RESOLUTION NO. 2016-09

RESOLUTION OF THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT APPROVING THE AUBURN LAKE TRAILS WATER TREATMENT PLANT PROJECT CONTINGENT ON COMPLIANCE WITH THE MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, prior to the adoption of this Resolution, the Georgetown Divide Public Utility District (the "District") prepared and adopted an Initial Study and a Mitigated Negative Declaration ("IS/MND") for the Auburn Lake Trails Water Treatment Plant Project ("Project") in accordance with the requirements of the California Environmental Quality Act of 1970, as amended ("CEQA"), and state and local guidelines implementing CEQA; and

WHEREAS, the Project analyzed under the IS/MND consisted of renovations and improvements to the existing Auburn Lake Trails Water Treatment Plant, on a two (2) acre site located at 3650 Sweetwater Trail, in the town of Cool, California; and

WHEREAS, the IS/MND concluded that implementation of the Project could result in significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of an IS/MND that identifies one or more significant environmental effects, CEQA requires the decision making body of the lead agency to incorporate feasible mitigation measures that would reduce those significant environment effects to a less-than-significant level; and

WHEREAS, the District is the lead agency on the Project, and the District Board of Directors is the decision-making body for the proposed Project; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA requires a lead agency to adopt a Mitigation Monitoring and Reporting Program ("MMRP") to ensure compliance with the mitigation measures during project implementation; and

WHEREAS, the District Board of Directors adopted the IS/MND which included an MMRP, and the CEQA Findings by Resolution 2016-08 to ensure that the Project would implement all necessary mitigation to reduce impacts below a level of significance; and

WHEREAS, the District Board of Directors has reviewed and considered the IS/MND, written comments, and related MMRP for the Project and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the IS/MND (**Exhibit A**), MMRP (**Exhibit B**) and the CEQA Findings (**Exhibit C**) for the Project are attached, and by this reference, incorporated into this Resolution as if fully set forth herein; and

WHEREAS, the Project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS AS FOLLOWS:

1. THE RECITALS ARE INCORPORATED. The recitals listed above are true and correct and reflect the independent judgment of the Board of Directors.

2. THAT THE DISTRICT BOARD OF DIRECTORS does hereby approve construction of the Project contingent upon compliance with the MMRP prepared for the Project. The IS/MND, MMRP, and CEQA Findings attached to this resolution and are: (1) on file in the District Office, located at 6425 Main Street, Georgetown, CA 95634, and (2) available for inspection by any interested person.

3. FILING OF NOTICE OF DETERMINATION. The District Board of Directors hereby directs the staff to file a Notice of Determination with the El Dorado County Clerk and the State Clearing House within five (5) working days after approval of the Project.

4. AVAILABILITY OF PROJECT APPROVALS. The General Manager, or his or her designee, shall make the Project plans and other related materials that constitute the record of the proceedings upon which its decision is based available at the District Office, 6425 Main Street, Georgetown, CA 95634, and in other locations the General Manager, or his or her designee, may deem appropriate to facilitate public access to these documents.

PASSED AND ADOPTED at a regularly held meeting of the Board of Directors of the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT this 12th day of April, 2016.

AYES: Capraun, Hanschild, Hoelscher, Krizl, Uso

NOES:

ABSENT/ABSTAIN:

Norman A. Krizl, President
Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

ATTEST:

Wendell B. Wall, Clerk and ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

EXHIBIT A

Auburn Lake Trails Water Treatment Plant Project
Initial Study/Mitigated Negative Declaration ("IS/MND")

Due to size limitations, the full document has not been included in this packet. A complete copy can be found on the District's website at: http://www.gd-pud.org/uploads/files/development_&_construction/studies_&_reports/pdfs/Public%20Review%20ALT%20WTP%20ISMND%202016%2002%2018%20(complete).pdf.

EXHIBIT B

Auburn Lake Trails Water Treatment Plant Project Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing*	Verification of Compliance (Initials/Date)
Aesthetics				
AES – 1: Exterior coatings for the filter building shall incorporate earth tone colors with neutral tones to reduce the contrast of the structure with the surrounding landscape as viewed from the Auburn Lake Trails community gate.	Georgetown Divide Public Utility District (GDPUD)	GDPUD	During Construction	
AES – 2: Site design considerations for proposed improvements shall preserve natural landscape wherever feasible and shall incorporate natural features such as rock outcroppings, native tree stands, and existing topographic features. Development footprints shall be minimized to the maximum extent practicable.	GDPUD	GDPUD	Prior to and During Construction	
AES – 3: All excavations shall be graded and planted to produce a natural-looking appearance.	Contractors	GDPUD	During Construction	
AES – 4: The final plans for the construction of the WTP filter building shall include tree and/or vegetative plantings to the extent necessary to provide a level of visual screening at plant maturity that would introduce vegetative foreground visual elements between the filter building and Sweetwater Trail adjacent to the WTP.	GDPUD	GDPUD	Filter Building Design Details – Prior to Construction	
AES – 5: All exterior lighting shall be hooded, shielded or opaque. No unobstructed beam of light shall be directed beyond any exterior lot line.	GDPUD	GDPUD	During and Following Construction	
Air Quality				
AQ – 1: During project construction all measures presented in Section C.6 in Appendix C of the EDCAQMD *Guide to Air Quality Assessment – Determining Significance of Air Quality Impacts Under the California Environmental Quality Act* shall be implemented to reduce the impacts from fugitive dust PM^{10} and $PM_{2.5}$ emissions.	GDPUD and Construction Contractors	GDPUD/El Dorado County Air Quality Management District (EDCAQMD)	During Construction	
AQ – 2: During project construction a minimum of 4.06 percent of diesel fuel used by construction equipment shall be consumed by 1996 or later model year engines (T-BACT engines).	Contractor	GDPUD	During Construction	
AQ – 3: Project construction shall comply with California Air Resources Board (CARB) Airborne Toxic Control Measure (ATCM) 93105, Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations.	Contractor	GDPUD/CARB	During Construction	
AQ – 4: Project construction shall comply with California Air Resources Board (CARB) Airborne Toxic Control Measure (ATCM) 93106, Asbestos ATCM for Surfacing Applications.	Contractor	GDPUD	During Construction	
AQ – 5: Project construction shall comply with EDCAQMD Rule 223-1, preparing a Fugitive Dust Control Plan. The project shall comply with the additional dust control measures required in Rule 223-1, including the preparation of a Fugitive Dust Control Plan for approval by the EDCAQMD and compliance with the approved plan during construction.	Contractor	GDPUD/EDCAQMD	Prior to Construction and Comply with Plan During Construction	
AQ – 6: Project construction at the ALT WTP site shall comply with EDCAQMD Rule 223-2, Fugitive Dust, Asbestos Hazard Mitigation. The project shall comply with the additional dust control measures required in Rule 223-2, including the preparation of an Asbestos Dust Mitigation Plan for approval by the EDCAQMD and compliance with the approved plan during construction.	Contractor	GDPUD/EDCAQMD	Prior to Construction and Comply with Plan During Construction	

EXHIBIT B

Mitigation Measure (MM)	Implementing Responsibility	Monitoring Responsibility	Timing	Verification of
Biological Resources				
BIO – 1: Pre-construction survey(s) for California red-legged frog (CRLF) species shall be performed. At least 15 calendar days prior to beginning the pre-construction surveys, the applicant shall submit the name(s) and credentials of biologist(s) who could conduct the surveys to the USFWS. The survey(s) only needs to be conducted within 100 feet of the frog's associated aquatic and bank habitats, as well as the water settling ponds on the WTP site. Survey(s) shall be conducted by a qualified biologist, in accordance with USFWS Guidelines, and during the appropriate time of year for optimal detection of this species, from February through May when this species is most active. If there is a rain event between when the protocol surveys were performed and when construction begins, the USFWS approved biologist shall survey the area to be affected within 24 hours of the onset of construction. Prior to construction a USFWS approved biologist shall train all construction personnel regarding habitat sensitivity and identification of special-status species, including the CRLF. This training shall include the legal status of the CRLF and penalties for "take" of the species, and the proper action to take if the species is encountered. If new construction personnel are added to the project, the contractor will ensure that the personnel receive the mandatory training before starting work. A fact sheet that contains this information will be prepared and distributed to all construction personnel. Upon complete of training, construction personnel will sign a form stating that they attended the training and understand all the conservation and protection measures. Additionally, all erosion control measures shall be free of plastic monofilament or netting, preventing the entanglement of amphibians and reptiles in these materials. If the CRLF is found during focused surveys, then a detailed mitigation plan shall be prepared upon consultation with CDFW and/or USFWS which may include measures to minimize adverse effects of construction on California red-legged frog and its associated habitat. The mitigation plan would include a monitoring plan for this species during the period of construction. If a CRLF is found during construction all work in the immediate area shall stop and the USFWS will be contacted. The CRLF will not be handled or harassed, and work shall not continue until the USFWS has provided guidance.	GDPUD	GDPUD and/or USFWS/CDFW	Prior to Construction	
BIO – 2: A pre-construction raptor survey within suitable nest trees shall be conducted if construction activities are scheduled to begin during the raptor nesting season (January 1 – September 31). A qualified biologist shall conduct the survey no more than 30 days prior to the onset of construction activities. If active nests are found on or within 500 feet of the site, CDFW shall be consulted and most likely CDFW will require that an appropriate buffer be established around the nest until the young have fledged or until the biologist has determined that the nest is no longer active. If the construction activities are scheduled to begin during the non-breeding season (October 1- December 31), a survey is not required, and no further mitigation measures are expected to be necessary. If tree removal is determined necessary, timing tree removal to occur during this time frame would also	GDPUD	GDPUD/ CDFW	No More than Thirty Days Prior to Construction	

Mitigation Measure (MM)	Implementing Responsibility	Monitoring Responsibility	Timing	Verification of Compliance (Initials/Date)
reduce the potential for raptors to nest within the construction limits of the site during the nesting season.				
BIO – 3: A pre-construction survey for northwestern pond turtle shall be performed. The survey(s) shall be conducted in the turtle's associated aquatic and upland habitats (portions of the sites within 200 feet of the reservoirs and water settling ponds). Surveys shall be conducted by a qualified biologist, in accordance with CDFW guidelines, and during the appropriate time of year, from February through late October, when this species is most active. If this species is not found on the Project Site during the focused pre-construction survey, no further mitigation would be required. However, if this species is found during focused surveys, then a detailed mitigation plan shall be prepared upon consultation with CDFW and shall include measures to minimize adverse effects of construction on northwestern pond turtle and its associated habitat, including a monitoring plan for this species during the period of construction.	GDPUD	GDPUD/ CDFW	No More than Thirty Days Prior to Construction	
BIO – 4: A pre-construction survey for special-status plant species with potential to occur within the Project Site shall be performed to determine their presence or absence within the Project Site prior to the installation of WTP improvements. Special-status plant species that shall be surveyed include: Brandegee's Clarkia (*Clarikia biloba* ssp. *brandegeeae*), Butte County Fritillary (*Fritillaria eastwoodiae*), and Oval-Leaved Viburnum (*Viburnum ellipticum*). The focused botanical survey(s) shall be performed within the optimum identification period, to the extent possible, of each species identified in **Appendix C** with a high potential to occur within the Project Site. If these species are not found on the Project Site, then no further mitigation would be required. However, if these species are found, then consultation with the appropriate resource agencies shall be required and a mitigation plan shall be prepared. The mitigation plan should detail the various mitigation approaches to ensure "no-net-loss" of special-status plants. Examples of mitigation include avoidance of the plant species, acquisition of credits at an approved mitigation bank, or acquisition and preservation of property that supports these species.	GDPUD	GDPUD	Prior to Construction (within floristically appropriate season)	
BIO – 5: Prior to any tree impacts occurring from project-related construction/improvements, an arborist survey shall be performed by an International Society of Arboriculture Certified Arborist based on the preparation of final site grading plans. Per the General Plan, the amount of tree impacts, oak tree canopy and oak woodland occurring on the Project Site, if any, shall be determined during the arborist survey and results presented in the arborist report. Only tree species subject to protection under the *El Dorado County General Plan* would require inventory and possible mitigation required by the El Dorado County General Plan policies and Oak Woodland Ordinance. If indirect impacts to a tree's dripline or root protection zone may occur, measures to minimize impacts during construction shall be implemented. All impact avoidance measures identified in the El Dorado General Plan shall be implemented prior to, during, and following construction as appropriate.	GDPUD	GDPUD	Prior to Construction that would Involve any Tree Impacts	

EXHIBIT B

	Mitigation Measure (MM)	Implementing Responsibility	Monitoring Responsibility	Timing	Verification of Compliance (Initial/Date)
BIO – 6:	Project activities shall be conducted outside of the temporary setback distance of 100 feet from the reservoirs adjacent to the Project Site, where possible. If unavoidable project activities on the Project Site must occur within the 100-foot setback, uphill from the respective reservoir, then an entrenched silt-fence shall be installed adjacent to the downhill limit of work to fully encompass the lower side of the active area. Silt fences shall be installed per guidelines included in the California Department of Transportation, Construction Site Best Management Practices Manual, Silt Fences (California Department of Conservation 2003). Additionally, no work will occur within 10 feet of the edge of any wetland or riparian vegetation associated with either reservoir. Prior to the removal of any silt fences, or during the implementation of Best Management Practices (BMPs), a Certified Professional in Storm Water Quality or Certified Professional in Erosion and Sediment Control be consulted on best stabilization and sediment control options.	GDPUD	GDPUD	Prior to and During Construction	
Cultural Resources					
CR – 1:	Should archaeological deposits or artifacts such as structural features or unusual amounts of bone or shell, artifacts, human remains, architectural artifacts, historic archaeological artifacts be inadvertently exposed during the course of any construction activity, work shall immediately cease in the immediate area and the GDPUD project manager shall be contacted. GDPUD shall retain a qualified archaeologist to document the find, assess its significance, and recommend further treatment. The GDPUD shall implement any mitigation required for the recordation and/or protection of the cultural resources.	Contractor and GDPUD	GDPUD	During Construction	
CR – 2:	If evidence of a paleontological site is uncovered during grading or other construction activities, work shall be halted within 100 feet of the find and the GDPUD project manager shall be contacted for inadvertent discovery of resources associated with project construction. A qualified paleontologist shall be retained to conduct an on-site evaluation and provide recommendations for removal and/or preservation. Work on the Project Site shall not resume until the paleontologist has had a reasonable time to conduct an examination and implement mitigation measures deemed appropriate and necessary by the agency with local jurisdiction in consultation with the qualified paleontologist to reduce impacts to a less than significant level.	Contractor and GDPUD	GDPUD	During Construction	
CR – 3:	In the event that any human remains or any associated funerary objects are encountered during construction, all work will cease within the vicinity of the discovery and the GDPUD project manager shall be immediately contacted for inadvertent discovery of resources associated with park construction. In accordance with CEQA (Section 1064.5) and the California Health and Safety Code (Section 7050.5), the El Dorado County Coroner should be contacted immediately. If the human remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission, who will notify and appoint a Most Likely Descendent (MLD). The MLD will work with a qualified archaeologist to decide the proper treatment of the human remains and any associated funerary objects. Construction activities	Contractor and GDPUD	GDPUD	During Construction	

EXHIBIT B

Mitigation Measure (MM)	Implementing Responsibility	Monitoring Responsibility	Timing	Verification of Compliance (Initials/Date)
in the immediate vicinity will not resume until a notice-to-proceed is issued.				
Geology and Soils				
GEO – 1: To the extent possible, all clearing, grading, and excavation activities shall occur between April 15 and October 15. Grading and excavation activities conducted after October 15 shall only be permitted during dry-weather conditions.	Contractor and GDPUD	GDPUD	During Construction Activities Involving Ground Disturbance	
GEO – 2: Prior to commencement of ground-disturbing activities, GDPUD shall file an NOI to obtain coverage under the current NPDES Construction General Permit with the Central Valley Regional Water Quality Control Board. Pursuant to the terms of the General Permit, GDPUD shall prepare a Storm Water Pollution Prevention Plan (SWPPP) identifying site-specific BMPs to effectively control erosion and sediment loss. If required by the General Permit risk assessment, GDPUD shall also develop and implement a Rain Event Action Plan (REAP) designed to protect all exposed portions of the site within 48 hours prior to any likely precipitation event.	Contractor and GDPUD	GDPUD	Prior to Commencement of Ground Disturbing Activities	
GEO – 3: During construction, BMPs for erosion and sediment control identified by the project SWPPP shall be implemented by the project contractor. At a minimum, erosion control measures shall include placement of mulch, straw wattles, straw bales, geotextiles and mats, earthen berms, sediment barriers or traps, or the construction of silt fences to intercept and retain sediment transported by storm water runoff in all areas disturbed by construction activities. For all project areas subject to ground disturbance and any grading and excavation activities occurring between October 15 and April 15, the project contractor shall be responsible for ensuring that a qualified professional, contractor staff, or GDPUD staff trained in storm water erosion control techniques and practices monitor the effectiveness of BMPs on the project site daily Monday through Friday, on weekends if rain events occur, and recommend additional BMPs or corrective measures for any BMPs not meeting water quality objectives.	Contractor and GDPUD	GDPUD/RWQCB	During Construction	
GEO – 4: Erosion protection shall be provided for all disturbed areas and shall be monitored and maintained to effectively control areas of potential erosion and sediment loss.	Contractor and GDPUD	GDPUD/RWQCB	During Construction Activities Involving Ground-Disturbing Activities	
GEO – 5: Post-construction restoration of all disturbed areas shall include soil and bank stabilization through seeding and/or revegetation utilizing native plant species.	Contractor and GDPUD	GDPUD	During Construction Activities Involving Ground-Disturbing Activities	
GEO – 6: Soil stockpiles shall be protected from erosion by maintaining effective covering (e.g. plastic tarp) over any stockpiled materials, or through the implementation of other BMPs designed to effectively control erosion and sediment loss.	Contractor and GDPUD	GDPUD	During Construction Activities Involving Ground-Disturbing Activities	

EXHIBIT B

Mitigation Measure (MM)	Implementing Responsibility	Monitoring Responsibility	Timing	Verification of Compliance (Initial / Date)
Hazards and Hazardous Materials				
HAZ – 1: If dry vegetation or other fire fuels exist on or near staging areas, welding areas, or any other area on which equipment will be operated, contractors shall clear the immediate area of fire fuel prior to construction. To the extent feasible, areas subject to construction activities will be maintained free of fire fuel and debris during the course of construction.	Contractor and GDPUD	GDPUD	Prior to and During Construction	
HAZ – 2: Contractors shall ensure that vehicles and all equipment (heavy equipment and hand-held equipment) that typically include a spark arrester are equipped with a spark arrester in good working condition during the duration of construction.	Contractor	GDPUD	Prior to and During Construction	
Noise				
Noise – 1: The following measures shall be implemented to reduce construction related noise impacts: • The construction hours for the project shall be limited to the hours of 7:00 A.M. to 7:00 P.M. Monday through Friday, and from 8:00 A.M. to 5:00 P.M. on weekends and on federally recognized holidays. Construction outside of these hours shall normally be avoided. Exceptions are allowed if it can be shown that construction beyond these times is necessary to meet regulatory deadlines, to alleviate traffic congestion or to prevent safety hazards. • All construction equipment shall be outfitted with factory installed muffling devices and all construction equipment shall be maintained in good working order. All stationary construction equipment noise sources (e.g. generators, compressors) shall be located as far away from noise sensitive land uses as feasible.	GDPUD and Contractor	GDPUD	During Construction	

EXHIBIT C

CEQA FINDINGS OF FACT AND MITIGATION MONITORING AND REPORTING PROGRAM

I. INTRODUCTION TO CEQA FINDINGS

These findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code § 21000 et seq., "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, § 15000 et seq.) by the Board of Directors ("Board") of the Georgetown Divide Public Utility District ("District"), as the lead agency for the Auburn Lake Trails Water Treatment Plant Project (the "Project"). These findings ("Findings") are prepared in connection with the Initial Study/Mitigated Neative Declaration ("IS/MND") for the Project (SCH #2016022056).

A. PROJECT DESCRIPTION SUMMARY

The District proposes the construction of several new water treatment plant facilities, including a filter building, raw water pump station, and sludge drying beds. Additionally, the Backwash Water Recovery Basin would be retrofitted to ensure compliance with State regulations.

The Project site is located at 3650 Sweetwater Trail between State Route (SR) 193 and the Auburn Lake Trails residential community in the Town of Cool, El Dorado County, California, (Assessor's Parcel Number: 0734420410) within a portion of Section 21, Township 12 North, Range 9 East, Latitude 38° 54' 46.092'' North, Longitude 120° 55' 38.750'' West, NAD 83 State Plane CA Zone II, and can be located on the Greenwood USGS 7.5 Minute Topographic Quadrangle.

B. TYPE OF ENVIRONMENTAL DOCUMENT

The Project was evaluated using an Initial Study which supported a Mitigated Negative Declaration determination. This IS/MND evaluates the potential impacts resulting from implementation of the Project in accordance with CEQA, Public Resources Code Section 21000 *et. seq.*, and the State CEQA Guidelines, 14 California Code of Regulations (CCR) Section 15000 *et. seq.*

An Initial Study is prepared by a Lead Agency to determine if a project has the potential to result in significant impacts on the environment. (CEQA Guidelines § 15063). An EIR must be prepared if an IS indicates that the Project under review may result in significant impacts to the environment. A Negative Declaration may be prepared instead, if the Lead Agency prepares a written statement describing the reasons why a Project would not have a significant effect on the environment, and therefore does not require the preparation of an EIR. According to CEQA Guidelines section 15070, a Negative or Mitigated Negative Declaration shall be prepared when there is no substantial evidence, in light of the whole record before the agency, that the Project may result in any significant effect on the environment, or if any potentially significant effects can be reduced to less than significant

levels with identified mitigation measures.

C. INCORPORATION OF IS/MND BY REFERENCE

The IS/MND is hereby incorporated by reference into these Findings, and consists of: (1) the IS/MND; (2) technical appendices prepared with the IS/MND; (3) comments and recommendations received on the IS/MND; and (4) the Mitigation Monitoring and Reporting Program ("MMRP") which is listed as Appendix A of the IS/MND.

D. REQUIREMENTS FOR CEQA FINDINGS

Public Resources Code section 21083 and CEQA Guidelines section 15074, provide that the lead agency shall consider the proposed mitigated negative declaration together with any comments received. The lead agency shall only adopt the mitigated negative declaration if it finds on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment, and that the mitigated negative declaration reflects the lead agency's independent judgment and analysis.

The District has made these specific findings regarding each significant impact associated with the Project. Those findings and additional information related to each mitigated impact are presented below, along with a presentation of facts in support of the Findings.

The District Board certifies that these Findings are based on full appraisal and consideration of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental issues identified and discussed. These Findings are based on evidence contained in the totality of the administrative record before the Board, including but not limited to the documents and materials cited in Section II of these Findings, below. The Board further certifies that the IS/MND, MMRP, and these Findings reflect the Board's independent judgment and analysis.

II. LOCATION AND CUSTODIAN OF THE RECORD

The documents and other materials that constitute the record of proceedings on which the IS/MND, MMRP, and Findings are based are located at the District Office, 6425 Main Street, Georgetown, CA 95634. The custodian of these documents is Wendell Wall, the District General Manager. (Pub. Res. Code § 21081.6; CEQA Guidelines § 15074(c).)

III. FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGATED TO A LESS THAN SIGNIFICANT LEVEL (Class II)

The Board hereby finds that mitigation measures have been identified in the IS/MND that will avoid or substantially lessen all significant environmental impacts from the Project to a level that is less than significant. These Findings are based on the discussion of impacts in the detailed issue area analyses in Section 4.0 of the Draft IS/MND. The significant impacts

and the mitigation measures that will reduce them to a less than significant level are as follows. ***Class II impacts are those which are significant but can be mitigated to less than significant by implementation of mitigation measures.***

A. AESTHETICS

1. **Impact AES-4.1.3 (c).** *Does the Project substantially degrade the existing visual character or quality of the site and its surroundings?* At the ALT WTP site, construction activities would be visible from nearby residences and from vehicles on Sweetwater Trail. However, construction activities would be temporary and therefore, would have a less than significant impact to visual character and quality of the Project Site.

   After construction, the ALT WTP facility would include a new filter building approximately 36 feet by 64 feet. This structure would be located on the open field in the eastern half of the Project Site. This structure would be the most significant visual change to the WTP site due to its placement on the hillside between Sweetwater Trail and the lower sited WTP facilities, in an undeveloped portion of the ALT parcel. Although there are existing trees located on the District site on both sides of the WTP entrance driveway which would provide a degree of visual screening, the filter building would be visible from nearby residences and from the Sweetwater Trail roadway. Construction of the filter building could be considered a significant impact to the visual character of the site without mitigation.

   a. Mitigation –

   Mitigation Measure AES – 1: Exterior coatings for the filter building shall incorporate earth tone colors with neutral tones to reduce the contrast of the structure with the surrounding landscape as viewed from the Auburn Lake Trails community gate.

   Mitigation Measure AES – 2: Site design considerations for proposed improvements shall preserve natural landscape wherever feasible and shall incorporate natural features such as rock outcroppings, native tree stands, and existing topographic features. Development footprints shall be minimized to the maximum extent practicable.

   Mitigation Measure AES – 3: All excavations shall be graded and planted to produce a natural-looking appearance.

   Mitigation Measure AES – 4: The final plans for the construction of the WTP filter building shall include tree and/or vegetative plantings to the extent necessary to provide a level of visual screening at plant maturity that would introduce vegetative foreground

visual elements between the filter building and Sweetwater Trail adjacent to the WTP.

b. **Findings –** Implementation of Mitigation Measure AES – 1 through AES – 4 would reduce impacts to less than significant by requiring neutral painting and visual screening to be more consistent with the surroundings.

c. **Supportive Evidence –** Please refer to pages 4-3 through 4-4 of the IS/MND.

2. **Impact AES-4.1.3 (d).** *Does the Project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?* Construction activities would temporarily introduce equipment and vehicles to the Project Site. To the extent that construction activities would occur in the evening hours (up to 7:00 P.M.) after sunset, impacts from construction lighting may occur. However, construction related impacts would be temporary and short-term in nature. The expected construction start for the Projectis June 2016 with expected completion in October 2017. The project does not propose any new operational lighting. However, additional lighting at the ALT WTP may be placed on structures for early evening hours of operations and for the safety of personnel. Additional sources of lighting may affect day or nighttime views.

a. **Mitigation –**

Mitigation Measure AES – 5: All exterior lighting shall be hooded, shielded or opaque. No unobstructed beam of light shall be directed beyond any exterior lot line.

b. **Findings –** Impacts are considered less than significant with Mitigation Measure AES – 5 implemented to ensure that any proposed additional exterior lighting would be contained within the facility site, and not affect surrounding views.

c. **Supportive Evidence –** Please refer to pages 4-3 through 4-4 of the IS/MND.

B. AIR QUALITY

1. **Impact AQ-4.3.3 (b).** *Does the Project violate any air quality standard or contribute substantially to an existing or projected air quality violation?* Construction exhaust emissions would be generated from construction equipment, earth moving activities, construction worker commutes, and construction material hauling during the construction work window. The aforementioned activities would involve the use of diesel-powered equipment that would generate emissions criterial pollutants, such as NOX. Project construction activities also represent sources of fugitive dust which includes PM10 and PM2.5 emissions. Construction-related activities remain of potential concern due to the fact that El Dorado County is currently designated as "non-attainment" for ozone and PM standards.

The estimated diesel exhaust particulate matter from construction of the Projectis estimated to result in the use of 5,052 gallons of diesel fuel. This is above the 3,700 gallons of diesel fuel significance threshold for non T-BACT engines. Therefore, based on the Diesel Exhaust Particulate Matter significance threshold presented in the El Dorado County Air Quality Management District Guide to Air Quality Assessment is considered a potentially significant impact.

a. **Mitigation –**

Mitigation Measure AQ – 1: During project construction all measures presented in Section C.6 in Appendix C of the EDCAQMD Guide to Air Quality Assessment – Determining Significance of Air Quality Impacts Under the California Environmental Quality Act shall be implemented to reduce the impacts from fugitive dust PM10 and PM2.5 emissions.

Mitigation Measure AQ – 2: During project construction a minimum of 4.06 percent of diesel fuel used by construction equipment shall be consumed by 1996 or later model year engines (T-BACT engines).

b. **Findings** – Implementation of Mitigation Measure AQ – 1 would allow dust control measures described in Appendix C-1 of the EDCAQMD Guide to Air Quality Assessment and would reduce fugitive dust particulate matter impacts from the Project to less than significant levels. Implementation of Mitigation Measure AQ – 2 would require that at a minimum 4.06 percent of diesel fuel used by construction equipment be consumed by 1996 or later model year engines. Therefore, impacts related to air quality standards are considered less than significant with mitigation incorporated.

c. **Supportive Evidence** – Please refer to pages 4-14 through 4-18 of the IS/MND.

2. **Impact AQ-4.3.3 (d).** *Does the Project expose sensitive receptors to substantial pollutant concentrations?* Project development would not introduce sensitive receptors to the area, and thus, would not expose new sources of sensitive receptors to any existing sources of substantially pollutant concentrations. However, the California Air Resources Board promulgated the Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying and Surface Mining Operation (17 CCR 93105). This ATCM is a statewide regulation triggered prior to the ground-disturbing activities in certain areas of California, and applies to any size construction project, although there are more stringent mitigation requirements for projects that exceed one acre.

The El Dorado County Naturally Occurring Asbestos Review Area Map identifies areas with potential to contain naturally occurring asbestos (NOA) in El Dorado County. As identified by the map the Project Site is located in a "Quarter Mile Buffer for More Likely

to Contain Asbestos or a Fault Line," which indicates an elevated risk of the presence of NOA. Soil-disturbing construction activities in the Project Site would result in an elevated risk of entraining NOA. Therefore, impacts related to exposing sensitive receptors to substantial pollutant concentrations are considered a less than significant impact with mitigation incorporated.

a. Mitigation –

Mitigation Measure AQ – 3: Project construction shall comply with CARB Airborne Toxic Control Measure 93105, Asbestos for Construction, Grading, Quarrying, and Surface Mining Operations.

Mitigation Measure AQ – 4: Project construction shall comply with CARB Airborne Toxic Control Measure 93106, Asbestos for Surfacing Applications.

Mitigation Measure AQ – 5: Project construction shall comply with EDCAQMD Rule 223-1, preparing a Fugitive Dust Control Plan. The project shall comply with the additional dust control measures required in Rule 223-1, including the preparation of a Fugitive Dust Control Plan for approval by the EDCAQMD and compliance with the approved plan during construction.

Mitigation Measure AQ – 6: Project construction at the ALT WTP site shall comply with EDCAQMD Rule 223-2, Fugitive Dust, Asbestos Hazard Mitigation. The project shall comply with the additional dust control measures required in Rule 223-2, including the preparation of an Asbestos Dust Mitigation Plan and compliance with the approved plan during construction.

b. Findings – Compliance with Mitigation Measure AQ – 3 through Mitigation Measure AQ – 6 would require that the District comply with several CARB Airborne Toxic Control Measures and develop Fugitive Dust Control and Asbestos Dust Control Mitigation Plans for project construction. These implementation measures would reduce potential impacts from NOA to less than significant levels.

c. Supportive Evidence – Please refer to pages 4-16 through 4-18 of the IS/MND.

C. BIOLOGICAL RESOURCES

1. **Impact BIO-4.4.4 (a).** *Does the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?* The Project would involve construction of several new facilities and the renovation of existing facilities to bring

the Auburn Lake Trails WTP into compliance with State and federal standards. A Biological Letter Report was prepared for the two-acre site to document potential for sensitive species and biological communities to occur within the Project Site (Foothill Associates 2014). The criteria enumerated within the methodology subsection under "Environmental Setting" were utilized to determine each species potential for occurrence within the Project Site. Several special-status species have been identified and/or have the potential to occur within the Project Site and would be impacted by the Project.

a. Mitigation –

Mitigation Measure BIO – 1: Pre-construction survey(s) for California red-legged frog (CRLF) species shall be performed. At least 15 calendar days prior to beginning the pre-construction surveys, the applicant shall submit the name(s) and credentials of biologist(s) who could conduct the surveys to the USFWS. The survey(s) only needs to be conducted within 100 feet of the frog's associated aquatic and bank habitats, as well as the water settling ponds on the WTP site. Survey(s) shall be conducted by a qualified biologist, in accordance with USFWS Guidelines, and during the appropriate time of year for optimal detection of this species, from February through May when this species is most active. If there is a rain event between when the protocol surveys were performed and when construction begins, the USFWS approved biologist shall survey the area to be affected within 24 hours of the onset of construction.

Prior to construction a USFWS approved biologist shall train all construction personnel regarding habitat sensitivity and identification of special-status species, including the CRLF. This training shall include the legal status of the CRLF and penalties for "take" of the species, and the proper action to take if the species is encountered. If new construction personnel are added to the project, the contractor will ensure that the personnel receive the mandatory training before starting work. A fact sheet that contains this information will be prepared and distributed to all construction personnel. Upon completion of training, construction personnel will sign a form stating that they attended the training and understand all the conservation and protection measures. Additionally, all erosion control measures shall be free of plastic monofilament or netting, preventing the entanglement of amphibians and reptiles in these materials.

If the CRLF is found during focused surveys, then a detailed mitigation plan shall be prepared upon consultation with CDFW and/or USFWS which may include measures to minimize adverse effects of construction on California red-legged frog and its associated habitat. The mitigation plan would include a monitoring plan for this species during the period of construction. If a CRLF is found during construction all work in the immediate area shall stop and the USFWS will be contacted. The CRLF will not be handled or harassed, and work shall not continue until the USFWS has provided guidance.

Mitigation Measure BIO – 2: A pre-construction raptor survey within suitable nest trees shall be conducted if construction activities are scheduled to begin during the raptor nesting season (January 1 – September 31). A qualified biologist shall conduct the survey no more than 30 days prior to the onset of construction activities. If active nests are found on or within 500 feet of the site, CDFW shall be consulted and most likely CDFW will require that an appropriate buffer be established around the nest until the young have fledged or until the biologist has determined that the nest is no longer active. If the construction activities are scheduled to begin during the non-breeding season (October 1- December 31), a survey is not required, and no further mitigation measures are expected to be necessary. If tree removal is determined necessary, timing tree removal to occur during this time frame would also reduce the potential for raptors to nest within the construction limits of the site during the nesting season.

Mitigation Measure BIO – 3: A pre-construction survey for northwestern pond turtle shall be performed. The survey(s) shall be conducted in the turtle's associated aquatic and upland habitats (portions of the sites within 200 feet of the reservoirs and water settling ponds). Surveys shall be conducted by a qualified biologist, in accordance with CDFW guidelines, and during the appropriate time of year, from February through late October, when this species is most active. If this species is not found on the Project Site during the focused pre-construction survey, no further mitigation would be required. However, if this species is found during focused surveys, then a detailed mitigation plan shall be prepared upon consultation with CDFW and shall include measures to minimize adverse effects of construction on northwestern pond turtle and its associated habitat, including a

monitoring plan for this species during the period of construction.

Mitigation Measure BIO – 4: A pre-construction survey for special-status plant species with potential to occur within the Project Site shall be performed to determine their presence or absence within the Project Site prior to the installation of WTP improvements. Special-status plant species that shall be surveyed include: Brandegee's Clarkia (Clarikia biloba ssp. brandegeeae), Butte County Fritillary (Fritillaria eastwoodiae), and Oval-Leaved Viburnum (Viburnum ellipticum). The focused botanical survey(s) shall be performed within the optimum identification period, to the extent possible, of each species identified in Appendix C with a high potential to occur within the Project Site.

If these species are found, then consultation with the appropriate resource agencies shall be required and a mitigation plan shall be prepared. The mitigation plan should detail the various mitigation approaches to ensure "no-net-loss" of special-status plants. Examples of mitigation include avoidance of the plant species, acquisition of credits at an approved mitigation bank, or acquisition and preservation of property that supports these species.

b. **Findings –** Implementation of Mitigation Measure BIO – 1 through Mitigation Measure BIO – 4 would require pre-construction surveys prior to implementation of construction activities ensuring no adverse effects to special-status species. These measures would reduce potential impacts to special-status species to a less than significant level. Therefore, impacts to special-status species are considered to be less than significant with mitigation incorporated.

c. **Supportive Evidence –** Please refer to pages 4-29 through 4-43 of the IS/MND.

2. **Impact BIO-4.4.4 (b).** *Does the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?* Sensitive habitats include those that are of special concern to resources agencies or those that are protected under CEQA, Section 1600 of the California Fish and Game Code, or Section 404 of the Clean Water Act (see above detail on Regulatory Setting). The Project Site includes the following biological communities: ruderal/developed, disturbed non-native grassland, coniferous forest, wetland, and settling pond. Project development would involve the construction of new facilities as well as upgrades to existing facilities, potentially impacting sensitive habitats.

a. **Mitigation** –

Mitigation Measure BIO – 5: Prior to any tree impacts occurring from project-related construction/improvements, an arborist survey shall be performed by an International Society of Arboriculture Certified Arborist based on the preparation of final site grading plans. Per the General Plan, the amount of tree impacts, oak tree canopy and oak woodland occurring on the Project Site, if any, shall be determined during the arborist survey and results presented in the arborist report. Only tree species subject to protection under the El Dorado County General Plan would require inventory and possible mitigation required by the El Dorado County General Plan policies and Oak Woodland Ordinance. If indirect impacts to a tree's dripline or root protection zone may occur, measures to minimize impacts during construction shall be implemented. All impact avoidance measures in the El Dorado General Plan shall be implemented as appropriate.

b. **Findings** – Implementation of Mitigation Measure BIO – 5 would require an arborist survey prior to removal of any oak trees and a buffer around tree driplines for root protection. Impacts to wetlands and ponds are regulated by the County of El Dorado under General Plan Policy 7.3.3.4, which calls for a minimum setback of 100 feet from perennial streams, rivers, and lakes, and 50 feet from intermitted streams and wetlands. Implementation of Mitigation Measure BIO – 6 would reduce impacts to sensitive habitats to less than significant by establishing a 100-foot setback from the reservoir and requiring the implementation of best management practices. Impacts are therefore considered less than significant with mitigation incorporated.

c. **Supportive Evidence** – Please refer to pages 4-33 through 4-43 of the IS/MND.

3. **Impact BIO-4.4.4 (d).** *Does the Project 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?* The Project would result in construction activities within portions of El Dorado County designated as an "Important Biological Corridor". As stated in the General Plan, the "Important Biological Corridor overlay shall apply to lands identified as having high wildlife habitat values because of extent, habitat function, connectivity, and other factors" (El Dorado County 2004). Migratory and other birds of prey live within the trees and shrubs on the Project Site that may be affected by construction.

a. **Mitigation** –

Mitigation Measure BIO – 2: *See above.*

b. **Findings –** Mitigation Measure BIO – 2 would reduce impacts to any nesting raptors or bird species protected by the MBTA to below the level of significance. The majority of the Project Site is developed or mowed; therefore, proposed improvements are not expected to substantially interfere with any other native resident or migratory fish or wildlife species, established native or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Therefore, impacts to wildlife corridors are considered less than significant with mitigation incorporated.

c. **Supportive Evidence –** Please refer to pages 4-31 through 4-35 of the IS/MND.

4. **Impact BIO-4.4.4 (e).** *Does the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?* Pursuant to the El Dorado General Plan, potential impacts to plant or wildlife species that are State and federally recognized are expected to be avoided or minimized with mitigation measures. A smaller number of planted trees occur on the WTP site. Trees, together and individually, compose the character of each site and serve as habitat for several species of wildlife. The Project Site contains several oak trees along Sweetwater Trail.

a. **Mitigation –**

Mitigation Measure BIO – 1 through 6: *See above.*

b. **Findings –** Pursuant to the El Dorado General Plan, potential impacts to plant or wildlife species that are State and federally recognized are expected to be avoided or minimized with Mitigation Measure BIO – 1 through Mitigation Measure BIO – 4. If any oak trees must be removed as a result of the Proposed Project, Mitigation Measure BIO – 5 shall be implemented. This mitigation measure would reduce any impacts to trees regulated by the County's tree ordinance to a less than significant level. Mitigation Measure BIO – 6 would reduce potential impacts to the nearby reservoirs to below the level of significance. Therefore, impacts are considered less than significant with mitigation incorporated.

c. **Supportive Evidence –** Please refer to pages 4-38 through 4-43 of the IS/MND.

D. CULTURAL RESOURCES

1. **Impact CR-4.5.3 (b).** *Does the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?* Neither the pedestrian survey, existing records at CSU-Sacramento, consultation with tribal representatives, nor consultation with the Native American Heritage Commission yielded any information concerning prehistoric sites or features, traditional use areas or Sacred Land listings within or adjacent to the project vicinity. However, although unlikely, archaeological resources could be discovered during ground-disturbing construction activities. If

such resources were to be discovered, the impact to archaeological resources could be significant without mitigation.

a. **Mitigation –**

Mitigation Measure CR – 1: Should archaeological deposits or artifacts such as structural features or unusual amounts of bone or shell, artifacts, human remains, architectural artifacts, historic archaeological artifacts be inadvertently exposed during the course of any construction activity, work shall immediately cease in the immediate area and the District Project manager shall be contacted. District shall retain a qualified archaeologist to document the find, assess its significance, and recommend further treatment. The District shall implement any mitigation required for the recordation and/or protection of the cultural resources.

b. **Findings –** Implementation of Mitigation Measure CR – 1 would reduce impacts to a less than significant level and impacts are considered less than significant with mitigation incorporated.

c. **Supportive Evidence –** Please refer to pages 4-53 through 4-55 of the IS/MND.

2. **Impact CR-4.5.3 (c).** *Does the Project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?* Project development would involve construction activities including excavation, trenching, grading, and other ground-disturbing activities which would have the potential to result in adverse changes to paleontological resources.

a. **Mitigation –**

Mitigation Measure CR – 2: If evidence of a paleontological site is uncovered during grading or other construction activities, work shall be halted within 100 feet of the find and the District Project manager shall be contacted for inadvertent discovery of resources associated with project construction. A qualified paleontologist shall be retained to conduct an on-site evaluation and provide recommendations for removal and/or preservation. Work on the Project Site shall not resume until the paleontologist has had a reasonable time to conduct an examination and implement mitigation measures deemed appropriate and necessary by the agency with local jurisdiction in consultation with the qualified paleontologist to reduce impacts to a less than significant level.

b. **Findings –** Compliance with Mitigation Measure CR – 2 would require construction activities to cease in the event of inadvertent discovery of paleontological resources and would require that the District Project manager be contacted for inadvertent discovery of resources associated with project construction. In the event of inadvertent discovery of paleontological resources, Mitigation Measure CR – 2 would require coordination with local agency planning resources and the project archaeologist to assist with the proper treatment of discovered resources. Therefore, impacts related to paleontological resources are considered less than significant with mitigation incorporated.

c. **Supportive Evidence –** Please refer to pages 4-54 through 4-55 of the IS/MND.

3. **Impact CR-4.5.3 (d).** *Does the Project disturb any human remains, including those interred outside of formal cemeteries?* There are no known formal cemeteries or known interments outside of formal cemeteries within the Project Site. However, grading and excavation activities associated with project construction would have the potential to unearth or otherwise expose previously unidentified human remains or burial grounds.

a. **Mitigation –**

Mitigation Measure CR – 3: In the event that any human remains or any associated funerary objects are encountered during construction, all work will cease within the vicinity of the discovery and the District Project manager shall be immediately contacted for inadvertent discovery of resources associated with park construction. In accordance with CEQA (Section 1064.5) and the California Health and Safety Code (Section 7050.5), the El Dorado County Coroner should be contacted immediately. If the human remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission, who will notify and appoint a Most Likely Descendent (MLD). The MLD will work with a qualified archaeologist to decide the proper treatment of the human remains and any associated funerary objects. Construction activities in the immediate vicinity will not resume until a notice-to-proceed is issued.

b. **Findings –** Compliance with Mitigation Measure CR – 3 would require coordination with the El Dorado County Coroner in compliance with CEQA (Section 1064.5) and the California Health and Safety Code (Section 7050.5), as well as Native American Heritage Commission who will notify and appoint a MLD, thereby reducing potential impacts to less than significant levels. Therefore, impacts are considered less than significant with mitigation incorporated.

c. **Supportive Evidence** – Please refer to pages 4-54 through 4-55 of the IS/MND.

E. GEOLOGY AND SOILS

1. **Impact GEO-4.6.3 (b).** *Does the Project result in substantial soil erosion or the loss of topsoil?* Site disturbance related to clearing, grading, and excavation activities associated with implementation of the Projectwould have the potential to result in increased erosion and sediment loss within the Project Site.

   a. **Mitigation** –

   Mitigation Measure GEO – 1: To the extent possible, all clearing, grading, and excavation activities shall occur between April 15 and October 15. Grading and excavation activities conducted after October 15 shall only be permitted during dry-weather conditions.

   Mitigation Measure GEO – 2: Prior to commencement of ground-disturbing activities, the District shall file an Notice of Intent (NOI) to obtain coverage under the current NPDES Construction General Permit with the Central Valley Regional Water Quality Control Board. Pursuant to the terms of the General Permit, the District shall prepare a Storm Water Pollution Prevention Plan (SWPPP) identifying site-specific Best Management Practices to effectively control erosion and sediment loss. If required by the General Permit risk assessment, the District shall also develop and implement a Rain Event Action Plan designed to protect all exposed portions of the site within 48 hours prior to any likely precipitation event.

   Mitigation Measure GEO – 3: During construction, BMPs for erosion and sediment control identified by the project SWPPP shall be implemented by the project contractor. At a minimum, erosion control measures shall include placement of mulch, straw wattles, straw bales, geotextiles and mats, earthen berms, sediment barriers or traps, or the construction of silt fences to intercept and retain sediment transported by storm water runoff in all areas disturbed by construction activities. For all project areas subject to ground disturbance and any grading and excavation activities occurring between October 15 and April 15, the project contractor shall be responsible for ensuring that a qualified professional, contractor staff, or the District staff trained in storm water erosion control techniques and practices monitor the effectiveness of BMPs on the project site daily Monday through Friday, on weekends if rain events occur, and

recommend additional BMPs or corrective measures for any BMPs not meeting water quality objectives.

Mitigation Measure GEO – 4: Erosion protection shall be provided for all disturbed areas and shall be monitored and maintained to effectively control areas of potential erosion and sediment loss.

Mitigation Measure GEO – 5: Post-construction restoration of all disturbed areas shall include soil and bank stabilization through seeding and/or revegetation utilizing native plant species.

Mitigation Measure GEO – 6: Soil stockpiles shall be protected from erosion by maintaining effective covering (e.g. plastic tarp) over any stockpiled materials, or through the implementation of other BMPs designed to effectively control erosion and sediment loss.

b. **Findings** – Compliance with Mitigation Measures GEO – 1 through GEO – 6 would require the District to file an NOI with the Central Valley Regional Water Quality Control Board and prepare a site-specific SWPPP and identify post-construction BMPs defining timing and methods for BMP implementation, monitoring and maintenance in sufficient detail to ensure that federal, State and locally adopted standards for erosion an sediment control, and water quality are met throughout project construction, as well as following completion of construction activities and throughout implementation of the proposed improvements, reducing potential impacts to less than significant levels. Therefore, impacts to soil erosion and loss of topsoil are considered less than significant with mitigation incorporated.

c. **Supportive Evidence** – Please refer to pages 4-61 through 4-64 of the IS/MND.

F. HAZARDS AND HAZARDOUS MATERIALS

1. **Impact HAZ-4.8.3 (h).** *Does the Project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?* Construction of the filter building on the Project Site would occur on a relatively undisturbed grassy area. Construction activities have the potential to cause wildfires which would be a potentially significant impact.

   a. **Mitigation** –

   Mitigation Measure HAZ – 1: If dry vegetation or other fire fuels exist on or near staging areas, welding areas, or any other area on which equipment will be operated, contractors shall clear the immediate area of fire fuel prior to construction. Areas subject

to construction activities will be maintained free of fire fuel and debris during the course of construction.

Mitigation Measure HAZ – 2: Contractors shall ensure that vehicles and all equipment (heavy equipment and hand-held equipment) that typically include a spark arrester are equipped with a spark arrester in good working condition during the duration of construction.

b. **Findings –** Mitigation Measures HAZ – 1 through Mitigation Measure HAZ – 2 for construction activities associated would reduce the potential impact to a less than significant level with mitigation incorporated by requiring clearing of dry vegetation and spark arresters on construction equipment.

c. **Supportive Evidence –** Please refer to pages 4-75 through 4-76 of the IS/MND.

G. HYDROLOGY AND WATER QUALITY

1. **Impact HWQ-4.9.3 (a).** *Does the Project violate any water quality standards or waste discharge requirements?* Implementation of the proposed storm drains would result in diverting surface water drainage around the existing and proposed facilities to the southwest corner of the Project Site, into an existing swale. This drainage system would ensure that storm water is properly conveyed within the Project Site. Water quality, however, may be impacted during construction activities due to surface runoff from disturbed surfaces into drainages at the Project Site.

   a. **Mitigation –**

   Mitigation Measure: *See* GEO – 2 through GEO – 6, and Mitigation Measure BIO – 6 above.

   b. **Findings –** Implementation of a SWPPP and related erosion control BMPs are required under Mitigation Measures GEO – 2 through GEO – 6 and Mitigation Measure BIO – 6. Implementation of these measures would reduce construction related impacts to water quality to a less than significant level.

   c. **Supportive Evidence –** Please refer to pages 4-80 through 4-84 of the IS/MND.

2. **Impact HWQ-4.9.3 (c).** *Does the Project 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 which would result in substantial erosion or siltation on- or off-site?* During construction, excavation, and fill, the potential for erosion exists both on- and off-site, primarily impacting drainages near the roadway and residences.

   a. **Mitigation –**

Mitigation Measure: *See* GEO – 2 through GEO – 6, and BIO – 6 above.

b. **Findings –** Implementation of a SWPPP and related erosion control BMPs are required under Mitigation Measures BIO – 6 and GEO – 2 through GEO – 6. Implementation of these mitigation measures would reduce impacts related to drainage pattern erosion to a less than significant level. Therefore, impacts are considered less than significant with mitigation incorporated.

c. **Supportive Evidence –** Please refer to pages 4-81 through 4-84 of the IS/MND.

3. **Impact HWQ-4.9.3 (f).** *Does the Project otherwise substantially degrade water quality?* Implementation of the proposed storm drains would result in diverting surface water drainage around the existing and proposed facilities to the southwest corner of the Project Site, into an existing swale. Water quality may be impacted during construction activities due to surface runoff into drainages at the Project Site.

a. **Mitigation –**

Mitigation Measure: *See* GEO – 2 through GEO – 6, and BIO – 6 above.

b. **Findings –** The SWPPP and related erosion control BMPs are required under Mitigation Measures GEO – 2 through GEO – 6 and Mitigation Measure BIO – 6. Implementation of these measures would reduce construction related impacts to water quality to a less than significant level.

c. **Supportive Evidence –** Please refer to pages 4-82 through 4-84 of the IS/MND.

H. NOISE

1. **Impact NOISE-4.12.3 (a).** *Does the Project allow exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?* The construction of the Project, although a temporary noise source, would be a potentially significant impact as noise levels could exceed the noise thresholds identified in the General Plan.

a. **Mitigation –**

Mitigation Measure NOISE - 1: The following measures shall be implemented to reduce construction related noise impacts:

- The construction hours for the Project shall be limited to the hours of 7:00 A.M. to 7:00 P.M. Monday through Friday, and from 8:00 A.M. to 5:00 P.M. on weekends and on federally recognized holidays. Construction outside of these hours shall normally be avoided. Exceptions are allowed if it can be shown

that construction beyond these times is necessary to meet regulatory deadlines, to alleviate traffic congestion or to prevent safety hazards.

• All construction equipment shall be outfitted with factory installed muffling devices and all construction equipment shall be maintained in good working order. All stationary construction equipment noise sources (e.g. generators, compressors) shall be located as far away from noise sensitive land uses as feasible.

b. **Findings –** With the incorporation of Mitigation Measure NOISE – 1, noise impacts would be reduced to less than significant levels. Therefore, Project impacts related to noise exposure are considered less than significant with mitigation incorporated.

c. **Supportive Evidence –** Please refer to pages 4-94 through 4-95 of the IS/MND.

2. **Impact NOISE-4.12.3 (d).** *Does the Project allow substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?* The construction of the project, although a temporary noise source, would be a potentially significant impact as noise levels could exceed the noise thresholds identified in the General Plan.

a. **Mitigation –**

Mitigation Measure NOISE - 1: *See above.*

b. **Findings –** With the incorporation of Mitigation Measure NOISE – 1, noise impacts would be reduced to less than significant levels. Therefore, Project impacts related to noise exposure are considered less than significant with mitigation incorporated.

c. **Supportive Evidence –** Please refer to pages 4-93 through 4-95 of the IS/MND.

I. UTILITIES AND SERVICE SYSTEMS

1. **Impact USS-4.17.3 (b).** *Does the Project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* The District is improving the current ALT WTP to comply with State and federal regulations. Improvements to the WTP would include construction of a filter building, removing the finish water clearwell, retrofitting the backwash water recovery basin, construction of a new raw water pump station, and construction of four sludge drying beds. All improvements would occur

within existing developed areas onsite, with the exception of the proposed new filter building. The filter building would be located in an open field.

a. **Mitigation –**

Mitigation Measure: Compliance with mitigation measures identified throughout all resource issues areas discussed within this document would ensure that potential environmental effects resulting from development of the Project would be reduced to less than significant.

b. **Findings –** Impacts related to the construction of new, or the expansion of existing water supply facilities resulting from development of the Project are considered less than significant with mitigation incorporated.

c. **Supportive Evidence –** Please refer to pages 4-115 through 4-117 of the IS/MND.

2. **Impact USS-4.17.3 (c).** *Does the Project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* Project development would consist of modifications to an existing 3.0 Million Gallons per Day surface water treatment facility, as required to comply with CDPH requirements to meet the Federal Safe Drinking Water Act.

Project development would also involve construction of a filter building, removing the finish water clearwell, retrofitting the backwash water recovery basin, construction of a new raw water pump station, and construction of four sludge drying beds. Several storm water drains are proposed to direct storm water around the Project Site. Storm water would be directed by the drains to the southwest portion of the Project Site into an existing swale. Construction and operation of the stormwater drains would be in compliance with County Ordinance 4992, Chapter 8.79 for stormwater quality and would therefore not cause significant environmental effects.

a. **Mitigation –**

Mitigation Measure: Compliance with Mitigation Measures GEO – 2 through GEO – 6 would reduce potential impacts identified by sub-section c to less than significant levels, by ensuring water quality objectives related to stormwater drainage are maintained.

b. **Findings –** Mitigation measures for Section 4.6, Geology and Soils, would require the preparation of a SWPPP, identifying construction and post-construction BMPs for the control of erosion and sediment loss within all disturbed areas, reducing potential impacts. Therefore, impacts are considered less than significant with mitigation incorporated.

c. **Supportive Evidence –** Please refer to pages 4-115 through 4-117 of the IS/MND.

J. MANDATORY FINDINGS OF SIGNIFICANCE

1. **Impact MFS-4.18.1 (a).** *Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?* Implementation of the Project would have the potential to degrade the quality of the existing environment related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, and Utilities and Service Systems.

   a. **Mitigation** –

      Mitigation Measure: *See* specific mitigation proposed for each impact above.

   b. **Findings –** Mitigation measures have been identified related to individual potential resource-specific impacts. Proposed mitigation measures would reduce the level of all project-related impacts to less than significant levels. Therefore, impacts would be considered less than significant with mitigation incorporated.

   c. **Supportive Evidence –** Please refer to pages 4-119 through 4-120 of the IS/MND.

2. **Impact MFS-4.18.1 (b).** *Does the Project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.* The Project would have the potential to result in impacts to the environment primarily related to construction and would therefore be short-term, and temporary. Long-term operational impacts from the project are minimal and existing laws, ordinances and regulations exist to ensure that compliance with statutory and regulatory standards. These impacts are therefore not cumulatively considerable when viewed in connection with the effects of past, current, or probable future projects.

   a. **Mitigation** –

      Mitigation Measure: *See* specific mitigation proposed for each impact above.

   b. **Findings –** Where applicable, this Initial Study/Mitigated Negative Declaration identifies Mitigation Measures by individual resource area as relevant to potential environmental impacts resulting from implementation of the Project. Impacts

resulting from Project-related improvements are therefore considered less than significant with mitigation measures incorporated.

c. **Supportive Evidence** – Please refer to page 4-120 of the IS/MND.

3. **Impact MFS-4.18.1 (c).** *Does the Project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?* The Project development would have the potential to significantly impact the environment through adverse effects on human beings.

a. **Mitigation** –

Mitigation Measure: *See* specific mitigation proposed for each impact above.

b. **Findings** – Compliance with Mitigation Measures: AES – 1 through AES – 5 would reduce potential impacts related to Aesthetics to less than significant levels. Compliance with AQ – 1 through AQ – 6 would reduce potential impacts related to Air Quality to less than significant levels. Compliance with BIO – 1 through BIO – 6 would reduce impacts related to Biological Resources to less than significant levels. Compliance with CR – 1 and CR – 3 would reduce potential impacts related to Cultural Resources to less than significant levels. Compliance with GEO – 1 through GEO – 6 would reduce potential impacts related to Geology and Soils to less than significant levels. Compliance with HAZ – 1 and HAZ – 2 would reduce potential impacts related to Hazards and Hazardous Materials to less than significant levels. Compliance with BIO – 6 and GEO – 2 through GEO – 6 would reduce potential impacts related to Hydrology and Water Quality to less than significant levels. Compliance with Noise – 1 would reduce potential impacts related to Noise to less than significant levels. Compliance with GEO – 2 through GEO – 6 would reduce potential impacts related to Utilities and Service Systems to less than significant levels. Therefore, impacts resulting from implementation of the Project are considered less than significant with mitigation.

c. **Supportive Evidence** – Please refer to page 4-120 of the IS/MND.

IV. MITIGATION MONITORING AND REPORTING PROGRAM

The Board finds that a MMRP for the Project has been adopted concurrently with these Findings. (Pub. Res. Code, § 21081.6.) The MMRP is described in the following sections.

A. PURPOSE AND INTENDED USE OF THE MMRP

The California Environmental Quality Act requires that an agency adopt a Mitigation Monitoring or Reporting Program prior to approving a project with mitigation measures.

This MMRP has been prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Sections 15074(d) of the CEQA Guidelines.

The MMRP is meant to ensure the mitigation measures for the Project are implemented, in accordance with CEQA requirements. The findings adopt feasible mitigation measures to reduce the significant environmental impacts of the Project. This MMRP clarifies the process for the District to ensure these mitigation measures are implemented, and designates responsibility for implementing, monitoring, and reporting mitigation.

B. MITIGATION MEASURES ADOPTED WITH THE IS/MND

The mitigation measures adopted in the IS/MND findings are listed in Section III of these Findings and in the MMRP identified as Appendix A of the IS/MND. The MMRP identifies each mitigation measure and the parties responsible for implementation.

C. ENFORCEMENT

CEQA requires mitigation measures to be "fully enforceable" through the use of permit conditions, agreements, or other measures within each Lead Agency's authority (Public Resources Code 21081.6(b)). The District is responsible for assuring the mitigation measures it adopts are enforceable.

D. IMPLEMENTATION AND REPORTING

The District shall designate a staff person to serve as Coordinator for overall implementation and administration of the MMRP and its application to Project implementation.

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of **Resolution 2016-09** duly and regularly adopted by the Board of Directors of THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT, County of El Dorado, State of California, on the 12th day of April 2016.

Wendell B. Wall, Clerk and ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT