

AMADOR COUNTY BOARD OF SUPERVISORS
CEQA FINDINGS OF FACT
FOR THE WICKLOW WAY SPECIFIC PLAN PROJECT
JULY __, 2026

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CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE WICKLOW WAY SPECIFIC PLAN PROJECT

The findings and determinations contained herein are based on competent and substantial evidence, both oral and written, contained in the record relating to the Amador County (the “applicant” or “County”) Wicklow Way Specific Plan Project (the “Project”) and the environmental impact report (“EIR”) prepared for the Project. These findings and determinations constitute the independent findings and determinations by the County of Amador (“County”) in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Although the findings below identify specific pages within the 2024 Draft EIR and the 2026 Final EIR in support of various conclusions reached below, the County incorporates by reference and adopts as its own the reasoning set forth in the FEIR and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. The County further intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by the County with respect to any particular subject matter of the Project must be deemed made if it appears in any portion of these findings or any other findings elsewhere in the record.

SECTION 1.0. INTRODUCTION

This document sets forth the findings of the Amador County Board of Supervisors (the "Board") related to the Wicklow Specific Plan Project [proposed project], including a Statement of Overriding Considerations. The California Environmental Quality Act (CEQA) requires the Board, as Lead Agency, to make specific findings regarding the potential environmental effects of the project before approving it. The primary source document for these findings is the *Wicklow Specific Plan EIR* (Final EIR) (SCH# 2023010563). When referenced as such, the Final EIR includes both the Public Review Draft EIR (Draft EIR) (August, 2024) and the Final EIR (June, 2026) for the project, as well as any documents that have been incorporated into those documents by reference.

1.1. PURPOSE AND SCOPE OF THIS DOCUMENT

In accordance with the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the County published the Draft Environmental Impact Report ("DEIR") for the Project in August of 2024, which assessed the potential environmental impacts of implementing the Project. The DEIR was circulated for public review and comment for a period of 45 days that began on July 23, 2024, and ended on August 16, 2024.

The County reviewed the comments on the DEIR to identify specific environmental concerns and to determine whether any additional environmental analysis would be required to respond to issues raised in the comments. The County then prepared a Final Environmental Impact Report ("FEIR"), which includes responses to the comments on the DEIR. The FEIR was released for public review in June, 2026. (The DEIR and FEIR may be referred to collectively hereafter as the "EIR".)

Prior to approval of the project, the Lead Agency is required to certify that the EIR was completed in compliance with CEQA, and that the Lead Agency reviewed and considered the information in the EIR. If the EIR identifies significant or potentially significant environmental effects, CEQA requires that the Lead Agency make specified written findings. If the Lead Agency finds that mitigation measures would not reduce the significant effects of the project to the level required by CEQA, or are not feasible, it must also adopt a Statement of Overriding Considerations.

Section 15132 of the CEQA Guidelines requires that a Final EIR consist of:

- The Draft EIR or a revision of the draft;
- Comments and recommendations received on the Draft EIR either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The responses of the lead agency to significant environmental points raised in the review and consultation process; and
- Findings of the Lead Agency with Regard to the Significant Environmental Effects of the Project
- Findings of the Lead Agency with Regard to Alternatives to the Project
- Statement of Overriding Considerations

- Any other information added by the lead agency.

The Lead Agency must also adopt a Mitigation Monitoring and Reporting Program (MMRP) for any mitigation measures identified in the EIR; the MMRP is contained in Section 1.3 of the Final EIR. The documents and other materials that constitute the record of the proceedings on which the County’s decision is based are located at the Amador County Planning Department, 810 Court Street, Jackson, California. The custodian for these documents and materials is the Amador County Planning Department. This information is provided in compliance with Cal. Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

The Board’s findings and the Statement of Overriding Considerations for the project are set out in subsequent sections of this document.

1.2. PROJECT DESCRIPTION

The County proposes to approve the Wicklow Specific Plan Reduced Development Project (WWSP). The WWSP establishes a regulatory framework for the development of a 201-acre site including a mix of retail commercial, public, and higher-density housing uses (the proposed project).

The CEQA requires an MMRP for projects where mitigation measures are required to address project impacts and thus become conditions of project approval. As described above, the County Planning Department prepared the WWSP DEIR in June 2024. Following direction from the County Planning Commission in August 2024, the County is now advancing the Reduced Development Project which would reduce the number of residential units to 377 and accommodate approximately 830 residents. The reduced scale of the Reduced Development Project still meets the County’s RHNA commitment and the original objectives of the WWSP to provide a planned community that supports housing, jobs, community amenities, preserves open space and rural character and is better suited to meeting changing County demographics.

The Reduced Development Project would involve similar concept as the original full-scale proposed project for which the DEIR was prepared and which has been included as Alternative 4 under section 8.3. in this document and otherwise as the “Project” within the 2024 DEIR. The Reduced Development Project includes an approximate 50 percent reduction in the number of residential units and a corresponding reduction in the amount of community commercial and public/quasi-public development.

The WWSP is predicated on the number of residential units as assigned in the County’s RHNA commitment. As discussed in Section 4.12, Population and Housing, State law requires that County Housing Elements identify RHNA targets set by the Department of Housing and Community Development to encourage each jurisdiction to provide its fair share of very-low, low, moderate, and above-moderate income housing. **Table 6-1, RHNA Targets** identifies the number and income category of residential units that would be developed under the reduced Development Wicklow Way Project.

TABLE 6-1 RHNA TARGETS

INCOME CATEGORY	HOUSING UNITS NEED
Very Low	109
Low	62
Moderate	72
Above Moderate	134
Total	377

Source: Denovo Planning Group, 2023

In accordance with this reduction, planning areas are reduced in size, and overall site development occupies the northern portion of the site. Accompanying the reduction in residential development from the original full-scale project, the land uses from the proposed Project would also be reduced, providing 50 percent of the community commercial and public/quasi-public development and a proportionately reduced service area. The WWSP does not propose a school site however a fire station is still included with the reduced project scope and the extension of supportive infrastructure to serve the development with necessary reductions in scale to meet lower demands. Wicklow Way would extend through the site to Stony Creek Road in part to accommodate traffic flows.

Several impacts would experience significant reductions through the downscaling of the project description from the full-scale project evaluated in the DEIR including impacts of construction and post WWSP implementation air quality, GHG, energy impacts and demands, short-term construction impacts to adjacent residences and Argonaut High School (noise, vibration and dust), loss of rural character; potential impacts to cultural and historic resources and impacts to geologic and paleontological resources, hazardous materials impacts, and wildfire. Additionally, public service and public utility demands would be less; and more acres of onsite oak woodlands would be protected resulting in more open space for enhanced recreational opportunities and preservation of onsite biological ecosystems.

TABLE 2-1 COMPARISON OF WWSP REDUCED DEVELOPMENT PROJECT AND ORIGINALLY PROPOSED WWSP PROJECT LAND USES

LAND USE COMPONENT	WWSP REDUCED DEVELOPMENT PROJECT	ORIGINAL WWSP
TOTAL ACRES	201	201
DWELLING UNITS	377	701
RESIDENTS	830	1660
RETAIL/OFFICE SPACE	50,000 square feet	100,000 square feet
PERMANENT JOBS	190	235
COUNTY/CIVIC OFFICES	Yes, 10 acres	Yes, 10 acres
ON-SITE WWTP	No	Yes
NEW ELEMENTARY SCHOOL	No	Yes
NEW FIRE STATION	Yes	Yes
OPEN SPACE*	130	53.7 acres
PARKS*	5	10 acres

*Note: The reduction in land uses will allow for additional acres of land to be devoted to providing more parks and open space, eliminating the on-site WWTP (9.7 acres), elementary school (8.8 acres), and low-density residential development (41.1 acres), as well as accounting for less acreage for on-site roadways. As a result, approximately 60 acres of land would become available, which can be dedicated to providing more parks, open space, and multi-family housing opportunities. (2026 FEIR, Yorke Engineering, LLC)

Project Location and Setting

The 201-acre County-owned WWSP site (Assessor's Parcel No. 044-100-027) lies in unincorporated Amador County, immediately west of the City of Jackson, and one mile south of Sutter Creek. The site is south of SR-88 and approximately one mile from the SR-88 and SR-49 intersection in the Martell RSC area (see Figure 2-1 WWSP Site, Wicklow Way Specific Plan). The project site is within Sections 19, 20, 29, and 30, Township 6 North, Range 11 East of the Mt. Diablo Baseline and Meridian U.S. Geological Survey 7.5-minute quadrangle.

The site is currently zoned Single Family Residential (R1), Retail Commercial and Office (C1), and High-Density Multiple Family Residential (R3). Most of the Project site has a General Plan Land Use designation of Regional Service Center (RSC) and a smaller portion of the Project site has a designation of Residential Medium (RM), corresponding with the R3 zoning designation (Amador County 2016).

Project Objectives

The Project has the following objectives, broadly described herein and set forth in detail in the Wicklow Way Specific Plan (WWSP pp. 1-1 through 1-2):

The Wicklow Way Specific Plan Project (proposed Project) would be the primary land use, policy, and regulatory document that guides the overall development of the 201-acre Project area, located in Amador County. The proposed Project would establish a development framework for land use, circulation, utilities and services, resource protection, and implementation. The Project would be a planning document that includes a mix of retail, commercial, public, and higher-density housing uses. All subsequent development projects and related activities would be required to be consistent with the Project.

1.3. ENVIRONMENTAL REVIEW OF THE PROJECT UNDER CEQA

As the local land use authority, Amador County is the public agency with the greatest responsibility for approving the project as a whole and is therefore the lead agency for purposes of environmental review under California Environmental Quality Act (CEQA). The primary approvals being sought from the County are a specific plan and environmental documentation. As part of any approval action for the project, the County would be required to certify the final EIR, adopt findings of fact and overriding considerations (if necessary), and adopt a mitigation monitoring and reporting program. In Amador County, the County Board of Supervisors is the approval authority for the Specific Plan, which action is appealable to the County Board of Supervisors.

The County has reviewed the FEIR and has determined that it contains each of the items required by

CEQA Guidelines Section 15132. The County certifies that the FEIR has been completed in compliance with CEQA. Following certification of the FEIR, the County will evaluate the action it will take regarding the Project, which could include approving the Project as proposed by the Applicant, approving the Project with modifications, or approving an alternative to reflect changes or concerns identified as a result of this CEQA review.

WHEREAS, the County issued a notice of preparation to prepare an EIR for the Wicklow Way Specific Plan Project on January 25, 2023, held a public scoping meeting for the Project on February 14, 2023, receiving comments January 27, 2023 through February 28, 2023; prepared a Draft EIR and released it for public comment along with a Notice of Availability on June 28, 2024, held a public hearing on the Draft EIR on August 13, 2024 along with a 45-day public review period from July 3, 2024 through August 16, 2024, prepared responses to all significant environmental issues raised in public comments; and published and released the final EIR on [REDACTED]; and

WHEREAS, the Final EIR has been completed in compliance with CEQA; and

WHEREAS, the Board of Supervisors, as the decision-making body, gave notice of a public hearing to consider and make a recommendation upon the Final EIR for the project, and a public hearing was duly held before the Board of Supervisors on [REDACTED]; and

WHEREAS, after holding public hearings, the Board of Supervisors duly considered the Final EIR as prepared for the project (which includes the Draft EIR, dated August 2024 and the Final EIR, dated March 2026), the comments of the public, both oral and written, and all written materials in the record connected therewith; and

WHEREAS, the Final EIR reflects the County’s independent judgment and analysis; and

WHEREAS, the Board of Supervisors considered and heard testimony on the Project from the Project proponents, the general public, and County staff. The Board voted to certify the EIR and approve the Project on [REDACTED], 2026 by the following vote:

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	

The Final EIR is hereby incorporated by reference. Copies of this document, specifically cited below, are available for review at the office of the Amador County Planning Department, 810 Court Street, Jackson, California 95642.

Other agencies may have permitting or approval authority over various aspects of the project. These agencies include the following:

- California Department of Fish and Wildlife (Section 1602 Lake and Streambed Alteration Agreement and possibly a California Endangered Species Act permit)U.S. Fish and Wildlife

Service (Section 7 Consultation; Incidental Take Statement)

- U.S. Army Corps of Engineers (Section 404 permit)
- Central Valley Water Quality Control Board Waste Discharge Requirements/ National Pollutant Discharge Elimination System Permits
- California Department of Transportation (Caltrans) District 10
- Amador County Local Area Formation Commission (LAFCO) in the event that utility service areas or municipal boundaries are amended.

1.4. RECORD OF PROCEEDINGS

In addition to this Statement of Findings, in accordance with California Public Resources Code Section 21167.6(e), the record of proceedings for the Project includes, but is not limited to, the following elements:

- All Project application materials;
- All staff reports and related documents prepared by the County regarding its compliance with CEQA and regarding the action on the Project;
- All staff reports and related documents prepared by the County and written testimony or documents submitted by any person relevant to any findings or statement of overriding considerations adopted by the County pursuant to Public Resources Code § 21000 et seq.;
- Any transcript or minutes of the proceedings at which the decision-making body of the County heard testimony on, or considered any environmental document on, the Project, and any transcript or minutes of proceedings before any advisory body to the County that were presented to the decision-making body prior to action on the environmental documents or on the Project;
- All notices issued by the County to comply with CEQA or with any other law governing the processing and approval of the Project;
- All written comments received in response to, or in connection with, environmental documents prepared for the Project, including responses to the notice of preparation;
- All written evidence or correspondence submitted to, or transferred from, the County regarding compliance with CEQA or regarding the Project;
- Any proposed decisions or findings submitted to the decision-making body of the County by its staff, or the Project proponent, Project opponents, or other persons;
- The documentation of the final County decision, including the final environmental impact report, and all documents cited or relied on in the findings or in a statement of overriding considerations adopted pursuant to CEQA;
- Any other written materials relevant to the County's compliance with CEQA or to its decision on the merits of the Project, including the initial study, any drafts of any environmental document, or portions thereof, that have been released for public review, and copies of studies or other documents relied upon in any environmental document prepared for the Project and either made available to the public during the public review period or included in the County's

files on the Project, and all internal agency communications, including staff notes and memoranda related to the Project or to compliance with CEQA;

- The full written record before any inferior administrative decision-making body whose decision was appealed to a superior administrative decision-making body prior to the filing of litigation;
- Notice of Preparation for the 2024 Draft Environmental Impact Report, and all other public notices issued by the County in conjunction with the Project;
- Draft Environmental Impact Report for the Wicklow Specific Plan (State Clearinghouse No. 2023010563);
- Final Environmental Impact Report for the Project, June 2026;
- Mitigation Monitoring and Reporting Program for the Project;
- All reports, studies, memoranda, staff reports, or other documents related to the Project prepared by the County, or consultants to the County, regarding the County's compliance with the requirements of CEQA and regarding the County's action on the Project;
- All documents submitted to the County by other public agencies, by the Applicant or the Applicant's consultants, or members of the public in connection with the Project, up through the close of the public hearing;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the County in connection with the Project; and
- Any other materials required for the record of proceedings by Public Resources Code Section 21167.6(e).

Section 2.0. CEQA Considerations

The California Environmental Quality Act (CEQA) Guidelines Section 15126 requires that all aspects of a project must be considered when evaluating its impact on the environment, including planning, acquisition, construction, development, and operation. As part of this analysis, implementation of the Wicklow Way Specific Plan (WWSP or proposed Project) as analyzed in the Draft Environmental Impact Report (DEIR) identifies:

- Significant environmental effects (Section 4.0.);
- Significant environmental effects that cannot be avoided (Section 5.0.);
- Significant irreversible environmental changes or effects(Section 5.6.);
- Growth-inducing impacts (Section 5.7.);
- Statement of Overriding Considerations (Section 6.0)
- Mitigation Measures proposed to minimize significant effects (Section 7.0.); and
- Alternatives (Section 8.0.).

2.1. FINDINGS REQUIRED UNDER CEQA

CEQA requires that, prior to approval of a project, the Lead Agency make and adopt specified findings related to each potentially significant or significant environmental effect identified in an EIR, pursuant to State CEQA Guidelines sections 15091 through 15093 and Public Resources Code Section 21002. CEQA does not require a lead agency to make individual findings for impacts that are determined to be less than significant without mitigation. (CEQA Guidelines, § 15091(a).) Impacts deemed to be less than significant prior to mitigation are discussed in detail in the EIR. The Wicklow Way Specific Plan Project Final EIR identified several potentially significant or significant effects on the environment. The County's findings with respect to each of these potentially significant or significant environmental effects are set forth in Section 4.0. and 5.0. of this document. For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions, pursuant to CEQA Guidelines, Section 15091, that:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

The County's findings with respect to the Project's significant effects and mitigation measures are set forth below. The discussion below does not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, the discussion provides a summary description of each potentially significant impact, describes the applicable mitigation measures identified in the

EIR and adopted by the County, and states the County's findings on the significance of each impact after imposition of the adopted mitigation measures. In making these findings, the County ratifies, adopts, and incorporates into these findings the analysis and explanation in the EIR and the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

In the event that the County chooses to approve the proposed project, the County will need to certify the Final EIR, adopt the mitigation measures specified in the Final EIR and the MMRP, and make the findings specified in this document. After taking all of these actions and based on the evidence presented in the Final EIR, all but five of the project environmental effects will be reduced to a less-than-significant level. The remaining five impacts (Aesthetics, Air Quality, Greenhouse Gas Emissions, Energy, and Population & Housing) are considered to be significant and unavoidable.

Because the project involves impacts that are significant and unavoidable, the County is required to make findings with respect to the alternatives to the proposed project. These findings are set forth in Section 8.0. of this document. 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[.]" Section 21002 goes on to provide 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 thereof."

For the same reason, in order to approve the project, the County must also adopt a Statement of Overriding Considerations, as provided in Section 15093 of the State CEQA Guidelines. The Statement of Overriding Considerations and related information are set forth in Section 6.0. of this document.

The CEQA findings for the proposed project are based upon substantial evidence, comprised primarily of the information, analysis, and mitigation measures described in the Final EIR and other information incorporated into this document by reference. Specific references to supporting information are provided in conjunction with each finding set forth in the following sections. The County has reviewed the DEIR and the FEIR. The FEIR contains responses to comments received on the DEIR and any text changes to the DEIR and additional clarifying information.

2.2. NO RECIRCULATION OF THE DRAFT EIR IS REQUIRED

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR but before certification of the Final EIR. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The CEQA Guidelines provide the following examples of significant new information under this standard:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (CEQA Guidelines Section 150885(a).)

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications to an adequate EIR. The above standard is “not intend[ed] to promote endless rounds of revision and recirculation of EIRs.” (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1132.) “Recirculation was intended to be an exception, rather than the general rule.” (Id.)

The County recognizes that the 2026 FEIR examines project scope beyond that which is incorporated in the current project description, incorporated within the 2024 DEIR. The proposed mitigations for the original project evaluated through the 2024 DEIR shall be retained with the modified project; therefore, incorporating all modifications or clarifications to various mitigation measures which were implemented to further reduce environmental impacts and to respond to comments.

None of the changes between the DEIR and FEIR involve “significant new information” triggering recirculation. The reduction of project scope with the selection of the Reduced Development WWSP as the Project did not result in any new significant environmental effects, nor any substantial increase in the severity of any previously identified significant effects, and would not otherwise trigger recirculation. Instead, any modifications to the project scope were either environmentally beneficial or environmentally neutral, were included to respond to comments. Therefore, the reduction in project scope resulting in the revised Project description does not warrant recirculation of the EIR. This modification of the Project scope did not incorporate any revised mitigation measures and does not require recirculation of the EIR because these changes did not result in any new significant environmental effects, nor any substantial increase in the severity of any previously identified significant effects.

The minor changes and revisions included in the FEIR represent the kinds of positive changes that CEQA envisions, and which commonly occur as the environmental review process works towards its conclusion and the lead agency properly responds to public and responsible agency comments. In fact, many of the changes in the FEIR were made in direct response to commenter input as envisioned by CEQA. For all of the above reasons, the County finds that none of the circumstances exist requiring recirculation of the DEIR. (See CEQA Guidelines, § 15088.5.)

Section 3.0. Impacts that are Less than Significant

The following impacts were determined to have either no impact, or a less than significant impact prior to mitigation, and thus do not require individual findings under CEQA (CEQA Guidelines, § 15091(a)) (See DEIR, Section 3, 4, and ES; Tables ES-1 and ES-2.):

Impact 3.0-1: Physically divide an established community (DEIR, pp. 3-7)

Impact 4.1-2: Damage scenic resources within a state scenic highway (DEIR, pp. 4.1-17)

Impact 4.2-1: Convert designated farmlands to non-agricultural uses (DEIR, pp. 4.2-6)

Impact 4.2-2: Conflict with zoning for agricultural use of Williamson Act lands (DEIR, pp. 4.2- to 4.2-8)

Impact 4.2-3: Convert farmland to non-agricultural uses (DEIR, pp. 4.2-8)

Impact 4.2.5: Cumulative impacts from agricultural resources conversion (DEIR, pp.. 4.2-8)

Impact 4.4-4: Interfere with the movement of any wildlife species or impede use of native wildlife nursery sites (DEIR, pp.. 4.4-24)

Impact 4.4-5: Conflict with the provisions of an adopted habitat conservation plan, natural conservation community plan, or other approved conservation plan (DEIR, pp.4.4-25)

Impact 4.7-1: Expose people and structures to seismic hazards (DEIR, pp. 4.7-15 to 4.7-16)

Impact 4.7-2: Soil erosion or loss of topsoil (DEIR, pp. 4.7-17)

Impact 4.7-3: Development of structures on unstable soils (DEIR, pp. 4.7-18)

Impact 4.7-4: Development of structures on expansive soils or on soils with other limitations (DEIR, pp. 4.7-18)

Impact 4.7-5: Soils incapable of supporting wastewater disposal systems (DEIR, pp. 4.7-19)

Impact 4.7-7: Cumulative geology and soils impacts (DEIR, pp. 4.7-20)

Impact 4.9-1: Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials (DEIR, pp. 4.9-8-4.9-9)

Impact 4.9-2: Create significant hazards to the public or environment through accident conditions involving release of hazardous materials (DEIR, pp. 4.9-9 to 4.9-10)

Impact 4.9-3: Presence of hazardous emissions or hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (DEIR, pp. 4.9-9 to 4.9-10)

Impact 4.9-4: Located on a list of hazardous materials sites (DEIR, pp. 4.9-10 to 4.9-12)

Impact 4.9-5: Result in a safety hazard or excessive noise to people within an airport land use plan (DEIR, pp. 4.9-12 to 4.9-13)

Impact 4.9-6: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (DEIR, pp. 4.9-13-4.9-14)

Impact 4.9-7: Expose people or structures to risk of loss, injury or death involving wildfires (DEIR, pp. 4.9-14 to 4.9-15)

Impact 4.9-8: Cumulative impacts associated with hazards and hazardous materials (DEIR, pp. 4.9-15 to 4.9-16)

Impact 4.10-1: Violate water quality standards or waste discharge requirements or degrade surface or groundwater quality (DEIR, pp. 4.10-14 to 4.10-17)

Impact 4.10-2: Decrease groundwater supplies or interfere with groundwater recharge and impede sustainable groundwater management of the basin (DEIR, pp. 4.10-18 to 4.10-19)

Impact 4.10-3: Alter existing drainage pattern of site or area (DEIR, pp. 4.10-20 to 4.10-22)

Impact 4.10-4: Cumulative noise impacts (DEIR, pp. 4.10-23)

Impact 4.10-5: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (DEIR, pp. 4.10-23 to 4.10-24)

Impact 4.10-6: Cumulative impacts to hydrology or water quality (DEIR, pp. 4.10-24 to 4.10-25)

Impact 4.11-2: Result in excessive groundborne noise levels during construction (DEIR, pp. 4.11-14)

Impact 4.11-4: Cumulative noise impacts (DEIR, pp. 4.11-16 to 4.11-18)

Impact 4.13-2: Deteriorate existing neighborhood and regional parks or other recreational facilities caused by increased use (DEIR, pp. 4.13-16 to 4.13-17)

Impact 4.13-3: Impact new or expanded recreational facilities (DEIR, pp. 4.13-17)

Impact 4.14-1: Conflict with a program, plan, ordinance, or policy addressing circulation system (DEIR, pp. 4.14-6 to 4.14-8)

Impact 4.14-2: Conflict with CEQA Guidelines §15064.3(b) (DEIR, pp. 4.14-8 to 4.14-10)

Impact 4.14-3: Increase hazards due to a geometric design feature (DEIR, pp. 4.14-10)

Impact 4.14-4: Result in inadequate emergency access (DEIR, pp. 4.14-11)

Impact 4.14-5: Cumulative transportation impacts (DEIR, pp. 4.14-10)

Impact 4.16-1: Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities (DEIR, pp. 4.16-10 to 4.16-12)

Impact 4.16-2: Have sufficient water supplies available to serve the project and future development (DEIR, pp. 4.16-12 to 4.16-13)

Impact 4.16-3: Result in determination by the wastewater treatment provider of inadequate capacity (DEIR, pp. 4.16-13 to 4.16-14)

Impact 4.16-4: Generate solid waste in excess or impair solid waste reduction goals (DEIR, pp. 4.16-14 to 4.16-15)

Impact 4.16-5: Result in non-compliance with regulations related to solid waste (DEIR, pp. 4.16-15)

Impact 4.16-6: Cumulative impacts to public utilities (DEIR, pp. 4.16-15 to 4.16-16)

Impact 4.17-1: Impact an adopted emergency response or evacuation plan (DEIR, pp. 4.17-12)

Impact 4.17-6: Cumulative wildfire impacts (DEIR, pp. 4.17-17 to 4.17-19)

The Project's impacts to these above-listed environmental issues are less than significant. Therefore, the EIR did not identify or require mitigation measures for the above issues.

Section 4.0. Findings Regarding Potentially Significant Environmental Impacts

The DEIR identified some potentially significant environmental effects (or “impacts”) that the Project will or may cause. Most of these potentially significant effects can be reduced to less than significant through the adoption of feasible mitigation measures with the exception of five potentially significant effects listed under Section 4.0 which are considered Significant and Unavoidable.

After reviewing the public record, as composed of the aforementioned elements, the County hereby makes the following findings regarding the potentially significant effects of the Project, pursuant to Public Resources Code Section 21081 and Section 15091 of the CEQA Guidelines.

The Board of Supervisors (“Board”) hereby finds, as follows, regarding each of the environmental impacts that were found by the Final EIR to be potentially significant or significant prior to the application of mitigation measures. The following findings consider each of the individual potentially significant or significant environmental impacts of the project on an individual basis. Each environmental impact is briefly identified and its significance prior to the application of mitigation measures is identified, as described in the Draft EIR. All of the mitigation measures identified in the Draft EIR are listed, and the significance of each environmental impact after application of the mitigation measures is identified. Following this, the Board’s finding with respect to the environmental impact, and the location of source information for the Board’s rationale in making that finding, is identified. Additional information and evidence may be produced at the public hearing(s) on the proposed project, and may be incorporated into these findings or otherwise incorporated into the project record at a later date.

The following findings are based upon the whole of the information and analysis included in the Draft EIR and Final EIR and, in particular, on the implementation of the project mitigation measures. Implementation of the mitigation measures will be required as a condition of project approval. The County will also adopt an MMRP. The actions required by these documents will ensure that feasible mitigation measures are incorporated into the project.

Potential findings for the potentially significant and significant impacts of the proposed project are prescribed in Section 15091 of the State CEQA Guidelines. The three potential findings, as the findings apply to the significant impacts of the project, are listed below.

Finding 1: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (This finding is applied to many of the environmental effects identified in the Final EIR.)

Finding 2: Changes or alterations to the project that would avoid or substantially lessen the subject environmental effect are within the responsibility and jurisdiction of another public agency and not the County. Such changes or alterations have been adopted by such other agency, or can and should be adopted by such other agency. (This finding is applied to one potentially significant effect identified in the Final EIR.)

Finding 3: Specific economic, legal, social, technological, or other considerations, including

provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

The County's findings with respect to the Project's significant effects and mitigation measures are set forth below. The discussion below does not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, the discussion provides a summary description of each potentially significant impact, describes the applicable mitigation measures identified in the EIR and adopted by the County, and states the County's findings on the significance of each impact after imposition of the adopted mitigation measures. In making these findings, the County ratifies, adopts, and incorporates into these findings the analysis and explanation in the EIR and the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

CEQA does not require a lead agency to make individual findings for impacts that are determined to be less than significant without mitigation. (CEQA Guidelines, § 15091(a).) Impacts deemed to be less than significant prior to mitigation are discussed in detail in the EIR.

The County has reviewed the DEIR and the FEIR. The FEIR contains responses to comments received on the DEIR and any text changes to the DEIR and additional clarifying information. The County has also considered the public record on the Project.

4.1. LAND USE AND PLANNING

Impact 3.0-2: Conflict with land use plans, policies, or regulations

The State CEQA Guidelines §15125(d) requires that an EIR analyze the potential for inconsistencies between a proposed project and applicable general plans, specific plans, and regional plans. The proposed Project was designed to be consistent with relevant plans and policies.

The General Plan designates the proposed Project site RSC and RM. Consistent with these land use designations, the WWSP acts as a guide to the development of the proposed Project site with residential and local-serving commercial uses. The establishment of new zoning districts as allowed through the General Plan process and would not create land uses that would result in a significant environmental impact. The extension of Wicklow Way, in conjunction with the overall circulation strategies, of the proposed Project are consistent with Regional Transportation Plan (RTP) goals and policies to reduce congestion, optimize connectivity, and support economic development through transportation improvements. The proposed Project would not conflict with the RTP. Prior to the approval of any specific development within the WWSP area, future projects would be required to demonstrate compatibility with the Airport Land Use Compatibility Plan (ALUCP). Therefore, implementation of the proposed Project would not result in a conflict with or create inconsistencies with the Westover Field Airport ALUCP.

Findings: The proposed Project would not conflict with applicable land use plans, policies, or regulations, and therefore, impacts are less than significant. (DEIR pp. 3-7 to 3-11)

Impact 3.0-3: Cumulative land use and planning impacts

Future implementation of the WWSP and development plans of surrounding communities would not result in significant cumulative impacts related to land use. The proposed WWSP establishes a framework for orderly development and would not result in land uses or transportation/circulation routes that would physically divide existing communities, or conflict with existing plans, policies, or regulations.

Findings: Therefore, implementation of the WWSP would not contribute to a significant cumulative land use impact.

4.2. BIOLOGICAL RESOURCES

The analysis of impacts on biological resources resulting from the proposed Project is based on background and historic record searches, review of previous field investigations, reconnaissance-level surveys, and biological reports. Background research included reviewing the CNDDDB, IPaC, and CNPS databases to determine potential for occurrence of special-status plant or wildlife species in the vicinity of the proposed Project. A series of natural resource investigations were conducted for the proposed Project. Reports and results were reviewed to determine species observed and likely to occur. Botanical, aquatic resources, and wildlife surveys occurred in November 2021.

Based on Appendix G of the State CEQA Guidelines, an impact on biological resources is significant if implementation of the proposed Project would do any of the following:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by CDFW or USFWS;
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, etc.) 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; and/or
- Conflict with the provisions of an adopted habitat conservation plan (HCP), NCCP, or other approved local, regional, or state HCP.

This analysis assumes that the proposed Project would comply with the County's General Plan policies and WWSP Design Standards; therefore, such policies and standards are not specifically identified as mitigation.

Impact 4.4-1: Adverse effect on designated special species

An impact to special-status species would be considered substantial and significant if a project has the potential to result in direct or indirect harm to a species or individuals of a species. The majority of proposed Project impacts would occur within oak woodland and annual grassland habitats. Impacts would also occur at two stream crossings over an unnamed perennial stream in the southern portion of the site. These habitats (oak woodland, annual grassland, and perennial stream) contain features that could provide potential habitat for special-status species. Removal of native oak trees, annual grassland, and stream habitat associated with the proposed Project could displace special-status species and convert or degrade habitats on which they rely. This is a potentially significant impact. Mitigation measures (MM BIO-01 through MM BIO-05) require pre-construction surveys, avoidance, minimization, and mitigation measures. These measures reduce the potentially significant impacts that could occur from the Project to less than significant.

The proposed Project was determined to have potential to disturb nesting birds and special-status reptiles and amphibians through construction which could result in potentially significant impacts. Similarly, development of the proposed Project would be required to implement avoidance and minimization measures that would reduce these impacts. Therefore, with implementation of mitigation measures identified for the proposed Project, cumulative impacts to special status species would be reduced to **less than significant**. Therefore, no additional mitigation is recommended based on the proposed Project's cumulative contribution to special-status species impacts.

Findings: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant the effects on Candidate, Sensitive, or Special-Status plant, mammal, bird, amphibian, reptile, and invertebrate species. (14 Cal. Code Regs. § 15091, subd. (a)(1); Pub. Resources Code, § 21081, subd. (a)(1).) (DEIR pp. 4.4-18 to 4.4-20.)

Mitigations: MM BIO-1 (Special-Status Plants), MM BIO-2 (Special-Status Mammals), MM BIO-3 (Special-Status Birds), MM BIO-4 (Special-Status Amphibians and Reptiles), MM BIO-5 (Special-Status Invertebrates)

Impact 4.4-2: Adverse effect on any designated natural community

An impact on a sensitive natural community would be considered significant or substantial if sensitive habitat types were directly converted, disturbed through construction and maintenance, or indirectly disturbed by construction or ongoing implementation of the proposed Project. Indirect impacts may occur due to narrow buffers from development, loss of connectivity of resources such as groundwater, non-discrete impacts such as pollution, and other project-related impacts.

Findings: The implementation of this project includes impacts to several aquatic habitats found on site as well as oak woodland habitat, necessitating mitigations. There are several aquatic habitats found onsite including seasonal wetlands, perennial, intermittent, and named creeks. Development areas have the potential to overlap with sensitive aquatic habitats. With the implementation of the proposed mitigation measures, the impact is less than significant. (DEIR, pp. 4.4-20 to 4.4-22)

Mitigation(s): MM BIO-6 (Aquatic Habitats), MM BIO-7 (Oak Woodlands), MM BIO-8 (Wetlands and Watercourses)

Impact 4.4-3: Adverse effect on wetlands

Impacts to state or federally protected wetlands or waters would be considered significant and substantial if a project resulted in the direct conversion of wetlands or resulted in runoff and erosion that degraded habitat quality. The proposed Project includes several stream crossings that could encroach into associated wetland and riparian habitat and result in placement of fill into aquatic resources. Work that alters a watercourse or supporting adjacent habitat, such as a riparian community, would be considered a significant impact.

Findings: After mitigation, impacts to aquatic resources would be reduced to a less than significant level. (DEIR, pp. 4.4-22 to 4.4-23)

Mitigation(s): MM BIO-8 (Wetlands and Watercourses)

Impact 4.4-6: Cumulative Impacts to Biological Resources

A significant cumulative impact to biological resources would occur if the proposed Project, in combination with recent, ongoing, and foreseeable development, caused a cumulatively significant impact to biological resources. Potential cumulative projects in the vicinity of the proposed Project are presented in Chapter 4. Cumulative projects consist of infrastructure development, minor recreational development, and residential build-up smaller in scale than the proposed Project.

Findings: Cumulative projects are anticipated within areas of existing development and are small and/or clustered in development, and may include impacts to Special-Status Species, sensitive habitat types, wildlife use and movement, and local plans, policies and conservation plans, which are effectively mitigated through the included mitigation measures incorporated. (DEIR, pp. 4.4-25 to 4.4-26)

Mitigation(s): MM BIO-1 (Special-Status Plants) and MM BIO-2 (Special-Status Mammals)

Mitigation Measures (DEIR, pp. 4.4-26 to 4.4-31):

MM BIO-1 Special-Status Plants

A focused rare plant survey for Tuolumne button-celery, Red Hills soaproot, Stanislaus monkeyflower, Big-scale balsam root and prairie wedge grass. shall be conducted to determine the presence/absence of any threatened or endangered plant species prior to any ground disturbance associated with implementation of the proposed Project. This survey shall be conducted by a qualified botanist between April and June. If no special-status plant species are found onsite, no further surveys or mitigation measures are required. However, if special-status plant species are found onsite, each population shall be mapped and acceptance from the appropriate federal and/or state agencies shall be required. To the maximum extent possible, plant populations shall be preserved and incorporated into Project plans.

However, if these areas cannot be avoided, land supporting known populations of these species shall be purchased and incorporated into an ecological preserve. If no land supporting the species can be located, onsite populations must be preserved. At a minimum, offsite mitigation shall occur at a 1:1

ratio (one plant preserved for each plant impacted). A detailed preserve management plan that includes species, habitat, and preserve management strategies shall be developed and approved in consultation with the County and the appropriate state and/or federal regulatory agencies prior to approval of a grading permit. With the incorporation of mitigation measures, impacts to special-status plants would be reduced to a **less than significant** level.

MM BIO-2 Special-Status Mammals

This requires that any North American porcupine, if identified onsite, be allowed to leave without harassment. Any encounters with a porcupine will be recorded and a record will be submitted to CDFW and the Planning Department. With incorporation of mitigation, impacts to special-status mammals would be reduced to **less than significant** levels.

MM BIO-3 Special-Status Birds

Prior to construction, but not more than 14 days before grading, demolition, or site preparation activities, a qualified biologist shall conduct a pre-construction nesting survey to determine the presence of nesting raptors. Activities taking place outside the breeding season (typically February 15 through August 31) do not require a survey. If active raptor nests are present in the construction zone or within 500 feet of the construction zone, temporary exclusion fencing shall be erected at a distance of 500 feet around each nest site. Clearing and construction operations within these zones shall be postponed until juveniles have fledged and there is no evidence of a second nesting attempt as determined by a qualified biologist. To avoid impacts to common and special-status migratory birds, pursuant to the Migratory Bird Treaty Act and CDFW Codes, a nesting survey shall be conducted prior to construction activities if the work is scheduled between February 15 - August 31. If migratory birds are identified nesting within the construction zone, a 200-foot buffer around the nest site shall be designated. No construction activity may occur within this buffer until a qualified biologist has determined that the young have fledged. After mitigation, impacts to special-status birds would be reduced to a **less than significant** level.

MM BIO-4 Special-Status Amphibians and Reptiles

Prior to construction, but not more than 14 days before the start of grading, demolition or site preparation activities, a qualified biologist shall conduct a pre-construction survey to determine the presence of western pond turtles, California red-legged frogs (CRLF), and foothill yellow-legged frogs (FYLF) in or near onsite water sources or in upland habitat near water sources. If western pond turtles are found or the use of habitat is evident during the survey, the species shall be buffered from construction activities with the installation of non-climbable fencing (or other solid fencing/barrier) to exclude turtles from entering the active construction zone. If turtles are found within the construction zone, they shall be moved out of harm's way to appropriate areas by a qualified biologist as approved by CDFW and/or USFWS. Prior to construction within 100 feet of waterways, avoidance measures shall be implemented that include installing a temporary, solid fence (e.g., particle board or other solid structure) along established buffer lines at creeks/streams, thereby creating a solid barrier between the creek and the construction activities.

Prior to installation of the fence a USFWS-approved biologist shall survey the areas for CRLF and FYLF to ensure impacts to these species are avoided. The location of this exclusion zone shall be identified on the final grading plans and construction specifications. During construction, standard best management practices (BMPs) shall be employed that include the use of erosion control methods

and use of straw over disturbed areas. Previously disturbed areas shall be hydroseeded with native plant species upon project completion. An onsite qualified biologist shall perform pre-construction surveys and spot-check monitoring during construction for CRLF and FYLF and proper installation and maintenance of exclusionary fencing. If a frog is found, the qualified biologist shall move the frog away from construction activities and place it in a safe, suitable habitat away from the project site. In addition, the biologist shall notify the appropriate agencies, such as CDFW and USFWS. After mitigation impacts to special status amphibians would be reduced to a **less-than-significant** level.

MM BIO-5 Special-Status Invertebrates

A focused host plant survey for native milkweed; Narrow-leaved milkweed, Showy milkweed, Heartleaf milkweed, and Woollypod milkweed shall be conducted to determine the presence/absence of these threatened or endangered plant species prior to ground disturbance. The survey shall be conducted by a qualified botanist between April and June. If no host plant species are found onsite, no further surveys or mitigation measures are required. However, if host plant species are found onsite, each population shall be mapped and technical assistance from the appropriate federal and/or state agencies shall be required. To the maximum extent possible, plant populations shall be preserved and incorporated into project plans. However, if these areas cannot be avoided, land supporting known populations of the species impacted shall be purchased and incorporated into an ecological preserve. If no land supporting the species can be located, onsite populations must be preserved. At a minimum, offsite mitigation shall occur at a 1:1 ratio (one plant preserved for each plant impacted). A detailed preserve management plan that includes species, habitat, and preserve management strategies shall be developed and approved in consultation with the appropriate state and/or federal agencies prior to approval of a grading permit. After mitigation, impacts to host plants, and thus to the special status invertebrate would be reduced to a **less-than-significant** level.

MM BIO-6 Aquatic Habitats

Prior to issuance of a grading permit, a CDFW LSAA shall be obtained, pursuant to Section 1602 of the Fish and Game Code, for each stream crossing or other activities affecting the bed, bank, or associated riparian vegetation of a creek. Coordination with CDFW shall take place to identify the appropriate mitigation for removal of riparian vegetation which may include creation of onsite habitat. A Riparian Mitigation Plan shall be developed and approved by CDFW. Mitigation shall require a 'no-net-losses of riparian and/or wetland habitat. The Project applicant shall be responsible for mitigating impacts to riparian habitat by either creating suitable onsite habitat (2:1 replacement ratio) and/or acquiring mitigation credits at a CDFW- approved mitigation bank. Mitigation credits shall be purchased at a 1:1 ratio. Work within the stream zone shall not commence until the Project applicant has submitted proof (a bill of sale) to CDFW of obtaining appropriate mitigation credits, or until CDFW has approved a site- specific revegetation plan created for onsite habitat. Upon entry into a CDFW LSAA, the Project applicant shall adhere to and implement the conditions of the agreement. Although the exact conditions of the agreement are not determined until entered into with CDFW, the following conditions are anticipated requirements and shall be implemented by the Project applicant:

- No work shall take place in a live stream channel. If work in a flowing stream cannot be avoided, the entire stream flow shall be diverted around the work site during excavation and/or construction operations. The work site shall be dewatered completely. Any dewatering/diversion plan shall be submitted to CDFW for approval prior to stream zone

activities.

- Project spoils shall be located away from the stream zones in upland areas where they cannot be washed back into a waterway. Spoil site perimeters shall employ adequate erosion control methods. Staging/storage areas for equipment and materials shall be located away from the environmentally sensitive areas.
- A Storm Water Pollution Prevention Plan (SWPPP) shall be developed and submitted to CDFW prior to the ground disturbing activities. The SWPPP shall identify specific BMPs which shall be implemented during construction to prevent discharges of sediment, oil, turbid water, and/or other potential toxic or hazardous substances to surface waters. The BMPs shall be installed and maintained so that they demonstrate effectiveness.
- All exposed/disturbed areas left barren of vegetation because of construction activities shall be seeded, mulched and fertilized with a blend of locally native grass species as approved by CDFW. Disturbed portions shall be restored to near original conditions to the fullest extent possible.

After mitigation, impacts to riparian habitats or other sensitive natural communities would be reduced to a **less-than-significant** level.

MM BIO-7 Oak Woodlands

The Project applicant shall exercise all reasonable efforts to refine site design to minimize impacts to oak trees. Building envelopes shall be identified that will retain existing oak trees to the maximum extent feasible. Oak trees to be retained and building envelopes shall be identified on any development map or plot plan submitted for grading and building permits. Either through CC&Rs created by the Project applicant or through later measures created by a homeowner's association, future home and business owners shall be restricted from removing oak trees except when the oak tree is dead or a public safety hazard, or the County approves removal for other reasons. In addition, Amador County, as lead agency under CEQA, shall require one, or a combination, of the following mitigation options to reduce impacts to less-than-significant levels:

- Acquisition of a conservation easement on a local property that contains a similar species composition and quality of native oaks. The Project applicant would negotiate terms with the landowner of the proposed easement and incur the costs associated with establishing a conservation easement to be held in perpetuity. Specifically, in accordance with §21083.4 of the Public Resources Code, the Project applicant shall preserve 37 acres of existing oak woodland as shown on Figure 4.4-2. This preservation would mitigate the loss of approximately 37 acres of oak woodland habitat at a 1:1 ratio. According to the County Code, preservation shall occur in Amador County or adjacent counties and may be accomplished by recording a conservation easement for 37 acres of oak woodlands to ensure that preservation as undisturbed oak woodlands in perpetuity. Alternatively, the Project applicant may coordinate with the County and provide funding for the purchase of conservation easements on 37 acres at an offsite location. As determined by the County, funding can be provided to the Amador Land Trust, the Oak Woodlands Conservation Fund, or other entity/fund approved by the County. The Project applicant may combine the placement of conservation easements with providing funding to preserve the requisite amount of oak woodland acreage.
- Redesign the proposed Project so that onsite plantings of oak trees would be sufficient to offset tree removal. Onsite planting would have to be maintained and monitored by the Project

applicant for a period of not less than seven years and the Project applicant will be required to report on the status of onsite planting to the County on a yearly basis. Specifically, each removed oak tree shall be replaced with the same species at the following ratios: 1:1 replacement for trees 5 – 12 in. dbh; 3:1 replacement for trees greater than 12 in. dbh.

Replacement trees shall be 15-gallon size or larger. The County may approve reduced ratios for larger replacement tree stock. The Project applicant shall also submit for County approval an Oak Tree Replacement Plan to be prepared by a qualified professional (e.g., certified arborist, registered professional forester, certified rangeland manager, or biologist). The Oak Tree Replacement Plan shall, at a minimum, detail the following: planting locations, oak species, irrigation, replanting, seven-year maintenance and inspection program, and funding for a seven- year contract with a qualified professional, who would have decision making power to oversee oak tree care and maintenance and report progress on the Oak Tree Replacement Plan. As an alternative to or in combination with planting replacement trees, the Project applicant may coordinate with the County and contribute funding to provide for planting the appropriate number of replacement trees and for developing an Oak Tree Replacement Plan for those trees. As determined by the County, funding can be provided to the Amador Land Trust, the Oak Woodlands Conservation Fund, or other entity/fund approved by the County.

- The Project applicant shall be required to contribute funds to the Oak Woodlands Conservation Fund, as established by subdivision (a) of §1363 of the Fish and Game Code. The amount of the contribution shall be determined by Amador County; or
- Amador County may wish to establish an “Amador County Oak Woodland Conservation Fund” and require the applicant to contribute to the fund in an amount determined by the County.

Before a grading permit is issued, the Project applicant shall provide proof to the County that one, or a combination, of the mitigation options described above (a, b, c, or d) has been completed and/or funded. Proof of mitigation fulfillment shall also be provided to CDFW. In addition, the following measures are required to minimize harm to individual oak trees that will not be removed:

1. Install brightly colored temporary fencing at least four feet in height placed at the outermost edge of the dripline of each oak tree or dense stand of oak trees to remain in place until construction is completed.
2. Avoid grading within an oak tree’s dripline, where possible. A certified arborist shall supervise grade cuts within an oak tree’s dripline and any damaged roots encountered shall be root pruned and properly treated as soon as possible after excavation. Cut faces which will be exposed for more than three days, shall be covered with dense burlap fabric and watered daily to maintain soil moisture.
3. Supervise fills greater than one foot that are placed within the driplines of oak trees by a certified arborist. Aeration systems, oak tree walls, drains, and/or special paving may serve to mitigate presence of the fill material as determined by the arborist.
4. Avoid trenching within the driplines of oak trees. If necessary to install underground utilities within the dripline of an oak tree, the trench shall be either bored or drilled.

5. Avoid irrigation system installation within, or to reach within 15-feet, of an oak tree's dripline unless specifically authorized by the County.
6. Prohibit modifying drainage patterns onsite that could result in water collecting on or being diverted across an oak tree's drip line.
7. Install landscaping beneath oak trees to include materials such as boulders, cobbles, wood chips, etc. The only plant species which shall be planted within the driplines of oak trees are those which are native to California oak woodlands and that are tolerant of the natural semi-arid environs of the trees.
8. Avoid equipment damage to limbs, trunks, and roots of oaks trees during construction and development.
9. Avoid attaching signs, ropes, cables (except those installed by a certified arborist to provide limb support), or other items to oak trees. Small tags for purposes of preparing tree reports and inventories are allowed to be placed on oak trees.
10. Clear vegetation within the protective zone (see #1 above) of an oak tree by using hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the greatest extent possible and treated as recommended by a certified arborist.
11. Prohibit items placed within an oak tree's dripline: storage equipment, supplies, vehicles, debris, construction wastewater, paint, stucco, concrete or any other clean-up waste, and temporary or permanent structures.
12. Prune oak trees supervised by a certified arborist. All pruning shall be conducted in accordance with guidelines published by the National Arborist Association.

After mitigation, impacts to oak woodland habitat would be reduced to a **less than significant** level.

MM BIO-8 Wetlands and Watercourses

The Project applicant shall avoid disturbance to Rock Creek, the north stream and wetland areas that constitute waters of the U.S., including the south stream, where feasible by establishing a minimum 50-foot buffer zone on all sides of the water source and preventing grading or removal of vegetation within 200 feet from the perennial stream bank. The development buffer zone shall be placed under a conservation easement and held by the Amador Land Trust or other entity appointed at that time. The 200-foot vegetation removal and grading prohibition buffer zone shall be clearly marked with brightly colored (orange, etc.) construction fencing installed and maintained so that it is visible to equipment operators during construction activities. If disturbance to Rock Creek, the north stream, the south stream, or other delineated potential waters of the U.S./wetland areas onsite cannot be avoided, prior to issuance of a grading/building permit, the Project applicant shall obtain formal authorization where required from the USACE (Section 404 permit), RWQCB (Section 401 permit), and, for certain impacts to streams (as specified in Fish and Game Code Section 1602), a CDFW LSAA prior to working near or entering into the stream zone. The stream zone is that portion of the stream channel

that restricts the lateral movement of water, delineated as the top of the bank or outer edge of any riparian vegetation, whichever is more landward. Prior to obtaining Section 404 and 401 permits, a wetland delineation shall be conducted and verified by the USACE. After implementation of mitigation measures for riparian habitats or other sensitive natural communities, impacts would be reduced to a **less-than-significant** level.

4.3. CULTURAL RESOURCES

A record search was completed on October 22, 2021, at the North Central Information Center (NCIC) at Sacramento State University (NCIC File No.: AMA-21-19). The NCIC search included the proposed Project Site and a ¼ mile buffer zone. The NCIC found that three archaeological surveys have included some portion of the Project Site. As a result of those efforts, eight resources have been identified within the Project Site and another three have been recorded within 0.25 miles. CEQA *Guidelines* § 15064.5 defines “substantial adverse change” as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings.

Based on Appendix G of the State CEQA Guidelines, an impact on cultural resources is significant if implementation of the proposed Project would do any of the following:

- Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5; or
- Disturb any human remains, including those interred outside of formal cemeteries.

Impact 4.5-1: Cause a substantial change in the significance of a historical resource

There are nine cultural resources within the proposed Project site, five of which are eligible for listing on the CRHR and one that is potentially eligible for the CRHR (see Table 4.5-2). The proposed Project design has not been developed, and therefore, it is unclear whether these resources can be avoided or not.

Findings: Impacts to the six CRHR-eligible could be potentially significant. Mitigation Measure CR-1 would reduce impacts to a less-than-significant level. (DEIR, pp. 4.5-14)

Mitigation(s): MM CR-1 (Treatment of Known Resources)

Impact 4.5-2: Cause a substantial adverse change in the significance of an archaeological resource

Development of the proposed Project would require ground-disturbing impacts within the Project site that may impact as-yet unidentified archaeological resources.

Findings: If encountered during grading, excavation, or construction, archaeological resources could be damaged, destroyed, or removed, resulting in a direct loss and/or loss of integrity, resulting in a

potentially significant impact. Mitigation Measure CR-2 would reduce this impact to a less than significant level. (DEIR, pp. 4.5-14)

Mitigation(s): MM CR-2 (Treatment of Undocumented Resources)

Impact 4.5-3: Disturb human remains outside of cemeteries during construction

No human remains have been identified within the proposed Project site; however, there is always the potential that human remains could be encountered during grading, excavation, and/or construction. If such resources are encountered during construction, they could be damaged, destroyed, or removed, resulting in a loss of integrity or other criteria that would make them eligible to the CRHR. This is considered a significant impact.

Findings: If evidence of human remains is uncovered during Project development, Mitigation Measure CR-3 requires that all work cease within 100 feet of the find so that remains are not further damaged by equipment. Mitigation Measure CR-3 reduces impacts to human remains by requiring avoidance where feasible, or appropriate study, handling, and recordation if avoidance is infeasible, and outlines the procedures established in the California Health and Safety Code for human remains. Adherence to these measures would reduce potential impacts to human remains to a less than significant level. (DEIR, pp. 4.5-14 to 4.5-15)

Mitigation(s): MM CR-3 (Treatment of Human Remains)

Impact 4.5-4: Cumulative impacts to cultural resources

Cultural resources have been recorded near the Project site and Project construction could result in the damage or destruction of as-yet unknown cultural resources. This is considered a significant cumulative impact.

Findings: Mitigation Measures CR-1 and CR-2 would reduce the proposed Project's contributions to cumulative cultural resource impacts by ensuring that all identified resources are evaluated for CRHR eligibility and that appropriate treatments are applied for any CRHR-eligible resource that cannot be avoided. Mitigation Measure CR-3 would further reduce proposed Project contributions to cumulative cultural resource impacts by ensuring that human remains discovered within the Project site are avoided or properly recorded and handled if discovered during construction. With mitigation, the proposed Project's contribution to cumulative impacts to historic and archaeological resources would be less than significant.

Mitigation Measures: MM CR-1 (Treatment of Known Resources), MM CR-2 (Treatment of Undocumented Resources), MM CR-3 (Treatment of Human Remains)

Mitigation Measures (DEIR, pp. 4.5-15 to 4.5-19)

MM CR-1 Treatment of Known Resources

Specific mitigation recommendations have been developed for the five CRHR eligible resources (Monterichard Ditch, Maher Homestead, Jackson Ione Valley Stage Road, Brady Site, and Staats

Cabin) and the potentially eligible resource (Monterichard Mine Road).

The County shall require that the Project Applicant shall retain a qualified professional archaeologist who meets the U.S. Secretary of Interior (SOI) Standards for archaeology to implement the mitigation recommendations for any of the resources that will be impacted by construction of the proposed Project. A Treatment Plan or Plans shall be designed and implemented in accordance with the mitigation measures specified below. The Treatment Plan(s) shall be implemented and completed in advance of construction in the vicinity of each site and results shall be documented in accordance with current professional standards. The specific mitigation measures to be implemented at each site include:

Mitigation of Impacts to P-03-704 (Monterichard Ditch).

Mitigation shall be conducted by the Project Applicant and shall include a photographic portfolio that documents this feature and individual photographs shall be keyed to locations depicted on a large-scale map. Cross section profiles of selected locations of the feature shall also be keyed to the feature map. Archival research shall entail collection of data regarding the feature's history; these data shall be presented in a written report. The location of this ditch shall be plotted on a suitable base map (minimal scale shall be the 7.5-minute USGS base) using aerial photographs and historic maps. The map shall be appended to the final confidential report.

Mitigation of Impacts to P-03-705 (Maher Homestead).

Phased mitigation shall be implemented at this site by the Project Applicant. Phase 1 efforts shall include reduction of surface vegetation using a mower or weed whacker to facilitate observation of cultural features. The archaeological site shall be rescanned with a metal detector, and a portion of Feature 1 shall be exposed using hand excavation techniques.

The purpose of these efforts shall be to determine the nature and function of Feature 1. If this feature lacks structural remains and/or associated cultural materials, and if archaeological features or cultural materials are not found elsewhere within this archaeological site, Phase 1 shall conclude the mitigation effort. If Feature 1 represents an occupation feature and/or if other archaeological features or substantial archaeological deposits are encountered, then Phase 2 shall be implemented. The results of the Phase 1 efforts shall be presented to the County in a brief, descriptive, and confidential report to allow the County to determine if additional investigative work is warranted.

Phase 2 efforts shall be qualitatively and quantitatively different from Phase 1 and include both field investigation and archival research; its goals shall be to address specific questions developed in a research design, which shall minimally include determining date(s) of occupation and/or use, identification of the archaeological site's occupants, and activities undertaken at the site. Results of Phase 2 efforts shall be presented to the County in a comprehensive, descriptive, and analytical, confidential report. If the results of the Phase 2 investigation reveal that the site is of sufficient historical importance to warrant preservation for continued enjoyment and education of area residents and visitors, the site shall be excluded from development, made part of this project's open space and recreational plan on the final subdivision map, and dedicated to the Amador Land Trust, or another appropriate entity, for preservation and maintenance.

Mitigation of Impacts to P-03-706 (Jackson Ione Valley Stage Road).

Mitigation shall be conducted by the project applicant for this site. Because this feature is barely

discernible on the ground and given that all identifiable archaeological information has been gathered, no further field investigation is justified to identify physical remains. A written report, documenting information from past field and research efforts and, as appropriate using primary source materials, shall be prepared to preserve the important historical information associated with this cultural resource. Using past cultural resource investigations in which the site has been identified, primary source materials, aerial photographs, and other historical maps, the location of this road shall be plotted on a suitable base map (the minimum scale shall be the 7.5-minute USGS base). This report shall be submitted by the project applicant to the Amador County Museum for preservation and the North Central Information Center. In this way, information that is important to the history of the region shall be preserved. Due to the obscure nature of the archaeological site as shown by the documentation presented in ASI's report (ASI, 2005), the site does not warrant physical preservation; however, written preservation of the resource's historic associations will negate the information loss resulting from the build-out of the Project site.

Mitigation of Impacts to P-03-707 (Brady Site).

Phased mitigation shall be implemented at this site by the Project applicant. Phase 1 shall include reduction of surface vegetation using a weed mower or weed whip to facilitate observation of cultural features. The archaeological site shall then be reexamined on foot, and a metal detector will be used intuitively at locations judged likely to exhibit cultural materials. A portion of Feature 1 shall be exposed using hand excavation techniques to determine its nature and function. If the feature proves natural and substantial archaeological deposits are not encountered, Phase 1 shall conclude the mitigation effort. If Feature 1 represents habitation and/or if other archaeological features or substantial archaeological deposits are discovered, Phase 2 shall be implemented. Phase 1 results shall be presented to the County in a brief descriptive report to allow the County to determine if additional investigative work is warranted.

Phase 2 shall be qualitatively and quantitatively different from Phase 1 and include both field investigation and archival research; its goals shall be to address specific questions developed in a research design, which shall minimally include determining date(s) of occupation and/or use, identification of the site's occupants, and activities undertaken at the site. Phase 2 efforts shall focus on locations judged archaeologically significant during Phase 1 but shall address the entire recorded archaeological site. Results of Phase 2 shall be presented to the County in a comprehensive descriptive and analytical report. If the results of the Phase 2 investigation reveal that the site is of sufficient historical importance to warrant preservation for continued enjoyment and education of area residents and visitors, the site shall be excluded from development, made part of this project's open space and recreational plan on the final subdivision map, and dedicated to the Amador Land Trust, or another appropriate entity, for preservation and maintenance.

Mitigation of Impacts to P-03-709 (Staats Cabin).

Phased mitigation shall be implemented at this site by the project applicant. Phase 1 shall include reduction of surface vegetation using a weed mower or weed whip to facilitate observation of cultural features. The archaeological site shall be rescanned with a metal detector, and a portion of the depression shall be exposed using hand excavation techniques. The purpose of these tasks shall be to determine the nature and function of the depression. If it is a mining prospect that lacks associated artifacts, Phase 1 shall conclude the mitigation effort. If the depression proves to be a cellar or occupation feature, Phase 2 shall be implemented. Phase 1 results shall be presented to the County in

a brief descriptive report to allow the County to determine if additional investigative work is warranted.

Phase 2 shall be qualitatively and quantitatively different from Phase 1 and include both field investigation and archival research; its goals shall be to address specific questions developed in a research design, which shall minimally include determining date(s) of occupation and/or use, identification of the archaeological site's occupants, and activities undertaken at the site. Results of Phase 2 shall be presented to the County in a comprehensive descriptive and analytical report. If the results of the Phase 2 investigation reveal that the site is of sufficient historical importance to warrant preservation for continued enjoyment and education of area residents and visitors, the site shall be excluded from development, made part of this project's open space and recreational plan on the final subdivision map, and dedicated to the Amador Land Trust, or another appropriate entity, for preservation and maintenance.

Mitigation of Impacts to Monterichard Mine Road.

This site has not been evaluated for CRHR eligibility; however, given its likely association with the Monterichard Mine, the road may be eligible for CRHR as a feature of a historic mining district. Mitigation shall be implemented at this site by the project applicant. Mitigation shall include reduction of surface vegetation along the road using a weed mower or weed whip to facilitate observation of road. The road shall then be re-examined on foot, photographed, and mapped. Archival research shall be conducted to determine the age of the road and confirm its association with Monterichard Mine. Formal evaluation of the road shall be conducted by applying the four CRHR eligibility criteria. The site shall be assessed to determine if it has sufficient historical importance to warrant preservation. The results shall be presented to the County in a comprehensive descriptive and analytical report.

If the road is determined to be not eligible for the CRHR, the measures described above shall conclude the mitigation effort for this site. If road is determined eligible for the CRHR and is assessed to have sufficient historical importance to warrant preservation for continued enjoyment and education of area residents and visitors, the site shall be excluded from development, made part of this project's open space and recreational plan on the final subdivision map, and dedicated to the Amador Land Trust, or another appropriate entity, for preservation and maintenance.

MM CR-2 Treatment of Undocumented Resources

Should previously undocumented resources be uncovered during construction, all construction within 50 feet of the find shall halt immediately, and the Lead Agency and Project applicant shall be notified. The County shall require that the Project applicant shall retain a qualified professional archaeologist who meets the U.S. SOI Standards for archaeology to evaluate the find for eligibility to the CRHR, and, if recommended eligible, a Treatment Plan shall be designed to mitigate impacts to the degree possible. Recommendations in the Treatment Plan shall be developed by the archaeologist in consultation with the Lead Agency, Project applicant and, if the resources are prehistoric, with the Native American community.

MM CR-3 Treatment of Human Remains

If human remains are uncovered during project construction, the County shall require that all work within 100 feet of the find shall halt immediately, and the County Coroner, Lead Agency, and Project

Applicant shall be notified. California law recognizes the need to protect interred human remains, particularly Native American burials and items of cultural patrimony, from vandalism and inadvertent destruction. The procedures for the treatment of discovered human remains are contained in California Health and Safety Code §7050.5 and §7052 and California PRC §5097. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code § 7050.5[b]). If the Coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code § 7050[c]). The Lead Agency shall contact the Most Likely Descendent (MLD), as determined by the NAHC, regarding the remains. The MLD, in cooperation with the Lead Agency and qualified professional archaeologist, shall develop a plan of action to avoid or minimize significant effects to the human remains prior to resumption of ground-disturbing activities.

4.4. ENERGY

To determine whether a project would result in wasteful, inefficient, or unnecessary consumption of fuel or energy, and conversely, whether the project would fail to incorporate renewable energy or energy efficiency measures into building design, equipment use, transportation, or other project features, Appendix F of the CEQA Guidelines identifies six categories of potential energy-related environmental impacts:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, energy intensiveness of materials may be discussed.
2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
3. The effects of the project on peak and base period demands for electricity and other forms of energy.
4. The degree to which the project complies with existing energy standards.
5. The effects of the project on energy resources.
6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Based on Appendix G of the State CEQA Guidelines, an impact on energy is significant if implementation of the proposed Project would do any of the following:

- Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency. CEQA Guidelines Appendix F states that the means of achieving energy conservation include the following:
 - decreasing overall per capita energy consumption;
 - decreasing reliance on fossil fuels such as coal, natural gas, and oil; and

- increasing reliance on renewable energy sources.

In addition, Amador County assesses whether a project would result in wasteful and inefficient use of energy based on compliance with Title 24, the California Green Building Code, and Principles for reducing transportation fuel use during operation.

Impact 4.6-1: Result in consumption of energy or energy resources during project construction and operation

The proposed Project would result in a temporary increase of energy consumption during the construction period for worker commutes, off-road construction equipment, and truck trips. Energy use during proposed Project construction would result in increased demand on local and regional supplies of diesel and gasoline. There would not be a temporary disruption in local fuel supplies or requirement for additional fuel capacity to be constructed. Proposed Project construction would comply with existing energy standards and would use energy- efficient equipment in line with CARB fleet and equipment requirements, including modifications to existing regulations that would likely require the use of renewable diesel fuel. The proposed Project would result in increases in energy demand due to the growth-inducing aspects. There will be an increase in energy demand from increased vehicle trips, building energy use, water use, wastewater generation and processing, and potential use of stationary sources, such as emergency generators, and boilers.

Findings: The impacts on gasoline and diesel fuel demand would be minimal. Construction would not have an impact on energy resources due to its energy needs, and the impact would be less than significant. With the implementation of Mitigation Measure ENE-1 the impact on energy or energy resources consumption would be less than significant. (DEIR 4.6-10 to 4.6-12)

Mitigation(s): MM ENE-1 (Energy Mitigation)

Impact 4.6-2: Conflict with or obstruct plans for renewable energy or energy efficiency

During construction, the proposed Project would adhere to the state's standards designed to minimize fuel use for construction equipment and vehicles, such as the limit on equipment idling. All equipment used during construction would be required to follow state regulations for equipment fleets and the use of newer engines on a fleetwide basis. During operation, the proposed Project would adhere to state requirements for building energy efficiency and vehicle fleets. In addition, WWSP policies require water use efficiency and conservation for landscaping. The proposed Project location at the edge of suburban development is anticipated to reduce VMT for residents and employees as compared to current County average fuel demands and VMT. This will result in more efficient use of fossil fuels and/or electricity from mobile sources.

Findings: Based upon the commitments and requirements identified in **Mitigation Measure ENE-1**, potential impacts associated with meeting renewable energy standards and employing measures to ensure energy efficiency, this impact would be **less than significant**. (DEIR pp. 4.6-12 to 4.6-13)

Mitigation(s): MM ENE-1 (Energy Mitigation)

Impact 4.6-3: Cumulative energy impacts

The proposed Project construction and operation would require the use of diesel, gasoline, natural gas, and electricity. Amounts of gasoline and diesel fuel consumed during construction are well within fuel supplies available in the region and would not cause shortages of fuels needed for other projects. The electricity and natural gas use would be managed by PG&E. The electricity use projected for proposed Project construction and operation, when combined with electricity demands of other current and reasonably foreseeable projects, is within acceptable ranges considered by the CEC in its energy and electricity planning needs for the state, as outlined in IERP Reports. The proposed Project would not consume electricity in high enough quantities to affect CEC's current planning.

Findings: The proposed Project would implement Mitigation Measure ENE-1 to reduce energy consumption as well as consider sources of renewable energy or storage of electricity. Therefore, since the energy consumption of the proposed Project is within the projection of the state's current capabilities or integrated into the State planning for electricity supply, the impact would be less than cumulatively considerable and therefore less than significant. (DEIR, pp. 4.6-13)

Mitigation(s): MM ENE-1 (Energy Mitigation)

Mitigation Measures:

MM ENE-1 Energy Mitigation

The County and/or the project developer/contractor will ensure the following mitigation measure are implemented or prepare documentation of infeasibility of any of the specific mitigation measures outlined below. All requirements will be included in applicable bid documents, purchase orders, and constructs, with successful contractors demonstrating the ability to supply the compliant on- or off-road construction equipment for use prior to any ground-disturbing and construction activities.

1. Evaluate the potential to require renewable energy sources for the proposed Project. Document the types of renewable energy considered, potential megawatts of electricity that could be generated, an estimate of the energy required to meet 70% of the proposed Project needs, and cost to implement and install the renewable energy system or documentation of why renewable energy is infeasible.
2. Evaluate the potential to require electricity storage options at the proposed Project to meet electricity demands during peak period. Document the types of electricity storage options considered, potential megawatts of electricity that can be stored, and cost to implement and install the electricity storage or documentation of why electricity storage is infeasible.
3. Encourage buildings to install solar photovoltaic panels.
4. Encourage parking areas to consider installation solar photovoltaic panels.

5. Require all diesel-fueled off-road construction equipment used on land to be equipped with Tier 4 final compliant engines or better as a condition of contract unless a unique piece of equipment is not available as a Tier 4 engine.
6. Use zero-emission and hybrid-powered equipment, to the greatest extent possible. The performance criterion for meeting this standard assuming availability by at least two commercial rental facilities in the Mountain County Air Basin, to the greatest extent possible.
7. Provide certificates of compliance with applicable CARB equipment and vehicle fleet regulations to the County prior to bringing any equipment onsite.
8. Require all on-road heavy-duty trucks to conform to the most stringent emissions standard as a condition of contract. This currently means 2015.
9. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to no more than 2 minutes. Provide clear signage that posts this requirement for workers at the entrances to the site. The County will conduct random monthly surveys to check for compliance with idling times to ensure compliance with this measure.
10. Require all construction equipment is maintained and properly tuned in accordance with manufacturer's specifications. Equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
11. Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes.
12. Provide electrical outlets around the exterior of the dwelling units to encourage the use of electric landscape maintenance equipment.
13. Reduce emissions from traffic by implementing the following measures, if feasible:
 - a. Coordinate with local transit operators to extend or expand service to the WWSP area.
 - b. Provide transit stops within the WWSP site.
 - c. Sidewalks and bikeways should be installed throughout as much of the project as possible and should be connected to any nearby existing and planned open space areas, parks, schools, residential areas, and commercial areas to encourage walking and bicycling.
 - d. Provide showers and lockers for employees bicycling or walking to work
 - e. Ensure that all residential units including multi-family units are wired for installation of electric vehicle charging outlets.
 - f. Require that all commercial and government building parking areas contain electrical vehicle charging stations.
14. Reduce GHG emissions associated with buildings consider a mix of the following options with a goal of reducing estimated GHG emissions from direct and indirect sources by 15%.

- a. Building exceed Title 24 Building Envelope Energy Efficiency Standards
 - b. Establish onsite renewable energy systems such as solar power.
 - c. Install geothermal heat pumps or air heat pumps for space heating and cooling.
 - d. Implement CALGreen Tier 1 or Tier 2 measures from the code in place at the time of actual building construction.
 - e. Install tankless water heaters.
15. Require installation of Energy Star Rated appliances.
 16. Use recycled water for landscaping and require installation of smart water meters.
 17. Ban the use of fossil fueled landscaping equipment.
 18. Require installation of electric vehicle charging stations in all parking lots.
 19. Require installation of electric vehicle charging for all multi-family dwelling units.
 20. Require installation of electric vehicle charging for all single-family residential units.
 21. Use LED traffic lights and street lighting.
 22. Require installation of cool roofs and cool wall paints on the exterior of buildings or other heat island effects reduction measures.

4.5. GEOLOGY AND SOILS

Potential impacts to geology and soils were analyzed through the review and evaluation of available documents and mapping. The impact analysis for geology and soils focuses on geological impacts related to seismic activity, soil erosion, and soil stability. The evaluation is based on review of project plans, including grading plans; federal, state, and local regulations and guidelines; and relevant specific and general plans.

Based on Appendix G of the State CEQA Guidelines, an impact on geology, soils, and seismicity, and mineral resources is significant if implementation of the proposed Project would do any of the following:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area, or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42; ii) Strong seismic ground shaking; iii) Seismic-related ground failure, including liquefaction; iv) 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 because of the project, and potentially result in on 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 direct or indirect risks to life or property;
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- Result in the loss of availability of a known mineral resource that would be a value to the region or residents of the state.
- Result in the loss of availability of a locally important resource recovery site delineated on a local general plan, specific plan, or other land use plan.

The impacts analyses focus on the extent to which the proposed Project, reasonably foreseeable distribution components, or alternatives could exacerbate any existing geologic hazards or conditions that may already be present within the impact area. Because no mineral resources are present at the site, there are no impacts on mineral resources are these resources are not discussed further.

Impact 4.7-8: Cumulative impacts to paleontological resources

Cumulative development within the local Rabbit Flat Member and Goat Hill Member of the Logtown Ridge Formation has the potential to destroy or impact significant, nonrenewable paleontological resources. Proposed excavations associated with the proposed Project, combined with other large-scale proposed, in-process, and future projects in the region, have the potential to contribute to the progressive loss of paleontological resources from these deposits. Cumulative impacts to paleontological resources could occur if the proposed Project and other cumulative projects would damage or destroy significant paleontological resources.

Findings: With implementation of Mitigation Measure GEO-1, there would be a less than cumulatively considerable impact to paleontological resources. Compliance with regulatory requirements would reduce cumulative impacts to paleontological resources during construction to a less than significant cumulatively considerable level. (DEIR, pp. 4.7-20)

Mitigation(s): MM GEO-1 (Survey and Monitor for Paleontological Resources, Cease Work and Consult with Qualified Paleontologist)

Mitigation Measures

MM GEO-1 Paleontological Resources Survey, Monitor for Paleontological Resources, Cease Work and Consult with Qualified Paleontologist (Impact 4.9-3)

The services of a qualified paleontologist meeting the minimum standards for a Principal

Investigator, as defined by the Society of Vertebrate Paleontology (SVP, 2010) and described in Appendix G, shall be retained prior to the start of proposed earthmoving activities to perform a comprehensive paleontological survey of the site and produce a paleontological survey report. This report would describe the results of the survey, reassesses the site-specific paleontological potential with regard to proposed disturbances, describes steps to address any significant discovered fossils, and determine the need for development and implementation of a Paleontological Resource Mitigation and Treatment Plan (PRMTP). Per the SVP (2010), a qualified paleontologist shall have the equivalent of the following qualifications:

- A graduate degree in paleontology or geology, and/or a publication record in peer reviewed journals; and demonstrated competence in field techniques, preparation, identification, curation, and reporting in the state or geologic province in which the project occurs. An advanced degree is less important than demonstrated competence and regional experience.
- At least two full years professional experience as assistant to a Project Paleontologist with administration and project management experience; supported by a list of projects and referral contacts.
- Proficiency in recognizing fossils in the field and determining their significance.
- Expertise in local geology, stratigraphy, and biostratigraphy.
- Experience collecting vertebrate fossils in the field.

Should volcanoclastic or marine deposits of the Rabbit Flat Member and/or Goat Hill Member of the Logtown Ridge Formation be encountered during the paleontological survey or if paleontological resources are encountered, then the paleontological potential should be considered high. In areas where geologic units with a high paleontological potential may be impacted, a qualified paleontologist should develop and carry out a site-specific PRMTP. This plan should specify the levels and types of actions to protect paleontological resources based on the types and depths of earthmoving activities and the geologic and paleontological sensitivity. The plan should also include a description of the professional qualifications required of key staff, communication protocols to be followed during construction, implementation of a Workers Environmental Awareness Program (WEAP) for paleontological resources, location and duration of paleontological monitoring, fossil recovery protocols, sampling protocols for microfossils (if required), laboratory procedures, reporting requirements, and curation provisions for any collected fossil specimens. This treatment plan would guide all paleontological resources mitigation efforts during construction.

If the entire area of proposed disturbance is found to be underlain by exposures of interbedded lavas, flows, and sills during the paleontological survey, then the area can be considered to have low paleontological potential and a qualified paleontologist shall only be retained in the case of unanticipated discoveries. Should construction or other personnel discover any unanticipated fossils or potential fossils during construction, regardless of the depth of work or location, work at the discovery location shall cease within a 50-foot radius of the discovery until the qualified paleontologist has assessed the discovery and made recommendations as to the appropriate treatment. Construction activities may continue in other areas. If the discovery is identified as potentially significant, additional work, such as recovery, laboratory preparation, fossil identification, curation, and reporting, may be necessary. Recovered paleontological resources should be deposited in an appropriate fossil repository to be determined by the lead agency in consultation with the qualified

paleontologist. Should a fossil be discovered in areas previously assigned a low paleontological potential, a site-specific PRMTP, as described above, should immediately be drafted, and implemented by a qualified paleontologist.

4.6. NOISE

Generally, a project may have a significant effect on the environment if it will substantially increase ambient noise levels for adjoining areas or expose people to severe noise levels. In practice, more specific professional standards have been developed. These standards state that a noise impact may be considered significant if it would generate noise that would conflict with local criteria or ordinances or substantially increase noise levels at noise-sensitive land uses.

Based on Appendix G of the State CEQA Guidelines, an impact on noise and vibration is significant if implementation of the proposed Project would:

- Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.
- Generate excessive groundborne vibration or groundborne noise levels.

For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.

Impact 4.11-1: Result in an increase in temporary or permanent ambient noise levels in excess of County standards

Noise from construction could affect nearby Noise Sensitive Land Uses (NSLUs) that include residential land uses and Argonaut High School located adjacent to the east side of WWSP boundary. Construction activities would employ a variety of noise-generating equipment such as excavators, backhoes, front-end loaders, and concrete saws. Once operational, the proposed Project would generate traffic, which would result in increased noise levels on roadways as well as stationary sources of noise such as HVAC units, commercial deliveries, alarms and security systems, outdoor activities and recreation, and domestic animals. Based on the assumptions outlined within the project's noise impact analysis, operational traffic and stationary noise levels do not exceed noise level standards. However, implementation of the Project has the potential to generate short-term construction noise resulting in a potentially significant impact.

Findings: Noise-generating construction activities would have a significant short-term impact; however, the implementation of MM NOI-1 would reduce construction generated noise levels to less-than-significant. The impacts resulting from increased traffic noise would be considered **less than significant**. Mitigation Measure MM NOI-1, described in Section 4.11.6 below, would reduce construction-related noise impacts to less than significant. Construction activities would be temporary in nature and would likely occur during normal daytime working hours. Impacts are less than significant; therefore, no mitigation is required. (DEIR, pp. 4.11-10 to 4.11-15)

Mitigation(s): MM NOI-1 (Construction Noise Control)

Impact 4.11-3: Expose people to excessive noise from an airport located within two miles

There is one public-use airport in Amador County. Westover Field is approximately 1-mile northeast of the site. Noise from aircraft on the Project site would be considered to have a potentially significant impact, however, the Westover ALUCP indicates that noise intrusion during indoor activities can be mitigated by requiring special noise insulation construction methods.

Findings: With the implementation of MM NOI-2 Interior Noise Control, impacts from aircraft noise would be reduced to less than significant. (DEIR, pp. 4.11-16)

Mitigation(s): MM NOI-2 (Airport Land Use Compatibility Interior Noise Control)

Mitigation Measures

MM NOI-1 Construction Noise Control

Prior to the approval of grading permits, the County shall establish the following as conditions of approval for any permit that results in the use of construction equipment:

A Construction Management Plan shall be prepared that demonstrates compliance with the noise standards. The plan shall be prepared by project applicants and submitted to the County for approval prior to issuance of the grading permit. The following measures may be included to reduce construction noise:

- Construction shall be limited to 7:00 a.m. to 10:00 p.m.
- Construction equipment shall be properly outfitted and maintained with manufacturer-recommended noise-reduction devices.
- Diesel equipment shall be operated with closed engine doors and equipped with factory-recommended mufflers.
- Mobile or fixed “package” equipment (e.g., arc-welders and air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment.
- Electrically powered equipment shall be used instead of pneumatic or internal-combustion powered equipment, where feasible.
- Unnecessary idling of internal combustion engines (e.g., more than 5 minutes) shall be prohibited.
- Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from sensitive receptors.
- The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
- No project-related public address or music system shall be audible at any adjacent sensitive

receptor.

- Temporary sound barriers or sound blankets may be installed between construction operations and adjacent noise-sensitive receptors.

MM NOI-2 Airport Land Use Compatibility Noise Control

Residential uses that are located within the Westover Field 55-65 dBA CNEL noise contour shall incorporate interior noise control measures to reduce interior noise levels to 45 dBA CNEL or less. These interior noise control measures may require the use of glazing and exterior doors with an improved sound transmission class (STC) rating or the use of resilient channels on exterior walls and ceilings. A site-specific noise analysis shall be conducted to determine the final noise control measures required to achieve compliance with County interior noise level standards.

4.7. PUBLIC SERVICES

Sources reviewed to prepare this analysis include the Amador County General Plan, the Recreation Master Plan, the Facilities Utilization Master Plan, and information from Amador County, County Sheriff, AFD, ACUSD, and Amador County Library. The analysis addresses whether the proposed Project would require construction or expansion of additional facilities to maintain acceptable service ratios, response times, or other performance objectives. Public services evaluated include police and fire protection, schools, and recreation. Based on Appendix G of the State CEQA Guidelines, an impact on public services and recreation is significant if implementation of the proposed Project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives.

Impact 4.13-1: Impacts associated with new or altered government facilities, need for new or physically altered government facilities, to maintain acceptable service ratios, response times, or other performance objectives for public services (Fire, Police, Schools, Parks, etc.)

New residential dwellings and commercial uses would result in increased demand for fire protection facilities and services within the AFD service area, requiring the need for additional staff and equipment to maintain an adequate level of service. New residents and employees generated by development under the proposed Project would increase the demand for new or expanded police service levels in the Sheriff's Office service area, resulting in the need for additional staff and equipment to maintain an adequate level of service. Implementation of the proposed Project would increase the demand for public school services in the ACUSD, resulting in the need for new or expanded school facilities and additional staff and equipment to maintain service standards. Within Amador County, an adequate amount of parkland currently exists to serve the additional population introduced through this project. No library service standard has been identified in the General Plan or the ACL based on population served or other standards, to determine the need for additional library facilities and services. The added Project residents would not require the construction of new or expanded facilities.

Findings: A Development Agreement for individual projects would include the phasing and

financing of public services, as specified under Mitigation Measure PS-1. Therefore, impacts would be less than significant with mitigation for fire and police protective services. California Legislature has declared that the school impact fee is deemed to be full and adequate mitigation under CEQA (California Government Code §65996), therefore, this impact would be less than significant. There is a less than significant impact to parks and library services. (DEIR, pp. 4.13-14 to 4.3-16)

Mitigation(s): MM PS-1 (Development Agreements)

Impact 4.13-4: Cumulative public services impacts

The proposed Project, in conjunction with the listed development projects, would contribute to increased demand on public services. This increased demand has the potential to have a significant impact on the environment. Thus, implementation of the proposed Project would contribute to a significant impact on the environment under the cumulative condition.

Findings: Implementation of MM PS-1 and the inclusion of various proposed Project features such as a new school, parks, and fire station, passive open space, the proposed Project's contribution to the cumulative condition would be mitigated to a less than significant level. (DEIR 4.13-17 to 4.13-18)

Mitigation(s): MM PS-1 (Development Agreements)

4.13.6 Mitigation Measures

MM PS-1 Development Agreements

To evaluate and maintain the effectiveness of County services, individual development projects within the WWSP shall be subject to review and approval by Amador County, Sheriff's Department and AFPD for consistency with the General Plan, WWSP, and subject to subsequent CEQA review, permits and entitlements. These individual development projects shall be subject to a Development Agreement to outline financing and phasing of necessary public services, in consultation with service providers. A separate Community Facilities District may be established to fund government services which will directly benefit residents of the proposed Project including police, fire, library, and other government services.

4.8. TRIBAL CULTURAL RESOURCES

Tribal cultural resources (TCR) can include archaeological sites, features, and landscapes. To identify known cultural resources within the proposed Project site, a record search was completed on October 22, 2021, at the North Central Information Center (NCIC) at Sacramento State University (NCIC File No.: AMA-21- 19). The NCIC search included the proposed Project site and an additional 0.25 mile buffer zone. The NCIC search found that three previously performed archaeological surveys included some portions of the Project site. As a result of those efforts, eight resources have been identified within the Project site, and another three resources have been recorded within 0.25 mile. All 11 resources consist of historic-age roads or railroads, rock alignments, homestead/ranch sites, and mining features. During an assessment of the eight resources within the Project site in 2021, one

additional historic road was identified and recorded. Six of the nine resources within the Project site have been recommended as eligible or potentially eligible for the CRHR. No precontact resources have been recorded within the Project site or within a 0.25 mile radius.

Additionally, a search of the Sacred Lands File to the NAHC was conducted and it was reported that the search of the Sacred Lands File was negative. Tribal Consultation Requests were initiated with applicable Native American tribal representatives and consultation was conducted consistent to required state and federal statutes, in compliance with Public Resources Codes.

Based on Appendix G of the State CEQA Guidelines, an impact on public utilities and service systems is significant if implementation of the proposed Project would do any of the following:

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- Listed or eligible to be listed in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Impact 4.15-1: Cause a substantial change in the significance of a tribal cultural resource (TCR)

No known TCRs have been identified to date within or near the Project site. A records search conducted with the NCIC did not identify any precontact resources within 0.25 mile of the proposed Project site. The search of the Sacred Lands File by the Native American Heritage Commission was negative. Consultation with 12 Native American tribes did not result in the identification of known TCRs. However, there is a potential for unidentified TCRs to exist on the Project site.

The Buena Vista Rancheria identified several natural resources that have cultural value to the Tribe, however, these items do not meet the criteria to be considered TCRs. Section 4.4, Biological Resources, identifies that with the implementation of mitigation measures, impacts to these listed items would be reduced to less than significant. The Tribe also expressed concerns about hazardous materials onsite from historic mining operations and impacts to Argonaut High School and the surrounding community from dust, noise, and hazardous materials. Section 4.3 Quality addresses the impacts to adjacent sensitive uses of construction-related dust. Section 4.9, Hazards and Hazardous Materials addresses potential impacts from historic onsite mining operations, and Section 4.11, Noise, addresses noise impacts. Each of these sections (4.3, 4.4, 4.9, and 4.11) identifies that with the implementation of mitigation measures, potential impacts would be reduced to less than significant impacts.

The UAIC indicated that the Project site was potentially sensitive for unrecorded TCRs.

Development of the proposed Project would require ground-disturbing impacts within the Project site that may impact as-yet unidentified TCRs. If encountered during grading, excavation, or construction, such resources could be damaged, destroyed, or removed, resulting in a direct loss and/or loss of integrity. This is a potentially significant impact.

Findings: Mitigation Measure TCR-1 requires that if any suspected TCRs are found, they be examined by a tribal representative(s) and appropriate steps taken to treat the find in coordination with the County and the consulting tribe(s). This is consistent with PRC Section 21074. This mitigation measure would reduce the impact to a less-than-significant level. (DEIR, pp. 4.15-8 to 4.15-9)

Mitigation(s): MM TCR-1 (Treatment of Unidentified TCR)

Impact 4.15-2: Cumulative TCR impacts

Project construction could result in the damage or destruction of as-yet unknown Tribal Cultural Resources. This is considered to have a potentially significant cumulative impact.

Numerous state laws, regulations, and statutes seek to protect cultural resources, including SB 18 and AB 52. These would apply to development within the proposed Project site and surrounding region.

Findings: Mitigation Measure TCR-1 would reduce the proposed Project's contributions to cumulative TCR impacts by ensuring that any identified resources are examined by a tribal representative(s) and are appropriate steps taken to treat the find in coordination with the County and the consulting tribe(s). (DEIR, pp. 4.15-9)

Mitigation(s): MM TCR-1 (Treatment of Unidentified TCR)

Mitigation Measures

MM TCR-1 Treatment of Unidentified Tribal Cultural Resources

If any suspected TCRs are discovered during ground-disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed-upon distance based on the Project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with the geographic area shall be immediately notified and shall determine if the find is a Tribal Cultural Resources, pursuant to PRC §21074. The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may include, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place

within the landscape, or returning objects to a location within the Project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by the California Native American Tribe that is traditionally and culturally affiliated with the Project area.

The applicant shall implement any measures deemed by the County to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, have been satisfied.

4.9. WILDFIRE

The analysis of wildfire impacts is based upon a review of project plans, maps, CalFire data and other available documents.

Based on Appendix G of the State CEQA Guidelines, an impact on wildfire hazards is significant if implementation of the proposed Project would do any of the following:

- Substantially impair an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.
- Exacerbate wildfire risks due to slope, prevailing winds, and other factors, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire.
- Require installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; and
- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Impact 4.17-2: Expose people or structures to a significant risk of loss, injury or death involving wildland fires

The proposed Project would exacerbate wildfire risk and expose existing development to potential wildfire hazards. Construction activities associated with the installation of infrastructure for the proposed Project may exacerbate fire risk in the WWSP area. As each phase of the proposed Project is completed, operation and maintenance activities could also exacerbate wildfire risk because they would introduce the periodic use of flammable materials, power tools, and equipment, all of which have the potential to ignite adjacent vegetation and start a fire, especially during weather events that include low humidity and high wind speeds. Compliance with the CFC and annual practices would help minimize the risk of fire; however, due to periodic weather conditions, use of equipment that has

the potential to ignite a fire, and availability of fuel sources, operations and maintenance activities, could result in a significant impact associated with wildfire risk. Overall, these factors all contribute to a potentially significant risk of wildlife through implementation of this project.

Findings: Implementation of **Mitigation Measures WILD-1 (construction)** and compliance with the fire break requirements as outlined in the WWSP would ensure the proper guidelines are followed by the developer during construction and operation to reduce the risk of fire. Thus, this would ensure all feasible steps are taken to minimize the potential for wildfires to expose future residents to hazards, reducing the impact to a less-than-significant level. (DEIR, pp. 4.17-13 to 4.17-14)

Mitigation(s): WILD-1 (Construction Fire Prevention Plan) and WILD-2 (Post Fire Activities)

Impact 4.17-3: Expose occupants to pollutant concentrations from a wildfire due to slope, prevailing winds, or other factors

Project construction would have the potential to inadvertently ignite a wildfire; however, compliance with applicable requirements in the Public Resources Code related to wildland fire safety in grass- or brush-covered areas would minimize this risk. During operation, the risk associated with the developments planned under the proposed Project would be similar to other existing development in the City of Jackson and other more urbanized areas of the County. The maintenance of a fuel break would reduce the probability of a fire jumping from the developed to the open space portions of the site and vice versa. All new development within the proposed Project area would be constructed in compliance with federal, state, and local regulations. The WWSP area does not include steep slopes.

Findings: While the WWSP site in general should be considered highly susceptible to wildfire as it has been identified as a High Fire Risk Area by CAL FIRE, implementation of **Mitigation Measure WILD-1** would reduce the probability of equipment accidentally igniting a fire during construction by requiring fully functioning spark arresters on appropriate equipment and requiring that vegetation be cleared prior to using spark-inducing equipment. Implementation of **Mitigation Measure WILD-2 Post Fire Activities** would require reseeding of any wildfire-burned area with native seeds. Implementation of this mitigation would ensure that the proposed Project would have a less-than-significant impact. (DEIR, pp. 4.17-14 to 4.17-15)

Mitigation(s): WILD-1 (Construction Fire Prevention Plan) and Wild-2 (Post Fire Activities)

Impact 4.17-4: Require installation or maintenance of associated infrastructure that may exacerbate fire risk or impact the environment

Development of the proposed WWSP site would require infrastructural improvements to water supply systems, stormwater management systems, fire protection, and power lines. Implementation of these improvements would not exacerbate wildfire risk or result in additional temporary or permanent impacts from exacerbating wildfire risk.

Construction associated with installing onsite infrastructure and ongoing maintenance of this infrastructure could increase the potential for wildfires due to the use of a variety of heavy and light-duty equipment that could result in sparks potentially igniting a fire. This is considered to have a significant impact.

Findings: Implementation of the Construction Fire Prevention Plan as described in Mitigation Measure WILD-1 would reduce the impacts of this project to less than significant. (DEIR, pp. 4.17-15 to 4.17-16)

Mitigation(s): WILD-1 (Construction Fire Prevention Plan) and **Wild-2** (Post Fire Activities)

Impact 4.17-5: Expose people or structures to significant risks as a result of runoff, post-fire slope instability or drainage changes

WWSP site is relatively flat; thus, it is unlikely, given where future development is proposed that there would be substantial adverse effects involving landslides to residences located downslope under post-fire conditions. The topography throughout the WWSP site would not be susceptible to landslides or slope instability. Furthermore, future development within the WWSP area would comply with all design guidelines, CBC requirements, geotechnical recommendations, and other applicable regulations, which would further reduce potential impacts regarding landslide hazards.

The proposed Project's drainage system could involve a combination of conventional surface and subsurface drainage systems, including underground pipe conveyances, drainage basins, bio-swales, outfalls, existing natural swales, and seasonal creeks. It is anticipated that topographical and developed drainage features would be unaffected under post-fire conditions and would result in a minimum increase in the risk of post-fire flooding and increased runoff. However, in the event of a wildfire as build-out is occurring there could be areas not yet developed where post-fire conditions could result in substantial erosion, which could affect developed areas, exposing people or structures to significant risks. Therefore, the impact is considered significant.

Findings: Implementation of **Mitigation Measure WILD-2** would ensure potential impacts associated with post-fire flooding, runoff, or slope instability are evaluated and addressed using erosion control techniques, reseeding grasses, and tree removal, if required, to ensure any potential impacts would be reduced to a less than significant level. (DEIR, pp. 4.17-16 to 4.17-17)

Mitigation(s): WILD-2 (Post Fire Activities)

Mitigation Measures

MM WILD-1 Construction Fire Prevention Plan

Prior to construction activities, including site clearing, grading, or trenching, the project developer(s) shall work with the AFD to prepare a Construction Fire Prevention Plan to be provided to all future developers. The plan shall address training of construction personnel and provide details of fire suppression procedures and equipment to be used during construction. Information contained in the plan shall be included as part of project-related environmental awareness training to occur prior to any ground disturbance. At a minimum, the plan shall be consistent with the requirements in CBC Chapter 33 and CFC Chapter 33 and shall include the following:

- Procedures for minimizing potential ignition, including, but not limited to, vegetation clearing, parking requirements/restrictions, idling restrictions, smoking restrictions, proper use

- of gas- powered equipment, use of spark arrestors, and hot work restrictions;
- Work restrictions during Red Flag Warnings and High to Extreme Fire Danger days;
- Specifications for adequate water supply to service construction activities;
- Onsite fire awareness coordinator role and responsibility;
- Construction worker training for fire prevention, initial attack firefighting, and fire reporting;
- Emergency communication, response, and reporting procedures;
- Coordination with local fire agencies to facilitate access through the WWSP site;
- Implement all construction-phase fuel modification components prior to combustible building materials being delivered to the site;
- Emergency contact information; and
- Demonstrate compliance with applicable plans and policies established by state and local agencies.

MM WILD-2: Post Fire Activities.

Following any onsite wildfire during WWSP build-out in areas where development may be affected by post-fire risks, a post-fire field assessment shall be conducted by an engineering geologist or civil engineer, in coordination with the Amador Fire Department, to identify any areas that may be subject to increased risk of post-fire flooding, landslide or erosion. Any recommendations identified by the geologist to mitigate such risk shall be provided to the Amador County Planning Director and any applicable Emergency Operations Center for consideration of the work necessary to allow safe re-entry and/or re- occupation of the affected area.

Section 5.0. Impacts that are Significant and Unavoidable

The CEQA Guidelines §15126 (b) require that an EIR describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. The environmental effects of the proposed Project on various aspects of the environment are discussed in detail in technical Sections 4.1 through 4.17 contained in Chapter 4.0, Environmental Analysis, of this DEIR. There are project- specific and cumulative impacts that cannot be avoided if the Project is approved in Aesthetics, Air Quality, Greenhouse Gases, and Population and Housing. Because these impacts cannot be feasibly mitigated to a less-than-significant level, they would remain significant and unavoidable. The remainder of all proposed Project impacts can be mitigated to a less-than-significant level through the adoption of recommended mitigation measures.

The following is a list of significant and unavoidable impacts.

Aesthetics

- Impact 4.1-1 Substantial adverse effect on a scenic vista.
- Impact 4.1-3 Substantially degrade existing visual character or quality of public views of the site and surroundings.
- Impact 4.1-4 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.
- Impact 4.1-5 Cumulative impacts to aesthetics.

Air Quality

- Impact 4.3-1 Conflict with implementation of air quality plans.
- Impact 4.3-2 Result in a net increase of any criteria pollutant.
- Impact 4.3-3 Expose sensitive receptors to a substantial number of people.
- Impact 4.3-4 Result in other emissions that could affect a substantial number of people.
- Impact 4.3-5 Result in cumulative impacts to air quality.

Energy

- Impact 4.6-2 Conflict with or obstruct plans for renewable energy or energy efficiency.

Greenhouse Gases

- Impact 4.8-1 Generate an increase in greenhouse gas emissions.
- Impact 4.8-2 Conflict with a plan, policy, or regulation to reduce greenhouse gas emissions.
- Impact 4.8-3 Cumulative impacts to greenhouse gases.

Population and Housing

- Impact 4.12-1 Induce substantial unplanned population growth in an area, either directly or indirectly.

5.1. LAND USE AND PLANNING

The analysis of potential impacts related to land use and planning resulting in implementation of the proposed Project is based upon consistency with the applicable goals and policies of plans discussed in Section 3.2, Regulatory Setting in the 2024 DEIR.

Based on Appendix G of the State CEQA Guidelines, an impact on land use is significant if implementation of the proposed Project would:

- Physically divide an established community; or
- Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Impact 3.0-2: Conflict with land use plans, policies, or regulations & Impact 3.0-3: Cumulative land use and planning impacts

The proposed Project is implementation of the WWSP. A specific plan is a land use planning and regulatory tool authorized by the State to local governments to implement the broad goals and policies of the local general plan. A specific plan provides the link between the policies within a local general plan and the more precise development plans for a defined area. State law requires that specific plans must be consistent with the adopted local general plan.

While the Project would not conflict with General Plan goals and policies, the very nature of implementing some of the policies results in significant impacts. While the County acknowledges the need for housing and services to support existing and future residents, this growth brings changes that when occurring in a largely undeveloped and rural area, result in significant impacts. Thus, the County's approach is to manage growth in a manner that results in the fewest impacts. Due to the Project's nature as a Specific Plan directing future land use(s) of the project site, all of the potential impacts identified in the DEIR are inherently considered land use impacts. Refer to Sections 4.1 – 4.17 of the 2024 DEIR for a discussion of the implementation of mitigation measures to address potential environmental impacts with regards to Land Use.

5.2. AESTHETICS

This section addresses the potential for implementation of the Wicklow Way Specific Plan (WWSP or proposed Project) to cause significant impacts to aesthetics, including unwanted light and glare. Visual resources are the natural and cultural features of the landscape that can be seen and that contribute to the public's enjoyment of the environment. The analysis focuses on the potential loss of visual resources, effects on views, compatibility with the visual characteristics of surrounding uses, and the likelihood that sensitive receptors would be disturbed by light and glare generated or reflected by new structures within the vicinity of the Project site.

Comments received in response to the Notice of Preparation (NOP) and at the Scoping Meeting related to aesthetics include concerns regarding protection of rural character; changes to scenic resources and increases from light and glare from new development on adjacent properties and the City of Jackson.

The analysis of potential visual impacts resulting from the adoption and implementation of the proposed Project is based on review of photographs, online imagery, and maps. The County's General Plan and other applicable planning documents were reviewed to determine what visual elements have been deemed valuable by the community. Visual impacts are identified by describing the existing visual setting, assessing the amount of change that would occur and interpreting how the affected public would respond to or perceive those changes. Analysis focused on how implementation of the WWSP could alter visual resources, character, or quality. In deciding on the extent and implications of the visual changes, consideration was given to:

- Changes in the visual composition, character, and valued qualities of the affected environment; The visual context of the affected environment;
- The extent to which the affected environment contains places or features that have been designated in plans and policies for protection or special consideration.

Based on Appendix G of the State CEQA Guidelines, an aesthetic impact is significant if implementation of the Proposed Project would do any of the following:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage or block scenic resources, including trees, rock outcroppings, and historic buildings viewed from a state Scenic Highway;
- In non-urban areas, substantially degrade existing visual character or quality of public views of the site and its surroundings. (Public views are those that are experienced from a publicly accessible vantage point); or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Impact 4.1-1: Have A Substantial Adverse Effect on a Scenic Vista

As discussed above, while the County General Plan does not identify any scenic vistas, it does recognize the low-lying hills covered in annual grasslands, rangelands, and oak woodlands in the western part of the County as scenic resources. The transition from 201 acres of undeveloped open space to a planned community would permanently alter the rural character of the proposed Project site. Implementation of the WWSP would result in the loss of a County-determined valuable visual resource, the onsite annual grassland, rangeland, and oak woodlands. In particular, the proposed Project would involve the loss of 37 acres of oak woodland. The proposed Project would change the visual character from rural to built environment. After development of the proposed Project, public views from these areas would include buildings of varying design, mass and scale, roadways, and associated infrastructure with intermittent views of open space and retained oak woodland and grassland.

Findings: In summary, the proposed Project would alter the existing rural undeveloped character of the site including from public views. The magnitude of this change would be partially reduced

through the adherence to County General Plan and WWSP policies, Development Standards, and Design Guidelines. Development of the Project site, currently open grazing lands, would connect two existing areas of development (Walmart to the north and Argonaut High School and residential uses to the south/southeast). As designed, the clustering of the development allows for areas of existing rural open space to remain. However, these would be permanent, and views of the Project site would no longer be rural open land. This change constitutes a substantial adverse effect on a scenic vista due to the elimination of 201 acres of undisturbed open space characterized by grassland and oak woodlands. Therefore, the impact would be **significant and unavoidable**. (DEIR, pp. 4.1-12 to 4.1-16)

Mitigations: There are no feasible mitigation measures to reduce this impact to less than significant, beyond adherence to the policies and actions contained in the County's General Plan and the WWSP.

Impact 4.1-3: Degrade Visual Character or Public Views of the Site

As discussed above, the WWSP site is considered a scenic resource, and implementation of the WWSP would have a significant and unavoidable impact on scenic vistas. With implementation of the WWSP, the site would transition from open space to a planned community with a mixture of land uses that would introduce new residential, commercial, and public structures, roadways, and other supporting infrastructure of varying densities.

Findings: While adherence to existing plans and regulations would assist in reducing visual impacts and promoting community compatibility, the proposed Project would result in the loss of a scenic resource through conversion of the natural rural landscape character to a built environment with urban uses. There are no feasible policies that could maintain the existing visual character; therefore, implementation of the WWSP would result in a significant and unavoidable impact. (DEIR, pp. 4.1-17 to 4.1-18)

Mitigations: There are no feasible mitigation measures to reduce this impact to less than significant, beyond adherence to the policies and actions contained in the County's General Plan and the WWSP.

Impact 4.1-4: Create New Source of Light or Glare

The transition of the site from no artificial light to a 201-acre development with a variety of land uses that would require lighting would result in a substantial change. The proposed Project would generate nighttime light pollution that would dramatically alter the existing unlit environment. In addition, nighttime lighting, or the presence of reflective surfaces on buildings from commercial and office areas may result in light and glare shining on existing and proposed residences. Therefore, potential visual impacts from light and glare from the proposed Project are considered significant.

Findings: Impacts to light and glare are significant and unavoidable. (DEIR, pp. 4.1-18 to 4.1-19)

Mitigations: There are no feasible mitigation measures to reduce Project related impacts to less than significant.

Impact 4.1-5: Cumulative Aesthetic Impact

New structures, infrastructure, and lighting would be introduced into a largely undeveloped area. Coupled with the WWSP, this would be a noticeable visual change from a natural rural environment to a built environment. There would also be a cumulative loss of the recognized valued visual resources of rolling hills covered in annual grasslands, rangelands, and oak woodlands in the western part of the County. The transition to a built environment would be highly perceptible. This would be a cumulatively considerable change related to scenic vistas, scenic resources, and existing visual quality. There are no feasible mitigation measures to reduce cumulative impacts to less than significant.

Findings: General Plan policies and mitigation measures would not reduce impacts from the Project to less-than-significant levels, and there are no other feasible mitigation measures to reduce impacts. The cumulative light and glare impact would be significant and unavoidable. (DEIR, pp. 4.1-19 to 4.1-20)

Mitigations: There are no feasible mitigation measures to reduce impacts to less than significant.

4.1.6 Mitigation Measures

There are no feasible mitigation measures to reduce impacts to less than significant.

5.3. AIR QUALITY

Project-related air quality impacts fall into three categories: short-term due to construction, long-term due to project operation, and cumulative. Impacts in each category can be classified as having regional or local effects. Evaluation of Project impacts on air quality included analysis of short-term construction activities, criteria pollutant emissions, CO Hot Spot analysis, Toxic Air Contaminants, and odors.

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard;
- Expose sensitive receptors to substantial pollutant concentrations; or
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Impact 4.3-1: Conflict with implementation of air quality plans:

Proposed changes in designated land uses may be growth-inducing, the proposed Project is inconsistent with the General Plan and regional air quality plans, including the State Implementation Plan (SIP). There are not sufficient details available at this time to determine if emissions from the proposed Project would result in increased or decreased air emissions as compared to General Plan land use designations. Details required to compare General Plan land uses and the proposed Project include the schedule for construction-related activities, changes in vehicular traffic trips and vehicle miles traveled, operation of the proposed WWSP WWTP, onsite roadway paving and striping, and application of interior building finishes based on building square footage. The lack of detail describing land use changes from the General Plan and quantifiable emissions associated with the proposed Project are not accounted for in the SIP. Subsequently, growth associated with implementation of the WWSP has the potential to hinder the AAD and CARB from attaining NAAQS and CAAQS for O₃. Therefore, inconsistency with the General Plan, AAD, and SIP policies is considered a significant impact.

As stated in Appendix G of the State CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations.

Findings: Mitigation measures listed under Impact 4.3-2 and presented in Section 4.6.5 Mitigation Measures would reduce air quality emissions, but not to levels consistent with the current SIP. If the proposed Project is approved and included in the General Plan, it will eventually be included in the next SIP update describing implementation of a revised emissions budget and attainment strategy. Since CARB, as SIP lead agency, has jurisdiction and the County does not have jurisdiction or control over amending the SIP, even with mitigation, this impact remains significant and unavoidable. (DEIR, pp. 4.3-24 to 4.3-25)

Mitigation(s): MM AQ-01 (Construction), MM AQ-02 (Land Use and Building Operation), MM AQ-03 (Stationary and other Permitted Sources)

Impact 4.3-2 Cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard

Past, present, and future development projects contribute to a region's air quality conditions on a cumulative basis. Therefore, by its very nature, air pollution has a largely cumulative impact. No single project is sufficient in size to, by itself, result in the non-attainment of the NAAQS or CAAQS. If a project's individual emissions contribute toward an exceedance of the NAAQS or CAAQS, then the project's cumulative impact on air quality would be significant. In developing attainment designations for CAPs, the EPA and CARB consider the region's past, present, and future emission levels. The Project site is in an area designated nonattainment for O₃ (federal and state). To improve air quality and attain health-based standards, reductions in emissions are necessary within nonattainment areas.

Construction of the proposed Project would result in the emission of various criteria pollutants which would contribute to the region's nonattainment. Construction emissions are considered potentially

significant. Operational emissions would further contribute to overall nonattainment. Since the proposed Project is not specifically identified in the SIP, the contribution to cumulative air quality impacts is considered potentially **significant**. With the implementation of **Mitigation Measures AQ-2 and AQ-3**, cumulative emissions of NO_x and ROG would be reduced, but it is unknown if these would reduce emissions sufficiently to reach NAAQS and CAAQS attainment levels. Implementation of **Mitigation Measures AQ-2 and AQ-3** would reduce vehicular, stationary, and area source emissions generated by the proposed Project.

Findings: Even with implementation of mitigations, impacts to air quality remain significant and unavoidable. The proposed Project's contribution, in combination with other reasonably foreseeable developments, would be cumulatively considerable and result in significant and unavoidable air quality impacts. (DEIR, pp. 4.3-25 to 4.3-29)

Mitigation(s): MM AQ-01 (Construction); MM AQ- 02 (Land Use and Building Operation); MM AQ-03 (Stationary and other Permitted Sources)

Impact 4.3-3 Would the Project expose sensitive receptors to substantial pollutant concentrations?

During project construction, DPM and gasoline fuel combustion emissions, classified as TACs, could be emitted from construction equipment. Construction impacts are most severe adjacent to construction activities and decrease rapidly with increasing distance. Since the intensity and duration of construction are not known, it could potentially result in significant exposure of TACs to sensitive receptors, including existing and future residences, daycare centers, and schools.

Findings: Implementation of **Mitigation Measure AQ-1** requires the use of Tier 4 final construction equipment to minimize the amount of DPM and other TACs emitted. However, due to the proximity of existing residents, schools, and potential new sensitive receptors generated as part of the proposed Project, this impact remains **significant and unavoidable**. The potential for Valley Fever cases associated with the proposed Project construction is high. With implementation of asbestos control mitigation measures under the CARB ATCM, exposure to sensitive receptors is considered **less than significant**. Mitigation Measure AQ-3 requires stationary and other sources subject to AAD rules and regulations to obtain ATCs and PTOs. While AAD permit regulations limit TACs from individual sources and facilities, due to the lack of quantitative data, it is unknown how multiple sources may combine to result in exposure to new and existing sensitive receptors, therefore, this impact is significant and unavoidable. (DEIR, pp. 4.3-29 to 4.3-30)

Mitigation(s): MM AQ-01 (Construction), MM AQ-03 (Stationary and other Permitted Sources), MM AQ-05 (Naturally Occurring Asbestos); MM AQ-06 (Valley Fever Management Plan)

Impact 4.3-4 Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The proposed Project would result in diesel exhaust emissions from onsite construction equipment during construction. Air districts with CEQA significance thresholds for odors generally recommend that WWTPs are located 2 miles from sensitive receptors.

Findings: Once construction activities have been completed and exposed sediment has dried out or become vegetated, these odors will cease; therefore, impacts associated with construction odors are considered **less than significant**. Because of the proximity of the WWSP WWTP, increased vehicular traffic, industrial and agricultural uses to sensitive receptors less than 2 miles from the emitting source, odor impacts are considered potentially significant. Implementation of **Mitigation Measure AQ-4** would decrease WWSP WWTP- related odors, however, due to the proximity to residential receptors, even after mitigation this may not eliminate odors, and therefore, this impact would remain significant and unavoidable. (DEIR, pp. 4.3-30 to 4.3-31)

Mitigation(s): MM AQ-04

Impact 4.3-5 Would the Project result in a cumulatively considerable net increase in criteria pollutants?

To improve air quality and attain health-based standards, reductions in emissions are necessary within non-attainment areas. AAD does not have any air quality impact significance thresholds, there are not adequate details within the General Plan defining the proposed Project, and it is not considered in the SIP; therefore, implementation of the proposed Project combined with proposed developments within the region could result in cumulative air quality impacts.

Findings: Implementation of **Mitigation Measures AQ-1 through AQ-3**, which lessen vehicular and area source emissions, would reduce emissions generated by the proposed Project. The WWSP includes policies that promote use of alternative forms of transportation and pedestrian access to commercial and office uses. Because air emissions from the proposed Project are not accounted for in regional air quality attainment plans and the SIP, development would contribute considerably to degradation of regional air quality.

Therefore, the proposed Project in combination with other reasonably foreseeable developments, would result in cumulatively considerable air quality impacts that are significant and unavoidable. (DEIR, pp. 4.3-31 to 4.3-32)

Mitigation(s): MM AQ-01 (Construction), MM AQ-02 (Land Use and Building Operation), MM AQ-03 (Stationary and other Permitted Sources)

4.3.6 Mitigation Measures

MM AQ-1 Construction Mitigation Measures

The County and/or the project develop/contractor will ensure that mitigation measures are implemented or documented to identify infeasibility, as outlined below. All requirements will be included in applicable bid documents, purchase orders, and construction contracts, requiring prior to any ground disturbance.

1. Control fugitive dust required by AAD Rule 218 as enforced by AAD.
2. Require diesel-fueled off-road construction equipment to be equipped with EPA Tier 4 final- compliant engines, or better, unless a unique piece of equipment is not available as a Tier 4 engine.

3. Use zero-emission and hybrid-powered equipment to the maximum extent possible, as long as this equipment is available from at least two commercial rental facilities in the MCAB.
4. Provide certificates of compliance with applicable CARB equipment and vehicle fleet regulations to the AAD.
5. Require all on-road heavy-duty trucks to conform to the most stringent emission standards.
6. Minimize idling time either by shutting equipment off when not in use or by reducing idling to no more than 2 minutes. Provide clear signage for this requirement at site entrances. The AAD will conduct random monthly compliance checks on idling time requirements.
7. It is required that all construction equipment be maintained and properly tuned in accordance with manufacturer's specifications. Equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day and/or as necessary per weather conditions.
9. All haul trucks transporting soil, sand, or other loose material offsite shall be covered.
10. All visible mud or dirt track out onto adjacent public roads shall be removed using wet power vacuum street sweepers, at least once per day. Use of dry power sweeping is prohibited.
11. All vehicle speeds on unpaved roads shall be limited to 15 mph.
12. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
13. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
14. All trucks and equipment, including tires, shall be washed prior to site departure.
15. Unpaved roads providing site access located 100 feet or more from a paved road shall be treated with a 6- to 12-inch layer of compacted wood chips, mulch, or gravel.
16. Publicly visible signs shall be posted with the telephone number and name of the contact person regarding dust complaints. This person shall respond and take corrective action within 48 hours. The AAD's General Air Pollution Complaints number shall also be posted on a publicly visible sign.
17. Limit simultaneous occurrence of excavation, grading, and ground-disturbing construction activities.
18. Install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have a maximum air porosity of 50.
19. Plant vegetative ground cover (e.g., fast-germinating native grass seed) in disturbed areas as soon as possible and water appropriately until vegetation is established.
20. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
21. Minimize amount of excavated material or waste materials stored onsite.

22. Hydroseed or apply non-toxic soil stabilizers to construction areas, including previously graded areas, expected to be inactive for at least 10 calendar days.
23. Use low-VOC architectural coatings and pavement paints.

MM AQ-2 Land Use and Building Operation Mitigation Measures

The County and/or the project develop/contractor will ensure the following operational measures are implemented to the maximum extent feasible:

1. Consider the location of building air intakes away from potential roadways, stationary sources, and the WWSP WWTP.
2. To reduce ROG emissions, require use of low-VOC-content architectural and pavement striping coatings.
3. Provide low-NOx -emitting and/or high-efficiency water heaters.
4. Ensure all wood-burning devices are EPA Phase II-certified.
5. Ban wood burning fireplaces in new residential units.
6. Provide electrical outlets around the exterior of dwelling units to encourage use of electric landscape maintenance equipment.
7. To reduce emissions from traffic, implement the following measures:
8. Coordinate with local transit operators to extend or expand service to the WWSP area.
9. Provide transit stops within the WWSP area.
10. Sidewalks and bikeways should be installed throughout the WWSP site to connect to nearby existing and planned open space areas, parks, schools, and residential and commercial areas to encourage walking and bicycling.
11. Ensure all residential units, including multi-family units, are wired for installation of electric vehicle charging outlets.
12. Require that all commercial and government building parking areas contain electrical vehicle charging stations.

MM AQ-3 Stationary Sources and Other Air Permitted Sources Mitigation Measures

All stationary sources or other permitted sources require the issuance of an ATC prior to final approval by the County for a grading or building permit. The operator of the stationary source will ensure they obtain a PTO once construction is complete to ensure that criteria for pollutants and TAC emissions apply BACT and comply with AAD rules and regulations.

MM AQ-4 Wastewater Treatment Plant Mitigation Measures

When more information regarding the design of the WWSP WWTP is available, the County will prepare an operational air emissions inventory of all criteria pollutants. Obtain required AAD permits. The County will also prepare an assessment of odor mitigation measures to ensure that odor

complaints do not occur more than five times per year. If more than five complaints are received, the County (WWTP operators) will be required to evaluate installation of additional odor controls. Installation of odor controls may be selected from the following technologies:

1. Activated carbon filter/carbon adsorption in primary clarifiers, headworks building, aeration basin influent channel, and/or all waste gas exhaust systems;
2. Biofiltration/bio trickling filters for all waste gas exhaust systems;
3. Fine bubble aerator to wastewater treatment tanks or ponds to increase efficiency and dissolved oxygen to prevent odor-generation anaerobic activity;
4. Hooded enclosures on grit dumpsters and belt filter presses, primary clarifier weir covers, and/or channel seals;
5. Wet and dry scrubbers on waste gas exhaust systems from treatment tanks;
6. Caustic and hypochlorite chemical scrubbers on waste gas exhaust systems from treatment tanks;
7. Ammonia scrubber on waste gas exhaust from treatment tanks;
8. Energy efficient blower systems to increase treatment efficiency and dissolved oxygen levels:
 - a. Thermal oxidizer to oxidize all waste gas exhaust;
 - b. Capping/covering storage basins and anaerobic ponds to avoid release of odors;
 - c. Mixed flow exhaust to dilute waste gas;
 - d. Wastewater circulation technology;
 - e. Orient exhaust stack and vent location considering the location of sensitive receptors;
 - f. Vegetation barriers around the perimeter of the WWTP;
- g. Other odor reducing technologies.

MM AQ-5 Naturally Occurring Asbestos Management Plan

If it is confirmed that an area to be disturbed has serpentine or ultramafic rock, the construction contractor will comply with Asbestos ATCM by obtaining an approved Asbestos Dust Mitigation Plan or Exemption. Ground-disturbing activities greater than 1 acre within potential NOA-containing areas will be required to comply with CARB's ATCM for NOA. The plan will specify actions to be taken during construction and grading activities to minimize NOA emissions. The plan will also address specific emission sources, including track-out onto the paved public road; active storage piles; inactive disturbed surface areas and storage piles; traffic on unpaved onsite roads; earthmoving activities; offsite material transport; and post-project stabilization of disturbed soil surfaces. Specific measures to be implemented will include, but are not limited to:

1. Removing visible track out,
2. Keeping active storage piles covered or wet,
3. Controlling inactive areas or storage piles,
4. Maintaining trucks and wet loads to prevent spillage, and

5. Limiting vehicle speeds.

The County and its contractors will submit the plan prior to implementation of construction or grading activities and will not proceed with until AAD has approved the plan, accepted mitigation measures, or an exemption is received.

MM AQ-6 Valley Fever Management Plan

The County/Applicant or their construction contractor(s) shall prepare a Valley Fever Management Plan (VFMP). The VFMP shall be submitted to CDPH and Amador County Department of Public Health for review prior to the start of construction. The VFMP shall include, but not be limited to, the following elements, as currently suggested by the CDPH:

Adopt site plans and work practices that reduce workers' exposure and minimize primary and secondary exposure to the community through direct dispersal of spores or secondary dispersal from contaminated workers or equipment bringing spores to the community. The site plans and work practices may include:

- a. Minimize area of disturbed soil.
- b. Use water, appropriate soil stabilizers, and/or re-vegetation to reduce airborne dust.
- c. Stabilize all spoils piles by tarping or other methods.
- d. Provide air-conditioned cabs for vehicles that generate heavy dust and make sure workers close windows and vents.
- e. Suspend work during heavy winds.
- f. Provide onsite sleeping quarters, if required, away from dust sources.
- g. Reduce transporting spores offsite, by:
 - a. Providing clean tools, equipment, and vehicles.
 - b. Providing coveralls, change rooms, and showers to clean workers' clothing, likely to be heavily contaminated with dust, where possible.

Identify a health care provider for occupational injuries and illnesses knowledgeable about the diagnosis and treatment of Valley Fever. This helps to ensure proper diagnosis and treatment, as well as tracking potential outbreaks that may affect the community.

Train workers and supervisors about the risks of Valley Fever, activities that may increase risk, measures to reduce exposure, and how to recognize symptoms. This helps to ensure proper diagnosis and treatment, as well as tracking potential outbreaks that may affect the adjacent community.

Encourage workers to report Valley Fever symptoms promptly to a supervisor. Not associating these symptoms with workplace exposures can lead to a delay in appropriate diagnosis and treatment. This helps to ensure proper diagnosis and treatment, as well as tracking potential outbreaks that may affect the community.

5.4. GREENHOUSE GASES

Short-term construction activities would result in the generation of GHGs from fossil fueled construction equipment and vehicles.

Based on Appendix G of the State CEQA Guidelines, an impact on GHG is significant if implementation of the proposed Project would do any of the following:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG gases.

Amador Air District (AAD) does not have CEQA thresholds for GHGs. In the absence of AAD thresholds, it is recommended that construction and operation related GHG emissions are quantified, disclosed, and implement measures to minimize GHG emissions. Thus, the impact analysis evaluates whether implementation of the proposed Project would result in significant impacts related to GHG levels based on the anticipated construction, operation, and maintenance activities. For purposes of significance determination, the GHG emissions are tied back to the goals set forth in SB 32 and applicable strategies outlined in the latest Scoping Plan.

Impact 4.8-1 Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The proposed Project's construction activities would generate GHG emissions from construction-related off-road equipment and on-road vehicles. Operation of the proposed Project would result in emissions from vehicles, natural gas, and electricity used in buildings for space heating, cooling, water heating, and powering equipment and lights. The GHGs from natural gas and other fossil fuel combustion are classified as direct emissions and occurs at the location of use. Electricity, water, wastewater, and solid waste all have indirect GHG emissions. As described above, both direct and indirect GHG emissions from vehicles, natural gas consumption, area sources including fireplaces, electricity use, water use, wastewater generation, solid waste, and refrigeration were quantified. the proposed Project would emit GHG emissions that would have a significant impact on the environment.

Findings: Mitigation Measures GHG-1 and GHG-2 provide a list of construction and operation mitigation measures for the proposed Project. These include using more efficient equipment and vehicles and, to the extent available and feasible, electric or alternative-fueled equipment. The mitigation measures require that all single-family homes, multi-family dwelling units, and parking lots have electrical vehicle charging infrastructure available. Buildings are required to reduce GHG emissions by 15 percent which can be achieved through a variety of measures. Even with implementation of Mitigation Measures GHG- 1 and GHG-2 the proposed Project would still not reduce GHG emissions to meet SB 32 goals and would be inconsistent with the Scoping Plan. Therefore, the GHG emission impacts are significant and unavoidable. (DEIR, pp. 4.8-19 to 4.8-21)

Mitigation(s): MM GHG-1(Construction GHG); MM GHG-2 (Operation GHG)

Impact 4.8-2 Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The WWSP has several policies that aim to reduce GHG emissions including encouraging walking and bicycling, locating transit stops in the community using efficient landscaping, and water use conservation. The proposed Project is located at the edge of a suburban growth area in an otherwise rural county. The WWSP does not currently require that buildings have all electric appliances. The GHG emissions estimated for the proposed Project are above the goals of SB 32 and the 2022 Scoping Plan and inconsistent with the measures outlined in the Scoping Plan. The proposed Project is consistent with all other applicable state regulations, plans and policies outside of SB 32 and the 2022 Scoping Plan.

Thus, the proposed Project would emit GHG emissions that would have a significant impact on the environment. Mitigation Measures GHG-1 and GHG-2 involve a list of construction and operation mitigation measures to minimize potential impacts. This includes using more efficient equipment and vehicles, and to the extent available and feasible, electric, or alternative-fueled equipment. The mitigation measures require all single-family homes, multi-family dwelling units and parking lots to have electrical vehicle charging infrastructure available. Buildings are required to reduce energy use and therefore GHG emissions by 15 percent which can be achieved through a variety of measures.

Findings: Even with implementation of Mitigation Measures GHG-1 and GHG-2, the proposed Project would still not reduce GHG emissions to meet SB 32 goals and would remain inconsistent with the Scoping Plan. Therefore, the impact of GHG emissions is significant and unavoidable. (DEIR pp. 4.8-21 to 4.8-22)

Mitigation(s): MM GHG-1(Construction GHG); MM GHG-2 (Operation GHG)

Mitigation Measures

MM GHG-1 Construction GHG Mitigation

The County and/or the project develop/contractor will ensure the following construction mitigation measures are implemented, or prepare documentation of infeasibility, of any of the measures outlined below. All requirements will be included in applicable bid documents, purchase orders, and constructs, with successful contractors demonstrating the ability to supply the compliant on- or off-road construction equipment for use prior to any ground-disturbing and construction activities.

1. Require all diesel-fueled off-road construction equipment used on land to be equipped with EPA Tier 4 final compliant engines or better as a condition of contract unless a unique piece of equipment is not available as a Tier 4 engine.
2. Use zero-emission and hybrid-powered equipment, to the greatest extent possible. The performance criterion for meeting this standard assumes availability by at least two commercial rental facilities in the Mountain County Air Basin, to the greatest extent possible.
3. Provide certificates of compliance with applicable CARB equipment and vehicle fleet regulations to the County prior to bringing any equipment onsite.
4. Require all on-road heavy-duty trucks to conform to the most stringent emissions standard as a condition of contract. This currently means 2015.

5. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to no more than 2 minutes. Provide clear signage that posts this requirement for workers at site entrances. The County will conduct random monthly inspections to confirm compliance.
6. Require that all construction equipment is maintained and properly tuned in accordance with manufacturer's specifications. Equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
7. Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes.
8. Develop a plan to efficiently use water for adequate dust control.
9. Encourage use of local construction contractors.

MM GHG-2 Operation GHG Mitigation

The County and/or the project develop/contractor will ensure the following land use and building operation mitigation measures are implemented to the maximum extent feasible.

1. Ensure that all wood burning devices are EPA Phase II certified.
2. Ban wood burning fireplaces in new residential units.
3. Provide electrical outlets around the exterior of the dwelling units to encourage use of electric landscape maintenance equipment.
4. To reduce emissions from traffic, the following measures shall be implemented to the extent feasible:
 - a. Coordinate with local transit operators to extend or expand service to the WWSP area.
 - b. Provide transit stops within the WWSP site.
 - c. Sidewalks and bikeways should be installed throughout as much of the project as possible and should be connected to any nearby existing and planned open space areas, parks, schools, residential areas, and commercial areas to encourage walking and bicycling.
 - d. Ensure that all residential units including multi-family units are wired for installation of electric vehicle charging outlets.
 - e. Require that all commercial and government building parking areas contain electrical vehicle charging stations.
5. To reduce the GHG emissions associated with buildings, consider a mix of the following options with a goal of reducing estimated GHG emissions from direct and indirect sources by 15 percent:
 - a. Exceed Title 24 Building Envelope Energy Efficiency Standards;
 - b. Establish onsite renewable energy systems such as solar power;
 - c. Install geothermal heat pumps or air heat pumps for space heating and cooling;
 - d. Implement CalGreen Tier 1 or Tier 2 measures from the code in place at the time of

- actual building construction;
 - e. Install tankless water heaters;
 - f. Install Energy Star-rated appliances;
 - g. Expand urban tree planting;
 - h. Use recycled water for landscaping and require installation of smart water meters;
 - i. Require installation of electric vehicle charging stations in all parking lots; and
 - j. Require installation of cool roofs and cool wall paints on the exterior of buildings.
6. Require installation of electric vehicle charging for all multi-family dwelling units.
- a. Require installation of electric vehicle charging for all single-family residential units.
 - b. Use LED traffic lights and street lighting.

5.5. ENERGY

Impact 4.6-2 Conflict with or obstruct plans for renewable energy or energy efficiency.

The proposed Project would result in potential impacts because it would be inconsistent with State and local plans and policies related to renewable energy generation and green building energy efficient mandates. The proposed Project would result in potentially significant impacts due to energy consumption associated with construction and operation activities, including fossil fuel consumption, vehicle trips, water use, etc. With the implementation of mitigation measures described in Section 4.6, Energy, of the 2024 DEIR, impacts from construction and operation of the proposed Project would be reduced to a less than significant level.

For the analysis of energy-related impacts in the DEIR, energy consumption of the proposed Project was evaluated in the context of *CEQA Guidelines Appendix*. The analysis assumes that the project, if implemented, would comply with relevant federal and state laws and regulations, and County General Plan policies, ordinances, and improvement standards. Therefore, such policies, ordinances, and standards are not recognized as mitigation measures.

To determine whether a project would result in wasteful, inefficient, or unnecessary consumption of fuel or energy, and conversely, whether the project would fail to incorporate renewable energy or energy efficiency measures into building design, equipment use, transportation, or other project features, Appendix F of the CEQA Guidelines identifies six categories of potential energy-related environmental impacts:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, energy intensiveness of materials may be discussed.
2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
3. The effects of the project on peak and base period demands for electricity and other forms of energy.

4. The degree to which the project complies with existing energy standards.
5. The effects of the project on energy resources.
6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Proposed Project construction would comply with existing energy standards and would use energy efficient equipment in line with CARB fleet and equipment requirements, including modifications to existing regulations that would likely require the use of renewable diesel fuel. Thus, construction would not have an impact on energy resources due to its energy needs, and therefore, this impact would be less than significant.

5.6. POPULATION AND HOUSING

Changes in population and housing, in and of themselves, are generally characterized as social and economic effects, not physical effects on the environment. Impacts in relation to population and housing are examined in relation to whether implementation of the proposed Project, including the provision of housing and the direct or indirect effects of growth would have a physical effect on the environment. The proposed Project site is undeveloped and supports cattle grazing. The County has designated the site as primarily RSC, which allows for residential development at various densities. Thus, the proposed Project would not displace housing or people or convert land designated for residential land uses to a non-residential use, resulting in the need for construction of housing elsewhere.

Based on Appendix G of the State CEQA Guidelines, an impact on population and housing resources is significant if implementation of the Proposed Project would induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through the extension of roads or other infrastructure).

Impact 4.12-1 Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Direct growth-inducing impacts occur when the development of a project imposes new burdens on a community by directly inducing unplanned population growth or by leading to the construction of additional developments in the same area. The proposed Project would directly induce growth through the provision of housing and indirectly through employment opportunities that may attract new residents to the area (who may or may not reside within the WWSP site). The expansion of public services in the area (fire stations, utility infrastructure, and wastewater treatment) would remove obstacles to growth or accommodate future growth. Connections and infrastructure would be completed, as necessary, when individual projects are developed within the WWSP site. Additionally, the proposed Project would include the implementation of an internal circulation network and connections to the existing roadways.

The proposed Project would accommodate a portion of the County's required allocation of the RHNA, which is 377 units for the 2021-2029 RHNA cycle. With a buildout spanning 20-years, the WWSP would also facilitate compliance with future RHNA cycles.

CEQA provides that economic or social effects are not considered significant effects on the environment unless the social and/or economic effects are connected to physical environmental effects. As discussed throughout this DEIR, the proposed Project would involve changes to the environment that would be significant and unavoidable (see Sections 4.1, Aesthetics)

Similarly, the County General Plan EIR determined that impacts to population and housing are significant and unavoidable. The purpose of the General Plan is to accommodate the most recent population growth, housing, and employment projections in an orderly manner (AECOM, 2016).

Findings: The proposed Project, abiding by the County's policies and implementing additional policies specific to the WWSP, would work to manage growth but would not be able to effectively mitigate the environmental impacts of growth to less than significant levels. Impacts in relation to growth are significant and unavoidable. (DEIR, pp. 4.12-8 to 4.12-9)

Mitigation(s): No Feasible Mitigation

Impact 4.12-2 Would the Project result in impacts to population and housing in the cumulative condition?

The proposed Project along with cumulative projects listed in Chapter 4.0 would work to satisfy housing needs as identified in future RHNA cycles. The conversion of open space to a more suburban environment would result in significant and unavoidable changes. The County's General Plan also views the County's open grasslands, rangelands, and oak woodlands as valuable scenic resources. The cumulative loss of these resources would involve changes to the environment that would be cumulatively significant and unavoidable (see Sections 4.1, Aesthetics).

Findings: Cumulative condition of the area would experience significant and unavoidable impacts through the implementation of the Project. (DEIR, pp. 4.12-9 to 4.12-10)

Mitigation(s):

Mitigation Measures

There are not feasible mitigation measures to reduce population and housing impacts to less than significant.

5.7. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS

The CEQA Guidelines §15126.2(d) require a discussion of any significant irreversible environmental changes caused by the proposed Project. Generally, a project would result in significant irreversible changes if (1) the primary impacts, such as the use of nonrenewable resources, and the secondary impacts, such as road improvements that provide access to previously inaccessible areas, would generally commit future generations to similar uses, or (2) an environmental accident associated with the proposed Project could cause such irreversible changes.

Implementation of the WWSP would result in a long-term commitment of site resources converted to

suburban development. The proposed Project would result in or contribute to the following irreversible environmental changes:

- Conversion of undeveloped land. Approximately 164 acres of undeveloped land would be converted to suburban uses, thus precluding other alternate land uses in the future.
- Irreversible consumption of nonrenewable resources.
- Determining whether a proposed Project may have a significant irreversible change requires a determination of whether key resources will be degraded or destroyed. The Project site is located within an undeveloped rural area within Amador County, and the proposed Project would result in the commitment of most of the Project site to eventual suburban development, permanently degrading the visual character of the site, removing open space (oak woodlands), and thereby precluding other uses for the life of the proposed Project. Restoration of the site would not be feasible given the degree of disturbance and urbanization of the area.

Development associated with the proposed Project would result in the irreversible effect on nonrenewable resources. The following resources will be permanently and continually consumed by project implementation: water, electricity, natural gas, and fossil fuels. Lumber and other forest products, such as asphalt, sand, gravel, and concrete, would be used in construction. As discussed in Sections 4.6 Energy, and 4.8 Greenhouse Gases, the long-term development of the WWSP site would result in consumption of fossil fuels and natural gas from construction and operational activities, traffic, heating and cooling of structures, and lighting. Use of these resources would have an incremental effect on the regional consumption of these commodities and therefore result in long-term, irretrievable losses of non-renewable resources, such as fuel and energy. Compliance with applicable building codes, planning policies (including WWSP Design Guidelines and Standards), and mitigation measures would ensure that resources are conserved to the maximum extent feasible.

The CEQA Guidelines §15126.2 (d) also require a discussion of the potential for irreversible damage that would result from potential environmental accidents associated with the proposed Project. Construction of the proposed Project would involve the use and/or storage of hazardous materials/wastes such as fuels, lubricants, solvents, concrete, paint, and portable septic system wastes. Additionally, operation of the proposed Project would involve hazardous materials associated with various proposed land uses, including cleaning products, paints, solvents, adhesives, etc., as described in Section 4.9, Hazards and Hazardous Materials. However, all such activities would be regulated by and required to comply with federal, state, and local agencies hazardous materials regulations, the Amador County Hazardous Materials Area Plan, and LHMP regulations.

5.8. GROWTH INDUCING IMPACTS

CEQA Guidelines Section 15126.2 (d) requires that an EIR “discuss the growth-inducing impact of the proposed Project,” including “ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” Also, the EIR must discuss the characteristics of the proposed Project that could encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

Direct growth-inducing impacts are generally associated with the provision of urban services and the extension of infrastructure to an undeveloped area. Indirect or secondary growth-inducing impacts consist of growth induced in the region by the additional demands for housing, employment, and goods and services associated with population increase caused by, or attracted to, new development. Under CEQA, growth is not to be considered necessarily detrimental, beneficial, or of significant consequence. Induced growth would be considered to have a significant impact if it could be demonstrated that the potential growth, directly or indirectly, significantly affects the environment.

5.5.1 Growth Inducement Potential of the Proposed Project

As discussed above, CEQA Guidelines §15126.2(e) requires that EIRs include an evaluation of potential growth inducement impacts. The proposed Project could result in growth-inducing impacts if (1) the Project fosters economic or population growth or (2) the Project includes construction of additional housing, either directly or indirectly, in the surrounding environment. Additionally, this includes projects that remove obstacles to population growth, such as through the provision of expanded public utility capacity that may allow additional construction in the associated service area (e.g., the major expansion of a wastewater treatment plant). This CEQA Guidelines section also notes that “It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.”

Direct Growth Inducement

The proposed Project’s potential to induce growth in the WWSP area is discussed in Chapter 4.12, Population and Housing of the DEIR. In this section, the Project was found to have significant potential to induce growth in the region due to the increased number of housing units and commercial and public/quasi- public development. The WWSP would require the addition of new infrastructure to an undeveloped area and would increase the capacity of the public service and utility systems that serve the site.

Infrastructure upgrades would be completed, and these upgrades would increase the ability of service providers to serve currently undeveloped areas in the region. The proposed Project would increase the area’s housing supply and introduce new employment to the area; therefore, implementation of the WWSP would lead to population and employment growth. However, population increases and employment growth would not surpass regional projections or conflict with local land use plans and policies.

The intent of the WWSP is to create a new community that meets the needs of the County through additional commercial, residential, public, quasi-public, and open space uses. The Reduced Development Project would provide approximately 377 residential units, which meets the County’s RHNA commitment and would accommodate approximately 830 residents. Table 2-1 of the FEIR compares the land uses between the Reduced Development Project and the originally proposed WWSP. The Reduced Development Project will eliminate the low-density residential development, as well as the need to have an on-site WWTP and a new elementary school, which will result in providing additional open space that can be dedicated to the protection of natural resources and maintaining the sense of rural character. The reduced scale of the Reduced Development Project will still meet the original objectives of the WWSP to provide a planned community that supports housing, jobs, and community amenities and is better suited to meeting changing County

demographics.

The Project site is currently zoned for residential development of varying densities and retail, commercial and office uses, which indicates that the County has anticipated development of the site with these types of uses since adoption of the General Plan in 2016. The proposed uses—residential, commercial, public/quasi-public, and open space—are consistent with the existing WWSP site zoning. Additionally, the Amador Countywide 2021-2029 Housing Element identifies the site in the resource inventory as a parcel available for affordable housing development. The reduction in land uses will allow for additional acres of land to be devoted to providing more parks and open space, eliminating the on-site WWTP (9.7 acres), elementary school (8.8 acres), and low density residential development (41.1 acres), as well as accounting for less acreage for on-site roadways. As a result, approximately 60 acres of land would become available, which can be dedicated to providing more parks, open space, and multi-family housing opportunities.

As discussed in Chapter 4.12, Population and Housing, the WWSP proposes approximately 377 new dwelling units that will accommodate approximately 830 residents. Growth inducement, as it pertains to CEQA and this DEIR, generally denotes unplanned growth. Given that the WWSP site is currently designated for development and was identified in the Housing Element’s resource inventory as available for residential development, development as proposed is not considered unplanned. Thus, the proposed Project will not directly result in significant growth-inducing impacts.

Indirect Growth Inducement

The elimination of either physical or regulatory obstacles to growth is considered to have a growth-inducing effect, though not necessarily a significant one. A physical obstacle to growth typically involves the lack of public service infrastructure. The extension of public service infrastructure, including roadways, water mains, and sewer lines, into areas where these services are not currently provided would be expected to support new development. Similarly, the elimination or change to a regulatory obstacle, including existing growth and development policies, could result in new growth. However, under CEQA, growth is not considered necessarily detrimental or beneficial.

As discussed above, a project would indirectly induce growth if it removed an obstacle to additional growth and development, such as a constraint on a required public service. An example of this indirect effect would be the expansion of water or wastewater infrastructure, which might allow for more development to be served by access to these services. The proposed Project includes construction of an onsite wastewater treatment plant to serve the Project. Additionally, the Project would result in the expansion of public services in the area, including but not limited to building a fire station and utility infrastructure.

As mentioned above, implementation of the WWSP would result in growth-inducing impacts if it fostered economic growth. The proposed Project would affect the local economy through the construction of new residences and neighborhood-serving commercial and public/quasi-public uses that would encourage people to live and work in the WWSP area. The proposed Project would provide direct employment opportunities for the community and the County through new commercial and public/quasi-public development. Additionally, the proposed Project would result in indirect employment, which includes those additional jobs generated through expenditure patterns of direct employment associated with the Project, such as coffee shops and food establishments. Indirect jobs

tend to be near places of employment and residences.

As discussed in Chapter 4.12, Population and Housing, the WWSP proposes adding approximately 50,000 square feet of retail and office uses, a 10-acre site for the consolidation of County civic offices and provide approximately 190 permanent jobs. Thus, the proposed Project would induce growth indirectly through employment opportunities that may attract new residents to the Project area.

OTHER CONSIDERATIONS

Changes in population and housing are generally characterized as social and economic effects and are not considered physical effects on the environment. As noted in DEIR Chapter 2.0, Project Description, the proposed Project would induce unplanned population growth, from new housing units and commercial development to subsequent new employment opportunities.

CEQA provides that economic or social effects are not considered significant effects on the environment unless the social and/or economic changes are connected to physical environmental effects. A social or economic change related to a physical change may be considered in determining whether the physical change is significant (CEQA Guidelines §15382). The guidance for assessing economic and social effects is set forth in §15131(a) of the CEQA Guidelines:

“Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused, in turn, by the economic or social changes. The intermediate economic or social changes need not be analyzed in any more detail greater than is necessary to trace the chain of cause and effect. The focus of the analysis shall be on physical changes.”

An increase in population resulting from new development does not cause direct adverse physical environmental effects. However, as discussed in Chapter 4.0 of this DEIR, construction and operation of the proposed Project would result in direct and indirect physical environmental effects associated with increased population. These direct and indirect environmental effects include increased vehicle trips, associated increases in air emissions and noise, energy demand, water demand, and the need for more public services and utilities.

Section 6.0. Statement of Overriding Consideration

Pursuant to CEQA Guidelines Section 15093, and with respect to the environmental impacts of the project identified in Section 5.0. that are potentially significant or significant and would not be mitigated to a less-than-significant level with mitigation measures, the Board of Supervisors hereby adopts and makes the following Statement of Overriding Considerations. This section identifies the significant environmental impacts that would not be reduced to a less-than-significant level and describes the anticipated economic, legal, social, technological, and/or other benefits or considerations which warrant the Board's decision to approve the project even though not all of the environmental effects of the project are fully mitigated.

The Board finds that, to the extent that any environmental impacts (including, without limitation, any cumulative impacts) attributable to the project may not be mitigated to a less-than-significant level, or which are otherwise considered to be unavoidable, such environmental impacts are considered acceptable in light of the overriding social, economic, and other benefits or considerations related to the project, as set forth in this section. In other words, the Board finds that the social, economic, and other benefits or considerations described in this chapter outweigh the unmitigated or unavoidable environmental impacts of the project, thereby warranting the project's approval.

All of the significant environmental impacts of the proposed project, as identified in the DEIR would be reduced to a less-than-significant level by proposed mitigation measures with the exception of seven impacts identified in Section 5.0. above. These significant and unavoidable impacts can be summarized as follows:

- Impacts related to conflict with land use plans, policies, or regulations (DEIR Chapter 3.0, Impact 3.0-2).
- Cumulative land use and planning impacts (DEIR Chapter 3.0, Impact 3.0-3).
- Impacts to Aesthetics (DEIR Chapter 4.1, Impacts 4.1-1, 4.1-3, and 4.1-4)
- Cumulative Impacts to Aesthetics (DEIR Chapter 4.1, 4.1-5)
- Impacts to Air Quality (DEIR Chapter 4.3, Impacts 4.3-1, 4.3-2, 4.3-3, and 4.3-4)
- Cumulative impacts to air quality (DEIR Chapter 4.3, Impact 4.3-5)
- Impacts related to conflict with plans for renewable energy or energy efficiency (DEIR Chapter 4.6, Impact 4.6-2)
- Impacts related to Greenhouse Gas Emissions (DEIR Chapter 4.8, Impacts 4.8-1 and 4.8-2)
- Cumulative Impacts to greenhouse gases (DEIR Chapter 4.8, Impact 4.8-3)
- Impacts related to Energy
- Impacts related to population growth directly or indirectly (DEIR Chapter 4.12, Impact 4.12-1)

The significant and unavoidable impacts are the subject of this Statement of Overriding Considerations. In Section 6.0. of these findings, the Board makes Finding 3 with respect to these effects which indicate that mitigation measures or alternatives that would avoid or substantially lessen the subject environmental effects are infeasible as a result of specific economic, legal, social, technological, or other considerations. While the Final EIR identifies all of the *feasible* mitigation measures that would

reduce these impacts, the mitigation measures would not be sufficient to reduce these impacts to a less-than-significant level for the reasons outlined in the following chapters of the Draft EIR: Chapter 3.0 Land Use and Planning, Chapter 4.1 Aesthetics, Chapter 4.3 Air Quality, Chapter 4.6 Energy, Chapter 4.8 Greenhouse Gases, Chapter 4.12, Population and Housing.

The Board of Supervisors considers the following economic, legal, social, technological and other information relevant in its consideration of the significant and unavoidable impacts of the project.

1. At buildout, the proposed Project would provide approximately 377 residential units, housing a population of approximately 830 persons, approximately 50,000 square feet of retail and office uses, a potential 10-acre site for County civic uses, and approximately 120 permanent jobs.
2. The project will Aid the County in meeting its obligation to accommodate a percentage of future population growth in the region (as embodied in the Regional Housing Needs Allocation (RHNA) identified by the California Department of Housing and Community Development (HCD) by increasing the residential capacity of the unincorporated area.
3. The project will establish development within the appropriately designated and zoned Regional Service Center consistent with the County's General Plan goals and policies.
4. The project will create new jobs in Amador County directly related to project operations and indirectly from support employment. In addition, the project will indirectly support employment in related industries such as construction.

The above-described economic, legal, social, technological, and other benefits or considerations of the proposed project outweigh the environmental effects of the project that may remain unmitigated or are considered to be unavoidable. These environmental effects of implementation of the proposed project are, therefore, considered to be acceptable.

Section 7.0. Mitigation Monitoring and Reporting Program

Public Resources Code Section 21081.6(a)(1) states:

When making the findings required by paragraph (1) of subdivision (a) of Section 21081 [that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment] public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.

The County will use the Mitigation Monitoring and Reporting Program to track compliance with Project mitigation measures and conditions of approval. The final Mitigation Monitoring and Reporting Program is attached to and incorporated into the approval resolution and is hereby approved in conjunction with certification of the EIR and adoption of these CEQA findings.

Section 8.0. Alternatives

The California Environmental Quality Act (CEQA) requires that an environmental impact report (EIR) include a discussion of reasonable project alternatives that would “feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any significant effects of the project and evaluate the comparative merits of the alternatives” (CEQA Guidelines §15126.6[a]). As required by CEQA, this chapter identifies and evaluates potential alternatives to the proposed Project. The CEQA Guidelines §15126.6 explains the foundation and legal requirements for conducting the alternatives analysis in an EIR as follows:

- “The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.” (§15126.6[b])
- “The specific alternative of ‘no project’ shall also be evaluated along with its impact.” (§15126.6[e][1])
- “The no project analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” (§15126.6[e][2])
- “The range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project.” (§15126.6[f])
- “Among other factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries..., and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent).” (§15126.6[f][1])
- “Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.” (§15126.6[f][2][A])

This chapter considers alternatives to the proposed Project that are feasible, would attain most of the basic project objectives, and would avoid or substantially lessen significant effects.

8.1. PROJECT OBJECTIVES

As described in DEIR Chapter 2.0, the following objectives apply to implementation of the Wicklow Way Specific Plan (WWSP or proposed Project) and will aid decision-makers in their understanding of alternatives to the proposed Project, associated environmental impacts, review, recommendation, and approval.

- **Complete Comprehensive Planning for the WWSP Site.** Formulate a specific plan, related documents, and required regulatory approvals to address Amador County regional growth that is compatible with surrounding uses and provides housing, adequate public services, and economic development opportunities.
- **Mix of land uses.** Create a comprehensively planned, residential-based community that balances residential, commercial, parks, public services, public/quasi-public uses, open space, and preserves biological resources and rural character.
- **General plan consistency.** Achieve compatibility with the vision for the WWSP site contained in the County's adopted General Plan, including neighborhood connectivity, commercial, schools, parks, and open space uses.
- **Housing opportunities.** Provide varying densities and housing types to respond to market demands, including market-rate-purchase, rental, and affordable housing units consistent with the General Plan.
- **Regional housing needs allocation.** Aid the County in meeting its obligation to accommodate a percentage of future regional population growth [as embodied in the Regional Housing Needs Allocation (RHNA) identified by the California Department of Housing and Community Development (HCD)] by increasing residential stock.
- **Community form.** Shapes the physical form and character of development so that the WWSP site is functional, creates a sense of place, and has a connection to existing commercial, and residential development.
- **Organize neighborhoods.** Incorporate multi-modal transportation and walking links to commercial, park, and open space uses, as well as new and existing schools.
- **Provide adequate school services.** Provide more schools for new student populations to generate the full build-out of the WWSP.
- **Area roadways.** Provide a safe and efficient circulation system that interconnects and promotes pedestrian and bicycle circulation to existing and new commercial, residential, and school uses.
- **Open space.** Preserve existing open space, create new amenities, preserve rural character, biological and natural resources, and oak trees for regional benefit.
- **Fiscal contribution.** Include a mix of land uses, public services, and facilities that are fiscally feasible, and implement funding mechanisms to maintain a neutral/positive fiscal impact to the County's General Fund.
- **Long-Term Growth.** Plan for long-term growth that can guide and meet market demands over a 20-year horizon.

8.2. SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED IN AN EIR

As required by Section (§) 15126.6 of the CEQA Guidelines, this DEIR examines a range of reasonable alternatives to the proposed Project. These alternatives must attain most of the basic

project objectives listed above and avoid or substantially lessen potential significant impacts in the following resource areas: aesthetics, air quality, greenhouse gases, and population and housing.

Potential Alternatives Considered in this EIR

Potential project alternatives considered in this DEIR include:

Proposed Project, described in the FEIR Chapter 2.0. and Section 1.2. of this document.

Alternative 1: No Project. This Alternative consists of existing conditions at the time the State Clearinghouse confirmed receipt of the Notice of Preparation (NOP) for the EIR (**Appendix A**). The purpose of this Alternative is to allow decision-makers to compare impacts of approving the proposed Project with the impacts of not approving the proposed Project. Under this alternative, no development would occur, and the site would remain in its current undeveloped condition.

Alternative 2: Hybrid WWTP. This Alternative assumes that the capacity of the proposed onsite wastewater treatment plant (WWTP) would be reduced and the existing Sutter Creek WWTP would be expanded.

Alternative 3: Foothill Conservancy Site Plan. The Foothill Conservancy proposed an alternative site layout during the NOP scoping process. This Alternative site layout would provide affordable and senior housing, preserve rural character, and preserve onsite environmental attributes by reducing traffic and public service impacts as compared to the WWSP.

Alternative 4: Full-Scale Development. This Alternative is designed to meet County RHNA targets. This alternative was previously proposed as the original project and proposes increases in housing units, allowing other land uses to be scaled to meet a increased number of residences. The acreage of community commercial and public/quasi-public uses would be increased by 100 percent; open space acreage would decrease; a new fire station and school would be constructed.

Alternatives Considered and Rejected

The State CEQA Guidelines §15126.6(c) require that an EIR identify alternatives that were considered and rejected as infeasible and briefly explain the reasons for rejection. Alternatives considered but not included for further study include the following:

All Residential. This Alternative would eliminate commercial, open space, and public service uses, allowing the site to be developed for only residential uses (low-, medium-, and high density). While construction of this Alternative is feasible, it would not achieve the following objectives of the proposed Project; complete comprehensive planning for the WWSP site, provide a mix of land uses, meet General Plan goals and policies, create multi-modal opportunities, provide adequate school facilities, preserve open space, and plan for long-term growth. Replacing commercial, open space, and public/quasi-public uses with residential development would not reduce any significant impacts of the proposed Project except for eliminating odor emissions from the WWSP WWTP. This Alternative could increase traffic and noise impacts, air quality, and greenhouse gas (GHG) emissions because residents would need to travel offsite to access shopping and schools. Additionally, there is no current demand for more than 700 housing units (Alternative 4).

No Residential. This Alternative would eliminate all residential uses and only allow for commercial, public/quasi-public and open space uses. While construction of this Alternative is feasible, it would not achieve the following objectives of the proposed Project; complete comprehensive planning for the WWSP site, provide a mix of land uses, meet General Plan goals and policies, create a residential community with a mix of uses, increase the County's housing stock to meet regional housing and RHNA numbers, provide safe area roadways, and create a positive fiscal contribution and plan for long-term growth for the County. Allowing only non-residential uses would not reduce significant impacts from the proposed Project because commercial uses have higher long-term trip generation rates than constructed residential uses and would result in more vehicle trips and associated traffic and noise impacts, as well as air quality and GHG emissions. Additionally, this Alternative would not eliminate odor emissions from the WWSP WWTP.

Reduced Density: This Alternative would reduce residential density as compared to the proposed Project by decreasing medium- and high-density residential development, increasing low-density units, and limiting the amount of open space and commercial and public-quasi-public uses to meet the smaller residential population. While construction of this Alternative is feasible, it would not achieve the following objectives of the proposed Project; complete comprehensive planning for the WWSP site, provide a mix of land uses, meet General Plan goals and policies, provide diverse housing opportunities, meet regional and RHNA numbers, create a sense of community, create multi-modal opportunities, and provide safe area roadways. Not only would this decrease the number of housing units (assuming that fewer residential lots could be accommodated onsite), but it could also result in increased impacts from removing protections to onsite sensitive habitats and reducing wildlife corridors. Alternative 4 proposes removal of the maximum area of oak woodland allowed and the removal of additional oak woodland would conflict with County and state protection policies. This Alternative would lower potential air quality and GHG emission impacts and lessen population growth; however, this amount of development would still result in significant impacts associated with the change in rural character and would not eliminate odor emissions associated with wastewater treatment.

Offsite WWTP. This Alternative would develop the site consistent with the WWSP, except that wastewater treatment would occur at an offsite location. While construction of the portion on the proposed Project site is feasible, it would not achieve the following objective of the proposed Project to complete comprehensive planning for the WWSP site. This Alternative would not eliminate any significant impacts associated with the proposed project except for the odor emissions associated with wastewater treatment would not occur. Further, the AWA has publicly claimed that existing AWA facilities do not have the capacity to accommodate the volume of wastewater generated from the residential, commercial, and public/quasi-public uses associated with the proposed Project.

Expanding AWA Facility: This Alternative would expand AWA's existing wastewater treatment plant and lift stations to increase capacity. This Alternative would develop the site consistent with the WWSP, except that wastewater treatment would be accommodated at expanded AWA offsite facilities. While construction of this Alternative is feasible, except for expanding offsite water treatment, it would not achieve the following objective of the proposed Project to complete

comprehensive planning for the WWSP site. This Alternative would not eliminate any significant impacts associated with the proposed project except for eliminating onsite odor emissions associated with wastewater treatment. Further, existing AWA facilities do not have the capacity to accommodate the volume of wastewater generated from the residential, commercial, and public/quasi-public uses associated with the WWSP. AWA has confirmed that there are no expansion plans which further supports the infeasibility of this alternative.

8.3. ALTERNATIVES TO THE PROPOSED PROJECT

Based on the criteria listed above, the following four alternatives have been determined to represent a reasonable range of alternatives which have the potential to feasibly attain most of the basic objectives of the proposed Project, but which may avoid or substantially lessen some of the significant effects of the proposed Project. These alternatives and associated impacts are analyzed in the following sections.

Alternative 1: No Project

Section 15126.6(e) of the State CEQA Guidelines requires analysis of the No Project Alternative. In accordance with the State CEQA Guidelines, the No Project Alternative for a development project on an identifiable property consists of the circumstance under which the Project does not proceed as provided by §15126.6(e)(3)(B) of the State CEQA Guidelines. Section 15126.6(e)(3)(B) provides that, “In certain instances, the no project alternative means ‘no build’ wherein the existing environmental setting is maintained.” The No Project Alternative provides a basis for comparison between the environmental impacts of the proposed Project and the current environmental conditions resulting from not approving the Project.

Under the No Project Alternative, adoption of the WWSP would not occur, and no new development or infrastructure improvements would be implemented. The existing conditions as mentioned in would remain. The undeveloped site and existing uses (cattle grazing) would continue.

Alternative 2: Hybrid Wastewater Treatment

The Hybrid Wastewater Treatment Alternative (Hybrid Alternative) is the same as the proposed Project, including all the land uses in the same configuration, at the proposed densities, and 20-year phasing, except for wastewater treatment and conveyance. Under this Alternative there would be a hybrid approach to conveyance and treatment of wastewater reducing the capacity of the proposed onsite WWTP and expanding the existing Sutter Creek WWTP. Initial wastewater treatment would be handled at the Sutter Creek WWTP via upgrades to existing lines to accommodate new throughput along with upgrades and modernization of existing or new processing facilities at the existing Sutter Creek WWTP.

While the timing is unknown, when triggered, an onsite WWTP would be constructed. The WWTP built under this Hybrid Alternative would be reduced in size as compared to the proposed Project and only sized to accommodate buildout of the remaining WWSP land uses.

The Hybrid Alternative would allow for commercial and quasi-public uses to be constructed in advance of proposed residential uses and allow economics and demographics to drive housing density and product type and not preclude opportunities to address affordable housing (low income and senior) since development would be responsive to the housing needs in the County.

The Hybrid Alternative proposes similar land uses and in the same configuration and densities. The only difference would be that the onsite WWTP would be reduced in size and a portion of the site's wastewater would be conveyed and treated offsite. However, for offsite treatment to occur, there would need to be upgrades, improvements, modernization and/or expansion to the existing Sutter Creek WWTP and conveyance infrastructure. This would also cause various significant environmental impacts, which could be more impactful than the proposed Project. Additionally, there would be no reduction in overall ground disturbance. The Hybrid Alternative would also achieve the proposed Project objectives.

Alternative 3: Foothill Conservancy Site Plan

The proposed Foothill Conservancy Alternative site plan layout is intended to provide affordable and senior housing, preserve rural character, preserve site environmental attributes, and reduce traffic and public service impacts as compared to full build-out of the WWSP. The proposed land uses included in the Foothill Conservancy Alternative propose reduced number of residential units and assumes generally the same circulation principles as the proposed project with residential collector streets providing access to the varied land uses. This alternative did not propose a fire station, WWTP, or school, however, included is an easement to allow for continuation of cattle movement through the WWSP site. The Foothill Conservancy Alternative includes private land ownership and includes a concept of small farms on the perimeter of the site.

Overall, the Foothill Conservancy Alternative would have similar impacts as the proposed Project in relation to aesthetics, cultural resources, geology and soils, hazards and hazardous materials, hydrology, transportation, and TCRs. It would have less impacts in relation to air quality, noise, and wildfire. Finally, it would have greater impacts to land use and planning, agricultural resources, biological resources, population and housing, and potentially public services. However, this Alternative would not meet proposed Project objectives.

Alternative 4(b): Full-scale Development WWSP as evaluated in the 2024 DEIR

In response to public, stakeholder, and agency comments, as well as input received during the August 2024 Planning Commission DEIR hearing, County staff reduced the size of the WWSP by approximately 50% equivalent to DEIR Alternative #4, which was also identified as the Environmentally Superior Alternative.

The WWSP Reduced Development Project has become the "Project" as such, the original full-scale development may be cited as Alternative 4(b). The originally proposed (Full-scale) WWSP Project while provides increased residential units and capacity, double the retail/office space, increased permanent jobs, and requires a new WWTP, Elementary School, and Fire Station. The differences between the Original WWSP, i.e.. The Full-scale Development WWSP and the current Project, the Reduced Development WWSP is shown on Table 2-1 of the FEIR, and Section 1.2. of this document.

The Full-scale WWSP description is included within the Wicklow Way Specific Plan (June 2024) and within the 2024 DEIR under Section ES-1. Additionally, the project may be summarized below.

WICKLOW WAY FULL-SCALE DEVELOPMENT ALTERNATIVE SITE PLAN

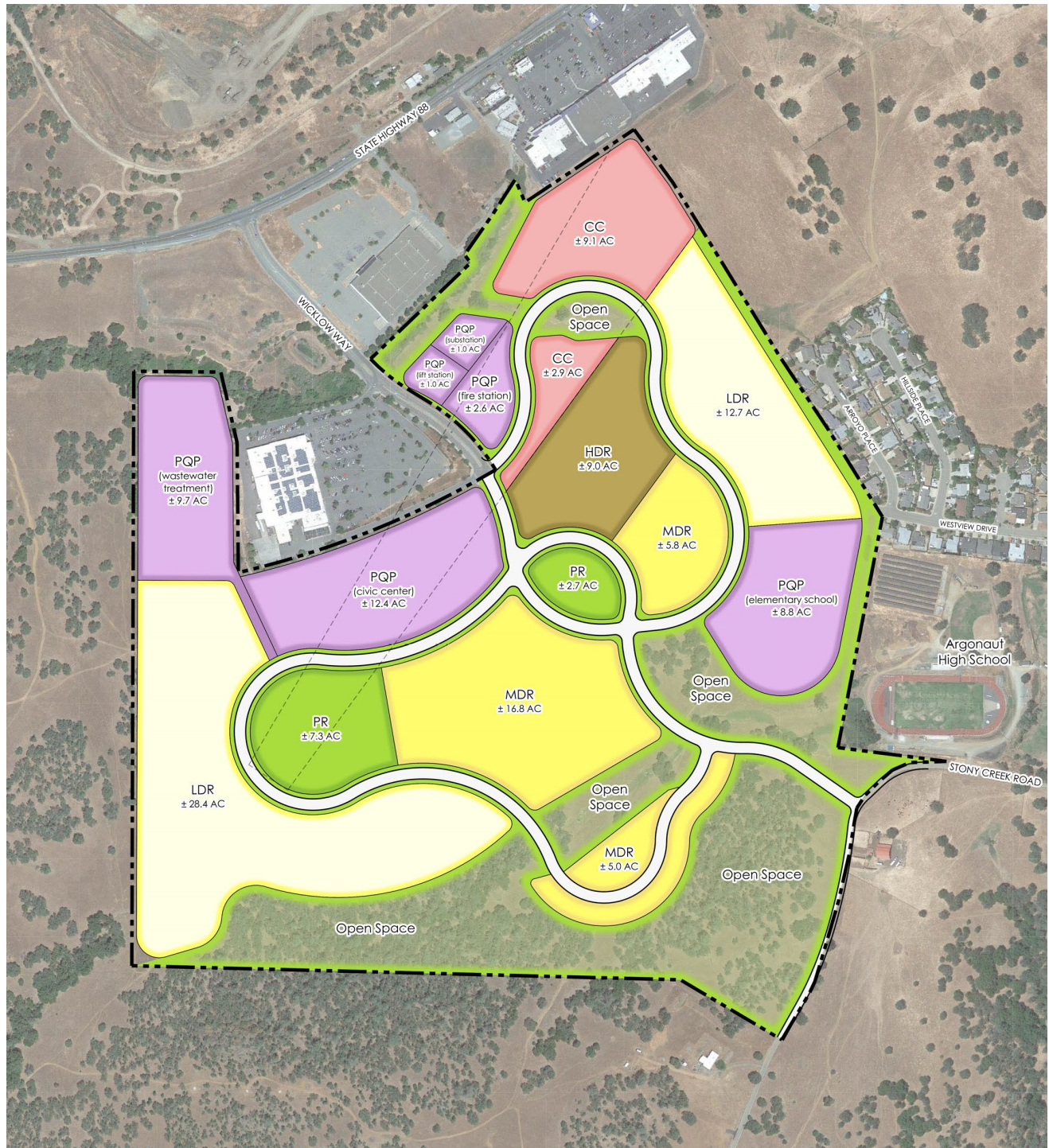


TABLE 4.1- SUMMARY OF LAND USES FOR FULL-SCALE WWSP (DEIR 2024)

TABLE 4.1 LAND USE SUMMARY LAND USE DESIGNATION	APPLIED ZONING DISTRICT	ACRES	% OF TOTAL ACRES	UNITS	% OF TOTAL UNITS	
Residential						
LDR (Light Yellow)	Low Density Residential	PD-R1	41.1	20%	280	40%
MDR (Darker Yellow)	Medium Density Residential	PD-R2	27.6	14%	220	31%
HDR (Brown)	High Density Residential	PD-R3	9.0	4%	200	29%
Subtotal	77.7		39%	700	100.00%	
Commercial/Office						
CC (Red)	Community Commercial	PD-CC		12.1	6%	
PQ/P (Purple)	Civic	PQ/P		12.4	6%	
Subtotal		24.5		12%		
Open Space and Public						
OS (Transparent Green)	Open Space	OS		53.7	27%	
PR (Green)	Parks and Recreation	PR		10	5%	
Subtotal		63.7		32%		
PQ/P (Purple)	Electric Substation	PQ/P		1.0		
	Sewer Lift Station			1.0		
	Fire Station			2.6		
	Wastewater Treatment			9.7		
	Elementary School			8.8		
	Major Streets			12.9		
Subtotal		36		17%		
Total	201	100.0%	700	100.0%		

Environmentally Superior Alternative

The State CEQA Guidelines require the identification of an environmentally superior alternative among the alternatives analyzed in an EIR, which is typically selected based on an ability to avoid or substantially reduce significant environmental effects associated with project implementation.

The No Project Alternative would result in the least environmental impacts and would be the environmentally superior Alternative because it would avoid all impacts associated with the proposed Project for all resource areas. However, Section 15126.6(e)(2) of the CEQA Guidelines states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

The proposed Project would result in significant and unavoidable impacts for aesthetics, air quality,

greenhouse gases, and population and housing. For most all other environmental resource topics, mitigation measures have been identified to reduce significant impacts to a less than significant level. However, while the No Project Alternative is identified as the environmentally superior alternative, it would not result in any new impacts because no development would occur. Therefore, the No Project Alternative does not meet the objectives of the proposed Project.

Conclusion

Based on the above comparisons of the alternatives to the proposed Project, it is evident that none of the alternatives would conform with General Plan goals and policies better than the proposed Project, the Reduced Development WWSP. The following supports this conclusion:

- The proposed Project best satisfies the Project objectives.
- The alternatives do not eliminate significant environmental impacts.
- The alternatives will continue to incur significant and unavoidable impacts for environmental resources (aesthetics, air quality, greenhouse gases, and population and housing).

9.0. Adoption of Findings

The Amador County Board of Supervisors hereby recognizes and adopts the above Findings of Fact for the Project.

DATE: _____, 2026 BY: _____

CHAIR, BOARD OF SUPERVISORS, COUNTY OF AMADOR, STATE OF CALIFORNIA

DATE: _____, 2026 ATTEST: _____

CLERK, AMADOR COUNTY BOARD OF SUPERVISORS