressure, thereby disturbing residences and resulting in adverse noise impacts. Therefore, this impact is considered to be significant. (Draft Joint Document, pages 5-52 and 5-53.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-53.)

- **N2a: Employ measures to limit blast noise:** The County shall incorporate the following measures into the construction contract:

- The County shall notify all landowners within 3,000 feet of blasting sites of the specific date and time that blasting will occur. This notice shall be provided at least 1 week in advance of the proposed blasting and will specify the day and general timeframe (a.m. or p.m.) that blasting is anticipated.
- The County shall retain a qualified blasting consultant to develop and implement measures to limit peak overpressures from blasting to 112 dB at the nearest inhabited building facade. These measures may include but are not limited to using reduced charge sizes, changing the number of charges and charge timing, and modifying the depth of charges.

**Significance after Mitigation**

Less than significant (Draft Joint Document, page 5-53.)

**Impact N3: 2015—2 dB Increase over Future No-Project Levels and 3 dB Increase over Existing Noise Levels**

***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

***Explanation***

The change in noise levels under the 2015 Phase 1 tight diamond, relative to the 2015 no-project conditions, are expected to be minor (an increase of 2 dB or less). The increase in 2015 with-project noise levels over existing noise levels is also expected to be minor (an increase of 3 dB or less). Although 11 receivers (receivers 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, and 15) would exceed 60 dB (County noise standard per policy 6.5.1.9), the future changes in noise levels over future no-project conditions would be imperceptible, and the changes over existing levels would be barely perceptible. Therefore, these project-related increases are considered minimal and thus less than significant.

Because the change in future noise, directly attributable to the proposed project, is predicted to be less than 3 dB over no-project design-year levels and less than 5 dB over existing noise levels, the noise impacts associated with the Phase 1 tight diamond (2015) are considered to be less than significant. Furthermore, these small exceedances of noise levels ostensibly capped by Policy 6.5.1.9 should not be understood to render the project inconsistent with that policy, which must be reconciled if reasonably possible with other General Plan policies expressly calling for road improvements in the Missouri Flat area. (See Policies 10.2.7.3 and 2.1.4.8.) (Draft Joint Document, page 5-54.)

***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 5-54.)

**Significance**

Less than significant (Draft Joint Document, page 5-54.)

## Hydrology, Water Quality, and Floodplains

### Thresholds of Significance

The significance thresholds identified below are based on Appendix G of the State CEQA Guidelines and professional practice. Alterations to the hydraulic characteristics of water courses are considered significant if any of the following would occur:

- Substantial alteration of the existing drainage pattern of the site or area, including the alteration of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site;
- Substantial alteration of the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems;
- Substantial reduction of floodflow conveyance capacities; or
- Increased extent or severity of flooding.

Adverse impacts on water quality are considered significant if the project would do any of the following:

- Violate any water quality standards or waste discharge requirements;
- Create or contribute runoff water which would provide substantial additional sources of polluted runoff;
- Any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity, that substantially diminishes the value of habitat for fish and wildlife; or
- Otherwise substantially degrade water quality.

(Draft Joint Document, page 5-57.)

### **Impact WQ1: Changes in Local Stormwater Drainage**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

Construction of roadways for the interchange and highway modifications would create more impervious areas than currently exist within the project area. The introduction of new impervious surfaces would reduce the ground surface available for infiltration of rainfall and runoff and subsequently generate additional runoff during storm events. Increased runoff can

contribute to flood potential of natural stream channels, accelerate processes of soil erosion and stream channel scour, and increase the transport of pollutants to waterways. A draft drainage report (Quincy Engineering 2002) has been prepared in which Caltrans Highway Design Manual drainage design standards have been applied to the project. The report indicates that the quantity of stormwater runoff would increase once the additional roadway surfaces are constructed. Caltrans requires facilities to be constructed to accommodate the 25-year storm event. The existing drainage quantities and rates cannot be calculated until the final design phase of the project because survey information for all of the existing facilities has not been gathered. However, the combined rate of runoff from all proposed facilities for this alternative during a 25-year event would be about 0.34 cms (12.3 cfs). Some of the drainage would flow to Weber Creek, and the remainder would flow to either Mound Springs Creek or Indian Creek. The drainage report indicates that only minor modifications to the existing facilities would be required to accommodate the runoff consisting of new culverts and site grading to direct drainage to the appropriate culvert locations.

The impact is considered to be less than significant because the course and direction of offsite drainage is not being changed and drainage would not exceed the capacity of existing or planned stormwater systems. (Draft Joint Document, page 5-58.)

#### **Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-58.)

#### **Significance**

Less than significant (Draft Joint Document, page 5-58.)

### **Impact WQ2: Flooding and Hydraulic Changes**

#### **Finding**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### **Explanation**

Additional bridge piers would be constructed for the U.S. 50 bridges over Weber Creek to accommodate the additional highway lanes. The piers are located within the floodplain of Weber Creek, and thereby constitute a linear encroachment of the floodplain that is subject to compliance with Executive Order 11988. Increasing the degree of encroachment in the floodplain can alter flood conveyance, channel scour, and/or inundation and backwater patterns of floodwater. Based on the design hydraulic study prepared for the project (Norman S. Braithwaite Inc. 2002), the potential changes in water elevation and velocity would be minimal, and no channel deepening is expected to occur during the expected design life of the bridge. The projected change in water surface elevation during a 100-year flood following construction would increase at the bridge by less than 0.07 meter (0.22 foot). Based on the final drainage report (Quincy Engineering 2002), the combined rate of drainage from all stormwater conveyance facilities would be about 0.34 cms (12.3 cfs) during a 25-year event. Calculations were not performed for a 50- or 100-year event; therefore, the additional stormwater drainage during larger events is not known. However, the additional 0.34 cms (12.3 cfs) is negligible

compared to the 50-year flow in the river (252 cms or 8,896 cfs), and the additional stormwater drainage presumably would not appreciably add to streamflow during larger storms. This impact is considered less than significant since the change in water surface elevation would be negligible, and there would be no additional flood risk to life or property from the negligible increase in water surface elevations.

The County has identified the need to modify one small part of one adopted mitigation measure for the MC&FP (labeled 4.8-1 in the program EIR and County Board of Supervisor Findings of Fact [See Appendix J, page 6 of 14]), aimed at mitigating hydrologic and flooding impacts. The mitigation measure, as modified, reads: (modified language is shown as underlined text):

Prior to the approval of a tentative map, or, for projects without maps, issuance of a building permit, a project applicant for retail development or roadway improvements in the MC&FP Area, including the project applicants for Sundance Plaza and El Dorado Villages Shopping Center projects, shall submit and obtain approval of the project drainage report by the El Dorado County Department of Transportation. This report shall demonstrate that, for all such projects other than the Missouri Flat interchange itself, post-development stormwater peak discharge levels from the project will remain at existing peak levels through the use of one or all of the following alternative mitigation measures. The drainage report shall be prepared by a Certified Civil Engineer and shall be in conformance with the El Dorado County Drainage Manual adopted by the Board of Supervisors in March 1995. The project applicant shall be financially responsible for his/her portion of stormwater drainage facility maintenance requirements and agreements. The drainage report shall include, at a minimum, written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows, proposed onsite improvements, and drainage easements, if necessary, to accommodate flows from the site.

- a) Design and construction of onsite detention facilities of adequate size to reduce peak discharge to pre-development levels. The detention facility may be incorporated into the parking lot design. If a detention facility is incorporated into the proposed parking lot, parking within the facility area shall be restricted during storm events through the placement of cones to ensure vehicles are not damaged by detained water. Permanent maintenance of the detention facility shall include semi-annual inspections to ensure facility integrity and debris removal as necessary.
  - b) Design and construction of a regional detention facility of adequate size to reduce peak discharge to pre-development levels. The detention facility may serve as a regional basin for multiple sites. Permanent maintenance of the detention basin shall include semi-annual inspections to ensure facility integrity and debris removal as necessary.
- and/or
- c) Improvements to existing storm drainage system to reduce peak discharge to pre-development levels. This may include up-sizing of pipes, culverts, etc., at

downstream locations. Permanent maintenance of the drainage facilities shall include semi-annual inspections to ensure facility integrity and debris removal as necessary.

The modification to Mitigation Measure 4.8-1, identified above, was adopted by the County Board of Supervisors on August 31, 2004 by Resolution No.273-2004, which also adopted these Findings. With adoption of this modification, the U.S. 50/Missouri Flat Road interchange project is not subject to the requirement that post-development stormwater peak discharge levels remain at existing pre-project peak levels. This requirement is not needed for this project since the change in water surface elevation associated with this project would be negligible, and the project would not result in any additional flood risk to life or property. This impact is less than significant. (Draft Joint Document, pages 5-58 through 5-62)

#### **Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-62.)

#### **Significance**

Less than significant (Draft Joint Document, page 5-60.)

### **Impact WQ3: Water Quality Impacts from Changes in Stormwater Drainage**

#### **Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

#### **Explanation**

The proposed project would increase the amount of impervious paved roadway surfaces associated with widened roadways and interchange ramp improvements, and thereby increase the amount of contaminants in stormwater runoff from the project area. The improvements would require minor modifications to existing drainage improvements, primarily involving contouring during grading activities to control the direction and rate of drainage to project facilities. Culverts would need to be extended where roadways would be widened and/or upgraded where currently undersized. There would be no appreciable change in the direction or routing of storm drainage from existing conditions.

In addition to increased runoff, as development in the surrounding urban areas and use of the roadway improvements increase, greater quantities of contaminants such as petroleum products and other substances (e.g., trace metals, hazardous materials, litter) could be deposited on the road surfaces. Contaminants in roadway runoff, if discharged untreated to receiving water bodies, can be toxic to fish and other aquatic organisms. This long-term water quality impact is considered significant because temporary and intermittent stormwater discharges from project-related drainage facilities could have reduced water quality. (Draft Joint Document, page 5-62.)

#### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, pages 5-63 and 5-64.)

- **WQ3a: Obtain authorization under the NPDES Permit for Permanent Post-Construction Best Management Practices:** The County and Caltrans or its contractor will avoid or minimize long-term water quality impacts through development and implementation of permanent stormwater quality BMPs for the project area, pursuant to the NPDES stormwater permit. The BMPs would be identified and incorporated into the Plans, Specifications, & Estimates (PS&E) design package. The SWPPP and PS&E documents describe measures to accommodate the additional drainage discharges and avoid adverse effects such as offsite erosion, sedimentation, or water quality impairments.

Two broad classes of permanent post-construction BMPs, and several specific types of BMPs, were approved in the Caltrans NPDES permit. The first category of measures consists of erosion control measures such as preservation of existing vegetation, concentrated flow conveyance systems (ditches, berms, drains, flared culvert end sections, outlet protection and flow velocity dissipation), and slope protection measures. Permanent post-construction erosion control BMPs for slopes, such as mulching, seeding and planting, and slope roughening or terracing would be implemented for new cut-and-fill slopes and swales as deemed necessary by the project engineer. Slope protection measures would be implemented to control erosion such as reducing the length of disturbed slopes, reducing the gradient of slopes, and preventing concentrated flow over slope soils. Caltrans requires different slope protection measures based on whether the vertical to horizontal slope gradient is less than 1:4, between 1:4 and 1:2, or is steeper than 1:2. The Caltrans District Landscape Architect must design or approve all slope stabilization designs for slopes with greater than 1:4 gradients. By controlling erosion, directing runoff through vegetation, or otherwise reducing the offsite discharge of particulate matter and sediment, the permanent erosion control measures would control offsite discharges of roadway pollutants that are associated with particulate matter. Caltrans would be responsible for long-term inspection and maintenance of the permanent BMPs within their jurisdictional right-of-way to ensure that they are maintained in good working order. Likewise, the County would be responsible for maintenance of all other project-related permanent BMPs adjacent to the state right-of-way.

The second category of approved permanent post-construction BMPs consists of runoff treatment measures such as detention infiltration and retention basins and detention basins. The drainage report for the project does not identify the need for retention or detention facilities for the project. However, because drainage runoff volumes will increase, the existing drainage system will need to be modified to accommodate the increased volumes without causing erosion of conveyance channels. The project will include selection of specific BMPs in accordance with Caltrans SWMP.

**Significance after Mitigation**

Less than significant (Draft Joint Document, page 5-64.)

**Impact WQ4: Temporary Construction Water Quality Impacts**

***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

### **Explanation**

Construction activities can impair water quality temporarily because disturbed and eroded soil, petroleum products, and miscellaneous wastes may be discharged into receiving waters. Soil and associated contaminants that enter stream channels can increase turbidity, stimulate algae growth, increase sedimentation of aquatic habitat, and introduce compounds that are toxic to aquatic organisms. Construction materials such as fuels, oils, paints, and concrete are potentially harmful to fish and other aquatic life if released into the environment. The extent of potential environmental effects depends on the erodibility of soil types encountered, type of construction practices, extent of disturbed area, duration of construction activities, timing of precipitation, proximity to receiving water bodies, and sensitivity of those water bodies to contaminants of concern. Accidental spills of construction-related substances such as oils, fuels, and concrete can contaminate both surface water and groundwater.

This project would involve construction grading, earthmoving, and facility construction activities that would occur over a number of months. The construction activities would directly disturb soils and surface drainage swales adjacent to the interchange area. In addition, construction would occur within the Weber Creek channel for additional bridge piers.

This temporary water quality impact is considered significant because temporary and intermittent discharges of contaminated stormwater could occur from the construction activities. (Draft Joint Document, page 5-64.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, pages 5-65 and 5-66.)

- **WQ4a: Obtain Authorization under the NPDES Stormwater Permit for Construction-Related Best Management Practices:** The County and Caltrans or its contractors would avoid or minimize potential construction-related water quality by developing and implementing the appropriate water pollution prevention and erosion control measures as dictated through the SWPPP that is prepared for this project. The County would independently coordinate with the RWQCB and ensure compliance with NPDES stormwater permit conditions for those portions of the project that lie outside of the Caltrans right-of-way. The county's preparation and implementation of a SWPPP that includes selection of BMPs consistent with Caltrans SWMP is expected to meet these requirements.

The following grading and erosion control BMP specifications that are necessary to prevent water quality impairment would be included in the SWPPP and final PS&E design package for the project (California Department of Transportation 2001). Several classes of construction BMPs are identified in the Caltrans NPDES permit including soil stabilization, sediment control, wind erosion control, tracking control, non-storm water control, and waste management and materials pollution control practices. There are numerous approved BMPs within each of these classes, although, not every BMP is used for each project. Typically, the general contractor(s) develop the SWPPP that includes an appropriate suite of BMPs for the specific activities that will occur. All elements of the SWPPP are reviewed by Caltrans.

Given the site-specific conditions of the project area, the SWPPP for this project would generally include limiting soil disturbances during the designated winter rainfall season of October 15 through April 15 and standard sediment erosion control measures, such as silt fencing, straw bale barriers, sediment traps, or other measures to directly reduce the offsite transport of sediment from disturbed slopes. Existing vegetation that can be preserved would be identified and flagged or fenced to avoid disturbance. Erosion in disturbed areas would be controlled through the use of grading operations that eliminate direct routes for conveying runoff to drainage channels and use of soil stabilization BMPs such as mulching, erosion control fabrics, and/or reseeding with grass or other plants where necessary. Standard staging area practices for sediment tracking reduction would also be identified where necessary including vehicle washing and street sweeping. Temporary concentrated flow conveyance systems would also be considered such as berms, ditches, and outlet flow velocity dissipation devices to reduce erosion from newly disturbed slopes.

Under the direction of Caltrans engineering staff, the general contractor(s) and subcontractor(s) conducting the work would be responsible for constructing or implementing, regularly inspecting, and maintaining the BMPs in good working order. The construction contractor(s) and subcontractor(s) would also be required to implement appropriate hazardous materials management practices to reduce the possibility of chemical spills or releases of contaminants, including any nonstormwater discharge to drainage channels. Standard hazardous materials management and spill control and response measures would minimize the potential for surface and groundwater contamination. If soils containing ADL are proposed for reuse within the project area, Caltrans would coordinate with the RWQCB and DTSC as needed to identify necessary protective measures.

Work conducted within Weber Creek for pier construction would require additional BMPs such as placing staging areas away from the stream bank, conducting all in-water work behind coffer dams, sheet piling, or other containment facilities to control discharges of contaminated runoff.

- **BR3f: Limit In-Water Construction Activities to the Summer Low- or No-Flow Period:** See description of this measure under Impact BR3 below.
- **BR3g: Ensure That Turbidity Increases Do Not Exceed Central Valley Regional Water Quality Control Board Standards:** See description of this measure under Impact BR3 below.
- **BR3h: Develop and Implement a Toxic Materials Control and Spill-Response Plan:** See description of this measure under Impact BR3 below.
- **BR3i: Store Hazardous Materials at an Approved Storage Facility:** See description of this measure under Impact BR3 below.

Significance after Mitigation

Less than significant (Draft Joint Document, page 5-66.)

## **Cumulative Hydrology, Water Quality, and Flooding Impacts**

### **Finding**

Changes or alterations have been required in, or incorporated into, the Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the project's cumulatively considerable contribution to significant cumulative hydrology, water quality, and flooding impacts.

### **Explanation**

Proposed development and roadway improvements in the MC&FP area would increase site imperviousness and, therefore, add to the amount of runoff. Small local drainage systems, such as Mounds and Indian Creek, and existing culverts may not be able to accommodate the increase in runoff due to the development of the area. Some existing culverts may be incapable of accepting the increased runoff. The proposed project would incrementally contribute to the increase in impervious surfaces and additional runoff. The hydrologic impacts resulting from the incremental stormwater runoff are considered to be less than cumulatively considerable because project drainage and flow control features would be implemented according to the approved project drainage plan (Quincy Engineering 2002).

After construction of retail projects and roadway improvements in the MC&FP area, long-term water quality could be affected by increased runoff. Water quality would be affected following site development by the introduction of urban pollutants, such as vehicles oils and greases, and heavy metals on roads, parking lots, and driveways; fertilizers used on site landscaping; and toxic compounds released from auto maintenance areas. Uncontrolled, these urban pollutants could directly or indirectly affect aquatic life in the Weber Creek watershed over the approximately 20-year life of the MC&FP. (EDAW 1998.) The proposed project would incrementally contribute to this cumulative effect on water quality. The incremental long-term water quality impacts associated with the project are considered less than cumulatively considerable because stormwater quality BMPs would be implemented, as identified in the project SWPPP.

During the rainy season, development of retail uses and roadway improvements in the MC&FP area could affect water quality during construction due to grading activities that could increase sedimentation and operation and maintenance of construction vehicles and equipment that could release contaminants. (EDAW 1998.) The proposed project would incrementally contribute to this cumulative short-term water quality effect. (Draft Joint Document, pages 4-6 and 4-7.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measures to reduce the project's contribution to less than cumulatively considerable: (Draft Joint Document, pages 4-6, 4-7, 5-63, 64, 5-65, 5-66.)

- **Mitigation Measure BR3f: Limit In-Water Construction Activities to the Summer Low- or No-Flow Period:** See description of this measure under Impact BR3 below.
- **Mitigation Measure BR3g: Ensure That Turbidity Increases Do Not Exceed Central Valley Regional Water Quality Control Board Standard:** See description of this measure under Impact BR3 below.

- **Mitigation Measure BR3h: Develop and Implement a Toxic Materials Control and Spill-Response Plan:** See description of this measure under Impact BR3 below.
- **Mitigation Measure BR3i: Store Hazardous Materials at an Approved Storage Facility:** See description of this measure under Impact BR3 below.
- **WQ3a: Obtain authorization under the NPDES Permit for Permanent Post-Construction Best Management Practices:** See description of this measure under Impact WQ3 above.
- **WQ4a: Obtain Authorization under the NPDES Stormwater Permit for Construction-Related Best Management Practices:** See description of this measure under Impact WQ3 above.

Significance after Mitigation

Less than significant (Draft Joint Document, page 4-7.)

## **Wildlife and Botanical Resources, Threatened and Endangered Species, and Wetlands and Waters of the U.S.**

### Thresholds of Significance

The State CEQA Guidelines and professional standards were used to determine whether the proposed project would have a significant impact on biological resources.

Based on section 15065 of the State CEQA Guidelines, as well as Appendix G to those Guidelines, the County concludes that a project would have a significant impact on biological resources if it would:

- have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by DFG or USFWS;
- have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, and coastal wetlands) through direct removal, filling, hydrological interruption, or other means;
- interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
- conflict with the provisions of an adopted habitat conservation plan (HCP), natural communities conservation plan (NCCP), or other approved local, regional, or state habitat conservation plan; or

- have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of an endangered, rare or threatened species.

Standard professional practice was also used to determine whether an impact on biological resources would be significant. The proposed project likely would cause a significant impact if it would result in:

- long-term degradation of a sensitive plant community because of substantial alteration of land form or site conditions (e.g., alteration of wetland hydrology);
- substantial loss of a plant community and associated wildlife habitat;
- fragmentation or isolation of wildlife habitats, especially riparian and wetland communities;
- substantial disturbance of wildlife resulting from human activities;
- avoidance by fish of biologically important habitat for substantial periods, which may increase mortality or reduce reproductive success;
- disruption of natural wildlife movement corridors;
- reduction in local population size attributable to direct mortality or habitat loss, lowered reproductive success, or habitat fragmentation of:
  - species qualifying as rare and endangered under CEQA,
  - species that are state-listed or federally listed as threatened or endangered, or
  - portions of local populations that are candidates for state or federal listing and federal and state species of concern; or
- substantial reduction or elimination of species diversity.

(Draft Joint Document, pages 5-69 and 5-70.)

### **Impact BR1: Permanent Loss of Approximately 0.0016 Hectare (0.004 Acre) of Weber Creek and Approximately 0.0032 Hectare (0.008 Acre) of Oak Woodland**

#### ***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

#### ***Explanation***

Phase 1 would permanently affect 0.0016 hectare (0.004 acre) of Weber Creek with the placement of 2 new bridge piers within the creek and 0.0032 hectare (0.008 acre) of oak woodland with the placement of 4 new bridge piers in the oak woodland area.

Although this permanent loss is minor, this impact is considered significant since piers will be placed in Weber Creek; therefore, the project could result in the long-term degradation and loss of a sensitive plant community and associated wildlife habitat, and have a substantial adverse effect, either directly or through habitat modification, on special-status wildlife species. (The project area provides habitat for CRLF, foothill yellow-legged frog, and northwestern pond turtle.) (Draft Joint Document, pages 5-70 and 5-71.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-71 and pages 5-74 through 5-81.)

- **BR3a: Install construction barrier fencing around the construction area to protect sensitive biological resources that will be avoided:** See description of this measure under Impact BR3 below.
- **BR3b: Conduct a biological resources education program for construction crews and enforce construction restrictions:** See description of this measure under Impact BR3 below.
- **BR3c: Retain a biologist to monitor construction activities within Weber Creek:** See description of this measure under Impact BR3 below.
- **BR3d: Conduct preconstruction surveys and minimize mortality to CRLF and foothill yellow-legged frog:** See description of this measure under Impact BR3 below.
- **BR3e: Conduct preconstruction surveys to minimize mortality to northwestern pond turtles:** See description of this measure under Impact BR3 below.
- **BR3f: Limit in-water construction activities to the summer low- or no-flow period:** See description of this measure under Impact BR3 below.
- **BR3g: Ensure that turbidity increases do not exceed Central Valley Regional Water Quality Control Board standards:** See description of this measure under Impact BR3 below.
- **BR3h: Develop and implement a toxic materials control and spill-response plan:** See description of this measure under Impact BR3 below.
- **BR3i: Store hazardous materials at an approved storage facility:** See description of this measure under Impact BR3 below.
- **BR3j: Minimize long-term impacts on woody riparian vegetation and associated habitat:** See description of this measure under Impact BR3 below.
- **BR3k: Enhance riparian habitat by developing and implementing a riparian restoration plan:** See description of this measure under Impact BR3 below.

### Significance after Mitigation

Less than significant (Draft Joint Document, page 5-71.)

**Impact BR2: Potential Loss of 0.019 Hectare (0.045 Acre) of Jurisdictional Seasonal Wetlands and of 0.0055 Hectare (0.01 Acre) of Non-Jurisdictional Seasonal Wetlands**

***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

***Explanation***

Phase 1 could result in the complete filling of 1 jurisdictional seasonal wetland (Seasonal Wetland 1) and no more than 50% of 1 jurisdictional seasonal drainage (Seasonal Drainage 2), resulting in the loss of up to 0.019 hectare (0.045 acre) of habitat. The project could also result in the complete filling of 1 non-jurisdictional seasonal wetland (Seasonal Wetland 3), totaling 0.0055 hectare (0.01 acre). (Seasonal Drainage 1 would not be filled with project construction.) These features are small, artificial features that were created from highway construction activities and have been disturbed by human activities. They do not provide important, irreplaceable habitat functions and values. Impacts on these jurisdictional wetlands are considered significant since the project would affect federally-protected wetlands through filling. See also the corresponding temporary impact under Impact BR4. (Draft Joint Document, pages 5-71 and 5-72.)

***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-72 and pages 5-74, 5-75, 5-78, and 5-79.)

- **BR3a: Install construction barrier fencing around the construction area to protect sensitive biological resources that will be avoided:** See description of this measure under Impact BR3 below.
- **BR3f: Limit in-water construction activities to the summer low- or no-flow period:** See description of this measure under Impact BR3 below.
- **BR3g: Ensure that turbidity increases do not exceed Central Valley Regional Water Quality Control Board standards:** See description of this measure under Impact BR3 below.
- **BR3h: Develop and implement a toxic materials control and spill-response plan:** See description of this measure under Impact BR3 below.
- **BR3i: Store hazardous materials at an approved storage facility:** See description of this measure under Impact BR3 below.

***Significance after Mitigation***

Less than significant (Draft Joint Document, page 5-72.)

### **Impact BR3: Disturbance to Approximately 0.1 Hectare (0.25 Acre) of Weber Creek and Approximately 0.29 Hectare (0.71 Acre) of White Alder Riparian Forest Vegetation**

#### **Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

#### **Explanation**

Phase 1 would result in the loss of or disturbance to approximately 0.1 hectare (0.25 acre) of Weber Creek and approximately 0.29 hectare (0.71 acre) of white alder riparian forest vegetation adjacent to Weber Creek (acreage estimates include permanent loss described above under Impact BR1) during construction of the Weber bridges improvements. The creek flows would be diverted to facilitate construction if necessary. Construction equipment would not be operated within the "live" creek channel. Construction activities associated with the construction of 6 new piers and related activities at Weber Creek would contribute to the deterioration of existing fish and wildlife habitat along the creek through the following types of impacts:

- removal of riparian vegetation that provides shade, cover, and bank stabilization along the creek;
- short-term increase in suspended sediment concentrations and turbidity resulting from channel disturbance that could result in a reduction of feeding opportunities for sight-feeding fish, sedimentation of spawning habitat, and suffocation of eggs (fish and amphibian), as well as cause clogging and abrasion of gill filaments;
- short-term degradation of food-producing habitat downstream of the bridge;
- potential for short-term degradation of water quality if hazardous material spills of substances, such as gasoline and diesel fuels, engine oil, and hydraulic fluids, occur, thereby potentially contaminating the creek and affecting aquatic species;
- temporary increase in ambient noise levels associated with construction equipment (drilling, grading, potential need for blasting) in and around Weber Creek;
- short-term disturbance of critical habitat for CRLF; and
- short-term disturbance of habitat and potential for mortality of CRLF, foothill yellow-legged frog, and northwestern pond turtle.

Temporary project-related impacts on CRLF, foothill yellow-legged frog, northwestern pond turtle, and their habitats are considered adverse, based on the following:

- These species have experienced dramatic population declines throughout their ranges in California.
- Localities at which these species are extant on the western slope of the northern Sierra Nevada appear to be patchy and widely scattered (Jennings and Hayes 1994).

- Project-related impacts could result in a reduction in local population size attributable to direct mortality or habitat loss, lowered reproductive success, or habitat fragmentation.

Project construction could result in extended periods of localized, high suspended sediment concentrations and turbidity resulting from channel disturbance, which could also result in an adverse impact on common fish species, including reduction of feeding opportunities for sight-feeding fish, sedimentation of spawning habitat and suffocation of eggs, and clogging and abrasion of gill filaments. It could also result in the degradation of food-producing habitat downstream of the project area.

Riparian habitats are considered sensitive locally, regionally, and statewide because they provide numerous habitat values and are in decline across the state. Additionally, DFG regulates activities that alter the beds, channels, and banks of streams. The proposed bridge improvements at Weber Creek would include such activities and therefore would require a streambed alteration agreement with DFG under Section 1602 of the California Fish and Game Code.

This impact is considered significant since the project could result in the long-term degradation and loss of a sensitive plant community and associated wildlife habitat; could have a substantial adverse effect, either directly or through habitat modification, on special-status wildlife species (habitat for CRLF, foothill yellow-legged frog, and northwestern pond turtle); and could reduce the number or restrict the range of an endangered, rare, or threatened species. (Draft Joint Document, pages 5-72 through 5-74.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, pages 5-74 through 5-81.)

- **BR3a: Install construction barrier fencing around the construction area to protect sensitive biological resources that will be avoided:** The County or its contractors will ensure that the removal or disturbance of sensitive biological resources adjacent to the construction area are avoided by installing orange construction barrier fencing (and sedimentation fencing in some cases) around the construction areas. The area that would generally be required for construction, including staging and access, is shown in Figure 3.8-1 (labeled “project area”) of the Draft Joint Document; pockets within this area that can be avoided during construction should be fenced off to avoid disturbance in these areas. Sensitive resources that occur within and adjacent to the construction area (“project area”) include the riparian forest along Weber Creek, blue oak woodland, individual native oaks greater than 15.2 centimeters (6 inches) in diameter at breast height (dbh), and the identified valley elderberry shrub located immediately outside the construction area.

Prior to construction, the construction contractor will work with the project engineer and a resource specialist to identify the location for the barrier fencing and will place stakes around the sensitive resource sites to indicate the location for fencing. The protected area will be designated as an “environmentally sensitive area” (ESA) and clearly identified on the construction specifications. The fencing will be installed prior to the initiation of construction activities and will be maintained throughout the construction period. The following paragraphs will be provided in the construction specifications for ESAs:

The Contractor's attention is directed to the areas designated as "Environmentally Sensitive Areas" and to state and federal regulations that may pertain to such areas. These areas are protected and no entry by the Contractor for any purpose will be allowed unless specifically authorized in writing by the County. The Contractor shall take measures to ensure that the Contractor's forces do not enter or disturb these areas, including giving written notice to his employees and subcontractors.

Temporary fences around the "Environmentally Sensitive Areas" shall be installed as the first order of work. Temporary fences shall be furnished and constructed, maintained, and later removed as shown on the plans, as specified in the special provisions, and as directed by the project Engineer. The fencing shall be commercial quality woven polypropylene, orange in color, and a minimum of 1.2 meters (4 feet) high (Tensor Polygrid or equivalent). The fencing will be tightly strung on posts with a maximum 3-meter (10-foot) spacing.

- **BR3b: Conduct a biological resources education program for construction crews and enforce construction restrictions:** The County or its contractors will conduct environmental awareness training for construction crews before project implementation. The education program will include a brief review of the special-status species that could potentially occur in the project area (including their life history, habitat requirements, and pictures of the species), the portions of the project area in which they may occur, and their legal status and protection under the ESA of 1973 (16 USC 1536). The program will also cover the restrictions and guidelines that must be followed by all construction personnel to reduce or avoid effects on these species during project implementation. The crew foreman will be responsible for ensuring that crew members adhere to the guidelines and restrictions. Education programs will be conducted for appropriate new personnel as they are brought on the job during the construction period. Restrictions and guidelines that must be followed by construction personnel are:
  - Project-related vehicles will observe the posted speed limit on hard-surfaced roads and a 16.1-kilometer-per-hour (10-miles-per-hour) speed limit on unpaved roads during travel in the project area.
  - Project-related vehicles and construction equipment will restrict off-road travel to the designated construction area.
  - Nighttime construction adjacent to Weber Creek will be minimized.
  - All food-related trash will be disposed of in closed containers and removed from the project area at least once a week during the construction period. Construction personnel will not feed or otherwise attract wildlife to the project area.
  - No pets or firearms will be allowed in the project area.
  - No rodenticides or herbicides will be applied in the project area during construction activities (Ludwig pers. comm.).
  - To prevent possible resource damage from hazardous materials such as motor oil or gasoline, construction personnel will not service vehicles or construction equipment outside of designated staging areas.
  - Any worker who inadvertently injures or kills a special-status species or finds one dead, injured, or entrapped, will immediately report the incident to the biological monitor. The monitor will immediately notify the County, who will provide verbal notification to the

USFWS Endangered Species Office in Sacramento, California, and to the local DFG warden or biologist within 3 working days. The County will follow up with written notification to USFWS and DFG within 5 working days.

- **BR3c: Retain a biologist to monitor construction activities within Weber Creek:** A qualified biologist will monitor all construction activities occurring in water within Weber Creek for compliance with the project's mitigation measures. For construction activities occurring outside of the water, a qualified biologist will be available during the construction period and will make weekly monitoring visits to the Weber Creek construction area. The biological monitor will assist the construction personnel, as needed, to comply with all project implementation restrictions and guidelines. Furthermore, the biological monitor will be responsible for ensuring that the contractor maintains the staked and flagged perimeters of the construction area and staging areas adjacent to sensitive biological resources.
- **BR3d: Conduct preconstruction surveys and minimize mortality to CRLF and foothill yellow-legged frog:** To minimize impacts on CRLF and foothill yellow-legged frog, the County or its contractors will implement the following avoidance and minimization measures:
  - A preconstruction survey by a qualified biologist for CRLFs and foothill yellow-legged frogs will be conducted within 48 hours prior to the start of construction activities within the riparian or aquatic habitat at Weber Creek. If a CRLF or foothill yellow-legged frog is located within the construction area, the frog will be relocated out of the construction area and exclusion fence will be installed to prevent the movement of frogs back into the construction area.
  - A biological monitor will be on site during construction activities within Weber Creek, as described under Mitigation Measure BR3c. The monitor will survey the construction area for CRLFs and foothill yellow-legged frogs.
  - If a CRLF or yellow-legged frog becomes trapped during construction activities within the creek, activities will cease until the biological monitor is contacted and the frog is relocated upstream from the construction area and exclusion fence is installed to prevent the movement of the frogs back into the construction area.
  - Relocation of CRLFs will only take place by an individual permitted by USFWS to handle this species.
  - Any incidental take of CRLFs will be reported to USFWS immediately as described under Mitigation Measure BR3ba.
- **BR3e: Conduct preconstruction surveys to minimize mortality to northwestern pond turtles:** To minimize impacts on northwestern pond turtles and their habitat, the County or its contractors will implement the following avoidance and minimization measures:
  - A preconstruction survey by a qualified biologist for northwestern pond turtles will be conducted within 48 hours prior to the start of construction activities at Weber Creek. If a northwestern pond turtle is located within the construction area, the turtle will be relocated out of the construction area and exclusion fence will be installed to prevent the movement of turtles back into the construction area.

- If a turtle becomes trapped during construction activities within the waterway, activities will cease until the turtle is removed and placed upstream from the construction area and exclusion fence is installed to prevent the movement of turtles back into the construction area.
- **BR3f: Limit in-water construction activities to the summer low- or no-flow period:** To reduce the potential for impacts on amphibians, reptiles, and fishery resources associated with construction-related activities, the County or its contractors will limit in-water construction activities to the summer low- or no-flow period (generally between May 1 and October 15 or before the onset of the rainy season, whichever occurs first. The rainy season is defined as a frontal system that results in depositing 0.25 inches or more of precipitation in one event in the area.). By keeping the construction period within low-precipitation months, the risk of bank erosion is also decreased. Stream banks and adjacent areas disturbed by construction activities should be stabilized to avoid increased erosion during subsequent storms and runoff.
- **BR3g: Ensure that turbidity increases do not exceed Central Valley Regional Water Quality Control Board standards:** To meet the CVRWQCB requirements (Palisoc pers. comm.), the County or its contractors will use a turbidity meter to monitor immediately upstream and 91 meters (300 feet) downstream of the construction area every 4 hours during construction in Weber Creek if construction activities create a visible plume in surface waters. Construction activities shall not cause turbidity increases in surface waters to exceed the following:
  - Where natural turbidity is between 0 and 5 Nephelometric Turbidity Units (NTUs), increases shall not exceed 1 NTU;
  - Where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20%;
  - Where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;
  - Where natural turbidity is greater than 100 NTUs, increases shall not exceed 10%.

If the turbidity increases exceed these standards, mitigation measures shall be implemented immediately to meet these standards. Potential mitigation measures include:

- minimizing disturbance of soils and stream bed gravels, and
- constructing a silt barrier immediately downstream of the construction area.
- **BR3h: Develop and implement a toxic materials control and spill-response plan:** The County or its contractors will develop and implement a toxic materials control and spill-response plan. The plan will include measures to:
  - prevent raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life from contaminating the soil or entering watercourses;
  - establish a spill-prevention and countermeasure plan before project construction that includes strict on-site handling rules to keep construction and maintenance materials out of drainages and waterways;

- immediately clean up all spills according to the spill-prevention and countermeasure plan and immediately notify DFG of any spills and cleanup procedures;
  - provide staging and storage areas located outside the creek’s normal high-water area for equipment, materials, fuels, lubricants, solvents, and other possible contaminants; and
  - remove vehicles from the normal high-water area of the channel before refueling and lubricating.
- **BR3i: Store hazardous materials at an approved storage facility:** The County or its contractors will store hazardous substances at approved staging facilities located at least 30.5 meters (100 feet) from any surface waters. Refueling and vehicle maintenance will be performed at least 30.5 meters (100 feet) from these receiving waters. Sedimentation fences, certified weed-free hay bales, sandbags, water bars, and baffles will be used as additional sources of protection for waters, ditches, and wetlands.
  - **BR3j: Minimize long-term impacts on woody riparian vegetation and associated habitat:** The County or its contractors will minimize long-term impacts on woody riparian vegetation by trimming trees and shrubs rather than removing the entire woody species, where feasible, within the bridge construction area. Where possible, shrubs and trees should be cut 0.9 to 1.5 meters (3 to 5 feet) above ground level to leave the root systems intact and allow for more rapid regeneration following construction.
  - **BR3k: Enhance riparian habitat by developing and implementing a riparian restoration plan:** The County will prepare a riparian restoration plan to compensate for the temporary, unavoidable loss of riparian vegetation along Weber Creek. The County proposes to restore woody riparian that will be removed during construction at a minimum of a 1:1 ratio (1 acre planted for every 1 acre cleared). To further compensate for riparian impacts, as well as permanent impacts to aquatic habitat, indirect impacts, and the temporal loss of riparian habitat, the County will contribute to the Spivey Pond fund established by the American River Conservancy (or another party mutually agreed upon between the County and USFWS) for the purposes of enhancing or constructing California red-legged frog habitat in the vicinity of Spivey Pond.

The riparian restoration plan will be developed through coordination with representatives from Caltrans, DFG, and USFWS. It will include design specifications, an implementation plan, maintenance requirements, and a monitoring program. Monitoring for a minimum of 5 years will be conducted to document the degree of success in achieving the success criteria and to identify remedial actions that may be needed. The mitigation will be considered successful once the following criteria have been met:

- The riparian habitat is composed of a mix of native species similar to that removed during construction of the Weber Creek bridges improvements.
- At least 75% total cover of native riparian vegetation is established at the mitigation site.
- The riparian species that dominate the mitigation site rate good or excellent vigor and growth. This assessment should be based on a qualitative comparison of leaf turgor, stem caliber, leaf color, and foliage density in the planted sites with individuals of the same species in the adjacent riparian areas.

- Less than 5% of total cover on each site will be composed of weedy annual or perennial species.
- Plantings are self-sustaining without human support (e.g., weed control, rodent control, or irrigation).

Annual monitoring reports will be submitted to Caltrans, DFG, and USFWS (and the Corps, if required as part of the Section 404 permit) during the 5-year monitoring period. The report will summarize the data collected during monitoring periods, describe how the riparian habitat is progressing in terms of the success criteria, and discuss any remedial actions performed.

### Significance after Mitigation

Less than significant (Draft Joint Document, page 5-74.)

## **Impact BR4: Potential Disturbance to 0.044 Hectare (0.12 Acre) of Jurisdictional Seasonal Wetlands/Drainages**

### **Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

### **Explanation**

Phase 1 could result in the indirect disturbance of 1 jurisdictional seasonal drainage (Seasonal Drainage 1) (No fill of this drainage is anticipated.). The project could also indirectly affect all of Seasonal Drainage 2 (0.0055 hectare or 0.01 acre) (Up to 50% of this drainage will be filled.) These wetlands/drainages could be indirectly affected if project-related sedimentation drains to Weber Creek, especially during the wet season. These features are small, artificial features that were created from highway construction activities and have been disturbed by human activities. They do not provide important, irreplaceable habitat functions and values. However, impacts on these jurisdictional wetlands are considered significant since the project could affect federally-protected wetlands through sedimentation. (Draft Joint Document, page 5-81.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-81.)

- **BR3a: Install construction barrier fencing around the construction area to protect sensitive biological resources that will be avoided:** See description of this measure under Impact BR3 above.
- **BR3f: Limit in-water construction activities to the summer low- or no-flow period:** See description of this measure under Impact BR3 above.
- **BR3g: Ensure that turbidity increases do not exceed Central Valley Regional Water Quality Control Board standards:** See description of this measure under Impact BR3 above.

- **BR3h: Develop and implement a toxic materials control and spill-response plan:** See description of this measure under Impact BR3 above.
- **BR3i: Store hazardous materials at an approved storage facility:** See description of this measure under Impact BR3 above.

#### Significance after Mitigation

Less than significant (Draft Joint Document, page 5-81.)

### **Impact BR5: Removal of and Disturbance to Up to 8–12 Hectares (20–30 Acres) of Blue Oak Woodland and an Undetermined Number of Native Trees**

#### **Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that substantially lessen, but do not avoid, the significant short-term environmental effect identified in the final joint document. This short-term effect remains significant and unavoidable.

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant long-term environmental effect identified in the final joint document.

#### **Explanation**

Phase 1 would result in the removal of or disturbance to up to 8–12 hectares (20–30 acres) of blue oak woodland, including several native blue oaks, foothill pines, and interior live oaks outside the blue oak woodland habitat. Senate Concurrent Resolution 17 states that state agencies should make every effort to avoid impacts on oak woodlands. The removal of blue oak woodland is considered a significant impact because the project would result in the degradation and loss of a sensitive plant community and associated wildlife habitat. (Draft Joint Document, page 5-82.)

#### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this long-term impact to a less-than-significant level: (Draft Joint Document, pages 5-82 and 5-83.)

- **BR3a: Install construction barrier fencing around the construction area to protect sensitive biological resources that will be avoided:** See description of this measure under Impact BR3 above.
- **BR5a: Minimize and compensate for impacts on blue oak woodlands and individual native oak trees by replanting oaks:** To minimize long-term impacts on the blue oak woodland and compensate for direct and indirect impacts on native oaks and woodland habitat on the project site, the County or its contractors will implement the following:
  - Retain an arborist to identify the species and numbers of native trees that will be removed and indirectly affected within the construction zone.

- Protect oaks not to be removed but that are within 61 meters (200 feet) of the grading activity by fencing them 1.5 meters (5 feet) beyond the dripline and root zone (as determined by a certified arborist). This fence, intended to prevent activities that result in soil compaction beneath the canopy or over the root zone, will be maintained until all construction activities are complete. No grading, trenching, or movement of construction equipment will be allowed to occur within fenced areas. Protection for oak trees on slopes will include installation of a silt fence. A silt fence will be installed at the upslope base of the protective fence to prevent any soil drifting down over the root zone.
- Replace native oak trees removed during construction, at a ratio of 3:1 for trees measuring greater than 15.2 centimeters (6 inches) in dbh. Plantings of acorns or one-gallon container stock will occur within the construction area or on other publicly-owned land that can be protected in perpetuity, such as publicly-owned parks and road right-of-ways.
- Plantings shall be monitored annually by a qualified biologist for 5 years after construction is complete. Results of the monitoring shall be submitted to the appropriate agencies. Success will be achieved if there is a minimum of 80% survival by the end of the fifth year and a stable viable population for the duration of the monitoring period. If the performance standards are not met, remedial measures such as replanting will be implemented. During monitoring, the following information will be evaluated: average tree height, percent of tree cover, tree density, percent of woody shrub cover, seedling recruitment, and invasion by non-native species. During the revegetation process, tree survival will be maximized by using deer screens or other maintenance measures as recommended by a certified arborist.
- Require the Contractor to perform any necessary pruning, including pruning for utility line clearance, using the "Pruning Guidelines" adopted by the California Department of Forestry and Fire Protection pruning standards.
- Inspect the areas that have vegetative pruning and tree removal immediately prior to construction, following construction, and 1 year following construction to determine the amount of existing vegetative cover, cover that is removed, and cover that resprouts. If these areas have not sufficiently resprouted in order to return the cover to the level of cover existing prior to project construction, those areas will be replanted with the same species to reestablish the cover to the pre-project condition.

#### Significance after Mitigation

Significant and unavoidable in the short term. Less than significant in the long term. (Draft Joint Document, page 5-82.)

#### **Impact BR6: No Impact on Special-Status Plant Species**

##### **Finding**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

**Explanation**

No special-status plant species were found in the project area. Therefore, the project would not impact special-status plant species. (Draft Joint Document, page 5-83.)

**Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-83.)

**Significance**

Less than significant (Draft Joint Document, page 5-83.)

**Impact BR7: Introduction of New Noxious Weeds or Spread of Existing Noxious Weed Species**

**Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

**Explanation**

Phase 1 could result in the introduction or spread of noxious weed species that could displace native species, changing the diversity of species or number of any species of plants. Soil-disturbing activities during construction and maintenance of the proposed project could promote the introduction of plant species not currently found in the project area, including exotic pest plant species. Exotic pest plants include noxious weeds designated as federal noxious weeds by the U.S. Department of Agriculture and listed by the CDFA, as well as other exotic pest plants designated by the CalEPPC (California Exotic Pest Plant Council 2000) and the County. Roads, highways, and related construction projects are some of the principal dispersal vectors for exotic pest plants. The introduction and spread of exotic pest plants adversely affect natural plant communities by displacing native plant species that provide shelter and forage for wildlife species. This impact is considered significant since the spread of invasive species could result in the substantial reduction or elimination of native species diversity or abundance. (Draft Joint Document, page 5-84.)

**Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-84, and Final Joint Document, page 3-14.)

- **BR7a: Avoid the introduction of new noxious weeds or the spread of existing noxious weeds:** Based on the “Weeds of Interest in El Dorado County” list, the County has completed the “Weed Survey Form” for weeds found in the project area (see Table 3.8-3) and provided these forms to the El Dorado County Department of Agriculture. In addition, to avoid the introduction or spread of noxious weeds into previously uninfested areas and reduce this impact to less than significant, the County or its contractors will implement the following measures:

- Educate construction supervisors and managers on weed identification and the importance of controlling and preventing the spread of noxious weed infestations.
- Clean construction equipment at designated stations by steam cleaning equipment before entering the construction area (modified in the Errata section contained in the Final Joint Document on page 3-14).
- Seed all disturbed areas with certified weed-free native mixes. Use only certified weed-free straw or rice mulch in uplands only.
- Conduct a follow-up inventory of the construction area to verify that construction activities have not resulted in the introduction of new noxious weed infestations.
- If new noxious weed infestations are located during the follow-up inventory, the appropriate resource agency will be contacted to determine the appropriate species-specific treatment methods.

### Significance after Mitigation

Less than significant (Draft Joint Document, page 5-84.)

## **Impact BR8: Potential Disturbance of 1 Blue Elderberry Shrub—Valley Elderberry Longhorn Beetle Habitat**

### **Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

### **Explanation**

Phase 1 would not directly or indirectly affect one blue elderberry shrub—host plant for VELB. A shrub was identified approximately 9 meters (30 feet) outside of the project area adjacent to Helmrich Lane, during the field surveys. This road would be used by construction personnel and equipment for access to work and staging areas; however, the shrub would not be exposed to increased levels of dust since the road is paved. The shrub consisted of several 1-inch-diameter stems growing near the base of a larger dead elderberry shrub that had at least 3 branch breaks, possibly from passing vehicles. Under Section 7 of the federal Endangered Species Act, Phase 1 will have no effect on VELB since the 1 isolated blue elderberry shrub identified as potential VELB habitat is located outside of the construction zone and would be avoided; no VELB occurrences exist within 24 kilometers (15 miles) of the project area; there is no evidence of VELB occupancy in the shrub; and the project area is located on the eastern edge of the species range. Fencing will be placed so as to protect the shrub from construction vehicles.

This impact is considered to be less than significant since the project would not substantially affect the USFWS-listed species or reduce the number or restrict the range of this species. (Draft Joint Document, page 5-85.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, pages 5-85 and 5-86.)

- **BR8a: Avoid disturbance of valley elderberry longhorn beetle habitat:** The County or its contractors will implement the following avoidance measure:
  - Fencing will be placed at the edge of the existing road adjacent to the elderberry bush, for 30.5 meters (100 feet) along the road on both sides of the bush, for a total of 61 meters (200 feet) (per the USFWS' 1996 "Revised Mitigation Guidelines for the Valley Elderberry Longhorn Beetle"), to protect it from construction vehicles. This buffer zone will be marked with fencing or flagging, and a sign will be erected at the edge of this buffer zone. The sign shall have the following information: "This bush is potential habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment."
- **BR3a: Conduct a biological resources education program for construction crews and enforce construction restrictions:** See the description of this measure under Impact BR3 above.
- **BR3b: Retain a biologist to monitor construction activities:** See the description of this measure under Impact BR3 above.

***Significance after Mitigation***

Less than significant (Draft Joint Document, page 5-85.)

**Impact BR9: Potential Disturbance of Non-Special-Status Nesting Raptors**

***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

***Explanation***

Phase 1 could result in the disturbance of non-special status nesting raptors or the removal of occupied nests if construction occurs during the breeding season (generally between February 1 and August 15). This disturbance could cause nest abandonment and death of young or loss of reproductive potential at active nests located at or near the project site. No breeding activity was observed during the breeding surveys conducted in April and May 2002. A single adult female red-tailed hawk was observed circling within 152.4 meters (500 feet) of the Weber Creek bridges in April 2002, but it was not associated with a nest site. Based on the relatively small amount of nesting habitat impacted by project construction and the territorial range of these species (ranging from 7.7–8.0 hectares [19–20 acres]), it is unlikely that more than one active nest would be disturbed by the project. These species are also locally or regionally abundant.

Effects on non-special-status nesting raptors would be considered less-than-significant since the project would not substantially disturb non-special status species raptors. (Draft Joint Document, page 5-86.)

***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 5-86.)

**Significance**

Less than significant (Draft Joint Document, page 5-86.)

**Impact BR10: Loss of Raptor Foraging Habitat**

**Finding**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

**Explanation**

Implementation of Phase 1 would result in the temporary disturbance of 0.29 hectare (0.71 acre) of riparian habitat and loss of less than 1 acre of annual grasslands that are considered potential foraging habitat for non-special-status raptors. Red-tailed hawks were observed soaring over the project area; however, there is a moderate potential for any of these species to forage in the project site. Based on the regional abundance of these habitat types in the project vicinity, the project is considered to have a less-than-significant effect since the loss of a small area of foraging habitat would not substantially reduce the local population size of foraging raptors. (Draft Joint Document, pages 5-86 and 5-87.)

**Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-87.)

**Significance**

Less than significant (Draft Joint Document, pages 5-86 and 5-87.)

**Impact BR11: Disturbance of Nesting Swallows**

**Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

**Explanation**

Phase 1 could result in the disturbance of nesting swallows. Approximately 20 active swallow nests and remnants of other swallow nests were observed on the underside of the existing Missouri Flat Road interchange structure over U.S. 50 during the June 2001 field surveys. Potential nesting habitat was also identified under the U.S.50 bridge structures over Weber Creek and the abandoned U.S. 50 bridge structure over Weber Creek. Swallows are not considered special-status species, but their occupied nests and eggs are protected by both federal and state laws, including the federal MBTA and the California Fish and Game Code, Section 3503, 3513 and 3800, as well as 50 CFR 10 and 21.

Effects on nesting swallows would be considered adverse if the project results in a substantial reduction in local population size attributable to direct mortality or habitat loss, lowered reproductive success, or habitat fragmentation. Based on the colonial nesting habits of swallows

and nest site fidelity, a large colony of swallows could be disturbed by project-related construction activities at the Missouri Flat Road interchange overcrossing; therefore, this impact is considered significant. (Draft Joint Document, page 5-87.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, pages 5-87 and 5-88.)

- **BR11a: Avoid construction during swallow nesting season or remove empty nests and prevent new nesting:** If active nests are found, construction activities that could potentially disturb nesting swallows will be conducted outside the breeding season for these species. To avoid impacts on nesting swallows and reduce this impact to less than significant, the County or its contractors will implement the following avoidance and minimization measures:
  - To the extent possible, construction activities that could potentially disturb nesting swallows will be conducted outside of the breeding season for these species (March 1 to August 1).
  - If construction activities are to occur during the swallows' breeding season, the County shall hire a qualified biologist to inspect the interchange and bridge structures during the swallows' nonbreeding season. If nests are found and are abandoned, they may be removed. To avoid damaging active nests, nests must be removed before the breeding season occurs (March 1). A permit from DFG and USFWS is required if active nests are to be removed.
  - After nests are removed, the underside of the bridge shall be covered with 0.5- to 0.75-inch mesh net, poultry wire, or other DFG-approved swallow exclusion device. All devices shall be installed before March 1. The device must be anchored so swallows cannot attach their nests to the bridge through gaps in the device. An alternative to netting is to continually hose down non-active nests until construction occurs.
  - If netting of the interchange or bridge structures does not occur by March 1 and swallows colonize the bridge, modifications to these structures shall not begin before August 1 or until the young have fledged and all nest use has been completed.
  - If steps are taken to prevent swallows from constructing new nests, work can proceed at any time of the year notwithstanding other restrictions specified in the mitigation measures identified above and in County ordinances.

### **Significance after Mitigation**

Less than significant (Draft Joint Document, page 5-87.)

## **Impact BR12: Direct Mortality and Short-Term Disturbance of Common Slow-Moving and Ground-Dwelling Animals**

### **Finding**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

**Explanation**

Grading, fill, soil compaction, and other construction activities associated with Phase 1 could result in the direct mortality or short-term disturbance of slow-moving and ground-dwelling animals. This possible impact is considered less than significant because those animals that could be affected by construction activities are common species that are locally and regionally abundant and the project would not substantially disturb these animals. (Draft Joint Document, page 5-88.)

**Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-88.)

**Significance**

Less than significant (Draft Joint Document, page 5-88.)

**Impact BR13: Short-Term Disturbance and Removal of Habitat Occupied by Common Wildlife Species**

**Finding**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

**Explanation**

Phase 1 would result in a short-term disturbance and removal of habitat occupied by common wildlife species in the project area. This impact is considered less than significant because these species are locally and regionally abundant and populations of these species and the project would not substantially disturb these species. (Draft Joint Document, page 5-88.)

**Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-88.)

**Significance**

Less than significant (Draft Joint Document, page 5-88.)

**Impact BR14: Consistency with El Dorado County General Plan Policies**

**Finding**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

**Explanation**

Phase 1 is consistent with the County policies 7.3.3.2, 7.4.1.5, and 7.6.1.6, governing impacts on biological resources. As is apparent from its language, which references “discretionary permit review,” Policy 7.4.4.4, which addressing tree canopy coverage standards, applies only to privately initiated projects, and thus is not applicable to public projects such as the proposed interchange. County staff has confirmed that this is the settled interpretation of the policy.

Because this project is consistent with adopted policies, this impact is considered less than significant. (Draft Joint Document, pages 5-89 through 5-91.)

### **Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-91.)

### **Significance**

Less than significant (Draft Joint Document, page 5-91.)

## **Cumulative Biological Resources Impacts**

### **Finding**

Changes or alterations have been required in, or incorporated into, the Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the project's cumulatively considerable contribution to significant cumulative biological resource impacts.

### **Explanation**

Cumulative development in the MC&FP area could result in the loss of the following: waters of the U.S., including jurisdictional wetlands and riparian habitat; oak woodland habitat; VELB and its habitat; habitat for CRLF, foothill yellow-legged frog, and northwestern pond turtle in riparian and wet meadow, and upland habitat adjacent to permanent ponds or slow-moving streams; raptor foraging habitat; and swallow nests. The MC&FP area contains aquatic and upland habitat potentially suitable for California red-legged frogs that could be removed or adversely affected with proposed retail development. Although California red-legged frogs have not been documented in the MC&FP area, the closest reported sightings are approximately 12.8 km (8 mi) upstream of the MC&FP area to the east, on the north and south forks of Weber Creek. Although no elderberry shrubs were found during surveys conducted for the MC&FP EIR, isolated shrubs could occur in the MC&FP area. (Draft Joint Document, pages 4-6 and 4-7.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measures to reduce the project's contribution to a less than cumulatively considerable level: (Draft Joint Document, pages 4-9, 5-74 through 5-88.)

- **BR3a: Install construction barrier fencing around the construction area to protect sensitive biological resources that will be avoided:** See description of this measure under Impact BR3 above.
- **BR3b: Conduct a biological resources education program for construction crews and enforce construction restrictions:** See description of this measure under Impact BR3 above.
- **BR3c: Retain a biologist to monitor construction activities within Weber Creek:** See description of this measure under Impact BR3 above.

- **BR3d: Conduct preconstruction surveys and minimize mortality to CRLF and foothill yellow-legged frog:** See description of this measure under Impact BR3 above.
- **BR3e: Conduct preconstruction surveys to minimize mortality to northwestern pond turtles:** See description of this measure under Impact BR3 above.
- **BR3f: Limit in-water construction activities to the summer low- or no-flow period:** See description of this measure under Impact BR3 above.
- **BR3g: Ensure that turbidity increases do not exceed Central Valley Regional Water Quality Control Board standards:** See description of this measure under Impact BR3 above.
- **BR3h: Develop and implement a toxic materials control and spill-response plan:** See description of this measure under Impact BR3 above.
- **BR3i: Store hazardous materials at an approved storage facility:** See description of this measure under Impact BR3 above.
- **BR3j: Minimize long-term impacts on woody riparian vegetation and associated habitat:** See description of this measure under Impact BR3 above.
- **BR3k: Enhance riparian habitat by developing and implementing a riparian restoration plan:** See description of this measure under Impact BR3 above.
- **BR5a: Minimize and compensate for impacts on blue oak woodlands and individual native oak trees by replanting oaks:** See description of this measure under Impact BR5 above.
- **BR11a: Avoid construction during swallow nesting season or remove empty nests and prevent new nesting:** See description of this measure under Impact BR11 above.

#### Significance after Mitigation

Less than significant (Draft Joint Document, page 4-9.)

## Historic and Archeological Resources

### Thresholds of Significance

An impact is considered significant under CEQA if the project would:

- cause a substantial adverse change in the significance of an historical resource (CEQA Guidelines, Section 15064.5[b]). The State CEQA Guidelines further state that a substantial adverse change in the significance of an historical resource means the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. Actions that would materially impair the significance of an historic resource are those that would demolish or adversely alter those physical characteristics that convey its historical significance and qualify it for inclusion in the CRHR or in a local register or survey that meet the requirements of sections 5020.1(k) and 5024.1(g) of the Public Resources Code;

- directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;
- disturb any human remains, including those interred outside of formal cemeteries; or
- eliminate important examples of the major periods of California history or prehistory.

(draft joint document, page 5-93.)

### **Impact CR1: Potential Damage to Currently Unknown Cultural Resources**

#### ***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

#### ***Explanation***

Phase 1 may result in the destruction of unknown cultural features located within the project area. Field surveys can locate only those cultural resources with an above ground component. Cultural resources may be buried under alluvial sediments and may not be locatable by surface inspection alone. Additionally, surface visibility limitations may prevent the discovery of some cultural resources. It is possible that construction or operation activities will uncover previously unknown cultural resources.

Phase 1 would result in a significant impact if it causes a substantial adverse change in the significance of a historical resource or a unique archaeological resource through the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource or unique archaeological resource would be materially impaired. (CEQA Guidelines, Section 15064.5 [4] and [5]. The data potential for an archaeological resource would be irrecoverably lost if construction activity disturbed or destroyed an archaeological deposit. (Draft Joint Document, pages 5-93 and 5-94.)

#### ***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, pages 5-94 and 5-95.)

- **CR1a: Implement procedures for the unanticipated discovery of cultural resources:** If historical or unique archaeological resources are accidentally discovered during construction, the County shall take steps to provide for an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, the County shall make available contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation. Work may continue on other parts of the building site while historical or unique archaeological resources mitigation takes place (CEQA Guidelines rev. 1998, Section 15064.5[f]).

If human bone is found as a result of any construction or operational activity, the County's contractor will be required to stop all disturbance activities and notify the El Dorado County

Coroner within 48 hours in compliance with California Public Resource Code 5079.94 and 5097.98. If the coroner determines that the remains are Native American, the California Native American Heritage Commission will be notified by the County.

The lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission (CEQA Guidelines rev. 1998, Section 15064.5[d]).

**Significance after Mitigation**

Less than significant (Draft Joint Document, page 5-95.)

**Cumulative Cultural Resources Impacts**

***Finding***

Changes or alterations have been required in, or incorporated into, the Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the project's cumulatively considerable contribution to significant cumulative cultural resource impacts.

***Explanation***

Proposed development in the MC&FP area has the potential to damage cultural resources located on or under the construction sites if these resources are not properly recorded or removed. No known cultural resources are known to occur within the proposed project area. (Draft Joint Document, page 4-9)

***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce the project's contribution to less than cumulatively considerable: (Draft Joint Document, pages 4-9, 5-94, and 5-95.)

- **CR1a: Implement procedures for the unanticipated discovery of cultural resources:**  
See description of this measure under Impact CR1 above.

**Significance after Mitigation**

Less than significant (Draft Joint Document, page 4-9.)

**Earth Resources and Hazardous Materials**

**Thresholds of Significance**

Appendix G of the State CEQA Guidelines provides guidance for evaluation of project effects on geologic and hazardous materials. Based on these guidelines, the project is considered to have a significant impact on the geology and soils and hazardous materials if it would:

- expose people or structures to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault;
- expose people or structures to strong seismic groundshaking;
- expose people or structures to seismic-related ground failure, including liquefaction;
- expose people or structures to landslides;
- result in substantial soil erosion or the loss of topsoil;
- be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse;
- be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property;
- create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.

(Draft Joint Document, pages 5-97 and 5-98.)

### **Impact ER1: Change in Topography from Grading Activities during Construction**

#### ***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

#### ***Explanation***

Implementation of Phase 1 would result in the construction of new ramps and embankments requiring the excavation of roadbed and/or ground surface material and the replacement of equivalent amounts of fill material. Grading that would occur during project construction would primarily disturb areas that already have been graded for prior road construction, and the increased disturbance would be minimal. This impact is considered to be significant since soil erosion could occur if standard grading permit requirements are not followed. (Draft Joint Document, page 5-98.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-98.)

- **ER1a: Approve grading design plans consistent with County and Caltrans grading requirements:** The County or its contractor will comply with County grading requirements, found principally in the County of El Dorado Design and Improvements Standards Manual, Volumes IV and V, and Caltrans' standard specifications for earthwork. Prior to the issuance of grading permits, grading design plans will incorporate the findings of detailed geologic and geotechnical investigations. Erosion-control plans, specifications, and an estimate will also be included in the project construction documents, which require that all soil directly or indirectly disturbed during construction be treated and stabilized with erosion control measures.

### **Significance after Mitigation**

Less than significant (Draft Joint Document, page 5-98.)

### **Impact ER2: Potential for Unstable Slope Conditions from Grading Activities during Construction of Embankments and Cut Slopes**

#### **Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

#### **Explanation**

Implementation of Phase 1 would result in construction activities involving excavations into steep slopes to construct embankments and permanent cut slopes. Excavating into existing steep slopes could lead to unstable ground surfaces, inducing ground failure. This impact is considered significant since unstable soil conditions could occur if standard specifications for earthwork are not followed. (Draft Joint Document, pages 5-98 and 5-99.)

#### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-99.)

- **ER2a: Approve grading design plans consistent with County and Caltrans' standard earthwork specifications:** The County or its contractor will implement construction standards for embankment and permanent cut slopes to maintain slope stability and minimize the potential for slope failure during construction, based on the County's standard specifications for earth work (found principally in the County of El Dorado Design and Improvements Standards Manual, Volume IV and V). Requirements for the embankment slope and actual dimensions of structures will be incorporated in the final design plans before County and Caltrans approval. Erosion-control plans, specifications, and estimates will also be included in the project construction documents, which require that all soil directly or

indirectly disturbed during construction be treated and stabilized with erosion-control measures.

**Significance after Mitigation**

Less than significant (Draft Joint Document, page 5-99.)

**Impact ER3: Potential for Structural Damage from Development in Seismic Risk Zone 3**

***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

***Explanation***

The project site is not located in an Alquist-Priolo Special Studies Zone or a known active fault zone, but implementing the project would result in continued development in Uniform Building Codes Seismic Risk Zone 3, where earthquake severity and probable structural damage from nearby earthquakes would be moderate. Structures not built according to seismic safety standards are more susceptible to damage (and, subsequently, to increased risk of injury to persons) than structures built in accordance with those codes. At the Weber Creek bridges site, existing foundation stability/capacity with respect to seismic loading will be addressed as part of the seismic retrofit for the bridges. This impact is considered significant because given the unpredictability of the occurrence of a seismic event, the project could expose people or structures to seismic groundshaking. (Draft Joint Document, page 5-99.)

***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-100.)

- **ER3a: Approve final design plans that are consistent with Caltrans and Uniform Building Code seismic safety standards:** The County or its contractor will construct all proposed structures so that they conform to the latest Caltrans and Uniform Building Code standards that establish requirements for seismic safety.

**Significance after Mitigation**

Less than significant (Draft Joint Document, page 5-100.)

**Impact ER4: Potential for Structural Damage from Development on Materials Subject to Liquefaction**

***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

### ***Explanation***

Moderate to strong ground shaking in the project area could be caused by a large earthquake on nearby faults, resulting in subsequent liquefaction in clay-free soils. This impact is considered significant because the project could expose people and structures to seismic-related ground failure, including liquefaction, if seismic safety requirements are not followed. (Draft Joint Document, page 5-100.)

### ***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-100.)

- **ER3a: Approve final design plans that are consistent with Caltrans and Uniform Building Code seismic safety standards:** See description of this measure under Impact ER3 above.

### ***Significance after Mitigation***

Less than significant (Draft Joint Document, page 5-100.)

## **Impact ER5: Potential for Increased Short-Term and Long-Term Erosion Rates from Grading Activities**

### ***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

### ***Explanation***

Implementation of Phase 1 would result in construction activities involving ground breaking and removal of vegetative cover, which would lead to increased wind and water erosion rates. Additionally, construction activities may compact the soil, increasing runoff and decreasing the revegetation potential. This impact is considered significant since construction and grading activities could accelerate the natural ongoing soil erosion process, and grading operations for the project could lead to a substantial change in short-term and long-term erosion because the project is located in relatively steep terrain and will entail removal of vegetation on uplands and along stream corridors. (Draft Joint Document, page 5-100.)

### ***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-101.)

- **ER1a: Approve grading design plans consistent with County and Caltrans grading requirements:** See description of this measure under Impact ER1 above.

### ***Significance after Mitigation***

Less than significant (Draft Joint Document, page 5-101.)

## Impact ER6: Potential for Exposure of People to Asbestos

### **Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

### **Explanation**

Published mapping indicates that no asbestos-containing material is contained within the limits of the project area. However, the potential exists for unknown deposits of asbestos to be disturbed by grading and vehicle traffic, which could affect construction workers and nearby land uses. Therefore, this impact is considered significant since the project could create a hazard to the public or the environment involving the accidental release of hazardous materials. (Draft Joint Document, page 5-101.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-101.)

- **ER6a: If unknown deposits of asbestos are found during construction, comply with El Dorado County's Asbestos Ordinance:** If unknown deposits of asbestos are found during construction, the County's contractors will be required to comply with El Dorado County's Naturally Occurring Asbestos & Dust Protection Ordinance and associated control measures in force in El Dorado County at the time the project undergoes construction. The ordinance requires that the project proponent (DOT) prepare an Asbestos Hazard Dust Mitigation Plan (HDMP) to protect the public's health by minimizing the potential for release of asbestos dust emissions during and after construction activities. The HDMP includes Best Management Practices for management of asbestiform material including the following: watering/maintaining wet surfaces at all times during potential disturbance periods; conducting air quality monitoring pursuant to guidelines set forth in the ordinance; avoiding serpentine materials to the extent feasible and covering disturbed serpentine areas; and limiting speeds to 10 miles per hour or less at the construction site.

### **Significance after Mitigation**

Less than significant (Draft Joint Document, page 5-101.)

## Impact ER7: Potential for Exposure of Previously Unknown Hazardous Wastes to Construction Workers and/or Nearby Land Uses

### **Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

### **Explanation**

The ISA concludes that the potential for project construction workers to encounter significant hazardous materials or petroleum product contamination within the project corridor is generally low. However, information obtained during the study of the project area indicates that additional investigation should be conducted for a number of properties described in the "Setting" section. In addition, the ISA recommends that measures be taken to ensure that hazardous levels of lead and/or asbestos do not occur on or under the Weber Creek bridges and on the highway and roadways. Therefore, this impact is considered significant since the project could create a hazard to the public or the environment involving the accidental release of hazardous materials. (Draft Joint Document, page 5-102.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, pages 5-102 and 5-103.)

- **ER7a: Implement recommendations related to hazardous materials contained in the project initial site assessment (additional sampling investigations at selected sites and surveys to determine the occurrence of lead-based paint and asbestos at the Weber Creek bridges and on the roadways):** The County or its contractor will conduct additional sampling investigation of the properties identified in the project ISAs (Taber Consultants 2001b and 2003) prior to any acquisition of the properties for project implementation where hazardous material or petroleum product contamination could occur. The sampling investigation will be conducted to characterize the type and nature of the potential contaminated materials on site. If the sampling investigation identifies that 1 or more of the properties contains contaminated materials or petroleum products at a hazardous level, the County, in coordination with Caltrans and FHWA, will follow local, state, and federal regulations (such as NESHAP; California Health and Safety Code Division 20, Chapter 6.5; California Water Code Section 13304; California Code of Regulations Title 8 1532.1; and other applicable regulations) in establishing the appropriate clean-up measures. These measures may include, but are not limited to, identifying the parties responsible for cleanup and identifying the type of clean-up activity (such as movement of materials off-site, in-place remediation, project redesign to avoid hazardous materials).

The County or its contractor will also implement other recommendations contained in the ISA related to the potential for asbestos and lead-based paint to occur on the Weber Creek bridges, hazardous levels of chromium and lead in yellow traffic stripes to be removed, and aerial deposited lead along the highway. If lead-based paint and asbestos surveys indicate the presence of asbestos exceeding threshold quantities, measures consistent with federal regulations will be implemented. Yellow pavement markings to be removed will be disposed of in accordance with the Standard Special Provisions for removal of yellow strips and pavement markings.

### **Significance after Mitigation**

Less than significant (Draft Joint Document, page 5-103.)

## Cumulative Hazardous Materials and Earth Resources Impacts

### **Finding**

Changes or alterations have been required in, or incorporated into, the Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the project's cumulatively considerable contribution to significant cumulative hazardous materials and earth resource impacts.

### **Explanation**

Proposed development in the MC&FP area could result in the following significant cumulative impacts on earth resources and cumulative impacts related to the use of hazardous materials:

- Low to moderate potential for severe ground shaking due the area's proximity to the Foothills fault zone;
- Moderate potential for ground instability on property with steeper slopes (20% and greater) and a high potential for erosion on unprotected slopes and soil surfaces during the rainy season; and
- Potential exposure of construction workers to hazardous materials during construction of proposed development and roadway improvements.

The proposed project would incrementally contribute to these cumulative impacts. (Draft Joint Document, pages 4-9 and 4-10.)

### **Mitigation Measures**

The Draft Joint Document identifies the following mitigation measures to reduce the project's contribution to less than cumulatively considerable: (Draft Joint Document, pages 4-10, 5-98 through 5-103.)

- **ER1a: Approve grading design plans consistent with County and Caltrans grading requirements:** See description of this measure under Impact ER1 above.
- **ER2a: Approve grading design plans consistent with County and Caltrans' standard earthwork specifications:** See description of this measure under Impact ER2 above.
- **ER3a: Approve final design plans that are consistent with Caltrans and Uniform Building Code seismic safety standards:** See description of this measure under Impact ER3 above.
- **ER6a: If unknown deposits of asbestos are found during construction, comply with El Dorado County's asbestos ordinance:** See description of this measure under Impact ER6 above.
- **ER7a: Implement recommendations related to hazardous materials contained in the project initial site assessment (additional sampling investigations at selected sites and surveys to determine the occurrence of lead-based paint and asbestos at the Weber Creek bridges and on roadways:** See description of this measure under Impact ER 7a above

**Significance after Mitigation**

Less than significant (Draft Joint Document, page 4-10.)

**Visual**

**Thresholds of Significance**

Appendix G of the State CEQA Guidelines provides guidance for evaluation of project effects on visual resources. Based on these guidelines, the project is considered to have a significant impact on visual resources if it would:

- substantially degrade the existing visual character or quality of the site and its surroundings; or
- create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

**Impact VR1: Changes in Regional Visual Character**

**Finding**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

**Explanation**

Phase 1 would result in a larger U.S. 50/Missouri Flat Road interchange and wider freeway between this interchange and the Forni Road/Placerville Drive interchange to the east (see Impact VR3 for more details on changes in views to the interchange and adjacent freeway). This impact is considered to be less than significant since the project would not substantially degrade the existing visual character or quality of the site or its surroundings; the proposed improvements would be constructed at the same location as the existing interchange and in an area that is already developed with roadway infrastructure and urban uses. (Draft Joint Document, page 5-105.)

**Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-105.)

**Significance**

Less than significant (Draft Joint Document, page 5-105.)

**Impact VR2: Changes in Views of Landscape Units 1 and 2**

**Finding**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

### **Explanation**

Characteristics of the proposed project that could potentially change the viewsheds in these landscape units include providing new auxiliary/ramp lanes on U.S. 50 from the Missouri Flat Road to the Forni Road/Placerville Drive interchanges, including widening of the Weber Creek bridges and providing standard shoulders and standard bridge railings on the bridges. The substructures of the bridges would be improved and the bridge decks would be widened during Phase 1. Vegetation along the creek would be removed to accommodate this improvement; however, the area of vegetation removal would only be visible at creek level and would not be seen by motorists on U.S. 50.

The existing 0.9-meter (36-inch) high solid bridge rail, with handrail, would be replaced with a 0.8-meter (32-inch) high solid bridge rail. The new girders, span configuration, concrete columns, and abutments for the bridge widenings would match the clean, simple, rectilinear shape of the existing bridges. The color of the new girders would match the green coloration of the existing girders.

The effect of the widened highway on key viewers is not considered to be adverse because (1) viewer sensitivities are low and travelers' views at highway speeds are fleeting and of short duration; (2) it would not represent a substantial change in the existing viewshed as the proposed improvements are generally in the same footprint as the existing bridges; (3) the prominent vertical elements in the foreground of roadway travelers on U.S. 50 would be improved with the installation of lowered rails; (4) viewers are familiar with the existing roadway infrastructure; and (5) the proposed improvements would not limit or alter the vividness, intactness, or unity of existing views from these corridors as the viewshed of this location was changed dramatically by the construction of U.S. 50 in 1963. (Draft Joint Document, pages 5-105 and 5-106.)

### **Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-107.)

### **Significance**

Less than significant (Draft Joint Document, page 5-106.)

## **Impact VR3: Changes in Views of Landscape Units 3, 4, 5, and 6**

### **Finding**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

### **Explanation**

Characteristics of Phase 1 that could potentially change the viewsheds in these landscape units includes:

- replacing the existing Missouri Flat Road overcrossing, including flattening the crest vertical curve of the overcrossing and lowering it by 0.6–0.9 meter (2–3 feet). The grade of the approaches to the overcrossing will be slightly increased in height by approximately 0.3–0.6

meter (1–2 feet). Under Phase 1 of construction, the existing modified L-8 interchange would be replaced with a tight diamond configuration.

- widening the U.S. 50/Missouri Flat Road interchange ramps and ramp intersections;
- reconstructing Perks Court;
- widening Mother Lode Drive and its intersections with Missouri Flat Road and Greenleaf Drive; and
- widening the Missouri Flat Road/Prospectors Plaza Drive intersection.

Implementation of Phase 1 would, in general, enlarge the existing Missouri Flat Road interchange and roadway, in their same general location, within an existing commercial area. During Phase 1, vegetation along the west and east sides of Missouri Flat Road, just north of the interchange to Prospector's Plaza Drive, would be removed to accommodate the roadway widening, and utilities along Missouri Flat Road between Prospector's Plaza Drive and Perks Court would be installed underground. A retaining wall would be constructed along Missouri Flat Road to retain the trees that front the west side of the road adjacent to the Best Western Placerville Inn. The County would landscape the new interchange during Phase 1 to reduce the mass and visually screen the proposed interchange improvements. The replanting of vegetation within the U.S. 50/Missouri Flat Road interchange would be consistent with provisions of Caltrans' existing viewshed enhancement projects along U.S. 50.

Views of the interchange from the home above Eppie's Lounge would continue to be largely shielded by vegetation along the access road leading to the house. Much of the vegetation that shields views of the interchange from the 7th-Day Adventist Church parking lot (located along the church's property line near the eastbound off-ramp) would be removed during Phase 1 construction. This vegetation would be replaced as part of the interchange landscaping plan described above.

The widening and reconfiguration of this interchange in its current location and widening of Missouri Flat Road is not considered adverse since (1) it would not represent a substantial change in the existing viewshed because the improvements are proposed for the same general footprint as the existing interchange within a commercial area; (2) vegetation removal would be minimal and the interchange would be landscaped; (3) viewers of this change are accustomed to seeing existing roadway infrastructure; and (4) the proposed improvements would not limit or alter the vividness, intactness, or unity of existing urbanized views in this corridor. (Draft Joint Document, pages 5-107 through 5-109.)

### ***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 5-109.)

### ***Significance***

Less than significant (Draft Joint Document, page 5-109.)

### **Impact VR4: Imperceptible Changes in Light and Glare with 14 New Fixtures at the Interchange under the Ultimate Phase, 8 of Which Would Be Pedestrian-Level on the Overcrossing**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

The existing condition of nighttime lighting in the project area includes roadway lights, vehicle lights, and lighting from adjacent development. Seven overhead light fixtures are associated with the Missouri Flat Road overcrossing; others occur at the gore points and along U.S. 50. Sources of daytime glare include reflective surfaces, such as cars and glass and metal on nearby structures. The roadway features themselves do not substantially contribute to daytime glare. The proposed project would eliminate, replace, or relocate many of the existing light fixtures at the interchange. Under Phase 1, existing light fixtures would be replaced with 11 lights at the interchange, 9 of which would be pedestrian-level fixtures on the Missouri Flat Road overcrossing railing (which are on shorter standards than roadway lighting). All fixtures would meet Caltrans standard specifications, and would be box-style, downcast, cut-off type fixtures directed at the roadway to minimize backscatter and fugitive light.

As proposed, the changes in nighttime light under Phase 1, relative to the current amount of light in the project area, would be imperceptible. Further, the proposed project would not introduce new substantial sources of daytime glare as all metal roadway features would be galvanized steel, which would oxidize within a few seasons and not contribute to daytime glare. This impact is considered to be less than significant since the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views. (Draft Joint Document, pages 5-109 and 5-110.)

#### ***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 5-110.)

#### ***Significance***

Less than significant (Draft Joint Document, page 5-110.)

### **Impact VR5: Short-Term Visual Changes in Views from Construction Activities**

#### ***Finding***

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

#### ***Explanation***

The improvements to the U.S. 50/Missouri Flat Road interchange would include widening of the overcrossing, ramps and ramp intersections, and the Weber Creek bridges by constructing continuous auxiliary/ramp lanes to the Forni Road/Placerville Drive interchange. These

improvements would generally occur in the location of the existing interchange, but would require a greater footprint to accommodate the proposed widenings (approximately 2.8–3.2 hectares [7–8 acres] of additional paved area. Travelers and surrounding land uses would be subjected to visual changes associated with new activities and facilities such as vegetation removal and clearing, grading, paving, and temporary signage.

As the project site is located in a developed setting where additional development is approved (such as El Dorado Villages Shopping Center and Wal-Mart) and future planned development could occur, construction activities and equipment are not new or uncommon components of views in this area. This visual quality impact would not be considered adverse for the following reasons: (1) the short-term nature of construction activities; (2) overall low vividness, intactness, and unity of project site views; (3) viewers' relative familiarity with construction equipment and activities; and (4) a landscaping plan would be implemented during Phase 1.

Light and glare impacts from any nighttime construction of the eastbound U.S. 50/Missouri Flat Road on-ramp are not expected to substantially affect residences on Perks Court. According to a County study conducted for the Green Valley Road widening project, glare from light towers used for construction would have minimal impacts to residents that are over 15.2 meters (50 feet) from the nighttime construction. The closest residence that would be affected on Perks Court is over 30.4 meters (100 feet) from the edge of pavement of the eastbound on-ramp. Due to the potential for short-term light and glare impacts, light and glare impacts are considered significant. (Draft Joint Document, pages 5-110 and 5-111.)

### ***Mitigation Measures***

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, pages 5-111 and 5-112.)

- **VR5a: Implement measures to minimize short-term light and glare on nearby residents from nighttime construction:** The County or its contractors will implement the following measures to minimize short-term light and glare impacts on nearby residents:
  - Direct lighting onto the immediate area under construction to avoid shining lights toward residences;
  - Angle the light tower floodlights to no more than 45 degrees to avoid shining lights toward residences;
  - Raise the light tower no more than 20 feet when construction is adjacent to residences; and
  - Use light shields to reflect the glare back onto the construction area.

### ***Significance after Mitigation***

Less than significant (Draft Joint Document, page 5-111.)

## **Cumulative Visual Impacts**

### ***Finding***

Under CEQA, no mitigation measures are required for projects with incremental impacts that are less than cumulatively considerable (CEQA Guidelines, § 15064(h), 15130(a)).

### ***Explanation***

Clearing, excavation, and grading activities associated with construction of retail development in the MC&FP area could result in adverse short-term changes to views. Short-term changes would also result from construction of roadway improvements on the Headington Road extension, El Dorado Road, U.S. 50/El Dorado Road interchange, and Missouri Flat Road north of Prospector's Plaza Drive. The addition of 1,700,000 square feet of retail projects and proposed roadway improvements in the MC&FP area would also alter the existing visual character of the area in the long-term. Future retail development and roadway improvements could also incrementally add to ambient atmospheric lighting and the reduction in the visibility of stars at night. The proposed project is judged to make a less-than-cumulatively-considerable contribution to this cumulative impact for a number of reasons described in detail in section 3.11 of the Draft Joint Document, including implementation of a landscaping plan as part of the project, low viewer sensitivity of motorists traveling over the Weber Creek bridges and lower post-project bridge rails, and construction of improvements within the same general footprint of the existing interchange and bridges. (Draft Joint Document, pages 4-10 and 4-11.)

### ***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 4-11.)

### ***Significance***

Less than significant (Draft Joint Document, page 4-11.)

## **Utilities/Emergency Services**

### **Thresholds of Significance**

Based on Appendix G of the State CEQA Guidelines, the project is considered to have a significant impact on public services and utilities if it would result in substantial adverse physical impacts associated with the provision of new or physically altered water, wastewater, fire protection, police protection, emergency medical service, or solid waste disposal facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives, or facilities with adequate capacity.

## **Impact U1: No Long-Term Disruption of Services**

### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

**Explanation**

Project construction could affect EID water and wastewater lines located in the project area. PG&E lines along Missouri Flat Road would be relocated underground. Relocation costs would be funded and would occur before project construction to accommodate construction activities and preserve continuity of service. If services were stopped at any time, the service providers would provide advance notice to users. This impact is considered to be less than significant because the project would not require the construction of new water or wastewater facilities. (Draft Joint Document, page 5-113.)

**Mitigation**

No mitigation is proposed. (Draft Joint Document, page 5-113.)

**Significance**

Less than significant (Draft Joint Document, page 5-113.)

**Impact U2: Temporary Interference to Law Enforcement, Fire Protection, and Emergency Medical Services**

**Finding**

Changes or alterations have been required in, or incorporated into, Phase 1 of the U.S. 50/Missouri Flat Road interchange project that avoid the potentially significant environmental effect identified in the final joint document.

**Explanation**

During project construction, travel on Missouri Flat Road and U.S. 50 could be temporarily disrupted, including increased congestion on affected roadways and disrupted access to businesses along Missouri Flat Road and homes along Perks Court. Access to residential properties along Helmrich Lane would also be temporarily affected during construction of the Weber Creek bridges auxiliary lanes; construction in the Weber Creek canyon is estimated to last approximately 9 months. Construction periods on Missouri Flat Road and U.S. 50 would last approximately 18 months. This impact considered significant because project construction has the potential to affect response times by law enforcement, fire protection, and emergency medical service personnel. (Draft Joint Document, pages 5-113 and 5-114.)

**Mitigation Measures**

The Draft Joint Document identifies the following mitigation measure to reduce this impact to a less-than-significant level: (Draft Joint Document, page 5-114.)

- **LU6a: Implement a traffic management plan:** See description of this measure under the "Cumulative Short-term Land Use Impact" section above

**Significance after Mitigation**

Less than significant (Draft Joint Document, page 5-114.)

### **Impact U3: Generation of Construction-Related Solid Waste**

#### ***Finding***

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, 21002; CEQA Guidelines, § 15091).

#### ***Explanation***

Construction of the Missouri Flat Road overcrossing would generate 720 cubic meters of concrete to be removed from the existing overcrossing. Approximately 120 cubic meters of concrete would be removed during construction of the Weber Creek bridge improvements. This concrete would become the property of the construction contractor who would be responsible for disposing of the construction waste at the appropriate landfill or at a facility that recycles concrete into aggregate base or other products. This impact is considered to be less than significant because the project would not require the construction of new solid waste facilities. (Draft Joint Document, page 5-114.)

#### ***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 5-114.)

#### ***Significance***

Less than significant (Draft Joint Document, page 5-114.)

### **Cumulative Utilities/Emergency Services Impacts**

#### ***Finding***

Under CEQA, no mitigation measures are required for projects with incremental impacts that are less than cumulatively considerable (CEQA Guidelines, § 15064(hi), 15130(a)).

#### ***Explanation***

If construction overlaps with construction of other proposed development in the MC&FP area, and if these projects share common infrastructure, cumulative impacts could occur on water, wastewater, and other utility lines. Emergency response activities could be affected if multiple, concurrent projects are constructed along routes used by emergency response vehicles. The project's incremental contribution to these impacts is expected to be minor since the project includes funding for relocation of utilities. Users of these utilities would also be notified prior to the disruption of services, and emergency response providers would be notified of construction plans and schedules in advance. (Draft Joint Document, page 4-11.)

#### ***Mitigation***

No mitigation is proposed. (Draft Joint Document, page 4-11.)

#### ***Significance***

Less than significant (Draft Joint Document, page 4-11.)

## Section 3 Project Alternatives

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Where a lead agency has determined, that even after adoption of all feasible mitigation measures, a project as proposed will still cause significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. As noted earlier in the "Findings under CEQA" section of Section 2, an alternative may be infeasible if it fails to fully promote the lead agency's underlying goals and objectives with respect to the project. Thus, feasibility under CEQA encompasses "desirability" to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors of a project (*City of Del Mar, supra*, 133 Cal.App.3d at p.417; see also *Sequoyah Hills, supra*, 23 Cal.App.4th at p. 715.)

The detailed discussion in Section 2 demonstrates that all but one of the significant environmental effects of the project can be avoided (rendered less than significant). Only one significant impact, Impact BR5 ("Removal of and disturbance to up to 8–12 Hectares [20–30 Acres] of blue oak woodland and an undetermined number of native trees") will be substantially lessened through the impositions of mitigation measures recommended in the EIR, but not to a less-than-significant level. The impact is significant and unavoidable in the short-term, though less-than-significant in the long term. (Draft Joint Document, p. 5-82; Final Environmental Impact Report, p. 3-1.) In addition, because the Board of Supervisors, at the time of project approval, is not certain whether the El Dorado Transit Authority will adopt recommended Mitigation Measure T4a (Establish Another Park and Ride Lot), the Board has conservatively assumed that Impact T4 (Elimination of 20 Park and Ride Lot Spaces) is also *potentially* significant and unavoidable at present. As noted earlier, however, the Board has agreed that the County will cooperate with the Transit Authority should the latter entity decide to proceed with the measure.

As a legal matter, the County need only examine alternatives to the proposed project to see whether any are both feasible within the meaning of CEQA case law, and environmentally superior to the proposed project with respect to Impacts BR5 and T4. There are no "build alternatives" that are available that meet both of these requirements. In order to meet the project objectives of increasing the U.S. 50/Missouri Flat Road interchange capacity and addressing existing safety problems at the interchange, Missouri Flat Road and the Weber Creek bridges must be widened, thereby resulting in the removal and disturbance of blue oak woodland (Impact BR5). In order to meet the project objectives of increasing interchange capacity and addressing safety problems at the interchange, Missouri Flat Road must be realigned and reconstructed at its approach to and intersection with Mother Lode Drive, thereby impacting the park-and-ride lot (Impact T4). The loss of 20 park-and-ride lot spaces represents the minimum encroachment on this lot. Proposed new state and county right-of-way limits in the southwest quadrant have been delineated to minimize the impacts to the park-and-ride lot while providing adequate area beyond the edges of the roadway elements (including shoulders, sidewalks, side slopes, and drainage/utility facilities) to allow for maintenance and safety. Limits of the temporary

construction easement in the southwest quadrant have been delineated beyond the proposed new right-of-way limits to allow for construction of the proposed improvements.

As noted on pages 2-3 and 2-4 of the Draft Joint Document, two build alternatives to the Phase 1 project (4-lane tight diamond) were evaluated, but rejected from further consideration: the modified L-9 interchange and the modified L-8 interchange. The modified L-9 interchange was rejected since it had more extensive right-of-way impacts than the 4-lane tight diamond interchange in the northeast and southwest quadrants of the interchange. The modified L-8 interchange was rejected due to traffic safety and operations concerns. Neither of these alternatives offer any environmental benefits relative to Impacts BR5 or T4. Both the modified L-8 and modified L-9 interchanges would result in similar impacts to blue oak woodland as the 4-lane tight diamond. The modified L-8 would also result in the loss of 20 park-and-ride spaces, and the modified L-9 interchange would result in greater impacts since the eastbound loop on-ramp included with the modified L-9 interchange would result the complete elimination of the 73-space park-and-ride lot.

### **No-Project Alternative**

Section 15126.6, subdivision (e), of the CEQA Guidelines requires the evaluation of the No-Project Alternative. For the proposed project, the No-Project Alternative is based on maintaining the existing U.S. 50/Missouri Flat Road interchange and not building the proposed improvements to Missouri Flat Road, Prospector's Plaza Drive, Mother Lode Drive, and Perks Court.

Because no project-related construction would occur under the No-Project Alternative, the following significant environmental impacts related to construction of the proposed project would not occur under this alternative:

- No commercial displacements
- No displacement of park-and-ride lot spaces
- No construction-related air emissions
- No construction-related noise generation
- No construction-related blasted
- No water quality impacts from increased pervious surfaces
- No construction-related water quality impacts
- No loss of or disturbance to Weber Creek or riparian forest habitat
- No loss of jurisdictional and non-jurisdictional wetlands
- No short-term or long-term loss of loss of blue oak woodland
- No potential for introducing or spreading noxious weeds
- No potential for disturbance to nesting swallows

- No potential for disturbance to unknown cultural resources
- No change in topography from grading activities during construction
- No potential for unstable slope conditions from grading activities during construction
- No potential for increased short-term and long-term erosion rates from grading activities
- No potential for exposure of people to asbestos during construction
- No potential for exposure of previously unknown hazardous materials to construction workers
- No short-term visual changes during construction

The disadvantages of the No-Project Alternative are as follows:

- Existing traffic operational deficiencies would continue. Significant delays and queuing would continue on northbound Missouri Flat Road from the U.S. 50 eastbound on-ramp to beyond the Mother Lode Drive intersection, on southbound Missouri Flat Road from Mother Lode Drive through the eastbound off-ramp and onto the U.S. 50 overcrossing, at the Missouri Flat Road/eastbound off-ramp intersection, at the Missouri Flat Road/westbound loop off-ramp intersection, and on southbound Missouri Flat Road between the westbound on-ramp and Prospector's Plaza Drive intersection.
- Greater than average accident rates would likely continue on U.S. 50 in the vicinity of the Missouri Flat Road interchange.
- Existing traffic operational deficiencies and traffic safety concerns would worsen and spread to additional hours in the future as more growth occurs in the project vicinity. The level of service on the U.S. 50 mainline between the Missouri Flat Road and Forni Road interchanges; at the weaving point at the U.S. 50/Missouri Flat Road eastbound ramps and U.S. 50/Forni Road/Placerville Drive westbound on-ramps; and at the Missouri Flat Road/Prospector's Plaza Drive, U.S. 50 westbound ramps/Missouri Flat Road, U.S. 50 eastbound ramps/Missouri Flat Road, and Missouri Flat Road/Mother Lode Drive intersections are expected to operate unacceptably by 2005 without needed improvements. These unacceptable conditions will worsen by 2015.
- The No-Project Alternative is inconsistent with the Missouri Flat Area MC&FP and the 2025 Metropolitan Transportation Plan, since these plans include improvements to the Missouri Flat Road interchange, adding auxiliary lanes to the U.S. 50 on the Weber Creek bridges, and widening Missouri Flat Road, as proposed by the build alternatives; and
- Potential for structural damage to the Weber Creek bridges during a seismic event until such time that these bridges are seismically retrofitted as part of another project. Currently, these bridges are vulnerable to failure during a maximum credible earthquake.

While the No-Project Alternative would result in these traffic impacts and plan inconsistencies and increase the potential for structural damage to the Weber Creek bridges, it is considered to be environmentally superior to the proposed project because it avoids the impacts identified

above, including the significant and unavoidable impact described under Impact BR5 and the potentially significant and unavoidable impact identified herein in connection with Impact T4.

The No-Project Alternative would not meet any of the project objectives. In addition, the County would not be able to fully implement the improvements adopted as part of the MC&FP and associated Community Facilities District. For these reasons, the Board of Supervisor rejects the No-Project Alternative as infeasible.

## Section 4 Statement of Overriding Considerations

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As set forth in Section 2, the County's approval of the proposed project will result in one impact that will certainly remain significant after mitigation: BR5: the short-term loss of oak trees. In addition, as noted earlier, because the Board of Supervisors, at the time of project approval, is not certain whether the El Dorado Transit Authority will adopt recommended Mitigation Measure T4a (Establish Another Park and Ride Lot), the Board has conservatively assumed that Impact T4 (Elimination of 20 Park and Ride Lot Spaces) is also *potentially* significant and unavoidable at present. Despite these two impacts, however, the Board of Supervisors has chosen to approve the project, as mitigated. To do so, the Board must first adopt this Statement of Overriding Considerations. The Board of Supervisors finds that the proposed project will have the benefits identified below. The substantial evidence supporting the various benefits identified below can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Record of Proceedings, as defined in Section 1.

**Improves existing traffic operations and safety.** The proposed project will increase the capacity of the U.S. 50/Missouri Flat Road interchange to solve existing operational deficiencies and address existing traffic safety problems. Without this project, existing deficiencies would continue and worsen.

**Accommodates planned growth consistent with the Writ of Mandate.** The project will also ensure adequate capacity to accommodate planned growth in the County consistent with the Writ. Acceptable weaving conditions at the Missouri Flat Road interchange and acceptable levels of service at project area intersections and ramp junctions are ensured in 2015 with this project. Acceptable traffic operations would not be achieved in 2015 without this project.

**Seismically retrofits Weber Creek bridges.** The project will ensure that the Weber Creek bridges are seismically retrofitted in the near future. These bridges are currently considered vulnerable to failure during a maximum credible earthquake. Without this project, it is unknown if and when these bridges would be retrofitted.

**Achieves consistency with the County's plans.** The proposed project (4-lane tight diamond interchange) is included in the adopted MC&FP and the associated Community Facilities District. The proposed project is also consistent with the County 1996 General Plan, the policies from which remain in effect now that there is a pending referendum on the 2004 General Plan. Policy 10.2.7.3 calls for development of a comprehensive road circulation plan for the Missouri Flat Road Corridor Area that includes the identification and development of a specific funding mechanism that overcomes existing operational deficiencies and accommodates future traffic demands to the year 2015.

**Results in a reduction in ozone precursor emissions.** Based on an analysis that compared reactive organic gases (ROG) and oxides of nitrogen (NO<sub>x</sub>) emissions in 2005 and 2025 with and without the project, Phase 1 would result in direct emission reduction benefits for these ozone precursors. Phase 1 would also result in cumulative emission reductions based on a comparison

of existing ROG and NO<sub>x</sub> emissions with 2005, 2015, and 2025 emissions. These emission reduction benefits will be achieved since the project reduces traffic congestion by providing adequate roadway capacity for planned growth.