

NEW PLACERVILLE COURTHOUSE

Draft Environmental Impact Report

Prepared for
Judicial Council of California

October 2014



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EXECUTIVE SUMMARY

New Placerville Courthouse Draft EIR

Introduction

This Environmental Impact Report (EIR) is an informational document intended to inform the public and decision-makers about the environmental consequences of the proposed New Placerville Courthouse (proposed project). The EIR considers the environmental impacts of the proposed project as well as the additive effects of growth throughout the Placerville area and the region. These latter impacts are referred to as cumulative impacts. The EIR has been prepared by the Judicial Council of California (Judicial Council) pursuant to the requirements of the California Environmental Quality Act (CEQA).

The EIR describes the existing environmental resources in the vicinity of the proposed project site, analyzes potential impacts on those resources due to the proposed project, and identifies mitigation measures that could avoid or reduce the magnitude of those significant impacts. The environmental impacts evaluated in the EIR concern several subject areas including aesthetics, air quality, climate change and energy, biological resources, cultural resources, noise and vibration, and transportation and circulation, as well as potential for growth and urban decay effects.

As required by CEQA, the EIR evaluates a reasonable range of alternatives to the proposed project. Alternatives analyzed in the EIR include the No Project Alternative as required by CEQA, as well as a Reduced Size Alternative.

Initially, this EIR is being published as a Draft EIR. The Draft EIR will be subject to review and comment by the public, as well as responsible agencies and other interested jurisdictions, agencies, and organizations for a period of 45 days beginning on October 16, 2014 and ending on December 1, 2014. During the public review period, the Judicial Council will hold a public meeting to receive comments on the Draft EIR. The meeting will be held on Thursday, November 6, 2014 at 6:00 PM at the Building C Hearing Room, 2850 Fairlane Court, Placerville 95667. The public may comment on the EIR by testifying at the public meeting, or may submit written comments at any time during the 45-day public review period. Information is available online at <http://www.courts.ca.gov/facilities-eldorado.htm>.

Following the public review period, written responses will be prepared to all comments received on the Draft EIR. Those written responses, and any other necessary changes to the EIR, will be submitted to the Judicial Council for their consideration, along with the Draft EIR, as part of the certification action on this EIR. The Judicial Council will also consider adoption of Findings of

Fact pertaining to this EIR, specific mitigation measures, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Plan.

Project Description

The New Placerville Courthouse (proposed project) is one of the “Immediate and Critical Need” courthouse projects identified by the Judicial Council of California in 2008. For this proposed project, the Judicial Council would construct a new, approximately 88,000 square foot courthouse in the city of Placerville for the Superior Court of California, County of El Dorado (Superior Court). The proposed project site, located adjacent to the existing El Dorado County Jail, would be acquired from the County. The property is currently owned by both the County and a private property owner. The County of El Dorado would purchase the private parcel and then transfer the entire site to the Judicial Council in exchange for other properties. At this time, there are no specific proposals for future use of any of the parcels transferred to El Dorado County beyond the existing uses.

The proposed project includes the acquisition of property and the construction of a new courthouse. The proposed new courthouse would consolidate the courthouse functions currently in the existing Main Street Courthouse (currently the Main Street Courthouse has four courtrooms) and the courtroom located in the county administrative complex Building C (Building C). Building C currently has two courtrooms. The proposed project site is undeveloped land adjacent to the El Dorado County Jail located off Forni Road in the City of Placerville (see **Figure 2-1** and **Figure 2-2**). The proposed project would include a number of actions, as outlined below.

- The County of El Dorado would exchange approximately 5 acres of property on APN 325-300-032 for approximately 5 acres of property on APN 325-300-002 by exercising an option to purchase a portion of APN 325-300-002;
- The Judicial Council would acquire approximately 8 acres of undeveloped land adjacent to the El Dorado County Jail from the County of El Dorado,. The property is currently made up of two parcels, APNs 325-300-002 and 325-300-100;
- The Judicial Council would construct an 88,000 square foot courthouse with six courtrooms, three stories, and a basement;
- The construction of on-site improvements; and
- Off-site improvements would include an extension of Ray Lawyer Drive from the new off-ramp interchange (scheduled to be completed in 2016/2017) to the courthouse driveway, and an extension of the on-site sewer and water lines.

Since the Judicial Council is the lead agency for the proposed project, and is acting for the State of California, local government land use planning and zoning regulations do not apply to the proposed courthouse project. However, for informational purposes, the current zoning designation for the existing El Dorado County Jail site as well as the proposed project site is PF (Public Facilities). According to the City of Placerville Zoning Code (§10-5-20(A)), the PF zone is intended to provide for those uses and activities customarily conducted by government agencies and philanthropic nonprofit organizations. Under §10-5-20(B) of the Placerville Zoning

Code, governmental buildings and facilities designed for public use and accommodation and their accessory uses are permitted outright in the PF zone.

Significant and Unavoidable Environmental Effects

Throughout this EIR, many significant environmental impacts are identified, and mitigation measures are described that would eliminate the impacts or decrease them to a less-than-significant level. Similarly, many impacts are identified that would be less-than-significant without the need for additional mitigation measures. There are, however, a number of impacts identified that cannot be eliminated or cannot be decreased to a level of insignificance even with the implementation of feasible mitigation measures. The key project-specific unavoidable significant environmental impacts include those listed below.

Project Impacts

Impact 3.7.1: Project construction could temporarily expose persons to or generate noise levels in excess of the City of Placerville or County of El Dorado noise standards.

Impact 3.7.2: The proposed project could result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

Cumulative Effects

Impact 3.5-6: The proposed project could contribute to cumulative losses of archaeological or paleontological resources.

Impact 3.7-6: The proposed project would contribute to cumulative construction noise and vibration.

Alternatives to the Proposed Project

In addition to the analysis of the proposed project, the EIR also presents a discussion of a reasonable range of alternatives. Some alternatives initially considered by the Judicial Council for evaluation in the EIR were eliminated from further consideration because they were either infeasible or would exacerbate impacts compared to the proposed project. A range of alternatives are evaluated in the EIR.

Alternative 1: No Project Alternative

Under CEQA, the No Project Alternative must consider the effects of forgoing the project. The No Project/No Development Alternative describes the environmental conditions that exist at the time that the environmental analysis commences (CEQA Guidelines, section 15126.6 (e)(2)). In the case of the proposed project, the project site is currently a vacant site adjacent to the operational El Dorado County Jail. Existing conditions are described in the Environmental Settings of each section within Chapter 3 of this Draft EIR. The alternatives analysis must also describe conditions that could reasonably be expected to occur if the project is not approved. In

this case, it is reasonable to assume that, if the proposed project is not approved, the proposed project site would remain vacant and courthouse operations would continue to be separated by the continued use of both the existing Main Street Courthouse and Building C.

Under the No Project Alternative, the Judicial Council would not approve any project, and none of the mitigation measures identified within this Draft EIR would be implemented. Land transfers described in Chapter 2, Project Description would not occur. A new roadway from Forni Road to the proposed project site would not occur. The conveyance of the existing Main Street Courthouse from the Judicial Council to the City of Placerville or El Dorado County would not occur.

Alternative 2: Reduced Size

Under the Reduced Size Alternative, the Judicial Council would construct a new courthouse at the proposed project site that would replace courthouse functions at Building C. Construction of a new courthouse on the same site as the proposed project would include the provision of two courtrooms and administrative support services. Current courtroom functions at the Main Street Courthouse (four courtrooms) would remain in use. The courthouse constructed under the Reduced Size Alternative would be substantially smaller than the proposed project because four fewer courtrooms would be constructed. A new access road would be required, similar to the proposed project. However, the amount of surface parking area would be less than under the proposed project because fewer employees would work at and fewer people would visit the new courthouse compared to the proposed project.

The land transfer described in Chapter 2, Project Description, would not occur. Instead, the Judicial Council would purchase the courthouse property from El Dorado County. The Judicial Council would vacate its office space in Building C, but would retain use and control of the Main Street Courthouse.

Environmentally Superior Alternative

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. Section 15126.6 (e)(2) of the State CEQA Guidelines requires that an environmentally superior alternative be designated and 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.

For each environmental topic analyzed in the EIR, Table 4-1 indicates whether the impacts of the project alternatives are more or less severe than those of the proposed project.

From the alternatives evaluated in this EIR, the environmentally superior alternative would be Alternative 1 – the No Project Alternative. This alternative would avoid all significant impacts associated with the proposed project.

In accordance with the CEQA Guidelines, if the No Project Alternative is identified as the environmentally superior alternation, an environmentally superior alternative must then be

selected from the remaining alternatives. Due to the factors described above, Alternative 2 – the Reduced Size Alternative would be the environmentally superior alternative.

Summary Table

Table ES-1 (Summary of Impacts and Mitigation Measures), has been organized to correspond with the environmental issues discussed in Chapter 3. The summary table is arranged in four columns:

1. Environmental impacts (Impact).
2. Level of significance without mitigation (Significance Before Mitigation).
3. Mitigation measures (Mitigation Measure).
4. The level of significance after implementation of mitigation measures (Significance After Mitigation).

If an impact is determined to be significant or potentially significant, mitigation measures are identified, where appropriate. More than one mitigation measure may be required to reduce the impact to a less-than-significant level. A description of the organization of the environmental analysis, as well as key foundational assumptions regarding the approach to the analysis, is provided in section 3.0, Introduction to the Analysis.

**TABLE ES-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
3.1 Aesthetics			
Impact 3.1-1: Implementation of the proposed project would change the existing visual character or quality of the site and its surroundings.	PS	Mitigation Measure 3.1-1: Implement Outdoor Landscaping Plan. <i>The Judicial Council shall ensure that the final design and construction phases of the proposed project include an outdoor landscaping plan. The objectives of the landscaping plan will be to replace existing vegetation to be removed and provide a visual buffer of project facilities from public view points, specifically from the El Dorado Trail. Such visual buffers may include trees or hedges. Site preparation shall minimize topography changes and replacement vegetation shall consist of native plant species.</i>	LS
Impact 3.1-2: Implementation of the proposed project could substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	LTS	No Mitigation Required.	LTS
Impact 3.1-3: Implementation of the proposed project could create a new source of substantial light or glare which could adversely affect daytime or nighttime views in the proposed project area.	PS	Mitigation Measure 3.1-3: Outdoor Lighting Standards. <i>The project shall be designed to ensure that all outdoor light fixtures are located, aimed or shielded so as to minimize stray light trespassing across property boundaries. Fixtures shall be full cut-off and nighttime friendly, consistent with LEED goals and Green Globes criteria for light pollution reduction. The Judicial Council shall also prepare a photometric plan demonstrating that lighting will not spillover onto adjacent properties. Furthermore, the proposed project will adhere to all City of Placerville regulations relating to signage and the shielding of light in order to reduce any potential negative effects from new light sources. These standards shall be included in the mitigation monitoring and reporting program.</i>	LTS
Impact 3.1-4: Implementation of the proposed project could contribute to cumulative impacts related to changes in the visual character of the project vicinity.	PS	Mitigation Measure 3.1-4: <i>The Judicial Council shall implement Mitigation Measure 3.1-1 as fully described in Impact 3.1-1.</i>	LTS
Impact 3.1-5: Implementation of the proposed project could contribute to cumulative impacts to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	PS	Mitigation Measure 3.1-5: <i>The Judicial Council shall implement Mitigation Measure 3.1-1 as fully described in Impact 3.1-1.</i>	LTS
Impact 3.1-6: Implementation of the proposed project, in conjunction with other cumulative development in the City, could create a new source of substantial light or glare which could adversely affect daytime or nighttime views.	PS	Mitigation Measure 3.1-6: <i>The Judicial Council shall implement Mitigation Measure 3.1-1 as fully described in Impact 3.1-3.</i>	LTS

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable; NI = no impact; NA = not applicable.

TABLE ES-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
3.2 Air Quality			
Impact 3.2-1: Implementation of the proposed project would not conflict with or obstruct implementation of an applicable air quality plan.	LTS	No Mitigation Required	LTS
Impact 3.2-2: Construction and operation of the proposed project could generate emissions of criteria air pollutants that could contribute to existing nonattainment conditions.	PS	<p>Mitigation Measure 3.2-2: Reduce Construction-Related Emissions of Fugitive Dust <i>The Judicial Council shall comply with all applicable EDCAQMD rules and regulations and shall require the contractor to submit a Fugitive Dust Plan that includes the following key elements:</i></p> <ul style="list-style-type: none"> • <i>Apply water to dry areas during grading and earthmoving activities</i> • <i>Install temporary covers over open storage piles</i> • <i>Apply water to unpaved haul and access roads</i> • <i>Apply water on disturbed surfaces to form a visible crust, and restrict vehicle access to maintain the crust during inactive operations.</i> 	LTS
Impact 3.2-3: Construction and/or operation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations.	LTS	No Mitigation Required	LTS
Impact 3.2-4: Operation of the proposed project would not create objectionable odors affecting a substantial number of people.	NI	No Mitigation Required	NI
Impact 3.2-5: Construction and operation of the proposed project would not result in a cumulatively considerable increase of criteria pollutant emissions.	LTS	No Mitigation Required	LTS
3.3 Climate Change and Energy			
Impact 3.3-1: Implementation of the proposed project would not result in the inefficient, wasteful, and unnecessary consumption of energy associated with increased demand due to anticipated development.	LTS	No Mitigation Required	LTS

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable; NI = no impact; NA = not applicable.

TABLE ES-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
Impact 3.3-2: Implementation of the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.	LTS	No Mitigation Required	LTS
Impact 3.3-3: The proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.	LTS	No Mitigation Required	LTS
3.4 Biological Resources			
Impact 3.4-1: The proposed project would have a substantial adverse effect, either directly or through habitat modifications on special-status raptors (including northern goshawk), other migratory birds, the valley elderberry longhorn beetle, and special-status plant species.	PS	<p>Mitigation Measure 3.4-1a: Avoid Active Nesting Season. The Judicial Council shall avoid and minimize impacts to tree and shrub nesting species by implementing the following measures according to the timeframes identified below:</p> <ul style="list-style-type: none"> • If feasible, conduct all tree and shrub removal and grading activities during the non-breeding season (generally September 1 through January 31). • If grading and tree removal activities are scheduled to occur during the breeding and nesting season (February 1 through August 31), pre-construction surveys shall be performed prior to the start of project activities, as described under Mitigation Measure 3.4-1b. <p>Mitigation Measure 3.4-1b: Conduct Pre-Construction Nesting Bird Surveys and Associated Avoidance Measures. Should grading or other project-related activities occur during the nesting season (February 1 to August 31), the Judicial Council shall ensure that pre-construction surveys be conducted prior to the initiation of construction by a qualified wildlife biologist to identify active goshawk nests within ½-mile of proposed construction activities and nests of other migratory bird species within 250 feet of proposed construction activities. The surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of each phase of construction. The results of the survey would be emailed to CDFW at least three days prior to construction. Surveys would be conducted by a qualified biologist in accordance with the following protocols:</p> <ul style="list-style-type: none"> • Surveys for northern goshawk shall include at least two preconstruction surveys (separated by at least two weeks). • Surveys for other migratory bird species shall take place no less than 14 days and no more than 30 days prior to the beginning of each phase of construction that would be located within 250 feet of suitable nesting habitat. <p>If the pre-construction surveys do not identify any nesting raptors or other nesting migratory bird species within areas potentially affected by construction activities, no further mitigation would be required. If the pre-construction surveys do identify nesting raptors or other nesting bird species within areas that may be affected by site construction, the following measures shall be implemented.</p> <ul style="list-style-type: none"> • Northern Goshawk and other Migratory Birds. If active nests are found, project-related construction impacts shall be avoided by the establishment of appropriate no-work buffers to limit project-related 	LTS

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable; NI = no impact; NA = not applicable.

**TABLE ES-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
		<p>construction activities near the nest site. The size of the no-work buffer zone shall be determined in consultation with the CDFW although a 500-foot buffer should be used when possible. The no-work buffer zone shall be delineated by highly visible temporary construction fencing. In consultation with CDFW, monitoring of nest activity by a qualified biologist may be required if the project-related construction activity has potential to adversely affect the nest or nesting behavior of the bird. No project-related construction activity shall commence within the no-work buffer area until a qualified biologist and CDFW confirms that the nest is no longer active.</p> <p>Mitigation Measure 3.4-1c: Conduct VELB Survey and Implement Avoidance/Compensation Measures. Prior to the construction phase of the proposed project, the Judicial Council shall ensure that protocol-level surveys for the presence of the valley elderberry longhorn beetle and its elderberry host plant are conducted by a qualified biologist in accordance with USFWS protocols. If elderberry plants with one or more stems measuring one inch or greater in diameter at ground level occur on or adjacent to the proposed project site, or are otherwise located where they may be directly or indirectly affected by the project activities, minimization and compensation measures, which include transplanting existing shrubs and planting replacement habitat (conservation plantings), are required. Surveys are valid for a period of two years. Elderberry plants with no stems measuring one inch or greater in diameter at ground level are unlikely to be habitat for the beetle because of their small size and/or immaturity. Therefore, no minimization measures are required for removal of elderberry plants with all stems measuring one inch or less in diameter at ground level.</p> <p>For shrubs with stems measuring one inch or greater, the Judicial Council would ensure that elderberry shrubs within 100 feet of proposed development be protected and/or compensated for in accordance with the U.S. Fish and Wildlife Services' (USFWS) Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS, 1999) and the Programmatic Formal Consultation Permitting Projects with Relatively Small Effects on the Valley Elderberry Longhorn Beetle Within the Jurisdiction of the Sacramento Field Office (USFWS, 1996b).</p> <p>Mitigation Measure 3.4-1d: Conduct Special-Status Plant Survey and Implement Avoidance/Compensation Measures. A qualified plant biologist shall conduct a pre-construction survey for all special-status species. The survey shall be floristic in nature and shall follow the procedures outlined in the California Department of Fish and Game's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW, 2009).</p> <p>If special-status plant species are found, the Judicial Council shall consult with USFWS and/or CDFW to provide preservation and avoidance measures commensurate with the standards provided in applicable USFWS and/or CDFW protocols for the affected species. The preservation and avoidance measures shall include, at a minimum, appropriate buffer areas clearly marked during project activities, monitoring by a qualified plant biologist, and the development and implementation of a replanting plan (collection of seeds, revegetation, and management and monitoring of the habitat to ensure success) for any individuals of the species that cannot be avoided.</p>	

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable; NI = no impact; NA = not applicable.

TABLE ES-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
Impact 3.4-2: Implementation of the proposed project would have a substantial adverse effect on a sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS.	PS	<p>Mitigation Measure 3.4-2a: Protect Sensitive Tree Resources. As part of the final design of the proposed project, the Judicial Council shall prepare a tree protection plan that identifies all trees to be removed and establishes buffer areas around protected trees. Where feasible, buffer zones shall include a minimum one-foot-wide buffer zone outside the dripline for oaks and landmark trees. The locations of these resources shall be clearly identified on the construction drawings and marked in the field by a Certified Arborist. Fencing or other barriers shall remain in place until all construction and restoration work that involves heavy equipment is complete. Construction vehicles, equipment, or materials would not be parked or stored within the fenced area. No signs, ropes, cables, or other items shall be attached to the protected trees. Grading, filling, trenching, paving, irrigation, and landscaping within the driplines of oak trees shall be limited. Grading within the driplines of oak trees shall not be permitted unless specifically authorized by a Certified Arborist. Hand-digging shall be done in the vicinity of major trees and as recommended by a Certified Arborist to prevent root cutting and mangling by heavy equipment.</p> <p>Mitigation Measure 3.4-2b: Implement Oak Woodland Compensation Measures. Where avoidance is not feasible or practicable, the Judicial Council shall provide onsite, in-kind replacement of the full function and value of the natural community at a ratio no less than 1:1. All trees and shrubs planted shall be purchased from a locally adapted genetic stock obtained within 50 miles and 1,000 feet in elevation of the project site. Planting densities shall not exceed 450 trees, shrubs, and vines for each acre planted. The maintenance and monitoring plan shall include cages for each seedling, identify a weed control schedule, and outline a watering regime for the plantings.</p> <p>As an alternative to onsite mitigation, the Judicial Council may contribute funds to the Oak Woodlands Conservation Fund, as established under subdivision Fish and Game Code §1363(a), for the purpose of purchasing oak woodlands conservation easements, as specified under paragraph (1) of subdivision (d) of that section and the guidelines and criteria of the Wildlife Conservation Board. This measure may be implemented at such time as the Wildlife Conservation Board and/or Department of Fish and Wildlife establish guidelines, criteria, and a payment schedule for contribution to the Oak Woodlands Conservation Fund.</p>	LTS
Impact 3.4-3: Implementation of the proposed project could have a substantial adverse effect on federally protected wetlands and waters of the U.S. as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.	PS	<p>Mitigation Measure 3.4-3a: Prepare Wetland Delineation Report and Verify With U.S. Army Corps of Engineers. Prior to construction, a wetland delineation shall be conducted by the Judicial Council to determine if the proposed project site contains wetlands and/or waters of the U.S., and the resulting map shall be verified by the Corps. If jurisdictional wetlands or waters of the U.S. occur within the boundaries of the proposed project site, then Mitigation Measure 3.4-3b shall be implemented.</p> <p>Mitigation Measure 3.4-3b: Implement Wetland Avoidance/Compensation Measures. To ensure that there is no net loss of jurisdictional wetland features, the Judicial Council shall compensate for impacted wetlands at a ratio no less than 1:1. Compensation shall take the form of wetland preservation or creation in accordance with Corps and CDFW mitigation requirements, as required under project permits. Preservation and creation may occur on-site (through a conservation agreement) or off-site (through purchasing credits at a Corps approved mitigation bank).</p>	LTS

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable; NI = no impact; NA = not applicable.

TABLE ES-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
Impact 3.4-4: Implementation of the proposed project would not 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.	LTS	No Mitigation Required.	LTS
Impact 3.4-5: The proposed project would contribute to the cumulative harm to special-status species or species of special concern and/or loss of degradation of their habitat.	PS	<p>Mitigation Measure 3.4-5a: Avoid Active Nesting Season. The Judicial Council shall implement Mitigation Measure 3.4.-1a as more fully described above under Impact 3.4-1.</p> <p>Mitigation Measure 3.4-5b: Conduct Pre-Construction Nesting Bird Surveys and Associated Avoidance Measures. The Judicial Council shall implement Mitigation Measure 3.4.-1b as more fully described above under Impact 3.4-1.</p> <p>Mitigation Measure 3.4-5c: Conduct VELB Survey and Implement Avoidance/Compensation Measure. The Judicial Council shall implement Mitigation Measure 3.4.-3 as more fully described above under Impact 3.4-1.</p> <p>Mitigation Measure 3.4-5d: Conduct Special-Status Plant Survey and Implement Avoidance/Compensation Measure. The Judicial Council shall implement Mitigation Measure 3.4.-4 as more fully described above under Impact 3.4-1.</p>	LTS
Impact 3.4-6: The proposed project would contribute to the cumulative loss and degradation of wetlands and/or other waters of the U.S.	PS	<p>Mitigation Measure 3.4-6a: Prepare Wetland Delineation Report and Verify With U.S. Army Corps of Engineers. The Judicial Council shall implement Mitigation Measure 3.4.-3a as more fully described above under Impact 3.4-3.</p> <p>Mitigation Measure 3.4-6b: Implement Wetland Avoidance/Compensation Measures. The Judicial Council shall implement Mitigation Measure 3.4.-3b as more fully described above under Impact 3.4-3.</p>	LTS
Impact 3.4-7: The proposed project would contribute to the cumulative loss of oak woodland habitat and protected trees.	PS	<p>Mitigation Measure 3.4-7a: Protect Sensitive Tree Resources. The Judicial Council shall implement Mitigation Measure 3.4.-2a as more fully described above under Impact 3.4-2.</p> <p>Mitigation Measure 3.4-7b: Implement Oak Woodland Compensation Measures. The Judicial Council shall implement Mitigation Measure 3.4.-2b as more fully described above under Impact 3.4-2.</p>	LTS
3.5 Cultural Resources			
Impact 3.5-1: The proposed project would adversely affect historic architectural resources.	PS	<p>Mitigation Measure 3.5-1: Adherence to the Secretary of Interior Standards (SOI) Guidelines for Rehabilitation. Plans for the reuse of the historic courthouse shall be submitted to and reviewed by the City of Placerville Historical Advisory Committee for consistency with the Secretary of the Interior's Standards for Rehabilitation. Such standards call for the retention of significant, character-defining features of the building while finding a new use for the structure that is compatible with its historic character. As part of the City's review, the City shall also require that restoration and reuse of the courthouse comply with the National Park Service's Preservation Brief #17, Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Architectural Character, and Preservation Brief #18, Rehabilitating Interiors in Historic Buildings - Identifying and Preserving Character-Defining Elements. The SOI Standards for the Treatment of Historic Properties, as well as Preservation Briefs #17 and #18, are provided in Appendix E of this EIR.</p>	LTS

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable; NI = no impact; NA = not applicable.

TABLE ES-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
Impact 3.5-2: The proposed project would adversely affect other known historic period resources.	LTS	No Mitigation Required	LTS
Impact 3.5-3: Project construction could adversely affect currently unknown historic resources, including unique archaeological or paleontological resources.	PS	Mitigation Measure 3.5-3: Stop Work in the Event of Cultural Resource Discovery. <i>If cultural resources are encountered, all activity in the vicinity of the find shall cease until it can be evaluated by a qualified archaeologist and a Native American representative. If the archaeologist and Native American representative determine that the resources may be significant, they will notify the Judicial Council. An appropriate treatment plan for the resources should be developed. The archaeologist shall consult with Native American representatives in determining appropriate treatment for prehistoric or Native American cultural resources. In considering any suggested mitigation proposed by the archaeologist and Native American representative, the Judicial Council will determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. In the event that the resource identified is determined to be paleontological, a qualified paleontologist will be contacted and shall recommend to the Judicial Council appropriate treatment for paleontological resources. If avoidance is infeasible, other appropriate measures (e.g., data recovery) will be instituted. Work may proceed in other parts of the project site while mitigation for cultural resources is being carried out.</i>	LTS
Impact 3.5-4: Project construction could result in damage to previously unidentified human remains.	PS	Mitigation Measure 3.5-4a: Stop Work in the Event of Cultural Resource Discovery. <i>The Judicial Council shall implement Mitigation Measure 3.5.-3 as more fully described above under Impact 3.5-3.</i> Mitigation Measure 3.5-4b: Discovery of Human Remains. <i>If human remains are encountered unexpectedly during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the El Dorado County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC will then identify the person(s) thought to be the Most Likely Descendent, who will help determine what course of action should be taken in dealing with the remains.</i>	LTS
Impact 3.5-5: The proposed project could contribute to cumulative losses of historic architectural resources.	LTS	No Mitigation Required.	LTS
Impact 3.5-6: The proposed project could contribute to cumulative losses of archaeological or paleontological resources.	PS	Mitigation Measure 3.5-6: Stop Work in the Event of Cultural Resource Discovery. <i>The Judicial Council shall implement Mitigation Measure 3.5.-3 as more fully described above under Impact 3.5-3.</i>	SU

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TABLE ES-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
3.6 Hydrology and Water Quality			
Impact 3.6-1: The proposed project could violate water quality standards or waste discharge requirements during construction-related activities.	LTS	No Mitigation Required	LTS
Impact 3.6-2: The proposed project could result in other water quality degradation.	LTS	No Mitigation Required	LTS
Impact 3.6-3: The proposed project would substantially alter the existing drainage pattern of the site, in a manner that could result in changes in the volume of stormwater discharged from the site, exceedance of available stormwater conveyance capacity, or that could result in increased erosion on site or downstream.	PS	Mitigation Measure 3.6-3: Prepare Comprehensive Drainage Plan and Implement Recommendations. <i>Prior to the construction phase of the proposed project, the project applicant shall prepare a Comprehensive Drainage Plan. The Comprehensive Drainage Plan shall include measures to minimize the use of impervious surfaces to the extent practicable, and shall include measures to infiltrate, retain, or otherwise channel runoff away from areas of open soil and other features subject to erosion or flooding. The project applicant shall ensure that the proposed project would result in no net increase in peak stormwater flows, based on a 100-year storm event. Drainage outfall from the proposed project site shall be routed into receiving drainage ditches or other facilities that are sized appropriately to contain anticipated stormwater flows. Runoff waters shall be discharged in a manner to prevent downstream or offsite flooding, erosion, or sedimentation.</i>	LTS
Impact 3.6-4: The proposed project could substantially deplete groundwater supplies or substantially interfere with groundwater recharge.	NI	No Mitigation Required	NI
Impact 3.6-5: Construction of the proposed project, combined with other reasonably foreseeable projects, could result in a cumulative violation of water quality standards or waste discharge requirements.	LTS	No Mitigation Required	LTS
Impact 3.6-6: The proposed project, combined with other reasonably foreseeable projects, could result in other cumulative water quality degradation.	LTS	No Mitigation Required	LTS

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TABLE ES-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
Impact 3.6-7: The proposed project, combined with other reasonably foreseeable projects, could substantially alter drainage patterns in a manner that could result in changes in the volume of stormwater discharges, exceedance of available stormwater conveyance capacity, or increased erosion.	LTS	No Mitigation Required	LTS
Impact 3.6-8: The proposed project, combined with other reasonably foreseeable projects, could contribute to cumulative depletion of groundwater supplies or substantial interference with groundwater recharge.	LTS	No Mitigation Required	LTS
3.7 Noise and Vibration			
Impact 3.7.1: Project construction could temporarily expose persons to or generate noise levels in excess of the City of Placerville or County of El Dorado noise standards.	PS	<p>Mitigation Measure 3.7-1a: Per the County of El Dorado General Plan Policy 6.5.1.11, construction shall be restricted to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday, and 8:00 a.m. to 5 p.m. on weekends and non-federally recognized holidays.</p> <p>Mitigation Measure 3.7-1b: To further address potential nuisance impacts of proposed project construction, construction contractors shall implement the following:</p> <ul style="list-style-type: none"> • Signs shall be posted at all construction site entrances to the property upon commencement of proposed project construction, for the purposes of informing all contractors/subcontractors, their employees, agents, material haulers, and all other persons at the applicable construction sites, of the basic requirements of Mitigation Measures 3.5.1a through 3.5.1c. • Signs shall be posted at the construction sites that include permitted construction days and hours, a day and evening contact number for the job site, and a contact number in the event of problems. • An onsite complaint and enforcement manager shall respond to and track complaints and questions related to noise. <p>Mitigation Measure 3.7-1c: To reduce daytime noise impacts due to construction of the proposed project, the applicant shall require construction contractors to implement the following measures:</p> <ul style="list-style-type: none"> • Equipment and trucks used for proposed project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds), wherever feasible. • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered where feasible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust 	SU

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TABLE ES-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
		<p><i>by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used whenever feasible.</i></p> <ul style="list-style-type: none"> • <i>Stationary construction noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent this does not interfere with construction purposes.</i> • <i>Erection of a solid plywood construction/noise barrier, where feasible, around the outside perimeter of the proposed project site that would block line of sight between construction activities and noise-sensitive receivers. Plywood should be at a minimum of one-half inch thick and not contain any gaps at its base or facets, in order to provide a maximum of 10 dB reduction in noise levels between construction activity and noise-sensitive receptors (Caltrans, 2013:5-4).</i> • <i>The El Dorado County Jail and adjacent noise-sensitive residents within 500 feet of demolition and blasting activity shall be notified of the construction schedule, as well as the name and contact information of the project complaint and enforcement manager.</i> 	
<p>Impact 3.7.2: The proposed project could result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.</p>	PS	<p>Mitigation Measure 3.7-2a: <i>All blasting shall be performed by registered licensed blasters who will be required to secure all necessary permits and comply with regulatory requirements in connection with the transportation, storage, and use of explosives, and blast vibration limits for nearby structures. The registered licensed blaster would use the minimum required explosive yield to reduce the level of vibration to below the FTA building damage threshold for all buildings in the project vicinity.</i></p> <p>Mitigation Measure 3.7-2b: <i>The El Dorado County Jail and adjacent vibration-sensitive residents within 500 feet of demolition and blasting activity shall be notified of the construction schedule, as well as the name and contact information of the project complaint and enforcement manager.</i></p>	SU
<p>Impact 3.7.3: Non-transportation-related project operations could expose receptors to noise levels in excess of the City of Placerville or County of El Dorado noise standards or result in a substantial permanent increase in ambient noise above existing levels at sensitive receptors.</p>	LTS	No Mitigation Required	LTS
<p>Impact 3.7.4: Transportation-related noise associated with proposed project operations would not expose receptors to noise levels in excess of the County of El Dorado's noise standards or result in a substantial permanent increase in ambient noise above existing levels at sensitive receptors.</p>	LTS	No Mitigation Required	LTS

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TABLE ES-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
Impact 3.7-5: Increases in traffic from the proposed project, in combination with other development, would not result in cumulatively considerable noise increases.	LTS	No Mitigation Required	LTS
Impact 3.7-6: The proposed project would contribute to cumulative construction noise and vibration.	PS	Mitigation Measures: Implement Mitigation Measures 3.7-1a through 3.7-1c, 3.7-2a, and 3.7-2b.	SU
3.8 Transportation and Circulation			
Impact 3.8-1: The proposed project could conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of study intersections or U.S. 50 freeway under Existing plus Project conditions.	PS	Mitigation Measure 3.8-1a: <i>The Judicial Council shall pay a fair share contribution towards travel lane modifications at the Placerville Drive and Forni Road intersection.</i> Mitigation Measure 3.8-1b: <i>The Judicial Council shall pay a fair share contribution towards installation of a signal at the Forni Road/County Jail-Ray Lawyer Drive Extension intersection.</i>	LTS
Impact 3.8-2: The proposed project would not substantially increase hazards due to a design feature or incompatible uses.	LTS	No Mitigation Required	LTS
Impact 3.8-3: The proposed project would not result in inadequate emergency access.	LTS	No Mitigation Required	LTS
Impact 3.8-4: The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	LTS	No Mitigation Required	LTS
Impact 3.8-5: The proposed project could conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of study intersections or U.S. 50 freeway under Cumulative conditions.	PS	Mitigation Measure 3.8-5: Implement Mitigation Measure 3.8-1b (<i>Judicial Council payment of a fair share contribution towards installation of a traffic signal at the Forni Road/County Jail-Ray Lawyer Drive Extension intersection</i>).	LTS

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TABLE ES-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measure	Significance After Mitigation
Impact 3.8-6: Construction activities associated with the proposed project would not result in temporary circulation impacts on the street system.	LTS	No Mitigation Required	LTS

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable; NI = no impact; NA = not applicable.

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CHAPTER 1

Introduction

1.1 Introduction

This Draft Environmental Impact Report (Draft EIR) examines the potential effects of the proposed New Placerville Courthouse (proposed project, State Clearinghouse #2012042051) for the Superior Court of California, County of El Dorado (Superior Court). This Draft EIR was prepared for the Judicial Council of California (Judicial Council) as the lead agency for this project. The proposed project is described in Chapter 2, Project Description. The project background and the basis for preparing a Draft EIR are described below.

1.2 Project Background

The Judicial Council is the rule-making arm of the California court system. It was created by an amendment to article VI of the California Constitution in 1926. In accordance with the California Constitution and under the leadership of the Chief Justice of the Supreme Court of California, the Judicial Council is responsible for ensuring the "consistent, independent, impartial, and accessible administration of justice." The Judicial Council's responsibility includes implementation of the Trial Court Facilities Act of 2002, the landmark legislation that shifted the governance of courthouses from California counties to the State of California (State).

Following the Trial Court Facilities Act of 2002, the Judicial Council conducted a survey to assess the physical condition of California's courthouses. The survey showed that 90% of the courthouses need improvements to protect the safety and security of the public, litigants, jurors, and families who are served by California's courts. In October 2008, the Judicial Council identified "Immediate and Critical Need" courthouse projects, in an effort to prioritize future courthouse construction and renovation. The Immediate and Critical Need projects were located in 34 counties across the state.

Also in 2008, Senate Bill (SB) 1407 was passed by the state legislature and signed by the Governor. SB 1407 identified funding to address the physical condition of the state's courthouses. The funding identified includes court fines and fees and does not draw from the state's general fund.

The New Placerville Courthouse (proposed project) is one of the Immediate and Critical Need courthouse projects identified by the Judicial Council in 2008. For this proposed project, the Judicial Council will construct a new, approximately 88,000 square-foot (sf) courthouse in the City of Placerville for the Superior Court of California, County of El Dorado. The proposed

project site, located adjacent to the existing El Dorado County Jail, will be acquired from El Dorado County. It is currently owned by both El Dorado County and a private property owner.

1.3 Purpose of this Environmental Impact Report

The Judicial Council, as the lead agency for the purposes of CEQA, has prepared this Draft EIR to provide the public, responsible, trustee, and other agencies with information about the potential environmental effects of the proposed New Placerville Courthouse Project.

This Draft EIR was prepared in compliance with the California Environmental Quality Act (CEQA), and the State CEQA Guidelines (California Code of Regulations, Title 14). As described in State CEQA Guidelines section 15121(a), an EIR is a public informational document that assesses the potential environmental impacts of a proposed project and identifies mitigation measures and alternatives to the proposed project that could minimize or avoid significant adverse environmental impacts. CEQA requires that state and local government agencies consider the environmental consequences of projects over which they have discretionary authority. The EIR is an informational document used in the planning and decision-making process. It is not the purpose or intent of an EIR to recommend either approval or denial of a project.

CEQA requires that a lead agency neither approve nor carry out a project as proposed if there are feasible alternatives or mitigation measures that would avoid or substantially lessen the significant environmental effects of the project (State CEQA Guidelines sections 15021, 15091, and 15092). If the mitigation measures or project alternatives are determined to be infeasible, the lead agency must make findings describing the economic, legal, social, technological, or other reasons the measures/alternatives are infeasible. CEQA also requires that decision-makers balance the benefits of a proposed project against its unavoidable environmental risks. If environmental impacts are identified as significant and unavoidable, the project may still be approved if it is demonstrated based on substantial evidence that social, economic, or other benefits outweigh the unavoidable impacts. The lead agency is required to state in writing the specific reasons for approving the project based on substantial evidence presented in the EIR, as well as other substantial evidence in the record. This document is defined as a “Statement of Overriding Considerations” by CEQA Guidelines section 15093.

1.4 Lead, Responsible, and Trustee Agencies

1.4.1 Lead Agency

In conformance with sections 15050 and 15367 of the State CEQA Guidelines, the Judicial Council is the “lead agency” for the proposed project, defined as the “public agency which has the principal responsibility for carrying out or disapproving a project.” The Judicial Council, as lead agency, is responsible for scoping the analysis, preparing the EIR, responding to comments received on the Draft EIR, and all other required aspects of the CEQA process.

1.4.2 Responsible Agencies

Responsible agencies are state and local public agencies other than the lead agency that have authority to carry out or approve a project or that are required to approve a portion of the project for which a lead agency is preparing or has prepared an EIR or IS/Negative Declaration. Note that several ministerial permits and authorizations will be required from the City of Placerville including utilities connections and permits for encroachment into city right-of-ways (ROW) during construction. The following agencies could be required to act as responsible agencies for the proposed project:

- County of El Dorado – Purchase and exchange property in order to assemble parcels for proposed project;
- El Dorado County Air Quality Management District (EDAQMD) – Authority to Construct/Permit to Operate;
- Central Valley Regional Water Quality Control Board (CVRWQCB) – National Pollutant Discharge Elimination System (NPDES) permit;
- California State Fire Marshall – fire flow, emergency access;
- Native American Heritage Commission (NAHC) – Native American consultation;
- California Department of Forestry and Fire Protection (CAL FIRE), Nevada-Yuba-Placer Unit – Less Than 3 Acre Conversion Exemption (14 CCR 1104.1(a)); and
- City of Placerville – encroachment permit.

1.4.3 Trustee Agencies

Trustee agencies under CEQA are specific public agencies with legal jurisdiction over natural resources that are held in trust for the people of California and that would be affected by a project, whether or not the agencies have authority to approve or implement the project. Such agencies include the California Department of Fish and Wildlife (CDFW), the California State Lands Commission (CSLC), and the California State Department of Parks and Recreation (State Parks).

1.5 Required Lead Agency Approvals

The Judicial Council may approve the project only after consideration and certification of the Final EIR. Because the Judicial Council is the lead agency and is acting for the state, local government land use planning and zoning regulations would not apply to the proposed project. However, the Judicial Council has considered local policies and guidelines in the preparation of this EIR.

1.6 Project Overview

The proposed project site is located in the City of Placerville adjacent to the existing county jail facility. This site is generally bound by Forni Road and U.S Highway 50 (U.S. 50) to the north and northwest. The existing jail lies directly to the east while open space, Gold Nugget Way and

scattered rural residences are to the east and southeast. The proposed project includes the acquisition of property and the construction of a new courthouse. The proposed new courthouse would consolidate the courthouse functions currently in the existing Main Street Courthouse (currently the Main Street Courthouse has four courtrooms) and the courtroom functions located in the county administrative complex Building C (Building C). Building C currently has two courtrooms and various administrative support services. The proposed project would include the construction of an approximately 88,000 square-foot courthouse with six courtrooms on currently undeveloped land. The new courthouse would have three stories and a basement level. The proposed project would include associated parking and a site access road from Forni Road.

The design of the courthouse would be consistent with other facilities recently constructed by the Judicial Council with location-specific considerations. Design criteria for the proposed project are taken from the *California Trial Court Facilities Standards* approved by the Judicial Council.

If this EIR is certified and the project is approved, the Judicial Council plans to acquire the proposed courthouse site in 2014. Construction of the proposed project would begin in 2018 and would be complete by 2019. Building occupancy is expected to be complete by late 2019.

1.7 Type of Environmental Impact Report

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR is prepared as a project EIR pursuant to CEQA Guidelines Section 15161. This type of EIR focuses primarily on the changes in the environment that would occur as a result of project development, and examines all phases of a particular project (i.e., planning, construction, operation). Therefore, this EIR focuses on the direct and reasonably foreseeable indirect and cumulative changes in the environment resulting from the proposed project.

1.8 Use of this Environmental Impact Report

The EIR will be used by the Judicial Council as a tool to evaluate the proposed project's environmental impacts. The EIR will be reviewed and considered by the decision making body, in this instance the Judicial Council, as part of its decision to approve or deny the proposed project.

1.9 Environmental Impact Report Process

1.9.1 Notice of Preparation

In accordance with CEQA Guidelines section 15082, the Judicial Council circulated a Notice of Preparation (NOP) for this EIR on April 23, 2012, for a 30-day public review period that concluded on May 22, 2012. The NOP was circulated to the public, interested parties, and local, state, and federal agencies. Its purpose was to inform interested parties that the proposed project could have significant effects on the environment and to solicit their comments as to the scope of the EIR. A public scoping meeting was held on May 15, 2012 in order to receive input on the

scope and content of the EIR from interested members of the public. The NOP is included as **Appendix A** of the Draft EIR.

Notice of Preparation Public Scoping Letters

A summary of the comment letters received during the NOP public review period is provided below in **Table 1-1**. The table identifies the commenter and provides a summary of the CEQA-related comments contained in the letter. Comment letters received during the NOP period are included with the Draft EIR as **Appendix B**.

**TABLE 1-1
SUMMARY OF COMMENT LETTERS RECEIVED DURING THE NOP SCOPING PERIOD**

Date	Commenter	Summary of CEQA-Related Comments
Agency Letters		
May 11, 2012	California Department of Transportation	Traffic and Transportation Analysis
May 18, 2012	Central Valley Regional Water Quality Control Board	Water Quality and Permitting Requirements
May 22, 2012	California Department of Transportation	Traffic and Transportation Analysis
Organization and Individual Letters (emails)		
May 21, 2012	Steve Schweigerdt	EI Dorado Trail Access, General Construction-Related Impacts (i.e., dust, access)
May 22, 2012	Cierra Baumunk	No Specific CEQA or Environmental Issue Identified
May 22, 2012	James Hebenstreit	No Specific CEQA or Environmental Issue Identified
May 22, 2012	Sharlene McCaslin	Blight, Historic Nature of Existing Courthouse
May 22, 2012	Kathleen Newell	Cumulative Impacts, Cultural Resources, Recreation
May 22, 2012	Lindell Price	EI Dorado Trail Access and Use
May 22, 2012	Stanley Price	Pedestrian Circulation, Recreation, Scenic Resources, Public Services, Transportation, Land Use
May 22, 2012	Evelyn Veerkamp	Economic Impacts – No Specific CEQA Issues

1.9.2 Scope of the EIR

Per Public Resources Code Section 21002.1, to provide more meaningful public disclosure, reduce the time and cost required to prepare an environmental impact report, and focus on potentially significant effects on the environment of a proposed project, lead agencies are encouraged to focus the discussion in the environmental impact report on those potential effects on the environment of a proposed project which the lead agency has determined would or may be significant.

Based on early consultation, the initial study prepared for the proposed project, the NOP, and comments received on both the NOP and the initial study, the Judicial Council determined that the

EIR (specifically Chapter 3.0, Environmental Analysis) will focus on the following environmental effects:

- Aesthetics (Section 3.1);
- Air Quality (Section 3.2);
- Climate Change and Energy (Section 3.3);
- Biological Resources (Section 3.4);
- Cultural Resources (Section 3.5);
- Hydrology and Water Quality (Section 3.6);
- Noise and Vibration (Section 3.7); and
- Transportation and Traffic (Section 3.8).

The following issues were determined to have a less than significant impact and will not be the subject of further analysis. The rationale for limiting the analysis of these issues is discussed in Section 3.0, Introduction to Environmental Analysis.

- Agriculture, Forest Resources, and Land Use;
- Geology, Soils, Seismicity, and Mineral Resources;
- Hazards and Hazardous Materials;
- Population and Housing;
- Public Services and Recreation; and
- Utilities and Service Systems.

1.9.3 Draft Environmental Impact Report

This document constitutes the Draft EIR. The Draft EIR contains a description of the proposed project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives.

1.9.4 Final EIR and EIR Certification

Written comments received in response to the Draft EIR will be addressed in a “Response to Comments” document which, together with the Draft EIR (including any additions/revisions), will constitute the Final EIR. The Judicial Council will then review the proposed project, the Final EIR, any public comments pertaining to the merits of the project, and make a decision whether to certify the EIR and approve or deny the proposed project.

1.9.5 Mitigation Monitoring and Reporting Program

Section 21081.6 of the Public Resources Code requires lead agencies to “adopt a reporting and mitigation monitoring program for the changes to the project which it has adopted or made conditions of project approval in order to mitigate or avoid significant effects on the environment.” The mitigation measures presented in this EIR have been clearly identified and presented in language that would facilitate establishment of an adequate mitigation monitoring and reporting program (MMRP). Mitigation measures must be fully enforceable, and would be included as conditions of project approval. An MMRP will be prepared and circulated with the Final EIR.

1.10 Public Participation

The CEQA statutes, the CEQA Guidelines, and the Judicial Council encourage public participation in the planning and environmental review processes. As described in Section 1.9.1, above, the Judicial Council conducted a scoping process prior to the preparation of the Draft EIR (the NOP comment period).

The public and agencies will have an opportunity to provide comments regarding the adequacy of the Draft EIR during a 45-day public review period. Written public comments may be submitted to the Judicial Council at any time during the public review and comment period. The public review and comment period will run from October 16, 2014 through December 1, 2014. All written comments on the Draft EIR must be received no later than 5:00 p.m. on December 1, 2014. All written comments or questions regarding the Draft EIR should be addressed to:

Laura Sainz
 Environmental Compliance and Sustainability Manager
 Judicial Council of California
 2860 Gateway Oaks Drive, Suite 400
 Sacramento, CA 95833

Comments can also be submitted via electronic mail at: Laura.Sainz@jud.ca.gov.

In addition, the Judicial Council is holding a public meeting to receive comments on the Draft EIR. The meeting will be held on Thursday, November 6, 2014 at 6:00 PM at the Building C Hearing Room, 2850 Fairlane Court, Placerville 95667.

Printed copies of the Draft EIR can be found at the following locations:

El Dorado County Library
 345 Fairlane Court
 Placerville, CA 95667

City of Placerville Planning Division
 3101 Center Street
 Placerville, CA 95667

A copy of the Draft EIR may also be downloaded from the following website:

<http://www.courts.ca.gov/facilities-eldorado.htm>.

The document can be found under the “Background” tab.

1.11 Organization of this Environmental Impact Report

This Draft EIR is organized into the following sections as described below:

Executive Summary: Provides a summary of the proposed project, the significant effects and proposed mitigation measures and alternatives to address those effects, areas of controversy, and issues to be resolved by the lead agency.

Chapter 1, Introduction: Provides an introduction and overview that describes the purpose of the Draft EIR, summarizes the EIR review and certification process, and briefly describes Lead Agency responsibilities regarding the proposed project under CEQA.

Chapter 2, Project Description: Provides a description of the proposed project site and its location, the proposed project goals and objectives, the proposed project setting, the proposed project components, and a list of the necessary permits and approvals (pursuant to State CEQA Guidelines section 15124).

Chapter 3, Environmental Analysis: Describes the existing setting, discusses the environmental impacts of the proposed project, and identifies mitigation measures for the environmental impacts examined in this Draft EIR (pursuant to State CEQA Guidelines sections 15125 and 15126). The issue areas addressed in the EIR, as noted earlier in Section 1.9.2, include Aesthetics, Air Quality, Climate Change and Energy, Biological Resources, Cultural Resources, Hydrology and Water Quality, Noise and Vibration, and Transportation and Circulation. Pursuant to CEQA Guidelines Section 15130, the cumulative impacts of the proposed project are discussed at the end of each issue area discussion.

Chapter 4, Alternatives: Presents an analysis of a reasonable range of alternatives to the proposed project, presents the environmental impacts associated with each alternative, and compares the relative impacts of each alternative to those of the proposed project (pursuant to State CEQA Guidelines sections 15126(f) and 15126.6).

Chapter 5, Other CEQA Considerations: Presents discussions of growth inducing effects (pursuant to State CEQA Guidelines section 15126(d) and significant unavoidable impacts.

Chapter 6, Report Preparers: Lists report preparers and identifies persons and organizations consulted during report preparation (pursuant to State CEQA Guidelines section 15129).

Chapter 7, Acronyms and Abbreviations: Lists the acronyms used in this Draft EIR in alphabetical order.

Chapter 8, References: Lists the materials cited in each of the issue areas.

Appendices: The appendices include technical information and correspondence relied upon in the preparation of the Draft EIR.

CHAPTER 2

Project Description

2.1 Introduction

The New Placerville Courthouse (proposed project) is one of the “Immediate and Critical Need” courthouse projects identified by the Judicial Council of California in 2008. For this proposed project, the Judicial Council would construct a new, approximately 88,000 square foot courthouse in the city of Placerville for the Superior Court of California, County of El Dorado (Superior Court). The proposed project site, located adjacent to the existing El Dorado County Jail, would be acquired from El Dorado County. The property is currently owned by both El Dorado County and a private property owner. The County of El Dorado would purchase the private parcel and then transfer the entire site to the Judicial Council in exchange for other properties. At this time, there are no specific proposals for future use of any of the parcels or facilities transferred to El Dorado County beyond the existing uses. In the event El Dorado County decides to develop or redevelop any of these parcels or facilities, such an action will be reviewed the local jurisdiction. At that time, El Dorado County would review the project application and would undertake such actions to comply with the California Environmental Quality Act (CEQA) and other relevant local, state, and federal laws and regulations. For these reasons, no evaluation of the environmental effects of future development activity on these transferred parcels is included in this EIR.

In accordance with CEQA (Public Resources Code [PRC] Sections 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations, the Judicial Council typically acts as the lead agency for courthouse projects. In its evaluation of a proposed project, the Judicial Council must consider a proposed project’s potential environmental impacts by preparing the appropriate environmental documentation as addressed by CEQA.

The Judicial Council recognizes a high level of interest regarding the location for the proposed New Placerville Courthouse, and has therefore committed to preparing an environmental impact report (EIR) to allow a higher level of public review and comment on the proposed project.

This document is subject to public review and comment during a 45-day public review period. During the public review period, stakeholders, public agencies, and the general public may provide written comments to the Judicial Council on environmental issues relative to the proposed project. A public meeting will also be held, in order to take questions and comments related to the proposed project. The Judicial Council will consider all comments received and incorporate responses in the Final EIR.

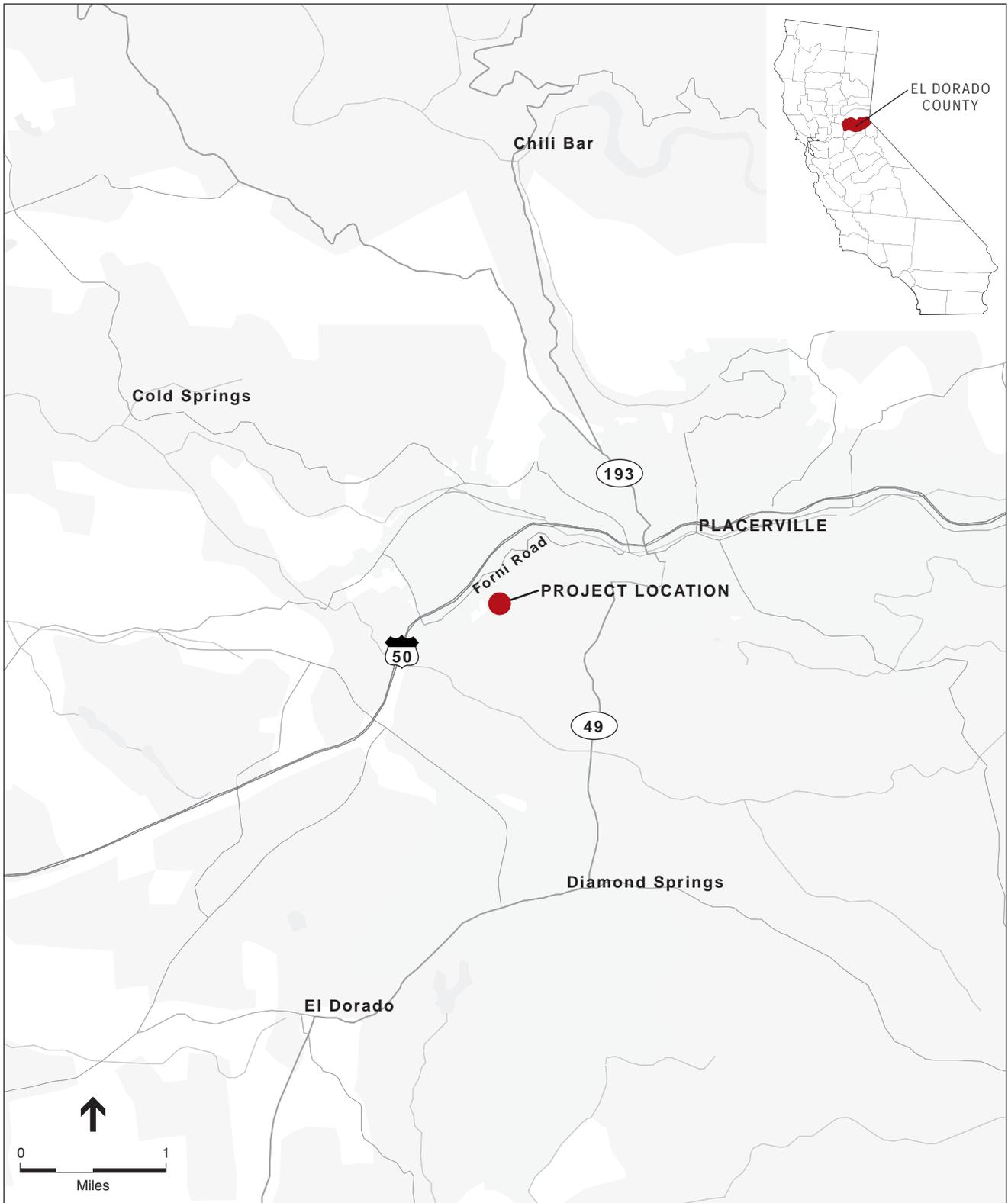
Pertinent documents used in the development of this EIR have been cited and incorporated in accordance with CEQA Guidelines to eliminate the need for including voluminous engineering and technical reports as appendices. Information from the City of Placerville General Plan (City General Plan), the El Dorado County General Plan (County General Plan), and technical documents prepared for the proposed project is used throughout this document and cited as appropriate.

2.2 Project Description

The proposed project includes the acquisition of property and the construction of a new courthouse. The proposed new courthouse would consolidate the courthouse functions currently in the existing Main Street Courthouse (currently the Main Street Courthouse has four courtrooms) and the courtroom located in the county administrative complex Building C (Building C). Building C currently has two courtrooms. The proposed project site is undeveloped land adjacent to the El Dorado County Jail located off Forni Road in the City of Placerville (see **Figure 2-1** and **Figure 2-2**). The proposed project would include a number of actions, as outlined below (see **Figure 2-3**).

- The County of El Dorado would exchange approximately 5 acres of property on APN 325-300-032 for approximately 5 acres of property on APN 325-300-002 by exercising an option to purchase a portion of APN 325-300-002;
- The Judicial Council would acquire approximately 8 acres of undeveloped land adjacent to the El Dorado County Jail from the County of El Dorado. The property is currently made up of two parcels, APNs 325-300-002 and 325-300-100;
- The Judicial Council would construct an 88,000 square foot courthouse with six courtrooms, three stories, and a basement;
- The construction of on-site improvements; and
- Off-site improvements would include an extension of Ray Lawyer Drive from the new off-ramp interchange (scheduled to be completed in 2016/2017) to the courthouse driveway, and an extension of the on-site sewer and water lines.

Since the Judicial Council is the lead agency for the proposed project, and is acting for the State of California, local government land use planning and zoning regulations do not apply to the proposed courthouse project. However, for informational purposes, the current zoning designation for the existing El Dorado County Jail site as well as the proposed project site is PF (Public Facilities). According to the City of Placerville Zoning Code (§10-5-20(A)), the PF zone is intended to provide for those uses and activities customarily conducted by government agencies and philanthropic nonprofit organizations. Under §10-5-20(B) of the Placerville Zoning Code, governmental buildings and facilities designed for public use and accommodation and their accessory uses are permitted outright in the PF zone.



SOURCE: DeLorme Street Atlas USA, 2000; ESA, 2012

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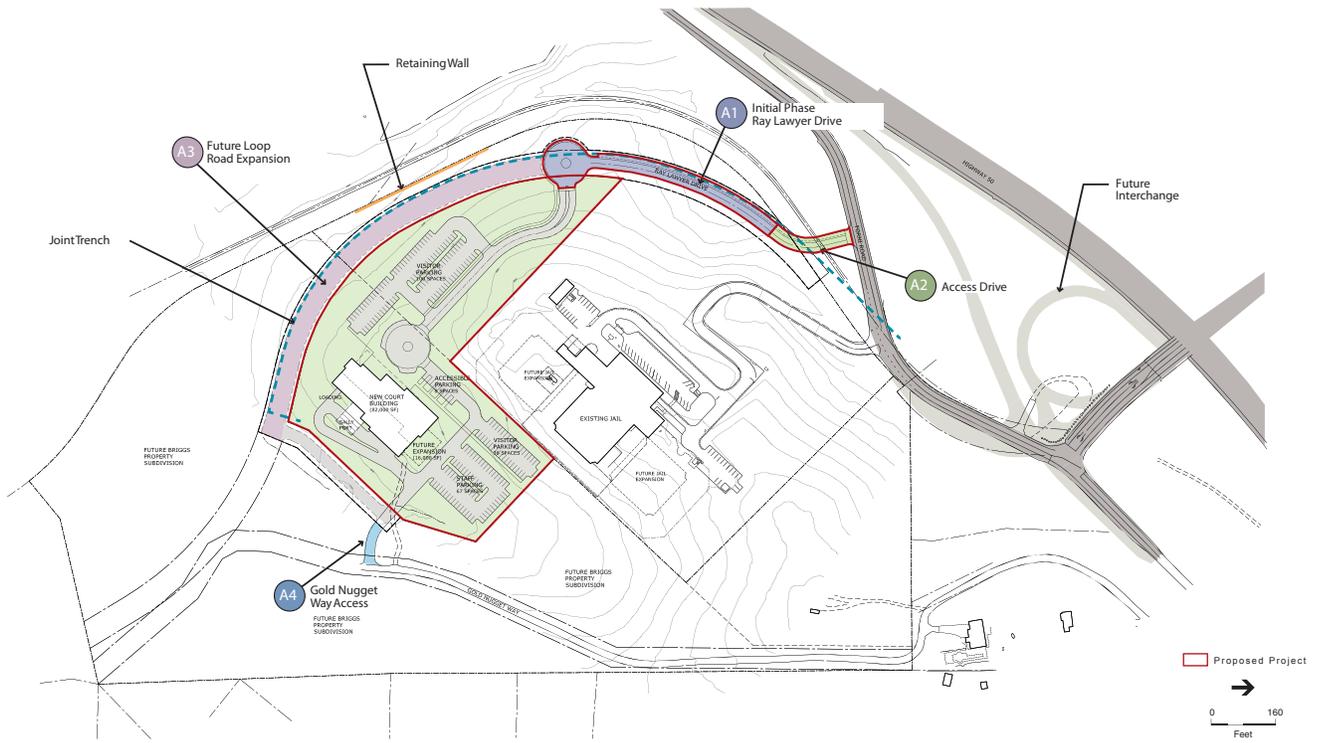
Figure 2-1
Regional Location



SOURCE: Bing Maps, 2009; and ESA, 2012

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Figure 2-2
Project Site



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2.2.1 Surrounding Land Uses and Setting

The City of Placerville is located in El Dorado County, on the western slope of the Sierra Nevada Mountains at the intersection of U.S. Highway 50 (U.S. 50) and State Route 49 (SR 49). The City of Placerville is approximately 44 miles east of Sacramento and 59 miles west of the City of South Lake Tahoe.

The terrain around the project site is variable, ranging from graded areas to accommodate development to rolling hills and winding local roadways. The one-story El Dorado County Jail and associated parking areas are immediately to the north of the project site. Forni Road and U.S. 50 lie to the north and northwest of the project site. Several El Dorado County offices are located north of the project site beyond U.S. 50. The El Dorado Trail and commercial uses including a car dealership, a lumber supply yard, auto repair businesses, El Dorado County offices, and federal offices are to the west of the project site. Undeveloped lands and scattered rural residences are to the south and east of the project site.

2.2.2 Project Design Principles and Objectives

CEQA Guidelines Section 15124(b) requires that the project description contain a clearly written statement of objectives, including the underlying purpose of the project. The statement of project objectives is an important determinant for the lead agency when it develops a reasonable range of alternatives to evaluate in the EIR.

The following are the Judicial Council's stated objectives for the proposed project:

- Develop a new courthouse facility to improve safety and security by increasing secure movement within the building and to provide sufficient capacity to the public, litigants, jurors, and families who are served by California's courts;
- Improve access to justice by providing consolidated facilities to meet the Superior Court's demands, locate court services proximate to each other, and provide improved accessibility to the public including complying with the Americans with Disability Act (ADA) requirements;
- Locate a new courthouse within proximity to existing El Dorado County government functions;
- Create a modern, secure courthouse for centralized proceedings for El Dorado County, and for the provision of basic services currently not adequately provided including appropriately-sized jury assembly and deliberation rooms, adequately-sized in-custody holding, attorney interview/witness waiting rooms, and security screening for all Superior Court users;
- Locate a courthouse facility adjacent to the El Dorado County Jail to allow for the secure and efficient transfer of in-custody detainees between the facilities;
- Provide for additional and efficient parking for courthouse users; and
- Create operational efficiencies and on-going savings through the consolidation of Superior Court services.

The Judicial Council's proposed courthouse design would be required to conform to the principles of the *California Trial Court Facilities Standards* (Judicial Council of California, 2006 and amended in 2011). These principles include:

- Court buildings shall represent the dignity of the law, the importance of the activities within the courthouse, and the stability of the judicial system;
- Court buildings shall represent an individual expression that is responsive to local context, geography, climate, culture, and history and shall improve and enrich the sites and communities in which they are located;
- Court buildings shall represent the best in architectural planning, design, and contemporary thought, and shall have requisite and adequate spaces that are planned and designed to be adaptable to changes in judicial practice;
- Court buildings shall be economical to build, operate, and maintain;
- Court buildings shall provide a healthy, safe, and accessible environment for all occupants; and
- Court buildings shall be designed and constructed using proven best practices and technology with careful use of natural resources.

The Judicial Council would also apply the following codes and standards to the proposed project:

1. California Building Code (edition in effect as of the commencement of the schematic design phase of the proposed project);
2. California Code of Regulations (CCR) Title 24;
3. California Energy Code;
4. Americans with Disabilities Act and American Disability Act Accessibility Guidelines (Section 11); and
5. Division of the State Architect's Access Checklist.

The proposed project would implement sustainable elements throughout its design, operation, and maintenance. Pursuant to the *California Trial Court Facilities Standards*, all courthouse projects are required to be designed for sustainability and, at a minimum, to the standards of a Leadership in Energy and Environmental Design (LEED) certified rating. The proposed project would be designed to the specifications of a LEED Silver rating.

The Judicial Council would implement the proposed project in compliance with standard conditions and requirements for state and/or federal regulations or laws that are independent of CEQA compliance. The standard conditions and requirements serve to prevent specific resource impacts. Typical standard conditions and requirements include the following:

1. National Pollutant Discharge Elimination System (NPDES);
2. Public Resources Code Section 5097 for the discovery of unexpectedly encountered human remains; and
3. El Dorado County Air Quality Management District rules.

The proposed project, using the *California Trial Court Facilities Standards*, would incorporate specific design elements into the construction and operation of the proposed project. For example, the parties constructing and/or operating the proposed project would use best management practices (BMPs) and technologies aimed at conserving natural resources and limiting operating costs over the life of the building. Because the Judicial Council would incorporate these design features into the proposed project, the design features do not constitute mitigation measures as defined under CEQA.

2.3 Required Approvals

Since the Judicial Council is the lead agency for the proposed project, and is acting for the State of California, local government land use planning and zoning regulations do not apply to the proposed project. However, the Judicial Council considers county and/or city policies and guidelines, as appropriate, in order to ensure the proposed project would be consistent with the site's character and surroundings.

The Judicial Council is responsible for certifying the CEQA document and approving the proposed project. The State of California Public Works Board must also approve acquisition of the site for the proposed project.

The proposed project would disturb an area greater than one acre. Therefore, a National Pollutant Discharge Elimination System (NPDES) Permit from the Regional Water Quality Control Board and preparation of a Storm Water Pollution Prevention Plan (SWPPP) will be required.

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CHAPTER 3

Environmental Analysis

3.0 Introduction to Environmental Analysis

The following sections of this Draft EIR provide a discussion of the environmental and regulatory setting, potential environmental impacts, and potentially feasible mitigation measures for the proposed project. In cases where no mitigation is feasible, this fact is noted.

3.0.1 Scope of the EIR

Per Public Resources Code Section 21002.1, to provide more meaningful public disclosure, reduce the time and cost required to prepare an environmental impact report, and focus on potentially significant effects on the environment of a proposed project, lead agencies are encouraged to focus the discussion in the environmental impact report on those potential effects on the environment of a proposed project which the lead agency has determined are or may be significant.

Based on early consultation and analysis provided in the Initial Study (IS, SCH #2012042051, dated April 2012) originally prepared for the proposed project, the following environmental issues were determined to result in “no impact” or a “less than significant” impact conclusion with the incorporation of State and Judicial Council regulations designed to address standard construction-related impacts. The rationale for limiting the analysis of these issues is discussed below. **Appendix A** of this Draft EIR includes the IS prepared for the proposed project.

Agriculture, Forest Resources, and Land Use

Agricultural and forest resources were analyzed on pages 3-4 through 3-5 of the IS. The IS identified that the proposed project would have no impact on agricultural and forestry resources because the proposed project site is not zoned for any agricultural or forestry use. Additionally, no part of the proposed project site or the surrounding area is used for agriculture or forestry operations. Finally, the proposed project site is not designated as Important Farmland, nor is any parcel under a Williamson Act contract. Because the proposed project would not have a significant impact on agricultural and forest resources, this issue is not discussed further in this EIR.

Land use impacts were analyzed on page 3-21 of the IS. The IS identified that the proposed project would have no impact related to land use because the proposed project would not divide an existing community, conflict with zoning or land use plan designations, or conflict with any

adopted habitat conservation plan. The project site will be owned by the Judicial Council, which, as a state agency, is not subject to local land use plans or regulations. For informational purposes, it is noted that the site is zoned by the City of Placerville for public facilities (PF) and if the project were subject to local zoning, the use of the property for a courthouse would be consistent with the PF zone. Because the proposed project would not result in significant impacts related to land use, this topic is not discussed further in this EIR.

Geology, Soils, Seismicity, and Mineral Resources

Impacts related to geology, soils, and seismicity were analyzed on pages 3-11 through 3-13 of the IS. The IS identified that the proposed project would have no impact related to geology, soils, and seismicity because the proposed project site is not within a delineated Alquist-Priolo Earthquake Fault Zone, has a low to moderate possibility of liquefaction, and does not contain expansive soil conditions. Further, the proposed project would minimize bare soil subject to erosion, and would not require the use of any septic system or alternative wastewater system. Because the proposed project would not have a significant impact related to geology, soils, and seismicity, this issue is not discussed further in this EIR.

Mineral resources were analyzed on page 3-22 of the IS. The IS identified that the proposed project would have no impact related to mineral resources because the proposed project site does not contain significant mining resources, has not been subject to mining operations, and is not within a mineral resources zone. Because the proposed project would not result in significant impacts on mineral resources, this topic is not discussed further in this EIR.

Hazards and Hazardous Materials

Hazards and hazardous materials impacts were analyzed on pages 3-15 through 3-17 of the IS. The IS identified that the proposed project would have no impacts related to hazards and hazardous materials because all construction and operations would comply with federal, state, and local requirements regarding the transportation, handling, use, and disposal of hazardous materials. Because the proposed project would not result in significant impacts related to hazards and hazardous materials, this topic is not discussed further in this EIR.

Population and Housing

Population and housing impacts were analyzed on page 3-24 of the IS. The IS identified that the proposed project would have no impact related to population and housing because the proposed project would not include construction of new housing or displacement of existing housing. Because the proposed project would not result in significant impacts on population and housing, this topic is not discussed further in this EIR.

Public Services and Recreation

Public services impacts were analyzed on pages 3-25 through 3-26 of the IS. The IS identified that the proposed project would have less-than-significant or no impact on public services

because development impact fees would be paid related to specific project impacts, which would ensure adequate fire and police protection facilities. Additionally, the proposed project would not create any substantial demand on schools, parks, or other public facilities because the proposed project would not generate residential populations, which would be the primary users of these public services. Because the proposed project would not result in significant impacts related to public services, this topic is not discussed further in this EIR.

Recreation impacts were analyzed on page 3-27 of the IS. The IS identified that the proposed project would result in no impacts regarding recreation because the proposed project would not generate any additional residential population. Because no additional residential population would be added, there would be no substantial demand for or use of local recreational resources. Because the proposed project would have no impact related to recreation, this topic is not discussed further in this EIR. Any impacts to the El Dorado Trail are discussed in the Aesthetics and Transportation and Circulation sections.

Utilities and Service Systems

Utilities and service systems impacts were analyzed on pages 3-30 through 3-31 of the IS. The IS identified that the proposed project would have less-than-significant or no impact related to utilities and service systems. The proposed project would consolidate courtrooms, court services and employees that are currently spread between two locations in the City of Placerville. Although a new courthouse would not increase the number of courtrooms or employees that currently exist in the two locations, the amount of square footage to house the existing services would increase. However, the increase in demand for water, wastewater and solid waste systems as a result of the small increase in building square footage would not be enough to cause any effects on local systems. Because the proposed project would not result in significant impacts related to utilities and services systems, this topic is not discussed further in this EIR.

3.0.2 Environmental Topics Addressed in this EIR

The following environmental topics are addressed in this EIR:

- Aesthetics (Section 3.1);
- Air Quality (Section 3.2);
- Climate Change and Energy (Section 3.3);
- Biological Resources (Section 3.4);
- Cultural Resources (Section 3.5);
- Hydrology and Water Quality (Section 3.6);
- Noise and Vibration (Section 3.7); and
- Transportation and Circulation (Section 3.8).

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3.1 Aesthetics

3.1.1 Introduction

This section addresses potential effects related to the aesthetics, or visual quality of the proposed project site and surrounding region.

Summary of NOP Comments

Two NOP comment letters (see Appendix B) were received that expressed some concern regarding the El Dorado Trail’s status as a scenic resource and views from the proposed project site to adjacent areas. While the existing courthouse location in downtown Placerville is readily visible from surrounding areas, one comment expresses concern that the proposed courthouse would not be visible from surrounding areas, instead hidden from sight by its hilltop location. The visual character of the proposed project site and the surrounding area are discussed in this section.

Summary of Impact Conclusions

A summary of the aesthetic impacts described in this section are identified below in **Table 3.1-1**.

**TABLE 3.1-1
SUMMARY OF AESTHETIC IMPACTS**

Impact Number	Impact Topic	Impact Conclusion	Impact After Mitigation
Impact 3.1-1	Visual Character or Quality	Potentially Significant	Less than Significant
Impact 3.1-2	State Scenic Highway	Less than Significant	None Required
Impact 3.1-3	Light and Glare	Potentially Significant	Less than Significant
Impact 3.1-4	Cumulative Visual Character or Quality	Potentially Significant	Less than Significant
Impact 3.1-5	Cumulative State Scenic Highway	Potentially Significant	Less than Significant
Impact 3.1-6	Cumulative Light and Glare	Potentially Significant	Less than Significant

3.1.2 Environmental Setting

Visual Character of the Region

The City of Placerville is located in El Dorado County, on the western slope of the Sierra Nevada Mountains at the intersection of U.S. Highway 50 (U.S. 50) and State Route 49 (SR 49). El Dorado County is located in east-central California and encompasses 1,805 square miles of rolling hills and mountainous terrain. El Dorado County’s western boundary contains part of Folsom Lake, and the eastern boundary is also the California-Nevada State line. El Dorado County is topographically divided into two zones. The northeast corner of El Dorado County is in the Lake Tahoe basin, while the remainder of El Dorado County is in the “western slope,” the area west of Echo Summit. South Lake Tahoe is the largest city in El Dorado County and Placerville is the County Seat.

Project Location

As noted above, the proposed project site is located in the City of Placerville, an incorporated city in El Dorado County, California (see **Figure 2-2**). The City of Placerville is approximately 44 miles east of Sacramento and 59 miles west of the city of South Lake Tahoe. The proposed project site is generally bound by Forni Road and U.S. 50 to the north and northwest. The existing El Dorado County Jail lies to the northeast while open space, Gold Nugget Way and scattered rural residences are to the east and southeast.

Surrounding Land Uses

The following land uses surround the proposed project site:

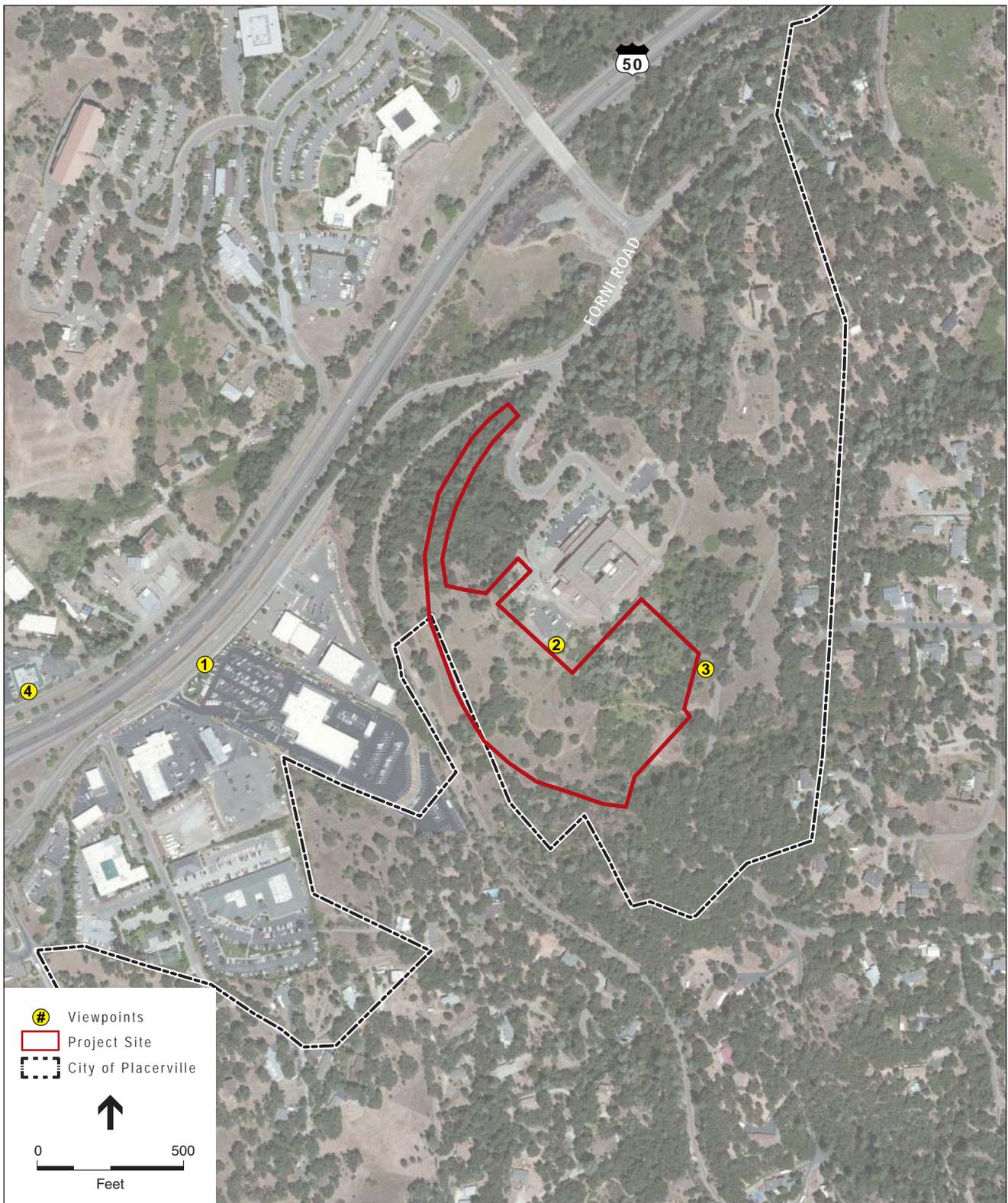
- **North:** The existing El Dorado County Jail, Forni Road, the El Dorado Trail, some open space, scattered rural residences, and U.S. 50.
- **South:** El Dorado Trail, open space, and scattered rural residences.
- **East:** Open space, Gold Nugget Way, and scattered rural residences.
- **West:** El Dorado Trail, commercial land uses including Diamond Pacific Lumber and Thompson's Toyota, Forni Road, and U.S. 50.

Sensitive Viewers and View Points

In order to evaluate visual impacts, sensitive viewer groups and key view points are identified to help determine the most critical locations from which the proposed project would be seen. Sensitive viewers often include motorists traveling along significant travel routes, viewers along vista points/recreation areas, and residential uses. Employees or workers travelling to work are often not considered to be sensitive viewers. Sensitive viewers in the vicinity of the proposed project site would include recreation/trail users along the El Dorado Trail and residents in the rural residential neighborhoods to the east and south of the proposed project site. However, residential views of the proposed project site are limited due to heavy vegetation and topography.

Viewpoints are often located in an effort to evaluate impacts on visual resources with various levels of sensitivity, in different landscape types and terrain, and from various vantage points. Critical viewpoints are defined as being those sensitive public views that would be most affected by the proposed project (e.g., the greatest intensity of impact due to viewer proximity to the project and project visibility, duration of the affected view, etc.). Viewpoints are identified in **Figure 3.1-1**, with views provided in **Figures 3.1-2a** and **3.1-2b**.

The most direct views of the proposed project site are from recreation users along the El Dorado Trail and visitors/workers at the existing El Dorado County Jail adjacent to the proposed project site, where they will have direct views of the site due to limited vegetation and the lack of existing landscaping (see **Figure 3.1-2a**, Photograph 2 and **Figure 3.1-2b**, Photograph 3). As previously described, visitor/worker views are not considered as sensitive as recreational users.



SOURCE: Bing Maps, 2009; ESA, 2012

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Figure 3.1-1
Viewpoints



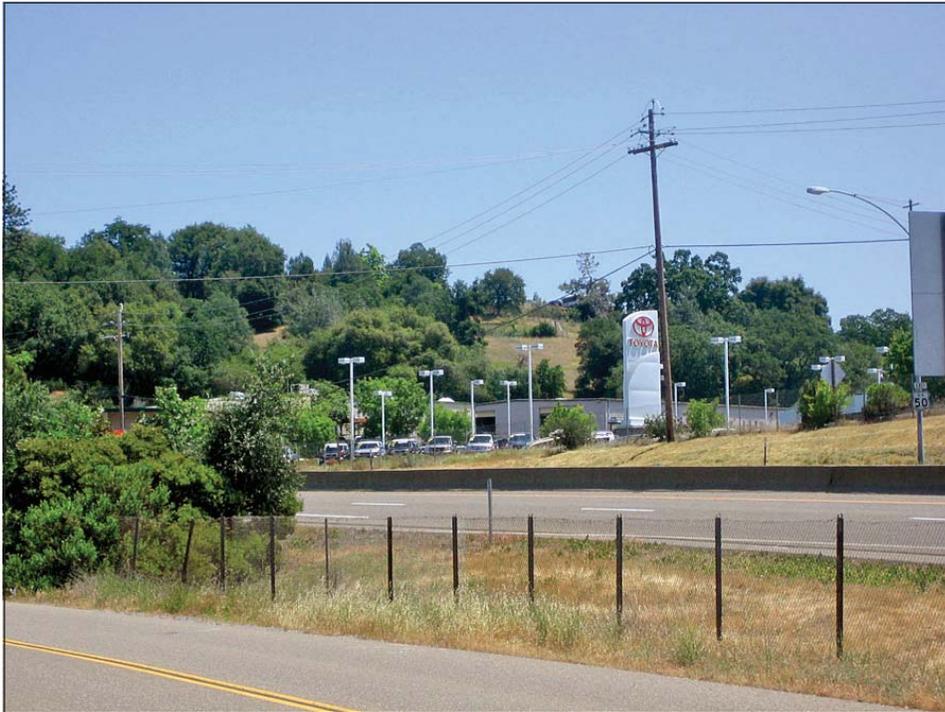
PHOTOGRAPH 1. View of the project site from Forni Road.



PHOTOGRAPH 2. View of the project site from the El Dorado County Jail Facility.



PHOTOGRAPH 3. View of the project site from Gold Nugget Way.



PHOTOGRAPH 4. View of the project site from across Highway 50.

Due to topography and existing native vegetation surrounding the proposed project site (see **Figure 3.1-1**), residential views from the north/south/east are very limited. Views of the proposed project site from the rural residences on the other side of Gold Nugget Way approximately 700 feet east of the proposed project site are diminished by their distance from the proposed project site and are largely obstructed by existing vegetation. Typical motorist views along local roadways and U.S. 50 are shown in Photograph 1 (**Figure 3.1-2a**) and Photograph 4 (**Figure 3.1-2b**). Eastbound motorists along U.S. 50 and Forni Road have direct views of commercial development in the foreground with limited views of the proposed project site in the background. Native vegetation and commercial development along U.S. 50 screen views of the proposed project site for westbound motorists along U.S. 50. Eastbound motorists travelling along roadways parallel to U.S. 50 have similar views of the proposed project site (see Photograph 4, **Figure 3.1-2b**).

Scenic Roadways

A review of the current California Department of Transportation (Caltrans) Map of Designated State Scenic Highways indicated that there are two officially designated state scenic highways in El Dorado County. U.S. 50 from the east limit of the Government Center (Ray Lawyer Drive) Interchange in Placerville to the South Lake Tahoe city limit, and State Route 89 (SR 89) from Alpine County line to Placer County line are designated state scenic highways. The project site is along this stretch of scenic highway, south of U.S. 50. However, the project site is not visible from U.S. 50 due to heavy vegetation and the topography differences between U.S. 50 and the hilltop location of the project site.

Scenic Vista

The visual context of the area surrounding the proposed project site consists of the existing El Dorado County Jail facility, parking areas, and existing vegetation. Various commercial uses (lumber yard and automobile sales) as well as U.S. 50, Forni Road, and Gold Nugget Way are located adjacent to the proposed project site. There are no officially designated scenic vistas within the vicinity of the proposed project site.

Light and Glare

Existing sources of light and glare in the proposed project area are from outdoor lighting associated with the El Dorado County Jail and from outdoor lights illuminating the existing businesses in the immediate area. Motorists traveling along U.S. 50, Forni Road, and Gold Nugget Way will also contribute to nighttime sources of light and glare in the proposed project area.

3.1.3 Regulatory Setting

State Regulations

California Scenic Highway Program

California's Scenic Highway Program was created by the California Legislature in 1963 to preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Section 260 et seq. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been so designated. These highways are identified in Section 263 of the Streets and Highways Code.

A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. When a city or county nominates an eligible scenic highway for official designation, it must identify and define the scenic corridor of the highway. A scenic corridor is the land generally adjacent to and visible from the highway. A scenic corridor is identified using a motorist's line of vision. A reasonable boundary is selected when the view extends to the distant horizon. The corridor protection program does not preclude development, but seeks to encourage quality development that does not degrade the scenic value of the corridor. Jurisdictional boundaries of the nominating agency are also considered. The agency must also adopt ordinances to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes. These ordinances make up the scenic corridor protection program. County roads can also become part of the Scenic Highway System. To receive official designation, the county must follow the same process required for official designation of state scenic highways.

As described above, according to the Caltrans list of designated scenic highways under the California Scenic Highway Program, U.S. 50 from the east limit of the Government Center interchange in Placerville to the South Lake Tahoe city limit and SR 89 from the Alpine County line to the Placer County line are designated state scenic highways. The proposed project site is not in the vicinity of SR 89. However, the proposed project site is located in close proximity to U.S. 50. Impacts to this designated state scenic highway (SR 89) are not discussed further in this EIR;

California Trial Court Facilities Standards

The Judicial Council of California, in accordance with rule 6.183 of the California Rules of Court, applies the *California Trial Court Facilities Standards* for design and construction of court facilities. The Standards are utilized with professional care as defined in the Agreement for Services between the Judicial Council and consultants retained for specific projects, and are used in conjunction with applicable code and project requirements as the basis of design for new court facilities in California. For capital projects, the Judicial Council and the local court establish an advisory group in accordance with California Rules of Court, rule 6.183(d); the advisory group assists the Judicial Council with implementing the facilities standards for that specific building.

The Standards include many design principles and objectives. The most applicable design principles for the aesthetics analysis are listed below:

- Use site design to engage and reinforce the architectural design principles.
- Community and regional context: Local community groups' point of view must be considered in the design process. The siting of the court facility should take into consideration and ideally improve the existing context by complying with local restrictions and planning mandates, such as compatibility with neighboring land use and view corridors.
- Natural surveillance: The placement of physical features, activities, and people in such a way as to maximize visibility, thus preventing the opportunity of crime (e.g., proper placement of windows overlooking sidewalks and parking lots, using transparent vestibules at building entrances to divert persons to reception areas, etc.). This strategy can be supplemented with the use of security and police patrols and the application of closed-circuit television.
- Natural and constructed access control: Natural access control focuses on limiting and providing guided access through use of properly located entrances, exits, fencing, landscaping, sidewalks and roadways, signage, and lighting. This guidance helps deter access to a crime target and creates a perception of risk to a perpetrator.
- Territoriality: The use of physical attributes that express ownership such as fencing, pavement treatments, signage, and landscaping promotes a perception that these areas are controlled. In an area that is physically designed to protect designated space, people are more likely to challenge intruders or report suspicious activity, and the design itself causes intruders to stand out.
- Consider airflow and microclimate when siting buildings; in hot climates, maintain airflow around buildings to reduce interior temperatures. Avoid creating enclosed areas, which can block airflow. Maximize solar orientation for outdoor seating and to cool the buildings.
- Building shape, size, and scale contribute to a facility's architectural and visual character. To convey human scale, and not overwhelm court users, massing and scale of all new construction shall be considered during planning and design. The following shall apply:
 - Building height and coverage may respect local zoning regulations, although such regulations do not strictly apply to state buildings.
 - Detail architectural elements of large buildings to maintain a sense of scale and sensitivity to the neighborhood context. Consider the visual and environmental effects that new and existing structures will have on the neighborhood, and on existing buildings located in the sphere of influence caused by shading or reflectance, changes in airflow, and views to and from existing buildings.
- Access to and from the courthouse must be safe, convenient, and consistent with universal design principles. If access involves crossing of streets, provide traffic control measures. On extremely busy streets, engage local government in discussion of potential for signalized pedestrian crossing to the courthouse from the parking area.

Local Regulations

As a state agency, the Judicial Council is not subject to local land use plans and regulations. Nevertheless, the following describes relevant policies from the City of Placerville General Plan are provided for informational purposes.

City of Placerville General Plan Policy Document

The following goals and policies from the City of Placerville General Plan relate to the proposed project:

Natural, Cultural, and Scenic Resources Element

Goal I: To protect and enhance Placerville's community character and scenic resources.

Policies:

1. Those positive aspects and attributes of the city which are controllable, and which contribute to the quality of life of the city and its environment, shall be preserved and perpetuated. Placerville's positive aspects and attributes are its rural country atmosphere, historical heritage, small town atmosphere, compatible neighborhoods and development, and lack of congestion.
2. The City shall, to the maximum extent possible, minimize the visual impact of development on the most visible hillsides and the primary and secondary ridgelines as shown on Figure IX-1 in the Background Report.
3. The City shall, to the maximum extent possible, prevent the scarring of hillsides and ridgetops by excessive grading. To this end, grading elevations shall be required in conjunction with site development plans.
4. The City shall condition development approvals to protect natural features such as rock outcrops and trees.
5. The City shall preserve creeks in as natural a state as possible.
6. The City shall promote the development of streamside mini-parks.
7. The City shall protect the visual character of scenic street and highway corridors.
8. The City shall promote citizen involvement in city beautification programs.

Community Design Element

Goal A: To preserve and enhance the overall visual attributes of Placerville.

Policies:

1. The City shall protect and manage Placerville's tree cover for ecological, aesthetic, and economic reasons.
2. The City shall encourage creative site planning for developments in hillside and environmentally sensitive areas to preserve the ridgelines and minimize the need for substantial grading and vegetation removal.

3. The City shall encourage the reclamation of scarred hillsides.
4. The City shall make every effort to protect riparian vegetation. To this end, buildings and improvements will be set back from watercourses.
5. To retain the natural landscape character of Placerville, introduced plants in public and private landscaping should be subordinate to and compatible with existing natural vegetation. The use of native and drought-resistant plants will be encouraged.
6. The City shall maintain and/or enhance the visual character of scenic street and highway corridors.
7. The City shall promote citizen involvement in city beautification.
8. The City shall develop design concepts and implementation plans for enhancing visual image at city entrances.

Goal D: To upgrade the visual qualities and functional efficiency of Placerville's local streets.

Policies:

1. Future road development shall be planned to conform to the topography and to take advantage of views and vistas. The City shall ensure that new street projects are designed to minimize impact on terrain and natural vegetation.
2. The City shall attempt to preserve existing trees within street rights-of-way and encourage preservation of all mature trees on private property where visible from the street and where feasible.
3. The City shall promote the installation and maintenance of landscaping in public and private areas appropriate to street type, surrounding architecture, general character of the district, and street beautification programs.
4. The City shall use the city street system as the unifying framework of the community through the use of distinctive street design and landscape treatment.
5. The City shall require landscaping in any street design that adversely impacts the visual character of a neighborhood.

Goal E: To upgrade the visual quality of the Highway 50 corridor and to better integrate the highway into the Placerville's overall community design framework.

Policies:

1. The City shall encourage Caltrans to continue programs to landscape the Highway 50 right-of-way and interchanges.
2. The City shall encourage Caltrans to more clearly identify intersections through proper signage and symbols.
3. The City shall endeavor to maintain natural land features and vegetation along Highway 50 by promoting high quality construction within the adjacent Highway 50 corridor.
4. The City shall promote the enhancement and visual distinctiveness of Highway 50 entrances to Placerville on the west and east.

Goal I: To promote architectural quality throughout Placerville.

Policies:

1. The City shall ensure that new development will be a positive addition to the City's environment and not detract from the nature and character of appropriate nearby established development because of architectural style, scale, or location.
2. The City shall encourage all new development to respect distinctive landforms and significant plants and plant groups in its design.
3. The City shall encourage the restoration and reuse of older structures which contribute to Placerville's character and sense of historical and cultural identity.
4. The City shall condition development projects to minimize grading due to building and foundation construction.

Goal J: To promote development of aesthetic and functional signage and reduce visual clutter.

Policies:

1. The City shall only allow new signs that are appropriate in design and scale, while making adequate provisions for business identification.

3.1.4 Impacts and Mitigation Measures

Methodology

The general approach for assessing visual change is based on the Federal Highway Administration (FHWA) method of visual resource analysis (which is also used by Caltrans for state highway projects). This method follows three basic steps: (1) defining the existing environment in terms of visual character and quality as well as viewer sensitivity and exposure; (2) assessing the degree of resource change and viewer response; and (3) determining the significance of the visual impact. This approach is consistent with criteria from the State CEQA Guidelines Appendix G listed below. Reviews of the proposed site plan for the project, and a subsequent field survey on May 29, 2012 and in October 2014, were conducted in order to analyze the existing visual characteristics of the proposed project area.

Significance Criteria

The significance criteria for this analysis were adapted from criteria presented in Appendix G of the State CEQA Guidelines. The proposed project would result in a significant impact if it would:

- Have a substantial adverse effect on a scenic vista;
- Substantially degrade the existing visual character or quality of the site and its surroundings;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or

- Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area.

During preparation of the initial study for the proposed project, it was determined that there are no scenic vistas within the vicinity of the proposed project site and no impacts would occur as a result of implementation of the proposed project. Consequently, impacts to scenic vistas are not analyzed further in this EIR.

Impact Analysis

Impact 3.1-1: Implementation of the proposed project would change the existing visual character or quality of the site and its surroundings (*Less than Significant with Mitigation Incorporated*).

As previously described, the proposed project site is located on currently undeveloped land designated for public facilities use adjacent to the existing El Dorado County Jail. Due to the site's topography and existing vegetation (trees), the proposed project site is not readily visible by adjacent residential land uses to the south and east. However, recreational users of the El Dorado Trail would be expected to have limited views of the proposed project and would experience the greatest change in the visual quality of the proposed project site including slope/topography changes and the removal of existing native vegetation on site. Consequently, implementation of the proposed project would result in a permanent change in local visual conditions, in particular those views experienced by more sensitive viewer groups such as recreationists. The courthouse would be visible from the El Dorado Trail; however, the proposed project would not completely eliminate mature landscaping between the trail and the proposed courthouse, resulting in a partially obstructed view of the courthouse. The courthouse would be located downslope of the existing El Dorado County Jail, but would not be adjacent to the El Dorado Trail. While existing commercial development along Forni Road and U.S. 50 (to the west of the proposed project site) and the adjacent jail facility influence the existing visual character of the proposed project site, the proposed project would represent a potentially significant change to the existing visual character of the proposed project site and surrounding location. Consequently, this impact is considered *potentially significant*.

Mitigation Measures

Mitigation Measure 3.1-1: Implement Outdoor Landscaping Plan. The Judicial Council shall ensure that the final design and construction phases of the proposed project include an outdoor landscaping plan. The objectives of the landscaping plan will be to replace existing vegetation to be removed and provide a visual buffer of project facilities from public view points, specifically from the El Dorado Trail. Such visual buffers may include trees or hedges. Site preparation shall minimize topography changes and replacement vegetation shall consist of native plant species.

Significance after Mitigation: By minimizing topography changes and implementing an outdoor landscaping plan comprised of native vegetation replacement, visual impacts from changes on the proposed project site would be minimized. With the implementation of

Mitigation Measure 3.1-1 listed above, this impact would be reduced to a *less-than-significant* level.

Impact 3.1-2: Implementation of the proposed project could substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway (*Less than Significant*).

As previously described above, the segment of U.S. 50 from the east limit of the Government Center interchange in Placerville to the South Lake Tahoe city limit is a designated scenic highway. Although the proposed project site is located just south of U.S. 50, the proposed project site is not visible to motorists traveling to this portion of the designated scenic roadway due to the site's topography and existing vegetation surrounding the proposed project site. In addition, the proposed project site is surrounded by developed uses, including the existing El Dorado County Jail, Diamond Pacific Lumber, and Thompson's Toyota, which detracts from the visual quality of the open space uses surrounding the proposed project site. Developed urban uses along Forni Road and U.S. 50 greatly influence the existing visual character of the proposed project site and eastbound motorist views along U.S. 50. While the proposed project represents a potentially significant change to the existing visual character of the proposed project site and surrounding location, development of the project site would not affect scenic resources visible from a scenic highway. Therefore, this impact would be *less than significant*.

Mitigation: None required.

Impact 3.1-3: Implementation of the proposed project could create a new source of substantial light or glare which could adversely affect daytime or nighttime views in the proposed project area (*Less than Significant with Mitigation Incorporated*).

The proposed project site is located within an open space area that is bordered by a variety of urban uses where lighting currently exists and is characteristic of typical nighttime views where development exists in the vicinity of the site. Automobile traffic on Forni Road, Gold Nugget Way and U.S. 50, as well as existing public, commercial, and residential land uses in the area, contributes to existing urbanized nighttime light sources and daytime glare in the vicinity of the proposed project site. Implementation of the proposed project will create new sources of light and glare (e.g., parking lot light poles and external lights for safety) on the proposed project site similar to existing development surrounding the site (including the county jail). While each of these possible lighting sources (including parking lot, signage, interior/exterior building lights) are individually minor, the potential for excess or spillover lighting on the site and surrounding uses exists if not properly controlled. Therefore, the proposed project would result in additional sources of light and glare that could adversely affect nighttime views of the proposed project site. This impact is considered *potentially significant*.

Mitigation Measures

Mitigation Measure 3.1-3: Outdoor Lighting Standards. The project shall be designed to ensure that all outdoor light fixtures are located, aimed or shielded so as to minimize stray light trespassing across property boundaries. Fixtures shall be full cut-off and nighttime friendly, consistent with LEED goals and Green Globes criteria for light pollution reduction. The Judicial Council shall also prepare a photometric plan demonstrating that lighting will not spillover onto adjacent properties. Furthermore, the proposed project will adhere to all City of Placerville regulations relating to signage and the shielding of light in order to reduce any potential negative effects from new light sources. These standards shall be included in the mitigation monitoring and reporting program.

Significance after Mitigation: By shielding project-related lighting and directing it away from adjacent properties, the proposed project will not result in light spillover or glare. With the implementation of **Mitigation Measure 3.1-3** listed above, this impact would be reduced to a *less-than-significant* level.

Cumulative Impacts

The geographic context for changes in the visual character of the proposed project vicinity is viewed from the City of Placerville and the western slope of El Dorado County along the U.S. 50 corridor. The area is characterized by a mix of retail/commercial, office, and residential uses generally clustered near U.S. 50 with less dense development moving away from U.S. 50.

On October 26, 2010, the Placerville City Council approved an application for the Ray Lawyer Drive Commercial Subdivision, located south, southeast, and east of the proposed project site with access from Gold Nugget Way and an extension of Ray Lawyer Drive. The Ray Lawyer Drive Commercial Subdivision project would divide the approximately 27 acre lot into seven individual parcels. Construction of structures was not included in the Ray Lawyer Drive Commercial Subdivision project, and future development of the parcels would be subject to City design and site review. The parcels are still vacant, but are zoned for commercial use. There are no pending applications for development of the commercial sites, or any other sites.

Impact 3.1-4: Implementation of the proposed project could contribute to cumulative impacts related to changes in the visual character of the project vicinity (*Less than Significant with Mitigation Incorporated*).

As the proposed project would construct a three-story courthouse building on a currently-vacant parcel, the proposed project would change the visual character of the project vicinity. Viewers from the south looking toward the proposed project site would experience the most change in visual character of the proposed project area. While site-specific plans have not yet been submitted or approved, the future Ray Lawyer Drive Commercial Subdivision would also change the visual character of the area.

While the proposed project site and surrounding parcels are designated for public facilities and commercial uses, respectively, construction of structures in the area would result in a change

from the current visual character of the area. The combined effect of the visual changes resulting from the proposed project and the Ray Lawyer Drive Commercial Subdivision would be a significant impact. Because of the scale of the proposed project, its contribution to the cumulative impact would be considerable. Therefore, development of the proposed project site would result in a *potentially significant cumulative impact*.

Mitigation Measures

Mitigation Measure 3.1-4: The Judicial Council shall implement Mitigation Measure 3.1-1 as fully described in Impact 3.1-1.

Significance after Mitigation: Implementation of **Mitigation Measure 3.1-4** would ensure that the proposed project's contribution to the cumulative impact would be minimized by requiring replacement plantings and buffer areas and would reduce the cumulative impact to a *less-than-significant* level.

Impact 3.1-5: Implementation of the proposed project could contribute to cumulative impacts to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway (*Less than Significant with Mitigation Incorporated*).

As discussed previously, the proposed project site is not visible from the scenic highway portion of U.S. 50. The topography of the proposed project site is such that views of the proposed project site from the scenic highway portion of U.S. 50 would be mostly shielded by the existing El Dorado County Jail and intervening trees. However, because the combination of proposed project site, in addition to potential development of the Ray Lawyer Drive Commercial Subdivision, would potentially change views from the scenic highway portion of U.S. 50, development of the proposed project site would result in a considerable contribution to a cumulative impact that would be *potentially significant*.

Mitigation Measures

Mitigation Measure 3.1-5: The Judicial Council shall implement Mitigation Measure 3.1-1 as fully described in Impact 3.1-1.

Significance after Mitigation: Implementation of **Mitigation Measure 3.1-5** would ensure that the proposed project's contribution to the significant cumulative impact to scenic resources within a state scenic highway would be minimized by requiring replacement plantings and buffer areas and would reduce the cumulative impact to a *less-than-significant* level.

Impact 3.1-6: Implementation of the proposed project, in conjunction with other cumulative development in the City, could create a new source of substantial light or glare which could adversely affect daytime or nighttime views (*Less than Significant with Mitigation Incorporated*).

Existing sources of light and glare in the cumulative area include the El Dorado County Jail, Diamond Pacific, Thompson's Toyota, the California Highway Patrol office (located on Lo Hi Way), and El Dorado County buildings on both sides of U.S. 50. While many of the lighting sources from these developments are shielded or controlled, lights from automobiles are common on U.S. 50, Forni Road, Ray Lawyer Drive, Gold Nugget Way, and other roads in the cumulative area. Because the cumulative context includes open and undeveloped areas, development of the proposed project site would have a considerable contribution to a *potentially significant cumulative impact*.

Mitigation Measures

Mitigation Measure 3.1-6: The Judicial Council shall implement Mitigation Measure 3.1-1 as fully described in Impact 3.1-3.

Significance after Mitigation: Implementation of **Mitigation Measure 3.1-6** would ensure that the proposed project's contribution to the cumulative light spillover and glare impact would be minimized, and reduce the cumulative impact to a *less-than-significant* level.

3.2 Air Quality

3.2.1 Introduction

This section assesses the potential air quality impacts associated with construction and operation of the proposed project and identifies feasible mitigation measures where appropriate. The analysis was developed based on project-specific construction and operational features and data provided by the Judicial Council and traffic information provided by CHS Consulting Group (see Section 3.8, Transportation and Circulation of this Draft EIR). Air quality data was also provided by the El Dorado County Air Quality Management District’s (EDCAQMD) *Guide to Air Quality Assessment: Determining Significance of Air Quality Impacts (Guide) Under the California Environmental Quality Act*, which also provides quantitative emission thresholds (EDCAQMD, 2002).

Summary of NOP Comments

No air quality comments were raised in response to the NOP.

Summary of Impact Conclusions

A summary of the air quality impacts described in this section are identified below in **Table 3.2-1**.

**TABLE 3.2-1
SUMMARY OF AIR QUALITY IMPACTS**

Impact Number	Impact Topic	Impact Conclusion	Impact After Mitigation
Impact 3.2-1	Conflict with or obstruct implementation of the applicable air quality plan.	Less than Significant	None Required
Impact 3.2-2	Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	Potentially Significant	Less than Significant
Impact 3.2-3	Expose the public (especially schools, day care centers, hospitals, retirement homes, convalescent facilities, and residences) to substantial pollutant concentrations.	Less than Significant	None Required
Impact 3.2-4	Create objectionable odors affecting a substantial number of people.	No Impact	None Required
Impact 3.2-5	Result in a cumulatively considerable net increase of any nonattainment pollutant (including releasing emissions that exceed quantitative thresholds for ozone precursors).	Less than Significant	None Required

3.2.2 Environmental Setting

Regional Overview

The proposed project site is located within the southwest corner of the City of Placerville, near the city’s boundary with unincorporated El Dorado County. From an air quality perspective, the proposed project site is located within the Mountain Counties Air Basin (MCAB). The MCAB

includes Plumas, Sierra, Nevada, Placer (middle portion), El Dorado (western portion), Amador, Calaveras, Tuolumne, and Mariposa counties, an area of roughly 11,000 square miles.

Regional Climate

The general climate of the MCAB varies considerably with elevation and proximity to the Sierra Nevada ridge. The terrain features of the MCAB make it possible for various climates to exist relatively close to each other. The pattern of mountains and hills causes a wide variation in rainfall, temperature, and localized winds throughout the MCAB. Temperature variations have an important influence on MCAB wind flow, dispersion along mountain ridges, vertical mixing, and photochemistry. The Sierra Nevada receives large amounts of precipitation from storms moving in from the Pacific in the winter, with lighter amounts from intermittent “Monsoonal” moisture flows from the south and cumulus buildup in the summer. Precipitation levels are high in the highest mountain elevations but decline rapidly toward the western portion of the MCAB. Winter temperatures in the mountains can be below freezing for weeks at a time, and substantial depths of snow can accumulate, but in the western foothills, winter temperatures usually dip below freezing only at night and precipitation is mixed as rain or light snow. In the summer, temperatures in the mountains are mild, with daytime peaks from 70 to low 80 degrees Fahrenheit (°F); however, the western portion of El Dorado County can routinely experience temperatures exceeding 100°F. The proposed project site is located within the upper western portion of El Dorado County.

From an air quality perspective, the topography and meteorology of the MCAB combine such that local conditions predominate in determining the effect of emissions in each area. Regional airflows are affected by the mountains and hills, which direct surface airflows, cause shallow vertical mixing, and create areas of high pollutant concentrations by hindering dispersion. Inversion layers, where warm air overlays cooler air, frequently occur and trap pollutants close to the ground. In the winter, these conditions can lead to CO “hot spots” along heavily traveled roads and at busy intersections.

During summer’s longer daylight hours, stagnant air, high temperatures, and plentiful sunshine provide the conditions and energy for the photochemical reaction between reactive organic gases (ROG) and oxides of nitrogen (NO_x), which results in the formation of ozone (O₃). In the summer, the strong upwind valley air flowing into the MCAB from the Central Valley to the west is an effective transport medium for ozone precursors and ozone generated in the San Francisco Bay Area and the Sacramento and San Joaquin valleys. These transported pollutants predominate as the cause of ozone in the MCAB and are largely responsible for the exceedance of the state and federal standards in the MCAB.

Air Quality Conditions

Criteria Air Pollutants

As required by the Federal Clean Air Act (FCAA) passed in 1970, the U.S. EPA has identified six criteria air pollutants that are pervasive in urban environments and for which state and national health-based ambient air quality standards have been established. The U.S. EPA calls these

pollutants “criteria air pollutants” because the agency has regulated them by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. Ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter, and lead are the six criteria air pollutants. Notably, particulate matter is measured in two size ranges: PM₁₀ for particles less than 10 microns in diameter, and PM_{2.5} for particles less than 2.5 microns in diameter.

The California Air Resources Board (CARB) regional air quality monitoring network provides information on ambient concentrations of criteria air pollutants. CARB operates two ambient air monitoring stations within the MCAB portion of El Dorado County. The nearest monitoring site is in Placerville (Placerville – Gold Nugget Way site), located near the project site. The monitoring site measures ozone and PM₁₀. **Table 3.2-2** presents a five-year summary of air pollutant (concentration) data collected at these monitoring stations for ozone and PM₁₀.

**TABLE 3.2-2
SUMMARY OF AIR QUALITY MONITORING DATA (2009–2013) FROM THE PLACERVILLE/GOLD
NUGGET WAY MONITORING LOCATION**

Pollutant	Applicable Standard	Number of Days Standards Were Exceeded and Maximum Concentrations Measured ^a				
		2009	2010	2011	2012	2013
Ozone						
Days 1-hour State Std. Exceeded	>0.09 ppm ^b	6	3	2	6	1
Max. 1-hour Conc. (ppm)		0.113	0.112	0.103	0.109	0.097
Days 8-hour National Std. Exceeded	>0.075 ppm ^c	20	8	5	20	10
Days 8-hour State Std. Exceeded	>0.07 ppm ^b	32	19	16	50	19
Max. 8-hour Conc. (ppm)		0.094	0.102	0.086	0.096	0.084
Suspended Particulates (PM10)						
Estimated Days Over 24-hour National Std. ^d	>150 µg/m ³ ^c	NA	NA	NA	NA	NA
Estimated Days Over 24-hour State Std. ^d	>50 µg/m ³ ^b	NA	NA	NA	NA	NA
Max. 24-hour Conc. National/State (µg/m ³)		15.7/NA	NA/NA	NA/NA	NA/NA	NA/NA
State Annual Average (µg/m ³)	>20 µg/m ³ ^b	NA	NA	NA	NA	NA

NOTES:

Bold values are in excess of applicable standard. “NA” indicates that data is not available.
conc. = concentration; ppm = parts per million; ppb=parts per billion;
µg/m³ = micrograms per cubic meter
ND = No data or insufficient data.

- a. Number of days exceeded is for all days in a given year, except for particulate matter. PM10 and PM2.5 are monitored every six days.
- b. State standard, not to be exceeded.
- c. National standard, not to be exceeded.
- d. Particulate matter sampling schedule of one out of every six days, for a total of approximately 60 samples per year. Estimated days exceeded mathematically estimates how many days concentrations would have been greater than the level of the standard had each day been monitored.

SOURCE: California Air Resources Board, 2014a.

While the data gathered at these monitoring stations may not necessarily reflect the unique meteorological environment of the project site nor the proximity of site-specific stationary and street sources, they do present the nearest available benchmark and provide the reader with a reference point to what the pollutants of greatest concern are in the region and the degree to which the area is out of attainment with specific air quality standards.

Ozone

Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG, also sometimes referred to as volatile organic compounds or VOC by some regulating agencies) and NO_x . The main sources of ROG and NO_x , often referred to as ozone precursors, are combustion processes (including motor vehicle engines) and the evaporation of solvents, paints, and fuels. Ozone is referred to as a regional air pollutant because its precursors are transported and diffused by wind concurrently with ozone production through the photochemical reaction process. Ozone causes eye irritation, airway constriction, and shortness of breath and can aggravate existing respiratory diseases such as asthma, bronchitis, and emphysema.

Carbon Monoxide

CO is an odorless, colorless gas usually formed as the result of the incomplete combustion of fuels. The single largest source of CO is motor vehicle engines; the highest emissions occur during low travel speeds, stop-and-go driving, cold starts, and hard acceleration. Exposure to high concentrations of CO reduces the oxygen-carrying capacity of the blood and can cause headaches, nausea, dizziness, and fatigue, impair central nervous system function, and induce angina (chest pain) in persons with serious heart disease. Very high levels of CO can be fatal.

Particulate Matter (PM₁₀ and PM_{2.5})

PM₁₀ and PM_{2.5} consist of particulate matter that is 10 microns or less in diameter and 2.5 microns or less in diameter, respectively (a micron is one-millionth of a meter). PM₁₀ and PM_{2.5} represent fractions of particulate matter that can be inhaled into the air passages and the lungs and can cause adverse health effects. Some sources of particulate matter, such as wood burning in fireplaces, demolition, and construction activities, are more local in nature, while others, such as vehicular traffic, have a more regional effect. Very small particles of certain substances (e.g., sulfates and nitrates) can cause lung damage directly, or can contain adsorbed gases (e.g., chlorides or ammonium) that may be injurious to health. Particulates also can damage materials and reduce visibility.

Large dust particles (diameter greater than 10 microns) settle out rapidly and are easily filtered by human breathing passages. This large dust is of more concern as a soiling nuisance rather than a health hazard. The remaining fraction, PM₁₀ and PM_{2.5}, are a health concern particularly at levels above the federal and state ambient air quality standards. PM_{2.5} (including diesel exhaust particles) is thought to have greater effects on health, because these particles are so small and are able to penetrate to the deepest parts of the lungs. Scientific studies have suggested links between fine particulate matter and numerous health problems including asthma, bronchitis, and acute and chronic respiratory symptoms, such as shortness of breath and painful breathing. Recent studies have shown an association between morbidity and mortality and daily concentrations of particulate matter in the air. Children are more susceptible to the health risks of PM₁₀ and PM_{2.5} because their immune and respiratory systems are still developing.

Mortality studies since the 1990s have shown a statistically significant direct association between mortality (premature deaths) and daily concentrations of particulate matter in the air. Despite

important gaps in scientific knowledge, a comprehensive evaluation of the research findings provides persuasive evidence that exposure to fine particulate air pollution has adverse effects on cardiopulmonary health (Dockery and Pope, 2006:709-742).

Nitrogen Dioxide (NO₂)

NO₂ is a reddish brown gas that is a byproduct of combustion processes. Automobiles and industrial operations are the main sources of NO₂. Aside from its contribution to ozone formation, NO₂ can increase the risk of acute and chronic respiratory disease and reduce visibility. NO₂ may be visible as a coloring component on high pollution days, especially in conjunction with high ozone levels.

Sulfur Dioxide (SO₂)

SO₂ is a combustion product of sulfur or sulfur-containing fuels such as coal and diesel. SO₂ is also a precursor to the formation of particulate matter, atmospheric sulfate, and atmospheric sulfuric acid formation that could precipitate downwind as acid rain. The maximum SO₂ concentrations recorded in the project area are well below federal and state standards. Accordingly, the region is in attainment status with both federal and state SO₂ standards.

Lead

Leaded gasoline (phased out in the United States beginning in 1973), lead based paint (on older houses and cars), smelters (metal refineries), and manufacture of lead storage batteries have been the primary sources of lead released into the atmosphere. Lead has a range of adverse neurotoxic health effects, which puts children at special risk. Some lead-containing chemicals cause cancer in animals. Lead levels in the air have decreased substantially since leaded gasoline was eliminated. Ambient lead concentrations are only monitored on an as-warranted, site-specific basis in California.

Non-Criteria Air Pollutants

Toxic Air Contaminants (TACs)

Toxic air contaminants (TACs) are airborne substances that are capable of causing short-term (acute) and/or long-term (chronic or carcinogenic, i.e., cancer causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. They may be emitted from a variety of common sources including gasoline stations, automobiles, diesel engines, dry cleaners, industrial operations, and painting operations. TACs are regulated differently than criteria air pollutants at both federal and state levels. At the federal level these airborne substances are referred to as Hazardous Air Pollutants (HAPs). The state list of TACs identifies 243 substances and the federal list of HAPs identified 189 substances.

The CARB identified diesel particulate matter (DPM) as a toxic air contaminant in 1998, primarily based on evidence demonstrating cancer effects in humans. The exhaust from diesel engines includes hundreds of different gaseous and particulate components, many of which are toxic. Mobile sources such as trucks and buses are among the primary sources of diesel emissions, and concentrations of DPM are higher near heavily traveled highways and rail lines

with diesel locomotive operations. The risk from diesel particulate matter as determined by the CARB declined from 750 in one million in 1990 to 570 in one million in 1995; by 2000, the CARB estimated the average statewide cancer risk from DPM at 540 in one million (CARB, 2009a:Table 5-44 and Figure 5-12). This calculated cancer risk values from ambient air exposure can be compared against the lifetime probability of being diagnosed with cancer in the United States, from all causes, which is more than 40 percent (based on a sampling of 17 regions nationwide), or greater than 400,000 in one million, according to the National Cancer Institute (NCI, 2012Table 1.14).

Asbestos is also listed as a TAC by CARB and as a HAP by the United States Environmental Protection Agency (U.S. EPA). Asbestos is of special concern in El Dorado County because it occurs naturally in surface deposits of several types of rock formations. Crushing or breaking these rocks, through construction or other means, can release asbestoform fibers into the air. Asbestos emissions can result from the sale or use of asbestos containing materials, road surfacing with such materials, grading activities, and surface mining. The risk of disease is dependent upon the intensity and duration of exposure. When inhaled, asbestos fibers may remain in the lungs and with time may be linked to such diseases as asbestosis, lung cancer, and mesothelioma.

Odorous Emissions

Odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting and headache). The ability to detect odors varies considerably among the population and overall is quite subjective. People may have different reactions to the same odor. An odor that is offensive to one person may be perfectly acceptable to another (e.g., coffee roaster). An unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. Known as odor fatigue, a person can become desensitized to almost any odor and recognition only occurs with an alteration in the intensity. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receptors. Odor impacts should be considered for any proposed new odor sources located near existing receptors, as well as any new sensitive receptors located near existing odor sources. Generally, increasing the distance between the receptor and the odor source will mitigate odor impacts.

Sensitive Receptors

Air quality does not affect every individual or group in the population in the same way, and some groups are more sensitive to adverse health effects caused by exposure to air pollutants than others. Population subgroups sensitive to the health effects of air pollutants include the elderly and the young, those with higher rates of respiratory disease such as asthma and chronic obstructive pulmonary disease, and with other environmental or occupational health exposures (e.g., indoor air quality) that affect cardiovascular or respiratory diseases.

Land uses such as schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be more sensitive than the general public to poor air quality because the

population groups associated with these uses have increased susceptibility to respiratory distress. Parks and playgrounds are considered moderately sensitive to poor air quality because persons engaged in strenuous work or exercise also have increased sensitivity to poor air quality; however, exposure times are generally far shorter in parks and playgrounds than in residential locations and schools, which typically reduce overall exposure to pollutants. Residential areas are considered more sensitive to air quality conditions compared to commercial and industrial areas because people generally spend longer periods of time at their residences, with associated greater exposure to ambient air quality conditions.¹

Workers are not considered sensitive receptors because all employers must follow regulations set forth by the Occupation Safety and Health Administration (OSHA) to ensure the health and well-being of their employees.

The nearest sensitive receptors to the proposed project site include institutional land uses at the El Dorado County Jail and residential land uses to the east/southeast near Gold Nugget Way and Excalibur Road, with the closest residential units located roughly 450 feet east of the proposed project site.

3.2.3 Regulatory Setting

Federal Regulations

Criteria Pollutants

The 1970 Federal Clean Air Act (FCAA) (last amended in 1990) required that regional planning and air pollution control agencies prepare a regional air quality plan to outline the measures by which both stationary and mobile sources of pollutants will be controlled in order to achieve all national ambient standards by the deadlines specified in the FCAA. These ambient air quality standards are intended to protect public health and welfare, and they specify the concentration of pollutants (with an adequate margin of safety) to which the public can be exposed without adverse health effects. They are designed to protect those segments of the public most susceptible to respiratory distress, including asthmatics, the very young, the elderly, people weak from other illness or disease, or persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollution levels that are somewhat above ambient air quality standards before adverse health effects are observed.

Table 3.2-3 presents current national and state ambient air quality standards and provides a brief discussion of the related health effects and principal sources for each pollutant. Pursuant to the 1990 Federal Clean Air Act Amendments (FCAAA), the U.S. EPA classifies air basins (or portions thereof) as “attainment” or “nonattainment” for each criteria air pollutant, based on whether or not the National Ambient Air Quality Standards (NAAQS) had been achieved. “Unclassified” is defined by the FCAAA as any area that cannot be classified, on the basis of

¹ The factors responsible for variation in exposure are also often similar to factors associated with greater susceptibility to air quality health effects. For example, poorer residents may be more likely to live in crowded substandard housing and be more likely to live near industrial or roadway sources of air pollution.

**TABLE 3.2-3
STATE AND NATIONAL CRITERIA AIR POLLUTANT STANDARDS, EFFECTS, AND SOURCES**

Pollutant	Averaging Time	State Standard	National Standard	Pollutant Health and Atmospheric Effects	Major Pollutant Sources
Ozone	1 hour	0.09 ppm	---	High concentrations can directly affect lungs, causing irritation. Long-term exposure may cause damage to lung tissue.	Formed when reactive organic gases (ROG) and nitrogen oxides (NO _x) react in the presence of sunlight. Major sources include on-road motor vehicles, solvent evaporation, and commercial / industrial mobile equipment.
	8 hours	0.07 ppm	0.075 ppm		
Carbon Monoxide	1 hour	20 ppm	35 ppm	Classified as a chemical asphyxiant, carbon monoxide interferes with the transfer of fresh oxygen to the blood and deprives sensitive tissues of oxygen.	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9.0 ppm	9 ppm		
Nitrogen Dioxide	1 hour	0.18 ppm	100 ppb	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown.	Motor vehicles, petroleum refining operations, industrial sources, aircraft, ships, and railroads.
	Annual Avg.	0.030 ppm	0.053 ppm		
Sulfur Dioxide	1 hour	0.25 ppm	75 ppb	Irritates upper respiratory tract; injurious to lung tissue. Can yellow the leaves of plants, destructive to marble, iron, and steel. Limits visibility and reduces sunlight.	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	3 hours	---	0.5 ppm		
	24 hours	0.04 ppm	0.14 ppm		
	Annual Avg.	---	0.030 ppm		
Respirable Particulate Matter (PM ₁₀)	24 hours	50 ug/m ³	150 ug/m ³	May irritate eyes and respiratory tract, decreases in lung capacity, cancer and increased mortality. Produces haze and limits visibility.	Dust and fume-producing industrial and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	Annual Avg.	20 ug/m ³	---		
Fine Particulate Matter (PM _{2.5})	24 hours	---	35 ug/m ³	Increases respiratory disease, lung damage, cancer, and premature death. Reduces visibility and results in surface soiling.	Fuel combustion in motor vehicles, equipment, and industrial sources; residential and agricultural burning; Also, formed from photochemical reactions of other pollutants, including NO _x , sulfur oxides, and organics.
	Annual Avg.	12 ug/m ³	12 ug/m ³		
Lead	Monthly Ave.	1.5 ug/m ³	---	Disturbs gastrointestinal system, and causes anemia, kidney disease, and neuromuscular and neurological dysfunction.	Present source: lead smelters, battery manufacturing & recycling facilities. Past source: combustion of leaded gasoline.
	Quarterly	---	1.5 ug/m ³		
Hydrogen Sulfide	1 hour	0.03 ppm	No National Standard	Nuisance odor (rotten egg smell), headache and breathing difficulties (higher concentrations)	Geothermal Power Plants, Petroleum Production and refining
Sulfates	24 hour	25 ug/m ³	No National Standard	Breathing difficulties, aggravates asthma, reduced visibility	Produced by the reaction in the air of SO ₂ .
Visibility Reducing Particles	8 hour	Extinction of 0.23/km; visibility of 10 miles or more	No National Standard	Reduces visibility, reduced airport safety, lower real estate value, discourages tourism.	See PM _{2.5} .

ppm = parts per million; ug/m³ = micrograms per cubic meter.

SOURCE: California Air Resources Board, 2014b, 2009b. .

available information, as meeting or not meeting the national primary or secondary ambient air quality standard for the pollutant. **Table 3.2-4** shows the current attainment status of the project area. In summary, El Dorado County is nonattainment for the 8-hour ozone and PM_{2.5} NAAQS and is either attainment or unclassified for the remaining criteria pollutant NAAQS.

**TABLE 3.2-4
EL DORADO COUNTY ATTAINMENT STATUS**

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone – one hour	No Federal Standard ^a	Nonattainment
Ozone – eight hour	Nonattainment	Nonattainment
PM ₁₀	Unclassified	Nonattainment
PM _{2.5}	Nonattainment/Attainment	Unclassified
CO	Unclassified/Attainment	Unclassified
Nitrogen Dioxide	Unclassified/Attainment	Attainment
Sulfur Dioxide	Unclassified	Attainment
Lead	Unclassified/Attainment	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified

a. Effective June 15, 2005, the U.S. Environmental Protection Agency (EPA) revoked the federal 1-hour ozone standard, including associated designations and classifications.

SOURCE: California Air Resources Board, 2014c.

The FCAA required each state to prepare an air quality control plan referred to as the State Implementation Plan (SIP). The FCAAA added requirements for states containing areas that violate the NAAQS to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is a living document that is periodically modified to reflect the latest emissions inventories, planning documents, and rules and regulations of air basins as reported by the agencies with jurisdiction over them. The U.S. EPA has responsibility to review all state SIPs to determine if they conform to the mandates of the FCAAA and will achieve air quality goals when implemented. If the U.S. EPA determines a SIP to be inadequate, it may prepare a Federal Implementation Plan (FIP) for the nonattainment area and may impose additional control measures. Failure to submit an approvable SIP or to implement the plan within mandated timeframes can result in sanctions being applied to transportation funding and stationary air pollution sources in the air basin.

Toxic Air Contaminants

TACs are regulated under both state and federal laws. Federal laws use the term HAPs to refer to the same types of compounds that are referred to as TACs under state law. Both terms encompass essentially the same compounds. The 1977 FCAAA required the U.S. EPA to identify National Emission Standards for Hazardous Air Pollutants (NESHAPs) to protect public health and welfare. These substances include certain volatile organic chemicals, pesticides, herbicides,

and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals.

State Regulations

Criteria Pollutants

Although the FCAA established the NAAQS, individual states retained the option to adopt more stringent standards and to include other pollution sources. California had already adopted its own air quality standards when federal standards were established, and because of the unique meteorology in California, there is considerable diversity between the state standards and NAAQS, as shown in **Table 3.2-3**. California ambient standards tend to be at least as protective as NAAQS and are often more stringent.

In 1988, California passed the California Clean Air Act (CCAA) (California Health and Safety Code Sections 39600 et seq.), which, like its federal counterpart, called for the designation of areas as attainment or nonattainment, but based on state ambient air quality standards rather than the federal standards. As indicated in **Table 3.2-4**, El Dorado County is nonattainment for the 1-hour ozone, 8-hour ozone, and PM₁₀ California ambient air quality standards and is either attainment or unclassified for the remaining criteria pollutants. The CCAA requires each air district in which state air quality standards are exceeded to prepare a plan that documents reasonable progress towards attainment. A 3-year update is required.

Toxic Air Contaminants

The California Health and Safety Code defines TACs as air pollutants which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health. The State Air Toxics Program was established in 1983 under Assembly Bill (AB) 1807 (Tanner). A total of 243 substances have been designated TACs under California law; they include the 189 (federal) HAPs adopted in accordance with AB 2728. The Air Toxics “Hot Spots” Information and Assessment Act of 1987 (AB 2588) seeks to identify and evaluate risk from air toxics sources; however, AB 2588 does not regulate air toxics emissions. Toxic air contaminant emissions from individual facilities are quantified and prioritized. “High-priority” facilities are required to perform a health risk assessment and, if specific thresholds are violated, are required to communicate the results to the public in the form of notices and public meetings.

In 2000, the CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled vehicles and engines. The regulation is anticipated to result in an 80 percent decrease in statewide diesel health risk in 2020 as compared with the diesel risk in 2000. Additional regulations apply to new trucks and diesel fuel. Subsequent regulations of diesel emission by the CARB include the On-Road Heavy Duty Diesel Vehicle (In-Use) Regulation, the On-Road Heavy Duty (New) Vehicle Program, the In-Use Off-road Diesel Vehicle Regulation, and the New Off-road Compression Ignition Diesel Engines and

Equipment Program. All of these regulations and programs have timetables by which manufacturers must comply and existing operators must upgrade their diesel powered equipment.

Despite these reduction efforts, the CARB recommends that proximity to sources of DPM emissions be considered in the siting of new sensitive land uses. In April 2005, the CARB published *Air Quality and Land Use Handbook: A Community Health Perspective*. This handbook is intended to give guidance to local governments in the siting of sensitive land uses near sources of air pollution. Recent studies have shown that public exposure to air pollution can be substantially elevated near freeways and certain other facilities such as ports, rail yards and distribution centers. Specifically, the document focuses on risks from emissions of DPM, a known carcinogen, and establishes recommended siting distances of sensitive receptors. With respect to freeways, the recommendations of the report are: “Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with more than 100,000 vehicles per day or rural roads with 50,000 vehicles per day” (CARB, 2005:4). The CARB notes that these recommendations are advisory and should not be interpreted as defined “buffer zones,” and that local agencies must balance other considerations, including transportation needs, the benefits of urban infill, community economic development priorities, and other quality of life issues. With careful evaluation of exposure, health risks, and affirmative steps to reduce risk where necessary, the CARB’s position is that infill development, mixed use, higher density, transit-oriented development, and other concepts that benefit regional air quality can be compatible with protecting the health of individuals at the neighborhood level.

Local Regulations

El Dorado Air Quality Management District

The air pollution control agency for the whole of El Dorado County is the EDCAQMD. The EDCAQMD is the local agency with primary responsibility for compliance with both the federal and state standards and for ensuring that air quality conditions are maintained. The EDCAQMD accomplishes its responsibility through a comprehensive program of planning, regulation, enforcement, and promotion of air quality issues.

The clean air strategy of the EDCAQMD includes the preparation of plans for the attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, issuance of permits for stationary sources of air pollution, inspection of stationary sources of air pollution and response to citizen complaints, monitoring of ambient air quality and meteorological conditions, and implementation of programs and regulations required by the federal Clean Air Act and the California Clean Air Act.

The EDCAQMD has adopted rules and regulations as a means of implementing the air quality plan for El Dorado County. The EDCAQMD has also prepared the *Guide to Air Quality Assessment: Determining Significance of Air Quality Impacts (Guide) under the California Environmental Quality Act* (EDCAQMD, 2002), which provides quantitative emission thresholds and established protocols for the analysis of air quality impacts from projects and plans.

EDCAQMD rules and regulations that apply to the proposed project include but are not limited to the following:

- **Rule 223-1** governs the amount of particulate matter entrained in the ambient air as a result of anthropogenic (man-made) fugitive dust sources by requiring actions to prevent, reduce, or mitigate fugitive dust emissions and applies to any construction or construction related activities, including but not limited to land clearing, grubbing, scraping, travel onsite, and travel on access roads. This rule also applies to all sites where carryout or track out has occurred or may occur on paved public roads or the paved shoulders of a paved public road.
- **Rule 223-2** may potentially apply if any portion of the area to be disturbed is located in a geographic ultramafic rock unit or if naturally occurring asbestos is discovered during construction. This rule reduces the amount of asbestos entrained into the air as a result of construction or construction-related activities.

City of Placerville General Plan Policy Document

As a state agency, the Judicial Council is not subject to local land use plans and regulations. Nevertheless, the following relevant policies from the City of Placerville General Plan are provided for informational purposes.

Goal E: To protect air quality in the Placerville Area.

Policies in the City's General Plan provide guidance on activities (e.g., back yard burning, use of woodstoves, etc.) more applicable to residential land uses rather than the construction and operation of a new courthouse facility.

3.2.4 Impacts and Mitigation Measures

Methodology

Project-related air quality impacts fall into two categories: short-term impacts due to construction, and long-term impacts due to proposed project operation. First, during proposed project construction (short-term), the proposed project would affect local particulate concentrations primarily due to fugitive dust sources and diesel exhaust. Under operations (long-term), the proposed project would result in an increase in emissions primarily due to motor vehicle trips and on-site stationary sources such as boilers. Other sources include minor area sources such as landscaping and use of consumer products.

Construction emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2013.2.2. CalEEMod has separate databases for specific counties and air districts. The El Dorado County database was used for the proposed project. The model calculates criteria pollutant emissions, including CO, PM₁₀, PM_{2.5} and the O₃ precursors ROG and NO_x. The proposed project would include construction of a 88,000 square-foot courthouse, surface parking, extension of the on-site water and sewer lines, and an extension of Ray Lawyer Drive. Construction of the proposed project is expected to begin in 2018 and would occur over an approximately two-year period.

The modeling techniques outlined in Section 6.3.2 of DCAQMD's *Guide to Air Quality Assessment* (2002:Chapter 6.3.2) were used to approximate the construction-related concentrations of CO. Based on the anticipated construction phasing, up to 100 construction workers may be working on-site each day. Commuting by construction workers would add approximately 200 total daily one-way trips to regional roadways. The total combined daily construction traffic for all phases would include construction worker commute trips, equipment delivery trips, and material delivery trips.

Operational phase emissions incorporate the trip generation data provided by CHS Consulting Group for the project. Output operational emissions data are separated into energy use, area sources, and mobile sources. The area sources are landscape maintenance equipment, consumer products, and architectural coatings used for routine maintenance. Consumer products (e.g., household cleaners, air fresheners, and personal care products) emit ROG. Mobile sources are the vehicles used by patrons, staff, and vendors for the project. For this analysis, the results are compared with the EDCAQMD mass thresholds to determine impact significance.

Notably, the proposed project would be replacing the day-to-day operations of two existing courthouses located in downtown Placerville and Building C in El Dorado County. The trips generated by the proposed project would not change compared to the existing two courthouses. However, the proposed project would increase the total building size from 30,300 square feet (existing) to 88,000 square feet (proposed). The emissions of criteria pollutants were calculated for both the proposed project and existing two courthouses to assess the net increase in new emissions being generated.

Appendix C of this Draft EIR provides detailed emission calculations used in this analysis.

Significance Criteria

The significance criteria for this analysis were adapted from criteria presented in Appendix G of the State CEQA Guidelines and based on the professional judgment of the Judicial Council and its consultants. The proposed project would result in a significant impact if it would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any nonattainment pollutant (including releasing emissions that exceed quantitative thresholds for ozone precursors);
- Expose the public (especially schools, day care centers, hospitals, retirement homes, convalescent facilities, and residences) to substantial pollutant concentrations; or
- Create objectionable odors affecting a substantial number of people.

Impact Analysis

Impact 3.2-1: Implementation of the proposed project would not conflict with or obstruct implementation of an applicable air quality plan (*Less than Significant*).

The proposed project site is located in the El Dorado County portion of the MCAB, which is currently designated as a non-attainment area with respect to the state 1-hour ozone, state and national 8-hour ozone, the state PM₁₀, and the national PM_{2.5} ambient air quality standards. The proposed project would take place in an area for which an ozone plan has been developed, which describes how the proposed project area will achieve the national and state standards. Based on the nature of the proposed project, the proposed project would not alter existing land use designations in the proposed project area and would replace the existing courthouse functions in the Main Street Courthouse and Building C courtrooms, and as such, would not facilitate new growth not previously envisioned in the currently adopted General Plans. The proposed project would generate operational vehicle trips similar to existing conditions. The clean air strategy of the EDCAQMD assumes existing and development of planned uses as reflected in the Placerville General Plan. Since the proposed project is consistent with the uses planned for in the Placerville General Plan, the proposed project would not be inconsistent with the EDCAQMD air quality plan. Consequently, the proposed project would not conflict with or obstruct implementation of any applicable air quality plan, regulation, or policy. Therefore, this impact would be *less than significant*.

Mitigation: None required.

Impact 3.2-2: Construction and operation of the proposed project could generate emissions of criteria air pollutants that could contribute to existing nonattainment conditions (*Less than Significant with Mitigation Incorporated*).

Construction-Related Impact

Construction-related emissions arise from a variety of activities including (1) grading, excavation, and other earth moving activities; (2) travel by construction equipment and employee vehicles, especially on unpaved surfaces; (3) exhaust from construction equipment; (4) architectural coatings; and (5) asphalt paving. Construction of the proposed project would temporarily generate ROG, CO, NO_x, PM₁₀ and PM_{2.5} emissions. In addition, construction equipment and construction-worker commute vehicles would also generate criteria air pollutant emissions. Criteria pollutant emissions of ROG and NO_x from these emissions sources would incrementally add to regional atmospheric loading of ozone precursors during the construction period.

PM₁₀ and PM_{2.5} emissions from construction would vary greatly from day to day depending on the level of activity, the equipment being operated, silt content of the soil, and the prevailing weather. Larger-diameter dust particles (i.e., greater than 30 microns) generally fall out of the atmosphere within several hundred feet of construction sites, and represent more of a soiling nuisance than a health hazard. Smaller-diameter particles (e.g., PM₁₀ and PM_{2.5}) are associated with adverse health effects and generally remain airborne until removed from the atmosphere by moisture.

Therefore, unmitigated construction dust emissions could result in significant local effects. The EDCAQMD does not consider fugitive dust emissions associated with construction as significant if complete mitigation is undertaken as part of the proposed project (or made a mandatory condition of the proposed project) in compliance with the requirements of the EDCAQMD Rule 223. Based on this requirement, the EDCAQMD does not require estimation of fugitive dust emissions. The EDCAQMD stipulates, however, that the mitigation be such that there will be no visible dust beyond the boundaries of the project site.

As shown in **Table 3.2-5**, the estimated emission from construction during the years 2018 through 2020 would not exceed the EDCAQMD’s 82 pounds per day ROG and NO_x thresholds. The pounds per day emissions of CO, shown in **Table 3.2-5**, were converted to ambient concentrations using the modeling techniques described in Section 6.3.2 of the *Guide to Air Quality Assessment* (EDCAQMD, 2002), which were estimated to be 2.0 ppm for the 1-hour and 1.1 ppm for the 8-hour CO concentrations and would not exceed the state or federal AAQS. Thus, these impacts are considered *less than significant*.

**TABLE 3.2-5
UNMITIGATED PROJECT CONSTRUCTION EMISSIONS (POUNDS PER DAY)**

Pollutant	EDCAPCD Thresholds (pounds per day)	Unmitigated Project Construction Emissions (lbs/day) ^a		
		Year 2018	Year 2019	Year 2020
ROG	82	4.4	2.4	1.0
NO _x	82	39.0	16.9	4.3
CO	AAQS	41.9	27.1	17.8
PM ₁₀	AAQS	3.9	3.2	2.8
PM _{2.5}	N/A	2.5	1.4	0.8

a. Emission factors were generated by CalEEMod for El Dorado County. Construction was assumed to be phased over a period of two years, starting in 2018. Air quality results can be found in Appendix C.

NOTE: Bold values are in excess of applicable standard; AAQS = ambient air quality standards; CO = carbon monoxide; NA = not applicable.

SOURCE: ESA, 2014

According to the EDCAQMD *Guide to Air Quality Assessment*, construction-related fugitive dust emissions are not considered to be significant if mitigation is part of the project or a mandatory condition of the project. To make this finding, the project must commit to implementing fugitive dust control measures sufficient to prevent visible dust beyond the project property lines. The generation of construction-related fugitive dust would result in an impact that would be *potentially significant*.

Operation-Related Impacts

Over the long-term, the proposed project would result in an increase in emissions primarily due to related motor vehicle trips. Onsite stationary sources and area sources would result in lesser quantities of criteria pollutant emissions. Operational emissions in the year 2020 were calculated using CalEEMod and the traffic data described in the Traffic and Circulation discussion (Section 3.8) of this Draft EIR. The estimates shown in **Table 3.2-6** are based on 1,790 average

daily traffic (ADT) trips generated by the 88,000 square-foot courthouse. The operational emissions generated by the existing two courthouses located in downtown Placerville and Building C in El Dorado County were also calculated and are presented in **Table 3.2-6**, which are based on 1,790 ADT trips generated by a combined 30,300 square-foot courthouse. Modeling assumptions and output files are included in **Appendix C**.

**TABLE 3.2-6
 OPERATIONAL EMISSIONS (POUNDS PER DAY)**

Pollutant	EDCAQMD Thresholds (pounds/day)	Operational Year 2020 Emissions (pounds/day) ^a			
		Proposed Project (A)	Existing Courthouses (B)	Net Increase (B – A)	Significant (Yes or No)?
ROG	82	10.2	9.0	1.2	No
NOx	82	10.6	10.3	0.3	No
CO	AAQS	53.4	53.2	0.2	No
PM ₁₀	AAQS	10.4	10.4	0.0	No
PM _{2.5}	N/A	2.9	2.9	0.0	No

a. Emission factors were generated using CalEEMod for El Dorado County. Air quality results can be found in Appendix C.

NA = No Applicable thresholds have been established for the emission of these pollutants.

NOTE: Bold values are in excess of applicable standard; AAQS = ambient air quality standards; CO = carbon monoxide; NA = not applicable.

SOURCE: ESA, 2014

Since the proposed project would replace the day-to-day operations of the existing downtown Placerville courthouse and Building C courtrooms in El Dorado County, the criteria pollutant emissions generated by the proposed project were subtracted from the emissions generated by the existing two courthouses to assess the total net increase in criteria pollutants, which can be found in **Table 3.2-6**.

Based on the estimates shown in **Table 3.2-6**, emissions of criteria pollutants emitted by the proposed project would not exceed the EDCAAMD thresholds for ROG and NO_x.

Per the Guide to Air Quality Assessment (EDCAQMD, 2002), since the project would develop a courthouse (similar to “General Office” use) less than 260,000 square feet and would not result in significant ROG and NO_x emissions, the EDCAQMD would also consider CO and PM₁₀ emissions to be less than significant. Consequently, the proposed project would result in a *less than significant* long-term operational impact.

Mitigation Measures

Mitigation Measure 3.2-2: Reduce Construction-Related Emissions of Fugitive Dust. The Judicial Council shall comply with all applicable EDCAQMD rules and regulations and shall require the contractor to submit a Fugitive Dust Plan that includes the following key elements:

- Apply water to dry areas during grading and earthmoving activities
- Install temporary covers over open storage piles
- Apply water to unpaved haul and access roads
- Apply water on disturbed surfaces to form a visible crust, and restrict vehicle access to maintain the crust during inactive operations.

Significance after Mitigation: Implementation of **Mitigation Measure 3.2-2** would ensure that emissions of fugitive dust generated during project construction would be controlled to the extent feasible and would result in *less than significant* impacts.

Impact 3.2-3: Construction and/or operation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations (*Less than Significant*).

Carbon Monoxide Hotspots

CO is a localized pollutant of concern. As discussed in Impact 3.2-2, construction would not emit CO in quantities that could pose health concerns. Also, due to the existing low concentrations² of CO in the area that are projected to further decline in the future, proposed project operations would not result in or contribute to CO concentrations that exceed the California 1-hour or 8-hour ambient air quality standards. Thus, mobile-source emissions of CO would not result in or contribute substantially to an air quality violation. The short-term construction and long-term operational mobile-source impact of the proposed project on CO concentrations would be *less-than-significant* and no mitigation is required.

Toxic Air Contaminants

The greatest potential for TAC emissions would be related to diesel particulate matter (DPM) emissions associated with heavy equipment during grading, excavation, and diesel truck usage during operations. Health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. “Individual Cancer Risk” is the likelihood that a person exposed to concentrations of TACs over a 70-year lifetime would contract cancer, based on the use of standard risk-assessment methodology. The short-term increase in diesel exhaust emissions associated with construction of the proposed project would be insignificant over the 70-year health risk assessment period, based on the short-term (two-year) duration of construction and the distance to the nearest sensitive receptors. In regards to operations, the proposed project would not result in any unpermitted sources of TACs and would not expose sensitive receptors in the vicinity to substantial pollutant concentrations. Consequently, the proposed project would result in a *less-than-significant* impact.

Mitigation: None required.

² See air quality setting information above that discusses the current success statewide in reducing CO levels.

Impact 3.2-4: Operation of the proposed project would not create objectionable odors affecting a substantial number of people (*No Impact*).

While offensive odors rarely cause any physical harm, they can still be unpleasant, leading to considerable distress among the public and often generating citizen complaints to local governments and the EDCAQMD. The occurrence and severity of odor impacts depends on numerous factors, including the nature, frequency, and intensity of the source, the wind speed and direction, and the sensitivity of the receptor. Generally, increasing the distance between the receptor and the source will mitigate odor impacts. Types of land uses that typically pose potential odor problems include agriculture, wastewater treatment plants, food processing and rendering facilities, chemical plants, composting facilities, landfills, waste transfer stations, and dairies. The proposed project does not include any of these land uses or similar land uses. Therefore, the proposed project would not create objectionable odors that would affect a substantial number of people. Consequently, the proposed project would have *no impact*.

Mitigation: None required.

Cumulative Impacts

The geographic context for changes in the air quality environment due to the development of the proposed project would be both regional and local. Ozone would be the primary pollutant of regional concern, which means that the cumulative context would be comprised of the MCAB.

Particulates (fugitive dust and DPM), CO, and TACs would result in localized impacts in close proximity to pollutant sources. Additionally, there are other projects near the proposed project, currently in the planning stages, that could be constructed and operational in the foreseeable future. As described above in Impact 3.2-1, the proposed project would not conflict with or obstruct implementation of applicable air quality plans based on future growth projections for the region, and thus, this impact represents a cumulative analysis. In addition, the CO hotspot and TAC analysis detailed in Impact 3.2-3 described minimal increases in these pollutant concentrations. Finally, as described above in Impact 3.2-4, the proposed project would not include uses that have been identified by EDCAQMD as potential sources of objectionable odors, nor would the proposed project locate odor sensitive-receptors in close proximity to substantial sources of odor. This impact would not be affected by cumulative development.

Impact 3.2-5: Construction and operation of the proposed project would not result in a cumulatively considerable increase of criteria pollutant emissions (*Less than Significant*).

Cumulative impacts can result from individually minor but collectively significant impacts, meaning that the project's incremental effects are considerable when viewed in connection with the effects of past, current, and probable future projects. The nonattainment status of regional pollutants is a result of past and present development within the MCAB, and this regional impact is cumulative rather than being attributable to any one source.

According to the EDCAQMD guidelines, a proposed project is considered to have a considerable cumulative significant impact if one or more of the following are met:

1. The project requires a change in the existing land use designation (i.e., general plan amendment, rezone), and projected emissions (ROG, NO_x, CO, or PM₁₀) are greater than the emissions anticipated for the site if developed under the existing land use designation;
2. The project would individually exceed any EDCAQMD significance criteria;
3. For impacts that are determined to be significant, the lead agency for the project does not require the project to implement the emission reduction measures contained in and/or derived from the Air Quality Attainment Plan (AQAP); or
4. The project is located in a jurisdiction that does not implement the emission reduction measures contained in and/or derived from the AQAP.

The proposed project would not exceed the EDCAQMD significance criteria during short-term construction after implementation of fugitive dust control measures. The proposed project would not exceed the EDCAQMD significance criteria during long-term operations. The proposed project and other cumulative projects would comply with the existing AQAP and would comply with all applicable air district rules and regulations. Therefore, the generation of construction-related fugitive dust would result in a *less-than-significant cumulative impact*.

Mitigation: None required.

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3.3 Climate Change and Energy

3.3.1 Introduction

This section assesses the potential climate change and energy impacts associated with construction and operation of the proposed project, and identifies potentially feasible mitigation measures where appropriate. The analysis included herein was developed based on proposed project-specific construction and operational features and data provided by the Judicial Council and traffic information provided by CHS Consulting Group (see Section 3.8, “Transportation and Circulation” of this Draft EIR).

Summary of NOP Comments

A summary of all comments received during the NOP scoping period is included in Chapter 1 of this Draft EIR. No specific comments to climate change or energy issues were received.

Summary of Impact Conclusions

A summary of the climate change and energy impacts described in this section are identified below in **Table 3.3-1**.

**TABLE 3.3-1
SUMMARY OF CLIMATE CHANGE AND ENERGY IMPACTS**

Impact Number	Impact Topic	Impact Conclusion	Impact After Mitigation
Impact 3.3-1	Result in inefficient, wasteful and unnecessary consumption of energy associated with increased demand due to anticipated development	Less than Significant	No Mitigation Required
Impact 3.3-2	Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment	Less than Significant	No Mitigation Required
Impact 3.3-3	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs	Less than Significant	No Mitigation Required

3.3.2 Environmental Setting

Greenhouse Gases

“Global warming” and “global climate change” are the terms used to describe the increase in the average temperature of the earth’s near-surface air and oceans since the mid-20th century and its projected continuation. Warming of the climate system is now considered to be unequivocal (IPCC, 2007:9). Natural processes and human actions have been identified as the causes of this warming. The International Panel on Climate Change (IPCC) has concluded that variations in natural phenomena such as solar radiation and volcanoes produced most of the warming from pre-industrial times to 1950 and had a small cooling effect afterward. After 1950, however, increasing greenhouse gas concentrations resulting from human activity such as fossil fuel

burning and deforestation are believed to be responsible for most of the observed temperature increase. Increases in greenhouse gas (GHG) concentrations in the earth's atmosphere are thought to be the main cause of human-induced climate change. Certain gases in the atmosphere naturally trap heat by impeding the exit of solar radiation that has hit the earth and is reflected back into space. This is sometimes referred to as the "greenhouse effect" and the gases that cause it are called "greenhouse gases." Some GHGs occur naturally and are necessary for keeping the earth's surface inhabitable. However, increases in the concentrations of these gases in the atmosphere during the last 100 years have decreased the amount of solar radiation that is reflected back into space, intensifying the natural greenhouse effect and resulting in the increase of global average temperature.

Carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆) are the principal GHGs. When concentrations of these gases exceed natural concentrations in the atmosphere, the greenhouse effect may be intensified. CO₂, CH₄, and N₂O occur naturally and are also generated through human activity. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas CH₄ results from off-gassing¹ associated with agricultural practices and landfills. Other human-generated GHGs include fluorinated gases such as HFCs, PFCs, and SF₆, which have much higher heat-absorption potential than CO₂, and are byproducts of certain industrial processes.

CO₂ is the reference gas for climate change because it is the predominant GHG emitted. The effect that each of the aforementioned gases can have on global warming is a combination of the mass of their emissions and their global warming potential (GWP). GWP indicates, on a pound-for-pound basis, how much a gas is predicted to contribute to global warming relative to how much warming would be predicted to be caused by the same mass of CO₂. For example, CH₄ and N₂O are substantially more potent GHGs than CO₂, with GWPs of 21 and 310 times that of CO₂, respectively.

In emissions inventories, GHG emissions are typically reported in terms of pounds or metric tons of CO₂ equivalents (CO₂e). CO₂e are calculated as the product of the mass emitted of a given GHG and its specific GWP. While CH₄ and N₂O have much higher GWPs than CO₂, CO₂ is emitted in such vastly higher quantities that it accounts for the majority of GHG emissions in CO₂e, both from residential developments and human activity in general.

Potential Effects of Human Activity on GHG Emissions

Fossil fuel combustion, especially for the generation of electricity and powering of motor vehicles, has led to substantial increases in CO₂ emissions (and thus substantial increases in atmospheric concentrations). In 1994, atmospheric CO₂ concentrations were found to have increased by nearly 30 percent above pre-industrial (c. 1860) concentrations.

There is international scientific consensus that human-caused increases in GHGs have contributed and will continue to contribute to global warming. Potential global warming impacts in California

¹ Off-gassing is defined as the release of chemicals under normal conditions of temperature and pressure.

may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include the displacement of thousands of coastal businesses and residences, impacts on agriculture, changes in disease vectors, and changes in habitat and biodiversity. As the California Air Resources Board (CARB) *Climate Change Scoping Plan* noted, the legislature in enacting Assembly Bill (AB) 32 found that global warming would cause detrimental effects to some of the state's largest industries, including agriculture, winemaking, tourism, skiing, commercial and recreational fishing, forestry, and the adequacy of electrical power generation. The *Climate Change Scoping Plan* states as follows: "The impacts of global warming are already being felt in California. The Sierra snowpack, an important source of water supply for the state, has shrunk 10 percent in the last 100 years. It is expected to continue to decrease by as much as 25 percent by 2050. World-wide changes are causing sea levels to rise – about 8 inches of increase has been recorded at the Golden Gate Bridge over the past 100 years – threatening low coastal areas with inundation and serious damage from storms" (CARB, 2008:10). AB 32 is discussed further below under Regulatory Setting.

Impacts of Climate Change

Ecosystem and Biodiversity Impacts

Climate change is expected to have effects on diverse types of ecosystems (U.S. EPA, 2008a). As temperatures and precipitation change, seasonal shifts in vegetation would occur; this could affect the distribution of associated flora and fauna species. As the range of species shifts, habitat fragmentation could occur, with acute impacts on the distribution of certain sensitive species. The IPCC states that "20 percent to 30 percent of species assessed may be at risk of extinction from climate change impacts within this century if global mean temperatures exceed 2 to 3°C (3.6 to 5.4°F) relative to pre-industrial levels" (IPCC, 2007:38). Shifts in existing biomes could also make ecosystems vulnerable to encroachment by invasive species. Wildfires, which are an important control mechanism in many ecosystems, may become more severe and more frequent, making it difficult for native plant species to repeatedly re-germinate. In general terms, climate change is expected to put a number of stressors on ecosystems, with potentially catastrophic effects on biodiversity.

Human Health Impacts

Climate change may increase the risk of vector-borne infectious diseases, particularly those found in tropical areas and spread by insects such as malaria, dengue fever, yellow fever, and encephalitis. Cholera, which is associated with algal blooms, could also increase. While these health impacts would largely affect tropical areas in other parts of the world, effects would also be felt in California. Warming of the atmosphere would be expected to increase smog and particulate pollution, which could adversely affect individuals with heart and respiratory problems, such as asthma. Extreme heat events would also be expected to occur with more frequency and could adversely affect the elderly, children, and the homeless. Finally, the water supply impacts and seasonal temperature variations expected as a result of climate change could

affect the viability of existing agricultural operations, making the food supply more vulnerable (U.S. EPA, 2008b).

Greenhouse Gas Emissions Estimates

Global Emissions

Worldwide emissions of GHGs in 2004 were approximately 30 billion tons of CO₂e per year (UNFCCC, 2012). This includes both ongoing emissions from industrial and agricultural sources, but excludes emissions from land use changes.

U.S. Emissions

In 2009, the United States emitted about 6.7 billion tons of CO₂e or about 21 tons per year per person. Of the four major sectors nationwide — residential, commercial, industrial, and transportation — transportation accounts for the highest fraction of GHG emissions (approximately 33 percent); these emissions are entirely generated from direct fossil fuel combustion (U.S. EPA , 2007:5-7).

State of California Emissions

In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation. Emissions of CO₂ are byproducts of fossil fuel combustion. Methane, a highly potent GHG, results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Nitrous oxide is also largely attributable to agricultural practices and soil management. Carbon dioxide sinks, or reservoirs, include vegetation and the ocean, which absorb CO₂ through sequestration and dissolution, respectively, two of the most common processes of CO₂ sequestration. California produced approximately 452 million gross metric tons of CO₂e in 2010. Combustion of fossil fuel in the transportation sector was the single largest source of California's GHG emissions in 2010, accounting for 38 percent of total GHG emissions in the state. This sector was followed by the electric power sector (including both in-state and out-of-state sources) (21 percent) and the industrial sector (19 percent) (CARB, 2013:1-2).

Energy

The components of electrical transmission and distribution systems include the generating facility, switching yards and stations, primary substation, distribution substations, distribution transformers, various sized transmission lines, and the customers. In the United States, there are over a quarter million miles of transmission lines, most of them capable of handling voltages between 115 kv and 345 kv, and a handful of systems of up to 500 kv and 765 kv capacity. Transmission lines are rated according to the amount of power they can carry, the product of the current (rate of flow), and the voltage (electrical pressure). Generally, transmission is more efficient at higher voltages.

Generation facilities, hydro-electric dams, and power plants usually produce electrical energy at fairly low voltages, which is increased by transformers in substations. From there, the energy

proceeds through switching facilities to the transmission lines. At various points in the system, the energy is "stepped down" to lower voltages for distribution to customers. Power lines are either high voltage (115, 230, 500, and 765 kv) transmission lines or low voltage (12, 24, and 60 kv) distribution lines.

Overhead transmission lines consist of the wires carrying the electrical energy (conductors), insulators, support towers, and grounded wires to protect the lines from lightning (called shield wires). Towers must meet the structural requirements of the system in several ways. They must be able to support both the electrical wires, the conductors, and the shield wires under varying weather conditions, including wind and ice loading, as well as a possible unbalanced pull caused by one or two wires breaking on one side of a tower. Every mile or so, a "dead-end" tower must be able to take the strain resulting if all the wires on one side of a tower break. Every change in direction requires a special tower design. In addition, the number of towers required per mile varies depending on the electrical standards, weather conditions, and the terrain. All towers must have appropriate foundations and be available at fairly regular spacings along a continuous route accessible for both construction and maintenance.

A right-of-way is a fundamental requirement for all transmission lines. A right-of-way must be kept clear of vegetation that could obstruct the lines or towers by falling limbs or interfering with the sag or wind sway of the overhead lines. Land acquisition and maintenance requirements can be substantial. The dimensions of a right-of-way depends on the voltage and number of circuits carried and the tower design. Typically, transmission line rights-of-way range from 100 feet to 300 feet in width.

Pacific Gas and Electric (PG&E) is the electric service provider in El Dorado County. The electric power supply grid within El Dorado County is part of a larger supply network operated and maintained by PG&E that encompasses the entire northern California region. However, PG&E produces some of its own power and purchases some of its electricity through the Independent System Operator, which in turn obtains electricity from a number of companies that operate power plants throughout the Western Grid. Natural gas service is not provided in the Placerville area; commercially available propane gas can be used as an additional energy source.

3.3.3 Regulatory Setting

The following sections provide federal, State and local regulations for energy as well as regulations for GHGs and global climate change. These agencies work jointly, as well as individually, to understand and regulate the effects of greenhouse gas emissions and resulting climate change through legislation, regulations, planning, policy-making, education, and a variety of programs.

Federal Regulations

Energy Policies and Programs

On the federal level, the U.S. Department of Transportation, U.S. Department of Energy, and U.S. Environmental Protection Agency (U.S. EPA) are three agencies with substantial influence

over energy policies and programs. Generally, federal agencies influence transportation energy consumption through establishment and enforcement of fuel economy standards for automobiles and light trucks, through funding of energy-related research and development projects, and through funding for transportation infrastructure projects. In addition, the Federal Energy Regulatory Commission (FERC) is an independent agency that regulates the interstate transmission of electricity, natural gas, and oil. FERC also reviews proposals to build liquefied natural gas (LNG) terminals and interstate natural gas pipelines as well as licensing hydropower projects. Licensing of hydroelectric facilities under the authority of FERC includes input from State and federal energy and power generation, environmental protection, fish and wildlife, and water quality agencies. The California Energy Commission's Systems Assessment and Facilities Siting Division coordinates with FERC to ensure that needed energy facilities are authorized in an expeditious, safe, and environmentally acceptable manner.

The National Energy Policy, developed in May 2001, proposes recommendations on energy use and on the repair and expansion of the nation's energy infrastructure. The policy is based on the finding that growth in U.S. energy consumption is outpacing the current rate of production. Based on this policy document, during the years 2000 to 2020, the growth in the consumption of oil is predicted to increase by 33%, natural gas by over 50%, and electricity by 45%. While federal policy promotes further improvements in energy use through conservation, it focuses on increased development of domestic oil, gas, and coal and the use of hydroelectric and nuclear power resources. To address the over-reliance on natural gas for new electric power plants, the federal policy proposes research in clean coal technology and expanding the generation of energy to include energy derived from landfill gas, wind, and biomass sources.

U.S. Environmental Protection Agency “Endangerment” and “Cause or Contribute” Findings

The U.S. Supreme Court held that the U.S. EPA must consider regulation of motor vehicle GHG emissions. In *Massachusetts v. Environmental Protection Agency et al.*, twelve states and cities, including California, together with several environmental organizations, sued to require the U.S. EPA to regulate GHGs as pollutants under the FCAA (127 S. Ct. 1438 (2007)). The Supreme Court ruled that GHGs fit within the FCAA's definition of a pollutant and the U.S. EPA had the authority to regulate GHGs.

On December 7, 2009, the U.S. EPA Administrator signed two distinct findings regarding GHGs under Section 202(a) of the FCAA:

- ***Endangerment Finding:*** The current and projected concentrations of the six key GHGs—CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆—in the atmosphere threaten the public health and welfare of current and future generations.
- ***Cause or Contribute Finding:*** The combined emissions of these GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution that threatens public health and welfare.

Mandatory Greenhouse Gas Reporting Rule

On September 22, 2009, the U.S. EPA released its final Greenhouse Gas Reporting Rule (Reporting Rule). The Reporting Rule is a response to the fiscal year (FY) 2008 Consolidated Appropriations Act (H.R. 2764; Public Law 110-161), that required the U.S. EPA to develop "...mandatory reporting of GHGs above appropriate thresholds in all sectors of the economy...." The Reporting Rule will apply to most entities that emit 25,000 metric tons of CO₂e or more per year. Starting in 2010, facility owners are required to submit an annual GHG emissions report with detailed calculations of facility GHG emissions. The Reporting Rule also mandates recordkeeping and administrative requirements in order for the U.S. EPA to verify annual GHG emissions reports.

State Regulations

California Energy Commission

The California Energy Commission (CEC) is California's primary energy policy and planning agency. Created by the California Legislature in 1974, the CEC has five major responsibilities: 1) forecasting future energy needs and keeping historical energy data; 2) licensing thermal power plants 50 MW or larger; 3) promoting energy efficiency through appliance and building standards; 4) developing energy technologies and supporting renewable energy; and 5) planning for and directing state response to energy emergencies. Under the requirements of the California Public Resources Code, the CEC in conjunction with the California Department of Conservation (DOC) Division of Oil, Gas, and Geothermal Resources is required to assess electricity and natural gas resources on an annual basis or as necessary.

The State of California regulates energy consumption under Title 24 of the California Code of Regulations. The Title 24 Building Energy Efficiency Standards were developed by the CEC and apply to energy consumed for heating, cooling, ventilation, water heating, and lighting in new residential and non-residential buildings. The CEC updates these standards periodically.

California Public Utilities Commission

The California Public Utilities Commissions (CPUC) is a state agency created by a constitutional amendment to regulate privately-owned utilities providing telecommunications, electric, natural gas, water, railroad, rail transit, and passenger transportation services, and in-state moving companies. The CPUC is responsible for assuring that California utility customers have safe, reliable utility services at reasonable rates, while protecting utility customers from fraud. The CPUC regulates the planning and approval for the physical construction of electric generation, transmission, or distribution facilities; and local distribution pipelines of natural gas.

Independent System Operator

The Independent System Operator (ISO), whose governing board is appointed by the Governor, manages most of California's transmission system. The ISO's primary function is to balance electricity supply with demand and maintain adequate reserves to meet the needs of California

homes and businesses. FERC regulates the ISO. The California Electricity Oversight Board monitors and reports on the activities of the ISO.

California Environmental Quality Act and Climate Change

Under CEQA, lead agencies are required to disclose the reasonably foreseeable adverse environmental effects of projects they are considering for approval. GHG emissions have the potential to adversely affect the environment because they contribute to global climate change. In turn, global climate change has the potential to raise sea levels, alter rainfall and snowfall, and affect habitat.

Senate Bill 97

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is a prominent environmental issue requiring analysis under CEQA. This bill directed the Governor's Office of Planning and Research (OPR) to prepare, develop, and transmit to the California Natural Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, as required by CEQA, no later than July 1, 2009. The California Natural Resources Agency was required to certify or adopt those guidelines by January 1, 2010. On December 30, 2009, the Natural Resources Agency adopted amendments to the State CEQA Guidelines, as required by SB 97. These State CEQA Guidelines amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents. The amendments became effective March 18, 2010.

State CEQA Guidelines

The State CEQA Guidelines are embodied in the California Code of Regulations (CCR), Public Resources Code, Division 13, starting with Section 21000. State CEQA Guidelines section 15064.4 specifically addresses the significance of GHG emissions, requiring a lead agency to make a "good-faith effort" to "describe, calculate or estimate" GHG emissions in CEQA documents. Section 15064.4 further states that the analysis of GHG impacts should include consideration of (1) the extent to which the project may increase or reduce GHG emissions, (2) whether the project emissions would exceed a locally applicable threshold of significance, and (3) the extent to which the project would comply with "regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions." The State CEQA Guidelines also state that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located (State CEQA Guidelines section 15064(h)(3)). The State CEQA Guidelines do not, however, set a numerical threshold of significance for GHG emissions.

The State CEQA Guidelines also include the following direction on measures to mitigate GHG emissions, when such emissions are found to be significant:

Consistent with Section 15126.4(a), lead agencies shall consider feasible means, supported by substantial evidence and subject to monitoring or reporting, of mitigating the significant effects of greenhouse gas emissions. Measures to mitigate the significant effects of greenhouse gas emissions may include, among others:

- (1) Measures in an existing plan or mitigation program for the reduction of emissions that are required as part of the lead agency's decision;
- (2) Reductions in emissions resulting from a project through implementation of project features, project design, or other measures;
- (3) Off-site measures, including offsets that are not otherwise required, to mitigate a project's emissions;
- (4) Measures that sequester greenhouse gases; and
- (5) In the case of the adoption of a plan, such as a general plan, long range development plan, or plans for the reduction of greenhouse gas emissions, mitigation may include the identification of specific measures that may be implemented on a project-by-project basis. Mitigation may also include the incorporation of specific measures or policies found in an adopted ordinance or regulation that reduces the cumulative effect of emissions.

(State CEQA Guidelines section 15126.4(a).)

Assembly Bill 1493

In 2002, then-Governor Gray Davis signed Assembly Bill (AB) 1493, which required the CARB to develop and adopt, by January 1, 2005, regulations that achieve “the maximum feasible reduction of GHGs emitted by passenger vehicles and light-duty trucks and other vehicles determined by the CARB to be vehicles whose primary use is noncommercial personal transportation in the state.”

To meet the requirements of AB 1493, the CARB approved amendments to the California Code of Regulations (CCR) in 2004, adding GHG emissions standards to California's existing standards for motor vehicle emissions. Amendments to CCR Title 13, Sections 1900 and 1961 (13 CCR 1900, 1961), and adoption of Section 1961.1 (13 CCR 1961.1), require automobile manufacturers to meet fleet-average GHG emissions limits for all passenger cars, light-duty trucks within various weight criteria, and medium-duty passenger vehicle weight classes (i.e., any medium-duty vehicle with a gross vehicle weight [GVW] rating of less than 10,000 pounds and that is designed primarily for the transportation of persons), beginning with model year 2009. For passenger cars and light-duty trucks with a loaded vehicle weight (LVW) of 3,750 pounds or less, the GHG emission limits for model year 2016 are approximately 37 percent lower than the limits for the first year of the regulations, model year 2009. For light-duty trucks with an LVW of 3,751 pounds to a GVW of 8,500 pounds, as well as for medium-duty passenger vehicles, GHG emissions will be reduced approximately 24 percent between 2009 and 2016.

Because the Pavley standards (named for the bill's author, state Senator Fran Pavley) would impose stricter standards than those under the CAA, California applied to the U.S. EPA for a waiver under the CAA; this waiver was initially denied in 2008. In 2009, however, the U.S. EPA granted the waiver.

Executive Order S-3-05

In 2005, in recognition of California's vulnerability to the effects of climate change, then-Governor Arnold Schwarzenegger established Executive Order S-3-05, which sets forth the following target dates by which statewide GHG emissions would be progressively reduced: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; and by 2050, reduce GHG emissions to 80 percent below 1990 levels.

Assembly Bill 32 and the California Climate Change Scoping Plan

Assembly Bill 32 Requirements

In 2006, the California legislature passed Assembly Bill 32 (California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires the CARB to design and implement feasible and cost-effective emissions limits, regulations, and other measures, such that statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25-percent reduction in emissions). AB 32 anticipates that the GHG reduction goals will be met, in part, through local government actions. The CARB has identified a GHG reduction target of 15 percent from current levels for local governments (municipal and community-wide) and notes that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions.

Scoping Plan Provisions

Pursuant to AB 32, the CARB adopted a *Climate Change Scoping Plan* in December 2008 (re-approved by the CARB on August 24, 2011) outlining measures to meet the 2020 GHG reduction goals (CARB, 2008:ES-1 and 17). In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business-as-usual emissions levels or about 15 percent from today's levels. The Scoping Plan recommends measures that are worth studying further, and that the State of California may implement, such as new fuel regulations. It estimates that a reduction of 174 million metric tons of CO₂e (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and other sources could be achieved should the state implement all of the measures in the Scoping Plan. The Scoping Plan relies on the requirements of Senate Bill (SB) 375 (discussed below) to implement the carbon emission reductions anticipated from land use decisions.

Cap-and-Trade Program

The Scoping Plan identifies cap-and-trade as a key strategy for helping California reduce its GHG emissions (CARB, 2008:18-20). A cap-and-trade program sets the total amount of greenhouse gas emissions allowable for facilities under the cap and allows covered sources, including producers and consumers of energy, to determine the least expensive strategies to comply. AB 32 required the CARB to adopt the cap-and-trade regulation by January 1, 2011, and the program itself began in November 2012.

Carbon offset credits are created through the development of projects, such as renewable energy generation or carbon sequestration projects, that achieve the reduction of emissions from activities not otherwise regulated, covered under an emissions cap, or resulting from government incentives. Offsets are verified reductions of emissions whose ownership can be transferred to others. As required by AB 32, any reduction of GHG emissions used for compliance purposes must be real, permanent, quantifiable, verifiable, enforceable, and additional. Offsets used to meet regulatory requirements must be quantified according to the CARB-adopted methodologies, and the CARB must adopt a regulation to verify and enforce the reductions. The criteria developed will ensure that the reductions are quantified accurately and are not double-counted within the system (CARB, 2008:36-38).

Executive Order S-1-07

Executive Order S-1-07, signed by then-Governor Arnold Schwarzenegger in 2007, proclaimed that the transportation sector is the main source of GHG emissions in California, at over 40 percent of statewide emissions. The order established a goal of reducing the carbon intensity of transportation fuels sold in California by a minimum of 10 percent by 2020. It also directed the CARB to determine whether this Low Carbon Fuel Standard could be adopted as a discrete, early-action measure after meeting the mandates in AB 32. The CARB adopted the Low Carbon Fuel Standard on April 23, 2009.

Senate Bills 1078 and 107 and Executive Orders S-14-08 and S-21-09

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010.

In November 2008, then-Governor Schwarzenegger signed Executive Order S-14-08, which expands the state's Renewable Portfolio Standard to 33 percent renewable power by 2020. In September 2009, then-Governor Schwarzenegger continued California's commitment to the Renewable Portfolio Standard by signing Executive Order S-21-09, which directs the CARB under its AB 32 authority to enact regulations to help the state meet its Renewable Portfolio Standard goal of 33 percent renewable energy by 2020.

The 33-percent-by-2020 goal was codified in April 2011 with Senate Bill X1-2, which was signed by Governor Edmund G. Brown, Jr. This new Renewable Portfolio Standard (RPS) preempts the CARB 33 percent Renewable Electricity Standard and applies to all electricity retailers in the state, including publicly owned utilities (POUs), investor-owned utilities, electricity service providers, and community choice aggregators. All of these entities must adopt the new RPS goals of 20 percent of retail sales from renewables by the end of 2013 and 25 percent by the end of 2016, with the 33 percent requirement being met by the end of 2020.

Senate Bill 1368

SB 1368 is the companion bill of AB 32 and was signed by then-Governor Schwarzenegger in September 2006. SB 1368 requires the California Public Utilities Commission (CPUC) to establish a GHG emission performance standard for baseload generation from investor-owned utilities by February 1, 2007. The California Energy Commission (CEC) was also required to establish a similar standard for local publicly owned utilities by June 30, 2007. These standards cannot exceed the GHG emission rate from a baseload combined-cycle natural gas-fired plant. The legislation further requires that all electricity provided to California, including imported electricity, must be generated from plants that meet the standards set by the CPUC and CEC.

Senate Bill 375

In addition to policy directly guided by AB 32, the legislature in 2008 passed SB 375, which provides for regional coordination in land use and transportation planning and funding to help meet the AB 32 GHG reduction goals. SB 375 aligns regional transportation planning efforts, regional GHG emissions reduction targets, and land use and housing allocations. SB 375 requires Regional Transportation Plans (RTPs) developed by the state's 18 metropolitan planning organizations (MPOs) to incorporate a "sustainable communities strategy" (SCS) that will achieve GHG emission reduction targets set by the CARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects, such as transit-oriented development. SB 375 would be implemented over the next several years.

Green Building Standards Code

In January 2010, the State of California adopted the California Green Building Standards Code (CALGreen) that establishes mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. These standards include a mandatory set of minimum guidelines, as well as more rigorous voluntary measures, for new construction projects to achieve specific green building performance levels. This Code went into effect as part of local jurisdictions' building codes on January 1, 2011.

Local Regulations

As a state agency, the Judicial Council is not subject to local land use plans and regulations. Nevertheless, the following describes relevant policies from the City of Placerville General Plan are provided for informational purposes.

City of Placerville General Plan Policy Document

Section V "Natural, Cultural, and Scenic Resources Element" of the City's General Plan (City of Placerville, 1989:61) includes the following policies applicable to the proposed project:

Natural, Cultural, and Scenic Resources Element

Goal E: To protect air quality in the Placerville Area.

Policies in the City's General Plan provide guidance on activities (i.e., back yard burning, use of woodstoves, etc.) more applicable to residential land uses rather than the construction and operation of a new courthouse facility.

Goal F: To promote energy and resource conservation.

Policies:

1. The City shall support car pooling and help to identify appropriate locations for parking lots for car pools.
2. The City shall promote the use of solar and other non-fossil fuel energy sources.
3. The City shall encourage creativity in the planting of both deciduous and evergreen trees that will provide maximum sun exposure to buildings during the winter and provide maximum shade during the summer.
4. The City shall support recycling programs operated by businesses and charities.

3.3.4 Impacts and Mitigation Measures

Methodology

GHG impacts are considered to be exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. The proposed project's construction-related (temporary, short-term) and long-term operational emissions of GHGs and whether they would result in a cumulatively considerable contribution to global climate change are described below.

Construction- and operational-related GHG emissions and energy use were estimated using the California Emissions Estimator Model (CalEEMod) version 2013.2.2. CalEEMod has separated databases for specific counties and air districts. The El Dorado County database was used for the proposed project. The model calculates CO₂, CH₄ and N₂O, which are used to determine the annual CO₂e. In addition, the model calculates the annual energy (i.e., natural gas and electricity) during construction- and operational-related activities. The proposed project would include construction of an 88,000 square-foot courthouse, surface parking, extension of the on-site water and sewer lines, and an extension of Ray Lawyer Drive. Construction of the proposed project is expected to begin in 2018 and would occur over an approximately two-year period. Operational phase emissions incorporate the trip generation data provided by CHS Consulting Group for the proposed project. Output operational emissions data are separated into energy use, area sources, and mobile sources. **Appendix C** of this Draft EIR provides detailed emission calculations used in this analysis.

Notably, the proposed project would be consolidating the courthouse operations of two existing courthouse facilities: the historic courthouse located in downtown Placerville and Building C in the El Dorado County Government Center. The trips generated by the proposed project would not

change compared to the existing two courthouses. However, the proposed project would increase the total building size from 30,300 square feet (existing) to 88,000 square feet (proposed). The emissions of criteria pollutants were calculated for both the proposed project and existing two courthouses to assess the net increase in new emissions being generated.

Significance Criteria

The significance criteria for this analysis were developed from criteria presented in Appendix F (for Energy) and Appendix G (for Climate Change) of the State CEQA Guidelines and based on the professional judgment of the Judicial Council and its consultants. The proposed project would result in a significant impact if it would:

- Result in inefficient, wasteful and unnecessary consumption of energy associated with increased demand due to anticipated development;
- 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 GHGs.

In light of the lack of an established GHG emissions threshold that would apply to the proposed project, CEQA allows lead agencies to identify thresholds of significance applicable to a proposed project that are supported by substantial evidence. In the case of GHG emissions and pursuant to the State CEQA Guidelines Appendix G checklist question, thresholds should also be linked with the Scoping Plan, which is the adopted plan for the state to meet GHG reduction targets.

EDCAQMD recommends the application of the San Luis Obispo County Air Pollution Control District's (SLOCAPCD) recently-adopted 1,150 metric tons of CO₂e per year as a project-level GHG significance threshold, which would apply to a summation of a project's amortized construction plus operational-related GHG emissions (EDCAQMD, 2014).

Impact Analysis

Impact 3.3-1: Implementation of the proposed project would not result in the inefficient, wasteful, and unnecessary consumption of energy associated with increased demand due to anticipated development (*Less than Significant*).

As described in Chapter 2, Project Description, the new 88,000 square foot courthouse would be a consolidation of two existing courthouses and would be located adjacent to the existing El Dorado County Jail, which would include at most 200 jobs and associated public services, roadways and utilities. The proposed project would consume energy during both the construction and operational phases of its development. During the construction phase, the proposed project would require energy primarily for the operation of off-road equipment and on-road vehicles. The operational phase would consume energy when the new courthouse is in use, during regular business hours, which includes heating and cooling, lighting, office equipment, appliances, electronics and vehicle trips to and from the new courthouse. Increased annual demand for natural

gas (in kBTU), electricity (in kWh), and transportation fuel (gasoline and diesel, in gallons) energy was estimated for the new courthouse and existing courthouses, which are presented below in **Table 3.3-2**. The proposed project’s net annual energy consumption of natural gas is estimated to be approximately 889,734 kBTU per year, which equates to approximately 0.028 percent of El Dorado County’s total natural gas consumption in 2012 of 3,137 million kBTU (CEC, 2014). The proposed project’s net annual energy consumption of electricity would be approximately 648,548 kWh per year, which equates to approximately 0.052 percent of El Dorado County’s total electricity consumption in 2012 of 1,256 million kWh. Modeling assumptions and output files can be found in **Appendix C**.

**TABLE 3.3-2
NEW PLACERVILLE COURTHOUSE INCREASED ANNUAL ENERGY DEMAND**

Sector	Proposed Project (A)	Existing Courthouses (B)	Net Increase (A - B)
Construction Energy Usage			
Transportation Fuels (gallons)	91,215	0	91,215
Operational Energy Usage			
Natural Gas (kBTU) ^a	1,356,960	467,226	889,734
Electricity (kWh) ^a	1,063,392	414,844	648,548
Transportation Fuels (gallons)	136,341	136,341	0

NOTES:
a. Natural gas and electricity consumption estimates were generated using CalEEMod .
b. Transportation Fuels Calculations can be found in Appendix C.

SOURCE: ESA, 2014

PG&E would extend lines and construct facilities to serve the proposed project site concurrently with development phases as needed, and the location of this infrastructure would be identified in the final project design. As part of the project approval process, the Judicial Council would coordinate with and meet the requirements of PG&E (as applicable) regarding the extension and locations of on-site infrastructure. Additionally, the proposed utility improvements would comply with all existing city, county, and PG&E requirements, as well as Building Energy Efficiency Standards (Title 24 of the California Code of Regulations), and applicable Uniform Building Code requirements.

The proposed project would result in a small incremental increase in the energy demands as compared to the total consumption within El Dorado County and will implement sustainable elements throughout its design, operation and maintenance. Pursuant to the *California Trial Court Facilities Standards* (Judicial Council, 2011), the proposed project would be designed for sustainability and, at a minimum, to the standards of a Leadership in Energy and Environmental Design (LEED) certified rating. The proposed project would be designed to the specifications of a LEED Silver rating . The increase in demand for electricity and associated infrastructure would not result in the wasteful, inefficient, or unnecessary consumption of energy; this impact would be *less than significant*.

Mitigation: None required.

Impact 3.3-2: Implementation of the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment (*Less than Significant*).

As previously stated, the EDCAQMD has not adopted a significant threshold for GHG emissions during either construction or operations. Nevertheless, EDCAQMD recommends use of the San Luis Obispo County APCD recently-adopted GHG thresholds for impact significance determinations; that threshold is 1,150 metric tons CO₂e per year, applied to a summation of a project's amortized construction plus operational-related GHG emissions.

GHG emissions from construction and operation of the proposed project were estimated using the CalEEMod software. During short-term construction of the proposed project, GHG emissions would be generated by vehicle engine exhaust from off-road equipment, haul trips and construction worker trips. The total combined GHG emissions during the 22 month construction period would be approximately 873 metric tons CO₂e per year (about 35 metric tons CO₂e per year amortized over 25-years), which includes heavy duty construction equipment, haul trucks, delivery trucks and construction worker vehicles.

During the operational phase of the proposed project, GHG emissions would be generated through vehicle trips associated with future development and area sources such as natural gas combustion for water and space heating. GHG emissions generated during operations of the proposed project would be approximately 1,855 metric tons CO₂e per year. However, the proposed project will be consolidating the court-related operations of the existing downtown Placerville courthouse and Building C. The proposed project trip generation would not change when compared to the existing two courthouses, but the total building size would increase from 30,300 square feet (existing) to 88,000 square feet (proposed). The GHG emissions currently generated by the existing courthouses were calculated and then subtracted from the GHG emissions generated by the proposed project to get a total net increase in GHG emissions. The combined GHG emissions generated by the two existing courthouse is estimated to be 1,618 metric tons CO₂e per year and the proposed project would be approximately 1,855 metric tons CO₂e per year. The net increase in GHG emissions generated by the proposed project would be approximately 237 metric tons CO₂e per year. Modeling assumptions and output files are included in **Appendix C**.

In summary, the amortized construction-related GHG emissions added to the proposed project's net increase in GHG emissions during operations would be approximately 272 metric tons CO₂e per year (35 metric tons from construction plus 237 metric tons from operation). The GHG emissions generated by the proposed project would not exceed the recommended GHG significance threshold of 1,150 metric tons CO₂e per year, and therefore, would be considered *less than significant* with respect to GHG emissions.

Mitigation: None required.

Impact 3.3-3: The proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs (*Less than Significant*).

As discussed in **Impact 3.3-2**, the net increase in GHG emissions during both construction and operations are expected to be below the recommended GHG significance threshold of 1,150 metric tons CO₂e per year. In addition, the Judicial Council will implement sustainable elements throughout the proposed project's design, operation, and maintenance, including design to LEED Silver standards.

Since the net increase in GHG emissions from the proposed project would be minimal, well below the GHG significance threshold, and sustainable elements would be integrated into its design, operations and maintenance, the proposed project would not conflict with any plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Consequently, this impact is considered *less than significant*.

Mitigation: None required.

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3.4 Biological Resources

3.4.1 Introduction

This section provides an overview of biological resources which are known to occur on the proposed project site and in the surrounding region, including a review of potentially occurring special-status species, wildlife habitats, vegetation communities, and jurisdictional waters of the U.S. This section assesses the potential of the proposed project to result in impacts to sensitive biological resources and identifies potentially feasible mitigation measures that could eliminate or reduce potential project-related impacts. The results of this assessment are based upon field reconnaissance of the proposed project site, literature searches, and database queries.

Summary of NOP Comments

Chapter 1 of this Draft EIR provides a summary of all comments received during the NOP scoping period. No specific comments related to biological resources were received.

Summary of Impact Conclusions

A summary of the biological resource impacts described in this section are identified below in **Table 3.4-1**.

**TABLE 3.4-1
SUMMARY OF BIOLOGICAL RESOURCES IMPACTS**

Impact Number	Impact Topic	Impact Conclusion	Impact After Mitigation
Impact 3.4-1	Special Status Species	Potentially Significant	Less than Significant
Impact 3.4-2	Habitats and Sensitive Natural Communities	Potentially Significant	Less than Significant
Impact 3.4-3	Waters of the U. S.	Potentially Significant	Less than Significant
Impact 3.4-4	Migratory Corridors	Less than Significant	None Required
Impact 3.4-5	Cumulative Loss of Special-Status Species and their Habitat	Potentially Significant	Less than Significant
Impact 3.4-6	Cumulative Loss of Wetlands	Potentially Significant	Less than Significant
Impact 3.4-7	Cumulative Loss of Oak Woodland	Potentially Significant	Less than Significant

3.4.2 Environmental Setting

The proposed project site is located near Forni Road in the City of Placerville. The City of Placerville is located in El Dorado County, on the western slope of the Sierra Nevada Mountains at the intersection of U.S. Highway 50 (U.S. 50) and State Route 49 (SR 49). The City of Placerville is approximately 44 miles east of Sacramento and 59 miles west of the city of South Lake Tahoe. The proposed project site is generally bound by Forni Road and U.S. 50 to the north and northwest. The existing El Dorado County Jail lies to the west while open space, Gold Nugget Way, and scattered rural residences are to the east and southeast. Diamond Pacific Lumber and Thompson's Toyota are to the west and southwest. Habitat values vary based on existing land use, as discussed in the following text.

Vegetation Communities and Wildlife Habitats

Habitats or vegetative communities are assemblages of plant species that occur together in the same area, which are defined by species composition and relative abundance. These plant communities can be generally correlated to habitats for wildlife. There are two main habitat types within the proposed project area: 1) blue oak – foothill pine and; 2) annual grassland.

Blue Oak – Foothill Pine

Blue oak-foothill pine is the dominant vegetation community within the proposed project site and surrounding area. Blue oak – foothill pine woodland is typically found on well-drained soils rich in rock fragments, generally in hilly, dry terrain. Compared with blue oak woodland, blue oak-foothill pine is generally found on steeper and dryer slopes with shallower soils. Blue oak-foothill pine merges with annual grasslands, blue oak woodlands, valley oak woodlands, and mixed chaparral. Blue oak-foothill pine is characterized by a mixture of hardwoods, conifers, and shrubs. Blue oak (*Quercus douglasii*) is usually most abundant with the taller foothill pine dominating the overstory. Foothill pine (*Pinus sabiniana*) becomes more prevalent at higher elevations. Associated tree species found within the proposed project site include interior live oak (*Quercus wislizeni*) and California buckeye (*Aesculus californica*). Interior live oak becomes more abundant on shallower soils, steeper slopes, and at higher elevations. Mule deer beds were also observed. This area may provide suitable habitat for special-status birds and other wildlife, including nesting raptors and song birds (such as oak titmouse, red-shouldered hawk, or great-horned owl), bat roosts, and mule deer. Some species of rare plants may also occur in this habitat type, although the annual grassland species were observed to be dominant in this area.

The shrub component is typically composed of several species that tend to clump and are interspersed with annual grasses. Shrub species include buckbrush (*Ceanothus cuneatus*), whiteleaf manzanita (*Arctostaphylos manzanita*), California coffeeberry (*Frangula californica*), poison-oak (*Toxicodendron diversilobum*), redbud (*Cercis occidentalis*), and yerba-santa (*Eriodictyon californicum*). Shrubs are less prevalent at lower elevations.

Annual Grassland

Annual grassland habitat includes perennial and alkali grassland habitat and the much more extensive annual grassland vegetation. Annual grassland within the proposed project site and surrounding area occurs in association with the blue oak-foothill pine habitat.

The annual grasslands on the proposed project site are dominated by a variety of native and non-native invasive species. The most common non-native species include wild oats (*Avena fatua*), ripgut brome (*Bromus diandrus*), yellow star-thistle (*Centaurea solstitialis*), fescue (*Festuca myuros*), filaree (*Erodium sp.*), and mustards (*Brassica and Hirschfeldia spp.*). Native wildflowers may also occur within the annual grassland community and may include fiddleneck (*Amsinckia spp.*), lupine (*Lupinus spp.*), popcorn flower (*Cryptantha spp.*), and California poppy (*Eschscholzia californica*), among many others. Grasslands on the proposed project site and surrounding area support a substantial number of non-native invasive plant species including yellow star-thistle and medusahead (*Elymus*

caput-medusae). Species of wildlife observed during site reconnaissance included western scrub jay (*Aphelocoma californica*) and northern mockingbird (*Mimus polyglottos*).

Wetland and Other Waters of the U.S.

The proposed project site is situated on nearly flat terrain approximately 1.5 miles west of Placerville. Drainage from the proposed project site flows via overland sheet flow. There are ephemeral drainages in the northwestern and southeastern portions of the site. Stormwater flows from the site drain generally to the south and west, and are eventually captured by Weber Creek. Weber Creek, in turn, merges with the South Fork of the American River. The South Fork of the American River is impounded at Folsom Reservoir. Downstream of the reservoir, the American River discharges into the Sacramento River, which eventually discharges into the Sacramento-San Joaquin Delta (Delta) and the San Francisco Bay/Pacific Ocean.

Jurisdictional Waters of the U.S

A formal wetland delineation has not been conducted for the proposed project site. However, based on the field visit and aerial interpretation, potential waters of the U.S. would be limited to the detention basin in the southeast corner and the associated ephemeral channels that flow into the basin from the north and exit out the south of the basin flowing in a southwesterly direction. There is another ephemeral channel in the northwest portion of the site which appears to drain into a small potential seasonal wetland just outside of the site.

Migration Paths and Corridors

Movements of wildlife generally fall into three basic categories: 1) movements along corridors or habitat linkages associated with home range activities such as foraging, territory defense, and breeding; 2) dispersal movements—typically one-way movements (e.g., juvenile animals leaving their natal areas or individuals colonizing new areas), and; 3) temporal migration movements—these movements are essentially dispersal actions which involve a return to the place of origin (e.g., deer moving from winter grounds to summer ranges and fawning areas).

While the proposed project site provides marginal quality as a movement corridor, the site and surrounding area may serve as a temporal migration area for a variety of species including mule deer.

Special-Status Species

Special-status species are those plants and animals that, because of their recognized rarity or vulnerability to various causes of habitat loss or population decline, are recognized by federal, state, or other agencies as deserving special consideration. Some of these species receive specific legal protection pursuant to federal or state endangered species legislation. Others lack such legal protection, but have been characterized as “sensitive” on the basis of adopted policies and expertise of state resource agencies or organizations with acknowledged expertise, or policies adopted by local governmental agencies such as counties, cities, and special districts to meet local conservation objectives. These species are referred to collectively as “special-status species” in this report because of their federal or state designation or other regulatory status as follows:

- plants or animals listed or proposed for listing as threatened or endangered under the federal ESA (50 Code of Federal regulations [CFR] 17.12 [listed plants], 17.11 [listed animals] and various notices in the Federal Register [FR] [proposed species]);
- plants or animals that are candidates for possible future listing as threatened or endangered under the federal ESA (61 FR 40, February 28, 1996);
- plants or animals listed or proposed for listing by the State of California as threatened or endangered under the California ESA (14 California Code of Regulations [CCR] 670.5);
- plants listed as rare or endangered under the California Native Plant Protection Act (California Fish and Game Code, Section 1900 et seq.);
- plants that meet the definitions of rare and endangered under CEQA (State CEQA Guidelines, Section 15380);
- plants considered under the California Native Plant Society (CNPS) to be “rare, threatened or endangered in California” (Ranks 1A, 1B, and 2 in CNPS 2014);
- plants listed by CNPS as plants about which more information is needed to determine their status and plants of limited distribution (Ranks 3 and 4 in CNPS 2014), which may be included as special-status species on the basis of local significance or recent biological information;
- animal species of special concern to CDFW;
- animals fully protected in California (California Fish and Game Code, Sections 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians]); and
- birds of prey protected under the federal Bald and Golden Eagle Protection Act.

Table 3.4-2 provides a list of the special status species with potential to occur within the proposed project site and surrounding area. The table also indicates the proposed project’s potential to affect these species.

The “Potential for Proposed Project to Impact” category is defined as follows:

- **Unlikely:** The proposed project area and/or immediate area do not support suitable habitat for a particular species. The proposed project area is outside of the species known range.
- **Low Potential:** The proposed project area and/or immediate area only provide limited habitat for a particular species. In addition, the known range for a particular species may be outside of the immediate proposed project area.
- **Medium Potential:** The proposed project area and/or immediate area provide suitable habitat for a particular species, and habitat for the species may be impacted.
- **High Potential:** The proposed project area and/or immediate area provide ideal habitat conditions for a particular species and/or known populations occur in immediate area or within the potential area of impact.

Those special-status species with a medium to high potential to occur on or near the proposed project area are discussed in further detail below.

**TABLE 3.4-2
SPECIAL-STATUS SPECIES THAT MAY OCCUR IN THE PROPOSED PROJECT AREA**

Species	Fed/State/ CNPS Status	General Habitat	Potential for Proposed Project to Impact Species
Invertebrates			
<i>Branchinecta lynchi</i> Vernal pool fairy shrimp	FT/--/--	Occurs in vernal pools, seasonally ponded areas within vernal swales, rock outcrop ephemeral pools, playas and alkali flats from Shasta County through most of the length of the Central Valley to Tulare County. Pools are grass or mud bottomed, with clear to tea-colored water, and are often in basalt flow depression pools in grasslands	Unlikely. No suitable habitat is present in the proposed project area.
<i>Cosumnoperla hypocrena</i> Cosumnes splittail	--/--/--	Found in intermittent streams on western slope of Sierra Nevada foothills in American and Cosumnes River basins	Unlikely. No suitable habitat is present in the proposed project area.
<i>Desmocerus californicus dimorphus</i> Valley elderberry longhorn beetle	FT/--/--	Breeds and forages exclusively on elderberry shrubs (<i>Sambucus mexicana</i>) typically associated with riparian forests, riparian woodlands, elderberry savannas, and other Central Valley habitats. Occurs only in the Central Valley of California. Prefers to lay eggs in elderberries 2–8 inches in diameter; some preference shown for “stressed” elderberries.	High. Suitable habitat is present in the proposed project area; four elderberry shrubs were identified during surveys conducted in 2012.
Fish			
<i>Hypomesus transpacificus</i> delta smelt	FT/ST/--	Open surface waters in the Sacramento/San Joaquin Delta. Seasonally in Suisun Bay, Carquinez Strait and San Pablo Bay. Found in Delta estuaries with dense aquatic vegetation and low occurrence of predators. May be affected by downstream sedimentation.	Unlikely. No waterways within the proposed project area that support species or that may affect species' habitat.
<i>Oncorhynchus mykiss</i> steelhead - Central Valley ESU	FT/--/--	This ESU enters the Sacramento and San Joaquin Rivers and their tributaries from July to May; spawning from December to April. Young move to rearing areas in and through the Sacramento and San Joaquin Rivers, Delta, and San Pablo and San Francisco Bays.	Unlikely. No waterways within the proposed project area that support species or that may affect species' habitat.
<i>Oncorhynchus tshawytscha</i> Central Valley spring-run chinook salmon	FT/ST/--	This ESU enters the Sacramento and San Joaquin Rivers and tributaries March to July, spawning from late August to early October. Young move to rearing areas in and through the Sacramento and San Joaquin Rivers, Delta, and San Pablo and San Francisco Bays.	Unlikely. No waterways within the proposed project area that support species or that may affect species' habitat.
Amphibians			
<i>Rana draytonii</i> California red-legged frog	FT/CSC/--	Breeds in slow moving streams, ponds, and marshes with emergent vegetation and an absence or low occurrence of predators.	Unlikely. No suitable habitat is present within the proposed project area.

TABLE 3.4-2 (Continued)
SPECIAL-STATUS SPECIES THAT MAY OCCUR IN THE PROPOSED PROJECT AREA

Species	Fed/State/ CNPS Status	General Habitat	Potential for Proposed Project to Impact Species
<i>Rana boylei</i> foothill yellow-legged frog	--/CSC/--	Found in shallow, slow, gravelly streams and rivers with sunny banks, in forests, chaparral, and woodlands.	Unlikely. No suitable habitat is present within the proposed project area
Reptiles			
<i>Emys marmorata</i> Western pond turtle	--/CSC/--	Ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. Requires basking sites and suitable upland habitat for egg-laying. Nest sites most often characterized as having gentle slopes (<15%) with little vegetation or sandy banks.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Phrynosoma blainvillii</i> coast horned lizard	FT/ST/--	Found in scrubland, grassland, coniferous forests, and broadleaved woodland, especially in lowland areas along sandy washes with scattered low shrubs. Also requires open areas for basking and patches of fine, loose soil for burying prey.	Unlikely. No suitable habitat is present within the proposed project area.
Birds			
<i>Accipiter gentilis</i> northern goshawk	--/CSC/--	Inhabits coniferous forests, but will also inhabit deciduous and mixed forests from sea level to subalpine areas. This species may also be found in urban forested parks.	Medium. Potential nesting and foraging habitat is present within the proposed project area.
<i>Agelaius tricolor</i> tricolored blackbird	--/CSC/--	Nests in colonies within vicinity of fresh water/ marshy areas. Colonies prefer heavy growths of cattails and tules.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Ardea alba</i> great egret	--/--/--	Colonial nester in large trees. Rookery sites located near marshes, tidal flats, irrigated pastures, and margins of rivers and lakes.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Riparia riparia</i> bank swallow	--/ST/--	Banks of rivers, creeks, lakes, and seashores; nests in excavated dirt tunnels near the top of steep banks.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Strix nebulosa</i> great gray owl	--/SE/--	Prefer dense forests interspersed with open meadows, clearings, or bogs.	Unlikely. No suitable habitat is present within the proposed project area.
Mammals			
<i>Lasiorycteris noctivagans</i> Silver-haired bat	--/--/--	Found along streams and rivers in wooded areas and in montane coniferous forests. Mainly a tree dweller, but sometimes hibernates in caves. During the spring and summer shelters in tree hollows, under loose bark, among leaves, in birds' nests, in the cracks of sandstone ledges, in buildings, under loose boards of buildings, and sometimes in caves.	Unlikely. No suitable habitat is present within the proposed project area.

TABLE 3.4-2 (Continued)
SPECIAL-STATUS SPECIES THAT MAY OCCUR IN THE PROPOSED PROJECT AREA

Species	Fed/State/ CNPS Status	General Habitat	Potential for Proposed Project to Impact Species
<i>Myotis yumanensis</i> Yuma myotis	--/--/--	Optimal habitats are open forests and woodlands with sources of water over which to feed. Distribution is closely tied to bodies of water. Maternity colonies in caves, mines, buildings or crevices.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Pekania pennanti</i> Pacific fisher	--/--/--	Prefer continuous forest to other habitats and can be found in extensive conifer forests typical of the boreal forest but are also common in mixed hardwood and conifer forests. Prefer areas with continuous overhead cover with greater than 80% coverage and will avoid areas with less than 50% coverage and are more likely to be found in old-growth forests.	Unlikely. No suitable habitat is present within the proposed project area.
Plants			
<i>Allium jepsonii</i> Jepson's onion	--/--/1B.2	Perennial bulbiferous herb occurring in serpentinite or volcanic soils in chaparral, cismontane woodland, and lower montane coniferous forest. Blooms Apr-Aug. Elevation: 300 to 1,320 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Allium sanbornii</i> var. <i>congdonii</i> Congdon's onion	--/--/4.3	Ultramafic barrens or volcanic soils with scattered grey pines in chaparral and cismontane woodland. Blooms April-July. Elevation: 300 to 700 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Arctostaphylos mewukka</i> ssp. <i>truei</i> True's manzanita	--/--/4.2	Chaparral and lower montane coniferous forests. Blooms February-July. Elevation: 425 to 1,390 m msl.	Medium. Suitable habitat is present within the proposed project area.
<i>Arctostaphylos nissenana</i> Nissenan manzanita	--/--/1B.2	Perennial evergreen shrub occurring in rocky soils and on rocky ridges in chaparral and closed-coned coniferous forests. Blooms Feb-March. Elevation: 450 to 1,100 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Bolandra californica</i> Sierra bolandra	--/--/4.3	Rock crevices and wet cliffs in coniferous forests. Blooms June-July. Elevation: 975 to 2,450 m msl.	Unlikely. No suitable habitat is present within the proposed project area. Proposed project site is outside species elevation range.
<i>Calochortus clavatus</i> var. <i>avius</i> Pleasant Valley mariposa-lily	--/--/1B.2	Perennial bulbiferous herb found in Josephine silt loam and volcanic soils in lower montane coniferous forests. Blooms may-July. Elevation: 305 to 1,800 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Calystegia stebbinsii</i> Stebbins' morning-glory	FT/SE/1B.1	Perennial rhizomatous herb found in openings within chaparral; cismontane woodland with gabbroic or serpentinite soils. Blooms April-July. Elevation: 185 to 1,090 m. msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Calystegia vanzuukiae</i> Van Zuuk's morning- glory	--/--/1B.3	Gabbro and serpentine soils in chaparral and cismontane woodland. Blooms May-August. Elevation: 500 to 1,180 m msl.	Unlikely. No suitable habitat is present within the proposed project area.

TABLE 3.4-2 (Continued)
SPECIAL-STATUS SPECIES THAT MAY OCCUR IN THE PROPOSED PROJECT AREA

Species	Fed/State/ CNPS Status	General Habitat	Potential for Proposed Project to Impact Species
<i>Ceanothus fresnensis</i> Fresno ceanothus	--/--/4.3	Cismontane woodland and lower montane coniferous forests. Blooms May-July. Elevation: 900 to 2,000 m msl.	Low. Suitable habitat is present within the proposed project area. However, the proposed project site is outside species elevation range.
<i>Ceanothus roderickii</i> Pine Hill ceanothus	FE/SR/1B.2	Perennial evergreen shrub found in Chaparral; cismontane woodland with serpentinite or gabbroic soil. Blooms April-June. Elevation: 245-630 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Chlorogalum grandiflorum</i> Red Hills soaproot	--/--/1B.2	Perennial bulbiferous herb found in chaparral; cismontane woodland; lower montane coniferous forest with serpentinite, gabbroic, and other soils. Blooms May-June. Elevation: 245 to 1,240 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Clarkia biloba</i> ssp. <i>brandegeae</i> Brandegee's clarkia	--/--/4.2	Annual herb found in chaparral; cismontane woodland; and lower montane coniferous forest- often along roadcuts. Blooms May-July. Elevation: 73 to 915 m msl.	Medium. Suitable habitat is present within the proposed project area.
<i>Clarkia virgata</i> Sierra clarkia	--/--/4.3	Lower margin of the montane forest and adjacent blue oak-foothill pine woodland. Blooms May-August. Elevation: 400 to 1,100 m msl.	Medium. Suitable habitat is present within the proposed project area.
<i>Claytonia parviflora</i> ssp. <i>grandiflora</i> streambank spring beauty	--/--/4.2	Blue oak-foothill pine woodlands in the Sierra Nevada foothills. Blooms February -May. Elevation: 250 to 1,200 m msl.	Medium. Suitable habitat is present within the proposed project area.
<i>Crocathemum suffrutescens</i> Bisbee Peak rush-rose	--/--/3.2	Perennial evergreen shrub found in chaparral, often with serpentinite, gabbroic, or lone soil. Blooms April-June. Elevation: 45 to 840 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Delphinium hansenii</i> ssp. <i>ewanianum</i> Ewan's larkspur	--/--/4.2	Rocky soils in cismontane woodland and grasslands. Blooms March-May. Elevation: 60 to 600 m msl.	Medium. Suitable habitat is present within the proposed project area.
<i>Erigeron miser</i> starved daisy	--/--/1B.3	Rocky, granitic outcrops in upper montane coniferous forests. Blooms June-October. Elevation: 1,840 to 2,620 m msl.	Unlikely. No suitable habitat is present within the proposed project area. Proposed project site is outside species elevation range.
<i>Fremontodendron decumbens</i> Pine Hill flannelbush	FE/SR/1B.2	Perennial evergreen shrub found in chaparral; cismontane woodland with rocky gabbroic or serpentinite soil. Blooms April-June. Elevation: 425 to 760 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Galium californicum</i> ssp. <i>sierrae</i> El Dorado bedstraw	FE/SR/1B.2	Perennial herb found in cismontane woodland; lower montane coniferous forest with gabbroic soil. Blooms May-June. Elevation: 100 to 585 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Horkelia parryi</i> Parry's horkelia	--/--/1B.2	Perennial herb found in chaparral and cismontane habitats in lone formation and other soils. Blooms Apr.-Sept. Elevation: 80 to 1,035 m msl.	Unlikely. No suitable habitat is present within the proposed project area.

TABLE 3.4-2 (Continued)
SPECIAL-STATUS SPECIES THAT MAY OCCUR IN THE PROPOSED PROJECT AREA

Species	Fed/State/ CNPS Status	General Habitat	Potential for Proposed Project to Impact Species
<i>Navarretia prolifera</i> ssp. <i>lutea</i> yellow bur navarretia	--/--/4.3	Open areas of well-drained soils on primarily south exposures in chaparral and cismontane woodland. Blooms May-July. Elevation: 900 to 1,400 m msl.	Low. Suitable habitat is present within the proposed project area. However, the proposed project site is outside species elevation range.
<i>Packera layneae</i> Layne's ragwort	FT/SR/1B.2	Perennial herb found in chaparral and cismontane habitats in serpentinite or gabbroic, rocky soils. Blooms Apr.-Aug. Elevation: 200 to 1,000 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Trichostema rubisepalum</i> Hernandez bluecurls	--/--/4.3	Volcanic and serpentine substrates in broadleaved upland forests, chaparral, cismontane woodland, and lower montane coniferous forests. Blooms June-August. Elevation: 300 to 1,000 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Viburnum ellipticum</i> oval-leaved viburnum	--/--/2.3	Perennial deciduous shrub found in chaparral, cismontane, and lower montane coniferous forest. Blooms May-June. Elevation: 215 to 1,400 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
<i>Wyethia reticulata</i> El Dorado County mule ears	--/--/1B.2	Perennial herb found in chaparral; cismontane woodland; lower montane coniferous forest with clay or gabbroic soil. Blooms April-August. Elevation: 185 to 630 m msl.	Unlikely. No suitable habitat is present within the proposed project area.
State Natural Resources			
Central Valley Drainage Hardhead/Squawfish Stream	State Natural Resource		Unlikely. state natural resource does not occur within the proposed project area.
Central Valley Drainage Resident Rainbow Trout Stream	State Natural Resource		Unlikely. state natural resource does not occur within the proposed project area.
Sacramento-San Joaquin Foothill/Valley Ephemeral Stream	State Natural Resource		Unlikely. state natural resource does not occur within the proposed project area.

*Species with medium or high potential to occur in the study area are shown in **bold**.

KEY:

Federal: (USFWS)

FE = Listed as Endangered by the Federal Government
FT = Listed as Threatened by the Federal Government
FC = Candidate for listing by the Federal Government

State: (CDFW)

SE = Listed as Endangered by the State of California
ST = Listed as Threatened by the State of California
SR = Listed as Rare by the State of California (plants only)
CSC = California Species of Concern

CNPS: (California Native Plant Society)

Rank 1A = Plants presumed extinct in California
Rank 1B = Plants rare, threatened, or endangered in California and elsewhere
Rank 2B = Plants rare, threatened, or endangered in California but more common elsewhere
Rank 3 = Need more information
Rank 4 = Plants of limited distribution
0.1 = Seriously endangered in California
0.2 = Fairly endangered in California
0.3 = Not very endangered in California

-- = No Listing

SOURCE: USFWS, 2014; CDFW, 2014; CNPS, 2014.

Valley Elderberry Longhorn Beetle

Suitable habitat for the valley elderberry longhorn beetle (VELB) is typically defined as live elderberry stems measuring at least one inch in diameter. The elderberry shrubs/trees are generally found along waterways and in floodplains that support remnant stands of riparian vegetation, seldom do they occur above 3,000 feet in elevation. The VELB is completely dependent on its host plant, elderberry (*Sambucus spp.*), which is a common component of the riparian forests and adjacent upland habitats of California's Central Valley and foothills (USFWS, 1999b). Elderberry shrubs/trees with VELB populations occur in a variety of habitats and plant communities, but most often are found in riparian or oak savanna areas. Records for this species are restricted to small, scattered populations along the Sacramento, American, San Joaquin, Kings, Kaweah, and Tule Rivers and their tributaries. The species has the potential to occupy shrubs below 3,000 feet in elevation within the Central Valley. VELB is federally listed as threatened, but has been recommended for delisting as part of the five-year review process.

Although a formal elderberry survey has not been conducted, four elderberry shrubs were observed in the southwest portion of the proposed project site during the field visit.

Northern goshawk

The northern goshawk is a migratory raptor listed as State of California Species of Special Concern. The northern goshawk is the largest member of the genus *Accipiter*. It is a raptor with short, broad wings and a long tail, both adaptations to maneuvering through trees in the forests where it lives and nests. The northern goshawk inhabits forested regions of the Northern Hemisphere. This goshawk prefers coniferous forests, but will also inhabit deciduous and mixed forests from sea level to subalpine areas. This bird may also be found in urban forested parks.

Suitable nesting and foraging habitat occurs within the woodland habitat on the proposed project site and surrounding area. The closest recorded occurrence in the CNDDDB is approximately 7 miles northeast of the project site along One Eye Creek (CDFW, 2014).

True's manzanita

True's manzanita (*Arctostaphylos mewukka* ssp. *truei*) is a perennial evergreen shrub in the heath family (Ericaceae). It is a CNPS Rank 4.2 plant, which means it is a plant of limited distribution in California, and is considered fairly endangered in the state. This shrub can be found in chaparral and forest openings, sometimes on roadsides, in elevations ranging from 425 to 1,390 meters. It blooms from February to July, producing small, pink urn-shaped flowers. True's manzanita is threatened by logging and associated road usage. This species is currently known to occur in Butte, El Dorado, Nevada, Placer, Plumas, and Yuba counties. Suitable habitat exists for this species on the proposed project site and surrounding area.

Brandege's clarkia

Brandege's clarkia (*Clarkia biloba* ssp. *brandegeae*) can be found in chaparral and foothill woodlands, often on roadcuts. It is an annual herb in the evening-primrose family (Onagraceae) that flowers from May through July and grows in elevations ranging from 73 to 915 meters. The

flower is a medium-sized, bowl shaped and lavender. It is a CNPS Rank 4.2 plant, which means it is a plant of limited distribution in California, and is considered fairly endangered in the state. It was previously a CNPS Rank 1B. 2 plant, but it is now known to be more common than originally thought. This species is threatened by weed control measures, non-native plants, road maintenance, fire suppression, and development. Brandegee's clarkia is currently known from Butte, El Dorado, Nevada, Placer, Sacramento, Sierra, and Yuba counties. Suitable habitat exists for this species on the proposed project site and surrounding area.

Sierra clarkia

Sierra clarkia (*Clarkia virgata*) is an annual herb in the evening-primrose family (Onagraceae) found in foothill woodlands at elevations ranging from 400 to 1,100 meters. The small, lavender to purple flowers bloom from May to August. It is a CNPs Rank 4.3 plant, which means it is a plant of limited distribution in California, and is considered not very endangered in the state. Sierra clarkia is threatened by road maintenance and non-native plants, and may form sterile hybrids with *C. australis*. This species is currently known to occur in Amador, Calaveras, El Dorado, Mariposa, Plumas, and Tuolumne counties. Suitable habitat exists for this species on the proposed project site and surrounding area.

Streambank spring beauty

Streambank stream beauty (*Claytonia parvilifera* ssp. *grandiflora*) is an annual herb in the miner's lettuce family (Montiaceae) that typically blooms from February to May. This species is known from Amador, Butte, Calaveras, El Dorado, Fresno, Kern, Placer, Tulare, and Tuolumne counties. It generally occurs on vernal moist somewhat rocky soils in the pine/blue oak woodlands of the Sierra Nevada foothills. It is a CNPS Rank 4.2 plant, which means it is a plant of limited distribution in California, and is considered fairly endangered in the state. Its small, white flowers bloom from February to May. Streambank spring beauty is threatened by development. Suitable habitat exists for this species on the proposed project site and surrounding area.

Ewan's larkspur

Ewan's larkspur (*Delphinium hansenii* ssp. *ewanianum*) is a perennial herb in the buttercup family (Ranunculaceae). It is a CNPS Rank 4.2 plant, which means it is a plant of limited distribution in California, and is considered fairly endangered in the state. This species can be found in rocky soils in oak woodlands and grasslands, in elevations ranging from 60 to 600 meters. It blooms from March to May, producing small, violet-purple to maroon flowers. Ewan's larkspur is threatened by development. This species is currently known to occur in Calaveras, Fresno, Kern, Madera, Merced, and Tulare counties, but it is expected to occur elsewhere in the Sierra Nevada foothills. Suitable habitat exists for this species on the proposed project site and surrounding area.

3.4.3 Regulatory Setting

Federal Regulations

U.S. Fish and Wildlife Service

The U.S. Fish and Wildlife Service (USFWS) administers the Federal Endangered Species Act (FESA) (16 United States Code [USC] 153 et seq.), the Migratory Bird Treaty Act (16 USC 703–711), and the Bald Eagle Protection Act (16 USC 668), among other programs described below.

Federal Endangered Species Act

Under FESA, the Secretary of the Interior and the Secretary of Commerce have joint authority to list a species as threatened or endangered (16 USC 1533[c]). Two federal agencies oversee FESA: the USFWS has jurisdiction over plants, wildlife, and resident fish, and the National Marine Fisheries (NMFS) has jurisdiction over anadromous and marine fish as well as mammals. Under Section 7 of the FESA, all federal agencies must consult with the USFWS and NMFS to ensure that federal agency actions do not jeopardize the continued existence of a listed species or destroy or adversely modify critical habitat for listed species. FESA prohibits the “take” of any fish or wildlife species listed as threatened or endangered, including the destruction of habitat that could hinder species recovery.

Section 10 of FESA requires the issuance of an incidental take permit before any public or private action may be taken that could harm, harass, injure, kill, capture, collect, or otherwise hurt any individual of an endangered or threatened species. The permit requires preparation and implementation of a habitat conservation plan that provides specific measures to offset project impacts on endangered or threatened species.

The USFWS also publishes a list of candidate species. Species on this list receive “special attention” from federal agencies during environmental review, although they are not protected otherwise under the FESA. The candidate species are those for which the USFWS has sufficient biological information to support a proposal to list as endangered or threatened. Impacts to such species would be considered significant in this EIR. Species of Concern is an informal term, not defined in the Federal Endangered Species Act.

Pursuant to the requirements of FESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally listed threatened or endangered species could be present in the project area and whether the project action would have a potentially significant impact on such species. In addition, the agency is required to determine whether the project action is likely to jeopardize the continued existence of any species proposed to be listed under FESA or result in the destruction or adverse modification of critical habitat proposed to be designated for such species (16 USC 1536[3], [4]).

Similarly, the permitting responsibilities of the U.S. Army Corps of Engineers (Corps) include consultation with the USFWS and NMFS when federally listed species (i.e., listed under the FESA) are at risk. At both the state and federal levels, the process requires that a Biological

Assessment be prepared to determine the effects on listed species. Under both USFWS and CDFW policy, species of concern are not subject to the same consultation requirements as listed endangered, rare, or threatened species, but the agencies encourage informal consultation for species of concern that may become officially listed before completion of the CEQA process.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (16 USC 703, Supp. I, 1989) prohibits the killing, possessing, or trading of migratory birds, bird parts, eggs, and nests, except in accordance with regulations prescribed by the Secretary of the Interior.

U.S. Army Corps of Engineers

Section 404 of the Clean Water Act

The term “waters of the United States” is defined in the Code of Federal Regulations (33 CFR 328.3[a]; 40 CFR 230.3[s]), and includes waters that could be used in interstate or foreign commerce, interstate wetlands, and other waters such as intrastate lakes, rivers, streams (including intermittent streams), mud flats, sand flats, sloughs, wet meadows, playa lakes, or natural ponds, where the use, degradation, or destruction of which could affect interstate or foreign commerce. Waters of the United States do not include prior converted cropland, stock watering ponds, and agricultural irrigation ditches created in upland areas. Wetlands are defined by the federal government (CFR, Section 328.3(b), 1991) as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

State Regulations

California Department of Fish and Wildlife (CDFW)

The CDFW administers a number of laws and programs, described below, which are designed to protect fish and wildlife resources. While the California Department of Fish and Game has recently changed its name to the CDFW, the code referenced by the CDFW remains as the California Fish and Game Code.

California Endangered Species Act

The California Endangered Species Act of 1984 (CESA) – Fish and Game Code Section 2050 et seq – regulates the listing and “take” of endangered and threatened species. A “take” of such a species may be permitted by CDFW through issuance of permits pursuant to Fish and Game Code section 2081, except for designed “fully protected” species (see subsection below).

Fully Protected Species

Prior to enactment of CESA, the designation of “fully protected” was used by CDFW to identify species that had been given special protection by the California Legislature by a series of statutes in the California Fish and Game Code. (See §§ 3503.5, 3505, 3511, 3513, 4700, 4800, 5050, 5515).

Many fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations; however, the original statutes have not been repealed, and the legal protection they give the species identified within them remains in place. Fully protected species may not be taken or possessed at any time; and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock. Because endangered or threatened species can be “taken” for development purposes with the issuance of a permit by CDFW, “fully protected” species actually enjoy a greater level of legal protection than “listed” species.

Protection of Nesting Birds

Section 3503.5 of the California Fish and Game Code states that it is “unlawful to take, possess, or destroy the nests or eggs of any such bird of prey (i.e., species in the orders Falconiformes and Strigiformes) except otherwise provided by this code or any other regulation adopted hereto.” Additionally, active nests of all other birds (except English sparrow (*Passer domesticus*) and European starling (*Sturnus vulgaris*) are similarly protected under Section 3503 of the California Fish and Game Code, as are birds designated in the International Migratory Bird Treaty Action under Section 3513 of the California Fish and Game Code. Disturbance that causes nest abandonment and/or loss of reproductive failure is considered a take by the CDFW. This statute does not provide for the issuance of an incidental take permit.

Species of Special Concern

CDFW also designates Species of Special Concern (CSC) which are species of limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. These species do not have the same legal protection as listed species or fully protected species but may be added to official lists in the future. The CSC list is intended by CDFW as a management tool for consideration in future land use decisions. Under CDFW policy, CSC are not subject to the same consultation requirements as listed endangered, rare, or threatened species, but the agency encourages informal consultation for Species of Special Concern that may become officially listed before completion of the CEQA process.

Lake and Streambed Alteration Program

The CDFW is authorized under the California Fish and Game Code Sections 1600–1607 to develop mitigation measures and enter into a Streambed Alteration Agreements with applicants who propose projects that would obstruct the flow of, or alter the bed, channel, or bank of a river or stream in which there is a fish or wildlife resource, including intermittent and ephemeral streams.

Native Plant Protection Act

California Fish and Game Code Section 1900–1913, also known as the Native Plant Protection Act, is intended to preserve, protect, and enhance endangered or rare native plants in California. The act directs CDFW to establish criteria for determining what native plants are rare or endangered. Under Section 1901, a species is endangered when its prospects for survival and reproduction are in immediate jeopardy from one or more cause. A species is rare when, although not threatened with immediate extinction, it is in such small numbers throughout its range that it may become endangered

if its present environment worsens. The act also directs the California Fish and Game Commission to adopt regulations governing the taking, possessing, propagation, or sale of any endangered or rare native plant.

State Water Resources Control Board

Section 401 of the Clean Water Act

Section 401 of the Clean Water Act (Section 401) requires an applicant for any federal permit, (e.g. a 404 (b) (1) permit from the Corp for “fill” of wetlands) that proposes an activity which may result in a discharge to “waters of the United States” obtain certification from the State Water Resources Board (SWRCB). The Regional Water Quality Control Board (RWQCB) acts on behalf of the SWRCB. Certification confirms that the permit action meets state water quality objectives.

Section 401 grants the State of California, through the RWQCB, the right to ensure that resources under its jurisdiction are protected on any federally permitted activity occurring in or adjacent to waters of the state. Therefore, if a proposed project requires a 404 permit and has the potential to impact waters of the state, the RWQCB will regulate the proposed project and associated activities through a Water Quality Certification determination. The Corps will not issue a 404 permit until the RWQCB has been notified and the applicant has obtained a certification.

Porter-Cologne Act

If the Corps determines that wetlands or other waters of the U.S. are isolated waters and not subject to regulations under Section 401 of the Clean Water Act, the RWQCB may choose to exert jurisdiction over these waters under the Porter-Cologne Act as waters of the state.

Local Regulations

As a state agency, the Judicial Council is not subject to local land use plans and regulations. Nevertheless, the following describes relevant policies from the City of Placerville General Plan are provided for informational purposes.

City of Placerville General Plan Policy Document (1989) and Zoning Code

The City of Placerville’s 1989 General Plan (General Plan) was last amended in 2004 and includes a Natural, Cultural, and Scenic Resources Element which lists a variety of goals, policies and implementation programs designed to protect important open space resources including habitats, species, and native tree resources. The goals and policies set forth in the General Plan are not directly applicable to the proposed project. The Judicial Council, as lead agency, considers these policies in determining whether the proposed project’s impacts are significant, and to inform the development of potential mitigation measures.

City of Placerville Woodland and Forest Conservation Plan

Chapter 13 of Title VIII of the City's Code (Woodland and Forest Conservation Plan) outlines specific requirements for the preservation and protection of trees through the issuance of tree removal permits.

Other

California Native Plant Society

The California Native Plant Society (CNPS) maintains a list of plant species native to California that have low numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review as CNPS's data is utilized by CDFW to identify special-status plants. The following identifies the definitions of the CNPS rankings:

- Rank 1A: Plants presumed extirpated in California and either rare or extinct elsewhere.
- Rank 1B: Plants Rare, Threatened, or Endangered in California and elsewhere.
- Rank 2A: Plants presumed extirpated in California, but more common elsewhere.
- Rank 2B: Plants Rare, Threatened, or Endangered in California, but more common elsewhere.
- Rank 3: Plants about which more information is needed - A Review List.
- Rank 4: Plants of limited distribution - A Watch List.

3.4.4 Impacts and Mitigation Measures

Methodology

This analysis is based upon a biological field reconnaissance of the proposed project site, literature searches, and database queries. The sources of reference data reviewed for this assessment include the following:

- California Natural Diversity Database (CNDDDB), Rarefind 5 computer program for the following USGS quadrangles: Placerville, Coloma, Garden Valley, Slate Mountain, Camino, Aukum, Fiddletown, Latrobe, and Shingle Springs. (CDFW, 2014).
- California Native Plant Society (CNPS), Electronic Inventory computer program for the following 7.5-minute USGS quadrangles: Placerville, Coloma, Garden Valley, Slate Mountain, Camino, Aukum, Fiddletown, Latrobe, and Shingle Springs (CNPS, 2014).
- Federal Endangered and Threatened Species that occur in or may be affected by projects in the Placerville USGS 7½ Minute Quad (USFWS, 2014).
- Color aerial photographs (GlobeXplorer, 2006).

The impact analysis focuses on foreseeable changes to the baseline condition in the context of the significance criteria presented above. In conducting the following impact analysis, three principal components of the guidelines outlined above were considered:

1. Magnitude of the impact (i.e., substantial/not substantial)
2. Uniqueness of the affected resource (i.e., rarity of the resource)
3. Susceptibility of the affected resource to perturbation (i.e., sensitivity of the resource)

The evaluation of the significance of the following impacts considered the interrelationship of these three components. For example, a relatively small magnitude impact to a State or federally listed species would be considered significant because the species is very rare and is believed to be very susceptible to disturbance. Conversely, a plant community such as California annual grassland is not necessarily rare or sensitive to disturbance. Therefore, a much larger magnitude of impact would be required to result in a significant impact.

Significance Criteria

The significance criteria for this analysis were adapted from criteria presented in Appendix G of the State CEQA Guidelines and based on the professional judgment of the Judicial Council. The proposed project would result in a significant impact if it would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW, USFWS, or NMFS.
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS.
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal) through direct removal, filling, hydrological interruption, or other means.
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

The proposed project site is not subject to a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved federal or state habitat conservation plan; therefore, consistency with such plans will not be discussed further.

Impact Analysis

Impact 3.4-1: The proposed project would have a substantial adverse effect, either directly or through habitat modifications on special-status raptors (including northern goshawk), other migratory birds, the valley elderberry longhorn beetle, and special-status plant species. (*Less than Significant with Mitigation Incorporated*).

Blue oak-foothill pine habitat provides suitable nesting and foraging opportunities for special-status raptors such as northern goshawk and other migratory birds that utilize woodland habitats. Implementation of the proposed project would directly affect active nest sites through tree removal or cause indirect impacts such as nest abandonment. The interior live oak, blue oak, and foothill pine, as well as the annual grasslands, found within the project site provide suitable nesting and foraging sites for many raptors and other birds. Construction activity within the vicinity of an active nest site could cause parent birds to abandon their nest. Consequently, this impact is considered *potentially significant*.

In addition, implementation of the proposed project could also potentially adversely affect habitat for the valley elderberry longhorn beetle (VELB). Should construction activities occur within 100 feet of the elderberry shrubs located near the project site, the potential exists for the shrubs to be affected by project-related activities. Direct impacts to elderberry shrubs include damage, pruning, and/or removal of shrubs during the course of construction activities. Consequently, this impact is considered *potentially significant*.

Based on the CNDDDB review, six special-status plant species were found to have the potential to occur on the project site (see **Table 3.4-2**). The reconnaissance-level survey conducted for this project did not record presence of any special-status plant species; however, this survey does not constitute a full botanical inventory of the site and does not meet the requirements outlined in the *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities* (CDFW, 2009). Therefore, the proposed project would have the potential to affect special-status plant populations if they are located on the project site. Consequently, this impact is considered *potentially significant*.

Mitigation Measures

Mitigation Measure 3.4-1a: Avoid Active Nesting Season. The Judicial Council shall avoid and minimize impacts to tree and shrub nesting species by implementing the following measures according to the timeframes identified below:

- If feasible, conduct all tree and shrub removal and grading activities during the non-breeding season (generally September 1 through January 31).
- If grading and tree removal activities are scheduled to occur during the breeding and nesting season (February 1 through August 31), pre-construction surveys shall be performed prior to the start of project activities, as described under Mitigation Measure 3.4-1b.

Mitigation Measure 3.4-1b: Conduct Pre-Construction Nesting Bird Surveys and Associated Avoidance Measures. Should grading or other project-related activities occur

during the nesting season (February 1 to August 31), the Judicial Council shall ensure that pre-construction surveys be conducted prior to the initiation of construction by a qualified wildlife biologist to identify active goshawk nests within ½-mile of proposed construction activities and nests of other migratory bird species within 250 feet of proposed construction activities. The surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of each phase of construction. The results of the survey would be emailed to CDFW at least three days prior to construction. Surveys would be conducted by a qualified biologist in accordance with the following protocols:

- Surveys for northern goshawk shall include at least two preconstruction surveys (separated by at least two weeks).
- Surveys for other migratory bird species shall take place no less than 14 days and no more than 30 days prior to the beginning of each phase of construction that would be located within 250 feet of suitable nesting habitat.

If the pre-construction surveys do not identify any nesting raptors or other nesting migratory bird species within areas potentially affected by construction activities, no further mitigation would be required. If the pre-construction surveys do identify nesting raptors or other nesting bird species within areas that may be affected by site construction, the following measures shall be implemented.

- **Northern Goshawk and other Migratory Birds.** If active nests are found, project-related construction impacts shall be avoided by the establishment of appropriate no-work buffers to limit project-related construction activities near the nest site. The size of the no-work buffer zone shall be determined in consultation with the CDFW although a 500-foot buffer should be used when possible. The no-work buffer zone shall be delineated by highly visible temporary construction fencing. In consultation with CDFW, monitoring of nest activity by a qualified biologist may be required if the project-related construction activity has potential to adversely affect the nest or nesting behavior of the bird. No project-related construction activity shall commence within the no-work buffer area until a qualified biologist and CDFW confirms that the nest is no longer active.

Mitigation Measure 3.4-1c: Conduct VELB Survey and Implement Avoidance/Compensation Measures. Prior to the construction phase of the proposed project, the Judicial Council shall ensure that protocol-level surveys for the presence of the valley elderberry longhorn beetle and its elderberry host plant are conducted by a qualified biologist in accordance with USFWS protocols. If elderberry plants with one or more stems measuring one inch or greater in diameter at ground level occur on or adjacent to the proposed project site, or are otherwise located where they may be directly or indirectly affected by the project activities, minimization and compensation measures, which include transplanting existing shrubs and planting replacement habitat (conservation plantings), are required. Surveys are valid for a period of two years. Elderberry plants with no stems measuring one inch or greater in diameter at ground level are unlikely to be habitat for the beetle because of their small size and/or immaturity. Therefore, no minimization measures are required for removal of elderberry plants with all stems measuring one inch or less in diameter at ground level.

For shrubs with stems measuring one inch or greater, the Judicial Council would ensure that elderberry shrubs within 100 feet of proposed development be protected and/or compensated for in accordance with the *U.S. Fish and Wildlife Services' (USFWS) Conservation Guidelines for the Valley Elderberry Longhorn Beetle* (USFWS, 1999) and the *Programmatic Formal*

Consultation Permitting Projects with Relatively Small Effects on the Valley Elderberry Longhorn Beetle Within the Jurisdiction of the Sacramento Field Office (USFWS, 1996b).

Mitigation Measure 3.4-1d: Conduct Special-Status Plant Survey and Implement Avoidance/Compensation Measures. A qualified plant biologist shall conduct a pre-construction survey for all special-status species. The survey shall be floristic in nature and shall follow the procedures outlined in the California Department of Fish and Game's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW, 2009).

If special-status plant species are found, the Judicial Council shall consult with USFWS and/or CDFW to provide preservation and avoidance measures commensurate with the standards provided in applicable USFWS and/or CDFW protocols for the affected species. The preservation and avoidance measures shall include, at a minimum, appropriate buffer areas clearly marked during project activities, monitoring by a qualified plant biologist, and the development and implementation of a replanting plan (collection of seeds, revegetation, and management and monitoring of the habitat to ensure success) for any individuals of the species that cannot be avoided.

Significance after Mitigation: By minimizing impacts (including avoidance of active nesting areas and development of appropriate buffers) to special status species, impacts resulting from changes on the proposed project site will be minimized. With the implementation of **Mitigation Measures 3.4-1a, 3.4-1b, 3.4-1c and 3.4-1d** listed above, this impact would be reduced to a *less-than-significant* level.

Impact 3.4-2: Implementation of the proposed project would have a substantial adverse effect on a sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS. (*Less than Significant with Mitigation Incorporated*).

Proposed project activities would impact several natural communities including annual grasslands and blue oak-foothill pine woodland habitats. However, the loss of annual grassland habitat on the project site does not constitute a significant impact to biotic resources due to its relative abundance locally and regionally. Implementation of the proposed project would also result in the loss of oak woodland habitat. Because of declining native tree populations in the project area and the state, and the recognized value of native trees by the City, the loss of native trees as well as woodland habitats is a significant impact. Consequently, this impact is considered *potentially significant*.

Mitigation Measures

Mitigation Measure 3.4-2a: Protect Sensitive Tree Resources. As part of the final design of the proposed project, the Judicial Council shall prepare a tree protection plan that identifies all trees to be removed on the project site and establishes buffer areas around protected trees. Where feasible, buffer zones shall include a minimum one-foot-wide buffer zone outside the dripline for oaks and landmark trees. The locations of these resources shall be clearly identified

on the construction drawings and marked in the field by a Certified Arborist. Fencing or other barriers shall remain in place until all construction and restoration work that involves heavy equipment is complete. Construction vehicles, equipment, or materials would not be parked or stored within the fenced area. No signs, ropes, cables, or other items shall be attached to the protected trees. Grading, filling, trenching, paving, irrigation, and landscaping within the driplines of oak trees shall be limited. Grading within the driplines of oak trees shall not be permitted unless specifically authorized by a Certified Arborist. Hand-digging shall be done in the vicinity of major trees and as recommended by a Certified Arborist to prevent root cutting and mangling by heavy equipment.

Mitigation Measure 3.4-2b: Implement Oak Woodland Compensation Measures. Where avoidance is not feasible or practicable, the Judicial Council shall provide onsite, in-kind replacement of the full function and value of the natural community at a ratio no less than 1:1. All trees and shrubs planted shall be purchased from a locally adapted genetic stock obtained within 50 miles and 1,000 feet in elevation of the project site. Planting densities shall not exceed 450 trees, shrubs, and vines for each acre planted. The maintenance and monitoring plan shall include cages for each seedling, identify a weed control schedule, and outline a watering regime for the plantings.

As an alternative to onsite mitigation, the Judicial Council may contribute funds to the Oak Woodlands Conservation Fund, as established under subdivision Fish and Game Code §1363(a), for the purpose of purchasing oak woodlands conservation easements, as specified under paragraph (1) of subdivision (d) of that section and the guidelines and criteria of the Wildlife Conservation Board. This measure may be implemented at such time as the Wildlife Conservation Board and/or Department of Fish and Wildlife establish guidelines, criteria, and a payment schedule for contribution to the Oak Woodlands Conservation Fund.

Significance after Mitigation: By minimizing impacts (including avoidance and minimizing tree removal through site design) to sensitive habitats, impacts resulting from changes on the proposed project site would be minimized. With the implementation of **Mitigation Measures 3.4-2a and 3.4-2b** listed above, this impact would be reduced to a *less-than-significant* level.

Impact 3.4-3: Implementation of the proposed project could have a substantial adverse effect on federally protected wetlands and waters of the U.S. as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means. (*Less than Significant with Mitigation Incorporated*).

Development of the proposed project could affect several potentially jurisdictional wetland features including small ephemeral drainages or potential seasonal wetlands. All potential jurisdictional features within the proposed project site that would be potentially affected by the proposed project should be verified by the Corps.

Any discharge of fill into verified features would require a Section 404 Department of the Army Permit. In addition, the Central Valley Regional Water Quality Control Board (CVRWQCB) regulates these features under Section 401 of the Clean Water Act; the Judicial Council would

need a Section 401 Water Quality Certification from the CVRWQCB prior to discharging fill into these features. An impact to these regulated features is potentially significant.

State and federal regulations require that the project applicant avoid or minimize impacts to wetlands and waters and develop appropriate protection for wetlands. Wetlands that cannot be avoided must be compensated to result in “no net loss” of wetlands. This ensures that the proposed project would maintain the current functions and values of onsite wetland habitats. Because wetlands and drainages provide important habitat and water quality functions, and are subject to regulation by the Corps, CDFW, and the CVRWQCB, this impact is considered *potentially significant*.

Mitigation Measures

Mitigation Measure 3.4-3a: Prepare Wetland Delineation Report and Verify With U.S. Army Corps of Engineers. Prior to construction, a wetland delineation shall be conducted by the Judicial Council to determine if the proposed project site contains wetlands and/or waters of the U.S., and the resulting map shall be verified by the Corps. If jurisdictional wetlands or waters of the U.S. occur within the boundaries of the proposed project site, then Mitigation Measure 3.4-3b shall be implemented.

Mitigation Measure 3.4-3b: Implement Wetland Avoidance/Compensation Measures. To ensure that there is no net loss of jurisdictional wetland features, the Judicial Council shall compensate for impacted wetlands at a ratio no less than 1:1. Compensation shall take the form of wetland preservation or creation in accordance with Corps and CDFW mitigation requirements, as required under project permits. Preservation and creation may occur on-site (through a conservation agreement) or off-site (through purchasing credits at a Corps approved mitigation bank).

Significance after Mitigation: By minimizing impacts (including avoidance of jurisdictional wetland features) to wetlands, impacts resulting from changes on the proposed project site will be minimized. With the implementation of **Mitigation Measures 3.4-3a and 3.4-3b** listed above, this impact would be reduced to a *less-than-significant* level.

Impact 3.4-4: Implementation of the proposed project would not 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. (*Less than Significant*)

The proposed project site provides marginal quality as a movement corridor and is not officially designated as a migratory wildlife corridor or wildlife nursery area. As the site is an isolated parcel of land located in a developed area bounded on most sides by roads, highways, and a variety of commercial/residential development, the site does not provide any significant movement corridor for wildlife. Consequently, this impact is considered to be *less than significant*.

Mitigation: None required.

Cumulative Impacts

The cumulative context for biological resources varies depending on the biological resource. For raptors, migratory birds, wetlands, and tree resources, the context includes areas contained within the western Sierra Nevada foothills. For special-status species that have distinct populations or occurrence areas, the context includes the Sacramento Valley and surrounding foothills (valley elderberry longhorn beetle), the coniferous forests of the Sierra Nevada (northern goshawk), and the Sierra Nevada foothills (special-status plants). The primary cumulative effect of the proposed project, when considered with other projects within the cumulative context, would be the potential direct loss of wetlands and other waters of the U.S., raptor and migratory bird nesting habitat (trees), host plants (elderberry shrubs) for the valley elderberry longhorn beetle, and special-status plant species.

Impact 3.4-5: The proposed project would contribute to the cumulative harm to special-status species or species of special concern and/or loss of degradation of their habitat (*Less than Significant with Mitigation Incorporated*).

The historic and ongoing loss of special-status species and native habitat on a regional scale has occurred as natural habitats have been converted to urban and agricultural development. Much of the suitable habitat for native species was lost over the last 150 years due to the conversion to agricultural uses and settlement by Europeans. The conversion or loss of plant and wildlife habitat on a regional level as a result of cumulative development would result in a regional significant cumulative impact on special-status species and their habitats. This impact is a potentially significant cumulative impact. Future development projects within the Sierra Nevada foothills would be required to comply with local ordinances and policies, in addition to CESA, FESA, CWA, Fish and Game Code of California, and other relevant regulations permits and requirements. Compliance with these policies and regulations would reduce project-level impacts to less-than-significant levels. However, continued development and habitat conversion would result in significant cumulative contributions to the regional loss of special-status species.

Implementation of the proposed project may result in impacts to listed or sensitive wildlife species, including: northern goshawk and other raptors, migratory birds, valley elderberry longhorn beetle, and special-status plant species. Impacts to these species would be the result of direct loss of suitable habitats, direct loss of known locations of individuals, or indirect effects due to human disturbance or changes in habitat quality due to project construction.

Implementation of the mitigation measures described below would mitigate these impacts. However, species that are listed or considered to be sensitive are already considered to be compromised, partly or completely (depending on the species) as a result of past and continued human activity and development throughout the region.

As such, cumulative activities that would considerably contribute to adverse affects on wildlife species would be considered significant. Therefore, although localized impacts of the proposed project to the aforementioned species may be considered less than significant, when combined with similar impacts of past, present, and future projects, these impacts would considerably

contribute to a cumulative impact for these species and their habitats. This is a *potentially significant cumulative impact*.

Mitigation Measures

Mitigation Measure 3.4-5a: Avoid Active Nesting Season. The Judicial Council shall implement Mitigation Measure 3.4.-1a as more fully described above under Impact 3.4-1.

Mitigation Measure 3.4-5b: Conduct Pre-Construction Nesting Bird Surveys and Associated Avoidance Measures. The Judicial Council shall implement Mitigation Measure 3.4.-1b as more fully described above under Impact 3.4-1.

Mitigation Measure 3.4-5c: Conduct VELB Survey and Implement Avoidance/Compensation Measure. The Judicial Council shall implement Mitigation Measure 3.4.-3 as more fully described above under Impact 3.4-1.

Mitigation Measure 3.4-5d: Conduct Special-Status Plant Survey and Implement Avoidance/Compensation Measure. The Judicial Council shall implement Mitigation Measure 3.4.-4 as more fully described above under Impact 3.4-1.

Significance After Mitigation: With the implementation of Mitigation Measures 3.4-5a, 3.4-5b, 3.4-5c, and 3.4-5d, and compliance with applicable federal, state, and local policies and regulations, the proposed project's contribution to the regional cumulative impact on special-status species and their habitats would be *less than significant*.

Impact 3.4-6: The proposed project would contribute to the cumulative loss and degradation of wetlands and/or other waters of the U.S. (*Less than Significant with Mitigation Incorporated*)

Wetland habitats within the Sierra Nevada foothills have been reduced significantly from their historic range and probable future development within the region would continue to affect wetland resources. Future development within the region could result in permanent loss of wetland resources and a significant cumulative loss of wetlands within the Sierra Nevada foothills; this is considered a significant cumulative impact, and this loss would contribute to the cumulative fill of wetlands regionally. Therefore, the impact is a *potentially significant cumulative impact*.

Mitigation Measures

Mitigation Measure 3.4-6a: Prepare Wetland Delineation Report and Verify With U.S. Army Corps of Engineers. The Judicial Council shall implement Mitigation Measure 3.4.-3a as more fully described above under Impact 3.4-3.

Mitigation Measure 3.4-6b: Implement Wetland Avoidance/Compensation Measures. The Judicial Council shall implement Mitigation Measure 3.4.-3b as more fully described above under Impact 3.4-3.

Significance After Mitigation: With the implementation of Mitigation Measures 3.4-6a and 3.4-6b, and compliance with applicable federal, state, and local policies and regulations, the proposed project's contribution to the regional cumulative impact on wetland habitat would be less than significant. The loss of this habitat would be fully mitigated in accordance with federal policies and regulations (through the CWA Section 404 permit process), in addition to applicable state and local water quality regulations. Loss of wetlands would be mitigated at a minimum of 1:1 replacement ratio to ensure no net loss of wetland habitat. Thus, with mitigation, the project-related impact on wetlands would not contribute considerably to the cumulative loss and degradation of wetlands in the Sierra Nevada foothills and this impact would be *less than significant*.

Impact 3.4-7: The proposed project would contribute to the cumulative loss of oak woodland habitat and protected trees (*Less than Significant with Mitigation Incorporated*).

The proposed project would remove blue oak-foothill pine woodland. While the loss of this habitat has been shown to be less than significant (with mitigation) at the project level, it would noticeably contribute to an overall trend toward the loss of oak woodlands region-wide. While mitigation would be required for other reasonably foreseeable projects, and while the proposed mitigation would reduce project-specific impacts to less-than-significant levels, the removal of oak woodland and individual trees would contribute to the significant cumulative loss of oak woodland habitat throughout the Sierra Nevada foothills. This is a *potentially significant cumulative impact*.

Mitigation Measures

Mitigation Measure 3.4-7a: Protect Sensitive Tree Resources. The Judicial Council shall implement Mitigation Measure 3.4.-2a as more fully described above under Impact 3.4-2.

Mitigation Measure 3.4-7b: Implement Oak Woodland Compensation Measures. The Judicial Council shall implement Mitigation Measure 3.4.-2b as more fully described above under Impact 3.4-2.

Significance After Mitigation: With the implementation of Mitigation Measures 3.4-7a and 3.4-7b, and compliance with applicable federal, state, and local policies and regulations, the proposed project's contribution to the regional cumulative impact on oak woodlands and trees would be *less than significant*.

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3.5 Cultural Resources

3.5.1 Introduction

This section addresses cultural resources that could be affected by the implementation of the proposed project, including impacts to the existing courthouse facility located at 495 Main Street, in downtown Placerville. This section of the Draft EIR analyzes the proposed project’s potential to result in impacts to historic resources, archaeological resources, paleontological resources, and human remains. The analysis in this section is based on a Cultural Resources Inventory prepared by Environmental Science Associates (attached as **Appendix D**).

Summary of NOP Comments

Chapter 1 of this draft EIR provides a summary of all comments received during the NOP scoping period. Comments regarding the historic nature of the existing courthouse were received during the NOP scoping period, including comments voicing concern over reuse of the historic building.

Summary of Impact Conclusions

A summary of the cultural resource impacts described in this section are identified below in **Table 3.5-1**.

**TABLE 3.5-1
SUMMARY OF CULTURAL RESOURCES IMPACTS**

Impact Number	Impact Topic	Impact Conclusion	Impact After Mitigation
Impact 3.5-1	Historic Architectural Resources	Potentially Significant	Less than Significant
Impact 3.5-2	Other Known Historic Period Resources	Less than Significant	None Required
Impact 3.5-3	Unknown Historic, Archaeological, and Paleontological Resources	Potentially Significant	Less than Significant
Impact 3.5-4	Burial Sites	Potentially Significant	Less than Significant
Impact 3.5-5	Cumulative losses of historical resources	Potentially Cumulatively Significant	Less than Significant
Impact 3.5-6	Cumulative loss of archaeological resources	Potentially Cumulatively Significant	Cumulatively Significant and Unavoidable

3.5.2 Environmental Setting

This section of the draft EIR provides an overview of the recent historic setting of the proposed project area (1800 forward). A complete prehistoric and ethnographic description of the proposed project area is included in the Cultural Resources Inventory Report (ESA, 2014, see **Appendix D** of this Draft EIR).

Historical Setting

The earliest recorded Euro-American presence in the project vicinity stemmed from the lumber harvesting for valley communities. In 1841, the Mexican government granted John Sutter 48,000 acres along the Sacramento River. Sutter established one of the first ranchos in the Central Valley. He built an adobe fort near the confluence of the American and Sacramento rivers and gradually expanded his colony. Sutter was subsequently forced to look east for additional building materials and hired James Marshall to establish a lumber mill in the foothills in what is now Coloma. Construction began in the fall of 1847. James Marshall discovered gold in January of 1848, jumpstarting the gold rush that brought thousands of gold seekers to the state (Hoover, 2002).

The gold rush encouraged miners to establish settlements and claims along the reaches of the American River and other tributaries to the Sacramento River. Established in 1848, one of the first towns originally known as Old Dry Diggins, and then as Hangtown in 1849, became one of the closest towns offering mining supplies and other necessities for the miners in Coloma. Locals incorporated the town and renamed their community Placerville in 1854 after the placer deposits found in the river bed between Spanish Ravine and the town plaza. During the gold rush, Placerville acted as an important supply center for the surrounding mining camps. In 1854, Placerville had the third highest voting population in the state and in 1857, the county seat was moved from Coloma to Placerville (Hoover, 2002).

As early as 1856, mining activity had already begun to decline in the area. The discovery of Nevada's Comstock Lode briefly revitalized mining and commercial interests in the area in 1859 with the Placerville Road facilitating transportation over the Sierras. By 1864, California's gold rush had essentially ended with surface and river placers largely exhausted. Once the gold rush was over, people in foothill towns like Placerville turned to other means of commerce such as ranching, agriculture, and timber production. In the mid-1860s, the Comstock Mines of Nevada began to boom and miners began rushing east across the Sierras to find gold. Placerville was located along a major route connecting California and Nevada and became an important transportation center. In 1869, the transcontinental railroad linked Sacramento more directly to the central and eastern United States. Due to a dispute with the railroad, the City of Placerville disbanded in 1873 and incorporated again in 1901 (Hoover, 2002; City of Placerville, n.d.).

The Placerville and Sacramento Valley Railroad reached the newly formed town of Latrobe in 1864. The railroad extended to Shingle Springs to the northeast in 1865. The railroad became the Sacramento and Placerville Railroad in 1877 and reached Placerville in 1888 (P&SVRR, 2012). That same year, the Southern Pacific purchased the branch under its subsidiary Northern Railway and the Southern Pacific took full responsibility of the Placerville branch in 1898. The near-60-mile line connected to the Camino, Placerville, and Lake Tahoe Railroad at Union Street in Placerville. The segment of railway through the proposed project area is now part of the El Dorado Trail, a Rails-to-Trails project that converted the old railroad corridor to a paved pedestrian bike trail in the late 1990s.

History of the El Dorado County Courthouse, Placerville

Following the establishment of El Dorado County in 1849, Coloma emerged as the county seat and for the first 6 years, the courthouse and county offices were located in rented quarters in Coloma. In 1856, the County constructed a two-story, 80-by-45 foot wooden building to house the court and County offices with an adjacent jail. The next year, the county seat was moved to Placerville due to its better established commercial presence and more central location (McDevitt, 2001).

The first courthouse erected in Placerville was a typical Western vernacular structure, “with a wide roofed porch on the second floor and a jail in the basement” (McDevitt, 2001). It possessed a diminutive bell tower and wooden railing around the second floor porch (Figures 3.5-1 and 3.5-2).

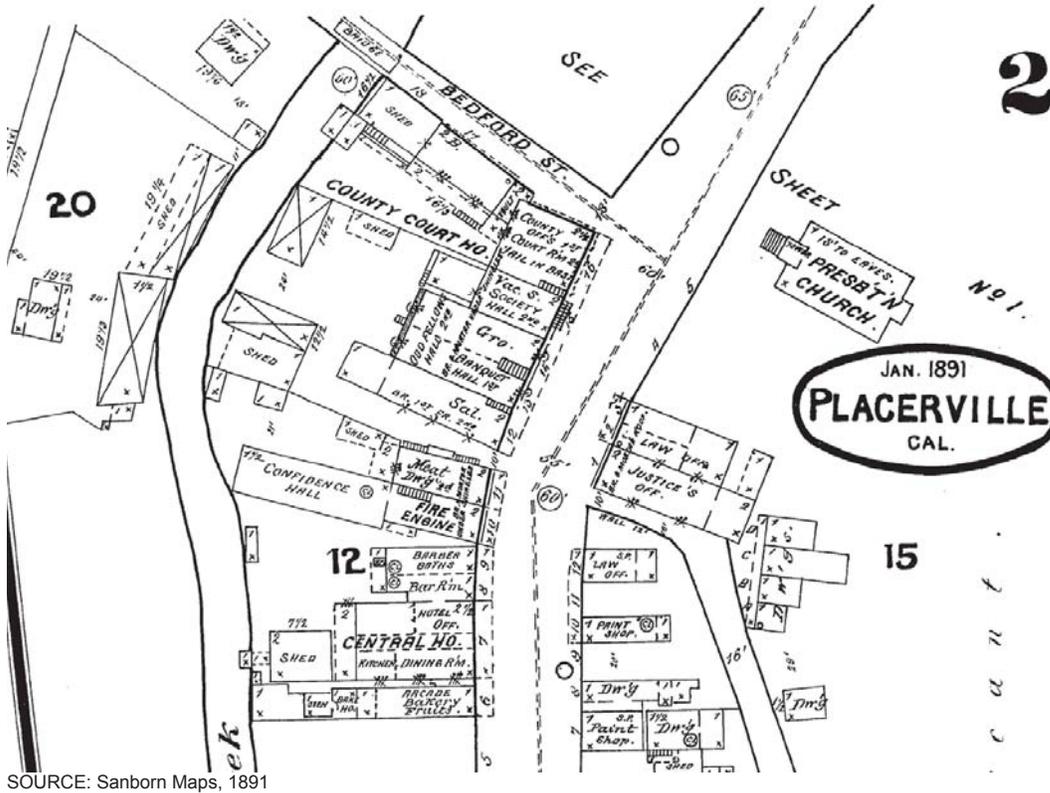


SOURCE: McDevitt, 2001

— New Placerville Courthouse 208091.04

Figure 3.5-1

Original El Dorado County Courthouse, Placerville, CA – 1880

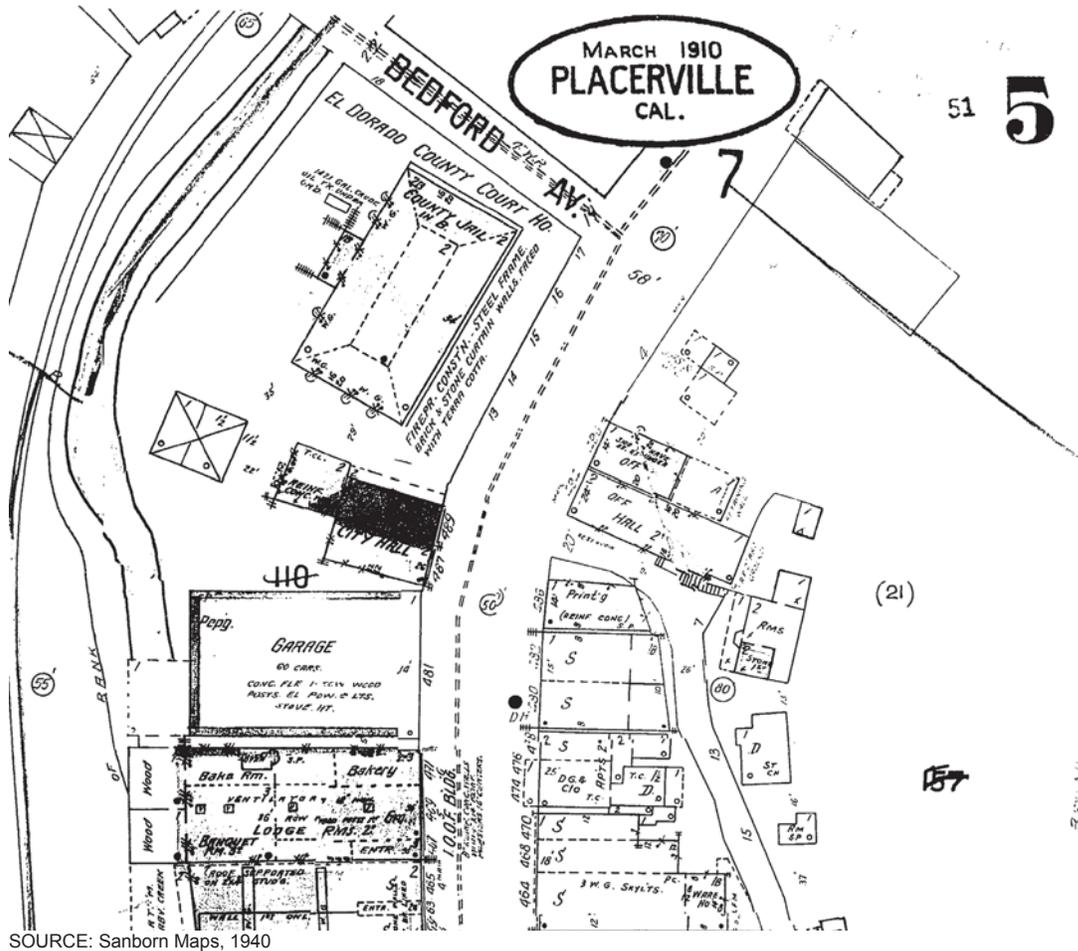


New Placerville Courthouse 208091.04

Figure 3.5-2
Sanborn Fire Insurance Map, Placerville, CA – 1891

In January 1910, the El Dorado County Supervisors began examining the option of purchasing the property adjacent to the courthouse. County Supervisors had determined the courthouse to be too small, and the addition of the adjacent property would greatly enlarge the capacity of the building (*San Francisco Call*, 01/08/1910). The courthouse was badly damaged by a fire on May 15, 1910 and was subsequently demolished. The fire began at 10 o'clock in the evening and destroyed not only the country courthouse, but the Odd Fellows hall and a nearby grocery (*San Francisco Call*, 05/17/1910).

Following the destruction of the Placerville Courthouse, residents from both Georgetown and El Dorado began to campaign for the removal of the county seat to their respective cities (*San Francisco Call*, 05/29/1910, 05/31/1910). On November 10, 1910, a bond for \$125,000 to erect a new courthouse passed, and El Dorado County decided to rebuild a courthouse on the same site (see **Figure 3.5-3**), but on a larger and grander scale, with more durable materials (*San Francisco Call*, 11/11/1910, 12/09/1910; McDevitt, 2001). The new courthouse was completed in 1912 (**Figure 3.5-4**). The reinforced concrete building consisted of two stories and a basement, as well as a jail with 12 cells. The treasurer's office occupied the first floor, and the second floor contained the courtrooms for the superior court. The building measured 60 by 100 feet, and included a "Spanish roof and two granite buttresses at the front entrance" as well as a glazed terra cotta finish.



SOURCE: Sanborn Maps, 1940

New Placerville Courthouse 208091.04

Figure 3.5-3

Sanborn Fire Insurance Map, Placerville – 1910-1940

At the time of its completion, the building was described as “of classic design, the main corridors being finished in marble and scaglios and imitation Caen stone. The floors in the corridor are of ceramic tiles, laid in artistic designs. The main entrance has two solid bronze doors and the main staircase is of iron and marble” (*San Francisco Call*, 12/22/1912). The architectural firm Cuff and Diggs of Sacramento designed the building and work was carried out under the superintendence of Clifford B Rushmer of San Francisco. Rushmer previously worked as a consulting engineer for the San Francisco City Engineer (*San Francisco Call*, 12/22/1912). Ransome Concrete Company acted as general contractor for the construction of the courthouse.

In 1962, engineers hired by the County Board of Supervisors determined that the heavy loads imposed on the building by modern equipment and increased personnel had resulted in structural weaknesses, making the building a potential hazard. The engineers concluded that the building’s exterior walls and steel frame were in good condition, but the concrete used in the original construction of the building was poor quality, with slabs thinner than specified in the original



SOURCE: McDevitt, 2001

—New Placerville Courthouse 208091.04

Figure 3.5-4

El Dorado County Courthouse, Placerville – 1917

building plans. The report documented that concrete support beams had failed under the weight of photo copy machines, the lobby floor was in danger of collapse along with the Boiler Room floor, and the ceiling over portions of the second story was unsafe and in danger of falling (*Mountain Democrat*, 06/21/1962). The engineers recommended the building either be abandoned or restricted in the interests of safety, but the Board of Supervisors decided to restore, rather than demolish the building (*Mountain Democrat*, 06/21/1962; McDevitt, 2001). Architect Robert Mason designed the restoration of the courthouse and designed the county jail and sheriffs' offices (*Mountain Democrat*, 11/7/1968). Buettner-Carter and Denton & Associates worked as the general contractors. Workers completed the rehabilitation in 1971 and the courthouse was rededicated that year.

Paleontological Resources

Paleontology is the study of the history of life on Earth based on fossils. Paleontological resources include fossil remains, as well as fossil localities and formations, which have produced fossil material in other nearby areas. Fossils are an important educational resource, and are

classified as nonrenewable scientific resources. Paleontological resources are protected by Public Resources Code (PRC) Section 5097.5.

In 2010, the City of Placerville identified 22 fossil localities occur within the County; the closest locality is in Placerville and contains Quaternary invertebrate fossils (City of Placerville, 2010:155). The project site is underlain by Logtown Ridge Formation (CDMG, 1981), which includes marine sedimentary rocks. Many areas of El Dorado County is underlain by the Mehrten Formation, which has produced late Miocene plant fossils at one locality in the County and significant Miocene age fossils from localities south of the project site, with more than 200 paleontological resources recorded throughout the Central Sierra Nevada foothills. Examples of finds from the Mehrten Formation in Stanislaus County include a partial skeleton of the extinct ground sloth (*Pliometanastes protistus*) and vertebrate fossils at Turlock Lake State Park (City of Placerville, 2010:155). Because the Mehrten Formation has produced significant vertebrate fossils, this formation is considered to have high sensitivity using criteria established by the Society of Vertebrate Paleontology (SVP, 1995).

3.5.3 Regulatory Setting

State Regulations

California Register of Historical Resources

The California Register of Historical Resources (California Register) is “an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change” (California Public Resources Code [PRC] Section 5024.1[a]). The criteria for eligibility for the California Register are based upon National Register criteria (PRC Section 5024.1[b]; 14 California Code of Regulations [CCR] Section 4850 et seq.). Certain resources are determined by the statute to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register.

To be eligible for the California Register, a prehistoric or historic-period property must be significant at the local, state, and/or federal level under one or more of the following four criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

A resource eligible for the California Register must meet one of the criteria of significance described above, and retain enough of its historic character or appearance (integrity) to be recognizable as a historical resource and to convey the reason for its significance. It is possible that a historic resource may not retain sufficient integrity to meet the criteria for listing in the National Register, but it may still be eligible for listing in the California Register.

Additionally, the California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed on the National Register and those formally determined eligible for the National Register;
- California Registered Historical Landmarks from No. 770 onward; and
- Those California Points of Historical Interest that have been evaluated by the OHP and have been recommended to the State Historical Commission for inclusion on the California Register.

Other resources that may be nominated to the California Register include:

- Historical resources with a significance rating of Category 3 through 5 (those properties identified as eligible for listing in the National Register, the California Register, and/or a local jurisdiction register);
- Individual historical resources;
- Historical resources contributing to historic districts; and
- Historical resources designated or listed as local landmarks, or designated under any local ordinance, such as an historic preservation overlay zone.

California Environmental Quality Act

CEQA (codified at PRC Section 21000 et seq.) is the principal statute governing environmental review and approval of discretionary projects occurring in the state. CEQA requires lead agencies to determine, prior to approval, if a project would have a significant adverse effect on historical or unique archaeological resources.

State CEQA Guidelines generally recognize that a historical resource includes: (1) a resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (PRC Section 5024.1); (2) a resource included in a local register of historical resources, as defined in PRC Section 5020.1(k) or identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); and (3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California by the lead agency, provided the lead agency's determination is supported by substantial evidence in light of the whole record (CEQA Guidelines, Section 15064.5[a]). State CEQA Guidelines note

that if an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment (CEQA Guidelines Section 15064.5[c][4]).

State Laws Pertaining to Human Remains

Section 7050.5 of the California Health and Safety Code requires that construction or excavation be stopped in the vicinity of discovered human remains until the county coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission. CEQA Guidelines (Public Resources Code Section 5097) specify the procedures to be followed in case of the discovery of human remains on non-federal land. The disposition of Native American burials falls within the jurisdiction of the Native American Heritage Commission.

Local Regulations

As a state agency, the Judicial Council is not subject to local land use plans and regulations. Nevertheless, the following describes relevant policies from the City of Placerville General Plan are provided for informational purposes.

City of Placerville General Plan Policy Document (1989)

The City of Placerville General Plan Policy Document (1989) provides goals for the preservation and protection of Placerville's historical and Native American heritage. Relevant policies within these goals include conducting archaeological site evaluations as appropriate and attempting to mitigate any adverse impacts according to the recommendations of a qualified archaeologist.

Goal G: To preserve and enhance Placerville's historical heritage.

1. The City shall set as a high priority the protection and enhancement of Placerville's historically and architecturally significant buildings and sites.
2. The City shall encourage all public and private efforts to preserve and promote Placerville's historical heritage for economic benefits associated with increasing tourist trade.
6. The City shall support the efforts of property owners to preserve and renovate historic and architecturally significant structures. Where buildings cannot be preserved intact, the City shall seek to preserve the building facades.

Goal H: To protect Placerville's Native American heritage.

1. The City shall not knowingly approve any public or private project that may adversely affect an archaeological site without consulting the California Archaeological Inventory at California State University, Sacramento, conducting a site evaluation as may be indicated, and attempting to mitigate any adverse impacts according to the recommendations of a qualified archaeologist. City implementation of this policy shall be guided by Appendix K of the State CEQA Guidelines.

3.5.4 Impacts and Mitigation Measures

Methodology

In conducting the analysis of cultural resource impacts related to the proposed project, a historian and archaeologist conducted the following activities:

- Archival review at the North Central Information Center (NCIC).
- Field surveys of the proposed project site.
- Coordination with interested parties including Native American groups.

These activities are further described below, with additional details provided in the Cultural Resources Inventory Report (see **Appendix D** of this Draft EIR).

Archival Review

For the proposed project study area, cultural resources staff conducted a records search at the NCIC of the California Historical Resources Information System at Sacramento State University on February 17, 2012 (File No. ELD-12-04). Records were accessed by reviewing the Placerville, California 7.5-minute quadrangle base map. The records search included a ¼-mile radius around the proposed project site and also addressed the status and previous recordation of the existing 1912 courthouse.

Included in the review were the *California Inventory of Historical Resources* (California Department of Parks and Recreation, 1976) and the *Historic Properties Directory Listing* (Office of Historic Preservation, 2012). The Historic Properties Directory (HPD) includes listings of the California Register and National Register, and the most recent listing of the California Historical Landmarks and California Points of Historical Interest. Additional research was conducted at the El Dorado County Museum Research Room, the Placerville Branch of the El Dorado County Library, the California State Library California History Room, and through the California Digital Newspaper Database.

Archival review at the NCIC indicated that Douglas Walker had previously surveyed the proposed project site in 1984, prior to construction of the El Dorado County Jail. Approximately 80% of the area within a ¼ mile of the proposed project site has been surveyed and **Table 3.5-2** provides a summary of these previous investigations.

Information obtained at the NCIC noted a previously recorded segment of the Southern Pacific Railroad (CA-ELD-971H) is near the proposed project site and a previously recorded historic-period ditch (P-9-003681) is within ¼ mile of the proposed project site. Recorders of CA-ELD-971H did not assess its eligibility for listing in the National Register but noted the resource to be in fair to poor condition. Recorders of P-09-003681 recommended the resource as not eligible for listing in the National Register due to a lack of association with any specific period or historic event, as well as a lack of integrity.

**TABLE 3.5-2
PREVIOUS INVESTIGATIONS DONE WITHIN ¼ MILE OF THE PROPOSED PROJECT SITE**

NCIC Report #	Author Date	Within Proposed Project Site	Within ¼ mile of the Proposed Project Site
ED-141	Peak and Associates (1984)		X
ED-2191	QUAD Consultants (1998)		X
ED-2287	Archaeological Services, Inc (1991)		X
ED-4243	Peak, Ann S. (2002)		X
ED-4263	Walker (1984)	X	
ED-7772	Jensen, Sean (2006)	X	
ED-9295	Peak, Melinda (2008)		X
ED-10171	Historic Resources Associates (2009)	X	X

SOURCE: NCIC, 2012

The proposed project includes the replacement of the functions within the existing 1912 courthouse to the new facility. The El Dorado County Courthouse at 495 Main Street (P-09-004693) has been previously evaluated (Earle, 2001; Lortie, 1998; Heritage Association of El Dorado County, 1984) and recommended as eligible for listing in the National Register of Historic Places under Criterion A for its association with the development of local government and under Criterion C for its Beaux Arts Italian Renaissance Revival style. The State Officer of Historic Preservation (SHPO) has not confirmed this determination, and subsequently the building is not formally determined to be eligible. **Appendix D** of this Draft EIR includes previously completed DPR forms for the courthouse.

National Register of Historic Places-Listed Properties

There are no National Register-listed properties within ¼ mile of the proposed project site. The nearest NRHP-listed resource is the Episcopal Church of Our Saviour, which is located at 2979 Coloma Street in the City of Placerville. The building is located approximately 1.2 miles east of the proposed project site.

National Register of Historic Places-Eligible Properties

No potentially eligible historic properties have been evaluated within ¼ mile of the proposed project site. The 1912 El Dorado County Courthouse was previously evaluated in 1983, 1998, and 2001. The existing courthouse was recommended as eligible under Criteria A and C, but has not formally determined to be eligible.

California State Historical Landmarks, California Inventory of Historical Resources, and California Points of Historical Interest

No resources listed as a California State Historical Landmark are located within a ¼ mile of the proposed project site. The nearest State Historical Landmark is CHL # 701, the Pony Express Station within the City of Placerville. The site is located approximately 1.2 miles east of the proposed project site, at Sacramento and Main Roads in Placerville.

Field Survey

ESA Archaeologist Brian Marks conducted an intensive survey of the proposed project site on May 1, 2012 to identify potential cultural resources. Approximately 20 percent of the project area consisted of dense blackberry bushes, steep embankments, or extremely dense foliage and could not be surveyed. The remaining area consisted of tall grasses. Surface visibility of the project was less than 10 percent with few exceptions. Dr. Marks surveyed accessible areas at 15 meter transects and scraped the vegetation back approximately every 15 meters to view the ground surface. Additionally, Dr. Marks specifically surveyed areas of increased visibility, notably along a dirt road that runs through the new construction site. Areas of deer trails also had better visibility.

Dr. Marks observed a wide range of refuse within the area. The material included clothing fragments, glass beverage bottles, plastic beverage bottles, aluminum beverage cans, metal sanitary cans, spray paint cans, and a possible homeless camp. None of these items were distinctively more than 50 years old. According to a sheriff employee, the area was a party spot before the construction of the jail in 1986.

During the survey, Dr. Marks located the segment of the Southern Pacific Railroad (CA-ELD-971H) at the northern end of the proposed project area. It is now a paved pedestrian/biking trail. The only remaining elements of the railroad corridor are the modifications to the hillside during the initial construction. These elements include banks and terraces along the hillside.

The field survey also revealed an additional historic-period resource in the form of a dry laid stone dam across an intermittent creek in the southwestern portion of the project site. The dam appears to have supported a roadway; however, the road has long been out of use as trees have grown through the roadway. The dam is approximately 10 feet wide and 20 feet long, oriented northwest/southeast, and it sits approximately four feet above the stream bed at its center. A pond has formed upstream of the dam, but drains through the dam within a channel that runs through the center of the dam/roadway. This channel does not appear to be part of the original design and the modification likely occurred to increase water flow downstream. Additionally, a three inch metal pipe, composed of threaded sections juts out of the bottom of the dam.

A review of the 1870 GLO map for the area revealed an un-named trail in the general vicinity that extended off the Sacramento and Placerville Road (modern day U.S. 50) to Mining Gulch to the southeast. This trail does not appear on any other map of the area, and likely served only as a short-term road during the gold-mining era. Field survey did not locate this resource.

Native American Consultation

Cultural institutions, lifeways, culturally valued viewsheds, places of cultural association, and other sacred places and trust assets must also be considered under the NEPA (40 CFR 1501.2), Executive Order 12898 and sometimes other authorities (Executive Order 13175, Executive Order 13007, NAGPRA). In addition, Executive Order 13007 specifically deals with sacred sites.

ESA staff contacted the Native American Heritage Commission (NAHC) on January 26, 2012 to request a database search for sacred lands or other cultural properties of significance within or adjacent to the proposed project APE. The NAHC responded on February 2, 2012 that a search of the sacred lands file did not indicate the presence of Native American cultural resources in the area, but cautioned that the absence of specific site information in the sacred lands file does not indicate the absence of cultural resources on the project site or vicinity. The NAHC response also included three contacts who have expressed an interest in this area. ESA staff sent a letter to each individual or organization on February 2, 2012. The Shingle Springs Rancheria responded with a letter dated February 21, 2012, stating that they are unaware of any known cultural resources on the site but would like to remain updated as the project progresses. On March 19, 2012, ESA received a response from the Auburn Indian Community of the Auburn Rancheria, stating that the proposed project area is located within their aboriginal territory and that they would like to receive copies of reports completed for the proposed project as well as contact in the event that any Native American resources are found within the project site. No other responses have been received as of this writing (September 2014). The Cultural Resources Inventory Report (see **Appendix D** of this Draft EIR) includes copies of all correspondence mentioned above.

Significance Criteria

The significance criteria for this analysis were adapted from criteria presented in Appendix G of the State CEQA Guidelines and based on the professional judgment of the Judicial Council and its consultants. The proposed project would result in a significant impact if it would cause:

- A substantial adverse change in the significance of a historical resource that is either listed or eligible for listing on the National Register of Historic Places, the California Register of Historical Resources, or a local register of historic resources;
- A substantial adverse change in the significance of a unique archaeological resource;
- Disturbance or destruction of a unique paleontological resource or site or a unique geologic feature; or
- Disturbance of any human remains, including those interred outside of formal cemeteries.

CEQA provides that a project may result in a significant environmental effect if it would cause a substantial adverse change in the significance of a historical resource (Public Resources Code, Section 21084.1). State CEQA Guidelines Section 15064.5, subdivision (b) (1), defines a “substantial adverse change” in the significance of a historical resource to mean “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.”

State CEQA Guidelines, Section 15064.5, subdivision (b) (2), defines “materially impaired” for purposes of the definition of “substantial adverse change...” as follows:

The significance of an historical resource is materially impaired when a project:

- A. demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
- B. demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- C. demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

Historic resources are usually 50 years old or older and must meet at least one of the criteria for listing in the California Register (such as association with historical events, important people, or architectural significance), in addition to maintaining a sufficient level of physical integrity (CEQA Guidelines Section 15064.5[a] [3]).

Impact Analysis

Impact 3.5-1: The proposed project would adversely affect historic architectural resources (*Less than Significant with Mitigation Incorporated*).

As described above under the Regulatory Setting section, and as recommended by previous researchers, the existing El Dorado County Courthouse appears to meet both California Register Criteria 1 and 3, and retains sufficient integrity to convey those historical and architectural associations. The building appears to meet requirements for listing in the California Register; however SHPO has not provided formal concurrence on these findings. As the El Dorado County Courthouse appears to be eligible for listing on the California Register, the property can be considered a 'historical resource' for the purposes of CEQA.

The Judicial Council has worked extensively with the city and the county to identify a disposition process that would best preserve the courthouse. In September 2014, both the City Council of Placerville and the El Dorado County Board of Supervisors directed their staff to work together to explore potential re-use options for the courthouse. Both the city and the county, in an effort to facilitate as much community input as possible, established a committee to explore the potential for the re-use and repurposing of the historic Main Street Courthouse. Section 5020.1 of the California PRC establishes the threshold of "substantial adverse change" as demolition, destruction, relocation, or alteration activities that would impair the significance of an historic resource. A substantial adverse change to a historic resource is considered a significant impact under CEQA. Alteration to the historic architectural attributes of the 1912 Placerville Courthouse building resulting from adaptive reuse would be considered a "substantial adverse change" and therefore would cause a significant impact under CEQA. Therefore, the impact is *potentially significant*.

Mitigation Measures

Mitigation Measure 3.5-1: Adherence to the Secretary of Interior (SOI) Standards for Rehabilitation. Plans for the reuse of the historic courthouse shall be submitted to and reviewed by the City of Placerville Historical Advisory Committee for consistency with the Secretary of the Interior's Standards for Rehabilitation. Such standards call for the retention of significant, character-defining features of the building while finding a new use for the structure that is compatible with its historic character. As part of the City's review, the City shall also require that restoration and reuse of the courthouse comply with the National Park Service's Preservation Brief #17, *Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Architectural Character*, and Preservation Brief #18, *Rehabilitating Interiors in Historic Buildings - Identifying and Preserving Character-Defining Elements*. The SOI Standards for the Treatment of Historic Properties, as well as Preservation Briefs #17 and #18, are provided in **Appendix E** of this EIR.

Significance after Mitigation: With implementation of **Mitigation Measure 3.5-1**, adherence to the SOI standards would ensure that the Placerville courthouse retains its historic character, and would reduce the magnitude of the impact to this historic resource to *less than significant*.

Impact 3.5-2: The proposed project would adversely affect other known historic period resources (*Less than Significant*).

As described above, cultural resource staff identified two historic period resources during field survey: a segment of the old alignment of the Southern Pacific Railroad (CA-ELD-971H, now a paved bicycle trail), and a previously unevaluated dry laid stone dam. The segment of the SPRR has been extensively altered since its original construction, with the removal of the associated railroad hardware and repurposing of the alignment as a modern bicycle path. Subsequently, the resource does not appear to maintain sufficient integrity to reflect its historic context or potential historic significance, and as such is recommended ineligible for listing in the California Register and would not be considered a historical resource under CEQA.

Current project design avoids any direct or indirect impacts to the dry laid stone dam identified during field survey, therefore no impact to known historic period resources is anticipated at the site of the proposed courthouse. Therefore, this impact is considered to be *less than significant*.

Mitigation: None required.

Impact 3.5-3: Project construction could adversely affect currently unknown historic resources, including unique archaeological or paleontological resources (*Less than Significant with Mitigation Incorporated*).

In addition to the known historic resources (identified above under Impact 3.5-2), previously unrecorded or unknown historic resources or pre-historic archaeological or buried paleontological

materials could be unexpectedly revealed during excavation of the proposed project site. Therefore, the possibility still exists for the discovery of cultural resources as a result of proposed project activities. Potential pre-historic archaeological features or artifacts could include, but are not limited to, hearths, midden or shell deposits, lithic reduction flakes, projectile points, milling stations, historic-period structural foundations for houses, auxiliary buildings, roads, irrigation or watering systems, and trash scatters.

Paleontological resources are the fossilized evidence of past life found in the geologic record. Despite the tremendous volume of sedimentary rock deposits preserved worldwide, and the enormous number of organisms that have lived through time, preservation of plant or animal remains as fossils is an extremely rare occurrence. Because of the infrequency of fossil preservation, fossils—particularly vertebrate fossils—are considered to be nonrenewable resources. Due to their rarity, and the scientific information they can provide, fossils are highly significant records of ancient life. Due to the uncertainty about the presence of archaeological and paleontological resources on the project site, it is possible that project development could result in the permanent loss of potentially important cultural resource data. Therefore, this impact is considered *potentially significant*.

Mitigation Measures

Mitigation Measure 3.5-3: Stop Work in the Event of Cultural Resource Discovery. If cultural resources are encountered, all activity in the vicinity of the find shall cease until it can be evaluated by a qualified archaeologist and a Native American representative. If the archaeologist and Native American representative determine that the resources may be significant, they will notify the Judicial Council. An appropriate treatment plan for the resources should be developed. The archaeologist shall consult with Native American representatives in determining appropriate treatment for prehistoric or Native American cultural resources. In considering any suggested mitigation proposed by the archaeologist and Native American representative, the Judicial Council will determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. In the event that the resource identified is determined to be paleontological, a qualified paleontologist will be contacted and shall recommend to the Judicial Council appropriate treatment for paleontological resources. If avoidance is infeasible, other appropriate measures (e.g., data recovery) will be instituted. Work may proceed in other parts of the project site while mitigation for cultural resources is being carried out.

Significance after Mitigation: Implementation of **Mitigation Measure 3.5-3**, which consists of several actions designed to address the discovery of previously unidentified cultural resources, would result in a *less-than-significant* impact.

Impact 3.5-4: Project construction could result in damage to previously unidentified human remains (*Less than Significant with Mitigation Incorporated*).

There is no indication, either from the archival research results or the archaeological survey, that any particular location in the proposed project area has been used for human burial purposes in

the recent or distant past. Therefore, it is unlikely that human remains would be encountered during construction of the proposed project. However, in the unlikely event that human remains, including those interred outside of formal cemeteries, are discovered during subsurface activities the human remains could be inadvertently damaged. Therefore, this impact is considered *potentially significant*.

Mitigation Measures

Mitigation Measure 3.5-4a: Stop Work in the Event of Cultural Resource Discovery. The Judicial Council shall implement Mitigation Measure 3.5.-3 as more fully described above under Impact 3.5-3.

Mitigation Measure 3.5-4b: Discovery of Human Remains. If human remains are encountered unexpectedly during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the El Dorado County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC will then identify the person(s) thought to be the Most Likely Descendent, who will help determine what course of action should be taken in dealing with the remains.

Significance after Mitigation: Implementation of Mitigation Measure 3.5-4a and 3.5-4b would result in a *less-than-significant* impact.

Cumulative Impacts

The cumulative setting for cultural resources includes downtown Placerville for historic period resources, and the portions of Sierra Nevada foothills identified as the territory of the local Native American community for prehistoric archaeological resources. Historic resources tend to be concentrated within city limits, however, even within city limits, the majority of these resources have not been surveyed for significance under local, state, or federal criteria.

Regionally, excavations have uncovered evidence of prehistoric Native American culture dating to 8,000 before present, and future development within city limits increases the likelihood that archaeological sites be uncovered. The proposed development is not anticipated to result in an increased potential for cumulative impacts to human remains; therefore, this topic is not addressed further in this analysis.

Impact 3.5-5: The proposed project could contribute to cumulative losses of historic architectural resources (*Less than Significant*).

Historic development of the City of Placerville dates back to the mid-nineteenth century, and the downtown core reflects the early and ongoing development of the city. As discussed under Impact 3.5-1, the Judicial Council has worked extensively with the city and the county to identify a disposition process that would best preserve the courthouse. In September 2014, both the City

Council of Placerville and the El Dorado County Board of Supervisors directed their staff to work together to explore potential re-use options for the courthouse. Both the city and the county, in an effort to facilitate as much community input as possible, established a committee to explore the potential for the re-use and repurposing of the historic Main Street Courthouse. As part of the re-use of the Main Street Courthouse, the city and/or county would be required to maintain the historic character of the building, as required under Mitigation Measure 3.5-1.

Other development within the downtown area of the City of Placerville could affect the cumulative historic context. For example, a project at 301 and 305 Main Street (approved in 2012) would result in exterior alterations of two existing commercial buildings located within downtown Placerville. Both 301 and 305 Main Street are listed on the City's Historic Resource Inventory. The 305 Main Street site is designated State Historical Landmark No. 141 Hangman's Tree. The building alteration and sidewalk replacement proposed was required to comply with the Secretary of Interior Standards for Rehabilitation, consistent with State CEQA Guidelines section 15331. However, restoration of the exterior of the building to meet the Secretary of Interior Standards for Rehabilitation would not result in a cumulative change to historic resources in downtown Placerville. Other rehabilitation projects to historic structures in downtown Placerville would also be required to adhere to the Secretary of Interior (SOI) Standards for Rehabilitation. As such, the cumulative impact on historic architectural resources would be *less than significant*.

Impact 3.5-6: The proposed project could contribute to cumulative losses of archaeological or paleontological resources (*Cumulatively Significant and Unavoidable*).

Regional excavations have uncovered evidence of Native American culture dating back to 6,000 B.C.E, as well as historic archaeological sites dating to the mid-nineteenth century and settlement by Europeans. Potential future development increases the likelihood that prehistoric and historic archaeological sites will be uncovered, and it is therefore possible that cumulative development could result in the demolition or destruction of previously undiscovered unique archaeological or paleontological resources, which could contribute to the erosion of the prehistoric record. Archaeological and paleontological resources are finite, and the loss this material record cannot be completely mitigated. Loss of these resources could contribute to a cumulatively *significant impact* to archaeological and paleontological resources within the region.

Mitigation Measures

Mitigation Measure 3.5-6: Stop Work in the Event of Cultural Resource Discovery.

The Judicial Council shall implement Mitigation Measure 3.5.-3 as more fully described above under Impact 3.5-3.

Significance After Mitigation: Mitigation Measure 3.5-6 would ensure that existing archaeological resources are identified, evaluated and treated promptly before they can be damaged or destroyed during construction. However, as noted above, archaeological resources are finite. As such, the loss of this material record cannot be completely

mitigated. Therefore, the project's potential contribution to this impact would be *significant and unavoidable*.

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3.6 Hydrology and Water Quality

3.6.1 Introduction

This section addresses hydrology and water quality impacts that could result through implementation of the proposed project. This section of the Draft EIR also addresses related flooding, storm water discharge, and general water quality issues associated with the proposed project and the proposed project site.

Summary of NOP Comments

Chapter 1 of this Draft EIR provides a summary of all comments received during the NOP scoping period. The Central Valley Regional Water Quality Control Board (CVRWQCB) submitted a letter (dated May 18, 2012) during the NOP scoping period describing general water quality permitting requirements.

Summary of Impact Conclusions

A summary of the hydrology and water quality impacts described in this section are identified below in **Table 3.6-1**.

**TABLE 3.6-1
SUMMARY OF HYDROLOGY AND WATER QUALITY IMPACTS**

Impact Number	Impact Topic	Impact Conclusion	Impact After Mitigation
Impact 3.6-1	Construction-Related Water Quality Impacts	Less than Significant	None Required
Impact 3.6-2	Onsite Water Quality Impacts	Less than Significant	None Required
Impact 3.6-3	Exceed Capacity of Stormwater System	Potentially Significant	Less than Significant
Impact 3.6-4	Groundwater Supplies and Recharge	No Impact	None Required
Impact 3.6-5	Cumulative Violation of Water Quality Standards or Waste Discharge Requirements	Not Cumulatively Significant	None Required
Impact 3.6-6	Water Quality Degradation	Not Cumulatively Significant	None Required
Impact 3.6-7	Cumulative Stormwater Drainage	Not Cumulatively Significant	None Required
Impact 3.6-8	Cumulative Depletion of Groundwater	Not Cumulatively Significant	None Required

3.6.2 Environmental Setting

Climate

The proposed project site is located in the foothills of the Sierra Nevada mountain range. Regionally, strong marine air that flows from the Pacific Ocean results in heavy precipitation. Rainfall in the summer is light and is limited to a few scattered thunderstorms. Precipitation

ranges from 25 inches per year in the lower elevations of El Dorado County to about 50 inches per year in the upper elevations.

Surface Water

Surface water on the west slope of El Dorado County is contained in three principal watersheds: the Middle Fork American River, the South Fork American River, and the Cosumnes River. The proposed project site is located within the South Fork American River watershed.

South Fork American River

The South Fork American River watershed encompasses the central region of the county, extending from the headwaters at Echo Summit, west to the terminus at Folsom Reservoir. The major tributaries contributing flow directly into the South Fork American River are Silver Fork American River, Silver Creek, Slab Creek, Rock Creek, and Weber Creek. Upstream tributaries are Caples Creek, South Fork Silver Creek, and Jones Fork Silver Creek. Other water features within the watershed are Caples Lake, Silver Lake, Lake Aloha, Weber Reservoir, Ice House Reservoir, Union Valley Reservoir, Junction Reservoir, Camino Reservoir, Brush Creek Reservoir, Slab Creek Reservoir, and Chili Bar Reservoir. The peak runoff from this watershed, where precipitation occurs primarily as snowfall in the upper elevations of the watershed and rainfall in the lower elevations, is typically from March through June.

Larger waterways in the vicinity of the proposed project site include Hangtown Creek, which flows in a northwesterly direction and is located just over a mile north of the proposed project site. Weber Creek flows in a southwesterly direction and is located roughly two miles south of the proposed project site. Hangtown Creek merges into Weber Creek about three miles downstream (northwest) of the proposed project site. Weber Creek ultimately joins the South Fork American River further to the northwest.

Site Drainage and Flooding

The proposed project site is located along the ridge of a series of rolling hills, with an elevation of about 1,970 feet mean sea level (msl). Surface drainage from the site likely proceeds either northwest along minor drainages towards Forni Road, or towards the southeast and into a small drainage located about 500 feet downhill from the proposed project site. The nearest FEMA-defined 100-year flood zone to the proposed project site is located approximately 0.5 mile north and about 200 feet lower in altitude, as compared to the proposed project site. As the proposed project site is located near the crest of a ridge of hills, it is not expected to be substantially affected by flooding.

Groundwater

The geology of the west slope of El Dorado County is principally hard crystalline or metamorphic rock that forms the land surface, or underlies a thin soil of isolated alluvial cover. Although groundwater does not actually penetrate the hard rock mass, it can be found in fractures below the ground surface. The characteristics of the fracture system that affect the ability of water users to

develop groundwater resources include the size and location of the fractures, the interconnection between the fractures, and the amount of material that may be clogging the fractures. In addition, the width of fractures generally decreases with depth. Therefore, recharge, movement, and storage of water in fractures of hard rock are limited. As such, the long-term reliability of groundwater cannot be estimated with the same level of confidence as a porous or alluvial aquifer, which is common to the Central Valley of California.

Previous studies regarding groundwater availability in fractured rock indicate that well yields generally decline over time and that recharge is dependent primarily on the ability of localized precipitation to infiltrate into fractures. Additionally, water, if present, is usually found most abundantly in the first 250 feet of depth.

Water Quality

A variety of factors can affect surface and groundwater quality, including human activities and natural processes such as the passage of water (or filtration) through surface soils and within aquifers. All of these changes are temporary. The relative quality of surface water and groundwater at any given time and location reflects the balance of the pollutant loading and the ability of the system to treat or purify the water. If the pollutant loading exceeds the ability of the system to assimilate pollutants, then water quality problems may occur. In general, the encroachment of development tends to increase the pollutant loading, while simultaneously reducing the ability of the natural system to assimilate pollutants.

The proposed project site falls within Region 5 (Central Valley Region), of the California Regional Water Quality Control Board (RWQCB). Weber Creek and its tributaries are not listed on the State Water Resources Control Board's 303(d) List of Water Quality Limited Segments. Additionally, no Total Maximum Daily Load requirements are in effect for any surface water bodies in or adjacent to the proposed project site.

3.6.3 Regulatory Setting

Federal Regulations

Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into "waters of the United States." The act specifies a variety of regulatory and nonregulatory tools to sharply reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff.

- Sections 303 and 304, which provide for water quality standards, criteria, and guidelines.
- Section 401 requires every applicant for a federal permit or license for any activity that may result in a discharge to a water body to obtain a water quality certification that the proposed activity will comply with applicable water quality standards.

- Section 402 regulates point- and nonpoint-source discharges to surface waters through the National Pollutant Discharge Elimination System (NPDES) program. In California, the State Water Resources Control Board (SWRCB) oversees the NPDES program, which is administered by the Regional Water Quality Control Boards (RWQCBs). The NPDES program provides for both general permits (those that cover a number of similar or related activities) and individual permits. Anti-backsliding requirements provided for under CWA Sections 402(o)(2) and 303(d)(4) prohibit slackening of discharge requirements and regulations under revised NPDES permits. With isolated/limited exceptions, these regulations require effluent limitations in a reissued permit to be at least as stringent as those contained in the previous permit.
- Section 404 of the CWA establishes a program to regulate the discharge of dredged and fill material into waters of the U.S., including some wetlands. Activities in waters of the U.S. that are regulated under this program include fills for development, water resource projects (e.g., dams and levees), infrastructure development (e.g., highways and airports), and conversion of wetlands to uplands for farming and forestry.

Clean Water Act Section 303(d) Impaired Waters List

Under Section 303(d) of the CWA, states are required to develop lists of water bodies that would not attain water quality objectives after implementation of required levels of treatment by point-source dischargers (municipalities and industries). Section 303(d) requires that the state develop a Total Maximum Daily Load (TMDL) for each of the listed pollutants. The TMDL is the amount of loading that the water body can receive and still be in compliance with water quality objectives. After implementation of the TMDL, it is anticipated that the problems that led to placement of a given pollutant on the Section 303(d) list would be remediated. In California, preparation and management of the Section 303(d) list is administered by the RWQCBs.

National Pollutant Discharge Elimination System Permit Program

The NPDES permit program was established by the CWA to regulate municipal and industrial discharges to surface waters of the United States. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify the following:

- effluent and receiving-water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge;
- prohibitions on discharges not specifically allowed under the permit; and
- provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

In November 1990, EPA published regulations establishing NPDES permit requirements for municipal and industrial stormwater discharges. Phase 1 of the permitting program applied to municipal discharges of stormwater in urban areas where the population exceeded 100,000 persons. Phase 1 also applied to stormwater discharges from a large variety of industrial activities, including general construction activity, if the project would disturb more than five acres. Phase 2 of the NPDES stormwater permit regulations, which became effective in March 2003, required that NPDES permits be issued for construction activity for projects that disturb

between one and five acres. Phase 2 of the municipal permit system (known as the “NPDES General Permit for Small MS4s”) required small municipal areas of less than 100,000 persons to develop stormwater management programs.

Safe Drinking Water Act

Under the Safe Drinking Water Act (SDWA, Public Law 93-523), passed in 1974, the EPA regulates contaminants of concern to domestic water supply. Contaminants of concern relevant to domestic water supply are defined as those that pose a public health threat or that alter the aesthetic acceptability of the water. These types of contaminants are regulated by EPA primary and secondary Maximum Contaminant Levels (MCLs) that are applicable to treated water supplies delivered to the distribution system. MCLs and the process for setting these standards are reviewed triennially. Amendments to the SDWA enacted in 1986 established an accelerated schedule for setting MCLs for drinking water. EPA has delegated to the California Department of Health Services (DHS) the responsibility for administering California’s drinking-water program. DHS is accountable to EPA for program implementation and for adopting standards and regulations that are at least as stringent as those developed by EPA. The applicable state primary and secondary MCLs are set forth in Title 22, Division 4, Chapter 15, Article 4 of the California Code of Regulations.

State Regulations

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act, as revised in December 2007, provides for protection of the quality of all waters of the state of California for use and enjoyment by the people of California. It further provides that all activities that may affect the quality of waters of the state shall be regulated to obtain the highest water quality that is reasonable, considering all demands being made and to be made on those waters. The Act also establishes provisions for a statewide program for the control of water quality, recognizing that waters of the state are increasingly influenced by interbasin water development projects and other statewide considerations, and that factors such as precipitation, topography, population, recreation, agriculture, industry, and economic development vary regionally within the state. The statewide program for water quality control is therefore administered most effectively on a local level, with statewide oversight. Within this framework, the Act authorizes the SWRCB and regional boards to oversee responsibility for the coordination and control of water quality within California, including those responsibilities under the Federal Clean Water Act that have been delegated to the state.

State Water Resources Control Board

Created by the California State Legislature in 1967, the SWRCB holds authority over water resources allocation and water quality protection within the state. The five-member SWRCB allocates water rights, adjudicates water right disputes, develops statewide water protection plans, establishes water quality standards, and guides the nine Regional Water Quality Control Boards. The mission of SWRCB is to, “preserve, enhance, and restore the quality of California’s water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.”

Central Valley Regional Water Quality Control Board

As authorized by the Porter-Cologne Water Quality Control Act, the Central Valley Regional Water Quality Control Board's (CVRWQCB) primary function is to protect the quality of the waters within its jurisdiction, including the proposed project site, for all beneficial uses. State law defines beneficial uses of California's waters that may be protected against quality degradation to include, but not be limited to: domestic; municipal; agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves.

The CVRWQCB implements water quality protection measures by formulating and adopting water quality control plans (referred to as basin plans, as discussed below) for specific groundwater and surface water basins, and by prescribing and enforcing requirements on all agricultural, domestic, and industrial waste discharges. The CVRWQCB oversees many programs to support and provide benefit to water quality, including wastewater discharges (including the NPDES); Water Quality Certification; and Watershed Management.

NPDES General Permit for Discharges of Stormwater Associated with Construction Activities

Construction activities disturbing one acre or more of land are subject to the permitting requirements of the NPDES General Construction Activity Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The permit requires a risk-based permitting approach, dependent upon the likely level of risk imparted by a project. The permit also contains several additional compliance items, including (1) mandatory Best Management Practices (BMPs) to reduce erosion and sedimentation, which may include incorporation of vegetated swales, setbacks and buffers, rooftop and impervious surface disconnection, bioretention cells, rain gardens, rain cisterns, implementation of pollution/sediment/spill control plans, training, and other structural and non-structural actions; (2) sampling and monitoring for non-visible pollutants; (3) effluent monitoring and annual compliance reports; (4) development and adherence to a Rain Event Action Plan; (5) requirements for the post-construction period; (6) monitoring of soil characteristics on site; and (7) mandatory training under a specific curriculum. Under the revised permit, BMPs will be incorporated into the action and monitoring requirements for each project site, as compared to the existing permit, where specific BMPs are implemented via a Storm Water Pollution Prevention Plan (SWPPP).

Local Regulations

As a state agency, the Judicial Council is not subject to local land use plans and regulations. Nevertheless, the following describes relevant policies from the City of Placerville are provided for informational purposes.

Information provided in this section was obtained from reviewing the City of Placerville's Municipal Code (<http://www.cityofplacerville.org/depts>, accessed on February 2, 2014) and the City of Placerville's Storm Water Management Plan (June 2005).

City of Placerville Municipal Code –Chapter 7 “Grading, Erosion, and Sediment Control”

Section 8-7-60: Erosion and Sediment Control

The following shall apply to the control of erosion and sediment from grading operations:

- A. Grading plans shall be designed with long term erosion and sediment control as a primary consideration.
- B. Grading operations during the rainy season shall provide erosion and sediment control measures except upon a clear demonstration to the satisfaction of the city engineer that at no stage of the work will there be any substantial risk of increased sediment discharge from the site.
- C. Should grading be permitted during the rainy season, the smallest practicable area of erodible land shall be exposed at any one time during grading operations and the time of exposure shall be minimized.
- D. Wherever possible, natural features, including vegetation, trees, terrain, watercourses, wetlands and similar resources shall be preserved. Limits of grading shall be clearly defined and marked to prevent damage by construction equipment. Wetlands and trees shall be protected from construction activity as described in the design and improvement standards manual.
- E. Permanent drought resistant vegetation and structures for erosion and sediment control shall be installed as soon as possible.
- F. Adequate provision shall be made for long term maintenance of permanent erosion and sediment control structures and vegetation.
- G. No topsoil shall be removed from the site unless otherwise directed or approved by the city engineer. Topsoil overburden shall be stockpiled and redistributed within the graded area after rough grading to provide a suitable base for seeding and planting. Runoff from the stockpiled area shall be controlled to prevent erosion and resultant sedimentation of receiving water.
- H. Runoff shall not be discharged from the site in quantities or at velocities substantially above those which occurred before grading except into drainage facilities of which the design has been specifically approved by the city engineer.
- I. Permittee shall take reasonable precautions to ensure that vehicles do not track or spill earth materials into public streets and shall immediately remove such materials if this occurs.
(Ord. 1523, 4-11-1995)

Section 8-7-62: Erosion and Sediment Control Plans

Erosion and sediment control plans prepared pursuant to this chapter shall comply with all of the following:

- A. The erosion and sediment control plan need not be a separate sheet if all facilities and measures can be shown on the grading sheets without obscuring the clarity of either the grading plan or the erosion and sediment control plan.
- B. An erosion and sediment control plan shall be required whenever:

1. The graded portion of the site includes more than ten thousand (10,000) square feet of area having a slope greater than ten percent (10%).
 2. There is a significant risk that more than two thousand five hundred (2,500) square feet will be unprotected or inadequately protected from erosion during any portion of the rainy season.
 3. Grading will occur within twenty feet (20') of any watercourse or within the 50-year floodplain.
 4. The city engineer determines that the grading will or may pose a significant erosion or sediment discharge hazard for any reason.
- C. The applicant shall submit, with his erosion and sediment control plans, a detailed cost estimate covering this work.
- D. Erosion and sediment control plans shall include an effective revegetation program to stabilize all disturbed areas which will not be otherwise protected. All such areas where grading has been completed between May 1 and October 15 shall be planted by November 1, or at the recommendation of the soil conservation service. Graded areas completed at other times of the year shall be planted within fifteen (15) days. If revegetation is unfeasible or cannot be expected to stabilize an erodible area with assurance during any part of the rainy season and the unstable area exceeds two thousand five hundred (2,500) square feet, additional erosion and sediment control measures or irrigation of planted slopes may be required as appropriate to prevent increased sediment discharge.
- E. Erosion and sediment control plans shall be designed to prevent increased discharge of sediment at all stages of grading and development from initial disturbance of the ground to project completion. Every feasible effort shall be made to ensure that site stabilization is permanent. Plans shall indicate the implementation period and the stage of construction where applicable.
- F. Erosion and sediment control plans shall comply with the recommendations of any civil engineer, geotechnical engineer, engineering geologist, or landscape architect involved in preparation of the grading plans.
- G. The structural and hydraulic adequacy of all storm water containment or conveyance facilities shown on the erosion and sediment control plans shall be verified by a civil engineer, and he shall so attest on the plans. Sufficient calculations and supporting material to demonstrate such adequacy shall accompany the plans when submitted.
- H. Erosion and sediment control plans shall be designed to meet anticipated field conditions.
- I. Erosion and sediment control plans shall provide for inspection and repair of all erosion and sediment control facilities at the close of each working day during the rainy season and for specific sediment cleanout and vegetation maintenance criteria.
- J. Erosion and sediment control plans shall comply with any and all standards and specifications adopted herein for the control of erosion and sedimentation on grading sites. These standards and specifications shall be in general compliance with the *"Erosion and Sediment Control Guidelines for Developing Areas of The Sierras"*, published by High Sierra Resource Conservation and Development Council. (Ord. 1523, 4-11-1995)

Grading and drainage facilities shall conform to City Code Section 8-7 – Grading, Erosion and Sediment Control and the current edition of the El Dorado County Drainage Manual.

City of Placerville MS4 Permit

The City of Placerville has been specifically designated by the RWQCB as the owner and operator of a Small MS4. The primary goal of the General Small MS4 Permit is to protect water quality from urban runoff pollution. This is to be accomplished by addressing the various ways storm water quality can be impacted by the public, municipal activities, development and redevelopment. Compliance will require a coordinated effort by City of Placerville staff (administration, community development, public works, and operation and maintenance) to implement the Storm Water Management Plan (SWMP).

The General Small MS4 Permit requires that the City:

- Submit a Notice of Intent to comply with the terms of the Small MS4 General Permit to the California Regional Water Quality Control Board, Central Valley Region by October 27, 2003.
- Develop a SWMP that includes Best Management Practices (BMPs) that address the six minimum program areas identified below. The selected BMPs must reduce pollutants in storm water runoff to a technology-based standard of Maximum Extent Practicable (MEP) to protect water quality. The SWMP must also include measurable goals and timetables for implementation. The six minimum control measures are:
 1. Public Education and Outreach on Storm Water Impacts;
 2. Public Involvement/Participation;
 3. Illicit Discharge Detection and Elimination;
 4. Construction Site Storm Water Runoff Control;
 5. Post-Construction Storm Water Management in New Development and Redevelopment; and
 6. Pollution Prevention/Good Housekeeping for Municipal Operations.
- Conduct construction site inspections to verify that BMPs are in place and properly maintained.
- Conduct surveillance monitoring to confirm that illicit non-storm water discharges are detected and eliminated.
- Submit annual reports to the RWQCB describing progress in SWMP implementation.

3.6.4 Impacts and Mitigation Measures

Methodology

Evaluation of potential surface and groundwater hydrology, water quality, and flooding impacts was based on a review of available background information, as summarized previously. The information obtained from these sources was reviewed and summarized to establish existing conditions and a baseline under CEQA. Potential environmental impacts were identified based on proposed project design and components, including facilities that would be installed during construction, as well as

anticipated effects on hydrologic resources following completion of the proposed project. This analysis was based on the standards of significance presented in this section.

Significance Criteria

The significance criteria for this analysis were adapted from criteria presented in Appendix G of the CEQA Guidelines. The proposed project would result in a significant impact if it would:

- Violate any water quality standards or waste discharge requirements;
- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted);
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on or off the site;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off the site;
- Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems; or
- Otherwise substantially degrade water quality.

As described in the initial study prepared for the proposed project (see **Appendix A** of this Draft EIR), the proposed project would not involve construction of any buildings, parking lots, or other structure or facilities within a 100-year flood zone. Therefore, no impact would occur and this topic is not discussed further in this Draft EIR.

Similarly, the proposed project site is not protected from flooding by a levee or other structure. Additionally, the proposed project would not involve construction or other activities on or in close proximity to any levee or dam. Therefore, no impact would occur and this topic is not discussed further in this Draft EIR.

Impact Analysis

Impact 3.6-1: The proposed project could violate water quality standards or waste discharge requirements during construction-related activities (*Less than Significant*).

The proposed project would involve construction and operation of a new courthouse facility on a currently undeveloped site. Construction activities would be expected to include the use of heavy equipment for grading, trenching, laying of pipe, construction of roads, installation of buildings, and installation of other anticipated infrastructure and facilities. Equipment could include bulldozers, graders, earth movers, heavy trucks, trenchers, and various other types of

construction-related machinery. Potential pollutants associated with the use of this equipment could include, but would not be limited to, spilled fuels, oil, lubricants, antifreeze, or hydraulic fluid. Also, the use of heavy machinery would disturb surface sediments resulting in localized erosion. During storm events, these potential pollutants, including sediment, could become entrained in stormwater runoff, and be transported into local drainages and natural waterways downstream (including Hangtown Creek). Additionally, construction period stormwater could also enter into other nearby municipal drainage systems. Degradation of water quality could in turn affect beneficial use, and could result in exceedance of CVRWQCB standards.

Because the proposed project would disturb more than one acre of land area, the Judicial Council would be required to file a Notice of Intent (NOI) for and obtain coverage under the NPDES General Construction Permit. Permit requirements would include the implementation of various BMPs (consistent with City erosion control and grading requirements) designed to minimize water quality impacts. These would include:

- Preparation of hazardous material spill control and countermeasure programs;
- Stormwater quality sampling, monitoring, and compliance reporting;
- Development and adherence to a Rain Event Action Plan;
- Adherence to numeric action levels and effluent limits for pH and turbidity; monitoring of soil characteristics on site;
- Mandatory training under a specific curriculum; and
- Mandatory implementation of BMPs, which may include, but would not be limited to:
 1. Physical barriers to prevent erosion and sedimentation including setbacks and buffers, rooftop and impervious surface disconnection, rain gardens and cisterns, and other installations;
 2. Construction and maintenance of sedimentation basins;
 3. Limitations on construction work during storm events;
 4. Use of swales, mechanical, or chemical means of stormwater treatment during construction, including vegetated swales, bioretention cells, chemical treatments, and mechanical stormwater filters; and
 5. Implementation of spill control, sediment control, and pollution control plans and training.

The specific BMPs to be implemented would be determined prior to acquisition of coverage under the General Construction Permit, in coordination with the Water Board and consistent with City grading and erosion control requirements. Adherence to BMPs required under the General Construction Permit would be required as a condition of the permit, and would substantially reduce or prevent construction related waterborne pollutants from entering natural waters, per SWRCB standards. With adherence to permitting requirements, as well as implementation of the aforementioned policies and BMPs designed to address water quality impacts, this impact is considered *less than significant*.

Mitigation: None required.

Impact 3.6-2: The proposed project could result in other water quality degradation (*Less than Significant*).

The proposed project would include installation of uses that could result in increases in the generation of potential water quality pollutants on site following completion of construction activities. For example, maintenance of landscaped areas would include the application of fertilizers, herbicides, and other chemicals. Additionally, paved parking lots and other paved surfaces could increase the amount of automotive greases, oils, brake dust, residual fuel, trash, and sediment. During storm events, these constituents could become entrained in stormwater runoff, and be discharged to the stormwater drainage system and ultimately local waterways. Increases in pollutants from the site could result in a reduction in water quality downstream. However, operation period stormwater discharges if connected to the city's storm drain system would be subject to the City of Placerville's MS4 permit. As discussed previously, adherence to the requirements of the MS4 permit is required for development within the city, and would include implementation of various permanent BMPs that would reduce potential for the discharge of polluted stormwater. Site specific BMPs would be determined and implemented, in coordination with the city and in accordance with state law, to the extent required to maintain beneficial use and water quality downstream. Therefore, potential water quality degradation impacts following completion of construction are considered *less than significant*.

Mitigation: None required.

Impact 3.6-3: The proposed project would substantially alter the existing drainage pattern of the site, in a manner that could result in changes in the volume of stormwater discharged from the site, exceedance of available stormwater conveyance capacity, or that could result in increased erosion on site or downstream (*Less than Significant with Mitigation Incorporated*).

Implementation of the proposed project would result in a net increase in impervious surfaces compared to existing conditions. Impervious surfaces are defined as surfaces that do not permit the infiltration of water into the subsurface. Examples include parking lots, sidewalks, buildings, and other structures and facilities that cover the ground and prevent stormwater infiltration. Impervious surfaces prevent the infiltration of stormwater into the subsurface, and can result in a net increase in stormwater flowing from a project site, or in a reduced hydraulic time of concentration (i.e., peak discharge occurs earlier for an impervious surface than a pervious surface) for discharge from a site. These effects can result in increased need for drainage on site or downstream.

The proposed project site is not located within or immediately adjacent to a 100-year flood zone. However, increases in discharge from the proposed project site could contribute to increases in flood flows downstream, which could exacerbate downstream flooding. Additionally, the proposed project would involve earthwork on site, including the use of heavy machinery. These activities could result in changes to site topography and drainage, such that increased ponding, pooling, or flooding could occur on site or downstream. Consequently, this could result in increases in flooding and/or erosion on site or downstream, and the impact is considered *potentially significant*.

Mitigation Measures

Mitigation Measure 3.6-3: Prepare Comprehensive Drainage Plan and Implement Recommendations. Prior to the construction phase of the proposed project, the project applicant shall prepare a Comprehensive Drainage Plan. The Comprehensive Drainage Plan shall include measures to minimize the use of impervious surfaces to the extent practicable, and shall include measures to infiltrate, retain, or otherwise channel runoff away from areas of open soil and other features subject to erosion or flooding. The project applicant shall ensure that the proposed project would result in no net increase in peak stormwater flows, based on a 100-year storm event. Drainage outfall from the proposed project site shall be routed into receiving drainage ditches or other facilities that are sized appropriately to contain anticipated stormwater flows. Runoff waters shall be discharged in a manner to prevent downstream or offsite flooding, erosion, or sedimentation.

Significance after Mitigation: With implementation of the drainage plan grading and design recommendations as outlined in **Mitigation Measure 3.6-3**, this impact is considered *less than significant*.

Impact 3.6-4: The proposed project could substantially deplete groundwater supplies or substantially interfere with groundwater recharge (*No Impact*).

The proposed project would not result in the withdrawal of groundwater within the study area or at a different location. Water supply at the proposed project site would be supplied by El Dorado Irrigation District (EID), which does not rely on groundwater for municipal or other supply to the proposed project site or its vicinity (EID, 2011). Therefore, no increases in groundwater withdrawal would occur as a result of implementation of the proposed project.

The proposed project would involve construction of new impervious surfaces. Impervious surfaces prevent the infiltration of stormwater in to the subsurface, which can interfere with groundwater recharge. However, the proposed project site and its vicinity are not located within a groundwater basin delineated by the California Department of Water Resources (DWR, 2004), and current and future reliance on groundwater in the vicinity of the proposed project site is expected to be negligible. Therefore, *no impact* would occur regarding potential effects on groundwater supplies.

Mitigation: None required.

Cumulative Impacts

The cumulative context for hydrology and water quality includes development that is reasonably anticipated to occur within the overall watershed for the South Fork American River. This area was chosen because its runoff collects and contributes to water flows and water quality within the South Fork American River. Generally, this area includes Placerville, as well as the southern portions of El Dorado County. There are a number of large scale developments in El Dorado County that could affect hydrology and water quality, as discussed in detail below.

Impact 3.6-5: Construction of the proposed project, combined with other reasonably foreseeable projects, could result in a cumulative violation of water quality standards or waste discharge requirements (*Not Cumulatively Considerable*).

Similar to the proposed project, other cumulative scenario projects would have the potential to cause construction period water quality degradation. All cumulative scenario projects where construction period ground disturbance would occur could involve the use of heavy equipment for grading, trenching, and other earth moving activities. This could cause the release of equipment related pollutants into the environment. These pollutants, along with sediment, could become entrained in stormwater runoff and be transported into natural waterways downstream. This could result in degraded water quality, which could potentially affect beneficial use. However, similar to the proposed project, it is anticipated that other cumulative projects would be required to acquire coverage under the NPDES General Construction Permit, the conditions of which would be designed to minimize water quality impacts. Permit thresholds and BMPs would be applied to all relevant projects, in order to enforce minimum water quality standards, which are consistent with the level of protection required by the CVRWQCB under its basin plan. Therefore, *no cumulatively considerable impact* would occur.

Mitigation: None required.

Impact 3.6-6: The proposed project, combined with other reasonably foreseeable projects, could result in other cumulative water quality degradation (*Not Cumulatively Considerable*).

Cumulative projects, like the proposed project, could result in the release of potential water quality pollutants following the completion of construction. Similar to the proposed project, cumulative projects would include habitation period maintenance of landscaping. This is anticipated to include the use of fertilizers, herbicides, and other chemicals, which could become entrained in stormwater during rain events. Pollutants associated with impervious surfaces, as discussed for direct impacts, could also become entrained in stormwater. If allowed to discharge from the site, these pollutants could potentially result in cumulative scenario water quality degradation within local waterways. Cumulative projects located within and approved by the City of Placerville would also be required to adhere to the requirements of Placerville's MS4 permit. As discussed for the proposed project, adherence to these requirements would minimize the

discharge of operation period water quality pollutants in accordance with CVRWQCB standards, thereby avoiding potential impacts to beneficial use.

Several other active MS4 permits are applicable within the watershed of the South Fork of the American River, accounting for most of the watershed. These include MS4 permits for Cameron Park, Diamond Springs, El Dorado County, and El Dorado Hills. Cumulative projects in these areas would be required to adhere to similar requirements as discussed for direct impacts for Placerville's MS4 permit. All applicable MS4 permits require the minimization of pollutant discharges sufficient to avoid impacts to beneficial use.

Some cumulative scenario projects within the watershed of the South Fork of the American River would be located outside of areas with existing MS4 coverage. It is reasonable to assume that projects in El Dorado County would be subject to the County's standard conditions of approval that would mitigate water quality impacts within the watershed. Further mitigation measures might include operation period BMPs, drainage management features, and other measures designed to minimize water quality impacts. Therefore, potential cumulative impacts on water quality would be minimized through adherence to MS4 permit requirements and/or anticipated mitigation measures applied during the project approval process for cumulative projects. Therefore, the cumulative impact on operation period water quality would be *less than significant*.

Mitigation: None required.

Impact 3.6-7: The proposed project, combined with other reasonably foreseeable projects, could substantially alter drainage patterns in a manner that could result in changes in the volume of stormwater discharges, exceedance of available stormwater conveyance capacity, or increased erosion (*Not Cumulatively Considerable*).

Many of the cumulative projects proposed within the watershed of the South Fork of the American River would result in a net increase in impervious surfaces on site. As discussed for direct impacts of the project, new impervious surfaces have the potential to reduce stormwater infiltration and, as a result, generate increased volumes of runoff. From a cumulative standpoint, a potential increase in stormwater runoff from multiple cumulative projects within the watershed has the potential to result in a noticeable increase in flows during storm events. If left unmitigated, this increase could cumulatively contribute to significant increases in runoff. This in turn could exacerbate cumulative flooding, including 100-year flooding, and result in increased need for stormwater management downstream.

It is anticipated that moderate to large scale major projects could meaningfully contribute to cumulative stormwater management issues downstream. It is reasonable to assume that projects in El Dorado County would be subject to the County's standard conditions of approval that would mitigate stormwater drainage and erosion within the watershed. During the project review and approval process, it is reasonable to assume that any major/potentially significant events would be minimized via implementation of a stormwater drainage plan or other drainage management plan.

Therefore, it is anticipated that potential offsite cumulative drainage impacts would be minimized through such mitigation, and the impact would be cumulatively *less than significant*.

Mitigation: None required.

Impact 3.6-8: The proposed project, combined with other reasonably foreseeable projects, could contribute to cumulative depletion of groundwater supplies or substantial interference with groundwater recharge (*Not Cumulatively Considerable*).

As discussed for direct impacts, the proposed project is not located in an area with notable groundwater resources. El Dorado Irrigation District (EID) does not rely on groundwater for municipal or other supply to the project area or its vicinity. The proposed project and other cumulative development would involve construction of new impervious surfaces. Impervious surfaces prevent the infiltration of stormwater in to the subsurface, which can interfere with groundwater recharge. However, the project area and its vicinity are not located within a groundwater basin delineated by the California Department of Water Resources (DWR, 2004), and current and future reliance on groundwater in the vicinity of the project is expected to be negligible. It is possible that one or more cumulative projects might overlay a usable aquifer, and that they might draw groundwater, or interfere with groundwater recharge. However, the proposed project would not draw groundwater and would not be located in an area with groundwater resources, such that the proposed project could reduce recharge to the underlying aquifer. Therefore, potential cumulative effects on groundwater supplies are anticipated to be *less than significant*.

Mitigation: None required.

3.7 Noise and Vibration

3.7.1 Introduction

This section describes the existing noise environment in the vicinity of the proposed project site, and the potential of construction and operation of the proposed project to significantly increase noise and vibration levels. The analysis included in this section was developed based on field investigation to measure existing noise levels, noise standards provided in the City of Placerville General Plan (1989:65,66,71), the County of El Dorado General Plan (2004:113-119) and the Federal Highway Administration (FHWA) Noise Prediction Model with traffic data provided by CHS Consulting.

Summary of NOP Comments

A summary of all comments received during the NOP scoping period is included in Chapter 1 of this Draft EIR. No specific comments to noise or vibration issues were received.

Summary of Impact Conclusions

A summary of the noise and vibration impacts described in this section are identified below in **Table 3.7-1**.

**TABLE 3.7-1
SUMMARY OF NOISE AND VIBRATION IMPACTS**

Impact Number	Impact Topic	Impact Conclusion	Impact After Mitigation
Impact 3.7-1	Proposed project construction could temporarily expose persons to or generate noise levels in excess of the City of Placerville or County of El Dorado noise standards	Potentially Significant	Significant and Unavoidable
Impact 3.7-2	Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.	Potentially Significant	Significant and Unavoidable
Impact 3.7-3	Non-transportation-related project operations could expose receptors to noise levels in excess of the City of Placerville or County of El Dorado's noise standards or result in a substantial permanent increase in ambient noise above existing levels at sensitive receptors.	Less than Significant	None Required
Impact 3.7-4	Transportation-related project operations could expose receptors to noise levels in excess of the County of El Dorado noise standards or result in a substantial permanent increase in ambient noise above existing levels at sensitive receptors.	Less than Significant	None Required
Impact 3.7-5	Increases in traffic from the proposed project, in combination with other development, would not result in cumulatively considerable noise increases.	Less than Significant	None Required
Impact 3.7-6	The proposed project would contribute to cumulative construction noise and vibration	Potentially Significant	Significant and Unavoidable

3.7.2 Environmental Setting

Technical Background and Noise Terminology

Noise can be generally defined as unwanted sound. Sound, traveling in the form of waves from a source, exerts a sound pressure level (referred to as sound level) which is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing and 120 to 140 dB corresponding to the threshold of pain.

Sound pressure fluctuations can be measured in units of hertz (Hz), which correspond to the frequency of a particular sound. Typically, sound does not consist of a single frequency, but rather a broad band of frequencies varying in levels of magnitude (sound power). The sound pressure level, therefore, constitutes the additive force exerted by a sound corresponding to the frequency/sound power level spectrum.

The typical human ear is not equally sensitive to all frequencies of the audible sound spectrum. As a consequence, when assessing potential noise impacts, sound is measured using an electronic filter that de-emphasizes the frequencies below 1,000 Hz and above 5,000 Hz in a manner corresponding to the human ear's decreased sensitivity to low and extremely high frequencies instead of the frequency mid-range. This method of frequency weighting is referred to as A-weighting and is expressed in units of A-weighted decibels (dBA). Frequency A-weighting follows an international standard methodology of frequency de-emphasis and is typically applied to community noise measurements. Some representative noise sources and their corresponding A-weighted noise levels are shown in **Figure 3.7-1**.

Noise exposure is a measure of noise over a period of time. Noise level is a measure of noise at a given instant in time. Community noise varies continuously over a period of time with respect to the contributing sound sources of the community noise environment. Community noise is primarily the product of many distant noise sources, which constitute a relatively stable background noise exposure, with the individual contributors unidentifiable. The background noise level changes throughout a typical day, but does so gradually, corresponding with the addition and subtraction of distant noise sources such as traffic and atmospheric conditions. What makes community noise constantly variable throughout a day, besides the slowly changing background noise, is the addition of short duration single event noise sources (e.g., aircraft flyovers, motor vehicles, sirens), which are readily identifiable to the individual receptor. These successive additions of sound to the community noise environment vary the community noise level from instant to instant, requiring the measurement of noise exposure over a period of time to legitimately characterize a community noise environment and evaluate cumulative noise impacts.

NOISE LEVEL		
COMMON OUTDOOR ACTIVITIES	(dBA)	COMMON INDOOR ACTIVITIES
	110	Rock band
Jet flyover at 1,000 feet		
	100	
Gas lawnmower at 3 feet		
	90	
Diesel truck at 50 feet at 50 mph		Food blender at 3 feet
	80	
Noisy urban area, daytime		
Gas lawnmower at 100 feet	70	Garbage disposal at 3 feet
Commercial area		Normal speech at 3 feet
Heavy traffic at 300 feet	60	
		Large business office
Quiet urban daytime	50	Dishwasher in next room
Quiet urban nighttime	40	Theater, large conference room (background)
Quiet suburban nighttime		
	30	Library
Quiet rural nighttime		Bedroom at night, concert hall (background)
	20	
		Broadcast/recording studio
	10	
	0	

This time-varying characteristic of environmental noise is described using statistical noise descriptors. The most frequently used noise descriptors are summarized below:

- Leq:** the energy-equivalent sound level is used to describe noise over a specified period of time, typically one hour, in terms of a single numerical value. The Leq is the constant sound level which would contain the same acoustic energy as the varying sound level, during the same time period (i.e., the average noise exposure level for the given time period).
- Lmax:** the instantaneous maximum noise level for a specified period of time.
- L₅₀:** the noise level that is equaled or exceeded 50 percent of the specified time period. The L₅₀ represents the median sound level.
- L₉₀:** the noise level that is equaled or exceeded 90 percent of the specific time period. This is considered the background noise level during a given time period.
- DNL:** also abbreviated Ldn, it is a 24-hour day and night A-weighted noise exposure level which accounts for the greater sensitivity of most people to nighttime noise by weighting noise levels at night (“penalizing” nighttime noises). Noise between 10:00 p.m. and 7:00 a.m. is weighted (penalized) by adding 10 dBA to take into account the greater annoyance of nighttime noises.
- CNEL:** similar to DNL, the Community Noise Equivalent Level (CNEL) adds a 5-dBA “penalty” for the evening hours between 7:00 p.m. and 10:00 p.m. in addition to a 10-dBA penalty between the hours of 10:00 p.m. and 7:00 a.m.

As a general rule, in areas where the noise environment is dominated by traffic, the Leq during the peak-hour is generally within one to two decibels of the Ldn at that location.

Effects of Noise on People

When a new noise is introduced to an environment, human reaction can be predicted by comparing the new noise to the ambient noise level, which is the existing noise level comprised of all sources of noise in a given location. In general, the more a new noise exceeds the ambient noise level, the less acceptable the new noise will be judged by those hearing it. With regard to increases in A-weighted noise level, the following relationships occur:

- except in carefully controlled laboratory experiments, a change of 1-dBA cannot be perceived;
- outside of the laboratory, a 3-dBA change is considered a just-perceivable difference;
- a change in level of at least 5-dBA is required before any noticeable change in human response would be expected; and
- a 10-dBA change is subjectively heard as approximately a doubling in loudness, and can cause adverse response (Caltrans, 2009:2-48,2-49).

These relationships occur in part because of the logarithmic nature of sound and the decibel system. The human ear perceives sound in a non-linear fashion; hence, the decibel scale was developed. Because the decibel scale is based on logarithms, two noise sources do not combine in

a simple additive fashion, rather logarithmically. For example, if two identical noise sources produce noise levels of 50 dBA, the combined sound level would be 53 dBA, not 100 dBA.

Noise Attenuation

Stationary point sources of noise, including stationary mobile sources such as idling vehicles, attenuate (lessen) at a rate between 6 dBA for hard sites and 7.5 dBA for soft sites for each doubling of distance from the reference measurement. Hard sites are those with a reflective surface between the source and the receiver such as parking lots or smooth bodies of water. No excess ground attenuation is assumed for hard sites and the changes in noise levels with distance (drop-off rate) is simply the geometric spreading of the noise from the source. Soft sites have an absorptive ground surface such as soft dirt, grass or scattered bushes and trees. In addition to geometric spreading, an excess ground attenuation value of 1.5 dBA (per doubling distance) is normally assumed for soft sites. Line sources (such as traffic noise from vehicles) attenuate at a rate between 3 dBA for hard sites and 4.5 dBA for soft sites for each doubling of distance from the reference measurement (Caltrans, 2009:2-32).

Noise levels may also be reduced by intervening structures, such as a row of buildings, a solid wall, or a berm located between the receptor and the noise source. According to the U.S. Department of Housing and Urban Development (HUD) *Noise Guidebook*, standard building construction results in an exterior-to-interior noise reduction of 20 dBA with windows closed (HUD, 2009:14).

Fundamentals of Vibration

As described in the Federal Transit Administration's *Transit Noise and Vibration Impact Assessment* ground-borne vibration can be a serious concern for nearby neighbors, causing buildings to shake and rumbling sounds to be heard (FTA, 2006:7-1). In contrast to airborne noise, ground-borne vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Some common sources of ground-borne vibration are trains, buses and heavy trucks on rough roads, and construction activities such as blasting, sheet pile-driving and operating heavy earth-moving equipment.

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings. The root mean square (RMS) amplitude is most frequently used to describe the effect of vibration on the human body. The RMS amplitude is defined as the average of the squared amplitude of the signal. Decibel notation (Vdb) is commonly used to express RMS. The decibel notation acts to compress the range of numbers required to describe vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receptors for vibration assessment include structures (especially older masonry structures), people who spend a lot of time indoors (especially residents, students, the elderly and sick), and vibration sensitive equipment such as hospital analytical equipment and equipment used in computer chip manufacturing.

The effects of ground-borne vibration include movement of the building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. In extreme

cases, the vibration can cause damage to buildings. Building damage is not a factor for most projects, with the occasional exception of blasting and sheet pile-driving during construction. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by only a small margin. A vibration level that causes annoyance can be well below the damage threshold for normal buildings.

Sensitive Receptors

Land uses surrounding the proposed project site consist of El Dorado County Jail facility, scattered residential single-family homes and commercial buildings. Noise sensitive land uses are typically defined as residences, schools, institutions, places of worship, hospitals, care centers and hotels. The nearest noise-sensitive land use to the proposed project is the El Dorado County Jail located approximately 41 feet from the closest outer boundary of the project site. The closest single-family home to the project site is located approximately 450 feet south-east of the proposed project site. Other nearby noise-sensitive land uses includes three single-family homes located approximately 545 feet west, 630 feet north and 1,000 feet east of the proposed project site.

Existing Noise Environment

The existing noise environment in the immediate project area is dominated by traffic noise along Highway 50 and local streets such as Forni Road and Placerville Road. To quantify the ambient noise levels in the proposed project vicinity, a noise measurement survey was conducted from August 4-5, 2014 near residential noise-sensitive receiver’s that may be impacted by the proposed project using calibrated Metrosonics dB308 noise meters. The noise measurement survey consisted of one 24-hour long-term and five 15-minute short-term measurements. The short-term monitors measured noise levels simultaneously with the long-term measurement to estimate the CNEL at those locations. The locations and results of the noise measurement survey can be found in **Table 3.7-2** and **Figure 3.7-2**, respectively.

**TABLE 3.7-2
 AMBIENT NOISE MEASUREMENT SURVEY**

Monitor	Location	Primary Noise Source(s)	Measured CNEL (dBA)
LT-1	Approximately 450 feet south-east of the proposed project site, 30 feet north of the Gold Nugget Way centerline.	Unattended Noise Measurement	52.9
ST-1	Approximately 1,000 feet south-east of the proposed project site, 30 feet north of the Gold Nugget Way centerline.	Distant Highway 50, Gold Nugget Way and chickens/birds chirping	54.2 ¹
ST-2	Approximately 630 feet south-east of the proposed project site, 85 feet north of the Fair Lane centerline and 308 feet from Highway 50 centerline.	Fair Lane, Highway 50 and human activity from the existing jail.	54.2 ¹
ST-3	Approximately 545 feet west of the proposed project site. In a residential col de sac near 3020 Twelve Oaks Lane.	Distant Highway 50, Twelve Oaks Lane, human activity at the residential homes and birds chirping.	63.4 ¹
ST-4	Approximately 90 feet from the east of the proposed project site, 230 feet east of the jail house. In a gravel parking lot.	Distant Highway 50 and HVAC noise from the existing jail house.	57.7 ¹

1. Approximate CNEL calculated from a 15-minute Leq offset from monitor L-1



SOURCE: Microsoft, 2011; ESA, 2014

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Figure 3.7-2
Noise Measurement Locations

3.7.3 Regulatory Setting

Federal Regulations

Federal regulations establish noise limits for medium and heavy trucks (more than 4.8 tons, gross vehicle weight rating) under 40 Code of Federal Regulations (CFR), Part 205, Subpart B. The federal truck pass-by noise standard is 80 dBA at 15 meters from the vehicle pathway centerline. These controls are implemented through regulatory controls on truck manufacturers.

State Regulations

The State of California establishes noise limits for vehicles licensed to operate on public roads. For heavy trucks, the state pass-by standard is consistent with the federal limit of 80 dB. The state pass-by standard for light trucks and passenger cars (less than 4.8 tons, gross vehicle rating) is also 80 dBA at 15 meters from the roadway centerline. These standards are implemented through controls on vehicle manufacturers and by legal sanction of vehicle operators by state and local law enforcement officials.

The state has also established noise insulation standards for new multi-family residential units, hotels, and motels that would be subject to relatively high levels of transportation-related noise. These requirements are collectively known as the California Noise Insulation Standards (Title 24, California Code of Regulations). The noise insulation standards set forth an interior standard of DNL 45 dBA in any habitable room. They require an acoustical analysis demonstrating how dwelling units have been designed to meet this interior standard where such units are proposed in areas subject to noise levels greater than DNL 60 dBA. Title 24 standards are typically enforced by local jurisdictions through the building permit application process.

Local Regulations

As a state agency, the Judicial Council is not subject to local land use plans and regulations. Nevertheless, the following describes relevant policies from the City of Placerville General Plan are provided for informational purposes.

City of Placerville General Plan

Section VI “Health and Safety Element” of the City’s General Plan was amended in June 2013 and contains the following noise policies:

Health and Safety Element

Goal I: To protect the residents of Placerville from the harmful effects of exposure to excessive noise

Policies:

1. The City shall attempt, insofar as possible, to protect areas within the city where the present noise environment is considered acceptable.

2. Areas within Placerville exposed to existing or projected exterior noise levels exceeding 60 dB Ldn shall be designated as noise-impacted areas.
3. Areas within Placerville shall be designated as noise-impacted if exposed to existing or projected exterior noise levels exceeding the performance standards in Table II-1.
7. Noise level criteria applied to land uses other than residential or other noise-sensitive uses shall be consistent with recommendations of the California Office of Noise Control.
12. The Placerville Police Department shall actively enforce requirements of the California Vehicle Code relating to vehicle mufflers and modified exhaust systems.
13. The City shall monitor noise levels on Highway 50 and encourage the installation of noise barriers or noise attenuating vegetation if noise levels reach an unacceptable level.
14. The use of solid barriers, earth mounds, and vegetation should be utilized as means of screening noise sources from adjacent land uses.

Noise created by non-preempted noise sources associated with new projects or developments shall be controlled so as not to exceed the noise level standards set forth below as measured at any affected residential land use situated in either the incorporated or unincorporated areas. New residential development shall not be allowed where the ambient noise level due to non-preempted noise sources will exceed the noise level standards set forth in Table II-1 of the City of Placerville General Plan (shown here in **Table 3.7-3**, below).

**TABLE 3.7-3
NOISE LEVEL PERFORMANCE STANDARDS FOR NEW PROJECTS AND DEVELOPMENTS**

Category	Cumulative Number of minutes in any one-hour time period	Exterior Noise Level Standards dBA	
		Daytime 7 a.m. to 10 p.m.	Nighttime 10 p.m. to 7 a.m.
1	30	50	45
2	15	55	50
3	5	60	55
4	1	65	60
5	0	70	65

County of El Dorado General Plan and Ordinance

The “Public Health, Safety, and Noise Element” of the General Plan (amended March 2009) provides noise standards for transportation, non-transportation (stationary), and construction noise sources. The following goals and policies are from the Noise Element of the General Plan:

Public Health, Safety, and Noise Element

Goal 6.5: Acceptable Noise Levels.

Policies:

- **Policy 6.5.1.2:** Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of **Table 3.5-5** at existing or planned noise-sensitive

uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the proposed project design

- **Policy 6.5.1.3:** Where noise mitigation measures are required to achieve the standards of Tables **Table 3.5-4** and **Table 3.5-5**, the emphasis of such measures shall be placed upon site planning and proposed project design. The use of noise barriers shall be considered a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been integrated into the proposed project and the noise barriers are not incompatible with the surroundings
- **Policy 6.5.1.7:** Noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of **Table 3.5-5** for noise-sensitive uses.
- **Policy 6.5.1.9:** Noise created by new transportation noise sources, excluding airport expansion but including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in **Table 3.5-4** at existing noise-sensitive land uses.
- **Policy 6.5.1.12:** When determining the significance of impacts and appropriate mitigation for new development projects, the following criteria shall be taken into consideration.
 - A. Where existing or projected future traffic noise levels are less than 60 dBA Ldn at the outdoor activity areas of residential uses, an increase of more than 5 dBA Ldn caused by a new transportation noise source will be considered significant;
 - B. Where existing or projected future traffic noise levels range between 60 and 65 dBA Ldn at the outdoor activity areas of residential uses, an increase of more than 3 dBA Ldn caused by a new transportation noise source will be considered significant; and
 - C. Where existing or projected future traffic noise levels are greater than 65 dBA Ldn at the outdoor activity areas of residential uses, an increase of more than 1.5 dBA Ldn.
- **Policy 6.5.1.13:** When determining the significance of impacts and appropriate mitigation to reduce those impacts for new development projects, including ministerial development, the following criteria shall be taken into consideration:
 - A. In areas in which ambient noise levels are in accordance with the standards in Table 6-2, increases in ambient noise levels caused by new nontransportation noise sources that exceed 5 dBA shall be considered significant; and
 - B. In areas in which ambient noise levels are not in accordance with the standards in Table 6-2, increases in ambient noise levels caused by new nontransportation noise sources that exceed 3 dBA shall be considered significant.

The transportation noise standards included in Table 6-2 of the El Dorado County General Plan, and shown here in **Table 3.7-4**, apply to offsite traffic on public roadways. The non-transportation noise criteria included in Table 6-2 of the General Plan, and shown here in **Table 3.7-5**, apply to all onsite noise sources such as loading dock activities. The construction criteria included in Table 6-3 of the General Plan, and shown here in **Table 3.7-6**, apply to construction phase(s) of a proposed project.

**TABLE 3.7-4
MAXIMUM ALLOWABLE NOISE EXPOSURE FOR
TRANSPORTATION NOISE RESIDENTIAL RECEIVERS**

Center of Outdoor Activity Areas, dB Ldn/CNEL	Interior Spaces, dB Ldn
60 (65)	45

NOTES: Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied at the property line of the noise-sensitive uses. For residential uses with front yards facing the noise source, a standard of 65 dB Ldn/CNEL will be applied at the building façade.

SOURCE: Table 6-1 of the El Dorado County General Plan (Public Health, Safety, and Noise Element).

**TABLE 3.7-5
NON-TRANSPORTATION NOISE LEVEL PERFORMANCE PROTECTION STANDARDS
COMMUNITY RESIDENTIAL RECEIVERS**

Noise Level Descriptor	Daytime (7 a.m. – 10 p.m.)	Evening (7 p.m. – 10 p.m.)	Nighttime (10 p.m. – 7 a.m.)
Hourly Leq, dB	55	50	45
Maximum Level, dB Lmax	70	60	55

NOTES: As determined at the residential property line. Each of the levels shall be reduced by 5 dB for simple-tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

SOURCE: Table 6-2 of the El Dorado County General Plan (Public Health, Safety, and Noise Element).

**TABLE 3.7-6
MAXIMUM ALLOWABLE CONSTRUCTION NOISE EXPOSURE
COMMUNITY RESIDENTIAL RECEIVERS**

Time Period	Hourly Leq, dB	Maximum Level, dB Lmax
7 a.m. to 10 p.m.	55	75

NOTES: As determined at the residential property line. Each of the levels shall be reduced by 5 dB for simple-tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

SOURCE: Table 6-3 of the El Dorado County General Plan (Public Health, Safety, and Noise Element).

3.7.4 Impacts and Mitigation Measures

Methodology

Noise impacts are assessed based on a comparative analysis of the noise levels resulting from the proposed project and the noise levels under baseline or existing conditions. Analysis of temporary construction noise effects is based on typical construction phases and equipment noise levels and attenuation of those noise levels due to distances between sensitive receptors in the proposed project vicinity and the construction activity.

Significance Criteria

The significance criteria for this analysis were adapted from criteria presented in Appendix G of the State CEQA Guidelines and based on the professional judgment of the Judicial Council and its consultants. The proposed project would result in a significant impact if it would:

- Exposure persons to, or the generation of, noise levels in excess of standards established in the local general plan or noise ordinance;
- A substantial permanent increase in ambient noise levels in the proposed project vicinity above levels existing without the proposed project;
- A substantial temporary or periodic increase in ambient noise levels in the proposed project vicinity above levels existing without the proposed project;
- Exposure of people residing or working in the proposed project area to excessive noise levels (for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport);
- Exposure of people residing or working in the proposed project area to excessive noise levels (for a project within the vicinity of a private airstrip); or
- Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

The following analysis discusses the first three and the sixth criteria; the fourth and fifth are not discussed because the site lies outside a two-mile radius of a public airport or private airstrip (approximately 3.5 miles from Placerville Airport, the nearest airport).

Construction Noise. Noise impacts from short-term construction activities could exceed noise thresholds and could result in a significant construction impact if short-term construction activity exceeds the City of Placerville or County of El Dorado General Plan noise standards.

Stationary Noise. A resulting off-site noise level at residences from stationary non-transportation sources that exceed 50 dBA L_{eq} between the hours of 7:00 a.m. to 10:00 p.m., and 45 dBA between the hours of 10:00 p.m. and 7:00 a.m. (see Table 3.5-3) would be significant according to the City of Placerville General Plan.

Traffic Noise. For existing off-site sensitive receptors, the significance of project-related noise impacts can be determined by comparing estimated project-related noise levels to existing no-project noise levels measured at the property line of the existing sensitive land use. Pursuant to the County of El Dorado General Plan, where the existing noise levels are less than 60 dB L_{dn} at the existing sensitive use, an increase of at least five dBA L_{dn} at the existing sensitive receptor due to roadway improvement projects would be considered significant. Where existing traffic noise levels range between 60 and 65 dB L_{dn} at the sensitive use, an increase of at least three dBA L_{dn} would be considered significant, and where existing traffic noise is greater than 65 dB L_{dn} , a 1.5 increase in noise levels would be significant. (County of El Dorado General Plan Noise Element Policy 5.5.1.12)

Construction Ground-Borne Vibration. For the purposes of this assessment, the methodology described by the FTA is used. The project would result in a significant vibration impact if buildings would be exposed to the FTA vibration threshold level of 0.2 PPV for building damage or if sensitive receptors would be exposed to a vibration level of 80 VdB for residential land uses, and 83 VdB for institutional land uses. These criteria are for “infrequent” events. Although more stringent criteria are recommended for “frequent” or “occasional” events, these are not used since construction activities would occur during the daytime and would not be permanent.

Impact Analysis

Impact 3.7-1: Project construction could temporarily expose persons to or generate noise levels in excess of the City of Placerville or County of El Dorado noise standards (*Significant and Unavoidable*).

Construction activity noise levels at and near the proposed project site would fluctuate depending on the particular type, number, and duration of uses of various pieces of construction equipment. Construction of the proposed project would be split into four phases and occur over at most a 22 month period. Construction activities associated with the proposed project would involve excavation, grading, and earth movement. **Table 3.7-7** shows typical noise levels during different construction stages.

**TABLE 3.7-7
TYPICAL NOISE LEVELS FROM CONSTRUCTION EQUIPMENT**

Construction Equipment	Noise Level ^a (dBA, L _{max} at 50 Feet)
Excavator	85
Backhoe	80
Loader	80
Grader	85
Dump truck	84
Water truck	84
Compactor	80
Paver	85
Roller	85
Concrete mixer	85
Concrete pumper	82
Flat bed truck	84
Crane	85
Bucket truck	84

a Maximum noise levels correspond to a distance of 50 feet from the noisiest piece of equipment associated with a given piece of construction equipment.

dBA = A-weighted decibels, L_{max} = maximum noise exposure level for the given time period

SOURCE: FHWA Roadway Construction Noise Model User's Guide, January 2006.

The nearest noise-sensitive receptors to the proposed project site are institutional receptors, which consist of inmate housing at the El Dorado Jail. The El Dorado County Jail building is located approximately 41 feet from the closest outer edge of the proposed project boundary. The nearest

residential land use receptor to the proposed project site are located approximately 450 feet south-east of the proposed project across Gold Nugget Way. Noise from construction activities generally attenuates at a rate of 6 to 7.5 dBA per doubling of distance. **Table 3.7-8** shows the approximate noise levels from various phase of construction at the nearest noise sensitive land use. Assuming an attenuation rate of 7.5 dBA per doubling of distance, the closest sensitive receptors within the El Dorado County Jail to proposed project construction activities would be exposed to approximately 96 dBA L_{max} during site preparation/demolition phase. Assuming that all windows at the El Dorado Jail would be closed, interior noise levels at the jail housing areas would have on average a 25 dBA exterior-to-interior noise reduction, which would result in interior noise levels within the jail facility would be exposed to approximately 71 dBA L_{max} during the preparation/demolition phase. The closest residential land use to the proposed project site would be exposed to approximately 70 dBA L_{max} exterior noise during site preparation/demolition phase along the south-east perimeter of the proposed project area, as seen in **Table 3.7-8**. As a result, construction noise levels would be substantially greater than the ambient noise level during the short-term duration of construction and would exceed both the County of El Dorado and City of Placerville maximum allowable noise levels for noise-sensitive land uses, as shown in **Table 3.7-3** and **Table 3.7-6**, respectively. Additionally, it is anticipated that there may be some blasting activities during the construction phase of the proposed project that may have a high enough explosive yield to exceed both the County of El Dorado and City of Placerville maximum allowable noise levels. As a result, noise generated by construction activities would have a short-term, but *potentially significant* impact on the existing residential receivers located near the proposed project site.

**TABLE 3.7-8
CONSTRUCTION NOISE LEVELS AT EXISTING LAND USES**

Construction Phases	Maximum Noise Levels (L_{max}) for Typical Construction Activities, dBA					
	Jail Facility Located West of the Project Site		Residential Home Located South-East of the Project Site	Residential Home Located West of the Project Site	Residential Home Located North of the Project Site	Residential Home Located East of the Project Site
	Exterior	Interior ¹	Exterior	Exterior	Exterior	Exterior
Demo/Site preparation	96.0	71.0	70.0	67.9	66.4	61.4
Foundations	91.3	66.3	65.3	63.2	61.7	56.6
Building Shell	93.3	68.3	67.3	65.2	63.6	58.6
Building Interiors	86.2	61.2	60.1	58.1	56.5	51.5

NOTES:

¹ Windows at the jail housing are assumed to be closed, which would result on average of an exterior-to-interior noise reduction of 25dBA

SOURCE: ESA, 2014

Mitigation Measures

Mitigation Measure 3.7-1a: Per the County of El Dorado General Plan Policy 6.5.1.11, construction shall be restricted to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday, and 8:00 a.m. to 5 p.m. on weekends and non-federally recognized holidays.

Mitigation Measure 3.7-1b: To further address potential nuisance impacts of proposed project construction, construction contractors shall implement the following:

- Signs shall be posted at all construction site entrances to the property upon commencement of proposed project construction, for the purposes of informing all contractors/subcontractors, their employees, agents, material haulers, and all other persons at the applicable construction sites, of the basic requirements of Mitigation Measures 3.5.1a through 3.5.1c.
- Signs shall be posted at the construction sites that include permitted construction days and hours, a day and evening contact number for the job site, and a contact number in the event of problems.
- An onsite complaint and enforcement manager shall respond to and track complaints and questions related to noise.

Mitigation Measure 3.7-1c: To reduce daytime noise impacts due to construction of the proposed project, the applicant shall require construction contractors to implement the following measures:

- Equipment and trucks used for proposed project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds), wherever feasible.
- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered where feasible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used whenever feasible.
- Stationary construction noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent this does not interfere with construction purposes.
- Erection of a solid plywood construction/noise barrier, where feasible, around the outside perimeter of the proposed project site that would block line of sight between construction activities and noise-sensitive receivers. Plywood should be at a minimum of one-half inch thick and not contain any gaps at its base or facets, in order to provide a maximum of 10 dB reduction in noise levels between construction activity and noise-sensitive receptors (Caltrans, 2013:5-4).
- The El Dorado County Jail and adjacent noise-sensitive residents within 500 feet of demolition and blasting activity shall be notified of the construction schedule, as well as the name and contact information of the project complaint and enforcement manager.

Significance after Mitigation: The mitigation measures would reduce construction noise where feasible and minimize the potential for disturbance, but would not reduce noise levels to below the noise construction noise limits in the provisions of the County of El Dorado General Plan or the City of Placerville General Plan. Even though the construction noise represents a short-term impact, the existing institutional land use located to the east and residential land uses located to the southeast, west and north of the construction site would still represent a *significant and unavoidable* impact even after mitigation.

Impact 3.7-2: The proposed project could result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels (*Significant and Unavoidable*).

Construction equipment could generate noticeable vibration at the existing El Dorado County Jail and nearest residential land uses. The greatest potential for vibration generation would be during the blasting activities. **Table 3.7-9** and **3.7-10** shows the vibration levels for different construction equipment at their closest point to the El Dorado County Jail and the closest residential land use adjacent to the proposed project site. As the equipment moves farther away, the vibration level drops rapidly, due to absorption from the ground through which the vibration propagates.

**TABLE 3.7-9
 CONSTRUCTION VIBRATION LEVELS AT EXISTING LAND USES**

Equipment	Reference VdB Level from 25 feet ¹	Construction Maximum Vibration by Receiver, VdB	
		El Dorado County Jail	Nearest Residential Land use
Large Bulldozer	87	80.6	49.3
Loaded Trucks	86	79.6	48.3
Jackhammer	79	72.6	41.3
Vibratory Roller	94	87.6	56.3

NOTES:
 1. Reference VdB levels were taken from the FTA Transit Noise and Vibration Impact Assessment Manual
 SOURCE: ESA, 2014

**TABLE 3.7-10
 CONSTRUCTION PEAK PARTICLE VELOCITY (PPV) LEVELS AT EXISTING LAND USES**

Equipment	Reference PPV Level from 25 feet ¹	Construction Maximum Vibration by Receiver, PPV (in/s)	
		El Dorado County Jail	Nearest Residential Land use
Large Bulldozer	0.089	0.042	0.001
Loaded Trucks	0.076	0.036	0.001
Jackhammer	0.035	0.017	0.000
Vibratory Roller	0.210	0.100	0.003

NOTES:
¹ Reference PPV levels were taken from the FTA Transit Noise and Vibration Impact Assessment Manual
 SOURCE: ESA, 2014

As shown above in **Table 3.7-9**, residential land uses would be exposed to vibration levels below the FTA human annoyance thresholds for typical construction activities. With the exception of vibratory roller activities, typical construction activities would result in vibration levels that are below the FTA's impact level of 83 VdB for institutional land uses. The vibration levels generated by the operation of the vibratory roller could exceed the FTA human annoyance threshold at its closest point to the El Dorado County Jail. Also, as shown in **Table 3.7-10**, typical construction activities would not exceed the FTA building damage threshold. However, with regards to potential blasting activities, since the specific yield of explosives is unknown at this time, it is assumed that blasting could exceed the FTA vibration thresholds at both the El Dorado County Jail and nearest residences. Therefore, ground-borne vibration is considered a *potentially significant* impact.

Mitigation Measures

Mitigation Measure 3.7-2a: All blasting shall be performed by registered licensed blasters who will be required to secure all necessary permits and comply with regulatory requirements in connection with the transportation, storage, and use of explosives, and blast vibration limits for nearby structures. The registered licensed blaster would use the minimum required explosive yield to reduce the level of vibration to below the FTA building damage threshold for all buildings in the project vicinity.

Mitigation Measure 3.7-2b: The El Dorado County Jail and adjacent vibration-sensitive residents within 500 feet of demolition and blasting activity shall be notified of the construction schedule, as well as the name and contact information of the project complaint and enforcement manager.

Significance after Mitigation: The mitigation measures would reduce construction vibration levels to the extent feasible and would ensure that no buildings would be damaged during construction. In addition, the measures would minimize the potential for human annoyance, but would not reduce vibration levels to below the FTA human annoyance criteria for institutional land uses. Even though the construction vibration represents a short-term impact, the existing institutional land use located to the east of the construction site does still represent a *significant and unavoidable* impact even after mitigation.

Impact 3.7-3: Non-transportation-related project operations could expose receptors to noise levels in excess of the City of Placerville or County of El Dorado noise standards or result in a substantial permanent increase in ambient noise above existing levels for sensitive receptors (*Less than Significant*).

The HVAC equipment for the proposed courthouse building may be located on the roof-top of the building. At this time, the details of the HVAC system are not known and therefore, precise predictions cannot be made regarding the noise levels of this equipment. Rooftop HVAC units typically generate noise levels of approximately 55 dBA L_{eq} at a reference distance of 100 feet from the operating units during maximum heating or air conditioning operations. If HVAC units are on the edge of any buildings nearest the residential or institutional receptors, resultant exterior noise levels at the nearest receptor would be about 42 and 45 dBA L_{eq} , respectively. These noise

levels would not exceed the applied daytime (or nighttime, though the court would not operate at night) noise standards of the City of Placerville or County of El Dorado. As such, this impact would be *less than significant* and no mitigation is required.

Mitigation: None required.

Impact 3.7-4: Transportation-related noise associated with proposed project operations would not expose receptors to noise levels in excess of the County of El Dorado's noise standards or result in a substantial permanent increase in ambient noise above existing levels at sensitive receptors (*Less than Significant*).

This section addresses traffic-related noise impacts from the proposed project on the existing environment and existing sensitive receptors. The effect of proposed project generated traffic was calculated using traffic noise prediction equations found in the Federal Highway Administration Highway Traffic Noise Prediction Model (FHWA RD-77-108). **Table 3.7-11** shows the calculated Existing and Existing Plus Project generated traffic noise levels along the roadways in the proposed project vicinity. The greatest effect on ambient levels would occur at the single-family homes located along Forni Road where traffic noise would increase by 1.2 dBA. The rest of the roadway segments analyzed showed a traffic noise increase less than 0.8 dBA. These increases in traffic noise would be negligible. As seen in **Table 3.7-11**, all calculated traffic noise increases from Existing to Existing Plus Project would be below the County of El Dorado Noise Standards. Therefore, this is considered to be a *less than significant* impact and no mitigation is necessary.

Mitigation: None required.

Cumulative Impacts

The geographic context for changes in the noise and vibration environment due to development of the proposed project would be localized in mainly a rural area of the City of Placerville, as well as along roadways that would serve the proposed project. In order to contribute to a cumulative construction noise impact, another project in close proximity would have to be constructed at the same time as the proposed project. There are numerous redevelopment projects in several locations near the proposed project, currently in the planning stages, that could be constructed and operational in the foreseeable future.

Similarly, the operational noise impacts described in Impact 3.7-3 would not exceed the applied daytime noise standards of the City of Placerville or County of El Dorado. The proposed project's operational noise is expected to be overshadowed by traffic noise from U.S. 50 and would not contribute to a cumulative impact in the area.

**TABLE 3.7-11
TRAFFIC NOISE LEVELS ALONG ROADWAYS IN THE PROPOSED PROJECT VICINITY**

Roadway Segment	Traffic Noise Level, dBA, Ldn ¹							
	Existing (A)	Existing Plus Project (B)	Incremental Increase (B – A)	Significant? (Yes or No) ²	Cumulative No Project (C)	Cumulative Plus Project (D)	Incremental Increase (D – C)	Cumulatively Considerable? (Yes or No) ²
1. Forni Road, West of Placerville Drive	58.9	59.1	0.2	No	64.3	64.4	0.1	No
2. Forni Road, Placerville Drive to Lo Hi Way	67.3	67.5	0.2	No	70.1	70.2	0.1	No
3. Forni Road, Lo Hi Way to Jail Driveway	63.6	64.8	1.2	No	66.7	67.0	0.2	No
4. Forni Road, Jail Driveway to Ray Lawyer Drive	59.7	60.5	0.8	No	65.9	66.6	0.6	No
5. Forni Road, Ray Lawyer Drive to Gold Nugget Way	59.7	60.3	0.6	No	63.8	64.1	0.3	No
6. Ray Lawyer Drive, Forni Road to Fair Lane	60.1	60.4	0.2	No	67.8	67.9	0.0	No
7. Fair Lane, Ray Lawyer Drive to Placerville Road	60.9	60.9	0.0	No	63.1	63.1	0.0	No
8. Placerville Road, Forni Road to Fair Lane	67.8	67.9	0.1	No	69.8	69.8	0.1	No
9. Highway 50, Placerville Drive to Ray Lawyer Drive	77.0	77.1	0.1	No	79.9	79.9	0.1	No

BOLD values show potentially significant noise increases prior to any mitigation.

1. Noise levels were determined using FHWA Traffic Noise Prediction Model (FHWA RD-77-108).

2. Traffic noise is considered significant if the incremental increase in noise at residences is greater than 5 dBA in a noise environment of less than 60 dBA Ldn, 3 BA in a noise environment between 60 dBA to 65 dBA Ldn, or an increase of 1.5 dBA in a noise environment already greater than 65 dBA Ldn.

Impact 3.7-5: Increases in traffic from the proposed project, in combination with other development, would not result in cumulatively considerable noise increases (*Less than Significant Cumulative Impact*).

A cumulative impact arises when two or more individual projects, when considered together compound or increase environmental impacts. There are development projects currently in the planning process located in the vicinity of the proposed project that would increase traffic noise such as intersection improvements along Forni Road and new U.S. 50 on/off ramps along Ray Lawyer Drive. The Cumulative and Cumulative Plus Project traffic noise levels were calculated using traffic noise prediction equations found in FHWA RD-77-108 and are shown above in **Table 3.7-11**. Although the proposed project in conjunction with cumulative development would result in substantial increases in noise on many of the modeled roadways compared to existing conditions, the proposed project itself would not be cumulatively considerable. As seen above in **Table 3.7-11**, the cumulative contribution in traffic noise levels associated with proposed project traffic would be less than 1 dBA along each modeled roadway, which would be negligible and would not be cumulatively considerable. Therefore, the proposed project would result in a *less-than-significant cumulative impact*.

Mitigation: None required.

Impact 3.7-6: The proposed project would contribute to cumulative construction noise and vibration (*Significant and Unavoidable and Cumulatively Considerable*).

There are cumulative projects currently in the planning process that could add to project-related construction noise and vibration levels. Equipment from these projects would result in increased vibration at the El Dorado Jail and nearby residential land uses located along Gold Nugget Way and 12 Oaks Lane. The proposed project itself would generate substantial noise levels that would impact these receptors, as well as vibration levels that would impact the institutional receptors. These noise and vibration levels associated with proposed project construction would be a significant impact even after mitigation. Consequently, if other development were to occur concurrently in close proximity, the proposed project's contribution to construction noise and vibration would be cumulatively considerable, resulting in a *significant cumulative impact*.

Mitigation Measures: Implement Mitigation Measures 3.7-1a through 3.7-1c, 3.7.-2a, and 3.7-2b.

Significance After Mitigation: Implementation of these mitigation measures would reduce construction noise and vibration to the extent feasible. However, even with implementation of these mitigation measures, it is likely that construction activities would still result in nuisance impacts at the El Dorado Jail and nearby residential land uses. Consequently, this impact would be *significant and cumulatively considerable* during the short-term construction activities at the proposed project site.

3.8 Transportation and Circulation

3.8.1 Introduction

This section assesses the potential transportation and circulation impacts associated with the construction and operation of the proposed project.

Summary of NOP Comments

A summary of all comments received during the NOP scoping period is included in Chapter 1 of this Draft EIR. Letters were received from Caltrans and citizens regarding transportation and circulation, including impact analysis, planned improvements, El Dorado Trail impacts, transit access, pedestrian and bicycle facilities, and safety (see **Appendix B**).

Summary of Impact Conclusions

A summary of the transportation and circulation impacts described in this section are identified below in **Table 3.8-1**.

**TABLE 3.8-1
SUMMARY OF TRANSPORTATION AND CIRCULATION IMPACTS**

Impact Number	Impact Topic	Impact Conclusion	Impact After Mitigation
Impact 3.8-1	Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of study intersections or U.S. 50.	Potentially Significant	Less than Significant
Impact 3.8-2	Substantially increase hazards due to a design feature or incompatible use.	Less than Significant	None Required
Impact 3.8-3	Result in inadequate emergency access.	Less than Significant	None Required
Impact 3.8-4	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	Less than Significant	None Required
Impact 3.8-5	Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of study intersections of U.S. 50 under cumulative conditions.	Potentially Significant	Less than Significant
Impact 3.8-6	Construction activities associated with the proposed project would not result in temporary circulation impacts on the street system.	Less than Significant	None Required

3.8.2 Environmental Setting

The existing transportation-related context of the proposed project is described below, beginning with a description of the street network that serves the proposed project site and surroundings. Existing transit service, bicycle and pedestrian facilities in the vicinity of the proposed project are also described. Intersection and freeway levels of service are then defined and current conditions for roadways and intersections in the proposed project vicinity are summarized.

Existing Roadway Network

The proposed project site is located off Forni Road in the City of Placerville and is adjacent to the existing El Dorado County Jail (as shown in **Figure 2-2**). Aside from the existing jail, the immediate proposed project site is primarily surrounded by open space to the north, south, east, and west. In the proposed project vicinity, there is a mix of transportation resources that provide local and regional access to the proposed project site, including U.S. Highway 50 (U.S. 50) and several local-serving thoroughfares and curvilinear roadways (see **Figure 2-2**). A full description of regional and local roadways in the context of the proposed project vicinity is provided below.

Regional Roadways

U.S. 50 is a freeway that operates through central El Dorado County and provides connectivity to multiple communities in Northern California from Sacramento to Lake Tahoe. Near the proposed project site, U.S. 50 serves as an east-west, four-lane freeway that serves as the primary transportation corridor in the county and serves both interregional traffic as well as commuter and local traffic. According to the most recent data published by the California Department of Transportation (Caltrans), the annual average daily traffic (AADT) on the roadway in proximity to the proposed project is about 40,000 vehicles (Caltrans, 2013). The roadway is part of the Congestion Management Process (CMP) in the Sacramento Area Council of Governments' (SACOG) Metropolitan Transportation Plan (MTP) Roadway Network (SACOG, 2012), and the roadway is a part of the El Dorado County Transportation Commission's (EDCTC) Regional Transportation Plan Roadway Network (EDCTC, 2010). In addition, the freeway is designated as an "Other Freeway or Expressway (Functional Class 2)" within the City of Placerville, according to Caltrans' roadway classification system (Caltrans, 2012).

Local Roadways

Placerville Drive is generally a two-lane roadway with a continuous two-way left-turn lane (TWLTL) along the majority of the road. Placerville Drive is a north-south roadway from Forni Road to Pierroz Road in the western area of Placerville and then becomes an east-west roadway east to U.S. 50 (and becomes Main Street east of the highway and travels into downtown Placerville). Near the proposed project site, the roadway provides access to commercial areas north of the highway and also provides direct connection to U.S. 50 via an interchange. Placerville Drive is designated as a Minor Arterial roadway in the City of Placerville General Plan (City of Placerville, 2004) and is also a part of the EDCTC Regional Transportation Plan Roadway Network (EDCTC, 2010). In addition, the roadway is designated as a "Minor Arterial

(Functional Class 4)” within the City of Placerville, according to Caltrans’ roadway classification system (Caltrans, 2012).

Forni Road is an east-west, two-lane roadway that extends from Pleasant Valley Road (SR 49) to the south and west (in the City of El Dorado) to downtown Placerville to the north and east (where the road merges with Main Street). The majority of the roadway is curvilinear with narrow travel lanes that primarily carry localized traffic. The roadway is designated as a “Major Collector (Functional Class 5)” within the City of Placerville, according to Caltrans’ roadway classification system (Caltrans, 2012).

Ray Lawyer Drive is a north-south, two-lane roadway that extends from Placerville Drive to the north to Forni Road to the south. The roadway provides access to the El Dorado County Government Center and includes an overpass at U.S. 50 and does not provide access to the highway. The roadway is designated as an “Other Principal Arterial (Functional Class 3)” within the City of Placerville, according to Caltrans’ roadway classification system (Caltrans, 2012).

Fair Lane is an east-west, two-lane roadway that extends from Ray Lawyer Drive to the east to Placerville Road to the west. The roadway primarily serves the El Dorado County Government Center and also provides access to westbound U.S. 50 via its intersection at Placerville Drive and a westbound on-ramp to the freeway. The roadway is designated as a “Major Collector (Functional Class 5)” within the City of Placerville, according to Caltrans’ roadway classification system (Caltrans, 2012).

Lo-Hi Way is a north-south, two-way roadway that extends from Forni Road to the north to its terminus about 600 feet south of the intersection. The roadway serves existing commercial and retail establishments and also provides direct access to U.S. 50 via eastbound ramps at the intersection with Forni Road.

Transit Service

The El Dorado County Transit Authority (EDCTA) operates local, fixed-route bus service, dial-a-ride bus service, commercial bus service, and park-and-ride facilities during weekdays (Monday through Friday) with limited bus service on Saturday. Current fixed-route bus service in the vicinity of the proposed project site includes the Placerville (PL) Bus Route that operates between Missouri Flat Transfer Center to Broadway and View Point Drive (east of downtown Placerville), and along Placerville Drive, Fair Lane, Ray Lawyer Drive, and portions of Forni Road, between Placerville Drive and Ray Lawyer Drive. The PL Eastbound Bus Route operates between 7:00 a.m. and 5:46 p.m. during weekdays, and the PL Westbound Bus Route operates between 7:00 a.m. and 5:00 p.m. during weekdays; these bus routes operate at approximately 60-minute headways (frequency of bus service) and do not provide weekend services (EDCTA, 2013).

There are currently two bus stops in the vicinity of the proposed project site, with one stop located along Forni Road at Lo-Hi Way (approximately 0.35 mile west of the proposed project site) and a bus stop located along Fair Lane near the intersection at Ray Lawyer Drive (approximately 0.35 mile north of the proposed project site).

Bicycle and Pedestrian Facilities

According to the City of Placerville *Non-Motorized Transportation Plan* (2010), bikeways are classified as Class I (bicycle paths separated from roads), Class II (striped bicycle lanes within the paved areas of roadways), or Class III (signed bike routes that allow cyclists to share streets with vehicles). Existing bicycle facilities at the proposed project site and surroundings are generally comprised of Class I bicycle/pedestrian trails, Class II bicycle lanes, and Class III bicycle routes. The El Dorado Trail, a Class I bike path, extends over two miles, from Clay Street in Downtown Placerville to the eastern limits of the city. In the Fall of 2014, the city will be extending a section of the El Dorado Trail Class I Bike Path from Ray Lawyer Drive to Forni Road at Lower Main Street. Class II Bike Lanes exist on Ray Lawyer Drive from Forni Road to Placerville Drive, and Class II bike lanes also are present along Placerville Drive, from U.S. 50 to Ray Lawyer Drive.

Pedestrian facilities generally include sidewalks, crosswalks, curb ramps, pedestrian signals, and streetscape/landscape amenities (i.e., benches, tree-lined buffers, planters, bulb-outs, street lighting, etc). According to the City of Placerville *2007 Pedestrian Circulation Plan* (2007), the pedestrian network within the city is largely undeveloped, with the exception of the downtown area.

In the vicinity of the proposed project site, there are sidewalks located on the west side of Ray Lawyer Drive between the overcrossing of U.S. 50 and the County Government Center extending to Placerville Drive. Additionally there are sidewalks on the south side of Forni Road in the commercial area just west of the proposed project area. As previously described, the El Dorado Trail is a Class I bicycle/pedestrian/equestrian facility located west of, and adjacent to, the proposed project site and extends from Missouri Flat Road east to Forni Road, and ultimately to downtown Placerville and points further east. The trailhead (entrance) to the El Dorado Trail section between Forni Road and Missouri Flat Road is located approximately 50 feet west of the driveway entrance to the existing county jail. Signage is posted along Forni Road to alert drivers of pedestrian, bicycle, and equestrian crossings along the roadway.

Site Access

The proposed project site is adjacent to the existing county jail, which is south of Forni Road and west of Ray Lawyer Drive.

The Western Placerville U.S. 50 Interchanges Project includes modifications to Forni Road and Ray Lawyer Drive and proposes extending Ray Lawyer Drive to points further south and southwest of Forni Road. Specifically, Ray Lawyer Drive would be widened and extended approximately 820 feet south beyond the existing intersection with Forni Road.

This extension of Ray Lawyer Drive would serve as an access roadway that could connect to the existing driveway serving the county jail, and would create a new “T”-shaped intersection. This would require a realignment of the existing county jail driveway in order to provide connection to the Ray Lawyer Drive extension and subsequently, access to the proposed project site. As shown in **Figure 2-3**, this would create a shared-access driveway, as vehicles attempting to access both the

jail and proposed project site would be required to travel along Forni Road, then turn southbound and either turn left in a southerly direction to access the jail or continue in a westerly direction along the new site access road. The new “shared-use” driveway would serve both general public as well as employees to the proposed project site, and would maintain access for patrons of the jail and those traveling to points east and west of the proposed project site via Forni Road.

It is noted that Ray Lawyer Drive is currently programmed to extend beyond the boundaries of the proposed project site and to provide access to future developments south of the proposed project site, specifically the proposed commercial/office park development (described further in this section). Depending on the construction schedule of these future developments further south of the proposed project site, the proposed project would construct a segment of the Ray Lawyer Drive extension to provide access to the proposed project site; however, the remaining segments of the roadway extension would be developed as needed, and in conjunction with other future developments (and other responsible parties) south of the proposed project site.

Existing Traffic Conditions

Intersection Level of Service Analysis Methodologies

The operation of a local roadway network is commonly measured and described using a grading system called Level of Service (LOS). The LOS grading system qualitatively characterizes traffic conditions associated with varying levels of vehicle traffic, ranging from LOS A (indicating free-flow traffic conditions with little or no delay experienced by motorists) to LOS F (indicating congested conditions where traffic flows exceed design capacity and result in long delays). This LOS grading system applies to both roadway segments and intersections.

Signalized Intersections

For signalized intersections, traffic conditions were evaluated using the Highway Capacity Manual (HCM) methodology and the Synchro/Simtraffic software program. The HCM methodology incorporates various intersection characteristics (e.g., traffic volumes, lane geometry, and signal phasing/timing) to estimate the average control delay experienced by motorists traveling through an intersection (Transportation Research Board, 2000).

Unsignalized Intersections

For unsignalized (all-way stop-controlled and side-street stop-controlled) intersections, traffic conditions are evaluated using the HCM operations methodology and the Synchro/Simtraffic software program. With this methodology, the LOS is related to the total delay per vehicle for the intersection as a whole (for all-way stop-controlled intersections), and for each stop-controlled movement or approach only (for side-street stop-controlled intersections). Total delay is defined as the total elapsed time from when a vehicle stops at the end of the queue until the vehicle departs from the stop line. This time includes the time required for a vehicle to travel from the last-in-queue position to the first-in-queue position. **Table 3.8-2** presents the relationships between delay and level of service for signalized and unsignalized intersections.

**TABLE 3.8-2
 DEFINITIONS FOR INTERSECTION LEVEL OF SERVICE (HCM METHODOLOGY)**

Unsignalized Intersections		Level of Service Grade	Signalized Intersections	
Description	Average Total Vehicle Delay (Seconds)		Average Control Vehicle Delay (Seconds)	Description
No delay for stop-controlled approaches.	≤10.0	A	≤10.0	Free Flow or Insignificant Delays: Operations with very low delay, when signal progression is extremely favorable and most vehicles arrive during the green light phase. Most vehicles do not stop at all.
Operations with minor delay.	>10.0 and ≤15.0	B	>10.0 and ≤20.0	Stable Operation or Minimal Delays: Generally occurs with good signal progression and/or short cycle lengths. More vehicles stop than with LOS A, causing higher levels of average delay. An occasional approach phase is fully utilized.
Operations with moderate delays.	>15.0 and ≤25.0	C	>20.0 and ≤35.0	Stable Operation or Acceptable Delays: Higher delays resulting from fair signal progression and/or longer cycle lengths. Drivers begin having to wait through more than one red light. Most drivers feel somewhat restricted.
Operations with increasingly unacceptable delays.	>25.0 and ≤35.0	D	>35.0 and ≤55.0	Approaching Unstable or Tolerable Delays: Influence of congestion becomes more noticeable. Longer delays result from unfavorable signal progression, long cycle lengths, or high volume to capacity ratios. Many vehicles stop. Drivers may have to wait through more than one red light. Queues may develop, but dissipate rapidly, without excessive delays.
Operations with high delays, and long queues.	>35.0 and ≤50.0	E	>55.0 and ≤80.0	Unstable Operation or Significant Delays: Considered to be the limit of acceptable delay. High delays indicate poor signal progression, long cycle lengths and high volume to capacity ratios. Individual cycle failures are frequent occurrences. Vehicles may wait through several signal cycles. Long queues form upstream from intersection.
Operations with extreme congestion, and with very high delays and long queues unacceptable to most drivers.	>50.0	F	>80.0	Forced Flow or Excessive Delays: Occurs with oversaturation when flows exceed the intersection capacity. Represents jammed conditions. Many cycle failures. Queues may block upstream intersections.

SOURCE: Transportation Research Board, Special Report 209, *Highway Capacity Manual*, updated 2000.

Study Intersections

Traffic volumes at the majority of study intersections were based on the data provided in the *Western Placerville Interchanges – Phase 1A Analysis Revised Technical Memorandum* (Fehr and Peers, 2009).¹ Peak-hour intersection operations at the study intersections were evaluated during the weekday morning (a.m.) and afternoon (p.m.) peak traffic periods (7:00 to 9:00 a.m. and 4:00 to 6:00 p.m.). The location, configuration, and turning movements at the study intersections listed below are presented in **Figure 3.8-1**.

1. Placerville Drive / Fair Lane / U.S. 50 Westbound Ramps (signalized)
2. Placerville Drive / Forni Road (side-street stop-controlled)
3. Forni Road / Lo-Hi Way / U.S. 50 Eastbound Off-Ramp (all-way stop-controlled)
4. Ray Lawyer Drive / Forni Road (all-way stop-controlled)
5. Ray Lawyer Drive / Fair Lane (all-way stop-controlled)
6. Forni Road / County Jail Driveway / Ray Lawyer Drive extension
7. Ray Lawyer Drive / U.S. 50 Westbound On-Ramp/ Future U.S.50 Westbound Off-Ramp

Existing Intersection Levels of Service

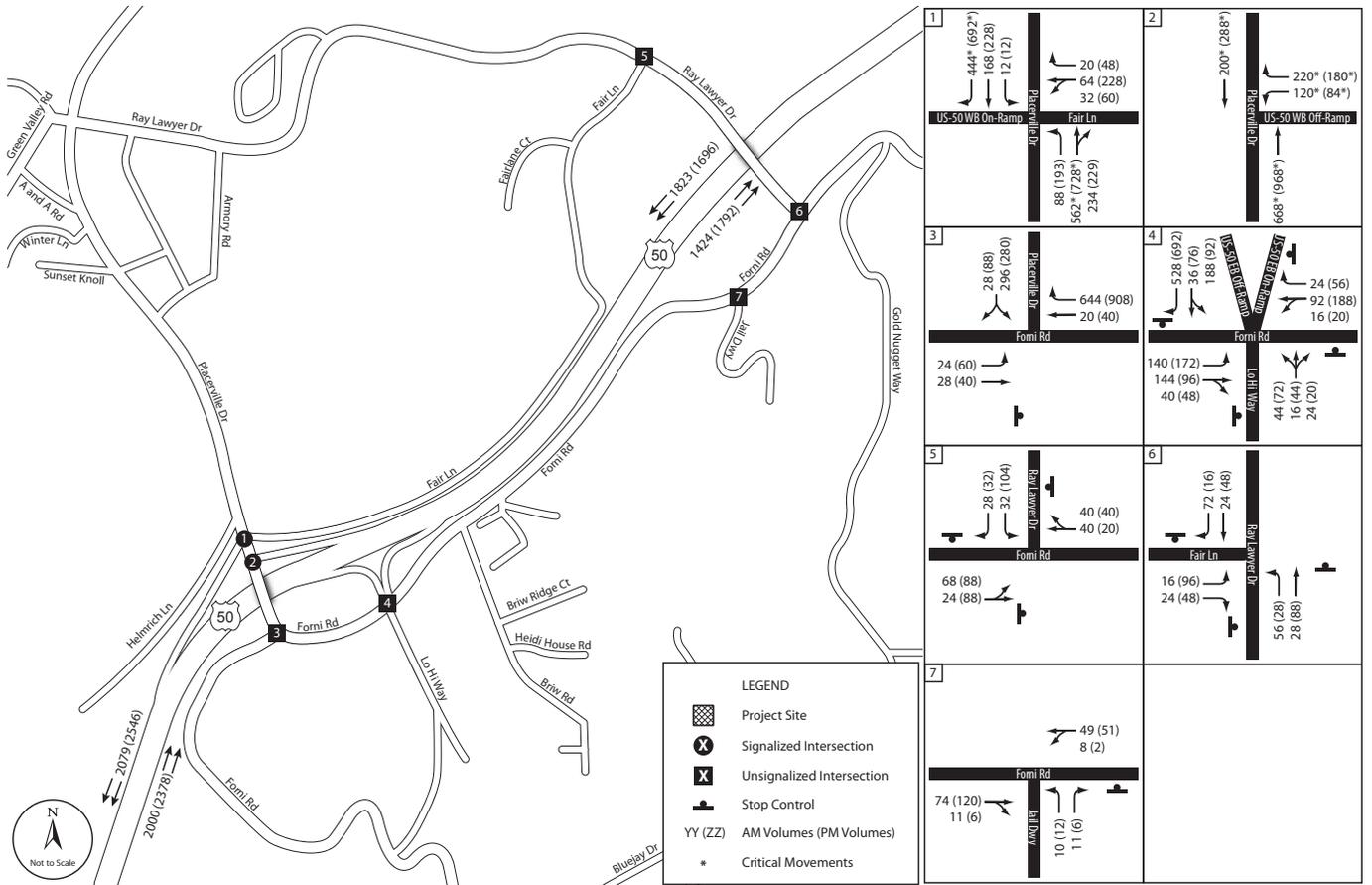
The a.m. and p.m. peak hour intersection levels of service under existing conditions are shown in **Table 3.8-3**. The results indicate that all intersections operate at acceptable levels of service (LOS) during the a.m. peak hour; however, the eastbound approach to the unsignalized intersection of Placerville Drive and Forni Road operates at an LOS E during the p.m. peak hour. LOS calculation sheets are provided in Appendix A within **Appendix F**.

The LOS E along the eastbound Forni Road approach at Placerville Drive during the p.m. peak hour is caused by the high number of northbound vehicles traveling through this intersection and causing a substantial amount of delay (and less allowable gap time) for vehicles attempting to turn left onto Placerville Drive from eastbound Forni Road.

Traffic Signal Warrant Analysis

A traffic signal warrant analysis has been completed to determine whether existing unsignalized study intersection of Placerville Drive and Forni Road (currently operating at an unacceptable LOS E, as described above) may require or benefit from the installation of a traffic signal. The term “signal warrant” refers to any of the nine established methods used by Caltrans to quantify the need for a traffic signal at an unsignalized intersection, described in the latest edition of the *California Manual on Uniform Traffic Control Devices* (MUTCD) (Caltrans, 2012). The California MUTCD indicates that the installation of a traffic signal should be considered only if one or more of the eight signal warrants are met. This study performed the peak-hour volume-based Warrant #3 for the Placerville Drive and Forni Road study intersection during the weekday p.m. peak hour.

¹ Morning and afternoon traffic counts were conducted for the intersection of Forni Road and County Jail Driveway during August 2011 and February 2012. An assessment of turning movement volumes at this intersection were evaluated and compared to the 2008 count data and were deemed consistent with the 2008 count data; therefore no adjustments were required.



SOURCE: CHS Consulting Group, 2014

Judicial Council – New Placerville Courthouse . 208091

Figure 3.8-1
Existing Study Intersection AM and PM Peak Hour Traffic Volumes

**TABLE 3.8-3
INTERSECTION LEVEL OF SERVICE SUMMARY – EXISTING CONDITIONS**

ID	Intersection	Control Type ^a	A.M. Peak Hour		P.M. Peak Hour	
			Delay ^{b,c}	LOS	Delay ^{b,c}	LOS
1	Placerville Dr / Fair Ln / US 50 WB Ramps	Signal	20.7	C	36.6	D
2	Placerville Dr / Forni Rd	SSSC	15.9 (EB)	C	38.8 (EB)	E
3	Forni Rd / Lo-Hi Way / US 50 EB Ramps	AWSC	9.9	A	11.4	B
4	Ray Lawyer Dr / Forni Rd	AWSC	7.4	A	8.4	A
5	Ray Lawyer Dr / Fair Ln	AWSC	6.7	A	7.5	A
6	Forni Rd / County Jail Driveway	SSSC	9.1 (NB)	A	9.4 (NB)	A

a Signal = signalized intersection; AWSC = All-Way Stop-Controlled intersection; SSSC = Side-Street Stop-Controlled intersection.

b Delay = Control Delay in Seconds per Vehicle.

c Average Intersection Delay in seconds per vehicle for signalized and AWSC intersections. Average Delay in seconds per vehicle for the worst minor approach for SSSC intersections. Northbound = NB; Eastbound = EB.

Bold text indicates unacceptable level of service.

SOURCE: Data Compiled by CHS Consulting, 2014.

Based on MUTCD’s peak-hour warrant #3 criteria, the Placerville Drive and Forni Road study intersection would meet the signal warrant with existing traffic volumes during the weekday p.m. peak hour. However, it is noted that although the intersection would meet the signal warrant, such a determination would not require signalization of the intersection and additional analyses, with respect to traffic operations and safety, are required to determine whether or not a signal is warranted. Signal warrant analysis outputs are located in Appendix B within **Appendix F** of this Draft EIR.

Freeway Level of Service Analysis Methodologies

The level of service (LOS) is a qualitative assessment of motorists’ and passengers’ perceptions of traffic conditions. The level of service is generally described in terms of travel time and speed, freedom to maneuver, traffic interruptions, comfort and convenience. The level of service applies to quantifiable traffic measures, such as average speed, intersection delays, density and volume-to-capacity ratios (V/C), to approximate driver satisfaction. These measures differ by roadway type because the user’s perceptions and expectations vary by roadway type (Transportation Research Board, 2000).

The freeway analysis methodology was based on HCM methodologies for “Basic Freeway Segments” (using the Highway Capacity Software (HCS) program) to determine LOS on U.S. 50. The method uses variables such as traffic volumes, geometric configuration of the freeway (i.e., number of lanes, widths of lanes and shoulders), topography, the percentage of heavy vehicles, and free-flow speeds to compute density (measured in the number of vehicles per lane per mile) and determine freeway mainline LOS conditions (from LOS A to LOS F). **Table 3.8-4** contains the density thresholds for freeway segments.

**TABLE 3.8-4
LEVEL OF SERVICE – FREEWAY SEGMENT**

Level of Service	Density Range (pc/mi/ln)
A	0 - 11
B	> 11 - 18
C	> 18 - 26
D	> 26 - 35
E	> 35 - 45
F	> 45

pc/mi/ln = passenger car per mile per lane
SOURCE: TRB, Highway Capacity Manual 2000, Exhibit 23-3.

According to Caltrans' *Guide for the Preparation of Traffic Impact Studies*, a detailed analysis is required to assess freeway and highway facilities under Caltrans' jurisdiction if and when a proposed project would (1) generate over 100 peak-hour trips assigned to a state highway facility; or (2) generate 50 to 100 peak-hour trips assigned to a state highway facility that is experiencing and/or is approaching unstable traffic flow conditions (LOS C or D); or (3) generate 1 to 49 peak-hour trips assigned to a state highway facility that experiences and/or is approaching unstable or forced traffic flow conditions (LOS E or F). State highway facilities should also be examined in detail if the proposed project would result in an increased risk for a potential traffic incident, and if the proposed project would change local circulation networks that result in an adverse effect to state highway facilities (Caltrans, 2002).

For purposes of this analysis, two freeway mainline segments along U.S. 50 were analyzed: 1) U.S. 50 west of Placerville Drive and 2) U.S. 50 between Placerville Drive and Ray Lawyer Drive.

Existing Freeway Conditions

Traffic volumes along the U.S. 50 mainline segments were based on the data provided in the *Western Placerville Interchanges – Phase 1A Analysis Revised Technical Memorandum* (Fehr and Peers, 2009); see Figure 1. As shown in **Table 3.8-5**, the two U.S. 50 mainline segments operate at acceptable LOS conditions (at LOS C or better) during the a.m. and p.m. peak hours. Freeway mainline LOS outputs are available in Appendix C within **Appendix F** of this DEIR.

**TABLE 3.8-5
FREEWAY MAINLINE LEVEL OF SERVICE SUMMARY – EXISTING CONDITIONS**

U.S. 50 Mainline	Volume	Density ^a	LOS
West of Placerville Drive			
AM Peak Hour – Eastbound	2,000	15.9	B
AM Peak Hour – Westbound	2,079	16.9	B
PM Peak Hour – Eastbound	2,378	18.6	C
PM Peak Hour – Westbound	2,546	20.8	C
Between Placerville Drive & Ray Lawyer Drive			
AM Peak Hour – Eastbound	1,424	11.3	B
AM Peak Hour – Westbound	1,823	14.8	B
PM Peak Hour – Eastbound	1,792	14.2	B
PM Peak Hour – Westbound	1,696	13.8	B

NOTE:
a Density calculated by passenger car per mile per lane.
SOURCE: Fehr & Peers, 2009; CHS Consulting, 2014.

3.8.3 Regulatory Setting

Existing transportation policies, plans, laws, and regulations that apply to the proposed project are summarized below. This information provides a context for the impact discussion related to the proposed project’s consistency with applicable regulatory conditions.

State

California Department of Transportation

Caltrans is responsible for the planning, design, construction and maintenance of all State of California highways. Caltrans’ jurisdiction includes improvements to the interchange ramps serving area freeways. The *Guide for the Preparation of Traffic Impact Studies* provides consistent guidance for Caltrans staff who reviews local development and land use change proposals (Caltrans, 2002). The *Guide* also informs local agencies about the information needed for Caltrans to analyze the traffic impacts to state highway facilities, including freeway segments, on- or off-ramps, and signalized intersections. Caltrans facilities near the proposed project site and surrounding area includes U.S. 50.

The *Guide* stated that “Caltrans endeavors to maintain a target level of service (LOS) at the transition between LOS C and LOS D on state highway facilities; however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing state highway facility is operating at less than the appropriate target LOS, the existing Measure of Effectiveness (MOE) should be maintained.”

Regional

County of El Dorado General Plan

Specific goals and policies outlined in the County of El Dorado *Transportation and Circulation* section of the General Plan (2009) that pertain to the proposed project are described below.

Goal TC-1: To plan for and provide a unified, coordinated, and cost-efficient countywide road and highway system that ensures the safe, orderly, and efficient movement of people and goods.

Policies:

TC-1w. New streets and improvements to existing rural roads necessitated by new development shall be designed to minimize visual impacts, preserve rural character, and ensure neighborhood quality to the maximum extent possible consistent with the needs of emergency access, on street parking, and vehicular and pedestrian safety.

Goal TC-X: To coordinate planning and implementation of roadway improvements with new development to maintain adequate levels of service on County roads.

Policies:

TC-Xa (3). Developer-paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county.

TC-Xd. Level of Service (LOS) for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. Level of Service will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the professional judgment of the Department of Transportation which shall consider the periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.

TC-Xg. Each development project shall dedicate right-of-way and construct or fund improvements necessary to mitigate the effects of traffic from the project. The County shall require an analysis of impacts of traffic from the development project, including impacts from truck traffic, and require dedication of needed right-of-way and construction of road facilities as a condition of the development. For road improvements that provide significant benefit to other development, the County may allow a project to fund its fair share of improvement costs through traffic impact fees or receive reimbursement from impact fees for construction of improvements beyond the project's fair share. The amount and timing of reimbursements shall be determined by the County.

El Dorado County Transportation Commission

The El Dorado County Transportation Commission (EDCTC) serves as the Regional Transportation Planning Agency (RTPA) and as the planning and programming authority for transportation funding and projects on the western slope of El Dorado County. The EDCTC coordinates regional efforts with the Sacramento Area Council of Governments (SACOG), which is the regional Metropolitan Planning Organization (MPO).

The EDCTC has established a Regional Transportation Plan (RTP) that outlines strategies for managing the regional transportation network. One requirement of the RTP is to set traffic level of service standards for state highways and principal arterials. The RTP is periodically updated to identify existing and future transportation facilities that would operate below the acceptable service level and to identify improvements and strategies for intersection and segments where future growth would degrade that service level. The El Dorado County standard for peak hour level of service (LOS) thresholds is of LOS E within a “Community Region”² and a standard of LOS D for all other areas during peak travel times. As presented in the RTP, all major and minor arterial roadways, collectors and local streets identified in the City of Placerville *General Plan Circulation Plan Diagram* are included in the RTP roadway network (EDCTC, 2010).

Local

As a state agency, the Judicial Council is not subject to local land use plans and regulations. Nevertheless, the following describes relevant policies from the City of Placerville General Plan and are provided for informational purposes.

City of Placerville General Plan

The City of Placerville General Plan (2004) establishes goals and policies that guide the development of the city. Specific goals and policies outlined in the *Transportation and Circulation* section of the General Plan that pertain to the proposed project are described below.

Goal A. To provide a circulation system that is correlated and adequate to support existing and proposed land uses, thereby providing for the efficient movement of goods and services within and through Placerville.

Policies:

2. Streets shall be dedicated, widened, extended, and constructed according to the City’s Master Street Plan and the street cross-sections shown in the Street Standards figures in Part I Rights-of-way shall be reserved according to the specifications of the Master Street Plan. Deviations from the street cross-sections shown in Part I shall be allowed based upon a determination by the Public Works Director that safe and adequate public access and circulation are preserved by such deviations.
3. Major circulation improvements should be completed as abutting lands develop or redevelop, with dedication of right-of-way and construction of improvements required as a

² El Dorado County General Plan – Land Use Element Policy 2.1.1.1 defines “Community Regions” in the County include Camino/Pollock Pines, El Dorado Hills, Cameron Park, El Dorado, Diamond Springs, Shingle Springs, and the City of Placerville and immediate surroundings (El Dorado County, 2009).

condition of approval. Where the City may deem it appropriate, a property owner can be allowed to enter into a Street Frontage Improvement Agreement in lieu of construction of improvements if the majority of the neighborhood or area is presently unimproved. However, the City should require a minimum level of improvements to ensure adequate accessibility for vehicles and emergency equipment.

5. The City shall ensure that all newly-developing areas are served by at least two means of access.
6. The City shall discourage the creation of long dead-end roads and cul-de-sac streets by providing for connections between such streets and secondary access to areas served by such streets.

Goal B. To promote the development of a circulation system that preserves the historic nature and character of neighborhoods and districts, reinforces neighborhood identity and integrity, and minimizes adverse impacts on hillsides and vegetation.

Policies:

5. The City shall attempt through siting and design of new development in hillside and environmentally sensitive areas to minimize the need for substantial grading and removal of vegetation.

Goal C. To minimize traffic accidents and hazards.

Policies:

1. The City shall discourage the creation or continuance of traffic hazards in new development and other proposals requiring the City to exercise its discretionary authority.
2. In the development of new projects, the City shall give special attention to maintaining adequate corner-sight distances at city street intersections and at intersections of city streets and private access drives and roadways.

Goal E. To provide a safe and secure bicycle route system.

Policies:

6. The City shall promote development of bicycle routes and/or trails that connect parks and schools that link the Ray Lawyer Drive/Placerville Drive area with downtown, and that link the Apple Hill area with Placerville.
8. Any future development adjacent to a bike trail shall be required to analyze impacts of the development on the bike trail and mitigate to the greatest extent possible identified impacts.

Goal F. To promote convenient and safe pedestrian circulation.

Policies:

3. In approving development projects, the City shall continue to require the construction of sidewalks connecting major pedestrian destinations, such as schools, hospitals, and government centers.

5. The City shall require all developments with a density of R1-2000 or greater to provide a sidewalk on at least one side of any street that is developed as part of the project or is used as a perimeter street by that project.

Goal G. To maintain coordinated, efficient bus service that provides an effective alternative to private automobile use.

City of Placerville Non-Motorized Transportation Plan

The City of Placerville adopted the *Non-Motorized Transportation Plan* in April 2005. The *Plan* addresses issues related to non-motorized transportation within the city and provides an inventory of existing and proposed non-motorized transportation facilities. Specific goals and policies outlined in the *Non-Motorized Transportation Plan* that pertain to the proposed project are described below.

Goal 1: Develop a bicycle and pedestrian system that enhances the safety and convenience of bicycling and walking to employment, residential neighborhoods, parks, education, commercial and other activity centers in the City of Placerville.

Policies:

- 3c. Review all new developments for consideration of bicycle and pedestrian needs and linkages, except where prohibited by topography or safety considerations.
- 4b. Develop policies for new developments which ensure that non-motorized user's needs are incorporated into new subdivisions or commercial areas; including providing access points to existing and proposed bicycle and pedestrian facilities, on-street facilities for bicycles and, whenever feasible, grade separations at roadway crossings where new streets will cross existing and proposed bikeways.
- 5c. Encourage the installation of appropriately located bicycle parking and related facilities.

City of Placerville Pedestrian Circulation Plan

The Pedestrian Circulation Plan (City of Placerville, 2007) is an extension of the Non-Motorized Transportation Plan (as described above), and provides project priorities and funding options for the construction and maintenance of existing and future pedestrian facilities throughout the city. Specific goals and policies outlined in the *Plan* that pertain to the proposed project are described below.

Goal 1: Promote convenient and safe pedestrian circulation (per City General Plan)

Goal 3: Close gaps to increase the connectivity and viability of existing system

Goal 4: Expand the system to provide greater opportunities to pedestrians

Policies:

3. In approving development projects, the City shall continue to require the construction of sidewalks connecting major pedestrian destinations, such as schools, hospitals, and government centers.

3.8.4 Impacts and Mitigation Measures

Significance Criteria

Based on CEQA Guidelines Appendix G, a project would cause a significant impact on transportation and traffic if it would:

- a. Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.
- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- e. Result in inadequate emergency access.
- f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

The City of Placerville has adopted standards of significance for evaluating traffic impacts. In addition to the standard significance criteria above, this EIR shall also analyze these standards to indicate a traffic impact would be classified as significant if the project:

- Increases in traffic volumes that change the existing level of service (LOS) from acceptable (LOS D or better) to unacceptable (LOS E or F) at any intersection; or
- Increases in traffic volumes that increase the average delay at an intersection that is already operating at LOS E or F by more than five seconds per vehicle.

In accordance with the County of El Dorado Department of Transportation *Traffic Impact Study Protocols and Procedures* (2008), if a proposed project will worsen traffic conditions on area roads, then a traffic impact study shall be required to determine whether or not the project would cause a significant traffic impact. The term, “worsen” is defined according to the General Plan Policy TC-Xe as follows:

- A. The project would cause a two percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily; or
- B. Would results in the addition of 100 or more daily trips; or
- C. Would results in the addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

State facilities were evaluated relative to the standards established by Caltrans in the *2009 U.S. 50 Corridor System Management Plan (CSMP)* (Caltrans, 2009). Although typical concept LOS standards for Caltrans District 3 are LOS D in rural areas and LOS E in urban areas, certain route segments have a concept LOS of LOS F, because the improvements required to improve LOS conditions (to LOS E or better) are not feasible due to environmental, fiscal, right-of-way, or other constraints. As stated in the CSMP, Caltrans District 3 has established a concept LOS F for U.S. 50, from the Missouri Flat Road to the end of the freeway in Placerville.

Approach to Analysis

Project Trip Generation

The proposed project would consolidate the courthouse functions currently in the Main Street Courthouse and Building C. A courthouse facility, by nature, typically generates a varying amount of vehicle traffic during the weekday, primarily due to scheduled activities occurring at different time periods throughout the day (e.g., hearings, appointments, special sessions, etc.). Therefore, vehicle trips traveling to and from the proposed project site are subject to established hours of operation (currently 8:00 a.m. to 4:00 p.m. at the Main Street Courthouse and Building C facilities). Based on current courthouse operations, the proposed project would generate more morning commute trips than afternoon commute trips, and although courthouse employees would likely commute to and from the proposed project site during typical peak commute periods (7:00 a.m. – 9:00 a.m. and 4:00 p.m. – 6:00 p.m.), non-courthouse employees (i.e., visitors, jurors, and potential jurors) would travel to the proposed project site during the morning peak traffic period. However, non-employees would travel from (depart) the project site generally before the afternoon peak time period, due to the nature of jury selection, trials and other courthouse operations.

In August of 2010, Environmental Science Associates (ESA) conducted a comprehensive parking analysis to determine existing weekday parking conditions at the Main Street Courthouse and Building C facilities. ESA administered employee online surveys and non-employee (jury and non-jury) intercept surveys at both courthouse locations and identified existing parking conditions at both facilities.³ Importantly, the parking study provided information on existing parking demand throughout a typical weekday and mode-split information for employees and non-employees. Based on the data findings, the analysis found that both courthouse branches experience a non-employee peak demand between 8:00 a.m. and 10:00 a.m., and all employees arrive before, and depart after, scheduled hours of operation (e.g., arrive before 8:00 a.m., and depart after 4:00 p.m.).

For purposes of the CEQA analysis, and in order to not underestimate proposed project-related impacts to the surrounding circulation system, the analysis assumes that all employees commute to and from the proposed project site during the peak hours, and non-employees travel to and

³ Please note that during the time of the parking surveys, jury selection and an appointed jury was scheduled at the Main Street Courthouse building. As such, the parking analysis included all employees and non-employees (visitor, jurors, and potential jurors) at the Main Street Courthouse and all employees/non-employees (visitors-only, no juries report to Building C) at the Building C building.

from the proposed project site during the morning peak hour, but not during the afternoon peak period because they would depart the proposed project site before 4:00 p.m.; non-employees are also not permitted to be on site after courthouse hours of operation.

To determine non-employee vehicle trips, data findings from the comprehensive parking analysis were applied. Mode-split data provided in the parking study indicated that 98 percent of employees “drove-alone” (two percent carpooled), and approximately 66 percent of non-employees “drove alone,” 16 percent carpooled, seven percent used shuttle bus service, six percent were dropped-off, four percent walked, and one percent rode a bicycle to the courthouses. Due to the location of the proposed project site and to not underestimate the proposed project’s contribution to the surrounding circulation system, and despite the parking study data, the analysis of this EIR assumes all employees and non-employees will drive alone to and from the proposed project site.

For evaluation of the morning peak commute period, data provided in the parking study was applied. The survey data for both facilities indicated that during the hour of 8:00 a.m. and 9:00 a.m., approximately 62 non-employees traveled to Building C, and 82 non-employees traveled to the Main Street Courthouse, resulting in a total of 144 non-employee vehicle trips. Additionally, the study indicated that during the hour of 8:00 a.m. and 9:00 a.m., approximately 75 percent of non-employees entered and remained at the courthouse sites during this observed hour and approximately 25 percent of non-employees entered and departed the sites during the observed hour.

Based on the above information, and assuming all new trips to the proposed project site would drive alone, the proposed project would generate approximately 289 a.m. and 109 p.m. vehicle trips during the peak commute periods.

Project Trip Distribution and Assignment

The trip distribution and assignment for the proposed project were developed based on the existing roadway network in proximity of the proposed project, employee zip code data collected, and a review of population densities (distribution of population and housing within the City of Placerville and nearby communities throughout El Dorado County) for determining the non-employee trip distribution patterns.

As a result, the analysis distributed proposed project-related vehicle trips as follows (see **Table 3.8-6**):

- Approximately 18 percent of proposed project-related traffic would travel to and from areas north of the proposed project site and travel along various regional routes (Route 49, Route 193) and local roadways (e.g., Placerville Drive, Ray Lawyer Drive, Main Street and Forni Road).
- Approximately 24 percent of proposed project-related traffic would travel to and from areas south of the proposed project site and travel along Route 49 and various local roadways (e.g., Missouri Flat Road, Cedar Ravine Road, Forni Road).

- Approximately 12 percent of project-related traffic would travel to and from areas east of the proposed project site and would travel along U.S. 50, the Placerville Drive and Forni Road) or local roadways (Main Street and Forni Road).
- Approximately 46 percent of project-related traffic could travel to and from areas west of the proposed project site and travel along U.S. 50, Placerville Drive and Forni Road.

**TABLE 3.8-6
PROPOSED PROJECT TRIP DISTRIBUTION AND ASSIGNMENT**

Origin Location	Percent (%) of Project Traffic	AM Peak Hour ^a		PM Peak Hour ^b	
		In	Out	In	Out
To/From Northern Regions	18%	46	6	-	20
To/From Southern Regions	24%	61	9	-	26
To/From Eastern Regions	12%	30	4	-	13
To/From Western Regions	46%	116	17	-	50
Total Trips	100%	253	36	-	109

a AM Peak assumes all employees inbound, and 100% inbound trips / 25% outbound trips for non-employees.

b PM Peak assumes all employees outbound and no non-employee vehicle trips.

SOURCES: ESA, 2013; CHS Consulting Group, 2014.

Analysis Scenarios

Five analysis scenarios were analyzed to determine the extent to which the proposed project may affect the surrounding transportation environment during both weekday morning and evening peak hours. These scenarios were developed in accordance with County of El Dorado Department of Transportation *Traffic Impact Study Protocols and Procedures* (2008) and are discussed below:

- **Existing plus Project** – Existing conditions plus projected traffic generated by the proposed project. The traffic network under this scenario represents current conditions and does not include any changes to the network.⁴
- **Existing plus Approved Projects** – Existing conditions plus traffic generated from approved (not yet occupied) development projects. These developments represent either approved projects, approved projects under construction, and/or approved projects completed but not yet occupied. The traffic network under this scenario includes projects that are programmed and funded pursuant to the County of El Dorado Capital Improvement Program (CIP). Proposed project-related traffic was not included in the scenario.
- **Existing plus Approved Projects plus Project** - Existing plus Approved Projects conditions plus the projected traffic generated by the proposed project.

⁴ It is noted that the Existing plus Project scenario represents conditions as if no other land use developments or transportation-related projects were constructed or operational. Therefore, the current roadway and lane configurations at area intersections/roadways in proximity to the proposed project site would remain unchanged, with the exception of proposed access to the project site. As such, project-related vehicles would access the proposed project site via a new driveway that intersects with the existing County Jail driveway (as previously described under the section *Site Access*, above).

- ***Cumulative (2045)*** – Future conditions including projected population and employment growth as well as planned transportation system improvements contained in the latest El Dorado County Travel Demand Forecasting Model and the Western Placerville Interchanges Project. The traffic network under this scenario includes projects that are programmed and funded, and/or reasonably foreseeable pursuant to the County of El Dorado Capital Improvement Program (CIP).
- ***Cumulative (2045) Plus Project*** – Year 2045 conditions with the addition of traffic generated by the proposed project.

Existing plus Approved Projects Scenario Development

The Existing plus Approved Projects scenario includes existing traffic conditions plus any projects that are to be completed and operational prior to the development of the proposed project. As such, the proposed commercial development (herein referred to as the “Ray Lawyer Business Park”), located immediately west of the proposed project site, has been included in the assessment of Existing plus Approved Projects conditions. The Ray Lawyer Business Park development would comprise a seven-parcel office park on 26 acres. Peak-hour trip generation, distribution and assignment patterns of the Ray Lawyer Business Park were obtained from the *Tentative Subdivision Map 08-04 Environmental Assessment 08-05 Initial Study and Mitigated Negative Declaration* (City of Placerville, 2010) and the *Ray Lawyer Business Park Project Final Traffic Impact Study* (Y&C Transportation Consultants, 2005).

Pursuant to the County of El Dorado Department of Transportation *Traffic Impact Study Protocols and Procedures*, the Existing plus Approved Projects scenario includes conditions five years from existing conditions. Therefore, Year 2018 traffic volumes were calculated to determine traffic conditions under the Existing plus Approved Projects scenario. Traffic volumes at study intersections and freeway mainline were based on data provided in the *Western Placerville Interchanges – Ray Lawyer Drive Interchange Phasing Analysis* technical memorandum (Fehr & Peers, 2014). Traffic volumes were calculated using a straight line interpolation from existing traffic levels to the *General Plan* future year traffic projections. Therefore, Year 2018 baseline traffic volumes along area intersections and freeway mainlines presented in the following analysis are consistent with the traffic analyses included in the technical memorandum.⁵

For Existing plus Approved Projects plus Project conditions, traffic volumes for this scenario were developed using an additive approach and included proposed project-generated traffic at area intersections and freeway mainlines.

⁵ It is noted that for purposes of the technical memorandum, Fehr & Peers estimated the number of peak-hour vehicle trips associated with the proposed courthouse and distributed these trips throughout area intersections and freeway mainlines. These estimated trips were calculated independent of the trip generation presented herein. In order to not overestimate future traffic volumes without implementation of the proposed project, the vehicle trips associated with the new courthouse presented in the technical memorandum were netted (subtracted) out in order to determine an adjusted baseline traffic volume condition for Year 2018 and Year 2045.

Near-Term (Year 2018) Future Transportation Network

The roadway network under Existing plus Approved Projects and Existing plus Approved Projects plus Project scenarios include projects programmed and funded based on the county's *Capital Improvement Program*. That said, the following roadway network changes were based on specific projects associated with Phases 1A, 1B, and 2 of the *Western Placerville Interchanges Project* and improvement projects analyzed in the *Western Placerville Interchanges Project Final Supplemental Environmental Impact Report* (adopted June 27, 2014) that would be built and operational in the next five years (Year 2018). These include the following:

- **U.S. 50 Westbound On-Ramp at Ray Lawyer Drive and Auxiliary Lane to the Westbound Placerville Drive Off-Ramp (Phase 1A):** construction of a new U.S. 50 westbound on-ramp from the existing Ray Lawyer Drive overcrossing. The proposed project also includes construction of an auxiliary lane on westbound U.S. 50 to the existing Placerville Drive/Fair Lane/U.S. 50 westbound on-ramp intersection. This improvement project was completed in October 2013.
- **Fair Lane Bicycle and Pedestrian Improvements (Phase 1B):** construction of new sidewalks and bicycle lanes along Fair Lane. Sidewalks would be constructed along the north side of Fair Lane between the County Government Center and the County Fair Plaza Commercial center. Other improvements include widening of Fair Lane and construction of Class II bicycle lanes along the same segment of Fair Lane in both directions. This project is anticipated for completion in spring 2015.
- **Forni Road Improvements and U.S. 50 Eastbound Off-Ramp at Ray Lawyer Drive and Auxiliary Lane to the Eastbound Ray Lawyer Drive Off-Ramp (Phase 2):** widening of Forni Road (approximately 1,700 feet west of the Ray Lawyer Drive) to the intersection of Ray Lawyer Drive and proposed U.S. 50 eastbound off-ramp, construction of an eastbound auxiliary lane along U.S. 50 (from Placerville Drive to Ray Lawyer Drive), and construction of a U.S. 50 eastbound off-ramp at Ray Lawyer Drive. To complement the proposed off-ramp, lane configurations at the intersection of Ray Lawyer Drive and Forni Road would be modified. The existing eastbound Forni Road approach would become the northbound approach, as the new off-ramp would serve as the eastbound approach at the intersection. The U.S. 50 eastbound off-ramp approach would include one exclusive left-turn lane and one shared through-right turn lane. The modified northbound Forni Road approach would be reconfigured from a shared through-left turn lane to one through lane and one exclusive right-turn lane. The westbound Forni Road approach would be reconfigured from a shared through-right turn lane to one exclusive left-turn lane and one exclusive right-turn lane and the southbound Ray Lawyer Drive approach would be reconfigured from an exclusive left-turn lane and exclusive right-turn lane to an exclusive left-turn lane and one through lane. The modified intersection would be a Two-Way STOP-Controlled intersection, as STOP signs would control traffic flow in the eastbound U.S. off-ramp approach and westbound Forni Road approach; vehicle movements in the northbound and southbound approaches would be uncontrolled (free flowing). Additional Phase 2 improvements would include new pedestrian facilities and a connection of the El Dorado Trail Class I bicycle path between Ray Lawyer Drive and the existing trail segment located on Forni Road.
- **Ray Lawyer Drive Park-and-Ride Lot (Phase 2):** construction of new, 150-space park-and-ride lot would be located adjacent to the reconfigured Ray Lawyer Drive Interchange.

In sum, the Existing plus Approved Projects scenario includes the traffic volumes for Year 2018, the additional traffic associated with the Ray Lawyer Business Park and roadway network changes to U.S. 50, Forni Road, and Ray Lawyer Drive based on roadway projects that are to be constructed and operational by Year 2018.

Cumulative Year Development

Cumulative (future year) traffic volumes at study intersections and freeway mainlines were based on data provided in the *Western Placerville Interchanges Project Final Supplemental Environmental Impact Report (SEIR)* (City of Placerville, 2014), and associated technical memoranda in support of the SEIR provided by Fehr & Peers. It is noted that the cumulative traffic volumes along area intersections and freeway mainline segments presented in the SEIR were modified for purposes of this analysis, as the previous traffic analysis in the SEIR assumed full buildout of the proposed courthouse project. Therefore, to not overestimate cumulative baseline (no project) plus project volumes, the weekday peak-hour trips associated with the proposed courthouse project in the SEIR were deducted in order to provide cumulative baseline traffic volumes along area intersections and freeway mainline segments and to accurately assess traffic-related effects associated with the proposed project.

As noted in the SEIR and applicable to the analysis presented herein, the phased construction of all the improvements projects included in the Western Placerville Interchanges Project would be spread out over the course of several years and are projected to be fully completed by Year 2025; therefore, per requirements and direction by El Dorado County and Caltrans, the design year of 2045 (20 years after 2025) was selected for evaluation of traffic conditions with full build-out of the Western Placerville Interchanges Project. To generate future year 2045 cumulative traffic volumes, linear extrapolation of traffic forecasts from the El Dorado County Travel Demand Forecasting Model, which include Year 2010 (base year) and Year 2035 (future year) traffic volumes, was conducted to develop an annual growth rate between Year 2010 and Year 2035. The annual growth rates were then applied to 2035 traffic volumes to estimate future 2045 traffic volumes.

Cumulative Year (Year 2045) Future Transportation Network

The roadway network under cumulative conditions includes all the projects previously described for Year 2018 conditions and any project that would be programmed, funded, and constructed by Year 2045. Therefore, under the cumulative year scenario, the following projects would be included in the future transportation network:⁶

- **Placerville Drive/Fair Lane/U.S. 50 Westbound Off-Ramp Interchange Improvements (Phase 3):** modification of the existing interchange and construction of a multi-lane roundabout and a bypass lane from southbound Placerville Drive to the westbound U.S. 50 on-ramp. One southbound lane would be provided along Placerville Drive at the U.S. 50

⁶ Communication with El Dorado County Transportation Commission staff confirmed that for purposes of the analysis, Phase 3 improvement projects are to be included under future year (2045) conditions, although such improvements are currently under Caltrans' review (Personal Communication with Jerry Barton El Dorado County Transportation Commission, Senior Transportation Planner, April 2, 2014).

overcrossing and the intersection of Placerville Drive and Forni Road would be a Side-Street Stop-Controlled intersection with the eastbound left-turning movement prohibited.

- **Forni Road/Lo-Hi Way/U.S. 50 Eastbound Ramps Interchange Improvements (Phase 3):** modification of the existing interchange and construction of a single-lane roundabout. Other improvements include installation of a sidewalk along the north side of Fair Lane between the existing sidewalk terminus at the County Government Center and the east end of the adjacent commercial center (Fair Grounds Shopping Center). The addition of a sidewalk would connect existing sidewalk segments along Fair Lane and provide a continuous connected pedestrian facility from the County Government Center to the nearby retail shops and restaurants along Fair Lane.
- **U.S. 50 Eastbound On-Ramp at Ray Lawyer Drive (Phase 3):** construction of a new U.S. 50 eastbound on-ramp at the intersection of Forni Road and Ray Lawyer Drive. The intersection of Ray Lawyer Drive and Forni Road would be reconfigured to accommodate the U.S. 50 eastbound on-ramp at the intersection. It is noted that the intersection would be modified per Phase 2; however, additional lane configuration changes would be required to provide access to the new U.S. 50 eastbound on-ramp. The modified northbound Forni Road approach would be reconfigured from one through lane and one exclusive right-turn lane to one exclusive left-turn lane (for access to the proposed on-ramp), one through lane, and one exclusive right-turn lane). The westbound Forni Road approach would be reconfigured from one exclusive left-turn lane and one exclusive right-turn lane, to one exclusive left-turn lane and one shared through-right turn lane. The southbound Ray Lawyer Drive approach would add a channelized right-turn lane (to access the new eastbound U.S. 50 on-ramp). The U.S. 50 eastbound off-ramp approach would remain unchanged (see Year 2018 description, above). The intersection would be modified from a Two-Way Stop-Control intersection to a full signalized intersection.
- **U.S. 50 Westbound Off-Ramp at Ray Lawyer Drive (Phase 3):** construction of a new westbound U.S. 50 off-ramp at Ray Lawyer Drive. As a result, the intersection would be modified to include a westbound on-ramp (completed in October 2013) and a westbound off-ramp. The intersection would also be signalized.

Other improvements to area intersections under Year 2045 conditions include:

- **Placerville Drive / Forni Road (Phase 3):** the southbound Placerville Drive approach would be reconfigured and include one additional through travel lane and the eastbound Forni Road approach would be reduced from one left-turn and one right-turn lane to one right-turn lane (left turns would be prohibited).
- **Fair Lane / Ray Lawyer Drive (Phase 3):** the intersection would be modified from an All-Way STOP-Controlled intersection to a signalized intersection.

Impacts Not Further Evaluated

Due to the nature of the proposed project, there would be no impacts related to the following criterion; therefore, no impact discussion is provided for this topic for the reasons described below:

- **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in locations that result in substantial safety risks.** There would be no impacts related to air traffic patterns as the proposed project would not introduce new air

traffic or interfere with existing air traffic. The nearest public airport is Placerville Airport, about four miles east of the proposed project site. This impact category, listed in the significance criteria above as an impact topic to consider in a CEQA evaluation, is therefore not further examined.

Impacts Analysis

Impact 3.8-1: The proposed project could conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of study intersections or U.S. 50 freeway under Existing plus Project conditions (*Less than Significant with Mitigation Incorporated*).

Existing plus Project Conditions

Intersection turning movements at study intersections and freeway mainline volumes along U.S. 50 under Existing plus Project conditions are presented in **Figure 3.8-2**.

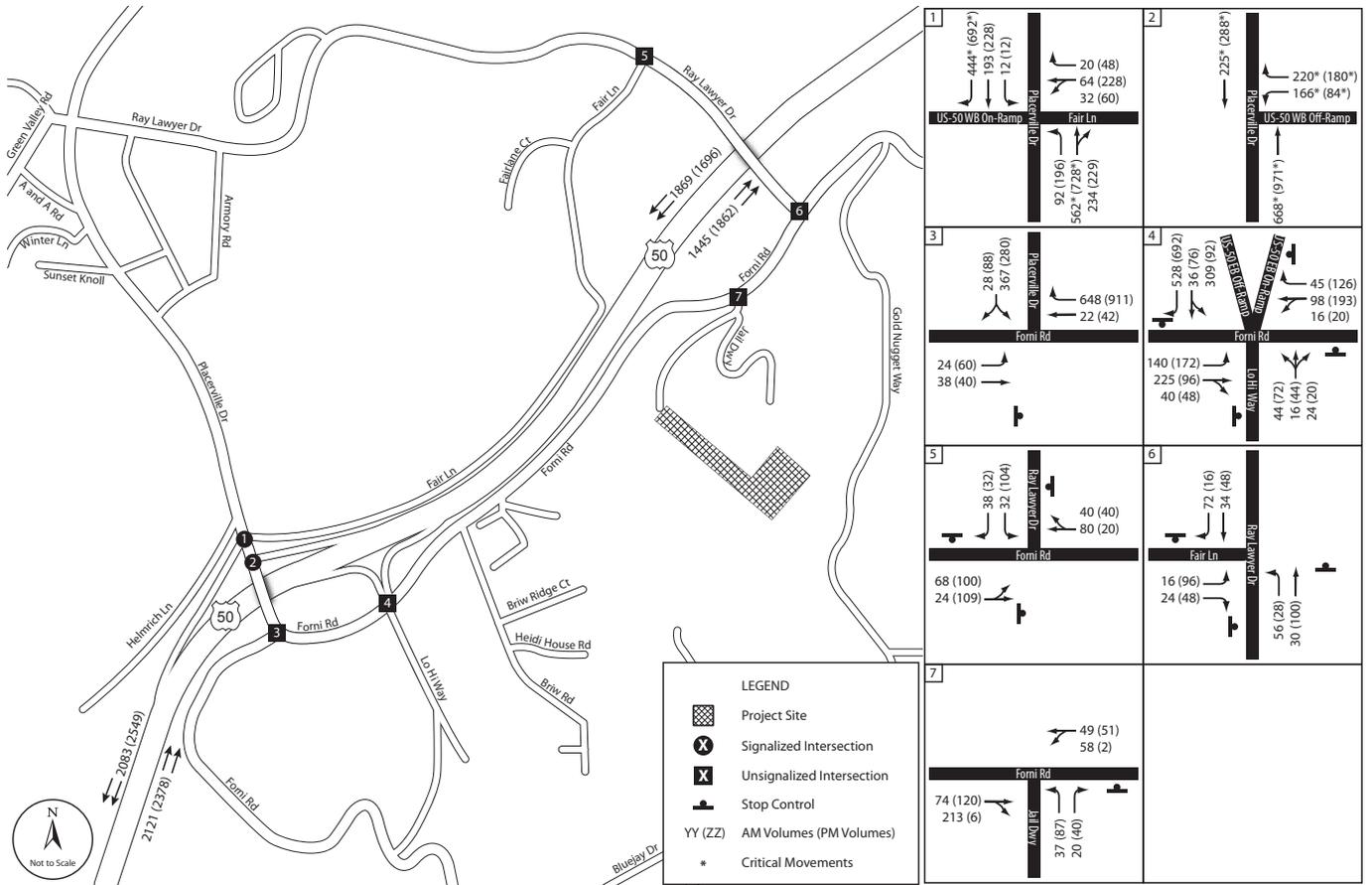
Intersection Conditions

As shown in **Table 3.8-7**, under Existing plus Project Conditions, the majority of study intersections would continue to operate at acceptable levels of service (LOS D or better) during the a.m. and p.m. peak hours evaluated; however, the eastbound Forni Road approach at Placerville Drive would continue to operate at unacceptable LOS conditions (LOS E) during the p.m. peak hour. Although the average vehicle delay in the eastbound Forni Road approach at Placerville Drive would marginally increase under these conditions, the proposed project would not result in an increase in delay at these intersections by more than five seconds; therefore, per the City's thresholds, impacts to these two study intersections would be less than significant and no mitigation measures would be required. LOS calculation sheets are provided in Appendix A within **Appendix F** of this DEIR.

Freeway Conditions

As described above, the proposed project would assign up to 168 a.m. peak-hour vehicle trips and up to 64 p.m. peak-hour vehicle trips to U.S. 50. Although current roadway conditions along U.S. 50 are acceptable during the weekday peak hour, the proposed project would generate more than 100 peak-hour vehicle trips to a state highway facility, and to be consistent with Caltrans' guidelines, an evaluation of freeway conditions along the U.S. 50 mainline was included in this Draft EIR.

As shown in **Table 3.8-8**, the eastbound and westbound mainline segments along U.S. 50, west of Placerville Drive and between Placerville Drive and Ray Lawyer Drive would continue to operate at acceptable LOS conditions (LOS C or better) under Existing plus Project conditions during both peak periods. Based on these findings, impacts to these mainline freeway segments would be less than significant. Freeway mainline LOS outputs are available in Appendix C within **Appendix F** of this Draft EIR.



SOURCE: CHS Consulting Group, 2014

Judicial Council – New Placerville Courthouse . 208091

Figure 3.8-2
Existing Plus Project Intersection AM and PM Peak Hour Traffic Volumes

**TABLE 3.8-7
INTERSECTION LEVEL OF SERVICE (LOS) –
EXISTING AND EXISTING PLUS PROJECT CONDITIONS**

Intersection	Traffic Control ^b	Peak Hour	Existing		Existing + Project		
			LOS ^a	Delay ^c	LOS ^a	Delay ^c	Change ^d
1 Placerville Dr / Fair Ln / US 50 WB Ramps	Signal	AM	C	20.7	C	22.6	1.9
		PM	D	36.6	D	36.8	0.2
2 Placerville Dr / Forni Rd	SSSC	AM	C	15.9 (EB)	C	16.5 (EB)	0.6
		PM	E	38.8 (EB)	E	39.6 (EB)	0.8
3 Forni Rd / Lo-Hi Way / US 50 EB Ramps	AWSC	AM	A	9.9	B	12.2	2.3
		PM	B	11.4	B	11.2	-0.2
4 Ray Lawyer Dr / Forni Rd	AWSC	AM	A	7.4	A	7.6	0.2
		PM	A	8.4	A	8.7	0.3
5 Ray Lawyer Dr / Fair Ln	AWSC	AM	A	6.7	A	6.8	0.1
		PM	A	7.5	A	7.6	0.1
6 Forni Rd / County Jail-Ray Lawyer Dr extension	SSSC	AM	A	9.1 (NB)	B	10.8 (NB)	1.7
		PM	A	9.4 (NB)	B	9.8 (NB)	0.4

- a LOS calculations performed using Synchro and the 2000 Highway Capacity Manual operations analysis methodology.
b Signal = signalized intersection; AWSC = All-Way Stop-Controlled intersection; SSSC = Side-Street Stop-Controlled intersection.
c Average vehicle delay (in seconds per vehicle) is reported for unsignalized intersections (i.e., AWSC). Approach delay reported for stop-controlled approach at unsignalized Side-Street Stop-Controlled intersections (EB = eastbound).
d Represents the change in delay relative to existing (no project) conditions.

Bold indicates unacceptable LOS conditions (LOS E or lower).

SOURCE: CHS Consulting, 2014.

**TABLE 3.8-8
FREEWAY MAINLINE LEVEL OF SERVICE SUMMARY –
EXISTING AND EXISTING PLUS PROJECT CONDITIONS**

U.S. 50 Mainline	Existing Conditions			Existing+Project Conditions		
	Volume	Density ^a	LOS	Volume	Density ^a	LOS
West of Placerville Drive						
AM Peak Hour – Eastbound	2,000	15.9	B	2,121	16.9	B
AM Peak Hour – Westbound	2,079	16.9	B	2,083	16.9	B
PM Peak Hour – Eastbound	2,378	18.6	C	2,378	18.6	C
PM Peak Hour – Westbound	2,546	20.8	C	2,549	20.8	C
Between Placerville Drive & Ray Lawyer Drive						
AM Peak Hour – Eastbound	1,424	11.3	B	1,445	11.5	B
AM Peak Hour – Westbound	1,823	14.8	B	1,869	15.2	B
PM Peak Hour – Eastbound	1,792	14.2	B	1,862	14.7	B
PM Peak Hour – Westbound	1,696	13.8	B	1,696	13.8	B

- a Density calculated by passenger car per mile per lane.

SOURCE: Fehr & Peers, 2009; CHS Consulting, 2014.

Existing plus Approved Projects plus Project

Intersection turning movements at study intersections and freeway mainline volumes along U.S. 50 under Existing plus Approved Projects conditions are presented in **Figure 3.8-3** and traffic volumes at the study intersections and freeway mainline under Existing plus Approved Projects plus Project conditions are presented in **Figure 3.8-4**.

Intersection Conditions

As presented in **Table 3.7-9**, under Existing plus Approved Projects and Existing plus Approved Projects plus Project conditions, the majority of study intersections would operate at acceptable levels of service (LOS D or better) during the a.m. and p.m. peak hours. LOS calculation sheets are provided in Appendix A within **Appendix F** of this Draft EIR.

**TABLE 3.8-9
INTERSECTION LEVEL OF SERVICE (LOS) – EXISTING PLUS APPROVED PROJECTS AND
EXISTING PLUS APPROVED PROJECTS PLUS PROJECT CONDITIONS (YEAR 2018)**

Intersection	Traffic Control ^b	Peak Hour	Existing + Approved Projects		Existing + Approved Projects + Project		
			LOS ^a	Delay ^c	LOS ^a	Delay ^c	Change ^d
1 Placerville Dr / Fair Ln / US 50 WB Ramps	Signal	AM	C	29.1	C	32.9	3.8
		PM	D	54.5	D	54.9	0.4
2 Placerville Dr / Forni Rd	SSSC	AM	E	38.0 (EB)	E	42.3 (EB)	4.3
		PM	F	<50 (EB)	F	<50 (EB)	14.0
3 Forni Rd / Lo-Hi Way / US 50 EB Ramps	AWSC	AM	C	18.1	D	31.4	13.3
		PM	B	13.8	B	13.8	0.0
4 Ray Lawyer Dr / Forni Rd / US 50 EB Off-Ramp	SSSC	AM	B	14.7 (EB)	C	18.2 (WB)	3.5
		PM	D	28.3 (EB)	D	29.6 (EB)	1.3
5 Ray Lawyer Dr / Fair Ln	AWSC	AM	A	8.5	A	9.1	0.6
		PM	B	12.4	B	12.4	0.0
6 Forni Rd / County Jail-Ray Lawyer Dr extension	SSSC	AM	C	24.1 (NB)	F	>50 (NB)	188.3
		PM	F	<50 (NB)	F	<50 (NB)	69.7
7 Ray Lawyer Drive / U.S. 50 WB On-Ramp	No Control	AM	A	0.9 (NB)	A	0.7 (NB)	-0.2
		PM	A	2.9 (NB)	A	2.9 (NB)	0.0

a LOS calculations performed using Synchro and the 2000 Highway Capacity Manual Planning Method operations analysis methodology.

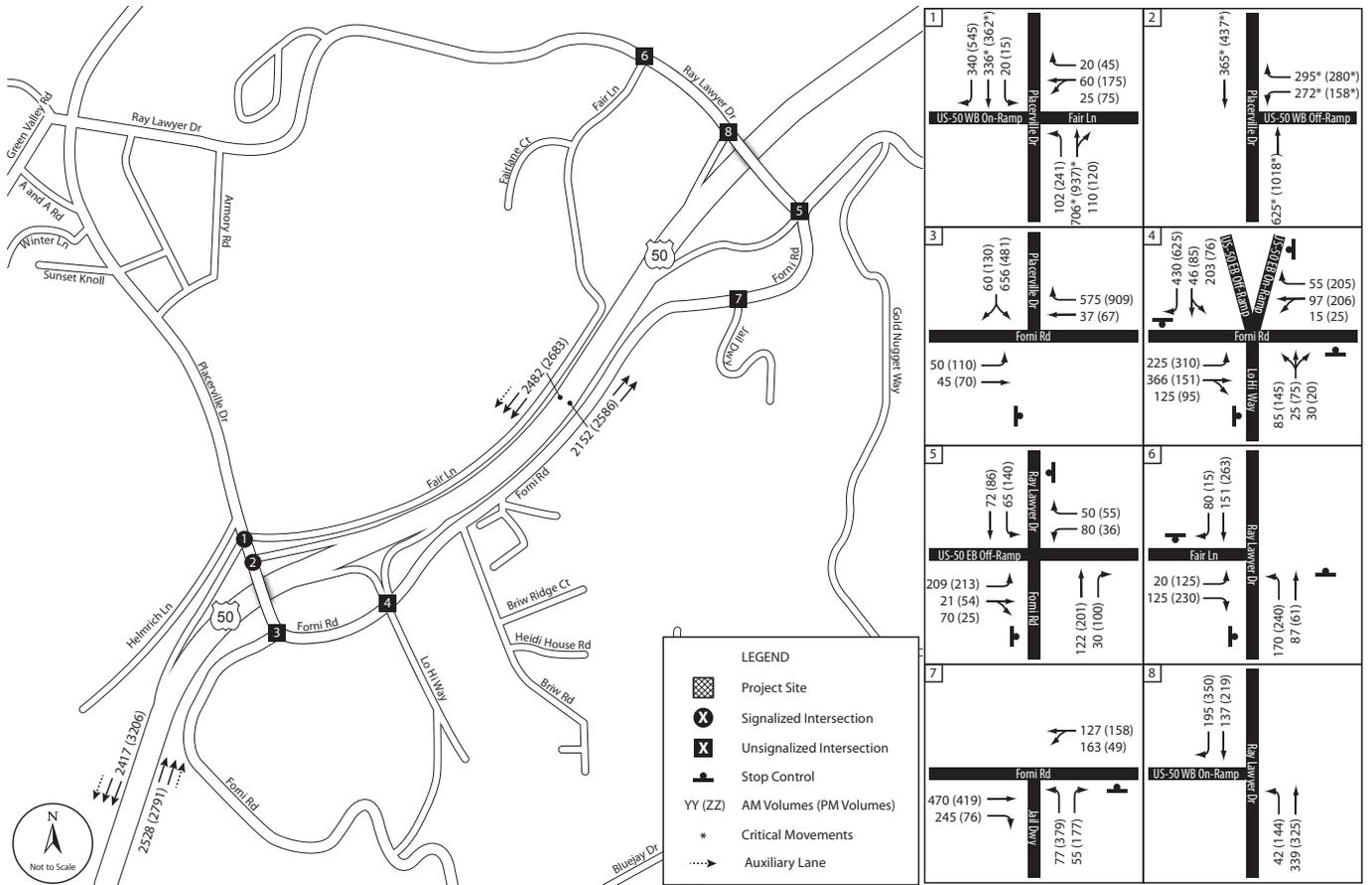
b Signal = signalized intersection; AWSC = All-Way Stop-Controlled intersection; SSSC = Side-Street Stop-Controlled intersection; TWSC = Two-Way Stop-Controlled Intersection.

c Average vehicle delay (in seconds per vehicle) is reported for unsignalized intersections (i.e., AWSC). Approach delay reported for stop-controlled approach at unsignalized Side-Street Stop-Controlled intersections (EB = eastbound).

d Represents the change in delay relative to no project (baseline) conditions.

Bold indicates unacceptable LOS conditions (LOS E or lower). **Shaded** cells indicate a significant project impact.

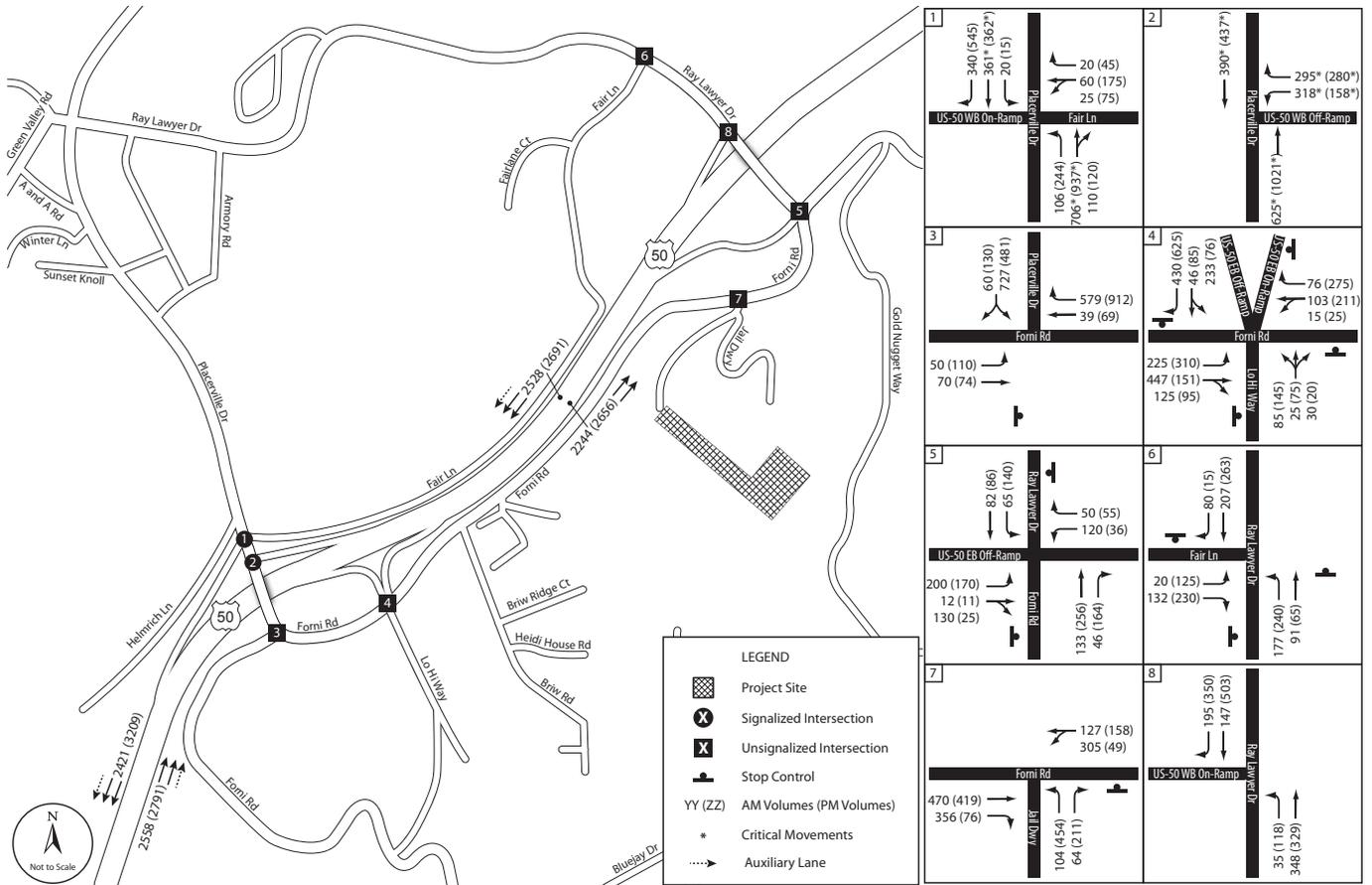
SOURCE: CHS Consulting, 2014.



SOURCE: CHS Consulting Group, 2014

Judicial Council – New Placerville Courthouse . 208091

Figure 3.8-3
Existing Plus Approved Projects (2018) Study Intersection AM and PM Peak Hour Traffic Volumes



SOURCE: CHS Consulting Group, 2014

Judicial Council – New Placerville Courthouse . 208091

Figure 3.8-4
Existing Plus Approved Projects Plus Project (2018) Study Intersection AM and PM Peak Hour Traffic Volumes

The intersection of Placerville Drive and Forni Road would operate at unacceptable LOS conditions during the a.m. peak hour (LOS E) and p.m. peak hour (LOS F) without the proposed project. The poor intersection operations are due to the increase in delay for vehicles in the eastbound Forni Road approach (a stop-controlled movement) and lessening gap time (gap in traffic flow) to allow for these vehicles to turn onto Placerville Drive. Proposed project-generated traffic would further degrade conditions at this intersection.

The intersection would continue to operate poorly during the a.m. peak hour; however, the proposed project would not increase the average delay in the stop-controlled, eastbound approach by more than five seconds and therefore, traffic impacts during the a.m. peak hour would be less than significant. Although the proposed project would not add any additional traffic to the stop-controlled eastbound Forni Road approach at this intersection, the delay on the eastbound Forni Road approach at Placerville Drive during the p.m. peak hour would increase due to the increase in traffic along Placerville Drive, and the reduced gaps in the traffic stream on Placerville Drive, which would further degrade traffic conditions with the added project trips to the intersection. As a result, the proposed project would increase the average delay in the eastbound approach during the p.m. peak hour by more than the five-second threshold of significance, which would be considered a *significant impact*. **Mitigation Measure 3.8-1a** would reduce traffic impacts at this intersection to a less-than-significant level.

The intersection of Forni Road and the County Jail Driveway would also operate at unacceptable LOS conditions (LOS F) without the proposed project during the weekday p.m. peak hour. The poor intersection operations are due to the increase in delay for vehicles in the northbound driveway approach (a stop-controlled movement) and lessening gap time to allow for these vehicles to turn onto Forni Road. Project-generated traffic would degrade conditions at this intersection to unacceptable conditions (LOS F) during the a.m. peak hour. In addition, the intersection would operate at unacceptable conditions (LOS F) during the p.m. peak hour with and without implementation of the proposed project. However, project-generated traffic would further degrade conditions along the northbound approach and increase vehicle delay along this approach by more than the five-second threshold of significance, which would be considered a *significant impact*. **Mitigation Measure 3.8-1b** would reduce traffic impacts at this intersection to a less-than-significant level.

Freeway Conditions

As shown in **Table 3.8-10**, the eastbound and westbound mainline segments along U.S. 50, west of Placerville Drive, and between Placerville Drive and Ray Lawyer Drive would continue to operate at acceptable LOS conditions (at LOS D or better) under Existing plus Approved Projects and Existing plus Approved Projects plus Project conditions during both peak periods. Based on these findings, impacts to these mainline freeway segments would be less than significant. Freeway mainline LOS outputs are available in Appendix C within **Appendix F** of this Draft EIR.

**TABLE 3.8-10
FREEWAY MAINLINE LEVEL OF SERVICE SUMMARY –
EXISTING PLUS APPROVED PROJECTS AND EXISTING PLUS
APPROVED PROJECTS PLUS PROJECT CONDITIONS (YEAR 2018)**

U.S. 50 Mainline	Existing + Approved Projects			Existing+ Approved Projects +Project		
	Volume	Density ^a	LOS	Volume	Density ^a	LOS
West of Placerville Drive						
AM Peak Hour – Eastbound	2,528	13.4	B	2,558	13.6	B
AM Peak Hour – Westbound	2,417	13.1	B	2,421	13.1	B
PM Peak Hour – Eastbound	2,791	14.6	B	2,791	14.6	B
PM Peak Hour – Westbound	3,206	17.4	B	3,209	17.4	B
Between Placerville Drive & Ray Lawyer Drive						
AM Peak Hour – Eastbound	2,152	17.1	B	2,244	17.9	B
AM Peak Hour – Westbound	2,482	20.2	C	2,528	21.1	C
PM Peak Hour – Eastbound	2,586	20.5	C	2,656	20.5	C
PM Peak Hour – Westbound	2,683	21.9	C	2,691	22.0	C

a Density calculated by passenger car per mile per lane.

SOURCE: CHS Consulting Group, 2014.

Mitigation Measures

Mitigation Measure 3.8-1a: The Judicial Council shall pay a fair share contribution towards travel lane modifications at the Placerville Drive and Forni Road intersection.

Traffic conditions at the intersection of Placerville Drive and Forni Road would worsen to unacceptable LOS conditions with implementation of the proposed project during the weekday p.m. peak hour under Existing plus Approved Projects plus Project conditions. According to Phase 3 of the *Western Placerville Interchanges Project*, there are several proposed roadway network improvements along Forni Road, and the lane configurations at the intersection of Placerville Drive and Forni Road would be modified. The southbound Placerville Drive approach would be modified from one shared through-right turn lane to one through lane and one shared through-right turn lane; the northbound Placerville Drive approach would be modified from one left-turn lane and one through lane to one left-turn lane and two through lanes; and the eastbound Forni Road approach would be reduced from one left-turn travel lane and one right-turn lane travel to one right-turn travel and prohibit vehicles from making a left turn onto northbound Placerville Drive. Although these improvements to the intersection are not programmed to be constructed by Year 2018, the improvements are considered reasonably foreseeable (as discussed under the future transportation network, above).

The City of Placerville would continue monitoring operations at this intersection (to determine the timing of travel lane modifications) and would provide for modifications as part of the Traffic Impact Mitigation Fee Program. Per Chapter 8-15-5 (Traffic Impact Mitigation Fee) of the City Municipal Code, the purpose of a Traffic Impact Mitigation Fee Program is to provide funding for costs of transportation infrastructure improvements,

including construction and/or maintenance of new and existing facilities, including but not limited to street widening and reconstruction, traffic signals, transit facilities, bike paths, bridge widenings, and freeway interchange improvements related to new development.

Modification to the lane configurations at the intersection of Placerville Drive and Forni Road would improve traffic conditions from LOS F to LOS B (acceptable conditions) and would alleviate potential vehicle delays for vehicles attempting to access Placerville Drive from Road (LOS outputs with mitigation incorporated are presented in Appendix D within **Appendix F** of this Draft EIR).

Significance after Mitigation: Payment of intersection modifications by the Judicial Council would contribute to the future lane configuration changes to the Placerville Drive and Forni Road intersection. Payment of this fee would ensure that the Judicial Council contributes its fair share of the costs associated in reconfiguring lane configurations at this intersection and to restore the LOS to an acceptable level. Based on these findings, modifications to lane configurations at this intersection would improve traffic conditions and the impact would be *less than significant*.

Mitigation Measure 3.8-1b: The Judicial Council shall pay a fair share contribution towards installation of a traffic signal at the Forni Road/County Jail-Ray Lawyer Drive extension intersection.

A traffic signal warrant analysis has been completed to determine whether the unsignalized study intersection may require or benefit from the installation of a traffic signal. The term “signal warrant” refers to any of the eight established methods used by Caltrans to quantify the need for a traffic signal at an unsignalized intersection, described in the latest edition of the *California Manual on Uniform Traffic Control Devices* (MUTCD) (Caltrans, 2012). The California MUTCD indicates that the installation of a traffic signal should be considered only if one or more of the nine signal warrants are met. Based on MUTCD’s peak-hour Warrant #3 criteria, this intersection would qualify for signalization with the projected Existing plus Approved Projects and Existing plus Approved Projects plus Project traffic volumes during the weekday p.m. peak hour. The City of Placerville would continue monitoring operations at this intersection (to determine the timing of the signal installation) and would provide for signalization as part of the Traffic Impact Mitigation Fee Program.

Per Chapter 8-15-5 (Traffic Impact Mitigation Fee) of the City Municipal Code, the purpose of a Traffic Impact Mitigation Fee Program is to provide funding for costs of transportation infrastructure improvements, including construction and/or maintenance of new and existing facilities, including but not limited to street widening and reconstruction, traffic signals, transit facilities, bike paths, bridge widenings, and freeway interchange improvements related to new development. The demand for the identified transportation improvements has been based on the development forecast and accepted traffic analysis methodology from the previously referenced documents. Without funding-identified capital improvements, there would be an unacceptable level of traffic congestion, delays, accidents and generally reduced public safety throughout the city. Based on the development potential of the General Plan and area-wide transportation network changes as analyzed through the development forecast, engineering consultants and the city staff have utilized traffic studies and/or related documents, including trip generation and intersection analysis models, to indicate the impact of new development in terms of roadway capacities, signalization standards, and interchange requirements to develop the transportation capital

improvements projects. The Judicial Council would pay a Traffic Impact Mitigation Fee as their fair share contribution (to be negotiated between the City of Placerville and the Judicial Council) to mitigate their share of the need for a traffic signal at this intersection.

Installation of a traffic signal would improve intersection conditions would improve from LOS F to LOS A during the weekday a.m. peak hour and improve from LOS F to LOS B during the weekday p.m. peak hour (Appendix D within **Appendix F** of this Draft EIR contains LOS output sheets with proposed mitigation).

Other considerations and roadway treatments are recommended. Installation of a high-visibility crosswalk would provide enhanced access to the El Dorado Trail and would improve safety conditions for users of the trail (including pedestrians, bicyclists, and people on horseback). Although not required to mitigate a significant impact, a new crosswalk would also notify drivers of non-auto activity near this intersection. Installation of a traffic signal at the intersection would manage traffic flow and also require vehicles to slow down and stop, therefore increasing pedestrian and bicycle safety for those accessing the trail or traveling along the roadway. See discussions under Impact 3.8-2 and Impact 3.8-4, below.

Significance after Mitigation: The Judicial Council would contribute to the modification and enhancements to the intersection of Forni Road and County Jail/Ray Lawyer Drive extension. Contribution to these improvements would ensure that the Judicial Council contributes its fair share of the costs associated with installing a traffic signal at the intersection in order to restore the LOS to an acceptable level and provide roadway treatments to enhance the overall safety to users of the roadway. Based on these findings, modification to this intersection would improve overall transportation conditions and the impact would be *less than significant*.

Impact 3.8-2: The proposed project would not substantially increase hazards due to a design feature or incompatible uses (*Less than Significant*).

The proposed project site would be served by a new driveway that would be constructed to connect to the County Jail driveway and provide access to multiple surface parking areas adjacent to the project buildings. The driveway would provide two-way vehicular travel.

The proposed project would include the construction of pedestrian walkways to allow for safe passage for patrons accessing the proposed project site from adjacent parking areas. In addition, the proposed project would include two mini-roundabouts along the driveway, specifically between the parking area to the north of the proposed courthouse and the parking areas to the east of the proposed courthouse (as shown in **Figure 2-3**).⁷ Research studies and technical publications have noted that such roadway design features improve traffic safety by reducing the propensity of vehicular collisions, improving vehicular access, and are often used as a traffic calming measure to reduce vehicular travel speeds. It has also been documented that due to their

⁷ The U.S. Department of Transportation – Federal Highway Administration (FHWA) defines mini-roundabouts as “a type of roundabout characterized by small diameter and traversable island (central island and splitter islands), and offer the added benefit of a smaller footprint”, as compared to regular roundabouts. Mini-roundabouts are generally suited for environments where speeds are low, and environmental constraints would preclude the use of a larger roundabout with a raised central island (FHWA, 2013).

design and geometrics, mini-roundabouts allow more decision-making time for drivers and improve navigation for all user types, including bicyclists and pedestrians (FHWA, 2013).

Although the proposed project would generate new vehicle trips on surrounding roadways, the proposed project would not introduce unsafe design features or a mix of vehicle types (i.e., large-scale trucks versus passenger vehicles) that would be incompatible with the existing vehicle mix. More so, with the exception of a new driveway and connection to County Jail Driveway, and installation of STOP signs on Forni Road at the Forni Road/County Jail-Proposed Project Driveway intersection (Mitigation Measure 3.8-1b), the proposed project would not change the character of nearby or adjacent roadways nor would the proposed project create any obstructions that would disrupt access to neighboring uses or degrade the level of safety to users of the roadways. Installation of the above-cited STOP signs would require vehicles on Forni Road to slow down and stop, therefore increasing pedestrian safety for those accessing the El Dorado Trail. Based on these findings, the proposed project would not substantially increase traffic safety hazards and would result in a *less-than-significant* impact.

Mitigation: None required.

Impact 3.8-3: The proposed project would not result in inadequate emergency access (*Less than Significant*).

Emergency services for the proposed project site are provided by the El Dorado County Fire District Community Station 26, which is located approximately two miles east of the proposed project site (at 730 Main Street in downtown Placerville).

The proposed driveway and parking lot aisles would be designed and constructed with appropriate widths and sight distances, and subsequently, the proposed driveways and parking areas would be constructed to accommodate emergency vehicles.

In the event of an emergency, vehicles would access the County Jail via the one driveway, and under proposed project conditions, would be able to access the proposed courthouse via the new project driveway, and potentially Gold Nugget Way (currently a two-lane, unpaved roadway located immediately south of the project). Because the proposed project would not adversely affect the existing provision for emergency access and possibly would provide secondary (emergency) access, the proposed project impact is consider to be *less than significant*.

Mitigation: None required.

Impact 3.8-4: The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities (*Less than Significant*).

Transit Access

The nearest bus transit stops to the proposed project site are located along Forni Road at Lo-Hi Way (approximately 0.35 mile west of the proposed project site) and along Fair Lane near Ray Lawyer Drive, approximately 0.35 mile north of the proposed project site. These stops are served by the El Dorado County Transit Authority (EDCTA). As previously discussed, the EDCTA Placerville (PL) Bus Route operates along portions of Forni Road between Placerville Drive and Ray Lawyer Drive and provides weekday service during schedule time periods.

As described under *Trip Generation*, the mode-split data provided in the comprehensive parking analysis indicated that no employees or visitors (jurors and non-jurors) utilize existing bus transit in order to access the existing Main Street Courthouse and about seven percent of jurors use the shuttle bus service provided by EDCTA to get from the Mosquito Road park-and-ride lot to the courthouse.

It is noted that patrons of the proposed project (employees and non-employees [i.e., visitors, jurors]) may be transit-dependent and require transit services in order to access the proposed project site. As indicated above, a number of patrons utilize the current shuttle bus service from the park-and-ride lot to the Main Street Courthouse; however, because the proposed project would provide on-site parking, patrons of the park-and-ride lot may forego public transit and drive to the proposed project site.

However, it is further noted that although the approximate number of EDCTA transit riders generated by the proposed project is immeasurable at this time, the absence of a bus stop at or near the proposed project site (i.e., within a reasonable walking distance)⁸ or allowing for a rerouting of an existing bus route to provide direct access to the site may result in a substantial impediment for patrons whom rely on public transportation as their means of transportation. As previously described, Phase 2 of the Western Placerville Interchanges Project would construct a 150-space park-and-ride lot located adjacent to the reconfigured Ray Lawyer Drive Interchange, and near the proposed project site. The park-and-ride lot would serve seven intercity commuter bus routes and up to four El Dorado Transit local routes. Therefore, the number of buses serving the proposed project area and bus frequencies along Forni Road would likely increase after completion of the park-and-ride lot. In the event that there is a substantiated need for installing a bus stop at the proposed project site and/or rerouting of existing bus routes to provide access to and from the proposed project site, the Judicial Council shall coordinate with EDCTA and El Dorado County staff to implement such services.

⁸ Standard transportation planning practice indicates that the average walking distance and/or “willing-to-walk” is approximately five minutes, or a distance of approximately 1,200 feet (or 0.22 miles).

The proposed project would not interfere with any existing EDCTA routes and would not remove or relocate any existing bus stops in the surrounding area. Because transit access would be maintained, and the proposed project would not conflict with any transit programs nor affect the quality of transit stops and ease of transit use for patrons, the potential impacts on transit facilities and services is considered to be *less than significant*.

Bicycle Access

According to the City of Placerville *Non-Motorized Transportation Plan*, there are several bicycle facility improvements and new developments planned within the City of Placerville. In proximity to the proposed project site, the *Plan* includes installation of Class II bicycle lanes along Forni Road, between Ray Lawyer Drive and U.S. 50/Placerville Drive and extending the El Dorado Trail (Class I bikeway) from Forni Road/Lower Main Street to Ray Lawyer Drive.

Based on the preliminary project design plans, no bicycle facilities would be constructed as a part of the proposed project. However, because Class II bicycle lanes are proposed along Forni Road and the project site would be located conveniently to the existing El Dorado Trail, the Judicial Council shall coordinate with the City of Placerville staff to consider installation of additional bikeways at the project site to provide connectivity to existing and proposed bicycle facilities.

Furthermore, it is noted that the proposed project would only involve physical changes to the project site and would not alter the configuration or characteristics of any existing bicycle facilities within the City of Placerville or specifically to the existing El Dorado Trail, which is used by cyclists. Given the design features of the proposed project and the surrounding area, the proposed project would not increase the potential for conflicts between vehicles and bicycles, nor would the proposed project constrain access for users of such facilities. In addition, installation of a traffic signal at the Forni Road/County Jail-Ray Lawyer Drive extension intersection (Mitigation Measure 3.8-1b) would require vehicles at this intersection to adhere to standard traffic controls and may be required to slow down and stop, therefore reducing the potential for conflicts with bicyclists accessing the El Dorado Trail and bicyclists traversing the proposed bicycle lanes along Forni Road. Based on these findings, the impacts on established bicycle programs and on users of such facilities would be *less than significant*.

Pedestrian Access

The pedestrian network in proximity to the proposed project site is generally undeveloped, with the exception of the El Dorado Trail, a multi-use facility for pedestrians, bicyclists, and equestrian use. The proposed project would require internal improvements to on-site pedestrian facilities, as the development of pathways would need to be incorporated to allow safe passage and access from the parking areas and new courthouse building. These internal pedestrian facilities would be designed to minimize any potential conflicts between pedestrians and vehicle circulation (both along the driveway and within parking areas) and avoid any conflicts to pedestrian safety. In addition, the proposed project would not result in the increase in walk trips to and from the site from external locations and the proposed project would not result in unsafe conditions for pedestrians or conflict with any adopted policies or plans. Furthermore, the construction of the proposed project driveway would not interfere with, or result in the

modification to, the existing El Dorado Trail. In addition, the proposed project would not require relocation of the trailhead (entrance) or result in a physical obstruction or limit access to the trail for pedestrian and equestrian use. In addition, installation of a traffic signal at the Forni Road/County Jail- Ray Lawyer Drive extension intersection (Mitigation Measure 3.8-1b) would manage traffic control and require vehicles at the intersection to slow down and stop, therefore reducing the potential for conflicts with pedestrians accessing the El Dorado Trail and other users of the roadway. Based on these findings, impacts to pedestrian facilities and access to such facilities would be *less than significant*.

Mitigation: None required.

Cumulative Impacts

Cumulative (2045) Plus Project Conditions

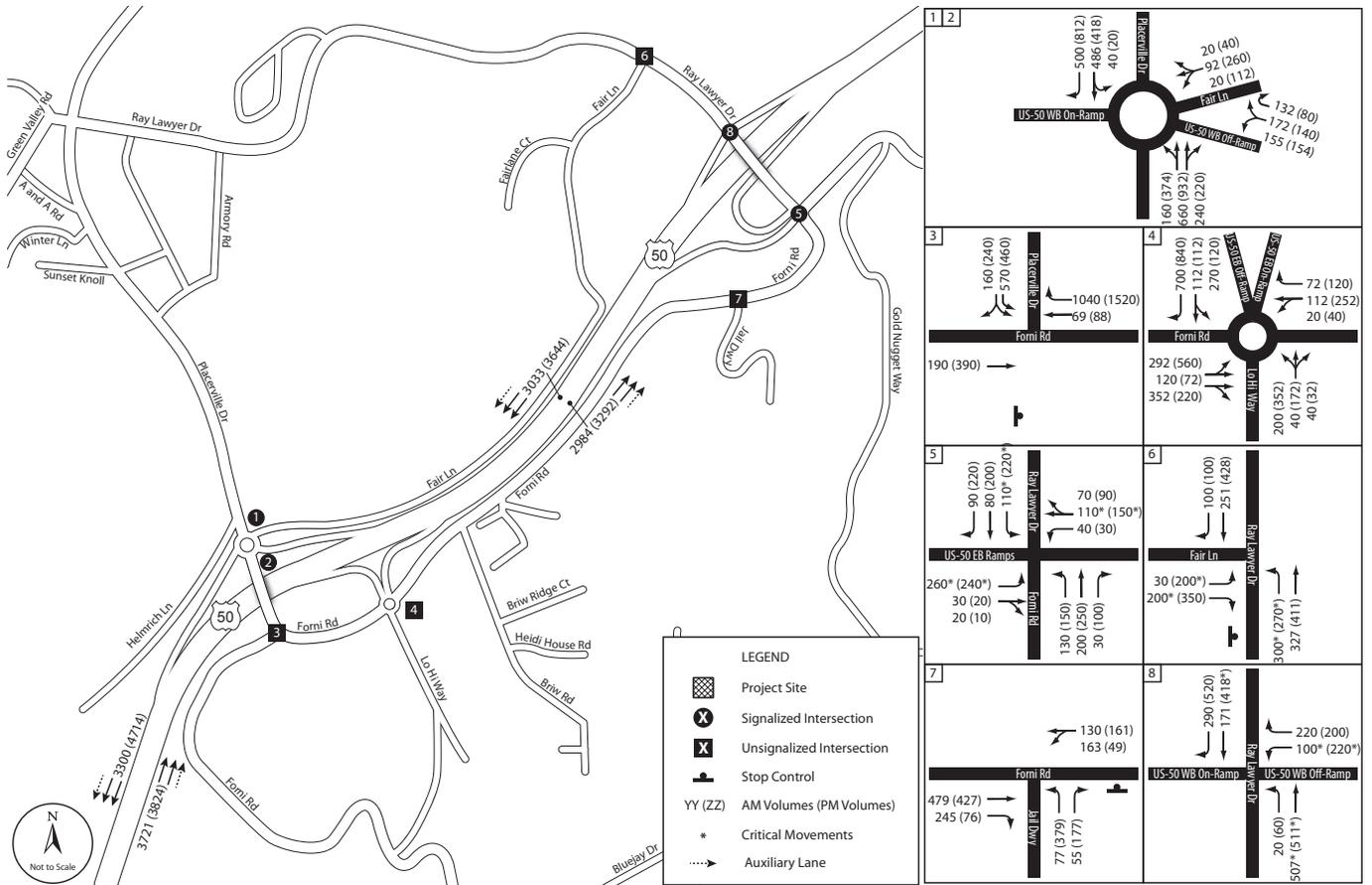
Impact 3.8-5: The proposed project could conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of study intersections or U.S. 50 freeway under Cumulative conditions (*Less than Significant with Mitigation Incorporated*).

Intersection turning movements at study intersections and freeway mainline volumes along U.S. 50 under Cumulative (No Project) are presented in **Figure 3.8-5**, and traffic volumes at the study intersections and freeway mainline under Cumulative plus Project conditions are presented in **Figure 3.8-6**.

Intersection Conditions

As shown in **Table 3.8-11**, under Cumulative (No Project) and Cumulative plus Project conditions, five of the seven study intersections would operate at acceptable LOS conditions (LOS C or better) during the a.m. and p.m. peak hours. LOS calculation sheets are provided in Appendix A within **Appendix F** of this Draft EIR.

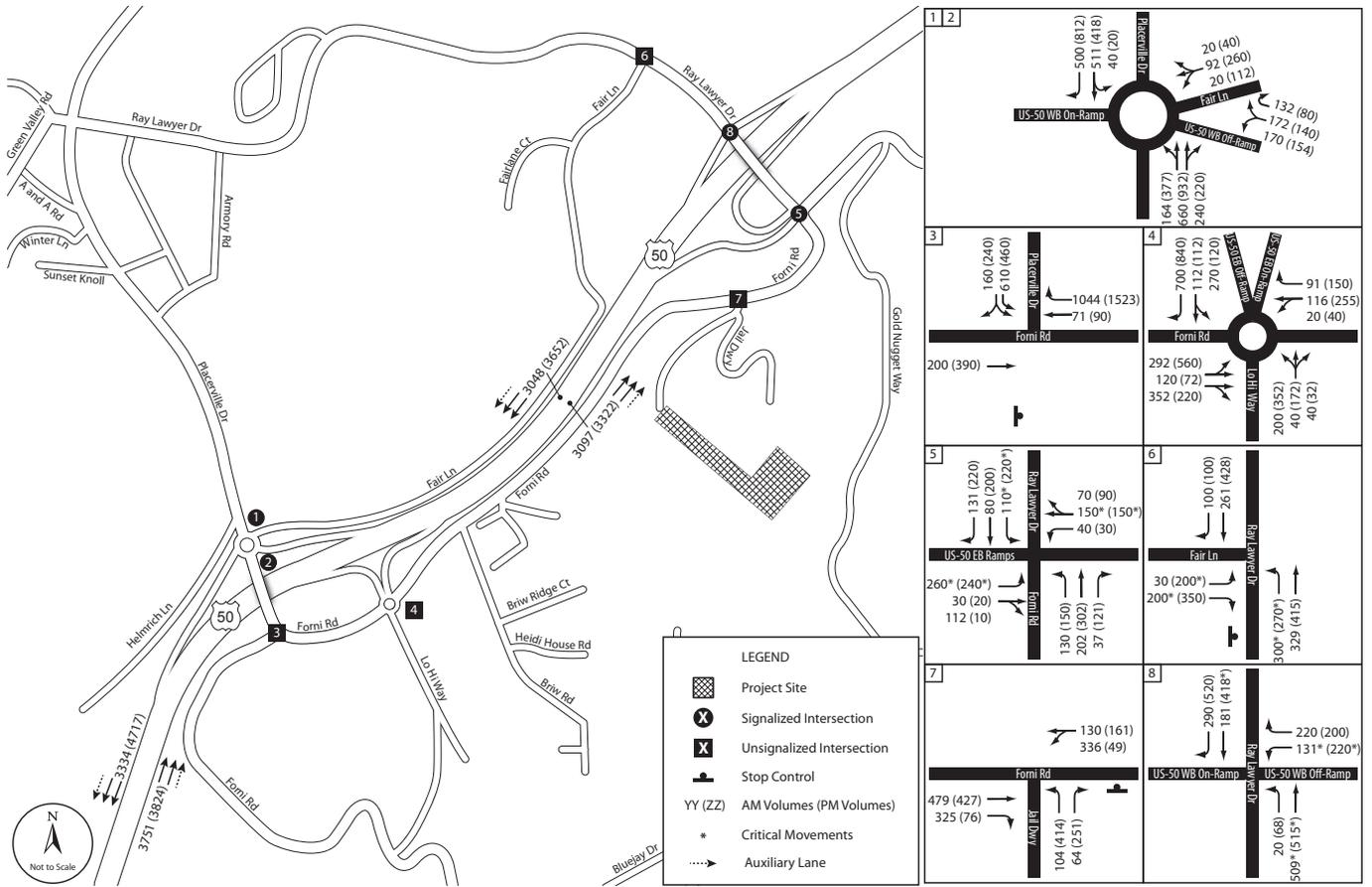
The Forni Road/County Jail- Ray Lawyer Drive extension intersection would operate at an unacceptable LOS F during the p.m. peak hour, primarily due to the high amount of eastbound volumes traveling through this intersection and causing a substantial amount of delay (and less allowable gap time) for vehicles destined to turn left onto Forni Road from the driveway. This intersection would operate at acceptably at LOS C during the a.m. peak hour. Project-generated traffic would degrade conditions at this intersection to unacceptable conditions (LOS F) during the a.m. peak hour. In addition, the intersection would operate at unacceptable conditions (LOS F) during the p.m. peak hour with and without implementation of the proposed project. However, proposed project-generated traffic would further degrade conditions along the northbound approach and increase vehicle delay along this approach by more than the five-second threshold of significance, which would be considered a *significant impact*. **Mitigation Measure 3.8-5** would reduce traffic impacts at this intersection to a less-than-significant level.



SOURCE: CHS Consulting Group, 2014

Judicial Council - New Placerville Courthouse . 208091

Figure 3.8-5
Cumulative (2045) Study Intersection AM and PM Peak Hour Traffic Volumes



SOURCE: CHS Consulting Group, 2014

Judicial Council – New Placerville Courthouse . 208091

Figure 3.8-6
Cumulative Plus Project (2045) Study Intersection AM and PM Peak Hour Traffic Volumes

**TABLE 3.8-11
INTERSECTION LEVEL OF SERVICE (LOS) –
CUMULATIVE (2045) AND CUMULATIVE PLUS PROJECT CONDITIONS**

Intersection	Traffic Control ^b	Peak Hour	Cumulative		Cumulative + Project		
			LOS ^a	Delay ^c	LOS ^a	Delay ^c	Change ^d
1 Placerville Dr / Fair Ln / US 50 WB Ramps	Roundabout ^e	AM	A	3.5	A	3.9	0.4
		PM	A	9.0	A	9.8	0.8
2 Placerville Dr / Forni Road	SSSC	AM	B	14.1 (EB)	B	14.8 (EB)	0.7
		PM	C	22.6 (EB)	C	22.6 (EB)	0.0
3 Forni Rd / Lo-Hi Way / US 50 EB Ramps	Roundabout ^e	AM	A	3.3	A	3.7	0.4
		PM	B	12.2	B	11.2	-1.0
4 Ray Lawyer Dr / Forni Rd / US EB Ramps	Signal ^f	AM	C	20.4	C	33.2	12.8
		PM	C	31.3	D	35.6	4.3
5 Ray Lawyer Dr / Fair Ln	Signal ^g	AM	A	5.3	A	5.3	0.0
		PM	A	8.8	A	8.8	0.0
6 Forni Rd / County Jail-Ray Lawyer Dr extension	SSSC	AM	C	24.7 (NB)	F	>50 (NB)	290.5
		PM	F	>50 (NB)	F	>50 (NB)	99.9
7 Ray Lawyer Drive / U.S. 50 WB Ramps	Signal ^h	AM	B	11.4	B	11.7	0.3
		PM	B	14.4	B	14.4	0.0

- a LOS calculations performed using Synchro and the 2000 Highway Capacity Manual Planning Method operations analysis methodology.
- b Signal = signalized intersection; SSSC = Side-Street Stop-Controlled intersection.
- c Approach delay reported for stop-controlled approach at unsignalized Side-Street Stop-Controlled intersections (EB = eastbound). Average roundabout delay based on peak-hour simulation results from five (5) VISSIM micro-simulation model runs.
- d Represents the change in delay relative to future (baseline) conditions.
- e Due to proposed improvements, intersection would be modified and reconfigured to a roundabout.
- f Due to proposed improvements, intersection would be modified from Two-Way Stop-Controlled (TWSC) to Signalized intersection.
- g Due to proposed improvements, intersection would be modified from AWSC to Signalized intersection.
- h Due to proposed improvements, intersection would be modified from uncontrolled to Signalized intersection.

Bold indicates unacceptable LOS conditions (LOS E or lower). **Shaded** cells indicate a significant project impact.

SOURCE: CHS Consulting, 2014.

Freeway Conditions

As shown in **Table 3.8-12**, the eastbound and westbound mainline segments along U.S. 50, west of Placerville Drive, and between Placerville Drive and Ray Lawyer Drive, would operate at acceptable LOS conditions under cumulative conditions during both peak periods. Freeway mainline LOS outputs are available in Appendix C within **Appendix F** of this Draft EIR.

Per the County of El Dorado Department of Transportation *Traffic Impact Study Protocols and Procedures* and standard significance criteria provided therein, the proposed project would result in a substantial increase in traffic during the a.m. and p.m. peak hours along U.S. 50 mainline segments. Furthermore, the proposed project would not exceed the County's significance thresholds along the freeway mainline. Based on these findings, the proposed project would not result in a significant cumulative impact to the freeway mainline, and no mitigation measures are required.

**TABLE 3.8-12
FREEWAY MAINLINE LEVEL OF SERVICE SUMMARY –
CUMULATIVE AND CUMULATIVE PLUS PROJECT CONDITIONS (YEAR 2045)**

U.S. 50 Mainline	Cumulative (2045)			Cumulative + Project		
	Volume	Density ^a	LOS	Volume	Density ^a	LOS
West of Placerville Drive						
AM Peak Hour – Eastbound	3,721	19.7	C	3,751	19.9	C
AM Peak Hour – Westbound	3,330	18.0	C	3,334	18.0	C
PM Peak Hour – Eastbound	3,824	20.0	C	3,824	20.0	C
PM Peak Hour – Westbound	4,714	26.4	D	4,717	26.4	D
Between Placerville Drive & Ray Lawyer Drive						
AM Peak Hour – Eastbound	2,984	24.1	C	3,097	25.1	C
AM Peak Hour – Westbound	3,033	25.1	C	3,048	25.3	C
PM Peak Hour – Eastbound	3,292	27.0	D	3,322	27.3	D
PM Peak Hour – Westbound	3,644	32.8	D	3,652	32.9	D

a Density calculated by passenger car per mile per lane.

SOURCE: CHS Consulting Group, 2014.

Mitigation Measures

Mitigation Measure 3.8-5: Implement Mitigation Measure 3.8-1b (Judicial Council payment of a fair share contribution towards installation of a traffic signal at the Forni Road/County Jail-Ray Lawyer Drive extension intersection).

Implementation of Mitigation Measure 3.8-1b would improve LOS conditions from LOS F to LOS A during the weekday a.m. peak hour and improve LOS conditions from LOS F to LOS B during p.m. peak hour (Appendix D within **Appendix F** of this Draft EIR contains LOS output sheets with proposed mitigation).

Significance after Mitigation: The Judicial Council would contribute to the modification and enhancements to the intersection of Forni Road and County Jail-Ray Lawyer Drive extension. Contribution to these improvements would ensure that the Judicial Council contributes its fair share of the costs associated in installing a traffic signal at this intersection in order to restore the LOS to an acceptable level and provide roadway treatments to enhance the overall safety to users of the roadway. Based on these findings, modification to this intersection would improve overall transportation conditions and the cumulative traffic impact would be *less than significant*.

Construction Impacts

Impact 3.8-6: Construction activities associated with the proposed project would not result in temporary circulation impacts on the street system (*Less than Significant*).

The proposed project construction activities would have short-term, adverse transportation impacts. The intensity and nature of the construction activity would vary over the construction period, and the range of adverse impacts would similarly vary. Adverse construction-related transportation impacts would primarily relate to temporary increases in traffic volumes (including heavy trucks) on area roadways, which would cause an increase in potential conflicts between different traffic streams because of the slower movements and larger turning radii of construction trucks compared to passenger vehicles.

Construction activities would generate varying numbers of vehicle trips (depending on the type of work) to accommodate construction workers, trucks, and equipment. Construction-related truck trips would be dispersed throughout the day, and although they would cause a temporary and intermittent lessening of the capacities of area roadways because of the slower movements and larger turning radii of construction trucks compared to passenger vehicles, those trips would fall within the daily fluctuations of traffic volumes on affected roadways, causing short-term, minor adverse impacts on traffic flow conditions in the proposed project area. These short-term, minor effects on roadways near the project site would be a *less-than-significant* impact.

However, out of an abundance of caution, implementation of **Mitigation Measure 3.8-6** would ensure adequate roadway access near the project site during project construction activities.

Mitigation Measures

Mitigation Measure 3.8-6: Prior to project construction, the Judicial Council shall develop a traffic control plan to maintain safe and efficient traffic flow on public streets near the project site. The traffic control plan shall incorporate Best Management Practices (BMPs) which may include, but would not be limited to, advance warning signs and flaggers to direct traffic. Identified BMPs and other measures identified in the traffic control plan would be implemented during project construction.

Significance after Mitigation: Implementation of a traffic management plan during construction would ensure the maintenance of safe and efficient traffic flow on public streets near the project site during project construction. Therefore, the impact would be *less than significant*.

CHAPTER 4

Project Alternatives

4.1 Overview

An EIR must describe a range of alternatives to the proposed project that might “feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects.” The feasibility of an alternative is ultimately determined by the lead agency based on a variety of factors including, but not limited to, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and site accessibility and control (State CEQA Guidelines section 15126.6(f)(1)).

This chapter presents the proposed project objectives, summarizes the significant effects of the proposed project that cannot be avoided or reduced to insignificance, describes the alternatives that were considered but dismissed from further evaluation and the alternatives selected for evaluation, and then discloses the comparative effects of the alternatives relative to the proposed project. As required under section 15126.6(e) of the State CEQA Guidelines, an environmentally superior alternative is identified and addressed at the end of this chapter.

4.2 Factors in the Selection of Alternatives

4.2.1 Project Objectives

The following are the Judicial Council’s stated objectives for the proposed project:

- Develop a new courthouse facility to improve safety and security by increasing secure movement within the building and to provide sufficient capacity to the public, litigants, jurors, and families who are served by California’s courts;
- Improve access to justice by providing consolidated facilities to meet the Superior Court’s demands, locate court services proximate to each other, and provide improved accessibility to the public including complying with the Americans with Disability Act (ADA) requirements;
- Create a modern, secure courthouse for centralized proceedings for El Dorado County, and for the provision of basic services currently not adequately provided including appropriately-sized jury assembly and deliberation rooms, adequately-sized in-custody holding, attorney interview/witness waiting rooms, and security screening for all Superior Court users;
- Locate a courthouse facility adjacent to the El Dorado County Jail to allow for the secure and efficient transfer of in-custody detainees between the facilities;

- Provide for additional and efficient parking for courthouse users; and
- Create operational efficiencies and on-going savings through the consolidation of Superior Court services.

4.2.2 Significant Effects of the Proposed Project

The following project-specific and cumulative significant and unavoidable impacts have been identified for the proposed project, as discussed in Chapter 3, Environmental Setting, Impacts, and Mitigation Measures.

Cultural Resources

Impact 3.5-6: The proposed project could contribute to cumulative losses of archaeological or paleontological resources.

Noise and Vibration

Impact 3.7-1: Project construction could temporarily expose persons to or generate noise levels in excess of the City of Placerville or County of El Dorado noise standards.

Impact 3.7-2: The proposed project could result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

Impact 3.7-6: The proposed project would contribute to cumulative construction noise and vibration.

4.3 Alternatives Considered but Dismissed From Further Evaluation

In identifying alternatives to the proposed project, primary consideration was given to alternatives that could reduce significant unavoidable impacts resulting from the proposed project. Certain impacts that are identified as being significant and unavoidable under the proposed project (e.g., effects to archeological resources) are due to development activity in an area that is currently undeveloped. These impacts may be reduced by locating the project at a different site. Alternatives that reduce the intensity of development on the project site or change the location of the project are addressed later in this chapter.

The following alternatives were considered but dismissed from further analysis because they would not fulfill most of the project objectives, would not eliminate or substantially lessen environmental effects, and/or would otherwise be infeasible.

4.3.1 Locations Outside of Placerville

The Judicial Council evaluated sites in Cameron Park and Shingle Springs.

A courthouse constructed in Cameron Park or Shingle Springs would be the same size and accommodate as many courtrooms and employees as anticipated under the proposed project. While Placerville, Cameron Park and Shingle Springs are within El Dorado County and within relative proximity of each other, the relocation of the courthouse out of Placerville could confuse potential jurors and others serving at or visiting the courthouse. The construction of a new courthouse in Cameron Park or Shingle Springs would also place the courthouse away from existing El Dorado County government functions which are primarily located in Placerville along Ray Lawyer Drive, Fair Lane, and Fairlane Court. Citing the courthouse in Cameron Park or Shingle Springs also would not place the courthouse adjacent to the existing El Dorado County Jail, one of the essential project objectives. While constructing a new, modern courthouse would improve safety and security at the courthouse itself, the increased distance of the courthouse from the El Dorado County Jail facility would require that in-custody people would need to be transported a further distance between the jail and court facilities, potentially creating a safety hazard and larger impact to court operations. Thus, the Judicial Council eliminated from further consideration alternatives that would construct a new courthouse in Cameron Park or Shingle Springs.

4.3.2 Ray Lawyer Drive

The Judicial Council evaluated a site on Ray Lawyer Drive near the existing county government center and surrounded by commercial development. Development of this alternative would construct a courthouse that would be the same size and accommodate as many courtrooms and employees as anticipated under the proposed project. The Ray Lawyer Drive project site (APN 323-400-16) has some challenging physical constraints, however. Due to significant topography changes on the site, significant grading of the site would be required. Rather than surface parking, a parking structure would be required to accommodate employees, jurors, and visitors to the courthouse. The purchase price of the property, combined with the cost to implement additional site-specific improvements such as structured parking and retaining walls, would exceed the Judicial Council's identified budget.

Construction of a new courthouse near the county's existing government center in Placerville would locate a courthouse near existing El Dorado County government functions, meeting one of the project objectives. However, constructing a courthouse in this location would not locate a courthouse adjacent to the El Dorado County Jail, a key Judicial Council objective for the proposed project. Further, the need to construct an on-site parking structure would not result in an efficient parking solution for the Judicial Council, failing to meet an identified project objective. Due to these considerations, the Judicial Council eliminated the Ray Lawyer Drive alternative from further consideration.

4.4 Alternatives Selected for Further Consideration

This section describes the range of alternatives to the proposed project that are analyzed in this Draft EIR and presents how specific impacts differ in severity from those associated with the proposed project. For the most part, significant impacts of the alternatives can be mitigated to

insignificance through adoption of mitigation measures identified in Chapter 3, which contains the environmental analysis of the proposed project. To varying degrees, the following alternatives would also avoid and/or lessen project impacts, including some or all of the unavoidable effects of the project.

4.4.1 Alternative 1: No Project Alternative

Description

Under CEQA, the No Project Alternative must consider the effects of forgoing the project. The No Project/No Development Alternative describes the environmental conditions that exist at the time that the environmental analysis commences (CEQA Guidelines, section 15126.6 (e)(2)). In the case of the proposed project, the project site is currently a vacant site adjacent to the operational El Dorado County Jail. Existing conditions are described in the Environmental Settings of each section within Chapter 3 of this Draft EIR. The alternatives analysis must also describe conditions that could reasonably be expected to occur if the project is not approved. In this case, it is reasonable to assume that, if the proposed project is not approved, the proposed project site would remain vacant and courthouse operations would continue to be separated by the continued use of both the existing Main Street Courthouse and Building C.

Under the No Project Alternative, the Judicial Council would not approve any project, and none of the mitigation measures identified within this Draft EIR would be implemented. Land transfers described in Chapter 2, Project Description would not occur. A new roadway from Forni Road to the proposed project site would not occur. The conveyance of the existing Main Street Courthouse from the Judicial Council to the City of Placerville or El Dorado County would not occur.

Comparative Analysis of Environmental Effects

Table 4-1 at the end of this chapter provides a comparison of the technical resources impacts of the proposed project and Alternative 1.

In general, impacts of the No Project Alternative would be identical to the existing conditions described in the settings of Chapter 3, because no new development would occur at the proposed project site.

Impacts Identified as Being the Same or Similar to the Proposed Project

Because there would be no construction under this alternative, and no changes to the operation of the Judicial Council's operations at the existing Main Street Courthouse and Building C, none of the impacts identified for the proposed project would occur under the No Project alternative.

Impacts Identified as Being Less Severe than the Proposed Project

Under this alternative, no construction would occur, and no new development would be constructed, so there would not be any of the impacts associated with construction, such as

disturbances from construction emissions (Impacts 3.2-2 and 3.2-3), disturbance to nesting raptors or migratory birds (Impact 3.4-1), loss of trees (Impact 3.4-2), damage to archaeological and/or paleontological resources or human remains (Impacts 3.5-3 and 3.5-4), water quality impacts (Impacts 3.6-1 and 3.6-5), construction traffic (Impact 3.8-6), construction noise (Impact 3.7-1) and construction vibration (Impact 3.7-2).

Because there would be no new development and no changes to the size, configuration, or use of the Main Street Courthouse or Building C, the No Project Alternative would not change the visual character of the project site (Impacts 3.1-1, 3.1-2, 3.1-4, and 3.1-5), increase the amount of lighting or glare at the proposed project site or elsewhere (Impacts 3.1-3 and 3.1-6), affect special-status species (Impact 3.4-1), affect sensitive habitats (Impact 3.4-3), affect historic architectural resources (Impact 3.5-1), affect drainage patterns (Impact 3.6-3), increase noise levels (Impact 3.7-3), or conflict with transportation plans (Impact 3.8-1).

For these reasons, impacts under the No Project Alternative would be less severe than the proposed project.

Impacts Identified as Being More Severe than the Proposed Project

The No Project Alternative would not result in any impacts that would be more severe than the proposed project, because there would be no construction or changes to operations at the Main Street Courthouse or Judicial Council operations at Building C.

While the No Project Alternative would not have any significant impacts when compared to existing conditions, it should be noted that it would not achieve some of the environmental benefits associated with the proposed project, which would be more water and energy efficient than the Main Street Courthouse and Building C operations. The proposed New Placerville Courthouse would be constructed to LEED Silver standards, resulting in more efficient energy consumption (Impact 3.3-1). This environmental benefit would be achieved under the No Project Alternative.

Relationship to Project Objectives

None of the Project Objectives would be achieved under the No Project Alternative.

4.4.2 Alternative 2: Reduced Size

Description

Under the Reduced Size Alternative, the Judicial Council would construct a new courthouse at the proposed project site that would replace courthouse functions at Building C. Construction of a new courthouse on the same site as the proposed project would include the provision of two courtrooms and administrative support services. Current courtroom functions at the Main Street Courthouse (four courtrooms) would remain in use. The courthouse constructed under the Reduced Size Alternative would be substantially smaller than the proposed project because four fewer courtrooms would be constructed. A new access road would be required, similar to the

proposed project. However, the amount of surface parking area would be less than under the proposed project because fewer employees would work at and fewer people would visit the new courthouse compared to the proposed project.

The land transfer described in Chapter 2, Project Description, would not occur. Instead, the Judicial Council would purchase the courthouse property from El Dorado County. The Judicial Council would vacate its office space in Building C, but would retain use and control of the Main Street Courthouse.

Comparative Analysis of Environmental Effects

Impacts Identified as Being the Same or Similar to the Proposed Project

Under this alternative, construction would still occur on the project site, which could result in damage to archaeological and/or paleontological resources or human remains (Impacts 3.5-3 and 3.5-4). The new courthouse would be constructed to LEED Silver standards, similar to the proposed project. Therefore, the Reduced Size Alternative would result in similar energy efficiency (Impact 3.3-1). Building and parking lot lighting at the site would also be expected to be similar to the proposed project (Impacts 3.1-3 and 3.1-6).

Impacts Identified as Being Less Severe than the Proposed Project

Under this alternative, the courthouse constructed on the project site would be smaller than the proposed project. Construction-related impacts such as disturbances from construction emissions (Impacts 3.2-2 and 3.2-3), construction traffic (Impact 3.8-6), construction noise (Impact 3.7-1) and construction vibration (Impact 3.7-2) would be expected to be less because the construction timeline for a smaller building would be expected to be less than that for the proposed project. The duration of these effects would be shorter than under the proposed project because building construction would be expected to be faster.

In addition, because the courthouse would be smaller than under the proposed project and the amount of parking necessary to server the courthouse would be less, the footprint of the courthouse and parking facilities would be less. Therefore, the loss of trees (Impact 3.4-2) and disturbance to nesting raptors or migratory birds (Impact 3.4-1) would be less. Also, because the building would be smaller than the proposed project, it would also be less visible to users along the El Dorado Trail (Impact 3.1-1).

Because the Main Street Courthouse would not be conveyed to the City of Placerville or El Dorado County, and would be retained by the Judicial Council and operated as a courthouse, impacts to historic architectural resources (Impact 3.5-1) would not occur.

Impacts Identified as Being More Severe than the Proposed Project

No impacts would be more severe than the proposed project.

Relationship to Project Objectives

Implementation of the Reduced Size Alternative would result in the continuation of separated court functions in El Dorado County. Some courtroom functions would be retained at the Main Street Courthouse while other courtroom functions and many administrative functions would operate at a separate facility. While constructing a new courthouse to replace some courtroom and administrative space currently leased from the county, the continued separation of courthouse functions would not meet the Judicial Council’s goal of providing consolidated facilities to meet the Superior Court’s demands, locate court services proximate to each other, and provide improved accessibility to the public including complying with the Americans with Disability Act (ADA) requirements. The construction of a new courthouse would provide sufficient capacity to the public, litigants, jurors, and families who are served by California’s courts, but would not make these same improvements to the Main Street Courthouse. While the Reduced Size Alternative would locate a courthouse facility adjacent to the El Dorado County Jail to allow for the secure and efficient transfer of in-custody detainees between the facilities, detainees would still need to be transferred to and from the Main Street Courthouse and El Dorado County Jail similar to existing conditions.

4.5 Environmentally Superior Alternative

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. Section 15126.6 (e)(2) of the State CEQA Guidelines requires that an environmentally superior alternative be designated and 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.

For each environmental topic analyzed in the EIR, **Table 4-1** indicates whether the impacts of the project alternatives are more or less severe than those of the proposed project.

**TABLE 4-1
COMPARISON OF ALTERNATIVES**

Environmental Topic	Proposed Project	Alt. 1 No Project	Alt. 2 Reduced Size
Aesthetics	LSM	NI	LSM-
Air Quality	LSM	NI	LSM
Climate Change and Energy	LSM	NI	LSM
Biological Resources	LSM	NI	LSM-
Cultural Resources	SUM	NI	SUM-
Hydrology and Water Quality	LSM	NI	LSM
Noise and Vibration	SUM	NI	SUM-
Transportation	LSM	NI	LSM

NI – No impact.

LSM – Less than significant after application of feasible mitigation measure(s).

SU – Significant and unavoidable and no feasible mitigation is identified.

SUM – Significant and unavoidable after application of available mitigation measure(s).

- = Impact is less severe than under the proposed project

+ = Impact is more severe than under the proposed project

From the alternatives evaluated in this EIR, the environmentally superior alternative would be Alternative 1 – the No Project Alternative. This alternative would avoid all significant impacts associated with the proposed project.

In accordance with the CEQA Guidelines, if the No Project Alternative is identified as the environmentally superior alternative, an environmentally superior alternative must then be selected from the remaining alternatives. Due to the factors described above, Alternative 2 – the Reduced Size Alternative would be the environmentally superior alternative.

CHAPTER 5

Other CEQA Considerations

5.1 Introduction

Section 15126 of the State CEQA Guidelines requires that all phases of a project must be considered when evaluating its impact on the environment, including planning, acquisition, construction, and operation. Further, the evaluation of significant impacts must consider direct and reasonably foreseeable indirect effects of the project over the short-term and long-term. As part of this analysis, the EIR must identify (1) significant environmental effects of the proposed project, (2) mitigation measures proposed to minimize significant effects, (3) significant environmental effects that cannot be avoided if the proposed project is implemented, (4) significant irreversible environmental changes that would result from implementation of the proposed project, (5) growth-inducing impacts of the proposed project, (6) potential urban decay effects caused by economic competition created by the project, and (7) alternatives to the proposed project.

Chapter ES, Executive Summary, and sections 3.1 through 3.8 provide a comprehensive presentation of the proposed project's environmental effects, proposed mitigation measures, and conclusions regarding the level of significance of each impact both before and after mitigation.

Chapter 4, Alternatives, presents a comparative analysis of alternatives to the proposed project.

The other CEQA-required analyses described above are presented below.

5.2 Growth Inducement

As required by section 15126.2(d) of the State CEQA Guidelines, an EIR must discuss ways in which a proposed 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 project that could encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. Growth can be induced in a number of ways, such as through the elimination of obstacles to growth, through the stimulation of economic activity within the region, or through the establishment of policies or other precedents that directly or indirectly encourage additional growth. The purpose of this section is to evaluate the potential growth-inducing effects resulting from the implementation of the proposed project in the City of Placerville and throughout El Dorado County.

In general, a project may foster spatial, economic, or population growth in a geographic area if the project removes an impediment to growth (e.g., the establishment of an essential public service, the provision of the new access to an area; a change in zoning or general plan amendment approval); or economic expansion or growth occurs in an area in response to the project (e.g., changes in revenue base, employment expansion, etc.). These circumstances are further described below:

- **Elimination of Obstacles to Growth:** This refers to the extent to which a proposed project removes infrastructure limitations or provides infrastructure capacity, or removes regulatory constraints that could result in growth unforeseen at the time of project approval.
- **Economic Effects:** This refers to the extent to which a proposed project could cause increased activity in the local or regional economy. Economic effects can include such effects as the Multiplier Effect. A “multiplier” is an economic term used to describe inter-relationships among various sectors of the economy. The multiplier effect provides a quantitative description of the direct employment effect of a project, as well as indirect and induced employment growth. The multiplier effect acknowledges that the onsite employment and population growth of each project is not the complete picture of growth caused by the project.

5.2.1 Elimination of Obstacles to Growth

The proposed project would vacate existing court facilities to consolidate court services at one location in close proximity to the El Dorado County Jail. The proposed project would not increase capacity of the existing court system because the proposed project would keep the same number of existing courtrooms. Thus, the proposed project would not eliminate an obstacle to growth by establishing an essential public service.

While the proposed project would construct the initial phase of the Ray Lawyer Drive extension to permit site access from Forni Road, construction of this segment would not enable access to other parcels that are currently inaccessible from Forni Road or Gold Nugget Way. Thus, the proposed project would not provide new access to a currently inaccessible area.

The proposed project site is currently zoned for public facilities (PF) use. Development of the proposed project site with the proposed new courthouse would be consistent with the zoning and is permitted by right. Thus, the proposed project would not eliminate an obstacle to growth by changing zoning or general plan land use designations.

For the reasons discussed above, the proposed project would not provide expanded utilities or other infrastructure that could, in turn, stimulate growth beyond the proposed project site. As such, the proposed project would not eliminate any obstacles to development and growth in the area.

5.2.2 Economic Effects

The proposed project would likely result in an overall increase in courthouse staff though the number of courtrooms would not increase. The resulting employment opportunities would be either filled by local or imported workers and result in both direct and indirect economic effects.

In addition, the construction workforce, although temporary, would contribute to the demand for goods and services, including temporary housing.

While the proposed project would generate temporary and permanent jobs, the number of employment opportunities would not be substantial relative to the existing number of existing employment opportunities in the area. As such, the proposed project would not be expected to have economic effects that would induce growth in the project area.

5.3 Significant and Unavoidable Impacts

Section 15126.2(b) of the State CEQA Guidelines requires 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 Chapter 3, Environmental Analysis. Project-specific and cumulative impacts that cannot be avoided if the proposed project is approved as proposed include:

5.3.1 Project-Specific Significant and Unavoidable Impacts

Impact 3.7-1: Project construction could temporarily expose persons to or generate noise levels in excess of the City of Placerville or County of El Dorado noise standards

Impact 3.7-2: The proposed project could result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

5.3.2 Cumulative Significant and Unavoidable Impacts

Impact 3.5-6: The proposed project could contribute to cumulative losses of archaeological or paleontological resources.

Impact 3.7-6: The proposed project would contribute to cumulative construction noise and vibration.

5.4 Significant Irreversible Environmental Effects

Under CEQA, an EIR must analyze the extent to which a project's primary and secondary effects would generally commit future generations to the allocation of nonrenewable resources and to irreversible environmental damage (State CEQA Guidelines section 15126.2(c); 15127). Specifically, section 15126.2(c) states:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible, since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental

accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Generally, a project would result in significant irreversible environmental changes if:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

The State CEQA Guidelines also require a discussion of the potential for irreversible environmental damage caused by an accident associated with the project. While the proposed project could result in the use, transport, storage, and disposal of hazardous wastes during construction and operation, as described in the “Hazards and Hazardous Materials” section of the initial study (see **Appendix A**), all activities would comply with applicable state and federal laws related to hazardous materials, which significantly reduce the likelihood and severity of accidents that could result in irreversible environmental damage.

Implementation of the proposed project would result in the long-term commitment of resources to urban development. Operations associated with future uses would also consume electrical energy. The unavoidable consequences of the proposed project are described in the appropriate sections in Chapter 3, Environmental Analysis.

Resources that would be permanently and continually consumed by project implementation include water, electricity, and fossil fuels; however, the amount and rate of consumption of these resources would not result in the unnecessary, inefficient, or wasteful use of resources. With respect to operational activities, compliance with all applicable building codes, including the 2013 Title 24 Energy Efficiency Standards, as well as mitigation measures, planning policies, and standard conservation features, would ensure that natural resources are conserved to the maximum extent possible. As noted in Chapters 2, Project Description, the proposed project would be constructed to LEED Silver standards, which ensure high levels of efficiency in energy consumption, water demand, wastewater generation, stormwater runoff, and such issues. It is also possible that, over time, new technologies or systems will emerge, or will become more cost-effective or user-friendly, to further reduce the reliance upon nonrenewable natural resources. Nonetheless, construction activities related to the proposed project would result in the irretrievable commitment of nonrenewable energy resources, primarily in the form of fossil fuels (including fuel oil), natural gas, and gasoline for automobiles and construction equipment.

Over the past decade our understanding of global climate change and the role that communities can play in addressing it has grown tremendously. There is large scientific consensus that recent increases in global temperatures are associated with corresponding increases of greenhouse gases (GHGs). This temperature increase is beginning to affect regional climates and is expected result

in impacts to our region and the world. Climate change has profound implications for the availability of the natural resources on which economic prosperity and human development depend. Although the relative contribution of the proposed project to global warming is not currently possible to determine, this issue is explored in section 3.3, Climate Change and Energy.

5.5 Urban Decay

As used in CEQA, the term “urban decay” was introduced by the Court of Appeal in the case entitled *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184 (*Bakersfield Citizens*). In that decision, the court required the City of Bakersfield to revise and recirculate two EIRs for two proposed Wal-Mart stores because the documents both failed to address the possible indirect physical effects flowing from the direct economic effects of the two projects. Though the court did not expressly define “urban decay,” the court seemed to equate the concept with a “chain reaction of store closures and long-term vacancies, ultimately destroying existing neighborhoods and leaving decaying shells in their wake.”¹ For the purposes of this assessment and consistent with the above described court decision, “urban decay” is not simply a condition in which buildings become vacant as businesses compete with each other in the normal course of the market-based economy, nor is it a condition where a building may be vacated by one business or use and reused by a different business or for alternative purposes. Rather, under CEQA “urban decay” is defined as physical deterioration of properties or structures that is so prevalent, substantial, and lasting a significant period of time that it impairs the proper utilization of the properties and structures, and the health, safety, and welfare of the surrounding community. Physical deterioration includes abnormally high business vacancies, abandoned buildings, boarded doors and windows, parked trucks and long-term unauthorized use of the properties and parking lots, extensive or offensive graffiti painted on buildings, dumping of refuse or overturned dumpsters on properties, dead trees and shrubbery, and uncontrolled weed growth or homeless encampments.

The conditions that were present in the *Bakersfield Citizens* case are distinguishable from the conditions related to the proposed project. In the former, two proposed Wal-Mart stores were proposed, and the question of urban decay related to the potential adverse effect of additional retail supply on existing retail stores in the same market area. In the case of the proposed project, the conditions are different in that the proposed project would vacate two existing facilities and consolidate courthouse operations at one location.

The primary concern with the proposed project is whether discontinuation of courthouse use at the historic Main Street Courthouse would lead to blight within the historic Main Street area of Placerville. As discussed in section 3.5, Cultural Resources, the courthouse is potentially eligible for listing on the National Register of Historic Places, though it has not been formally determined eligible. If the structure is formally determined to be eligible, extensive rules would apply to preservation of the building.

¹ *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, p. 1204.

Given this potential impact on a historic resource, the Judicial Council has worked extensively with the city and the county to identify a disposition process that would best preserve the courthouse. In September 2014, both the City Council of Placerville and the El Dorado County Board of Supervisors directed their staff to work together to explore potential re-use options for the courthouse. Both the city and the county, in an effort to facilitate as much community input as possible, established a committee to explore the potential for the re-use and repurposing of the historic Main Street Courthouse. In the historic area of Placerville, there are numerous retail, commercial, and office uses independent of the courthouse operations. Based on the city and county's commitment to re-use the facility, as well as the fact that a number of businesses on Main Street are not dependent on the historic courthouse, discontinuation of the courthouse use would not be expected to result in a significant impact to the downtown area leading to a blighted downtown.

Discontinuation of Building C for courthouse purposes would not lead to blight as Building C is part of El Dorado County's Government Center. Most county offices on the western slope are located within the center, including the Assessor's Office, County Counsel, and the Planning Department. It is likely that the portion of Building C currently used for court activities would be used by other county agencies. Thus, the discontinuation of the use of Building C for court purposes would not lead to urban blight.

CHAPTER 6

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CHAPTER 7

Acronyms and Abbreviations

AADT	annual average daily traffic
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ADA	Americans with Disability Act
ADT	average daily traffic
AQAP	Air Quality Attainment Plan
BMP	Best Management Practices
CARB	California Air Resources Board
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal regulations
CH ₄	methane
CIP	Capital Improvement Program
CMP	Congestion Management Process
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	carbon monoxide
CO ₂	Carbon dioxide
CO ₂ e	CO ₂ equivalents
CPUC	California Public Utilities Commission
CSLC	California State Lands Commission
CVRWQCB	Central Valley Regional Water Quality Control Board
CWA	Clean Water Act
dB	Decibels

dBa	Decibels A-Weighted
DHS	California Department of Health Services
DNL	Day-Night Average Sound Level
DOC	California Department of Conservation
DPM	diesel particulate matter
DWR	California Department of Water Resources
EDCAQMD	El Dorado County Air Quality Management District
EDCTA	El Dorado County Transit Authority
EDCTC	El Dorado County Transportation Commission
EID	El Dorado Irrigation District
EIR	Environmental Impact Report
ES	Executive Summary
FCAA	Federal Clean Air Act
FCAAA	Federal Clean Air Act Amendments
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIP	Federal Implementation Plan
FR	Federal Register
FTA	Federal Transit Administration
FY	Fiscal year
GHG	Greenhouse Gas
GVW	gross vehicle weight
GWP	global warming potential
HAP	Hazardous Air Pollutants
HCM	Highway Capacity Manual
HFC	hydrofluorocarbon
HPD	Historic Properties Directory
HUD	U.S. Department of Housing and Urban Development
Hz	Hertz
IPCC	International Panel on Climate Change
IS	Initial Study
ISO	Independent System Operator
LEED	Leadership in Energy and Environmental Design
LNG	liquefied natural gas

LOS	Level of service
LVW	loaded vehicle weight
MCAB	Mountain Counties Air Basin
MCL	maximum contaminant levels
MEP	Maximum Extent Practicable
MMRP	Mitigation Monitoring and Reporting Program
MOE	Measure of Effectiveness
MS4	Municipal Separate Storm Sewer System
MTP	Metropolitan Transportation Plan
MUTCD	Manual on Uniform Traffic Control Devices
N ₂ O	nitrous oxide
NAAQS	National Ambient Air Quality Standard
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NEPA	National Environmental Policy Act
NESHAPs	National Emission Standards for Hazardous Air Pollutants
NMFS	National Marine Fisheries Service
NO ₂	nitrogen dioxide
NOI	Notice of Intent
NOP	Notice of Preparation
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O ₃	ozone
OPR	Office of Planning and Research
OSHA	Occupation Safety and Health Administration
PF	Public Facilities
PFC	perfluorocarbon
PG&E	Pacific Gas and Electric
PM ₁₀	particles less than 10 microns in diameter
PM _{2.5}	particles less than 2.5 microns in diameter
POU	publicly owned utilities
PPV	peak particle velocity
PRC	Public Resources Code
RMS	root mean square
ROG	reactive organic gases

ROW	right-of-way
RPS	Renewable Portfolio Standard
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SACOG	Sacramento Area Council of Governments
SB	Senate Bill
SCH	State Clearinghouse
SDWA	Safe Drinking Water Act
SEIR	Supplemental Environmental Impact Report
SF ₆	sulfur hexafluoride
SHPO	State Officer of Historic Preservation
SIP	State Implementation Plan
SLOCAPCD	San Luis Obispo County Air Pollution Control District
SO ₂	sulfur dioxide
SOI Standards	Secretary of Interior's Standards for the Treatment of Historic Properties
SPRR	Southern Pacific Railroad
SR	State Route
SWMP	Storm Water Management Plan
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TMDL	Total Maximum Daily Load
TWLTL	two-way left-turn lane
U.S. EPA	United States Environmental Protection Agency
USACE	United States Army Corp of Engineers
USC	United States Code
USFWS	United States Fish and Wildlife Service
VdB	Vibration decibels
VELB	valley elderberry longhorn beetle
VOC	volatile organic compounds

CHAPTER 8

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None

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None

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None

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4. Alternatives

None

5. Other CEQA Considerations

None

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