



# FINAL ENVIRONMENTAL IMPACT REPORT

(SCH # 2020019055)

FOR THE

## EL DORADO COUNTY 2020-2040 REGIONAL TRANSPORTATION PLAN

OCTOBER 2020

*Prepared for:*

El Dorado County Transportation Commission  
2828 Easy Street, Suite 1  
Placerville, CA 95667  
(530) 642-5260

*Prepared by:*

De Novo Planning Group  
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D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm





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The El Dorado County Transportation Commission (EDCTC) is the Regional Transportation Planning Agency (RTPA) for the west slope of El Dorado County excluding the portion of the County located within the Tahoe Basin, which is under the jurisdiction of the Tahoe Metropolitan Planning Organization. The EDCTC is the agency responsible for coordinating the regional transportation efforts on the western slope of El Dorado County and the City of Placerville. The EDCTC is comprised of nine members: seven are elected officials representing local jurisdictions. Of the seven elected, voting officials, three are City of Placerville Council members and four are El Dorado County Supervisors. The two non-voting ex-officio members represent the California Department of Transportation (Caltrans, District 3) and the City of South Lake Tahoe.

Both, federal and state laws require each MPO and RTPA to prepare a Regional Transportation Plan (RTP) in urban areas every four years. The RTP is a long-range, 20-year minimum, comprehensive transportation plan for all modes including: highways, local streets and roads, transit, bicycle, aviation, rail and goods movement. The purpose of the RTP is to serve as a foundation for the development of the shorter "action" plans called the Regional Transportation Improvement Program (RTIP), which satisfies California transportation planning requirements, and the federal counterpart referred to as the Federal Transportation Improvement Program (FTIP) for all transportation projects that require federal approval. The 2020-2040 RTP Program EIR covers the EDCTC's "Planned" list of projects (Planned projects are projects that are currently planned for future development). The list of Planned projects identifies the 20-year list of financially constrained transportation investments in the region.

The 2020-2040 RTP fulfills the federal and state requirements using the specific guidance from the CTC RTP Guidelines, as recently amended. The most recent CTC RTP Guidelines were adopted in 2017. EDCTC is the lead agency for the environmental review of the proposed project evaluated herein and has the principal responsibility for approving the project.

## 1.1 PURPOSE AND INTENDED USES OF THE EIR CEQA REQUIREMENTS FOR A FINAL EIR

This Final Environmental Impact Report (FEIR) for the 2020-2040 RTP has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that an FEIR consist of the following:

- the Draft Environmental Impact Report (Draft EIR) or a revision of the draft;
- comments and recommendations received on the Draft EIR, either verbatim or in summary;
- a list of persons, organizations, and public agencies commenting on the Draft EIR;
- the responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft EIR is incorporated by reference into this Final EIR.

## 1.0 INTRODUCTION

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An EIR must disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed development, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

### PURPOSE AND USE

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The EDCTC, as the lead agency, has prepared the Draft EIR and this Final EIR to disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed projects, and confers an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

This document and the Draft EIR, as amended herein, constitute the Final EIR, which will be used as programmatic-level environmental document to evaluate subsequent planning and permitting actions associated with the 2020-2040 RTP. Many subsequent actions will require subsequent and/or supplement analysis as the details of the action become clear from the development of detailed project planning, design, and engineering. Subsequent actions that may be associated with the 2020-2040 RTP are identified in Chapter 2.0 of the Draft EIR.

## 1.2 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

### NOTICE OF PREPARATION AND INITIAL STUDY

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The EDCTC circulated a Notice of Preparation (NOP) of an EIR for the proposed project and an Initial Study on January 22, 2020 to trustee and responsible agencies, the State Clearinghouse (SCH# 2020019055), and the public. A scoping meeting was held on February 5, 2020 at 4:00-6:00 PM at the EDCTC Office in Placerville. The NOP and Initial Study are presented in Appendix A of the Draft EIR.

### NOTICE OF AVAILABILITY AND DRAFT EIR

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The EDCTC published a public Notice of Availability (NOA) for the Draft EIR on September 4, 2020, inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2020019055) and the County Clerk, and was published in the adjudicated newspaper pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review from September 4, 2020 through October 19, 2020. The Draft EIR contains a description of the 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, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. This Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant and unavoidable impacts.

## RESPONSE TO COMMENTS/FINAL EIR

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The EDCTC received two comment letters regarding the Draft EIR. No additional oral or written comments were received. In accordance with CEQA Guidelines Section 15088, this Final EIR responds to the written comments received. There were no edits made to the Draft EIR based on the comments received. This document and the Draft EIR constitute the Final EIR.

## CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

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The EDCTC will independently review and consider the Final EIR. If the EDCTC finds that the Final EIR is "adequate and complete", the EDCTC Board may certify the Final EIR in accordance with CEQA. The rule of adequacy generally holds that an EIR can be certified if:

- 1) The EIR shows a good faith effort at full disclosure of environmental information; and
- 2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

Upon certification of the Final EIR, the EDCTC Board may take action to approve, revise, or reject the project. A decision to approve the 2020-2040 RTP, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring and Reporting Program, as described below, would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. This Mitigation Monitoring and Reporting Program has been designed to ensure that these measures are carried out during project implementation, in a manner that is consistent with the EIR.

## 1.3 ORGANIZATION OF THE FINAL EIR

This Final EIR has been prepared consistent with Section 15132 of the State CEQA Guidelines, which identifies the content requirements for Final EIRs. This Final EIR is organized in the following manner:

### CHAPTER 1.0 – INTRODUCTION

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Chapter 1.0 briefly describes the purpose of the environmental evaluation, identifies the lead agency, summarizes the process associated with preparation and certification of an EIR, and identifies the content requirements and organization of the Final EIR.

## CHAPTER 2.0 – COMMENTS ON THE DRAFT EIR AND RESPONSES

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Chapter 2.0 provides a list of commentors, copies of written comments made on the Draft EIR (coded for reference), and responses to those written comments.

## CHAPTER 3.0 – FINAL MMRP

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Chapter 3.0 consists of a Mitigation Monitoring and Reporting Program (MMRP). The MMRP is presented in a tabular format that presents the impacts, mitigation measure, and responsibility, timing, and verification of monitoring.

## CHAPTER 4.0 – REPORT PREPARERS

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Chapter 4.0 lists all authors and agencies that assisted in the preparation of the EIR, by name, title, and company or agency affiliation.

## 2.1 INTRODUCTION

The EDCTC received two (2) comment letters during the Draft EIR 45-day public review period. Acting as the lead agency, the EDCTC has prepared a response to the Draft EIR comments. Responses to comments received during the comment period do not involve any new significant impacts or “significant new information” that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. There were no text changes made to the Draft EIR.

## 2.2 LIST OF COMMENTERS

Table 2-1 lists the comments on the Draft EIR that were submitted to the EDCTC. The assigned comment letter number, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed.

**TABLE 2-1 LIST OF COMMENTERS**

RESPONSE LETTER/ NUMBER	INDIVIDUAL OR SIGNATORY	AFFILIATION	DATE
A	Louie Lawrence Smith, III	Wopumnes Tribe	10-19-2020
B	Jennifer Chapman	Friends of Clay Street & Friends of Historic Hangtown	10-19-2020

## 2.3 COMMENTS AND RESPONSES

### REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15088 requires that lead agencies evaluate and respond to all comments on the Draft EIR that pertain to an environmental issue. The written response must address the significant environmental issue raised and provide a detailed response, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response must be a good faith and reasoned analysis. However, lead agencies need to only respond to significant environmental issues associated with the project and do not need to provide all the information requested by the commenter, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204).

CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible environmental impacts of the project and ways to avoid or mitigate the significant effects of the project, and that commenters provide evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

CEQA Guidelines Section 15088 also recommends that revisions to the Draft EIR be noted as a revision in the Draft EIR or as a separate section of the Final EIR.

## RESPONSES TO COMMENT LETTERS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Those comments received from government agencies are represented by a lettered response while comments received by individual or private firms or individuals are represented by a numbered response.
- Each letter is lettered (i.e., Letter A) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

10/20/2020

De Novo Planning Group Mail - FW: Comments:: NOP – 2020-2040 El Dorado County Regional Transportation Plan



Josh Smith <jsmith@denovoplanning.com>

**FW: Comments:: NOP – 2020-2040 El Dorado County Regional Transportation Plan**

1 message

**Jerry Barton** <jbarton@edctc.org> Tue, Oct 20, 2020 at 8:21 AM  
 To: "smcmurtry@denovoplanning.com" <smcmurtry@denovoplanning.com>, Ben Ritchie <britchie@denovoplanning.com>, Josh Smith <jsmith@denovoplanning.com>

Two of four e-mails commenting on the EDCTC DEIR.

**From:** Wopumnes Tribe <tribalcouncil@eldoradonisenanmewuk.com>  
**Sent:** Monday, October 19, 2020 10:23 PM  
**To:** Jerry Barton <jbarton@edctc.org>  
**Cc:** NAHC@NAHC <nahc@nahc.ca.gov>; Kara Taylor <ktaylor@cityofplacerville.org>  
**Subject:** Comments: NOP – 2020-2040 El Dorado County Regional Transportation Plan

Dear Jerry Barton,

This issue has been brought to the Wopumnes Tribal Council's attention. This letter is being sent to your attention as a Notice that any EIR approved, without the Wopumnes Tribe's comments, study, monitoring and participation in the capacity as the local aboriginal Tribe tied to the history and sacred sites of El Dorado County, can be considered VOID by a Citizen's Attorney General CEQA challenge.

The Federal Records of the Sacramento-Verona Band of Homeless Indians (calling themselves Shingle Springs Miwoks) show they have no aboriginal history in El Dorado County prior to 1980. They have NO Federal Census records in El Dorado County prior to 1980 and are not tied to the Wopumnes and sacred sites of El Dorado County. The Sacramento-Verona Band was placed in their position at the behest the El Dorado County Board of Supervisors of 2004 for the purpose of running the casino. The 2003 El Dorado County Board of Supervisors challenged the validity of the Sacramento-Verona Band in their April 29, 2003 position statement regarding the casino (see attached PDF). The Sacramento-Verona Band is a "transplant" displaced group and according to Federal Doctrine of "aboriginal title" only have jurisdiction on their Rancheria Trust Property, not anywhere outside that. Any Most Likely Descendant designation given to them by the NAHC is not traceable rendering it invalid. All CEQA Projects signed-off on by the group identified by Federal Records in 1916 as the Sacramento-Verona Band, irregardless of their DBA today, are invalid and can be subject to a citizen attorney general's lawsuit.

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There is an extensive amount of evidence showing the Native American Heritage Commission is derelict in its duties as a California regulatory agency and in the future can become subject to a lawsuit for damages to the Wopumnes Tribe for ill-advising the El Dorado County Board of Supervisors and the City of Placerville as to the status of the Wopumnes Tribe (aka the Shingle Springs Digger Indians) in relationship to AB52/SB17 and the NAHC's inept failure to provide protections of Wopumnes' sacred sites as requested. See the attached letter below.

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The Wopumnes Tribe are running two Voter Initiatives in the City of Placerville to have the voters direct the City Council to include the Tribe as per AB52/SB17.

The Wopumnes have the right to be Tribal Consultation/Monitor on any project engaged in their aboriginal territory of El Dorado County. Please consider this and include us in your discussions.

**Further we support the itemized commentary that Jennifer Chapman has submitted on October 19, 2020 at 9:19pm which includes an extension of time of another 30 days for public comment.**

A-3

Thank you for including our comments in your project.

Louie Lawrence Smith, III  
 Cultural Resources Officer of the Wopumnes Tribe

<https://mail.google.com/mail/u/2?ik=2dcb595ab6&view=pt&search=all&permthid=thread-f%3A1681084676323033550&siml=msg-f%3A16810846763...> 1/3

**POSITION STATEMENT  
SHINGLE SPRINGS CASINO**

The Board of Supervisors has taken a consistently strong position against the construction and operation of a gambling casino on the Shingle Springs Rancheria. Many County residents have expressed to us the reasons why they feel that this huge proposed casino in Shingle Springs would be a disaster for the County. Some are against gambling altogether, some fear the inevitable increase in crime, some oppose placing a commercial development of this magnitude in the midst of a rural residential area, many businesses feel it unfair to have to compete with a tribe which pays no income or real property taxes, some are concerned about the additional drain on already depleted public resources, some lament the eyesore that casino-style architecture will create in the pastoral oak woodland of the central County, and many are concerned about the numerous negative environmental impacts the casino will cause. The Board has heard and understands these concerns, and is adamantly opposed to the building of a casino that will degrade the quality of life in El Dorado County in so many ways.

Many people do not understand the enormity of what is proposed. Existing gaming compacts with the State allow up to 2,000 slot machines per facility. This means a casino 25% larger than the largest currently at Lake Tahoe. Gaming tribes (including the Shingle Springs band) have recently written the Governor asking that compacts be renegotiated to allow even more slots. Incidentally, the existing compacts allow each tribe to have two casinos.

The casino Environmental Assessment (EA) states that the “hotel and casino complex” will occupy 381,250 square feet. That’s about seven times the size of the average full size supermarket, about four times the size of the Home Depot planned for Placerville Drive and about three times the size of the Wal-Mart that just opened on Missouri Flat Road. This size estimate includes a 250 room five story hotel, but does not include the “five level parking structure” for 3,000 cars. The casino complex would be the second largest building ever in El Dorado County (the largest is the Cable Data building in the El Dorado Hills business park). The EA states that the casino structure itself will be 115 feet tall, making it the tallest building in the County. The project will cover 29 acres of land with impervious surfaces.

The Rancheria does not have sufficient water supply to serve a casino, so the casino operators plan to either haul in 25 truck loads a day of water, a practice deemed unacceptable by the State Department of Health Services except for emergencies, or to use potable water from the El Dorado Irrigation District (EID) which would be illegal because the terms of the Rancheria’s annexation into the EID service area stipulates that EID water deliveries can only be used for residential purposes.

This part of the County is notorious for not “perking” and thus is generally unable to have septic systems. The casino plans to use a high tech waste water treatment system,

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recycle as much of the treated effluent as it can and hope that it can get rid of the rest. They apparently intend to put a 1.8 million gallon recycled water storage reservoir “built into the top of the hill,” and also to store ten years worth of “biosolids” on site. Their plan says that they will dispose of the 76,000 gallons per day of treated effluent they cannot recycle by spreading it on 6 to 7 acres of leach field. This works out to about ½ inch per day of effluent over the 6-7 acres, which is about 6 times more than the amount that the Environmental Management Department believes is possible for the soil to absorb. The tribe has not identified a contingency plan in the event that its risky experiment with sewage disposal fails.

This is a planning nightmare— no rational planner and no sensible public official would ever approve a commercial project of this magnitude in an area zoned for rural residences. Yet this band and its gambling financiers claim to have the right to build such a monstrosity because of a distortion of history. When this parcel of land was purchased by the federal government in 1920 for two unrelated groups of 34 individuals living in Sutter and Sacramento Counties, who had no historic relationship to El Dorado County and no tribal relationship to one another, no one contemplated that 83 years later the consequences would be to allow anything like this.

The casino expects to receive 3.7 million visitors in the first year of operation. From the day it opens the casino will attract almost 10,000 car trips on Highway 50 every weekday, and almost 15,000 car trips per day on Saturdays. That’s what the casino backers admit; we believe they have underestimated the actual traffic to minimize the negative environmental impacts, and we believe that the true traffic problem will be much worse. The Board of Supervisors has struggled for years to insure that the car carrying capacity of Highway 50, which the taxpayers of the State and County paid to build over the years, is not degraded by new development unless that new development pays the cost of replacing the capacity it uses up. The voters of the County agreed with this principle by adopting Measure Y (the “Control Traffic Congestion Initiative”) in 1998. The County therefore makes all new development pay for the road capacity it consumes by imposing road impact fees on new residential and commercial development. County road fees cover the impacts to the roads in the immediate area of the development and to the major connector roads in the County. In addition El Dorado County is (we believe) the only local jurisdiction in the state to impose a comprehensive state road fee program. County staff has estimated that a similarly sized commercial project would pay to the County a total road impact fee of \$3.1 million, which includes the state highway fee. This casino will pay the County nothing. Once it is opened, the casino will bring the traffic on Highway 50 in the west end of the County to near gridlock levels, and the traffic will gradually get even worse over time. The Board was particularly dismayed to find that Caltrans approved the planned new interchange serving the casino but failed to impose any defined or enforceable mitigation measures that would help alleviate the traffic problems. The casino’s financial analysis, as we understand it, says that it is expected to gross \$194 million per year, and after the cost of running the operation, it will

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(continued)

net \$83.4 million. Thirty percent of that, or \$25 million per year, will go to the casino's backers, a gambling company from Minnesota named Lakes Entertainment and its partner, Kean- Argovitz Resorts. This enormous annual profit for the casino backers will be at the expense of the El Dorado County environment.

This many new auto trips will necessarily increase air pollution in the County, yet the environmental document prepared by the casino backers claims that there will be no significant adverse air quality impact. The casino EA reached this conclusion using a methodology which ignored the Sacramento Area Council of Governments and the regional Metropolitan Transportation Plan thresholds. Our experts, and common sense, tell us that air quality will be drastically impacted by the huge increase in traffic. El Dorado County is already ranked 18<sup>th</sup> out of the 25 most ozone polluted counties in the U.S. by the American Lung Association, and the casino will inevitably make the problem worse.

The casino EA makes many statements that make it sound like many of the obvious negative environmental impacts caused by the casino will be avoided by following county ordinances. For example, it concludes that the casino will not create light pollution because it will follow the County's light ordinance, and that when they move 227,000 cubic yards of dirt during construction they will minimize dust and erosion impacts by following El Dorado County's grading ordinance, and what they admit is a potentially significant health problem with asbestos will be mitigated because they will comply with the County Naturally Occurring Asbestos ordinance. However, the County does not have the ability to enforce its regulatory laws on the Rancheria, and the tribe has not offered to waive sovereign immunity so that these ordinances can be enforced by either the County or by the people who may be potentially harmed if they are not followed. CalTrans has not indicated any method by which it would be able to enforce the mitigation measures it recognizes are needed. We believe that the promises made in the EA to follow county or state environmental ordinances are illusory. This is a continuing difficulty when dealing with the tribe— it's difficult to take seriously any statements or promises that cannot be legally enforced.

Indian tribes pay no local property taxes. If this was a private development, the Assessor has tentatively estimated that it would pay \$2.68 million per year in real property taxes. This would put about \$536,000 per year in the County general fund to help pay for the variety of services that the County provides, such as law enforcement, social services, libraries, parks, etc. The balance of about \$2.14 million per year in property taxes would fund other local governmental programs and services such as fire, ambulance, schools, etc. Since Indian tribes pay no local taxes, the additional hardship the casino will place on local governmental services and the local schools will have to be borne by the taxpayers of the County. Indian tribes pay no income taxes at either the state or federal level. This tax inequality is not only unfair to the taxpayers who have to pay more or receive less to make up for the extra burden imposed by the casino, but it is

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(continued)

also unfair to local taxpaying businesses who will be handicapped in competing against the various non-taxpaying casino businesses (43,300 square feet of “food and beverage” sales, plus 4,000 square feet of retail space, plus 142,750 square feet of lodging).

We have heard many horror stories from locations around the state that have already experienced what casinos bring. A San Diego newspaper reports that one Indian casino sucks up so much water from its wells that the neighbors’ wells have gone dry, and the value of their houses has plummeted as a result. The tribe cannot be held responsible for the damages it causes because of the shield of sovereign immunity. One supervisor from a county with gambling told us of a local road that used to have one fatal accident every 7 years, but after a casino was built nearby now has 7 fatalities every year. Once again, the tribe does not consider this to be its problem. Patrons will drink at the Shingle Springs Casino, but then drive on our roads, putting all of us and our children at risk. It is reported that a tribe in Southern California provides health insurance to its employees who are tribal members, but not to the other mostly minority and minimum wage casino employees, who cannot afford health insurance and who therefore have to use MediCare, which we all subsidize, for health services. A commonly reported problem is the fact that non-tribal businesses in California must pay for workers compensation insurance so that workers injured on the job have their medical bills paid, and receive some compensation to live on while recuperating. Tribal casinos, on the other hand, are exempt. If casino or hotel workers at an Indian casino are injured on the job, they will have no benefits provided by their employer because the law does not require the Band to maintain workers compensation insurance. Welfare is the only likely recourse, which the County’s taxpayers will have to pay for. We have heard an appalling series of similar stories about the many types of problems that casinos cause, which the tribes operating them fail to alleviate. Time Magazine recently ran a series of major articles (one a cover story) which described how Indian casinos generally enrich their already wealthy financiers rather than improve the lot of the Indians, and how they destroy the rural communities in which they are built. (“Wheel of Misfortune,” December 16, 2002; “Who Gets the Money?,” December 16, 2002; and “Playing the Political Slots,” December 23, 2002.) If you haven’t read these horrifying stories, please request a copy from the Board of Supervisors Office or get them from Time’s web site ([www.Time.com](http://www.Time.com)). Anyone who believes that casinos make good neighbors is sadly misinformed.

Several counties and local jurisdictions in California have entered into “fair share” agreements with Indian tribes who already have or wish to open or expand casinos, with the purpose of reimbursing the local jurisdiction for the actual burden the casino will place on public services. These agreements typically involve an initial payment calculated to approximate what an equivalent business would pay in one-time impact fees, plus an annual payment calculated to reimburse for the costs of ongoing services such as law enforcement, ambulance, social services, etc. The two most recent County-Tribal agreements were entered into in Yolo and Yuba Counties. Using the figures from

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those agreements, our calculations show that if the Shingle Springs Band were to pay at the same rate per square foot as the Rumsey Band agreed to pay Yolo County, then they would pay El Dorado County an initial payment of \$7 million plus \$7.2 million annually. If the Shingle Springs Band were to pay at the same rate per square foot as the Enterprise Rancheria agreed to pay Yuba County, then they would pay El Dorado County an initial payment of \$1.75 million plus \$12.5 million annually. The situations in Yolo, Yuba and El Dorado Counties are obviously not all identical. However, the Yolo and Yuba County examples are graphic evidence of the magnitude of the true costs imposed on a community by a casino.

It is clear to us that our constituents are correct: the proposed casino will significantly degrade the quality of life for every resident of El Dorado County. The Board is committed to preventing this loss. This will be an expensive and difficult fight, but once a casino of this magnitude goes in, the battle is lost and County residents will suffer the unfortunate consequences forever. We have challenged the federal government's approval of the tribe's casino Development and Management Agreement with Lakes Entertainment and its partner in federal court on a number of grounds. We feel that the federal government gave the County short shrift by minimizing or ignoring the serious environmental impacts of the casino, and by not imposing any substantial mitigation measures to alleviate those impacts. Under federal law, gaming is only permitted by a federally recognized "Indian tribe" and only on "Indian lands," that is, land held in trust for an Indian tribe. Records from the Bureau of Indian Affairs disclose that the two unrelated groups of Indians from Sutter and Sacramento Counties, jointly referred to at that time as the "Sacramento-Verona Band of Homeless Indians" for administrative convenience, never functioned historically as a tribe, never had any historic relationship with El Dorado County, and were never formally or properly "recognized" by the federal government as an "Indian tribe." The land purchased for them in 1920, which was never the homeland of any Indians and which was never even occupied by the descendants of the Sacramento-Verona group until 1980, was not taken into trust and therefore does not qualify as "Indian lands." The County has also sued Caltrans for failing to follow CEQA in approving the interchange that will destroy the remaining capacity of Highway 50. This litigation is the only way available to us to stop the casino and halt this assault on the El Dorado County way of life. The fight will be expensive, and it is always difficult to predict the outcome of lawsuits, but we believe that our position in the litigation is fully supported by the facts and the law. It would be tragic to do nothing, and afterwards look back and realize the extent of the disaster that had hit the County.

The Governor has stated that he would like to re-negotiate the compact between the 61 gambling tribes and the State, to allow even more slot machines than before, and to require the tribes to mitigate the negative effects of their casinos on the local jurisdictions where they are located. The Governor appears motivated to increase the number of slot machines in return for payments from the tribes to the State to solve the

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State budget crisis, and we are concerned that the Governor may not fight with the same vigor to assist the local cities and counties which actually experience the bulk of the damage from casinos. We urge all citizens of El Dorado County to call and write the Governor asking him to help us out. In the meantime, the Board of Supervisors will remain committed to doing everything it can to stop or mitigate the casino which a majority of our residents fear will substantially degrade our County.

A-4  
(continued)

**Response to Letter A: Louie Lawrence Smith, III, Wopumnes Tribe**

**Response A-1:** The commenter states that the Wopumnes Tribe is the local aboriginal Tribe tied to the history of El Dorado County. The commenter further asserts that the Shingle Springs Miwoks should not be identified by the Native American Heritage Commission (NAHC) as Most Likely Descendants in the area.

The commenter has not specifically addressed the adequacy of the Draft EIR or the analysis, conclusions and mitigation measures contained therein. The commenter has not indicated that there are any specific known cultural or Tribal resources that may be impacted by the proposed project. The EDCTC has complied with the requirements of CEQA regarding Tribal notification and consultation requirements. Any disputes that the commenter may have regarding Tribal status and designations applied by the NAHC are beyond the scope of the El Dorado County RTP EIR, and are not the responsibility or area of expertise of the EDCTC, which is the CEQA lead agency for the RTP. This comment has been noted. No changes to the Draft EIR analysis are warranted.

**Response A-2:** The commenter asserts that the NAHC is derelict in its duties as a California regulatory agency. The comment has not addressed the adequacy of the Draft EIR. The commenter is referred to Response A-1. No further response is required.

**Response A-3:** The commenter notes two voter initiatives in the City of Placerville to include the Tribe on the AB52 consultation list. The commenter also asserts that they have the right to be a Tribal Consultation/Monitor on any project within their aboriginal territory of El Dorado County. For this matter, the commenter is referred to Response A-1. The EDCTC has properly deferred to the NAHC and 2017 RTP Guidelines in determining appropriate Tribal consultation requirements within the project area. Any disagreements that the commenter may have with past decisions made by the NAHC are beyond the scope of this EIR and are not within the authority of the EDCTC to address or rectify. The commenter has not provided any information that would assist the EDCTC in determining whether or not the DEIR analysis of Tribal and cultural resources is flawed or inadequate in any way. The commenter has not addressed the adequacy of the Draft EIR. As such, no changes are warranted.

**Response A-4:** The commenter has included an attachment to the commenter letter that is purportedly from a 2003 El Dorado County Board of Supervisors hearing. The attachment has no direct bearing or relevance on the proposed project. No further response is required.

**From:** Jennifer Chapman <[jenchapman415@gmail.com](mailto:jenchapman415@gmail.com)>  
**Sent:** Monday, October 19, 2020 9:19 PM  
**To:** Jerry Barton <[jbarton@edctc.org](mailto:jbarton@edctc.org)>  
**Cc:** Woody Deloria <[wdeloria@edctc.org](mailto:wdeloria@edctc.org)>; Kara Taylor <[ktaylor@cityofplacerville.org](mailto:ktaylor@cityofplacerville.org)>  
**Subject:** comments on Draft EIR for Regional Transportation Plan 2020-2040

October 19, 2020

TO: Jerry Barton, EDCTC  
 FR: Jennifer Chapman, Friends of Clay Street & Friends of Historic Hangtown  
 RE: Comments on Draft EIR for El Dorado County RTP 2020-2040

**First, I hereby incorporate by reference all comments made by Friends of Clay Street and Friends of Historic Hangtown on the Draft EIR for the Clay Street Bridge Replacement & Realignment Project as well as my comments on the Mount Aukum Bridge project submitted to the State Historic Resources Commission.** There are a vast number of historic resources on the western slope of El Dorado County. Many of the issues in those projects relate to other projects. Placerville has multiple interrelated historic districts, historic streetscapes, cultural landscapes and historic landscapes to the point that the basis for a national historical park exists and should be considered. As part of this plan, funding should be committed to do a Special Resource Study to determine whether a national historical park is suitable and feasible. This park would protect and interpret resources associated with the gold mining period from 1848 to 1942 – the discovery of gold to the end of non-essential gold mining – which was a period of rapid social and environmental change.

B-1

I am also requesting to have consulting party status for the NEPA Section 106 process for the RTP and all the projects included therein

A basic assumption seems to be that El Dorado County will grow 18% in the next 20 years. Population growth is not legally required. Economic growth can happen without this amount of growth in residential population. The analysis also needs to consider growth of transportation system users separate from residents.

Additional comments are as follows:

**#1) I would like to request and urge that you extend this comment period for another 30 days.** It is extremely disingenuous to the public process to have this comment period overlapping with 1) the Highway 50 Survey; and 2) the Campaign / Voting season. This is too much for the public to engage in all at once. I sincerely hope this is not intentional. Please extend this comment period and additional 30 to allow meaningful public engagement in a timeframe that extends beyond the Election Campaign / Voting season.

B-2

**#2) El Dorado County / EDCTC should consult with the local Wopumnes Tribe on this plan. The Native American Heritage Commission (NAHC) has systematically denied the local Wopumnes Tribe the ability to have a voice equal to other Native American groups**

B-3

**associated with El Dorado County.** NAHC acknowledges some individuals and groups which are not federally recognized but not the Wopumnes, yet the Wopumnes Tribe was issued BIA cards and its members were recognized with documentation on early census'. El Dorado County must correct this injustice to which it has been a party. The comment from NAHC does not resolve this matter in any way. The County, EDCTC, and all agencies involved in this RTP 2020-2040 process must review the historical facts provided by the Wopumnes Tribe on many occasions which will also be submitted separately as comments. The El Dorado County Board of Supervisors has discretion and jurisdiction over whether or not to treat the Wopumnes with equal tribal consultation status in this planning process. I urge that you do so in good conscience.

B-3  
(continued)

**#3) The alternatives presented do not represent a full range of alternatives. The Transit Alternative needs to include the use of railroad and/or commuter train systems and identify projects, both the heritage train from Folsom to Placerville and a major train / subway system from Sacramento to Apple Hill.** All transit seems focused on buses only. What about a modern state of the art rapid transit subway – better yet if it was a quiet hybrid type system. This would only make a few stops between Sacramento Apple Hill. It would serve both commuter and tourism purposes. It would avoid the delays associated with Highway 50 for both commuter and recreation traffic. This would be the preferred Alternative for Cultural / Historic / Tribal Resources; Aesthetics; and Agricultural & Forest Resources. This train / subway system would be designed to carry bicycles and would complement the bike trail system.

B-4

**#4) There are significant impacts that have not been identified that cannot be mitigated because they result in irreversible losses. These losses are significant and AVOIDABLE.** These impacts are in the following categories:

Impact 3.1-1: Substantial adverse effects on scenic vistas, or substantial degradation of visual character of public views of the site and surrounding area

Impact 3.2-1: Conversion of farmlands, including prime farmland, unique farmland, and farmland of statewide importance, to non-agricultural uses, or conflict with existing zoning for agricultural use or a Williamson Act contract

Impact 3.4-1: Potential to cause a substantial adverse change to a significant historical resource, as defined in CEQA Guidelines §15064.5

Impact 3.4-2: Potential to cause a substantial adverse change to a significant archaeological resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074

B-5

Documentation prior to demolition is not acceptable as mitigation because the firsthand experience of the resource in situ is lost forever.

No substantive cumulative effects analysis has been presented. The analysis needs to provide and consider list of all the resources that have been demolished in the project area.

**Evaluation one resource at a time with recording on forms is not sufficient evaluation for a historic resource of the magnitude present in El Dorado County. Impacts cannot meaningfully be assessed this way. A comprehensive inventory and evaluation of historic resources is needed before impacts can be determined.**

Likewise, there has been no thorough evaluation of the historic resources in the City of Placerville alone despite numerous projects. The 4 residential historic districts and the downtown historic district are interrelated and may be best described as a single district; related features include Union Cemetery and Hattie / Priest Mine (Gold Bug Park). Gold Bug Park itself is a district on the National Register of Historic Places. The demolition called for in the Clay Street Bridge Project to this historic district(s) is SIGNIFICANT and AVOIDABLE. The same is true for the destruction of archaeological resources in the Newtown Bridge project.

B-5  
(continued)

**#5) Projects** – These are examples of projects which will eliminate the current traffic calming effect of narrower bridges, destroy historic resources and impact neighborhoods, aesthetics & scenery;

**Placerville Dr Bridge Widening Hangtown Creek Bridge at Placerville Drive**, 0.3 mi west of Cold Springs Rd: Replace existing functionally obsolete 2-lane bridge with a new 4-lane bridge

**Clay St. / Hangtown Creek Bridge Clay St. over Hangtown Creek**, 150' north of Main St.: Replace 1 lane bridge with 2 lane bridge. (Toll Credits for ROW & CON). Toll Credits for ROW, CON

B-6

**Bucks Bar Rd/North Fork Cosumnes River Bridge Replacement Bucks Bar Rd** over north fork of Cosumnes River, 1.2 miles north of Mount Aukum Rd: Replace existing 1 lane bridge with new 2 lane bridge, including approaches. (CIP77116/36105003)

Another example of significant and avoidable impacts is the Newtown Bridge project. Like the Upper Broadway Bike Lanes project which has damaged archaeological resources, the approach in these projects is ignoring the wishes of the local tribe who claims the site as their heritage.

**#6) Mitigations** – **The biggest mitigation possible would be to protect the historic district(s) such as the district(s) in Placerville.** This includes not relocating the Druid Monument, not destroying the Clay Street Bridge created by CH Wildman / AS Lyon, county surveyor and Lake Tahoe Wagon Road superintendent. It also includes excavation and cultural resource management for the Upper Broadway Bike Lanes archaeological site by UC Davis in partnership with the Wopumnes Tribe.

B-7

**Neighborhoods also need to be protected and need extensive mitigations** to address the increased traffic speed and volume made up of people who do not live her. Mitigations include speed humps, speed detection, stop signs, reduced speed limit and other forms of traffic management, especially in neighborhoods that fall within the Highway 50 corridor.

B-8

Other mitigations that could be included in this plan:

- \*\* Give the local Wopumnes Tribe an equal voice in tribal consultation.
- \*\* Establish a historical advisory committee / commission for the county with appropriate professional expertise in consultation with the National Trust for Historic Preservation and the California Preservation Foundation

In summary, please do the following:

B-9

- 1 – Extend the comment period on this Draft EIR by 30 days to allow for meaningful public engagement.

2 – Develop a more complete range of alternatives that includes rail/subway transit systems.

3 – Do a comprehensive inventory of historic resources and historic district(s), followed by a comprehensive evaluation of these resources and districts.

4- Reconsider mitigations based on the significant resource(s) and district(s) and mitigation through AVOIDANCE OF DEMOLITION / ALTERATION including but not limited to Druid Monument historic context; Ivy House Archaeology Site; Clay Street Bridge; all publicly owned buildings such as Courthouse, Old City Hall, Post Office & Annex, etc.

Thank you for your consideration.

Sincerely,

*Jennifer Chapman /s/*

Jennifer Chapman  
2701 Clay Street  
Placerville CA 95667

B-9  
(continued)

**From:** Jennifer Chapman <jenchapman415@gmail.com>  
**Sent:** Tuesday, October 20, 2020 6:17 AM  
**To:** Jerry Barton <jbarton@edctc.org>  
**Cc:** Woody Deloria <wdeloria@edctc.org>; Kara Taylor <ktaylor@cityofplacerville.org>

**Subject:** Re: comments on Draft EIR for Regional Transportation Plan 2020-2040  
 Dear Mr. Barton,

I am supplementing my comment letter of last night with these 4 points:

1) In general, with these transportation projects in El Dorado County, the approach of EDCTC and its many cooperators has been to evaluate the significance of single resources rather than historic districts, and cultural / historic landscapes of which many are present and nationally significant in El Dorado County. There are still many resources intact; individual integrity is not as important as the presence and potential for restoration of these remaining resources which together are extremely significant at all levels --ie. there is local, state and national significance to these resources associated with the gold mining period of 1848-1942. The RTP analysis needs to fully evaluate these historic districts, and cultural / historic landscapes before the impacts of this plan can be determined.

B-10

2) In the planning process for the projects in the current RTP and others already completed, many resources have been determined to be no longer significant on the basis of lost integrity without considering the historic district(s) and historic/cultural landscape(s) that they are contributors to. Therefore, this current analysis needs to revisit past projects, and RE-EVALUATE any historic resource that was recorded and/or demolished for consideration of the cumulative impacts and significance of the remaining resources affected by the current plan and its associated projects.

B-11

3) The implied covenant of quiet enjoyment in many neighborhoods is violated by this plan by creating growth inducing conditions without managing traffic on Highway 50, and without having traffic calming, traffic speed and traffic volume controls and mitigations in residential areas within the Highway 50 corridor. The spillover traffic from the projects in the RTP has massive impacts on residential neighborhoods, some of which are also within historic district(s).

B-12

4) Given the federal funding that the RTP relies on, an EIS under NEPA must also be undertaken and/or this should be a joint EIR/EIS that complies with both CEQA and NEPA. Currently this plan does not comply with NEPA for many reasons, including the fact that there is not a full range of alternatives being analyzed. An EIS must be initiated with a notice of intent (NOI) published in the federal register.

B-13

**Finally, again, for meaningful public engagement, the comment period for the RTP needs to be extended for another 30 days.**

Sincerely,  
 Jennifer Chapman  
 Friends of Clay Street & Friends of Historic Hangtown  
 2701 Clay St.  
 Placerville CA 95667

B-14

**Response to Letter B: Jennifer Chapman, Friends of Clay Street & Friends of Historic Hangtown**

**Response B-1:** The commenter states that they incorporate by reference all comments made by Friends of Clay Street and Friends of Historic Hangtown on the DEIR for the Clay Street Bridge Replacement & Realignment Project as well as comments on the Mount Aukum Bridge Replacement Project submitted to the State Historic Resources Commission. The commenter is referencing letters submitted in past years, on different projects, with different lead agencies under CEQA. The EDCTC was not the lead agency on either of the referenced projects and is not in possession of the comments noted by the commenter. As such, the EDCTC cannot respond to these comments which are asserted to be incorporated by reference into the commenter's letter dated October 19, 2020.

The commenter also states that there are numerous cultural resources on the western slope of El Dorado County, and that Placerville has multiple interrelated historic districts and resources. The commenter recommends that funding be allocated to do a Special Resource Study to determine whether a national historic park is suitable and feasible. While the EDCTC appreciates this comment, the proposed project is a regional transportation plan, which identifies future roadway and mobility improvements throughout the region. The provision of funding for a study to potentially establish a national historic park in and around Placerville is well beyond the jurisdictional authority of the EDCTC, and is not directly related to the proposed project (RTP), which is the subject of analysis in the EIR. The Draft EIR includes a detailed background discussion of cultural and historical resources throughout the County, and includes detailed performance-based mitigation measures to ensure that any potential impacts to cultural and historical resources that may occur as RTP projects are designed and implemented would be reduced to a less than significant level. The commenter is referred to Chapter 3.4 of the Draft EIR, and Mitigation Measures 3.4-1 through 3.4-3.

The commenter also requests to have consulting party status for the NEPA Section 106 process for the RTP and all projects included therein. This comment does not address the adequacy of the Draft EIR or its analysis. This comment has been noted, no further response is required.

The commenter further states that population growth is not legally required and that the analysis should consider growth of transportation users separate from residents. This comment is noted. The RTP, and the mobility improvement projects identified therein, would not directly lead to growth within El Dorado County or its incorporated cities. Population growth estimates in the RTP were developed by Sacramento Area Council of Governments (SACOG) based on projections and the adopted General Plan of the County and City of Placerville. EDCTC does not control or regulate land use. The list of projects included in the RTP was developed to meet existing and projected demand associated with buildout of the relevant General Plans noted above. Adoption of the RTP and implementation of the projects therein would not directly lead to population growth. The potential environmental impacts associated with adoption of the RTP have been addressed thoroughly in the Draft EIR. The commenter has not addressed the adequacy of the DEIR analysis and has not provided

any new information affecting the adequacy of the EIR. As such, no changes to the Draft EIR are warranted.

**Response B-2:** The commenter requests that the comment period be extended for 30 additional days. This comment is noted. The Draft EIR was properly circulated for a 45-day public review and comment period, which occurred from September 4, 2020 to October 19, 2020. The 45-day public review period is in accordance with the public review period requirements established by Section 15105 of the State CEQA Guidelines. Prior to publishing the Draft EIR for the 45-day public review and comment period, the EDCTC properly published a Notice of Availability through the El Dorado County Clerk's office, and properly filed a Notice of Completion with the State Clearinghouse. Availability of the Draft EIR was also published in the Mountain Democrat. An extension of time for public review and comment on the Draft EIR is not warranted. No further response is required.

**Response B-3:** The commenter states that El Dorado County and EDCTC should consult with the Wopumnes Tribe regarding the RTP. The commenter states that the NAHC's decision to not recognize the Wopumnes Tribe is not correct and that the El Dorado County Board of Supervisors has discretion regarding whether or not to treat the Wopumnes with equal Tribal consultation status. This comment is noted. The commenter is referred to Responses A1-A4 above. It is further noted that any decision made by the County Board of Supervisors regarding consultation with Tribal entities is a decision to be made by the County, not the EDCTC. The EDCTC has properly deferred to the Native American Heritage Commission and 2017 RTP Guidelines in determining the proper and appropriate consultation requirements for this project. As individual roadway and mobility improvements identified in the RTP are implemented by other agencies in the future (i.e., the County of El Dorado or the incorporated cities in El Dorado County) those agencies will determine the appropriate Tribal consultation practices that should be implemented during subsequent CEQA analyses of future projects. No changes to the Draft EIR are warranted.

**Response B-4:** The commenter states that the EIR alternatives should include analysis of a commuter train system and or subway system from Sacramento to Apple Hill. This comment is noted. During the NOP scoping period for the proposed project, the EDCTC solicited input from the public and interested agencies regarding the range of alternatives that should be addressed in the Draft EIR. No alternatives were suggested during the NOP comment period.

The Draft EIR identified and analyzed four (4) project alternatives, including the No Project, Road Emphasis, Transit Enhancement, and Financially Unconstrained alternatives. The Transit Enhancement alternative, which is analyzed in the Draft EIR, would require shifting funds from the Financially Unconstrained Alternative to fund transit capital, operational, and maintenance. It should be noted that funding under the Financially Unconstrained Alternative is not programmed at this time and it is not known if any funds identified under the Financially Unconstrained Alternative will become available. It should also be noted that the increase in transit service under this alternative would not result in a proportionate increase in ridership, particularly in the smaller communities and more rural areas. Under this alternative, the following would occur:

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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- Funding for long-term unconstrained regional roadway improvements would be shifted to transit projects.
- Transit service would be increased both locally (incorporated cities), regionally (rural unincorporated communities), and inter-regionally (between Placer, Sacramento, and adjacent counties).
- Funding would be provided for increases in the transit fleet to accommodate the increase in transit service.
- Funding would be provided for transit maintenance/refueling/management facilities in order to accommodate increases in the transit fleet.
- Funding would be provided for the construction of park and ride lots to accommodate demand from the increased regional and commuter transit service.

While this alternative does not specifically mention a subway system or a modern state of the art rapid transit system, as suggested by the commenter, the alternative does address the comparative environmental impacts of an RTP improvements program with a greater emphasis on transit. It is further noted that the specific transit improvements suggested by the commenter (i.e., a new commuter train system in the form of a quiet hybrid subway system) would likely cost several billion dollars, if not more, and would be completely financially infeasible. The Draft EIR has properly included an analysis of a reasonable range of alternatives to the proposed project, including a Transit Enhancement Alternative, as noted above. This issue has been adequately addressed in the Draft EIR, and no changes to the analysis are warranted.

**Response B-5:** The commenter states that there are significant impacts that have not been identified that cannot be mitigated. The commenter references Impact 3.1-1 (scenic vistas and degradation of visual character), Impact 3.2-1 (conversion of farmlands), Impact 3.4-1 (significant historical resources), and Impact 3.4-2 (impacts to archaeological resources). Each of these environmental topics has been addressed in detail in the Draft EIR and all feasible mitigation measures have been incorporated to reduce potential impacts to the greatest extent feasible. The commenter has not provided any new information or any substantial supporting evidence to support the commenter's claim that additional impacts would occur as a result of RTP adoption and implementation. It is further noted that the Draft EIR identified Impact 3.2-1 (conversion of farmlands) as a significant and unavoidable impact. The other impacts referenced by the commenter would be reduced to a less than significant level through the implementation of mitigation measures.

The commenter further states that a comprehensive inventory and evaluation of historic resources throughout the County and Placerville is needed before impacts can be determined. The commenter states that documentation prior to demolition is not acceptable mitigation as the resource is lost forever. This comment is noted.

As noted under Impact 3.4-2 in the Draft EIR, implementation of many of the individual RTP improvements would be constructed within existing rights-of-way. Improvements and modifications within existing rights-of-way would have less potential to encounter previously unknown

archaeological resources relative to projects in undisturbed areas since the former right-of-way areas have already been disturbed. Improvements and modifications within existing rights-of-way still have potential to adversely affect archaeological resources, either directly or indirectly. As RTP projects are designed and reviewed by local jurisdictions, the RTP projects will undergo technical analysis to evaluate any potential impacts to cultural resources within their area of potential effect. Only a small number of individual RTP improvement projects would be constructed in previously undisturbed areas.

Based upon the general planning nature of the RTP, development of detailed, site-specific information on this impact at this planning level is not feasible. However, damage to or destruction of archaeological resources or tribal cultural resources that are considered significant under local, state, or federal criteria would be a significant impact.

Implementation of Mitigation Measure 3.4-2 would ensure that all subsequent RTP projects either avoid known cultural, historical, tribal, or archaeological resources, or take steps to implement amelioration methods to reduce impacts to known cultural resources. This mitigation measure would also require investigations and avoidance methods in the event that a previously undiscovered cultural resource is encountered during construction activities. This mitigation measure would reduce this impact to a less than significant level.

***Mitigation Measure 3.4-2:*** *During environmental review of individual RTP improvement projects, the implementing agencies shall:*

- *Consult with relevant Native American Tribes known to have been located within each individual improvement project area to determine whether a project could affect cultural resources that may be of importance to tribes. Provide each relevant tribe within the specific project area with copies of any archaeological reports, environmental documents, and mitigation measures that are prepared for a project. Consult with the tribes to determine if tribal monitors are needed for field surveys on individual projects.*
- *Consult with the Native American Heritage Commission to determine whether known sacred sites are in the project area, and identify the Native American(s) to contact to obtain information about the project area*
- *Conduct a records search at the Central California Information Center of the California Historical Resources Information System to determine whether the project area has been previously surveyed and whether resources were identified.*

*In the event the records indicate that no previous survey has been conducted, the Central California Information Center will make a recommendation on whether a survey is warranted based on the archaeological sensitivity of the project area. If recommended, a qualified archaeologist shall be retained to conduct archaeological surveys. The significance of any resources that are determined to be in the project area shall be assessed according to the applicable local, state, and federal significance criteria. Implementing agencies shall devise treatment measures to ameliorate “substantial adverse changes” to significant archaeological resources, in consultation with qualified archaeologists and other concerned parties. Such treatment measures may include avoidance through project redesign, data recovery excavation, and public interpretation of the resource.*

*Implementing agencies and the contractors performing the improvements shall adhere to the following requirements:*

- *If an improvement project is located in an area rich with cultural materials, the implementing agency shall retain a qualified archaeologist to monitor any subsurface operations, including but not limited to grading, excavation, trenching, or removal of existing features of the subject property.*
- *If, during the course of construction cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered work shall be halted immediately within 50 meters (165 feet) of the discovery, the implementing agency shall be notified, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery.*
- *The implementing agency shall consider mitigation recommendations presented by a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology for any unanticipated discoveries and shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project proponent shall be required to implement any mitigation necessary for the protection of cultural resources.*

Implementation of Mitigation Measure 3.4-2 would reduce potential future impacts to cultural, tribal, and historical resources to a less than significant level. No changes to the Draft EIR analysis are warranted.

**Response B-6:** The commenter provides a list of RTP projects and asserts that these projects will eliminate the current traffic calming effects of narrower bridges, destroy historic resources, and impact neighborhoods, aesthetics and scenery. The commenter provides no additional details or supporting evidence in support of these claims. As noted throughout the Draft EIR, the RTP is a program level document that identifies a range of future improvements throughout the County. The exact details of these future improvements, such as project footprints, design features, lighting, tree removal, etc., are not known at this time. As such, the Draft EIR includes a comprehensive set of performance-based mitigation measures that require the lead agency for future improvement projects identified in the RTP to conduct additional site-specific and project-specific analyses prior to implementation of these future improvements. The mitigation measures identified in the EIR specify what additional steps must be taken to reduce potential impacts, and identify performance standards that must be implemented to reduce potential impacts to the greatest extent feasible. This issue has been adequately addressed in the Draft EIR and no changes are warranted.

**Response B-7:** The commenter states that the biggest mitigation possible would be to protect the historic districts in Placerville, including not relocating the Druid Monument, not destroying the Clay Street Bridge and excavation and resource management for the Upper Broadway Bike Lanes archaeological site. This comment is noted. The commenter is directed to Mitigation Measures 3.4-1 and 3.4-2, which require the following:

**Mitigation Measure 3.4-1:** During environmental review of individual RTP improvement projects, the implementing agencies shall retain a qualified architectural historian to inventory and evaluate architectural resources located in project area using criteria for listing in the California Register of Historic Resources. In addition, the resources would be recorded by the architectural historian on appropriate California Department of Parks and Recreation (DPR) 523 forms, photographed, and mapped. The DPR forms shall be produced and forwarded to the Central California Information Center. If federal funding or approval is required, then the implementing agency shall comply with Section 106 of the National Historic Preservation Act.

If architectural resources are deemed as potentially eligible for the California Register of Historic Resources or the National Register of Historic Places, the implementing shall consider avoidance through project redesign as feasible. If avoidance is not feasible, the implementing agencies shall ensure that the historic resource is formally documented through the use of large-format photography, measured drawings, written architectural descriptions, and historical narratives. The documentation shall be entered into the Library of Congress, and archived in the California Historical Resources Information System. In the event of building relocation, the implementing agency shall ensure that any alterations to significant buildings or structures conform to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

**Mitigation Measure 3.4-2:** During environmental review of individual RTP improvement projects, the implementing agencies shall:

- Consult with relevant Native American Tribes known to have been located within each individual improvement project area to determine whether a project could affect cultural resources that may be of importance to tribes. Provide each relevant tribe within the specific project area with copies of any archaeological reports, environmental documents, and mitigation measures that are prepared for a project. Consult with the tribes to determine if tribal monitors are needed for field surveys on individual projects.
- Consult with the Native American Heritage Commission to determine whether known sacred sites are in the project area, and identify the Native American(s) to contact to obtain information about the project area
- Conduct a records search at the Central California Information Center of the California Historical Resources Information System to determine whether the project area has been previously surveyed and whether resources were identified.

In the event the records indicate that no previous survey has been conducted, the Central California Information Center will make a recommendation on whether a survey is warranted based on the archaeological sensitivity of the project area. If recommended, a qualified archaeologist shall be retained to conduct archaeological surveys. The significance of any resources that are determined to be in the project area shall be assessed according to the applicable local, state, and federal significance criteria. Implementing agencies shall devise treatment measures to ameliorate "substantial adverse changes" to significant archaeological resources, in consultation with qualified archaeologists and other concerned parties. Such treatment measures may include avoidance through project redesign, data recovery excavation, and public interpretation of the resource.

*Implementing agencies and the contractors performing the improvements shall adhere to the following requirements:*

- If an improvement project is located in an area rich with cultural materials, the implementing agency shall retain a qualified archaeologist to monitor any subsurface operations, including but not limited to grading, excavation, trenching, or removal of existing features of the subject property.*
- If, during the course of construction cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered work shall be halted immediately within 50 meters (165 feet) of the discovery, the implementing agency shall be notified, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery.*
- The implementing agency shall consider mitigation recommendations presented by a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology for any unanticipated discoveries and shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project proponent shall be required to implement any mitigation necessary for the protection of cultural resources.*

As noted previously, the future RTP projects have not yet been through an engineering design process, and as such, it is not possible to determine the extent of potential impacts that may occur as a result of construction and implementation of each individual future project. Implementation of the mitigation measures listed above, along with the rest of the mitigation measures identified in the Draft EIR, would ensure that impacts to environmental resources, including cultural and historical resources, would be mitigated to the greatest extent feasible. No changes to the Draft EIR analysis are required.

**Response B-8:** The commenter recommends that traffic calming mitigation such as speed humps, speed detection, stop signs, and other forms of traffic management are needed to protect neighborhoods along the Highway 50 corridor. This comment is noted. The commenter has not addressed the adequacy of the Draft EIR and has not identified any specific aspect of the proposed project that would result in impacts related to traffic and vehicular safety. The RTP includes a wide range of traffic safety improvement projects that will further the priorities articulated by the commenter. No changes to the Draft EIR are warranted.

**Response B-9:** The commenter summarizes some of the previously-stated requests, including:

- Request to extend the comment period. The commenter is referred to Response B-2.
- Develop a more complete range of alternatives that includes rail/subway transit systems. The commenter is referred to Response B-4.

- Conduct a comprehensive inventory of historic resources and historic districts, followed by an evaluation of these resources and districts. The commenter is referred to Responses B-1 through B-7.
- Reconsider mitigation based on cultural resources and historic districts and through avoidance of demolition. The commenter is referred to Responses B-1 through B-7.

**Response B-10:** The commenter states that protecting the individual integrity of cultural and historical resources is not as important as evaluating and protecting historical districts holistically. This comment is noted. As described in the previous responses above, each individual project must be evaluated prior to approval and construction in order to determine if impacts may occur to resources that are protected at the local, state, and/or federal level. Mitigation Measures 3.4-1 and 3.4-2 require protection measures for such resources, and require documentation and recordation in compliance with state and federal laws in instances when the resource cannot be fully protected. The EDCTC does not have the legal authority to establish historic preservation districts within El Dorado County and the incorporated cities. Implementing agencies are required to conduct project-level evaluations of each improvement project before it is implemented. These project-level evaluations will determine if the improvement would conflict with an adopted historic preservation plan or ordinance, or result in impacts to individual resources. Potential impacts to cultural and historical resources have been adequately evaluated in the Draft EIR, and mitigation measures have been imposed that would reduce potential impacts to a less than significant level. No further analysis or mitigation is required.

**Response B-11:** The commenter states that the Draft EIR analysis should be revised to address already completed projects and identify resources that are no longer significant on the basis of lost integrity. This comment is noted. Under CEQA, lead agencies must identify the existing physical environment – i.e., the baseline set of environmental conditions – against which to compare a project’s expected impacts, in order to determine whether project impacts are “significant.” (*Save Our Peninsula Committee v. Monterey County Bd. Of Supervisors* (2001) 87 Cal.App.4th 99, 119.) The lead agency does this by measuring the increment between pre-project and likely post-project environmental conditions. (*County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 955.)

CEQA Guidelines section 15125 generally defines the baseline as the physical conditions then in existence when the Notice of Preparation (“NOP”) is published at the inception of the environmental review. As such, it would not be appropriate for the DEIR to analyze conditions that existed well prior to the publication of the NOP, which occurred on January 22, 2020.

**Response B-12:** The commenter states that the implied covenant of quiet enjoyment in many neighborhoods is violated by the RTP and its growth inducing impacts. This comment is noted. This comment does not address the adequacy of the Draft EIR. As such, no further response is warranted.

**Response B-13:** The commenter states that the project is subject to NEPA and a joint EIR/EIS should be prepared. This comment is noted. Adoption of the RTP by the EDCTC is not subject to NEPA review. As such, preparation of an EIS is not warranted or required.

**Response B-14:** The commenter again requests an extension of the public comment period for the RTP. This comment is noted. The commenter is referred to Response B-2.

This document is the Final Mitigation Monitoring and Reporting Program (FMMRP) for the 2020-2040 RTP. This FMMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” A FMMRP is required for the proposed project because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the Draft EIR. There were no revisions made in response to public comments. Therefore, no revisions to the Draft EIR have been incorporated into this FMMRP.

### 3.1 MITIGATION MONITORING AND REPORTING PROGRAM

The FMMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Final EIR. Agencies considering approval of subsequent activities under the 2020-2040 RTP project would utilize this EIR as the basis in determining potential environmental effects and the appropriate level of environmental review of a subsequent activity.

The agencies responsible for implementing the mitigation measures (implementing agency) will be the lead agency for the individual RTP project. The implementing agency for individual projects will vary by individual project, but will involve one of the following: EDCTC, El Dorado County, the City of Placerville, and Caltrans District 3. The implementing agency will be responsible to monitor mitigation measures that are required to be implemented during the operation of the project.

The FMMRP is presented in tabular form on the following pages. The components of the FMMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken from the Draft EIR and Initial Study, in the same order that they appear in the Draft EIR and Initial Study.
- **Mitigation Timing:** Identifies at which stage of the project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification:** This is a space that is available for the monitor to date and initial when the monitoring took place.

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**TABLE 3.0-1: MITIGATION MONITORING AND REPORTING PROGRAM**

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
AESTHETICS				
Impact 3.1-1: Substantial adverse effects on scenic vistas and scenic resources, or substantial degradation of visual character of public views of the site and surrounding area	<p><b>Mitigation Measure 3.1-1:</b> The implementing agency shall, to the extent feasible, implement the following measures in the design of RTP projects:</p> <ul style="list-style-type: none"> <li>• Design transportation systems in a manner where the surrounding landscape dominates.</li> <li>• Design transportation systems to be compatible with the surrounding environment (e.g., colors and materials of construction material).</li> <li>• Design transportation systems such that landscape vegetation blends in and complements the natural landscape.</li> <li>• Design transportation systems such that trees are maintained intact, or if removal is necessary, incorporate new trees into the design.</li> <li>• Design grades to blend with the adjacent landforms and topography.</li> </ul>	Implementing Agency	Prior to Design Approval	
	<p><b>Mitigation Measure 3.1.2:</b> Prior to the design approval of RTP projects, the implementing agency shall assess whether the project would remove any significant visual resources in the project area, which may include trees, rock outcroppings, and historical buildings, and shall also assess whether the project would significantly obstruct views of scenic vistas or scenic resources including historic buildings, trees, rocks, or scenic water features.</p> <p>If it is determined that the RTP project would remove significant visual resources, the implementing agency shall consider alternative designs that seek to avoid and/or minimize impacts from removal of significant visual resources to the extent feasible. Project-specific design measures may include revisions to the plans to retain trees, rocks, and historic buildings, or replanting of trees, and/or the relocation of scenic features.</p> <p>If it is determined that the RTP project would significantly obstruct scenic views, the implementing agency shall consider alternative designs that seek to avoid and/or minimize obstruction of scenic views to the extent feasible. Project-specific design measures may include reduction in height of</p>	Implementing Agency	Prior to Design Approval	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<i>improvements or width of improvements to reduce obstruction of views, or relocation of improvements to reduce obstruction of views.</i>			
Impact 3.1-2: Creation of new sources of light and glare	<p><b>Mitigation Measure 3.1-3:</b> <i>The RTP projects shall be designed to meet minimum safety and security standards and to avoid spillover lighting to sensitive uses. Design measures shall include the following:</i></p> <ul style="list-style-type: none"> <li>• <i>Luminaries will be cutoff-type fixtures that cast low-angle illumination to minimize incidental spillover of light onto adjacent private properties and undeveloped open space. Fixtures that project light upward or horizontally will not be used.</i></li> <li>• <i>Luminaries will be directed away from habitat and open space areas adjacent to the project site.</i></li> <li>• <i>Luminaries will provide good color rendering and natural light qualities. Low-pressure sodium and high-pressure sodium fixtures that are not color corrected will not be used. Light intensity at roadway intersections and crosswalks will be at approximately 'low average maintained illumination', as classified by the Recommended Practices for Roadway Lighting of the Illuminating Engineering Society of North American (IESNA). Low average maintained illumination is 1.8 foot-candle for major/major roadways, 1.5 foot-candle at major/collector roadways, 1.3 foot-candle at major/local roadways, 1.2 foot-candle at collector/collector roadways, 1.0 foot-candle at collector/local roadways, and 0.8 foot-candle at local/local roadways.</i></li> <li>• <i>Luminary mountings will be downcast and the height of the poles minimized to reduce potential for back scatter into the nighttime sky and incidental spillover of light onto adjacent private properties and undeveloped open space. Luminary mountings will have non-glare finishes.</i></li> <li>• <i>Exterior lighting features shall be directed downward and shielded in order to confine light to the boundaries of the subject project. Where more intense lighting is necessary for safety purposes, the design shall</i></li> </ul>	Implementing Agency	Prior to Design Approval	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>include landscaping to block light from sensitive land uses, such as residences.</i></p>			
<p>AGRICULTURAL RESOURCES</p>				
<p>Impact 3.2-1: Conversion of farmlands, including prime farmland, unique farmland, and farmland of statewide importance, to non-agricultural uses, or conflict with existing zoning for agricultural use or a Williamson Act contract</p>	<p><b>Mitigation Measure 3.2-1:</b> <i>Prior to the design approval of individual RTP improvement projects, the implementing agency shall assess the potential for agricultural impacts. For federally funded projects, the implementing agency shall complete form AD-1006 to determine the Farmland Conversion Impact Rating in compliance with the Farmland Protection Policy Act. The AD-1006 shall be submitted to the NRCS for approval. For non-federally funded projects, the implementing agency shall assess the project for the presence of important farmlands (prime farmland, unique farmland, farmland of statewide importance).</i></p> <p><i>If significant agricultural resources are identified within the limits of an individual RTP improvement project, the implementing agency shall consider alternative designs that seek to avoid and/or minimize impacts to the agricultural resources. Design measures may include, but are not limited to, reducing the proposed roadway width or relocating/realigning the improvement to avoid important and significant farmlands to the extent feasible. If the improvement cannot be designed without complete avoidance of important or significant farmlands, the implementing agency shall compensate for unavoidable conversion impacts at a 1:1 ratio.</i></p>	<p>Implementing Agency</p>	<p>Prior to Design Approval</p>	
<p>Impact 3.2-2: Potential to conflict with forest or timber zoning or result in the conversion of forest lands or timber lands</p>	<p><b>Mitigation Measure 3.2-2:</b> <i>Prior to the design approval of individual RTP improvement projects that could impact forest or timber resources, the implementing agency shall retain a qualified arborist, forester, and, or biologist to assess the potential impacts of tree removal and encroachment activities, and provide recommendations to the implementing agency.</i></p>	<p>Implementing Agency</p>	<p>Prior to Design Approval</p>	
<p>AIR QUALITY</p>				
<p>Impact 3.3-2: Short-term - conflict with, or obstruct, the applicable air quality plan, or result in a cumulatively considerable net</p>	<p><b>Mitigation Measure 3.3-1:</b> <i>The implementing agency for any construction activities, including dismantling/demolition of structures, processing/moving materials (sand, gravel, rock, dirt, etc.), or operation of machines/equipment, shall prepare a dust control plan in accordance with AQMD Rule 223 (Fugitive Dust). The dust control plan shall use reasonable precautions to prevent dust emissions, which may include: cessation of operations at times, cleanup,</i></p>	<p>Implementing Agency</p>	<p>Prepare dust control plan prior to Design Approval, implement dust</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
increase of a criteria pollutant in a non-attainment area	<i>sweeping, sprinkling, compacting, enclosure, chemical or asphalt sealing, or other recommended actions by the AQMD.</i>		control plan during construction.	
Impact 3.3-3: Occasional localized carbon monoxide concentrations from traffic conditions at some individual locations	<b>Mitigation Measure 3.3-2:</b> <i>The implementing agency shall screen individual RTP projects at the time of design for localized CO hotspot concentrations and, if necessary, incorporate project-specific measures into the project design to reduce or alleviate CO hotspot concentrations.</i>	Implementing Agency	Prior to Design Approval	
Impact 3.3-5: Potential to release asbestos from earth movement or structural asbestos from demolition/renovation of existing structures	<b>Mitigation Measure 3.3-3:</b> <i>Prior to construction of RTP projects, the implementing agency should assess the site for the presence of asbestos including asbestos from structures such as road base, bridges, and other structures. In the event that asbestos is present, the implementing agency should comply with applicable state and local regulations regarding asbestos, including ARB's asbestos airborne toxic control measure (ATCM) (Title 17, CCR § 93105 and 93106), and El Dorado AQMD Rule 223-2, to ensure that exposure to construction workers and the public is reduced to an acceptable level. This may include the preparation of an Asbestos Hazard Dust Mitigation Plan to be implemented during construction activities, or other recommended actions by the AQMD.</i>	Implementing Agency	Prior commencement of construction activities	
CULTURAL AND TRIBAL RESOURCES				
Impact 3.4-1: Potential to cause a substantial adverse change to a significant historical resource, as defined in CEQA Guidelines §15064.5	<b>Mitigation Measure 3.4-1:</b> <i>During environmental review of individual RTP improvement projects, the implementing agencies shall retain a qualified architectural historian to inventory and evaluate architectural resources located in project area using criteria for listing in the California Register of Historic Resources. In addition, the resources would be recorded by the architectural historian on appropriate California Department of Parks and Recreation (DPR) 523 forms, photographed, and mapped. The DPR forms shall be produced and forwarded to the Central California Information Center. If federal funding or approval is required, then the implementing agency shall comply with Section 106 of the National Historic Preservation Act.</i>  <i>If architectural resources are deemed as potentially eligible for the California Register of Historic Resources or the National Register of Historic Places, the implementing shall consider avoidance through project redesign as feasible. If avoidance is not feasible, the implementing agencies shall ensure that the</i>	Implementing Agency	Prior to Design Approval	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>historic resource is formally documented through the use of large-format photography, measured drawings, written architectural descriptions, and historical narratives. The documentation shall be entered into the Library of Congress, and archived in the California Historical Resources Information System. In the event of building relocation, the implementing agency shall ensure that any alterations to significant buildings or structures conform to the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.</i></p>			
<p>Impact 3.4-2: Potential to cause a substantial adverse change to a significant archaeological resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074</p>	<p><b>Mitigation Measure 3.4-2:</b> <i>During environmental review of individual RTP improvement projects, the implementing agencies shall:</i></p> <ul style="list-style-type: none"> <li>• <i>Consult with relevant Native American Tribes known to have been located within each individual improvement project area to determine whether a project could affect cultural resources that may be of importance to tribes. Provide each relevant tribe within the specific project area with copies of any archaeological reports, environmental documents, and mitigation measures that are prepared for a project. Consult with the tribes to determine if tribal monitors are needed for field surveys on individual projects.</i></li> <li>• <i>Consult with the Native American Heritage Commission to determine whether known sacred sites are in the project area, and identify the Native American(s) to contact to obtain information about the project area</i></li> <li>• <i>Conduct a records search at the Central California Information Center of the California Historical Resources Information System to determine whether the project area has been previously surveyed and whether resources were identified.</i></li> </ul> <p><i>In the event the records indicate that no previous survey has been conducted, the Central California Information Center will make a recommendation on whether a survey is warranted based on the archaeological sensitivity of the project area. If recommended, a qualified archaeologist shall be retained to conduct archaeological surveys. The significance of any resources that are determined to be in the project area shall be assessed according to the applicable local, state, and federal significance criteria. Implementing agencies shall devise treatment measures to ameliorate “substantial adverse changes” to significant archaeological resources, in consultation with qualified</i></p>	<p>Implementing Agency</p>	<p>Prior to Design Approval, and during construction activities</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>archaeologists and other concerned parties. Such treatment measures may include avoidance through project redesign, data recovery excavation, and public interpretation of the resource.</i></p> <p><i>Implementing agencies and the contractors performing the improvements shall adhere to the following requirements:</i></p> <ul style="list-style-type: none"> <li>• <i>If an improvement project is located in an area rich with cultural materials, the implementing agency shall retain a qualified archaeologist to monitor any subsurface operations, including but not limited to grading, excavation, trenching, or removal of existing features of the subject property.</i></li> <li>• <i>If, during the course of construction cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered work shall be halted immediately within 50 meters (165 feet) of the discovery, the implementing agency shall be notified, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery.</i></li> <li>• <i>The implementing agency shall consider mitigation recommendations presented by a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology for any unanticipated discoveries and shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project proponent shall be required to implement any mitigation necessary for the protection of cultural resources.</i></li> </ul>			
Impact 3.4-3 Potential to disturb human remains, including those interred outside formal cemeteries	<p><b>Mitigation Measure 3.4-3:</b> <i>Implement Stop-Work and Consultation Procedures Mandated by Public Resources Code 5097. In the event of discovery or recognition of any human remains during construction or excavation activities associated with an RTP project, the implementing agency shall cease further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the following steps are taken:</i></p>	Implementing Agency	Prior to Design Approval, and during construction activities	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<ul style="list-style-type: none"> <li>• <i>The El Dorado County Coroner has been informed and has determined that no investigation of the cause of death is required.</i></li> <li>• <i>If the remains are of Native American origin, either of the following steps will be taken:</i> <ul style="list-style-type: none"> <li>○ <i>The coroner will contact the Native American Heritage Commission in order to ascertain the proper descendants from the deceased individual. The coroner will make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, which may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.</i></li> <li>○ <i>The implementing agency or its authorized representative will retain a Native American monitor, and an archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance when any of the following conditions occurs:</i> <ul style="list-style-type: none"> <li>▪ <i>The Native American Heritage Commission is unable to identify a descendent.</i></li> <li>▪ <i>The descendant identified fails to make a recommendation.</i></li> <li>▪ <i>The implementing agency or its authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</i></li> </ul> </li> </ul> </li> </ul>			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
GREENHOUSE GAS EMISSIONS				
Impact 3.5-1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment	<p><b>Mitigation Measure 3.5-1:</b> The EDCTC shall explore the feasibility of a transportation pricing policy for the transit system and selected portions of the road network to encourage people to drive less and increase use of transit, walking and bicycling modes. The EDCTC shall continue to participate and host programs that are deemed feasible by the EDCTC for the region to incentivize alternative transportation modes.</p>	Implementing Agency	On-going	
	<p><b>Mitigation Measure 3.5-2:</b> The EDCTC shall consider incorporating a complete streets policy with a strong focus on identifying opportunities to create more active transportation within the region (i.e. bike and pedestrian facilities).</p>	Implementing Agency	On-going	
	<p><b>Mitigation Measure 3.5-3:</b> Consistent with Appendix G of the CEQA Guidelines, the agencies implementing RTP projects shall:</p> <ul style="list-style-type: none"> <li>• Promote measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. As the individual RTP projects are designed there should be an explanation as to why certain measures were incorporated in the RTP project and why other measures were dismissed.</li> <li>• Site, orient, and design projects to minimize energy consumption, increase water conservation and reduce solid-waste.</li> <li>• Promote efforts to reduce peak energy demand in the design and operation of RTP projects.</li> <li>• Promote the use of alternate fuels (particularly renewable ones) or energy systems for RTP projects.</li> <li>• Promote efforts to recycle materials used in the construction (including demolition phase) of RTP projects.</li> </ul>	Implementing Agency	On-going	
	<p><b>Mitigation Measure 3.5-4:</b> The EDCTC shall coordinate with local and regional agencies to assist in efforts to develop local and regional CAPs (Climate Action Plans) and/or General Plan policy that address climate change and</p>	Implementing Agency	On-going	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>greenhouse gas emissions. Local and regional CAPs should include the following components:</i></p> <ul style="list-style-type: none"> <li>• <i>Baseline inventory of GHG emissions from community and municipal sources.</i></li> <li>• <i>A target reduction goal consistent with AB 32 and SB 32.</i></li> <li>• <i>Policies and measures to reduce GHG emissions.</i></li> <li>• <i>Quantification of the effectiveness of the proposed policies and measures.</i></li> <li>• <i>A monitoring program to track the effectiveness and implementation of the CAP(s).</i></li> </ul>			
	<p><b>Mitigation Measure 3.5-5:</b> <i>EDCTC shall consider the development of an Alternative Fuel Vehicle (AFV) and Infrastructure Policy in the future and assist local agencies with the development of an Alternative Fuel Vehicle (AFV) and Infrastructure Policy. In developing an AFV policy, EDCTC should consider the studies prepared by SACOG (i.e. TakeCharge II: Infrastructure Roadmap). The policy could include provisions that address best practices, and standards related to saving energy and reducing GHG emissions through AFV use, including:</i></p> <ul style="list-style-type: none"> <li>• <i>A procurement policy for using AFV by franchisees of these cities, such as trash haulers, green waste haulers, street sweepers, and curbside recyclable haulers. Such AFVs should have GHG emissions that are lower than comparable gasoline- or diesel- powered vehicles.</i></li> <li>• <i>To the extent that it is deemed economically feasible for the local agency, a fleet purchase policy to increase the number of AFVs (i.e., vehicles not powered strictly by gasoline or diesel fuel) for municipally owned fleets.</i></li> <li>• <i>A public education policy to encourage the use of alternative fuel vehicles and development of supporting infrastructure.</i></li> </ul>	Implementing Agency	On-going	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
LAND USE AND POPULATION				
Impact 3.6-1: Physical division of an established community	<p><b>Mitigation Measure 3.6-1:</b> Prior to approval of RTP projects, the implementing agency shall consult with local planning staff to ensure that the project will not physically divide the community. The consultation should include a more detailed project-level analysis of land uses adjacent to proposed improvements to identify specific impacts. The analysis should consider new road widths and specific project locations in relation to existing roads. If it is determined that a project could physically divide a community, the implementing agency shall redesign the project to avoid the impact, if feasible. The measures could include realignment of the improvements to avoid the affected community. Where avoidance is not feasible, the implementing agency shall incorporate minimization measures to reduce the impact. The measures could include: alignment modifications, right-of-way reductions, provisions for bicycle, pedestrian, and vehicle facilities, and enhanced landscaping and architecture.</p>	Implementing Agency	Prior to Design Approval	
TRANSPORTATION AND CIRCULATION				
Impact 3.7-2: Substantially interfere with achievement of the VMT reductions set forth in CARB's 2017 Scoping Plan	<p><b>Mitigation Measure 3.7-1:</b> The state recognized that additional state policy actions and funding would be required to close the VMT gap between what the MPOs could achieve through implementation of their SCS's, and reductions needed to meet state goals. Though the state must initiate these additional actions and funding programs, the exact form of the policies and funding programs must be collaboratively developed with input from MPOs, local agencies, and other organizations to ensure they provide the tools and incentives necessary to go beyond the SCSs in reducing VMT.</p> <p>Consequently, EDCTC shall work collaboratively with SACOG, El Dorado County, and City of Placerville to support implementation of regional and local-level strategies and measures to achieve further VMT reductions. Implementing agencies (i.e., El Dorado County and City of Placerville) shall implement the following strategies to reduce VMT.</p> <p><u>Local-Level:</u></p> <ul style="list-style-type: none"> <li>Implementing agencies shall require implementation of VMT reduction strategies through transportation demand management (TDM) programs, impact fee programs, mitigation banks or</li> </ul>	Implementing Agency	Ongoing	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>exchange programs, in-lieu fee programs, or other land use project conditions that reduce VMT. Programs should be designed to reduce VMT from existing land uses, where feasible, and from new discretionary residential or employment land use projects. The following strategies from Quantifying Greenhouse Gas Mitigation Measure, CAPCOA, August 2010 were identified in the El Dorado County and City of Placerville SB 743 Implementation Plan, July 2019, as strategies most suited to El Dorado County and the City of Placerville given the rural and suburban land use context:</i></p> <ol style="list-style-type: none"> <li><i>1. <u>Increase diversity of land uses</u> – This strategy focuses on the inclusion of mixed uses within projects or in consideration of the surrounding area to minimize vehicle travel in terms of both the number of trips and the length of those trips.</i></li> <li><i>2. <u>Provide pedestrian network improvements</u> – This strategy focuses on creating a pedestrian network within the project and connecting to nearby destinations. Projects in El Dorado County tend to be smaller, so the emphasis of this strategy would likely be the construction of network improvements that connect the project site directly to nearby destinations. Alternatively, implementation could occur through an impact fee program or benefit/assessment district based on local or regional plans such as the Active Transportation Plan under development.</i></li> <li><i>3. <u>Provide traffic calming measures and low-stress bicycle network improvements</u> – This strategy combines the CAPCOA research focused on traffic calming with new research on providing a low-stress bicycle network. Traffic calming creates networks with low vehicle speeds and volumes that are more conducive to walking and bicycling. Building a low-stress bicycle network produces a similar outcome. Implementation options are similar to strategy 2 above. One potential change in this strategy over time is that e-bikes (and e-scooters) could extend the effective range of travel on the bicycle network, which could enhance the effectiveness of this strategy.</i></li> <li><i>4. <u>Implement car-sharing program</u> – This strategy reduces the need to own a vehicle or reduces the number of vehicles owned</i></li> </ol>			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>by a household by making it convenient to access a shared vehicle for those trips where vehicle use is essential. Note that implementation of this strategy would require regional or local agency implementation and coordination and would not likely be applicable for individual development projects.</i></p> <p>5. <u>Increase transit service frequency and speed</u> – This strategy focuses on improving transit service convenience and travel time competitiveness with driving. Given land use density in El Dorado County, this strategy may be limited to traditional commuter transit where trips can be pooled at the start and end locations or require new forms of demand-responsive transit service. The demand-responsive service could be provided as subsidized trips by contracting to private TNCs or Taxi companies. Alternatively, a public transit operator could provide the subsidized service but would need to improve on traditional cost effectiveness by relying on TNC ride-hailing technology, using smaller vehicles sized to demand, and flexible driver employment terms where drivers are paid by trip versus by hour. Note that implementation of this strategy would require regional or local agency implementation, substantial changes to current transit practices, and would not likely be applicable for individual development projects.</p> <p>6. <u>Encourage telecommuting and alternative work schedules</u> – This strategy relies on effective internet access and speeds to individual project sites/buildings to provide the opportunity for telecommuting. The effectiveness of the strategy depends on the ultimate building tenants and this should be a factor in considering the potential VMT reduction.</p> <p>7. <u>Provide ride-sharing programs</u> – This strategy focuses on encouraging carpooling and vanpooling by project site/building tenants and has similar limitations as strategy 6 above.</p> <p><u>Regional:</u></p> <ul style="list-style-type: none"> <li>Implementing agencies shall require project modifications during the project design and environmental review stage of project</li> </ul>			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>development that would reduce VMT effects. For roadway capacity expansion projects, this would include but is not limited to demand management through transportation systems management and operations (TSMO) including the use of pricing.</i></p> <p><i>Implementing agencies shall participate in SACOG's "Green means Go" program that is proposed as part of the 2020 MTP/SCS, which is intended to serve as a pilot for some of the infill incentives and support for transit and innovative mobility that are envisioned in the 2017 Scoping Plan as key elements of filling that VMT gap.</i></p>			
CUMULATIVE IMPACTS				
Impact 4.2: Cumulative Impact on Agricultural and Forest Land and Uses	<i>Implement mitigation measure 3.2-1.</i>	Implementing Agency	Prior to Design Approval	
Impact 4.7: Cumulative Impact on the Transportation Network	<i>Implement mitigation measures 3.7-1</i>	Implementing Agency	Ongoing	

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EL DORADO COUNTY TRANSPORTATION COMMISSION

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Jerry Barton.....Senior Transportation Planner

Woodrow Deloria ..... Executive Director

DE NOVO PLANNING GROUP

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Steve McMurtry.....Principal Planner/Project Manager

Ben Ritchie ..... Principal Planner

Beth Thompson ..... Principal Planner

Josh Smith ..... Associate Planner

Zach Dahla..... Associate Planner

FEHR & PEERS

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David B. Robinson..... Principal

Jimmy Fong, PE..... Senior Transportation Engineer

Rodney Brown ..... Senior Transportation Planner

SACRAMENTO AREA COUNCIL OF GOVERNMENTS

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Shengyi Gao..... Associate Analyst

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