

**Initial Study**  
and  
**Mitigated Negative Declaration**

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for the  
**Broadmeadows Estates Subdivision**  
Vesting Tentative Subdivision Map  
General Plan Amendment Rezoning Annexation

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**Lead Agency:**  
City of Sutter Creek  
18 Main Street  
Sutter Creek CA 95685

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**State Clearinghouse No. 2023100658**

**Final Document**

**January 2024**

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Note: For color maps and figures, go on-line to: [cityofsuttercreek.org](http://cityofsuttercreek.org).

**1. Introduction and Project Description**

This Project Information, Description, and Environmental Checklist contained herein constitute the contents of an Initial Study in accordance with Section 15063 of the California Environmental Quality Act (CEQA) Guidelines.

Changes made to this Final Initial Study-Mitigated Negative Declaration from the draft document are indicated by underline type for additions and ~~striketrough~~ type for deletions.

**BROADMEADOWS ESTATES**

**Project Title** Broadmeadows Estates Vesting Tentative  
Subdivision Map No. 182

**Lead Agency** City of Sutter Creek  
18 Main Street  
Sutter Creek CA 95685

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**Project Location**

Broadmeadows Estates is located south of Gopher Flat Road and east of Golden Hills Drive, and adjacent to Golden Hills Estates, Unit No. 2, in the eastern portion of Sutter Creek. The ten subdivision lots front on Golden Hills Drive and Broadmeadows Drive. Broadmeadows Estates is a portion of the Golden Hills development. (Refer to Figure 1: Broadmeadows Estates Vicinity Map)

**General Plan Designation**

The subject property includes two City of Sutter Creek General Plan Land Use designations: a portion within the City Limits (portions of Lots 1, 2, 3, and 4) designated RSF (Residential Single Family); and a portion in the County (but within the Sutter Creek Planning Area) (portions of Lots 1 through 10) designated as RL (Residential Low Density). (Refer to Figure 4: Broadmeadows Annexation Map)

## **Zoning**

Portions of Lots 1, 2, 3, and 4 within the City Limits are zoned R-1 (Residential Single Family). The portion of the subdivision in the unincorporated County is zoned RE (Residential Estates).

## **Surrounding Land Uses and Setting**

Broadmeadows Estates is adjacent to the currently developed portion of the Golden Hills development, a single-family residential area on the easterly side of the City. The existing Golden Hills Drive and Broadmeadows Drive separate the subject property from existing homes on the south and west. North of the subject property is one single-family dwelling on a ~~5.25~~ 5.03 acre remainder parcel (referred to as the Mabry Parcel), and one single-family dwelling on a 2.66 acre parcel (referred to as the Birge Parcel). To the north, beyond Gopher Flat Road-Shake Ridge Road, is grazing land.

## **Other Public Agencies Whose Approval is Required**

Amador Local Agency Formation Commission (Amador LAFCo)  
Sutter Creek Fire Protection District

## **California Native American Tribal Consultation**

Pursuant to Public Resources Code Section 21080.3.1 (AB 52) and Senate Bill 18, the Lead Agency is responsible for consultation with affected California Native American Tribes who are traditionally and culturally affiliated with the geographic area of the proposed project.

## **Existing Environmental Setting**

The City of Sutter Creek is located within Central Amador County and is bisected by Old State Route 49 (Main Street and Hanford Street) in a north-south direction. The City was incorporated in 1913 and is a full-service city for residential, commercial, industrial, and institutional land uses. The current population within the City is approximately 2,590.<sup>1</sup>

The project site is located in the extreme northeast quadrant of Sutter Creek. This area was previously grazing land with minor undulations in terrain. In 2007, the project site was 'rough graded' when subdivision improvements were constructed as part of Golden Hills Estates, Unit No. 2. The project site has been substantially developed with graded pads and street improvements. Areas of the site that are not barren ground have become inhabited by ruderal weed species of which none are special status species. There are a few areas that have been overtaken by noxious weeds such as thistle and medusa grass.

There is one 30-inch Blue oak tree on proposed Lot 5. There are existing concrete blocks on proposed Lots 5 and 6. There is an existing well and pump on proposed Lot 5. There are existing soil mounds within proposed Lots 2, 3, and 4. There are existing rock boulders on proposed Lot 2.

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<sup>1</sup> California Department of Finance, E-1 Population Estimates, January 1, 2023.

Portions of proposed Lots 1 through 4; and Lots 5 through 10 are located outside the City Limits and are within Amador County. Portions of Lots 1 through 4 are currently within the City Limits. (Refer to Figure 4: Broadmeadows Estates Annexation Map) Golden Hills Drive and Broadmeadows Drive (both of which serve the proposed lots) are exiting streets with improvements on the west and south sides respectively, where there are existing homes. There is an existing 12-inch diameter storm drainage pipe between Lots 7 and 8 that directs stormwater runoff from Broadmeadows Drive and the existing residences on the south side of the street onto the Mabrey Parcel for infiltration.

## **Background and Project Description**

### **Background**

This 10-lot residential subdivision was originally filed with the City in May of 2007 as Golden Hills Estates, Unit No. 4. After receiving approval from the Planning Commission in October of 2008, the project was impacted by the economic downturn and was never completed. The Tentative Map expired in October of 2017.

### **Detailed Project Description**

The proposed project consists of ten single-family residential lots with street frontage on Golden Hills Drive and Broadmeadows Drive. (Refer to Figure 2: Broadmeadows Estates Tentative Subdivision Map) The average lot size is 11,290 square feet; with the smallest lot 9,511 square feet and the largest 17,669 square feet.

### Subdivision Details

The Broadmeadows Subdivision comprises ~~2.86~~ 2.87 acres; which consists of 0.67 acres within the existing City Limits (Assessor Parcel Number 040-232-01), and ~~2.19~~ 2.20 acres from Assessor Parcel Number 040-030-06 outside the City Limits. An additional 0.52 acres of this parcel comprises a portion of Broadmeadows Drive. The remainder of this parcel (called the 'Mabry Parcel') consists of ~~5.25~~ 5.03 acres and is not in the City and is not planned for development. Currently, there is one single-family residence on this remainder parcel. Adjacent to the Mabry parcel is the Birge Parcel (Assessor Parcel Number 040-030-19) consisting of 2.66 acres and containing one single-family residence. This parcel is not within the City and is not planned for development. (Refer to Figure 4: Broadmeadows Estates Annexation Map for parcel locations)

### Subdivision Improvement Details

The subdivision will capitalize on existing improvements already constructed to City Standards, including streets, curbs and gutters, and storm drainage for ten lots (Lots 1-4 in total; and Lots 5-10, as a portion). (Refer to Figure 3: Broadmeadows Preliminary Grading Map) Utilities (including water, sewer, electrical power, natural gas, telephone, and cable television) are already in place. Existing water meters will need to be upgraded from 5/8-inch to 1-inch.

The subdivision was 'rough graded' in 2007 when improvements were constructed as part of the Golden Hills Estates, Unit No. 2 Subdivision (including full improvements to Broadmeadows Drive). Remaining improvements include construction of a 4-foot wide sidewalk along the frontage of Lots 1-10 with a curb-cut at the northeast corner of Golden Hills Drive and Broadmeadows Drive; and installation of a streetlight near the east end of the cul-de-sac per City Standards.

New improvements will include the installation of two storm manholes and a 12-inch diameter storm drainage line along the north side of Broadmeadows Drive. This new drainage line will connect to the existing drop inlet between Lots 7 and 8 and then connect to the existing storm drainage system that was constructed as part of Golden Hills Estates, Unit No. 2. The existing drainage pipe that extends from the drop inlet between Lots 7 and 8 and drains north to the Mabry Parcel will be removed. (Refer to Figure 2: Broadmeadows Estates Tentative Subdivision Map)

The project will utilize the existing storm drainage system constructed for Golden Hills Estates, Unit No. 2 to drain affected portions of Broadmeadows Drive and Golden Hills Drive, including all of Lots 1-4, portions of Lots 5-10, all of Broadmeadows Drive, and three existing residences on the south side of Broadmeadows Drive. (Refer to Figure 5: Broadmeadow Estates Storm Drainage Area Map) The existing drop inlets along Broadmeadows Drive and Golden Hills Drive (six inlets total) will be modified to capture sediment/oil/grease by installing Triton Bioflex Trash Guard inlet filters in each drop inlet. (Refer to Appendix G) The rear (northerly) portions of Lots 5-10 will drain down slope and sheet flow onto the Mabry Parcel. Lots 1-4 will include a concrete drainage swale to direct stormwater runoff to a public utility easement between Lots 1 and 2; thence to Golden Hills Drive. The existing drain line between Lots 7 and 8 will be removed (Refer to Figure 3 and Figure 5)

In addition, the existing 12-inch diameter drainage line that crosses Golden Hills Drive at its intersection with Broadmeadows Drive will need to be upgraded to an 18-inch diameter line. (Refer to Appendix E: Broadmeadows Estates Storm Drain Hydraulic Analysis)

All storm drainage improvements will require a ~~General~~ Construction General Permit from the Federal Environmental Protection Agency (FEMA), along with a Storm Water Pollution Prevention Plan (SWPPP). (Refer to Section 10 – Hydrology and Water Quality for details)

The existing concrete blocks and debris on Lots 5 and 6 will be removed. The existing well and pump on Lot 5 will be removed and capped under permit from the Amador County Environmental Health Department. The 30-inch Blue oak tree on Lot 5 will be removed and replaced such that one new Blue oak tree will be planted on each lot (10 total) at the completion of construction on each lot. The 15-foot public utility easement (PUE) on the north side of Broadmeadows Drive is reserved for the new drainage line and any additional underground utilities should they be required in the future. The existing soil mound within Lots 2, 3 and 4 will be removed, as well as the rock boulders on Lot 2. (Refer to Figure 2 for details)

Finish grading for each of the 10 lots will be accomplished at the building permit stage consistent with the Preliminary Grading Plan shown in Figure 3.

The Planning Commission may require adequate fencing or other protection for all ditches and streams; or the payment of in lieu contributions.

#### Subdivision Maintenance Considerations

In order to maintain public parts of the subdivision (including streets, curbs and gutters, sidewalk, storm drainage system, drop inlets) the original proposal called for the creation of a Community Facilities District (CFD) to maintain these improvements. However, it is not feasible to establish a CFD for 10 lots. In addition, there are no public areas (such as parks, street and median landscaping areas) that will require maintenance.

It is proposed to condition the Broadmeadows Estates Subdivision to require lot owners/homeowners to be a part of a City-wide CFD that will be established at some time in the future.

#### Growth Management Considerations

In order for the subdivision to be consistent with the Sutter Creek General Plan, that portion not within the City Limits will require a General Plan Amendment, changing the Land Use designation from Residential Low Density (RL; one-half acre minimum lot size) to Residential Single Family (RSF; 7,000 square foot minimum lot size). The Broadmeadows Estates Subdivision shares a street (Broadmeadows Drive) with adjacent development that was constructed as part of Golden Hills Estates, Unit No. 2. New detached single-family dwellings for Broadmeadows Estates on the north side of Broadmeadows Drive will be equivalent to the existing detached single-family dwellings on the south side of Broadmeadows Drive, which are in the City Limits. Therefore, the proposed density and building intensity are exactly the same.

Because of the economic downturn in 2008, the City has grown at a much slower rate than the 0.5% per year projected in the General Plan. In 2010, the population of Sutter Creek was 2,501. The current estimated population is 2,590, a growth rate of 0.2% per year. If this 10-lot subdivision builds out in three years, it will increase the population by about 0.3% per year, still less than the projected 0.5% in the General Plan.

#### Annexation

Prior to annexation of lands to the City, it must be demonstrated: 1) that services and facilities can be provided; 2) that intended development will not have a negative economic impact on the City or its citizens; 3) that the development will not have significant environmental impacts on the environment; and 4) that the project will conform to the goals, policies and standards of the General Plan.

The proposed Broadmeadows Estates subdivision meets all of these criteria in that: 1) services and facilities are already in place or can be provided; 2) homes will range in cost between \$400,000 and \$600,000 which will be a positive economic impact on the City and its citizens; 3) there are no environmental impacts associated with the development that have not been mitigated; and 4) the development is identical to adjacent development which has already been determined to conform to the goals, policies, and standards of the General Plan.

A total of 2.72 acres of the Mabry Parcel (2.20 acres for the lots and 0.52 acres for the street) will be annexed to the City along with an additional 0.53 acres consisting of a portion of Golden Hills Drive, a portion of a lot on the west side of Golden Hills Drive (identified as ROS 45 M 83) and the southeast intersection of Gopher Flat Road and Golden Hills Drive (total of 3.25 acres). (Refer to Figure 4: Broadmeadows Estates Annexation Map for details) The street improvements and intersection improvements were completed as part of Golden Hills Estates, Unit No. 2. Annexing this area to the City will 'clean up' the current convoluted City Limit line along Golden Hills Drive and Broadmeadows Drive.

Annexing 2.72 acres of the Mabry Parcel will leave a remainder parcel of 5.03 acres. In order that the new City Limit Line not split the Mabry Parcel, it is proposed to seek County approval for a Parcel Map which will create a 2.72 acre parcel (the subdivision lots and street) and a 5.03 acre parcel (the remainder).

## **Proposed Project Approvals**

The proposed project will require the following approvals:

- **Vesting Tentative Subdivision Map**

For a 10-lot single-family residential subdivision consisting of 2.87 acres

Approval by the Sutter Creek Planning Commission

- ~~**Community Facilities District (CFD)**~~

~~Funding mechanism for operation and maintenance of all improvements within the subdivision~~

~~Approval by the City Council~~

- **General Plan Amendment**

To amend the Sutter Creek General Plan Land Use Map for that portion of the subdivision (2.72 acres – 2.10 acres for the 10 lots; 0.52 acres for the street) not within the City limits from RL (Residential Low Density) to RSF (Residential Single Family)

Approval by the City Council upon recommendation of the Planning Commission

- **Pre-Zone**

To pre-zone that portion of the subdivision (2.72 acres of which 2.20 acres are for the 10 lots; and 0.52 acres for the street) not within the City Limits to R-1 (One Family Dwelling)

Approval by the City Council upon recommendation of the Planning Commission

- **Annexation**

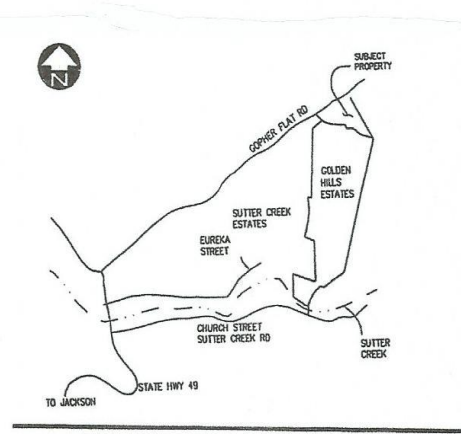
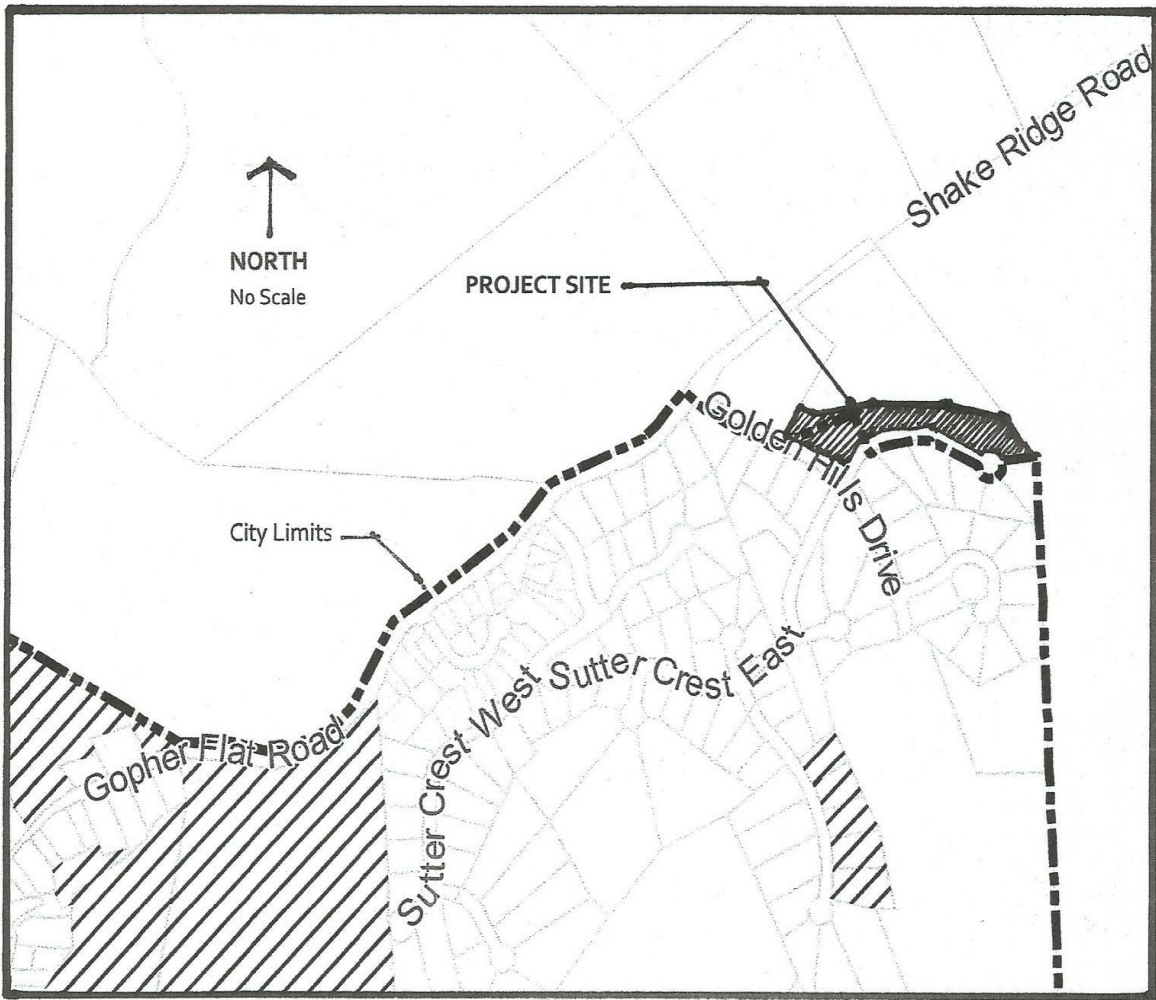
To annex 3.25 acres to the City of Sutter Creek and the Sutter Creek Fire Protection District, with detachment from the Amador Fire Protection District

Approval by the City Council upon recommendation of the Planning Commission

Approval by the Amador Local Agency Formation Commission (LAFCo)

New lots will be required to annex to the Amador County Community Facilities District No. 2006-1 for fire protection services. This is a Special Tax that applies to all parcels in the County

Action by the Amador ~~County Assessor~~ Fire Protection District

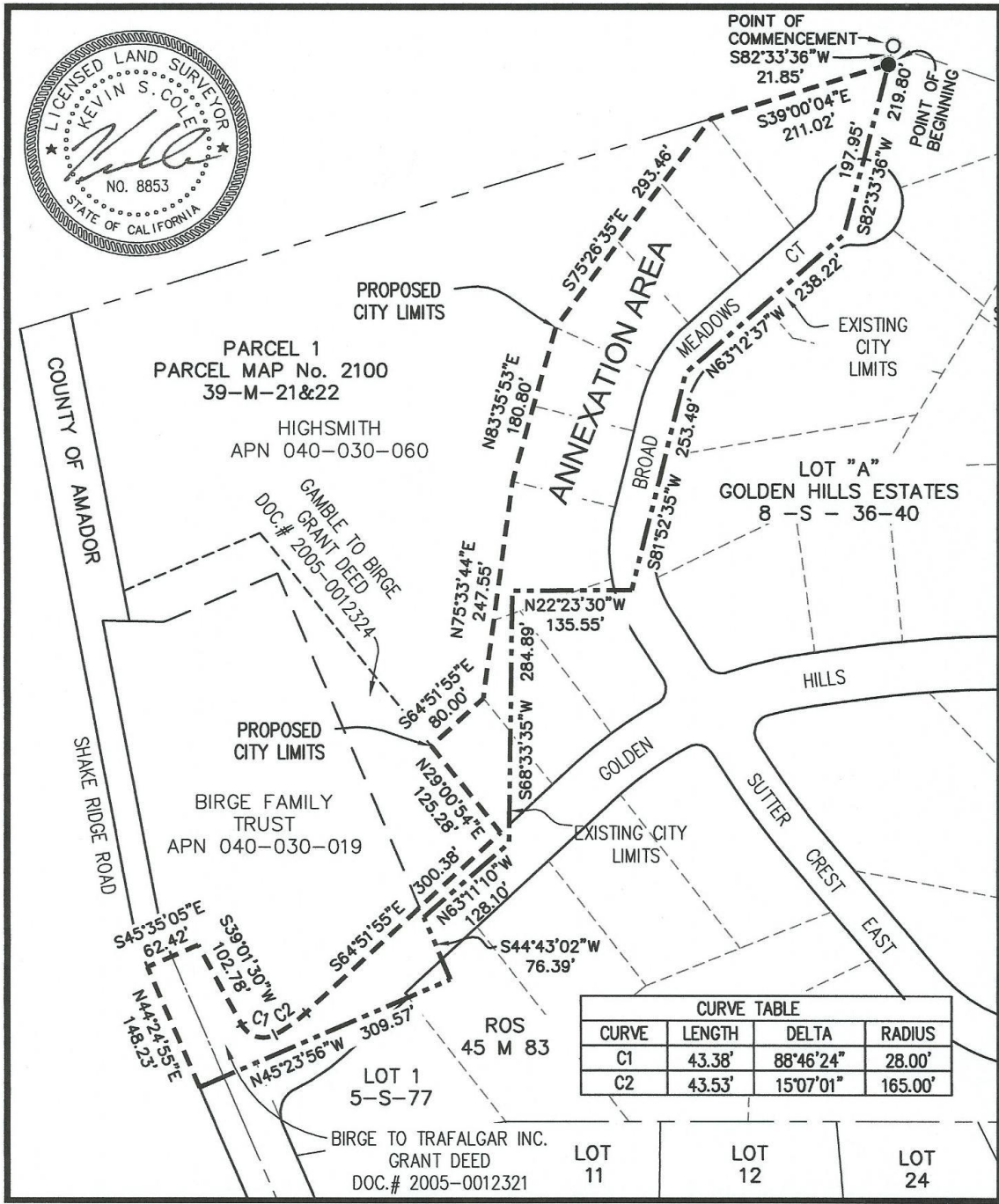


VICINITY MAP  
NO SCALE

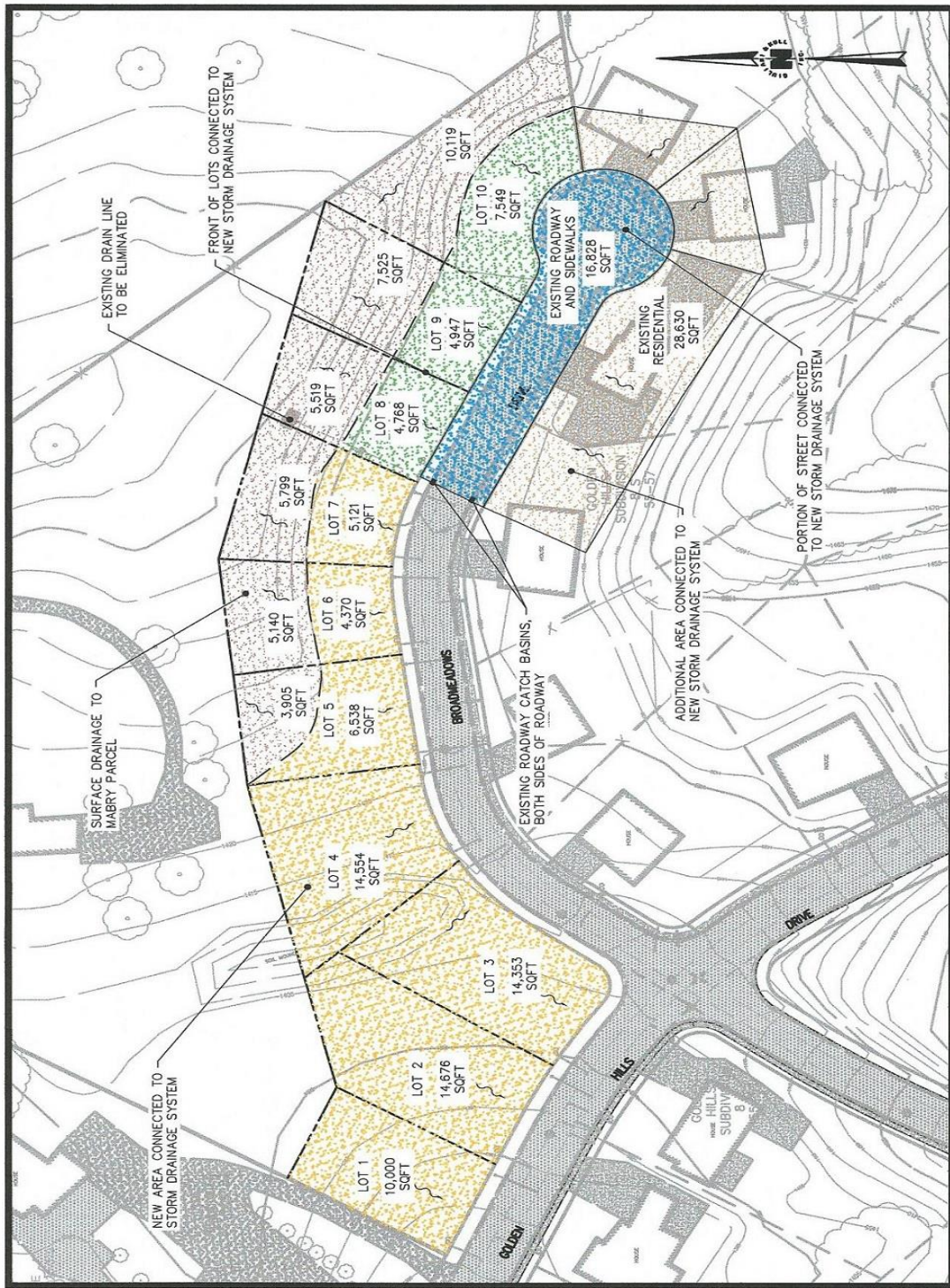
**Figure 1: Broadmeadows Estates Vicinity Map**







**Figure 4: Broadmeadows Estates Annexation Map**



**Figure 5: Broadmeadows Estates Storm Drainage Area Map**

## Regulatory Guidance

This document is an Initial Study, which provides justification for a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA). This Mitigated Negative Declaration has been prepared in accordance with CEQA, Public Resources Code Section 21000 et seq., and the State CEQA Guidelines 14 California Code of Regulations Section 15000 et seq.

An Initial Study is conducted by the Lead Agency to determine if a project may have a significant effect on the environment. In accordance with the CEQA Guidelines Section 15063, an EIR must be prepared if an Initial Study indicates that the proposed project under review may have a potentially significant impact on the environment. A Negative Declaration may be prepared instead, if the Lead Agency prepares a written statement describing the reasons why the proposed project would not have a significant effect on the environment, and therefore, why it does not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a proposed Negative Declaration shall be prepared for a project subject to CEQA when either:

- a) *The Initial Study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or The Initial Study identifies potentially significant effects, but:*
  - (1) *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed Negative Declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur and;*
  - (2) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

## 2. Environmental Determination

### Environmental Factors Potentially Affected

The environmental factors checked below are analyzed in this Initial Study for the Broadmeadows Estates Subdivision:

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics                | <input checked="" type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources      | <input checked="" type="checkbox"/> Cultural Resources                 | <input checked="" type="checkbox"/> Energy                             |
| <input checked="" type="checkbox"/> Geology/Soils             | <input checked="" type="checkbox"/> Greenhouse Gas Emissions           | <input checked="" type="checkbox"/> Hazards & Hazardous Materials      |
| <input checked="" type="checkbox"/> Hydrology/Water Quality   | <input checked="" type="checkbox"/> Land Use/Planning                  | <input checked="" type="checkbox"/> Mineral Resources                  |
| <input checked="" type="checkbox"/> Noise                     | <input checked="" type="checkbox"/> Population/Housing                 | <input checked="" type="checkbox"/> Public Services                    |
| <input checked="" type="checkbox"/> Recreation                | <input checked="" type="checkbox"/> Transportation                     | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input checked="" type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Wildfire                           | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

### Determination:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

	January 15, 2024
Signature	Date
Erin Ventura, Contract City Planner	City of Sutter Creek

## Evaluation of Environmental Impacts:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards, (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis.)
- 2) All answers must take account of the whole action involved including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead Agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and Lead Agencies are free to use different formats; however, Lead Agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

### 3. Environmental Checklist

#### BROADMEADOWS ESTATES

##### 1. Aesthetics

Except as provided in Public Resources code Section 21099, would the project:	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

#### References:

*Sutter Creek General Plan, Land Use Element*, July 2019. Figure 4-2, Page 4-13; Land Use Overlay Diagram.

#### Discussion

##### a-b) No Impact:

The Project area is not within a scenic vista or visible from a State Scenic Highway. The Project area is not within a Visually Sensitive Area as depicted in the City of Sutter Creek General Plan.

##### c-d) Less Than Significant:

Single-family dwellings will be constructed on each lot, similar to adjacent single-family dwellings in the neighborhood. Light and glare similar to existing homes in the area are anticipated. Should the City adopt a 'Dark Skies Protection Ordinance' (to prevent light sources from shining upward), it is likely that the Broadmeadows Subdivision will need to comply. One streetlight is proposed at the east end of Broadmeadows Drive.

The project site is relatively close to an identified east-west trending ridgeline, but is located low enough in elevation (approximately 45 feet lower), and set back far enough (approximately 550 feet), so as not to impact the ridgeline.

**Mitigation**

None Required.

## 2. Agricultural and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact
<b>Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forestland or conversion of forestland to non-forest use?				X
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

### References:

*Amador County Important Farmland Map.* California Resources Agency, Department of Conservation, Division of Local Resource Protection, Farmland Mapping and Monitoring Program. March 2018.

### Discussion

#### a-e) No Impact:

According to the Amador County Important Farmland Map, the subject property is designated as Grazing Land, and is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

The subject property is designated by the City of Sutter Creek for residential development. Therefore, the project does not conflict with; and does not encroach on agriculture or timber resources. Properties within the City are not utilized for agricultural or commercial timber purposes.

### 3. Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact
<b>Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?		X		
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?			X	

#### References:

*Air Quality and Greenhouse Gas Analysis Report Broadmeadows Estates, Sutter Creek, California.* Mitchell Air Quality Consulting. October 6, 2017 (Refer to Appendix A)

#### Discussion

##### **a, c and d) Less Than Significant:**

As detailed in Appendix A: Air Quality and Greenhouse Gas Analysis Report, Broadmeadows Estates, the project would not exceed localized ambient air quality impacts for criteria pollutants, and is therefore, less than significant for this criterion. The project would not exceed cancer and non-cancer risk thresholds, and is therefore, less than significant for this criterion.

The project has limited potential to disturb soil that could contain Valley fever spores; and compliance with existing regulations to control dust (Amador Air District Rule 218) are expected to reduce the potential impact to less than significant levels. The project is not in an area known to have naturally occurring asbestos, and would be less than significant for this criterion. Construction odors from use of diesel-powered equipment would be localized and temporary, and likely not noticeable for extended periods of time outside the project site boundaries. Therefore, odor impacts would be less than significant.

#### Mitigation

None Required.

**b) Less Than Significant with Mitigation:**

The proposed project, in and of itself, will not violate air quality standards or contribute substantially to an existing or projected air quality violation. However, the proposed project, in concert with other projects, may result in a cumulatively considerable net increase in any criteria pollutant for which the project region is nonattainment under an applicable Federal or State air quality standard. (Refer to Chapter 5 – Cumulative Impacts)

Construction emissions associated with the project will be less than the significance standard for key pollutants. Construction of the subdivision will generate 56.62 pounds per day of reactive organic gases (ROG), 24.68 pounds per day of nitrogen oxides (NO<sub>x</sub>), 8.01 pounds per day of particulate matter (PM<sub>10</sub>), and 4.63 pounds per day of finer particulate matter (PM<sub>2.5</sub>). All of these amounts are below the significance standard of 84 pounds per pollutant per day. Adherence to Amador Air District Rule 218 will reduce these amounts further.

Operational emissions associated with day-to-day activities after construction will be less than the significance standard for key pollutants. Ongoing emissions (motor vehicle use, energy use such as natural gas, and area source emissions such as consumer products and landscape equipment) from the subdivision will generate 16.58 pounds per day of reactive organic gases (ROG), 1.77 pounds per day of nitrogen oxides (NO<sub>x</sub>), 3.44 pounds per day of particulate matter (PM<sub>10</sub>), and 2.88 pounds per day of finer particulate matter (PM<sub>2.5</sub>). All of these amounts are below the significance standard of 84 pounds per pollutant per day. Adherence to Amador Air District Rule 218 will reduce these amounts further.

**Mitigation**

Mitigation Measure BM 3-1: The Applicant shall implement dust control measures as delineated in Amador Air District Rule 218.

#### 4. Biological Resources

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

#### References:

*Broadmeadows Estates Biological Evaluation Letter*. ESR Inc. May 11, 2017.  
(Refer to Appendix B)

#### Discussion

##### a-d and f) No Impact:

The project site has been substantially developed with graded pads, easements, and infrastructure (curbs, gutters, storm drains, electrical, water conveyance, etc.) already in place. The areas that are not barren have been inhabited by ruderal weed species of which none are special status species. There are a few areas that have been overtaken by noxious weeds such as thistle and medusa grass.

As detailed in Appendix B: Broadmeadows Estates Biological Evaluation Letter Report, the project site did not exhibit any habitat that would be utilized by any of the special status species due primarily to the advanced state of development at the project location and the surrounding residential units. The site exhibits no wetlands, open water, seasonal or ephemeral drainages, vernal pools, or any other feature that would meet any criteria as jurisdictional waters under the Clean Water Act.

Stormwater generated from the subdivision (as well as the adjacent properties on Broadmeadows Drive) will be directed to the existing storm drainage system on Broadmeadows Drive and Golden Hills Drive, thence via Gopher Gulch and Gopher Flat Road westerly. Portions of the rear of Lots 5 through 10 will be allowed to drain onto the Mabry Parcel, which will be less than the pre-development runoff from the drainage area. (Refer to Figure 5 and Appendix E for details)

**e) Less Than Significant Impact:**

The 30-inch diameter Blue oak tree (*Quercus douglasii*) on Lot 5 is proposed to be removed. Pursuant to Section 13.24.120 of the Sutter Creek Municipal Code, three trees of like species are to be planted as part of the project action as street trees within front yards on the north side of Broadmeadows Drive. Included in the project description is the requirement to plant one Blue oak on each of the 10 lots after each lot is developed.

**Mitigation**

None Required.

## 5. Cultural Resources

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Disturb any human remains, including those interred outside of dedicated cemeteries?		X		

### References:

*Broadmeadows Estates Cultural Resource Records Search Results*. Windmiller Consulting, Inc. March 27, 2018. (Refer to Appendix C)

### Discussion

#### a-c) Less Than Significant with Mitigation:

A cultural resources records search of the project site was conducted by the North Central Information Center, California Historical Resources Information System on December 18, 2017. As detailed in Appendix C: Broadmeadows Estates Cultural Resource Records Search Results, no previously recorded cultural resources were identified within or immediately adjacent to the project site. Seven previously identified cultural resources were located within a one-half mile radius of the project site. These cultural resources included a historic trash scatter (P-3-830), rock wall remnants (P-3-831), and a structure site (P-3-385). All three sites are grouped together at the northeast edge of Sutter Creek as the City boundary appears on the 1962 USGS 7.5 minute quadrangle.

The California Inventory of Historic Resources was also searched. No relevant historic resource listings were found for the project site. No human remains are known to occur in the area, however it is possible that buried resources or human remains could be uncovered during final site grading. Therefore, mitigation measures BM 5.2 and 5.3 are proposed to reduce the potential impact to less than significant.

### Mitigation

Mitigation Measure BM 5-2: Should unknown buried resources or human remains become inadvertently uncovered during grading or other earth disturbing activities, construction is required to stop within 50 feet of the find and the City of Sutter Creek is to be notified.

Mitigation Measure BM 5-3: If human remains are uncovered, the Amador County Coroner will be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) shall be followed.

## 6. Energy

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation				X
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

### Discussion

#### a and b) No Impact:

Construction of subdivision improvements and construction of individual residential dwelling units will utilize conventional construction equipment which are not expected to be energy-related wasteful, inefficient, or unnecessary. Equipment to be utilized during construction are identified in the CalEEMod Air Quality modeling completed for the project and found in Appendix A – Modeling Results, in Appendix A – Broadmeadows Estates Air Quality & Greenhouse Gas Analysis Report.

The subdivision is oriented in an east-west direction which facilitates utilization of solar panels for roof-top solar energy generation. The subdivision does not obstruct plans for renewable energy use or energy efficiency.

## 7. Geology and Soils

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
(ii) Strong seismic ground shaking?			X	
(iii) Seismic-related ground failure including liquefaction?			X	
(iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?		X		
c) Be located on a geologic unit or soil that is unstable, or would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

### References:

*Sutter Creek General Plan Update*, Chapter 8 – Safety Element. July 2019.

*Soil Survey, Amador Area, California*, United States Department of Agriculture, Soil Conservation Service, September 1965.

## **Discussion**

### **a–c) Less Than Significant With Mitigation:**

The project site is located adjacent to the Melones Fault, a major north-south trending fault associated with the Foothills Fault System. The maximum credible earthquake for the area is 6.0 to 6.5 on the Richter scale. Sutter Creek is in Zone 3 under the California Building Code classification system. Zone 3 specifies special design requirements for buildings and foundations. All new residential structures (such as proposed for Broadmeadows Estates) are required to meet Zone 3 standards.

On-site soils are classified as Auburn very rocky silt loam (AsD) which is well drained with moderate permeability. The erosion hazard is rated moderate to severe with a low Storie Index of 9 out of 100. There are no unstable soils on site. Erosion potential will not be a factor as each lot will drain to an existing storm drainage system or flow across vegetated soil as indicated in Chapter 4 -- Biological Resources.

Most site-related grading has already been accomplished, with the exception of individual building pads and a compacted fill slope of 27% at the rear of Lots 5-10. Temporary best management practices included in mitigation measure BM 7-4 will protect against substantial loss of topsoil during construction and prior to permanent revegetation measures are in place. (Refer to Figure 3) The additional stormwater collection piping along the north side of Broadmeadows Drive will be within the Public Utility Easement and will connect to the existing storm drainage system. (Refer to Figure 2). Adherence to standard erosion control measures as required under the Uniform Building Code will ensure that storm water runoff does not contribute to siltation of adjacent drainages.

Mitigation Measure BM 7-4: Erosion control measures shall be in place by September 15<sup>th</sup> and include the following:

- Seed bare soils and cover with 2 to 4-inches of straw;
- Place straw rolls (waddles) at the bottom of slopes and around drainage devices; and
- Protect storm drainage inlets with gravel bags.

### **d-f) No Impact:**

There are no unstable soils on site and no septic systems are proposed as the units would connect to the sanitary sewer system already located within Broadmeadows Drive and Golden Hills Drive. There are no known Paleontological resources or unique geologic features in the area. The site has been previously graded in many areas, and no evidence of such resources was previously discovered. The soil mound on Lots 2, 3, and 4, created from previous grading activities, will be removed.

## 8. Greenhouse Gas Emissions

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Generate greenhouse gas emissions, directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	

### References:

*Air Quality and Greenhouse Gas Analysis Report Broadmeadows Estates, Sutter Creek, California.* Mitchell Air Quality Consulting. October 6, 2017. (Refer to Appendix A)

*City of Sutter Creek Energy Action Plan.* Public Review Draft. October 2, 2015.

### Discussion

#### a) Less Than Significant:

As detailed in Appendix A: Air Quality and Greenhouse Gas Analysis Report, Broadmeadows Estates, the project would result in a minimal increase in operational emissions and long-term vehicle miles traveled (VMT) production; and energy consumption would not hinder the ability of the State of California to reach its 2020 or 2030 goals. CalEEMOD results show project construction would generate 257.6 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>e) per year, and project operation would generate 189 MTCO<sub>2</sub>e as compared to the 2020 impact threshold of 1,100 MTCO<sub>2</sub>e, or the 2030 impact threshold of 660 MTCO<sub>2</sub>e. Therefore, GHG emissions would not exceed applicable impact thresholds.

All homes built in Broadmeadows Estates will need to comply with new California Building Standards Code (Title 24, Part 6, California Code of Regulations) that require all new construction homes to have a solar photovoltaic (PV) system as an electricity source. These regulations went into effect on January 1, 2020, and will help reduce GHG emissions from electrical power generators such as Pacific Gas & Electric Company.

### Mitigation

None Required.

**b) Less Than Significant:**

The City of Sutter Creek has not yet adopted a GHG Reduction Plan. However, in 2015, the City adopted an Energy Action Plan (EAP) that includes strategies to reduce energy use that will result in reductions in GHG emissions. Although the EAP is not considered a qualified climate action plan, consistency analysis presented in the Draft EAP beginning on page 15 demonstrates that the City's EAP includes a number of goals or policies that relate directly to climate change, because they attempt to increase energy efficiency. The proposed project is consistent with the feasible and applicable goals in the EAP.

**Mitigation**

None Required.

## 9. Hazards and Hazardous Materials

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

### References:

*Historical Mining Activity Report.* Kenneth A. Williams, Professional Geologist. May 6, 2019. (Refer to Appendix D)

### Discussion

#### a–c) No Impact:

No hazardous materials would be routinely used, transported, or generated by the residential lots. Diesel fuel and oils would be used during construction; however, no significant impact is anticipated because of the temporary use and absence of onsite storage facilities during construction.

**d) No Impact:**

As is common throughout the Sutter Creek Area (and especially within the Mother Lode Belt), mining activities are likely to be found. As detailed in Appendix D: Historical Mining Activity Report, the project site does not exhibit historical mine tailings or activities related to mining. No recorded mines occur within the subdivision and no historical mine tailings or activities related to mining were identified during site reconnaissance visits.

**e-f) No Impact:**

The subdivision is not within an airport safety hazard area or airport noise contour. The subdivision would not physically interfere with an adopted emergency response or evacuation plan.

**g) Less Than Significant:**

The Broadmeadows Subdivision is within a California Department of Forestry & Fire Protection (CAL FIRE) moderate severity wildfire area adjacent to open grassland along its northern boundary. However, there are no trees, brushy areas, or other wildfire hazards in the immediate area. (Refer also to Chapter 20 – Wildfire)

**Mitigation**

None Required.

### 10. Hydrology and Water Quality

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		X		
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:			X	
(i) Result in substantial erosion or siltation on- or off-site;			X	
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;			X	
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
(iv) Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

**Discussion**

**a) Less than Significant with Mitigation:**

Some development activities for the project have been completed, including rough grading, and infrastructure (curb and gutter, street paving, and utilities). Additional improvements to be completed include: individual building pads; refined grading; sidewalk development; water lateral improvements; tree removal and replacement; capping of the well and pump on Lot 5; concrete block and debris removal on Lots 5 and 6; and removal of the soil mound on Lots 2, 3, and 4.

Under the Federal Environmental Protection Agency (EPA) National Pollution Discharge Elimination System (NPDES), if the project discharges water that could affect the quality of surface waters of the State, the project will require coverage under a NPDES 2017 ~~General~~ Construction General Permit (GCP CGP). The proposed storm water improvements for this project would trigger the EPA permit process. In order to comply and ensure that the impact is considered to be less than significant, a Notice of Intent (NOI) needs to be submitted to EPA. As a prerequisite to the NOI, a Storm Water Pollution Prevention Program (SWPPP) needs to be prepared. In addition, a complete Report of Waste Discharge must be submitted to the Central Valley Regional Water Quality Control Board in order to obtain the GCP CGP.

## **Mitigation**

Mitigation Measure BM 10-5: The Applicant shall obtain a NPDES ~~General~~ Construction General Permit, as well as development and implementation of a Storm Water Pollution Prevention Program prior to beginning any stormwater-related construction activity.

### **b) Less Than significant:**

Wells are not proposed as part of this project. The existing well and pump on Lot 5 will be removed and capped under permit from the Amador County Environmental Health Department. Each lot is served by an existing ~~3/4-inch~~ 5/8-inch water lateral, which would need to be upgraded to a 1-inch lateral and 1-inch water meter as required by the Amador Water Agency. (See Appendix F). Stormwater runoff would be collected through the existing curbside gutters and drop inlets along Golden Hills Drive and Broadmeadows Drive that connect to the City's stormwater collection system. Stormwater runoff from the rear of Lots 5 through 10 would be allowed to 'sheetflow' onto the Mabry Parcel, as it will be less than the pre-development condition. Although impervious coverage would increase, no significant impact to groundwater quantity or quality would occur.

## **Mitigation**

None Required.

### **c) Less Than Significant Impact:**

The project will utilize an existing storm drainage system to drain affected portions of Broadmeadows Drive and Golden Hills Drive, including Lots 1-4, and portions of Lots 5-10. The primary drainage system consists of parallel storm drainage lines along and below the curb line of Golden Hills Drive with discharge to the Gopher Gulch drainage via a box culvert spanning Golden Hills Drive near the Gopher Flat Road intersection. Existing drop inlets along Broadmeadows Drive and Golden Hills Drive will be modified with a sediment/oil/grease trap installed as 'in-line' improvements to these two storm drainage lines. (Refer to Figure 2, Appendix E, and Appendix G)

New improvements will also include the installation of two storm manholes and a 12-inch diameter storm drainage line along the north side of Broadmeadows Drive. This new drainage line will connect to the existing drop inlet between Lots 7 and 8, and then connect to the existing storm drainage system that was constructed as part of Golden Hills Estates, Unit No. 2. The existing drainage pipe that extends from the drop inlet between Lots 7 and 8 and drains north to the Mabry Parcel will be removed. (Refer to Figure 2: Broadmeadows Estates Tentative Subdivision Map)

In addition, the existing 12-inch diameter drain line that crosses Golden Hills Drive at its intersection with Broadmeadows Drive will need to be upgraded to an 18-inch diameter line. (Refer to Appendix E: Broadmeadows Estates Storm Drainage Hydraulic Analysis)

Stormwater conveyance via the Gopher Gulch drainage was analyzed as part of the improvements for Golden Hills Estates, Unit No. 2. No additional stormwater drainage improvements to this system are anticipated for the Broadmeadows project.

Stormwater runoff from the rear of Lots 5 through 10 would be allowed to 'sheetflow' across the Mabry Parcel, as it will be less than the pre-development condition.

## **Mitigation**

None Required.

### **d) No Impact:**

The subdivision is not within a flood zone and the additional grading proposed would not alter flood flows such that offsite flooding would occur or cause flows to be redirected so as to increase flooding risk elsewhere.

### **e) No Impact:**

The proposed project does not conflict with the adopted Integrated Regional Water Management Plan.

**11. Land Use and Planning**

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

**References**

City of Sutter Creek. *General Plan, Volume I -- Policy Document*. July 15, 2019.

**Discussion**

**a) No Impact:**

The proposed project is on the periphery of the existing Sutter Creek community, surrounded by existing residential uses, and therefore, will not divide the community.

**b) Less Than Significant:**

Amending the General Plan Land Use Element Map from RL (Residential Low Density) to RSF (Residential Single Family) will bring the project into conformity with the surrounding residential land uses. This will also allow the project to be consistent with the Sutter Creek General Plan. (Refer to the General Plan consistency analysis on the following pages)

Annexation of the subject property is logical and consistent with both City and Amador Local Agency Formation Commission (LAFCo) policies. The annexation area is contiguous to existing single-family residential development, will not divide an existing community, utilizes existing infrastructure, and does not promote leap-frog growth.

Upon approval of the annexation and pre-zoning by the City Council, the City Council will adopt a 'Resolution of Application' to LAFCo for consideration. As part of the LAFCo process, a 'Plan for Services' will be provided, indicating the ability of the respective service providers to provide municipal services. Prior to finalizing the annexation, the City and the County will need to enter into a 'Property Tax Sharing Agreement.'

The Mabry remainder parcel (consisting of ~~5.25~~ 5.03 acres) is not planned for development under this application. It would be established as a separate parcel under the Amador County parcel map process and remain in the County. The current City General Plan Land Use designation for this parcel is Residential Low Density (RL), which allows one dwelling unit per one-half acre.

**Mitigation**

None Required.

## General Plan Consistency Analysis

The Broadmeadows Estates Subdivision is either: '**consistent**,' '**partially consistent**,' '**not consistent with**;' or '**does not apply**' to the following General Plan policies:

### **Land Use**

Land Use Policy **LU-1.1.1**: Growth management is necessary in order to preserve Sutter Creek's existing quality of life. When project applications are being considered for acceptance under the provisions of Government Code Section 65943 and the City's permit procedures, General Plan consistency should be evaluated. If the project proposal is not consistent, the applicant should be advised that the project may be denied if a General Plan amendment is not processed and approved first or concurrently. Included in this evaluation should be a comparison of the project's proposed population density and building intensity with the growth assumptions and policies of this plan.

**Consistent:** *A General Plan amendment from RL to RSF is being processed concurrently with the Tentative Subdivision Map application.*

**Consistent:** *Because of the economic downturn in 2008, the City has grown at a much slower rate than the 0.5% per year projected in the General Plan. In fact, between 2010 and 2021, the City lost population (80 people, or a growth rate of minus 0.3% per year). If this 10-lot subdivision builds out in three years, it will increase the population by about 0.3% per year, still less than the projected 0.5% in the General Plan.*

Land Use Policy **LU-1.1.2**: In-filling is encouraged and leap-frog development or strip commercial development is discouraged.

**Consistent:** *This subdivision is a type of 'infill development' in that the remainder (north side) of Broadmeadows Drive will be developed to complement existing development on the south side of Broadmeadows Drive.*

Land Use Policy **LU-1.1.3**: The City of Sutter Creek desires that the County of Amador allow only large parcels and agricultural uses outside the City's planning area north of State Route 104/Ridge Road. The appropriate County land use designations for these areas should be AG (Agricultural-General) and AT (Agricultural-Transition). The County should remain informed of the City's VSA overlay designations and not allow parcelization that would be inconsistent with the intent of the VSA designation.

**Consistent:** *The project site is adjacent to the Glavinich property to the east. This property is currently in the County and is proposed to be designated Agricultural-Transition (5-acre density) from its current Agricultural-General (40-acre density). It is further proposed to divide 159 acres into five parcels of 20.19 acres, 25.11 acres, 29.7 acres, 35.0 acres, and 64.4 acres.*

**Does Not Apply:** *County lands in the project vicinity do not involve Visually Sensitive Areas*

Land Use Policy **LU-1.1.4**: No urban development should be allowed on lands within the City's planning area that are designated RE(pd), RL(pd) and RSF (pd) unless or until such lands become annexed to the City.

**Does Not Apply:** *The project site does not have a planned development (PD) overlay.*

Land Use Policy **LU-1.1.5**: The City shall only annex those lands that can be developed in accordance with the City's General Plan, are fiscally sound additions to the City, and that can be adequately served by municipal facilities (or acceptable alternative).

**Consistent:** *The annexation area proposed for development includes a General Plan Amendment that will result in exactly the same type of development as adjacent development. The proposed project will provide fiscally sound quality housing; and all municipal services are available and willing to serve.*

Land Use Policy **LU-1.1.6**: The City shall require agricultural conversion mitigation where avoidance has been found infeasible when annexing agricultural land outside of the Planning Area and/or Sphere of Influence into the City of Sutter Creek. In such cases, the minimum mitigation required shall be 1:1 of equivalent value and quality agricultural land, preferably within proximity to the City of Sutter Creek.

**Does Not Apply:** *The project site is within the Planning Area and Sphere of Influence, and is not classified as agricultural land.*

Land Use Policy **LU-2.1.1**: The City shall review the General Plan annually and update the General Plan as needed.

**Consistent:** *The City's General Plan was updated in July 2019; and the Planning Staff presents an annual report to the Planning Commission and City Council.*

Land Use Policy **LU-2.1.2**: The City shall update the zoning code and the zoning map to conform to the General Plan. Also applies to Environmental Justice.

**Consistent:** *The zoning code is currently being updated; and the zoning map was updated along with the General Plan Update. . The Zoning Map would be updated to reflect the annexation and zoning change for this project.*

Land Use Policy **LU-2.1.3**: The City shall assure its subdivision code is consistent with the General Plan.

**Consistent:** *The subdivision code is current; and is consistent with the General Plan Update.*

Land Use Policy **LU-2.1.4**: The land use database of the General Plan shall be maintained.

**Consistent:** *Ongoing.*

Land Use Policy **LU-2.1.5**: The City shall upgrade the City of Sutter Creek Improvement Standards and maintain the Design Standards to be consistent with the City's General Plan.

**Partially Consistent:** *This is a responsibility of the City. The existing Improvements Standards are being reviewed as a separate process.*

**Consistent:** *The Design Standards were revised in February 2016 and are considered current.*

Land Use Policy **LU-2.1.6**: The City shall review the General Plan growth projection and build-out projection for the City on an annual basis.

**Consistent:** *An annual report is filed with the Planning Commission and the City Council.*

Land Use Policy **LU-3.1.1**: The City Manager shall facilitate the coordination of businesses and business associations to attract new business and retain existing business in Sutter Creek.

**Does Not Apply:** *This policy is the responsibility of the City Manager.*

Land Use Policy **LU-3.1.2**: The City should plan for the development of campus-like industrial developments with low rise buildings and landscaped or natural open spaces in the industrial land use designation.

**Does Not Apply:** *The proposed project is located in a residential area.*

Land Use Policy **LU-3.1.3**: The City shall consider expansion of the DTC – Downtown Commercial Area.

**Does Not Apply:** *The proposed project is located in a residential area.*

## Conservation and Open Space

Conservation and Open Space Policy **COS-1.1.1**: Development projects shall be reviewed in accordance with the California Environmental Quality Act (CEQA) and this Element to ensure that such developments mitigate to the point of less than significant impact upon each of the listed resources except where Statements of Overriding Considerations are adopted. Also applies to Environmental Justice.

Listed resources:

- Open Space
- Water Resources
- Water Conservation
- Air Quality
- Geology and Mineral Resources
- Soils, Erosion Control, and Grading
- Vegetation, Wildlife, and Fisheries
- Energy Conservation
- Greenhouse Gases

**Consistent:** *An Initial Study/Proposed Mitigated Negative Declaration (along with a series of technical studies) has been prepared for the project, which demonstrate that through project re-design, adherence to City development standards, and implementable mitigation measures, the project will have a less than significant impact on the nine resource categories with implementation of mitigation measures.*

Conservation and Open Space Policy **COS-1.2.1**: Development projects shall be reviewed in accordance with the City of Sutter Creek Development Standards. Also applies to Environmental Justice.

**Consistent:** *After approval of the Tentative Subdivision Map, the Project Engineer will prepare Improvement Plans and Specifications designed to meet or exceed City Development Standards. City Staff will review these construction documents to ensure compliance with City Standards.*

### Open Space

Conservation and Open Space Policy **COS-1.3.1**: Land use designations, policies, standards, and guidelines concerning open space that are contained within the General Plan Land Use Element shall be considered an integral component of the Conservation and Open Space Element.

**Consistent:** *In updating the General Plan in July of 2019, all necessary efforts were employed to ensure that the Land Use Element was consistent with, and integrated into the Conservation and Open Space Element.*

Conservation and Open Space Policy **COS-1.3.2**: New development shall preserve existing open space, as appropriate, for habitat, passive recreation, active recreation, and/or for visual access and/or aesthetics.

**Does Not Apply:** *The proposed project does not include any open space areas.*

Conservation and Open Space Policy **COS-1.3.3**: No construction should be permitted on unforested slopes in excess of 30% unless the Planning Commission or City Council can make the hardship findings required for a variance.

**Does Not Apply:** *New construction will occur on level building pads. Daylight basements may be utilized for residential dwellings on Lots 6-10.*

Conservation and Open Space Policy **COS-1.3.4**: The use of natural visual screens, such as natural land forms and vegetation, shall be incorporated into new developments where possible to maintain a sense of open space.

**Partially Consistent:** *The project site does not exhibit natural land forms and vegetation. Any natural visual screens will be the responsibility of individual property owners and the extent to which natural vegetation will be utilized for landscaping.*

Conservation and Open Space Policy **COS-1.3.5**: The location of buildings and structures that are planned or proposed near scenic ridgelines as diagrammed on Figure 4-2 in the Land Use Element, which exhibit a prominent skyline when viewed from prominent public access points, should be set back from the scenic ridgeline and/or their heights should be limited and/or vegetation or screening provided to help preserve the existing natural skyline.

**Consistent:** *The project site is relatively close to an identified east-west trending ridgeline, but is located low enough in elevation (approximately 45 feet lower), and set back far enough (approximately 550 feet), so as not to impact the ridgeline.*

### Water Resources

Conservation and Open Space Policy **COS-1.4.1**: The master drainage plan called for in the Public Services and Facilities Element and design standards prepared by the City Engineer shall be made to include provisions to ensure the protection of water quality in Sutter Creek and other water bodies within the planning area.

**Consistent:** *The project site drains to Gopher Gulch, then to Sutter Creek. New storm drainage improvements are proposed to complement the existing Golden Hills Development storm drainage improvements. Storm drainage improvement plans will be prepared by the Project Engineer, with review and approval by the City Engineer.*

Conservation and Open Space Policy **COS-1.4.2**: Upstream diversions of water from Sutter Creek and its tributaries that negatively impact the creek should be prohibited.

**Does Not Apply:** *The proposed project does not involve the diversion of water from the Gopher Gulch drainage course.*

### Water Conservation

Conservation and Open Space Policy **COS-1.5.1**: The City supports the current Amador Water Agency policy requiring water connections within the City to be metered.

**Consistent:** *Each subdivision lot will be supplied metered water from a new 1-inch meter.*

Conservation and Open Space Policy **COS-1.5.2**: To the maximum extent feasible, plants native to the Sutter Creek area that do not require much irrigation should be used for landscaping.

**Consistent:** *The Subdivider anticipates using native tree species for street landscaping adjacent to Broadmeadows Drive, including one Blue oak replacement tree on each lot.*

Conservation and Open Space Policy **COS-1.5.3**: The City encourages the use of recycled water.

**Does Not Apply:** *Currently, a recycled water system does not exist in the project vicinity.*

### Air Quality

Conservation and Open Space Policy **COS-1.6.1**: The City shall limit industry to those that can demonstrate no harmful effects upon air quality. Also applies to Environmental Justice.

**Does Not Apply:** *The proposed project is not industrial in nature.*

Conservation and Open Space Policy **COS-1.6.2**: The City shall implement policies and implementation measures in the Circulation Element that reduce per capita reliance on automobile traffic and incidence of traffic congestion to minimize locally generated carbon monoxide and ozone air pollution. Also applies to Environmental Justice.

**Does Not Apply:** *The City is responsible for preparing the Circulation Element.*

Conservation and Open Space Policy **COS-1.6.3**: The City supports efforts of the Amador Air District to maintain local air quality and statewide efforts to lessen the impacts of pollution affecting the City from growth in the great Central Valley. Also applies to Environmental Justice.

**Consistent:** *The city is a participating agency in the Amador Air District and supports its efforts to maintain local air quality. The City also supports statewide efforts to lessen the pollution impacts affecting the City from growth in the great Central Valley.*

#### Geology and Mineral Resources

Conservation and Open Space Policy **COS-1.7.1**: Mining activities shall be compatible with surrounding land uses.

**Does Not Apply:** *Mining activities are not proposed as part of the project.*

Conservation and Open Space Policy **COS-1.7.2**: Mining activities outside the City should be reviewed to ensure public health and safety and environmental protection.

**Does Not Apply:** *This is the responsibility of the City.*

#### Soils, Erosion Control, and Grading

Conservation and Open Space Policy **COS-1.8.1**: Maintain a grading ordinance that will minimize excessive grading and set forth specific standards and regulations beyond those contained in California Building Code (CBC).

**Does Not Apply:** *This is the responsibility of the City.*

Conservation and Open Space Policy **COS-1.8.2**: The City shall include, adopt, implement, and enforce erosion control guidelines within the City of Sutter Creek Development Standards.

**Does Not Apply:** *This is the responsibility of the City.*

#### Vegetation, Wildlife, and Fisheries

Conservation and Open Space Policy **COS-1.9.1**: Development projects shall be reviewed for their direct and indirect impacts on fish and wildlife resources. The California Department of Fish and Wildlife shall be notified pursuant to CEQA regarding development projects unless the Planning Commission or City Council makes the *de minimis* findings pursuant to Section 21089 *et. seq.* of the California Public Resources Code. Development project applicants shall be required to pay associated fees before approval of such development projects may be considered final.

**Consistent:** *The California Department of Fish and Wildlife (CDFW) is included as part of the City application review process. The Applicant is aware of the CDFW fee requirements and shall pay all required fees.*

Conservation and Open Space Policy **COS-1.9.2**: Development project sites shall be evaluated for wetlands and riparian habitat impacts. Development projects that will impact stream channels, drainage channels, wetlands, or riparian habitat shall reduce such impacts by avoidance, minimization, and/or compensatory mitigation to the point that there is no net loss. Projects that may dredge or fill wetland areas shall be referred to the U.S. Army Corps of Engineers.

**Consistent:** *The proposed project has been evaluated for wetlands and riparian habitat impacts. There are no on-site wetland or riparian areas. The project will improve upon and utilize the current storm drainage improvements for the Golden Hills Development. Except for the rear of Lots 5, 6, 7, 8, 9, and 10, all storm drainage will be directed to the Gopher Gulch drainage through a piped storm drainage system that is currently in place. The rear of Lots 5-10 will sheet flow across the Mabry Remainder Parcel to the Gopher Gulch drainage riparian area at volumes less than the pre-development condition for the Broadmeadows Drive drainage area. (Refer to Figure 6) There will be no new impacts to the Gopher Gulch drainage corridor.*

Conservation and Open Space Policy **COS-1.9.3**: The California Department of Fish and Wildlife will be consulted regarding a streambed alteration agreement pursuant to Section 1600 *et. seq.* of the Fish and Game Code for projects that may directly affect Sutter Creek, the Sutter Creek 100-year, or any tributary to Sutter Creek.

**Does Not Apply:** *A Streambed Alteration Agreement is not required for this project.*

Conservation and Open Space Policy **COS-1.9.4**: No vegetation removal, grading, or development shall be allowed in environmentally significant wetland or riparian habitat unless adequate mitigation measures are adopted that meet the satisfaction of the California Department of Fish and Wildlife and the Army Corps of Engineers, where applicable, and the City of Sutter Creek. Wetland and riparian areas shall be presumed to be environmentally significant unless the City finds, on the basis of evidence in the environmental documents prepared for development projects involving lands on which wetlands may be situated, that the subject wetlands and riparian areas are not environmentally significant. Such findings shall be based on analysis as may be performed by the California Department of Fish and Wildlife.

**Consistent:** *No vegetation removal, grading, or development will occur in the adjacent Gopher Gulch drainage corridor.*

Conservation and Open Space Policy **COS-1.9.5**: Swales are undefined stream channels that are natural collectors of runoff. Building setbacks should be designed to preserve the natural drainage of swales. This policy may not apply to commercial and industrially designated areas.

**Consistent:** *No buildings or structures are proposed near offsite drainage swales.*

Conservation and Open Space Policy **COS-1.9.6**: The Planning Commission and/or City Council shall not approve projects that threaten or destroy native oaks or other unique native flora unless said vegetation is replaced, protected, and maintained such that the quantity and value of the vegetation is lost is certain to be replaced for future human generations.

**Consistent:** *There is one oak tree on the project site. There are no other unique native flora on the project site. One replacement oak tree will be planted on each lot (total of 10 oak trees).*

## Energy Conservation

Conservation and Open Space Policy **COS-1.10.1**: New development should be designed to maximize opportunities to limit use of automobiles, distances traveled to local destinations, and traffic congestion. Also applies to Environmental Justice.

**Not Consistent:** *At the present time, safe pedestrian and bicycle facilities are not available on either Sutter Creek Road or Gopher Flat Road. At some point, pedestrian and bicycle travel may be feasible through the Sutter Crest Subdivision if a pedestrian and bicycle path is constructed across the Powder House Subdivision project site.*

Conservation and Open Space Policy **COS 1.10.2**: All new development should be designed for natural heating and cooling opportunities to the greatest extent feasible. This should be accomplished in the design of large commercial or multifamily residential buildings and by the design of lot sizes and configurations that consider heating and cooling opportunities provided by solar exposure, shade, and breezes. Also applies to Environmental Justice.

**Consistent:** *Lot sizes and orientation (east-west) are situated to maximize solar exposure. Individual homeowners will determine the extent to which solar, shade, and breezes are utilized.*

Conservation and Open Space Policy **COS-1.10.3**: New structures shall comply with California Energy Star guidelines or similar energy savings programs that achieve a 20% reduction from standards contained in Title 24 of the California Code of Regulations. Compliance with Energy Star guidelines may occur through measures such as effective insulation, high performance windows, tight construction and ducts, efficient heating and cooling equipment, natural heating, and non-polluting energy production. Also applies to Environmental Justice.

**Consistent:** *Compliance with energy conservation measures are required to be submitted with a building permit application. Compliance is the responsibility of the City Building Official.*

Conservation and Open Space Policy **COS-1.10.4**: New developments shall be designed to reduce heat island effects. Also applies to Environmental Justice.

**Consistent:** *Larger lot sizes (minimum of 10,000 square feet) will facilitate the planting of shade trees around homes. Cool roofs which reflect heat; and energy efficient appliances can also reduce heat island effects. These measures will be the responsibility of individual homeowners.*

Conservation and Open Space Policy **COS-1.10.5**: Increase renewable-energy generation and use through public outreach. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City.*

## Greenhouse Gases

Conservation and Open Space Policy **COS-1.11.1**: The City shall implement an emissions reduction strategy. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City.*

## Circulation

### Highway and Street Improvements

#### Easterly Bypass Collector Road

Circulation Policy **C-1.1.1**: The City shall require the dedication and construction of the Easterly Bypass Collector Road.

**Consistent:** *Dedication and construction of a portion of the Easterly Bypass Collector Road (Golden Hills Drive Segment) is proposed as part of the Panter Creek Estates Subdivision. For Broadmeadows Estates, the General Traffic Impact Fee of ~~\$4,212.64~~ \$,981.63 per single-family dwelling unit collected at the building permit stage can be dedicated to partial funding of the Easterly Bypass Collector Road, if so determined by the City Council. The Additional Traffic Impact Fee of ~~\$1,332.69~~ \$1,575.97 per single-family dwelling unit collected at the building permit stage for improvements to Gopher Flat Road, can also be dedicated to partial funding of the Easterly Bypass Collector Road, if so determined by the City Council.*

#### Signalization

Circulation Policy **C-1.2.1**: Provide traffic signals at intersections where warranted and feasible.

**Does Not Apply:** *Based on traffic volumes on Gopher Flat Road and Sutter Creek Road, it appears that warrants to trigger traffic signals are not currently present. (Refer to Appendix H)*

#### Street Improvements

Circulation Policy **C-1.3.1**: New development projects have a potential to exceed the growth assumptions contained in the General Plan or that may have specific traffic and circulation concerns not identified by this General Plan shall be required to conduct independent traffic analysis and/or pay for construction improvements to the city's circulation system beyond those addressed in this Circulation Element through direct construction, mitigation fees, land exactions, or special assessments or Mello-Roos districts. In such instances, the citywide traffic model and this Circulation element shall be updated at the developer's expense.

**Consistent:** *A Traffic Impact Assessment for this project was conducted. Broadmeadows Estates (which is subject to a Rezoning) will have a very minor effect on conditions along Gopher Flat Road, and Levels of Service (LOS) will remain at A levels. (Refer to Appendix H)*

Circulation Policy **C-1.3.2**: Improve existing streets and make extensions where appropriate to improve circulation, safety, and capacity.

**Consistent:** *Improvements to the Gopher Flat Road/Shake Ridge Road-Golden Hills Drive intersection, and the Main Street/Hanford Street-Gopher Flat Road intersection were constructed in conjunction with Golden Hills Estates, Unit No. 2.*

Circulation Policy **C-1.3.3**: The City will update the City of Sutter Creek Capital Improvement Program and Funding Strategy as additional street improvement needs are identified (beyond those presently identified in the Circulation Element).

**Does Not Apply:** *This policy is the responsibility of the City.*

#### Intersection Improvements (Other Than Signalization)

Circulation Policy **C-1.4.1**: Provide improvements at intersections to improve safety and traffic flow as conditions warrant.

**Consistent:** *Improvements have been made to those intersections identified in Policy C-1.3.2, above; as well as an All-Way Stop Sign intersection at the following Intersections: Gopher Flat Road and Meadowcrest Road; and Gopher Flat Road and Broad Street.*

## New Streets

Circulation Policy **C-1.5.1**: The City defines and authorizes the use of a "Plan Line." The Plan Line is a process that specifically defines the location of center lines, alignment, right-of-way, cross sections, and intersections for future or proposed roadways and non-motorized transportation rights-of-ways. The purpose of a Plan Line is to provide adequate right-of-way for future growth needs and to protect the right-of-way from encroachment.

**Does Not Apply:** *Golden Hills Drive (northern segment) and Broadmeadows Drive have already been constructed.*

Circulation Policy **C-1.5.2**: As development takes place, developers shall be required to construct major and minor collectors that are needed to serve the area. In lieu of construction, additional fees may be assessed in the amount of a particular developer's share of the cost unless the cost of specific road improvements has been included in City or County mitigation fee computations.

**Consistent:** *Street improvements have already been constructed. In addition, a sidewalk along the street frontage of each lot, new drainage improvements, and installation of a street light will be constructed.*

Circulation Policy **C-1.5.3**: Residential lots should not have direct access to new collectors and arterials; lots should front on local streets only.

**Partially Consistent:** *Lots facing Broadmeadows Drive (Lots 4-10) front on a local street. Because of topographic constraints and the development pattern originally established for Golden Hills Estates, Lots 1-3 front on Golden Hills Drive, a designated Collector Street.*

Circulation Policy **C-1.5.4**: Parking shall not be permitted on arterials and collectors where roadway design does not provide shoulders, lanes and/or parallel facilities for use by cyclists and for emergency parking.

**Partially Consistent:** *Golden Hills Drive has an effective width of 36-feet, which allows for two 12-foot wide travel lanes, and 6-foot parallel parking/emergency parking spaces on each side. This street section does not provide dedicated bicycle lanes.*

Circulation Policy **C-1.5.5**: Road design should minimize necessary grading by aligning roads with topography, running roads along natural ridges or valleys, and working with existing grade.

**Consistent:** *This segment of Golden Hills Drive and Broadmeadows Drive are already constructed; and took into consideration topography and working with the existing grade.*

Circulation Policy **C-1.5.6**: Road sections shall have curbs and gutters or alternative drainage facilities adequate for receiving stormwater runoff from roadway surfaces. New roadway sections shall include sidewalks or pedestrian routes that provide safe and efficient pedestrian access. Sidewalks are preferred but may be deleted in an effort to minimize grading if an alternative is provided for pedestrian use that meets the satisfaction of the Planning Commission or City Council.

**Consistent:** *All subdivision lots currently have roll-over curb and gutter, and a piped storm drainage system. Four foot wide sidewalks will be added to the frontage of each lot.*

Circulation Policy **C-1.5.7**: Multiple ingress and egress options should be provided through new development projects for safety purposes.

**Consistent:** *Broadmeadows residents can exit north on Golden Hills Drive, then east or west on Gopher Flat/Shake Ridge Road; or west on Sutter Crest East through the Sutter Crest Subdivision. Upon completion of Panner Creek Estates Subdivision, residents will be able to exit south on Golden Hills Drive; then east or west on Sutter Creek Road.*

Circulation Policy **C-1.5.8**: Neighborhood Streets should be curvilinear and follow existing contours to the greatest extent possible.

**Consistent**: *Broadmeadows Drive curves to follow the existing contours of the adjacent hill.*

Circulation Policy **C-1.5.9**: Neighborhood streets shall be protected from high traffic counts by not allowing large or accumulated developments from relying on them for access.

**Consistent**: *Broadmeadows Drive is a dead end (cul-de-sac) street with no through access.*

Circulation Policy **C-1.5.10**: Cul-de-sacs and dead end streets shall be discouraged and through streets should be preferred.

**Inconsistent**: *Broadmeadows Drive is a cul-de-sac street, but is located at the eastern development line of the City, which is not expected to develop to the east.*

Circulation Policy **C-1.5.11**: Collector streets should be of adequate width for projected traffic and should not have direct access from low or medium density residential lots.

**Does Not Apply**: *No collector streets are associated with Broad Meadows.*

## **Multi-Modal and TSM Considerations**

### Transit

Circulation Policy **C-1.6.1**: Maximize the use of public transit to reduce dependence on the private automobile. Also applies to Environmental Justice.

**Consistent**: *Amador Transit provides Dial-A-Ride service to the project site; and fixed route service to Downtown Sutter Creek.*

Circulation Policy **C-1.6.2**: The City shall request that the Amador County Transportation Commission (ACTC) and Amador Transit (AT) review and comment upon new projects that may generate or attract, individually or cumulatively, large or moderate volumes of traffic. ACTC's roles and responsibilities involve two overlapping agencies: 1) administration of Transportation Development Act and other funds that are allocated to ACTS; and 2) to serve as the Regional Transportation Planning Agency for Amador County. AT serves as the local transit system in Amador County.

**Consistent**: *As part of the application referral process for new projects, the City solicits comments from ACTC and AT.*

### Delivery of Goods and Service

Circulation Policy **C-1.7.1**: Encourage delivery services to homes and businesses to reduce the number of auto trips.

**Consistent**: *The US Postal Service, FedEx, and UPS, as well as other delivery services are active in the Sutter Creek area.*

Circulation Policy **C-1.7.2**: Small neighborhood commercial facilities should be included where economically viable to minimize automobile traffic as new areas of the city develop. Also applies to Environmental Justice.

**Does not Apply**: *There are no neighborhood commercial land uses in the project area that are designated in the General Plan.*

Circulation Policy **C-1.7.3**: High density residential development that conforms to standards and programs of the General Plan and City ordinances should be constructed in the Sutter Hill/Martell area with convenient walking access to shopping and public services. Also applies to Environmental Justice.

**Does Not Apply:** *The proposed project is not high density residential development, nor is it in the Sutter Hill/Martell area.*

#### Ridesharing

Circulation Policy **C-1.8.1**: The City should encourage carpooling. Also applies to Environmental Justice.

**Does Not Apply:** *This is a responsibility of the City.*

#### Staggered Working Hours

Circulation Policy **C-1.9.1**: The City encourages employers to provide staggered work hours for employees. Staggered work shifts can spread out and reduce peak hour traffic.

**Does Not Apply:** *This is a responsibility of the City.*

#### Bicycle and Pedestrian Facilities

Circulation Policy **C-1.10.1**: Bicycle lanes or paved shoulders should be provided on new arterial and collector roadway facilities unless separate bicycle routes are provided. Also applies to Environmental Justice.

**Consistent:** *Golden Hills Drive, a collector roadway, has paved shoulders.*

Circulation Policy **C-1.10.2**: When required for pedestrian access to public services and facilities, the City shall require development projects to construct pedestrian walks. Also applies to Environmental Justice.

**Does Not Apply:** *Broadmeadows does not have any public services or facilities.*

Circulation Policy **C-1.10.3**: Sutter Creek will urge the creation of safe crossings on Old Highway 49 especially on Old Highway 49 toward Sutter Hill, at the intersection of Old Highway 49 and Sutter Hill Road, at the foot of Sutter Oaks and Mount Pleasant, and near Spanish Street. Also applies to Environmental Justice.

**Does Not Apply:** *The proposed project is not in proximity to these intersections.*

Circulation Policy **C-1.10.4**: Sutter Creek should require new development proposals to help create walking paths or lanes along Old Sutter Hill Road and Sutter Creek-Volcano Road. Also applies to Environmental Justice.

**Does Not Apply:** *The proposed project is not in proximity to these roads.*

Circulation Policy **C-1.10.5**: New development projects should be required to create a creekside trail system along Sutter Creek going towards Volcano as the city limits are moved outward. Also applies to Environmental Justice.

**Does Not Apply:** *The proposed project is not in proximity to the creek.*

Circulation Policy **C-1.10.6**: The design of public facilities, including pedestrian facilities shall comply with the Americans with Disabilities Act. Also applies to Environmental Justice.

**Consistent:** *Sidewalks constructed as part of the subdivision will be ADA compliant.*

Circulation Policy **C-1.10.7**: New development projects should be tied together and to existing parts of the City by an interlinked bicycle and pedestrian trail network as addressed in the Parks and Recreation Element. Also applies to Environmental Justice.

**Does Not Apply:** *The proposed project is not in proximity to the identified bicycle and pedestrian trail network.*

Circulation Policy **C-1.10.8**: Sutter Creek shall require new subdivisions, commercial projects requiring a site plan approval, and industrial projects to implement or fund, as appropriate, a bike system for children to ensure safe access to schools and parks within town. Also applies to Environmental Justice.

**Consistent:** *The proposed subdivision will pay City impact fees related to City parks which can be used for this purpose. This could also be accomplished through a City-wide Community Facilities District (CFD), which this subdivision would be a part.*

Circulation Policy **C-1.10.9**: The Sutter Hill commercial and industrial area should have bicycle and pedestrian access from the adjacent multifamily designated area. Specific facilities for pedestrian and bicycle circulation should be added to the Sutter Hill circulation plan. Also applies to Environmental Justice.

**Does Not Apply:** *The proposed project is not in proximity to Sutter Hill.*

### **Downtown Parking**

Circulation Policy **C-1.11.1**: Provide adequate parking in the historic central business district to serve existing and future development and improve traffic flow on narrow streets.

**Does Not Apply:** *The proposed project is not in proximity to the historic central business district.*

### **Public Services and Facilities**

#### Community Services District

Public Services and Facilities Policy **PS-1.1.1**: The City shall form and manage a City of Sutter Creek Community Services District to address funding for ongoing services, road development and maintenance, street lighting, recreation, City landscaping, and other City-wide services.

**Consistent:** *Broadmeadows will be required to participate in the Community Services District (also referred to as a Community Facilities District) should one be formed.*

Public Services and Facilities Policy **PS-1.1.2**: All development shall be annexed into the City Community Services District.

**Consistent:** *As a condition of approval for the Tentative Subdivision Map, Broadmeadows lot owners/home owners will be required to participate in the Community Services District.*

#### Water Service

Public Services and Facilities Policy **PS-1.2.1**: The City supports the establishment of an additional water storage facility in the northern area of the City provided it improves fire flows citywide and does not conflict with other General Plan policies and standards.

**Does Not Apply:** *This policy is the responsibility of the City and Amador Water Agency.*

Public Services and Facilities Policy **PS-1.2.2**: The Amador Water Agency (AWA) should adjust its “first come, first serve” policy of reserving water supplies based upon development projects to include a provision whereby water supplies will be reserved for jurisdictions who adopt reasonable and adequate general plans. The water reserved for such jurisdictions, will be based upon the water supply needs identified in said plans. The City and AWA should work together to establish a rate for projecting water demands for commercial, industrial, and institutional uses in the planning area and add that to expected residential demands. These projections should then be reserved for the City.

**Does Not Apply:** *This policy is the responsibility of the City and Amador Water Agency.*

Public Services and Facilities Policy **PS-1.2.3**: AWA should upgrade its revenue system to ensure long term needs of the City can be met in a timely fashion. Revenue increases should be connected to a long-term plan that meets the nexus rationale required by law.

**Does Not Apply:** *This policy is the responsibility of the Amador Water Agency.*

Public Services and Facilities Policy **PS-1.2.4**: AWA’s Urban Water Management Plan should become part of the City of Sutter Creek Improvement Standards document consistent with an implementation measure of the Land Use Element.

**Does Not Apply:** *This policy is the responsibility of the City and Amador Water Agency.*

#### Sewage Collection and Disposal

Public Services and Facilities Policy **PS-1.3.1**: New development projects shall upgrade, expand, and/or provide new sewage infrastructure that is sized adequately to meet expected peak flow demands from the development. The sizing of new infrastructure shall be based upon cumulative growth in the region. Reimbursement agreements may be arranged to pay back developers the cost of oversizing to accommodate cumulative growth. Also applies to Environmental Justice.

**Consistent:** *Sewer infrastructure to serve Broadmeadows was included in the development of Golden Hills Estates, Unit No. 2.*

Public Services and Facilities Policy **PS-1.3.2**: New development projects shall be required to pay for or provide for expansion of the City’s sewage treatment facility based upon the expected peak flow demands of said development. Also applies to Environmental Justice.

**Consistent:** *Upon submittal of the Subdivision Improvement Plans, the City Sanitation Engineer will determine whether payment or treatment plant expansion is required.*

Public Services and Facilities Policy **PS-1.3.3**: New development projects may buy excess capacity in the sewage treatment facility that is equivalent to the amount of inflow and infiltration they can reduce within the City’s existing sewage collection system, if this amount can be determined to the satisfaction of the City. Also applies to Environmental Justice.

**Does Not Apply:** *Purchase of excess capacity in the sewage treatment facility is not anticipated for this project.*

Public Services and Facilities Policy **PS-1.3.4**: New development projects in the Sutter Hill/Martell area that did not pay a local match to contribute to the Economic Development Association-funded sewage system and storm drainage improvements in that area shall be assessed an equivalent local match to the extent that they benefit from said improvements.

**Does Not Apply:** *The proposed project is not in proximity to the Sutter Hill/Martell area.*

Public Services and Facilities Policy **PS-1.3.5**: The City shall develop and maintain a long-range capital improvement program that addresses both the maintenance and improvement of existing sewage collection and treatment facilities as well as expansion and construction of new facilities to accommodate projected growth. Such a program will likely establish a clear rationale for charging new developments mitigation fees based on the new facilities and expansion they will require.

**Does Not Apply:** *This policy is the responsibility of the City. The Subdivider will pay such fees if affected facilities are needed by the subdivision.*

#### Storm Drainage

Public Services and Facilities Policy **PS-1.4.1**: Drainage from new construction should be planned carefully to guide water into the citywide drainage system. New development shall analyze and improve off-site drainage systems to ensure their capabilities to handle increased flows. Also applies to Environmental Justice.

**Consistent:** *Refer to Appendix E – Broadmeadows Estates Storm Drain Hydraulic Analysis.*

Public Services and Facilities Policy **PS-1.4.2**: New development projects will provide for their incremental effect on existing storm drainage facilities as well as provide new facilities needed to adequately service the increased runoff they may generate. Also applies to Environmental Justice.

**Consistent:** *Refer to Appendix E, as well as Figure 2 – Broadmeadows Estates Tentative Subdivision Map.*

Public Services and Facilities Policy **PS-1.4.3**: New development applications will be denied unless it is demonstrated they will not overload existing drainage facilities or add to flood hazards in Sutter Creek. Also applies to Environmental Justice.

**Consistent:** *The carrying capacity of Gopher Gulch was analyzed for Golden Hills, Unit No. 2. The City will require limited improvements to the Gopher Gulch stormwater drainage line as conditions of approval. (Refer to Chapter 10 – Hydrology and Water Quality)*

Public Services and Facilities Policy **PS-1.4.4**: Grading plans shall be designed not to create areas of standing water, except for ponds, lakes or other areas designed or intended to provide detention, wetlands, serve recreational or aesthetic purposes, etc.

**Consistent:** *No areas of standing water are proposed for this project. Refer also to Figure 3 – Broadmeadows Estates Preliminary Grading Plan.*

Public Services and Facilities Policy **PS-1.4.5**: Drainage should be directed through landscaped swales or underground pipes or a combination of both, wherever feasible. Open concrete or rock ditches are discouraged in most cases.

**Consistent:** *The Subdivision will utilize an underground piped storm drainage system, except sheet runoff from the rear of Lots 5-10. Refer also to Figure 3 – Broadmeadows Estates Preliminary Grading Plan.*

Public Services and Facilities Policy **PS-1.4.6**: A region-wide master drainage and flood control plan should be developed and adopted.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek and the County of Amador.*

#### Solid Waste

Public Services and Facilities Policy **PS-1.5.1**: The City shall adopt policies for diversion of total solid waste generated by the city.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek in conjunction with the Amador County Integrated Solid Waste Management Agency.*

## Schools

Public Services and Facilities Policy **PS-1.6.1**: The City shall cooperate with the Amador County Unified School district to help obtain a new elementary school site with public recreation facilities in the Sutter Creek planning area. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek and the Amador County Unified School District.*

Public Services and Facilities Policy **PS-1.6.2**: New public buildings, including school facilities, should be located and designed to conform with applicable provisions of this General plan and City Codes. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek.*

## City Offices

Public Services and Facilities Policy **PS-1.7.1**: The City shall assess alternative sites for a City civic center.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek.*

Public Services and Facilities Policy **PS-1.7.2**: The City shall provide funding strategies for upgrading existing City offices and/or relocating offices to a new larger facility.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek.*

## Police Protection

Public Services and Facilities Policy **PS-1.8.1**: The City should obtain a new police department facility that is adequately designed and equipped to meet projected demands. The City should establish a revenue plan and adopt mitigation fees as may be necessary to pay for the costs of the new facility.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek. However, this policy is partially met through the Impact Fee program, which requires a Police Facilities Impact Fee of ~~\$1,174.10~~ \$1,388.43 for each single-family dwelling.*

Public Services and Facilities Policy **PS-1.8.2**: The City should investigate whether or not existing and known projected revenue sources will be adequate to maintain adequate police protection services as the City grows.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek.*

## Fire Protection

Public Services and Facilities Policy **PS-1.9.1**: New development projects shall be annexed into the County's Community Facilities District No. 2006-1 (Fire Protection Services) and the Sutter Creek Fire Protection District, as may be required. Also applies to Environmental Justice.

**Consistent:** *Annexation to both of these districts is proposed.*

Public Services and Facilities Policy **PS-1.9.2**: The Sutter Creek Fire Protection District is encouraged to develop a 10-year fire protection service plan based on growth assumptions specified in the General Plan as well as projections for the surrounding area.

**Does Not Apply:** *This policy is the responsibility of the Sutter Creek Fire Protection District.*

### Emergency Medical

Public Services and Facilities Policy **PS-1.10.1**: The City shall cooperate with the Sutter Creek fire Protection District and American Legion Ambulance Service in the provision of prompt and adequate emergency medical service. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek.*

### Utility Systems

Public Services and Facilities Policy **PS-1.11.1**: New development shall be served by electric power and natural gas, telephone, and high-speed communications. Also applies to Environmental Justice.

**Consistent:** *These services are willing and able to serve the proposed project.*

Public Services and Facilities Policy **PS-1.11.2**: Utilities in new neighborhoods shall be located underground; above-ground utilities in existing neighborhoods shall be located underground where feasible.

**Consistent:** *All utilities to serve Broadmeadows will be underground.*

Public Services and Facilities Policy **PS-1.11.3**: Facilities should be located and designed to conform to the Objectives, Policies, and Implementation Measures of the General Plan.

**Consistent:** *All facilities shall be constructed in compliance with the City Improvement Standards.*

Public Services and Facilities Policy **PS-1.11.4**: New development projects shall be required to dedicate or set aside adequate right-of-way to accommodate cable routes and equipment housings for present and future public utility networks.

**Consistent:** *A 15-foot-wide public utility easement is designated across the frontage of all lots. Refer to Figure 2 – Broadmeadows Estates Tentative Map.*

### Funding Public Services

Public Services and Facilities Policy **PS-1.12.1**: The City shall update its comprehensive public service and facilities needs and revenue study and long-range capital improvement program and funding strategy to ensure that an adequate level of public services and facilities remain available to the citizens of Sutter Creek. The study and resultant plan shall include consideration of the effects of increased costs upon the supply of affordable housing and remain consistent with the Housing element.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek.*

## **Safety**

### Earthquakes

Safety Policy **S-1.1.1**: State building code requirements pertaining to earthquake safety for Seismic Zone 3 shall be applied to new construction and remodeling projects that require a building permit. Also applies to Environmental Justice.

**Consistent:** *This is a requirement to obtain a building permit.*

### Other Geologic Hazards

Safety Policy **S-1.2.1**: Site-specific soils investigations will be required for construction projects when and wherever there is concern for soil-related hazards. Also applies to Environmental Justice.

**Does Not Apply:** *No soil-related hazards have been identified on the project site.*

Safety Policy **S-1.2.2**: Development proposals involving the creation of more than four lots, parcels, or units shall be required to investigate the potential for mine collapse and other mine-related hazards in parts of the City known or suspected of being underlain by mine shafts, drifts, or vents. Also applies to Environmental Justice.

**Consistent:** *Potential mining activity on the project site was assessed; and none was found. Refer to Appendix D – Broadmeadows Estates Historical Mining Activity Report.*

Safety Policy **S-1.2.3**: Mine hazards such as vent, drift, or shaft openings should be plugged, covered, fenced, signed, and/or otherwise managed to protect public health and safety.

**Consistent:** *No vents, drifts, or shaft opening were identified on the project site. Refer to Appendix D.*

Safety Policy **S-1.2.4**: Site-specific soils investigations will be required to evaluate the health risk from proposed projects within or adjacent to mine waste materials. Schools, day care centers, hospitals, and residential subdivisions should not be located in areas where hazardous materials are present in mine waste materials. Also applies to Environmental Justice.

**Consistent:** *No mine waste materials have been identified on the project site.*

Safety Policy **S-1.2.5**: Records concerning mining activities within the planning area should be collected and maintained at City Hall for reference and use by the City and developers.

**Consistent:** *Such records are normally archived for reference by the City; usually when associated with site specific projects for which City approval was required.*

#### Flooding and Dam Failure

Safety Policy **S-1.3.1**: Building and planning permit applications proposing improvements within the FEMA/FIRM map zones "A" or "AE" shall comply with the City's flood plain management ordinance. Also applies to Environmental Justice.

**Does Not Apply:** *Project Site is not within an "A" or "AE" flood zone.*

Safety Policy **S-1.3.2**: The City of Sutter Creek and County of Amador should require new development projects within the Sutter Creek drainage area to control peak flow runoff such that post development discharge rates are not greater than pre-development discharge rates, ensuring new development does not significantly add to flooding hazards. Also applies to Environmental Justice.

**Consistent:** *Storm drainage analysis (Appendix E) indicates that with additional storm drainage improvements (Shown on Figure 2), the piped storm drainage collection system will be sufficient to handle a 100-year storm. With these improvements, the storm water sheet flow from the rear of Lots 5-10 will be less than the pre-development discharge rates for Drainage Areas F and G (Sheet SM-1 of Appendix E).*

Safety Policy **S-1.3.3**: The County of Amador should give the City of Sutter Creek the opportunity to review development projects within the Sutter Creek drainage area to ensure flood hazards within the City are not increased.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek.*

Safety Policy **S-1.3.4**: Reduce the extent of flooding that threatens existing developed areas within the City. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek.*

## Wildland and Urban Fires

Safety Policy **S-1.4.1**: The Sutter Creek Fire Protection District shall be asked by the City to review development plans, land division projects, and planned developments to ensure compliance with fire suppression and prevention requirements. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City of Sutter Creek and the Sutter Creek Fire Protection District.*

Safety Policy **S-1.4.2**: New development shall ensure there is sufficient water supply and facilities for fire suppression units in the event of a wildland fire. Also applies to Environmental Justice.

**Partially Consistent:** *Broadmeadows will be connected to the city water system (including fire hydrants that are already installed) operated by the Amador Water Agency (AWA). AWA has recently reported that its Tanner Water Treatment Plant (which serves Sutter Creek) is at capacity and that very limited new water connections are available. (Refer to details in Chapter 19, Utilities & Service Systems)*

Safety Policy **S-1.4.3**: Looped water systems shall be installed within new developments, where feasible, and new water systems shall provide for adequate pressure and volume at each hydrant installed. Also applies to Environmental Justice.

**Consistent:** *Broadmeadows is part of the Golden Hills Development area looped water system. The Draft AWA Master Plan does not show any deficiencies in this area.*

Safety Policy **S-1.4.4**: In new developments there shall be sufficient access for emergency vehicles and evacuation of residents. Two or more routes of access should be provided, preferably on different sides of the development. Also applies to Environmental Justice.

**Partially Consistent:** *Because Broadmeadows is served by a cul-de-sac street, there is no access to the east. Emergency vehicle access is available from Golden Hills Drive and Sutter Crest East via Gopher Flat Road. Emergency vehicle access is also available to the rear of the subdivision lots from the Mabry driveway off Shake Ridge Road. See also Circulation Policy C-1.5.7.*

Safety Policy **S-1.4.5**: Roads in wildland fire areas shall be well marked and homes shall have addresses in plain view.

**Consistent:** *Access roads on the adjacent Galvanic Ranch property (to the east of Broadmeadows) are well marked. Golden Hills Drive and Broadmeadows Drive are marked with street signage.*

Safety Policy **S-1.4.6**: New roadways shall comply with City standards.

**Consistent:** *Both Golden Hills Drive and Broadmeadows Drive have been constructed to City standards.*

Safety Policy **S-1.4.7**: Vehicular access shall be provided to within 150 feet of a structure.

**Consistent:** *Vehicular access is currently available to within 60-feet of a structure.*

Safety Policy **S-1.4.8**: Buildings in urban-wildland interface areas shall comply with California Department of Forestry and Fire Protection recommendations on defensible space.

**Partially Consistent:** *The project site is adjacent to a Moderate Fire Hazard Severity Zone. State law requires a 100-foot defensible space from structures, which is difficult in a single-family residential subdivision.*

Safety Policy **S-1.4.9**: Property owners in the Main Street Historic District should become organized to plan for and fund a program to reduce or eliminate the threat of urban fire.

**Does Not Apply:** *Project Site is not within the Main Street Historic District.*

## Evacuation and Emergency Preparedness

Safety Policy **S-1.5.1**: The County Office of Emergency Services should complete an upgrade of the County's emergency Management Plan making the document more usable by jurisdictions involved.

**Does Not Apply**: *This policy is the responsibility of the Amador County Sheriff's Office.*

Safety Policy **S-1.5.2**: Coordinated interagency emergency drills should be conducted on a regular basis, especially in hazard areas identified in this plan.

**Does Not Apply**: *This policy should be coordinated by the Amador County Sheriff's Office.*

Safety Policy **S-1.5.3**: Major developments and large commercial or industrial activities should have their own emergency plans and periodic drills.

**Does Not Apply**: *Broadmeadows is not a major development.*

## Hazardous Materials

Safety Policy **S-1.6.1**: The City of Sutter Creek adopts and incorporates by reference the *Household Hazardous Waste Element* prepared by the Countywide AB 939 Committee. Also applies to Environmental Justice.

**Does Not Apply**: *This policy is the responsibility of the City of Sutter Creek.*

Safety Policy **S-1.6.2**: The City shall review industrial and commercial development projects that involve the transportation, storage and/or use of Hazardous materials and ensure steps are taken to protect public health and safety. Also applies to Environmental Justice.

**Does Not Apply**: *Broadmeadows is a residential project.*

Safety Policy **S-1.6.3**: The City Building Inspector will screen non-residential building permits to determine the proposed use of hazardous materials and refer such proposed uses to appropriate State and local agencies as necessary. Also applies to Environmental Justice.

**Does Not Apply**: *This policy is the responsibility of the City Building Inspector.*

## **Noise**

Noise Policy **N-1.1.1**: New noise sensitive land uses or development projects shall be located and designed so that they will not subject persons to indoor or outdoor noise levels greater than those shown on Volume III Tables 6-5 and 6-6. Also applies to Environmental Justice.

**Consistent**: *Broadmeadows is not likely to exceed the indoor average sound level of 45 decibels, and the outdoor back yard average sound level of 60 decibels. The subdivision is located in an area with very low ambient (background) noise levels.*

Noise Policy **N-1.1.2**: The outdoor noise standard for residential developments shall apply only to back yards of single-family residences and recreation areas of multifamily developments. Also applies to Environmental Justice.

**Consistent**: *The backyard average noise level of 60 decibels would apply.*

Noise Policy **N-1.1.3**: Acoustical studies shall be required for projects that would be exposed to noise in the project area on Gopher Flat Road exceeding 59 decibels for the day/night average. Also applies to Environmental Justice.

**Consistent**: *Considering the distance of the project site from Gopher Flat/Shake Ridge Road, the day/night average noise level should not be more than 42 decibels.*

Noise Policy **N-1.1.4**: The City shall protect existing (ambient) noise levels of existing residential neighborhoods and other existing noise sensitive land uses. If a developed area is currently below an adopted noise standard, an increase in noise up to the standard should not necessarily be allowed. Also applies to Environmental Justice.

**Partially Consistent:** *Noise increases at Broadmeadows exceeding the 60-decibel threshold are expected during construction of subdivision improvements and during residential building construction. These are considered to be short-term noise levels in excess of the standard.*

Noise Policy **N-1.1.5**: The City may require that new land use proposals be modified, mitigated, or not be carried out if they will cause the day/night noise level of an existing developed area to experience an increase of 3 decibels-A scale (dBA) or more or if they could generate noise levels that would be expected to generate significant adverse community response. Also applies to Environmental Justice.

**Consistent:** *Broadmeadows consists of detached single-family residential dwellings, which are similar to existing development in the area, and for which similar noise levels are expected.*

Noise Policy **N-1.1.6**: Large trucks should be discouraged on Old Highway 49 (except possibly for deliveries or when large trucks operate from a base located in the City). Also applies to Environmental Justice.

**Does Not Apply:** *Broadmeadows is limited to residential uses.*

Noise Policy **N-1.1.7**: Setbacks, earth berms, landscaping, design features and other measures acceptable to the City shall be used to ensure the Highway 49 bypass does not impact residentially designated properties beyond acceptable standards. Also applies to Environmental Justice.

**Does Not Apply:** *The proposed project is not in the vicinity of the Highway 49 bypass.*

Noise Policy **N-1.1.8**: Reduce noise generated from sources outside the City's jurisdiction.

**Does Not Apply:** *This policy is the responsibility of the City.*

Noise Policy **N-1.1.9**: The City shall actively participate in monitoring and oversight of the Lincoln Mine project to ensure the project does not conflict with City codes and General Plan policies and standards.

**Does Not Apply:** *This policy is the responsibility of the City.*

Noise Policy **N-1.1.10**: The Sutter Creek police Department shall enforce Sections 27150 and 38275 of the California Vehicle Code; the sections pertain to the allowable noise emission of vehicles operated on public streets. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the Sutter Creek Police Department.*

Noise Policy **N-1.1.11**: Enforce the policies and standards of the Noise Element where and when appropriate. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the Sutter Creek Police Department or Code Enforcement.*

Noise Policy **N-1.1.12**: Incorporate noise attenuation features in design standards for collector and arterial city streets. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City.*

Noise Policy **N-1.1.13**: The City shall update noise regulations when appropriate.

**Does Not Apply:** *This policy is the responsibility of the City.*

Noise Policy **N-1.1.14**: The City shall modify the Noise Element Contour Maps when appropriate.  
**Does Not Apply:** *This policy is the responsibility of the City.*

## Historic

Historic Policy **H-1.1.1**: Historic structures that give Sutter Creek its character should be preserved and maintained to the greatest degree possible. The City shall actively encourage the restoration and maintenance of historic buildings or sites.

**Does Not Apply:** *Broadmeadows consists of newly constructed dwellings.*

Historic Policy **H-1.1.2**: Stone walls and other structures or sites related to Sutter Creek's history, including rock walls, shall be preserved in place whenever possible. When not possible, said structures may, in certain circumstances, be relocated and may be incorporated into new buildings if said design maintains the historic value of the structure.

**Does Not Apply:** *There are no stone or rock walls on the Broadmeadows site.*

Historic Policy **H-1.1.3**: The North Central Information Center at Sacramento State University and qualified historians or individuals knowledgeable about the City's history shall be offered adequate information and time to review and comment upon major development proposals that have a potential to affect known or unknown cultural or historical resources.

**Consistent:** *Refer to Appendix C – Broadmeadows Estates Cultural Resources Records Search Results.*

Historic Policy **H-1.1.4**: Development projects shall notify the City and relevant parties if historic or prehistoric occupancy or use of the site is discovered during grading or building activities.

**Consistent:** *See Cultural Resources Mitigation Measures in Section 5.*

Historic Policy **H-1.1.5**: Maintain, improve or expand the historic districts as attractive and unique cultural and historical business and residential districts that will attract and please visitors to the City.

**Does Not Apply:** *This policy is the responsibility of the City.*

## Parks and Recreation

Parks and Recreation Policy **PR-1.1.1**: Parklands and recreational facilities may be considered open space land for purposes of the General Plan provided they meet the criteria set forth for open space specified in the Land Use Element and Conservation and Open Space Element

**Does Not Apply:** *No park and recreation or open space land is proposed as part of Broadmeadows.*

Parks and Recreation Policy **PR-1.1.2**: New residential developments shall provide land and/or funding for parks and recreation facilities. Also applies to Environmental Justice.

**Consistent:** *Broadmeadows will contribute ~~\$8,760~~ \$9,427.61 per dwelling unit to the City Parks Fund.*

Parks and Recreation Policy **PR-1.1.3**: Public open space, trails, park maintenance, overhead, and liability insurance should be funded through a special district or other mechanism formed to maintain parks and landscaping as well as lighting or other facilities deemed appropriate and consistent with the capital improvements program (CIP).

**Consistent:** *Broadmeadows lot owners/home owners will be required to annex to the City-wide Community Services District if one is formed.*

Parks and Recreation Policy **PR-1.1.4**: School recreational facilities should remain available for public use when not being occupied by school functions. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of Amador County Unified School District.*

Parks and Recreation Policy **PR-1.1.5**: A regional park/sports complex should be established in the Sutter Hill/Martell area that will serve the expanding needs of western Amador County. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of Amador County and participating cities.*

Parks and Recreation Policy **PR-1.1.6**: One or more additional community parks should be established in the City. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City.*

Parks and Recreation Policy **PR-1.1.7**: Neighborhood parks should be located within walking distance of the residences they are intended to serve. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City.*

Implementation Measure No. **PR-1.1.7.1**: New large residential development projects containing at least 50 to 100 residential units shall include neighborhood parks. For purposes of this implementation measure, the large residential development project is identified as Golden Hill Subdivision Unit No. 1, Unit No. 2, Unit No. 3 (now Panzer Creek Estates), and Unit No. 4 (now Broadmeadows Estates).

**Consistent:** *Within Panzer Creek Estates, an anticipated future park is proposed adjacent to Sutter Creek Road and is identified on Figure 1-11 on page 11-5 of the City of Sutter Creek General Plan.*

Parks and Recreation Policy **PR-1.1.8**: The Sutter Creek Corridor (stream channel) or 100-year flood plain should be made into an attractive, yet safe, linear parkway. Also applies to Environmental Justice.

**Does Not Apply:** *The Broadmeadows project is not located on the creek. This policy is the responsibility of the City.*

Parks and Recreation Policy **PR-1.1.9**: The City shall adopt a bicycle and pedestrian transportation plan and funding mechanism that includes an interlinking citywide network of pedestrian walking paths and bicycle trails should be established to provide connectivity between residential communities and the downtown area. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City. Sidewalks and neighborhood streets are provided for accessibility within the development.*

## Housing

Housing Policy **H-1.1**: Ensure sufficient sites are appropriately zoned to accommodate each jurisdiction's share of regional housing needs. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City.*

Housing Policy **H-1.2**: Make use of state and federal programs to support housing provision, including funding programs. Work with nonprofit and for-profit developers to make use of those programs for which the developer must be the applicant.

**Does Not Apply:** *This policy is the responsibility of the City.*

Housing Policy **H-1.3**: Promote the development of second units.

**Does Not Apply:** *This policy is the responsibility of the City. It is not expected that Broadmeadows will produce any second units.*

Housing Policy **H-1.4**: Assist in the development of housing affordable to extremely low, very low- and low-income households through financial and/or technical assistance. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City.*

Housing Policy **H-5**: The County and the cities of Lone, Jackson, Plymouth and Sutter Creek will consider establishing countywide or individual Affordable Housing Trust Fund(s).

**Does Not Apply:** *This policy is the responsibility of Amador County and the four cities.*

Housing Policy **H-2.1**: Provide for a variety of housing types to meet the housing needs of special population groups. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City.*

Housing Policy **H-3.1**: Pursue a combination of public and private actions to rehabilitate and maintain the existing stock of housing. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City.*

Housing Policy **H-3.2**: The County and the cities of Lone, Jackson, Plymouth and Sutter Creek should consider working together with local utility companies to implement energy awareness programs.

**Does Not Apply:** *This policy is the responsibility of the City.*

Housing Policy **H-3.3**: The County and the cities of Lone, Jackson, Plymouth and Sutter Creek shall promote energy and water conservation designs and features in residential developments.

**Does Not Apply:** *This policy is the responsibility of the City.*

Housing Policy **H-4-1**: The jurisdictions shall promote housing opportunities for persons regardless of age, race, religion, sex, marital status, national origin, color, disability, or economic level. Also applies to Environmental Justice.

**Does Not Apply:** *This policy is the responsibility of the City.*

Housing Policy **H-5-1**: The County and the cities of Lone, Jackson, Plymouth and Sutter Creek shall enforce its land use policies that allow residential growth for a variety of housing types.

**Does Not Apply:** *This policy is the responsibility of the City.*

Housing Policy **H-5.2**: The agencies shall continue efforts to fast-track residential applications in order to promote the construction of housing.

**Does Not Apply:** *This policy is the responsibility of the City.*

Housing Policy **H-5.3**: Reestablish a countywide housing task force to implement this housing element.

**Does Not Apply:** *This policy is the responsibility of the City.*

## Environmental Justice

Environmental Justice Policy **EJ-1.1.1**: Consider environmental justice issues as they pertain to the equitable provision of public services, housing amenities, and environmental quality.

***Does Not Apply:*** *This policy is the responsibility of the City.*

## 12. Mineral Resources

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

### Discussion

#### a–b) No Impact:

The subject property is within a mineralized zone, including a portion of the Mother Lode Gold Belt. However, these mineral claims do not affect surface land use activities, and are normally effective 300-feet or more below the surface. Development of the proposed subdivision will not affect underground mineral resources. However, potential property owners should be aware of mining claims on their property. This information will be disclosed in a title report for the property.

**13. Noise**

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

**Reference:**

*Draft Westover Field Airport Compatibility Plan. ESA. June 2017.*

**Discussion**

**a-c) Less Than Significant:**

The proposed project site is located in an area with low ambient (background) noise levels (characterized at 50 decibels between 7:00 AM and 7:00 PM for single-family residential uses). Establishment of 10 additional residential dwellings is not anticipated to create higher noise levels or contribute to an increase in the current ambient noise levels in the area.

During construction of the subdivision improvements (storm drainage including trenching, final grading of individual lots, and similar activities) daytime noise levels will likely exceed the 50 decibel threshold. These exceedances are considered to be very short term (a few hours to a few days), but are expected to cause an inconvenience to neighboring homes; but not cause significant effects.

During construction of structures on individual lots, noise from this construction activity will be noticed by residential uses in the area. In order to minimize these noise effects, contractors and property owners need to adhere to City noise requirements as contained in the Municipal Code. Section 10.50.120 of the Code relating to Building and Construction Noise Limitations, restricts the use of construction-type equipment between the hours of 7:00 PM and 7:00 AM.

The proposed subdivision is outside the Westover Field Airport Influence Area – Safety Zone 6. Safety Zone 6 comprises the traffic pattern zone, which covers regular traffic patterns and pattern entry route both in and out of the airport. The project site is outside the 55 CNEL (Community Noise Equivalent Level), which is the lowest noise level calculated for airport operations.

**Mitigation**

None Required.

**14. Population and Housing**

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

**Discussion**

**a-b) No Impact:**

Annexing the area into the City and amending the General Plan land use from RL to RSF allows for increased housing density; however, the increase in density would allow for 17 units to be constructed if all 2.77 acres comprising the residential lot footprints were built to capacity under the RSF designation as compared to 5 units under the RL designation. The project proposes a 10-unit subdivision, with lot sizes in between the minimum RL (20,000 square feet) and RSF (7,000 square feet) designations. It should be noted that the existing Golden Hills development to the south and west is already designated RSF, with similar densities.

The proposed project is expected to add approximately 28 residents to the City of Sutter Creek, which represents a 1.1% increase over the existing population. The previous work completed in the area has already extended roadways and utility infrastructure, and no new roads or new utility main lines are proposed. No persons or existing housing will be displaced as a result of the project.

The Mabry remainder parcel (consisting of ~~5.25~~ 5.03 acres) is not planned for development under this application.

**15. Public Services**

a) <b>Would the project:</b> result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

**Discussion**

**a) Less than Significant:**

Public services (including law enforcement, fire protection, and schools) presently serve the project area. No changes to the level of service are anticipated. The subdivision would continue to be served by the Amador County Unified School District following the annexation. The potential increase in additional students (approximately 7 students Kindergarten through 12<sup>th</sup> Grade), is not anticipated to adversely affect capacity or require the development of additional school facilities.

The area to be annexed into the City is currently served by the Amador County Sheriff’s Office and Amador Fire Protection District. Following annexation, the subdivision would be served by the Sutter Creek Police Department and Sutter Creek Fire Protection District. The area to be annexed would also be served by the City of Sutter Creek, rather than Amador County.

Allocation of property tax revenue derived from the annexation area will be determined by a Master Property Tax Allocation Agreement approved by the Amador County Board of Supervisors and the Sutter Creek City Council. This agreement will affect the allocation of property tax to the City, the Sutter Creek Fire Protection District, and the Amador Fire Protection District. The allocated amounts are not known at this time.

Existing park facilities are adequate to serve the additional residents from this project and additional park facilities are not proposed. The nearest park facilities are: Sutter Creek Grammar School (1.0 miles away); and Minnie Provis Park (1.4 miles away). Homeowners will be required to contribute ~~\$8,760~~ \$9,427.61 per dwelling unit to the City Parks Fund.

The ability of service providers to provide public services will be verified through ‘Referral Comments’ as part of the project review process. At this time, there are no known limitations on the ability of these agencies to provide public services.

**Mitigation**

None Required.

**16. Recreation**

	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

**Discussion**

**a–b) Less than Significant:**

The addition of 10 residential units (approximately 28 persons) will have a small but incremental effect on the City park system. However, the use of these park facilities by residents of Broadmeadows is not expected to adversely impact existing park facilities. The nearest park facilities are: Sutter Creek Grammar School (1.0 miles away) and Minnie Provis Park (1.4 miles away).

The project does not have an adequate area to justify new park facilities within the Subdivision. Therefore, the Subdivision will be required to pay Quimby Act Fees in lieu of parkland dedication. Fees are calculated based on the land value for each lot and are collected at the building permit stage. Homeowners will also contribute to park facilities through payment of a Park Impact Fee of ~~\$8,760~~ \$9,427.61 per dwelling unit upon issuance of a building permit.

**Mitigation**

None Required.

**17. Transportation**

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d) Result in inadequate emergency access?				X

**Reference:**

*Panner Creek Estates (and Broadmeadows Estates) Traffic Impact Assessment.*  
 KD Anderson and Associates, Inc., Transportation Engineers. June 14, 2018.

Note: This traffic analysis also incorporated traffic data related to Panner Creek Estates, which has now been superseded. However, the traffic data for Broadmeadows Estates is still appropriate for this Initial Study/Proposed Mitigated Negative Declaration.

**Discussion**

**a, c and-d) No Impacts:**

The circulation system to serve this subdivision includes existing dedicated public streets. No changes to the circulation system are anticipated. A new sidewalk would be extended along the north side of Broadmeadows Drive for improved pedestrian circulation.

As detailed in Appendix H: Traffic Impact Assessment, traffic impacts from Broadmeadows Estates (10-lots) and adjacent vacant lots (12 lots) will not reduce the level of service (LOS) on any street segment included in the Assessment. (Table 6 on Page 7 of Appendix H). The Traffic Impact Assessment estimates 94 new daily trips would be generated by the 10 lot Subdivision.

Off-site improvements to the Gopher Flat Road/Shake Ridge Road-Golden Hills Drive intersection, and the Main Street/Hanford Street-Gopher Flat Road intersection were constructed in conjunction with Golden Hills Estates, Unit No. 2. Because the Broadmeadows Subdivision will not reduce the LOS on Gopher Flat Road, no other improvements to Gopher Flat Road are anticipated at this time. Homeowners within Broad Meadows will pay a General Traffic Impact Fee of ~~\$4,626.86~~ \$4,981.63, and a Special Golden Hills Estates Traffic Impact Fee of ~~\$1,464.37~~ \$1,575.97 at the building permit stage.

**b) Less Than Significant:**

VMT and Transit (CEQA Guidelines Section 15064.3(b))

The project is estimated to generate 13.3 vehicle miles traveled (VMT) per household per day, based on 2.02 persons per household (California Department of Finance, E-5 Population and Housing Estimates, January 1, 2023); and 6.6 home-based vehicle miles traveled per capita per day (California Household Travel Survey, Caltrans, June 2013). The proposed project is estimated to generate 133 VMT per day.

The City of Sutter Creek has not yet established a methodology to evaluate project impacts based on VMT.

Amador Transit provides fixed route bus service via the Route 5A and 5B shuttle, which provides service in the Jackson, Martell, and Sutter Creek areas, with a stop at the Sutter Creek Post Office. The proposed project is approximately 0.9 miles from the post office. Amador Transit also offers Dial-A-Ride curb to curb service in the Sutter Creek and Jackson areas.

**Mitigation**

None Required.

## 18. Tribal Cultural Resources

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resource Code section 21074 as either a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				X
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				X
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subsection (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				X

### Discussion

#### a) No Impacts:

The majority of the project site has been graded and no tribal cultural resources have been identified within or adjacent to the project site. Refer to Appendix C for details.

Pursuant to Assembly Bill 52 (Chapter 532, Statutes of 2014) and Senate Bill 18, the City is required to consult with affected Tribes regarding effects of the project on tribal resources. Local tribes include the Jackson Rancheria Band of Miwuk Indians, the Buena Vista Tribe of Miwuk Indians, the Ione Band of Miwok Indians, the Calaveras Band of Miwok Indians, the Washoe Tribe of Nevada and California, the Shingle Springs Band of Miwok Indians, and the United Auburn Indian Community of the Auburn Rancheria.

**19. Utilities and Service Systems**

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?		X		
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

**Discussion**

**a and c) Less than Significant:**

Municipal services for Broad Meadows will be provided by the following service providers:

Service	Current Provider
Wastewater	City of Sutter Creek
Storm Drainage	City of Sutter Creek
Electricity	Pacific Gas & Electric Company
Natural Gas	Pacific Gas & Electric Company
Telecommunications	AT&T, AT&T U-verse, HughesNet, Viasat, Xfinity by Comcast, DIRECTV, dish Network

The ability of service providers to provide public services will be verified through 'Will Serve Letters' and 'Referral Comments' as part of the project review process. At this time, there are no known limitations on the ability of these agencies to provide public services. Refer to Appendix F for service provider information received to date.

**b) Less than Significant with Mitigation:**

Water

The Amador Water Agency (AWA) is responsible for providing potable water to the project. AWA has recently reported that the Tanner Water Treatment Plant is operating at capacity, and that water to serve new development is very limited. Through a recent improvement to the plant, AWA estimates that approximately 182 additional EDU's (equivalent dwelling units) can currently be served. (Larry McKinney, AWA General Manager; personal communication)

The Broad Meadows project was issued a Letter of Water Availability from AWA on November 5, 2018. (Refer to Appendix F) Given the current limitations on water availability, this Letter needs to be updated.

In addition, AWA has recently (July 2023) updated the Tanner Treatment Plant Connection Commitments List. This list indicates potential development projects and the associated EDU's assigned to each project. ~~Under the 'Will Serve' category on the list, Golden Hills Estates Units 1, 2 and 4 are assigned a total of 19 EDU's. Unit 1 (on Ridgecrest Court) has 4 EDU's remaining to be assigned. Unit 2 (on Herrington Court) has 3 EDU's remaining to be assigned. Of the remaining 12 EDU's available for Golden Hills, the Broadmeadows Estates Subdivision (formerly Golden Hills Unit 4) would utilize 10 EDU's. Therefore, While not currently on the Connection Commitments List,~~ Broadmeadows qualifies for a 'Will Serve' letter from AWA once the Tentative Subdivision Map is approved by the City.

Individual service laterals/water meters for each of the 10 residential lots will need to be upgraded from 3/4-inch laterals and 5/8-inch water meters to 1-inch laterals/meters. (Refer to Appendix F – Broadmeadows Estates Public Service Letters)

**Mitigation**

Mitigation Measure BM 19-6 After approval of the Broadmeadows Tentative Subdivision Map by the Planning Commission, the Applicant shall apply to the Amador Water Agency for a 'Will Serve' Letter for 10 EDU's.

**d and e) Less than significant:**

Solid waste (garbage) services are provided within Sutter Creek by ACES Waste Services, Inc. under a franchise agreement with the City of Sutter Creek. ACES provides weekly garbage service and alternating weeks for yard waste and recyclables. At this time, there are no known limitations on the ability of ACES to provide solid waste services to the proposed subdivision.

Amador County contracts with Sacramento County for disposal of its solid waste, which is transported by ACES to the Keefer Landfill in eastern Sacramento County. No solid waste is disposed of in Amador County. The Keefer Landfill has a 60-year life expectancy.

Currently, Amador County is able to divert close to 70% of the solid waste stream to recycling facilities. However, changes in the ability of solid waste companies to market recyclable materials is becoming problematic. ACES (along with the County and the five cities) transport all recyclable materials to the Recycle Center in Galt, for which they have been paid \$30 per ton of material. This is changing due to the inability of the United States to ship recyclable material to China. The County will soon be paying the Galt Recycle Center \$160 per ton to dispose of its recyclable material. This situation is further complicated by new State requirements (Assembly Bill 1826 and Senate Bill 1383) which will require the diversion of 50% of organic material (food waste and the like) from the waste stream by 2022, and 75% by 2025. The County is not presently set up for this more specialized recycling; which will require new equipment and new capabilities in order to meet this mandate. The effective date of this new program is dependent on program evaluation by the California Department of Resources Recycling and Recovery (CalRecycle). The City of Sutter Creek has adopted a 5-year waiver for these requirements.

(James McHargue, former Amador County Solid Waste Manager; personal communication)

### **Mitigation**

None Required.

## 20. Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, <b>would the project:</b>	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?		X		
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

### Reference:

California Department of Forestry and Fire Protection. *Fire Hazard Severity Zones*. August 2018.

### Discussion

#### a) Less Than Significant with Mitigation:

The current circulation system to serve this subdivision is in place and the City has adopted an emergency evacuation plan. This plan directs residents of the Golden Hills area to evacuate westbound on Gopher Flat Road, then northerly or southerly via Hanford Street or Main Street. Development of Broadmeadows will not impair this plan.

#### Mitigation

Mitigation Measure BM 20-7: All Broadmeadows Estates property owners shall receive a copy of the City Emergency Evacuation Plan.

#### b and c) Less Than Significant:

The Broadmeadows Subdivision is located within a CAL FIRE Moderate Severity Zone, and is within the mapped non-very high fire hazard severity zone.

The subdivision is adjacent to open grassland along its northern boundary. However, there are no trees, brushy areas, or other wildfire hazards in the immediate area.

The project site is adjacent to an area designated as 'moderate risk' with respect to fire hazard severity. Moderate is the lowest classification and may require specific building requirements and establishment of 'defensible space' for each residential lot as required by State law (Public Resources Code Section 4291). Utility infrastructure is located below ground to avoid fire risk.

**Mitigation**

None Required.

**d) No Impacts:**

Due to its location, the subdivision is not expected to suffer from flooding or landslides, slope instability or drainage changes or to cause such instabilities off-site.

**Mitigation**

None Required.

## 4. Mandatory Findings of Significance

Mandatory Findings of Significance	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

### Discussion

#### a and c) Less than Significant:

The proposed project will have a small but incremental impact; however, these impacts are not anticipated to have any significant effect on environmental resources, population, or services.

### Mitigation

None Required.

#### b) Less Than Significant

The potential exists for 'cumulative impacts' from implementation of the project, as well as the potential to induce growth.

Refer to the Cumulative Impact Matrix in Chapter 5, following.

## 5. Cumulative Impacts

This chapter evaluates the potential cumulative environmental effects of the Broadmeadows Estates Subdivision.

### a. Aesthetics

Single-family dwellings will be constructed on each lot, similar to adjacent single-family dwellings in the neighborhood. Light and glare similar to existing homes in the area are anticipated. The Broadmeadows Estates Subdivision will not be aesthetically different from adjoining development.

### b. Agricultural and Forestry Resources

Development of Broadmeadows Estates will convert 'vacant land' (land currently not used for any other purpose) to residential uses. The subject property is designated by the City of Sutter Creek for residential development. Therefore, the project does not conflict with; and does not encroach on agriculture or timber resources.

### c. Air Quality

The Subdivider has indicated that Broadmeadows Estates will be constructed prior to any other development in the area. There will be a small but incremental cumulative air quality effect in the area resulting from the project.

### d. Biological Resources

The Broadmeadows Estates subdivision will not have any adverse effects on biological resources. No sensitive resources are located on the project site.

Residential development for the site will be similar in type and intensity to those currently found in the surrounding area. Consequently, project implementation is not anticipated to have any significant cumulative effect on regional biological resources.

### e. Cultural Resources

No prehistoric (Native American) archaeological resources were identified on the project site. No historic buildings or structures were identified on the project site. The Broadmeadows Estates Subdivision will not compromise cultural resources.

### f. Energy

Construction of subdivision improvements, and construction of individual residential dwelling units will utilize conventional construction equipment which are not expected to be energy-related wasteful, inefficient, or unnecessary.

The project will contribute a small but incremental increase in energy use in the region.

g. Geology and Soils

Adherence to required seismic construction standards for buildings and foundations under Zone 3 of the California Building Code; and utilizing standard erosion control measures as required under the Uniform Building Code will ensure that potential cumulative impacts to geologic and soils aspects will be minimal.

h. Greenhouse Gas Emissions

Construction-related green house gas emissions (GHG) for carbon dioxide will be below the threshold amount of 1,100 metric tons per year. The project will contribute a small but incremental increase in GHG emissions in the region.

During operation (and at full build-out of 10 residential dwellings), total GHG emissions will be below the threshold of 869 metric tons for carbon dioxide. With new housing units utilizing rooftop solar energy generation' and with increasing improvements to mobile emissions, water efficiency, and energy efficient appliances, it can be expected that household energy demands will decrease and therefore greenhouse gas emissions will also decrease over the lifespan of the development.

i. Hazards and Hazardous Materials

No hazardous materials would be routinely used, transported, or generated by the 10 residential lots. Diesel fuel and oils would be used during construction; however, no significant impact is anticipated.

j. Hydrology and Water Quality

Broadmeadows Estates will utilize the Gopher Gulch drainage course to transport stormwater from the project site. Previous studies (Golden Hills Estates, Unit No. 2 and Powder House Estates) related to the ability of the Gopher Gulch drainage course to adequately carry stormwater runoff has resulted in improvements along Gopher Gulch to allow such capacity. Additional larger-scale development along the Gopher Flat Road corridor will likely require the diversion of stormwater away from Gopher Gulch southerly to Sutter Creek.

k. Land Use and Planning

At the present time, the City General Plan does not envision additional expansion of the City east of the Golden Hills development (including Broadmeadows). Therefore, completion of development in this area will not be growth inducing and has already been addressed through the Sutter Crest Estates/Golden Hills Estates review process.

Additional undeveloped lands along the Gopher Flat Corridor and within the City Planning Area, carry the 'Planned Development Overlay' designation, which requires City "approval of development plans that show how projects in these areas will conform to General Plan goals, objectives, policies, and design guidelines." (Sutter Creek General Plan Land Use Element; Combined Land Use Designations. Page 4-8, Figure 4-1. July 2019)

The Broadmeadows Estates project will add a slight increase in land within the City limit and result in changes to the total acreage of the land use and zoning designations. Broadmeadows Estates would result in the addition of 3.25 acres of land designated and zoned Residential Single Family/R-1.

In what is identified as the 'Mabry remainder parcel' -- a ~~5.25~~ 5.03 acre parcel adjacent to Broadmeadows -- is unlikely to develop in the future due to environmental constraints (Gopher Gulch riparian corridor that passed through it) and infrastructure costs to extend Gopher Flat Road along the property frontage of both the Mabry Parcel and the Birge Parcel (900 lineal feet). These parcels are currently outside the City Limits, but within the Sutter Creek Sphere of Influence (SOI) and designated as RL (Residential Low Density; one-half acre minimum lot size). Although no development plan has been proposed, it is estimated that the Mabry Parcel could yield approximately 6 residential lots under the RL designation.

#### I. Mineral Resources

A mineralized zone associated with the Mother Lode Gold Belt underlies the proposed subdivision. No effects are anticipated as these claims are deep underground and do not impact surface activities.

#### m. Noise

The Subdivision consists of detached single-family residential dwellings, and will generate similar noise levels as adjacent detached single-family residential dwellings. The Subdivision will need to comply with City Noise Ordinance requirements.

#### n. Population and Housing

Broadmeadows Estates will generate approximately 28 new City residents at full buildout. This amounts to a 0.3% increase over the current population of 2,590 residents. Broadmeadows will cause a small, but incremental increase in the City population.

Broadmeadows will add 10 residential dwelling units to the current housing stock, which currently consists of 1,432 residential dwelling units.

o. Public Services

Broadmeadows has the potential to cumulatively affect the ability of public service providers to maintain adequate levels of service. At the present time, these cumulative impacts have not been triggered; as adequate police protection, fire protection, school facilities, and park facilities are available. There are no known limitations on the ability of these service providers to provide public services.

p. Recreation

The addition of 28 residents from the Broadmeadows Subdivision will have a small but incremental effect on the City park system. However, the use of these park facilities by residents of Broadmeadows Estates is not expected to impact existing park facilities. The nearest park facilities are: Minnie Provis Park (0.9 miles away); and Sutter Creek Primary School (1.4 miles away). Broadmeadows homeowners will contribute to park facilities through payment of a Park Impact Fee of ~~\$8,760~~ \$9,427.61 per dwelling unit upon issuance of a building permit.

General Plan Implementation Measure PR-1.1.7.1 requires new large residential development projects (defined as containing at least 50 to 100 units) to provide neighborhood parks.

q. Transportation

Traffic analysis conducted for Broadmeadows Estates indicates that traffic on Gopher Flat Road resulting from Broadmeadows would remain at Level of Service (LOS) A. Therefore, Broadmeadows will have a small but incremental increase in the number of vehicle trips per day from the project.

Maintaining LOS A for Gopher Flat Road would not trigger any additional roadway or traffic improvements.

r. Tribal Cultural Resources

To date, local Tribes have not indicated any concerns regarding the Broadmeadows Subdivision project. The City will consult with tribes who have asked to review City projects under AB 52.

s. Utilities and Service Systems

The project has the potential to cumulatively affect the ability of utilities and municipal service providers to maintain adequate levels of service.

Currently, Amador Water Agency (AWA) has a limited ability to provide water service to new development; however, the Broadmeadows Estates project ~~is currently on the AWA service list~~ will qualify for a 'Will Serve' letter from AWA upon approval of the Tentative Subdivision Map. (Refer to Chapter 19, Utilities & Service Systems for a detailed discussion)

City sewer line improvements will be required at the Main Street-Gopher Flat Road intersection in order to serve Broad Meadows.

At this time there are no known limitations for Storm Drainage provided by the City of Sutter Creek, Electricity and Natural Gas provided by Pacific Gas & Electric Company, and telecommunications provided by a variety of local providers.

Utilities were previously installed in this area, and are sized to serve the proposed lots within Broad Meadows. Therefore, the subdivisions would not induce growth due to the provision of new utility services to the area.

t. Wildfire

The Subdivision is adjacent to oak woodland and open grassland to the north and east. This situation will require a 'defensible space' be developed for each residential lot as required by State law (Public Resources Code Section 4291).

## 6. Comments Received and Responses to Comments

The Proposed Initial Study/Mitigated Negative Declaration was circulated for public review for a 30-day period from October 23, 2023 through November 22, 2023.

Copies were distributed to the State Clearinghouse, local and affected agencies, and City staff.

Written comments received on the draft document are presented in this chapter. Each comment is numbered in consecutive order. Following each comment letter are the Lead Agency's responses to the comments with corresponding numbers.

Comments were received from the following:

<u>Agency, Organization or Individual</u>	<u>Date of Comment</u>
Caltrans, District 10, Rural Planning	November 17, 2023
Central Valley Regional Water Quality Control Board	November 22, 2023

In cases where comments or responses required text changes to the document, deletions are indicated in ~~striketrough~~ type, and additions are indicated in underline type.

## California Department of Transportation

OFFICE OF THE DISTRICT 10 RURAL PLANNING  
P.O. BOX 2048 | STOCKTON, CA 95201  
(209) 948-7325 | FAX (209) 948-7164 TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



November 17, 2023

Erin Ventura  
Contract Planning  
City of Sutter Creek  
Planning Division  
18 Main Street  
Sutter Creek, CA 95685

**AMA-49-PM 6.98**  
**Broad Meadows Estates**  
**Subdivision Initial Study (IS)**  
**SCH: 2023100658**

Governor's Office of Planning & Research

**Nov 17 2023**

**STATE CLEARINGHOUSE**

Dear Ms. Ventura:

Caltrans appreciates the opportunity to review and respond to the Broad Meadows Estates Initial Study (IS) as a part of a larger subdivision project.

The proposed project consists of ten (10) single-family residential lots with street frontage on Golden Hills Drive and Broadmeadows Drive. The average lot size is 11,290 square feet with the smallest lot 9,511 square feet and the largest 17,669 square feet. Broad Meadows Estates is a portion of the Golden Hills Development located in the community of Sutter Creek.

**Caltrans at this time has the following comments:**

**Environmental**

This project is approximately two (2) miles from the State Highway System (NHS). However, if any construction-related activities will encroach into Caltrans Right of Way (ROW), the project proponent must apply for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. All California Environmental Quality Act (CEQA) documentation, with supporting technical studies, must be submitted with the Encroachment Permit Application. These studies will analyze potential impacts to cultural sites, historic properties, biological resources, hazardous waste locations, scenic highways, and/or other environmental resources within Caltrans ROW, at the project site(s).

Caltrans suggest the City of Sutter Creek continue to coordinate and consult with Caltrans to identify and address potential cumulative transportation impacts that may occur from this project and other developments near this location. This will assist Caltrans

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Erin Ventura  
November 17, 2023  
Page 2

in ensuring that traffic safety and quality standards are maintained for the traveling public on existing and future state transportation facilities.

**Encroachment Permits**

If any future project activities encroach into Caltrans Right-of-Way (ROW), the project proponent must submit an application for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. These studies will include an analysis of potential impacts to any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans ROW at the project site(s). For more information, please visit the Caltrans Website at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>

If you have any question or would like to discuss these comments, please contact Paul Bauldry at (209) 670-9488 (email: paul.bauldry@dot.ca.gov) or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov).

Sincerely,

*Gregoria Ponce'*

Gregoria Ponce', Chief  
Office of Rural Planning

c: State Clearinghouse  
Chuck Beatty, Director, Amador County Planning Department

"Provide a safe and reliable transportation network that serves all people and respects the environment"

## **Response to Caltrans, District 10, Rural Planning**

No Response is required.

## Central Valley Regional Water Quality Control Board

22 November 2023

Erin Ventrua  
City of Sutter Creek  
18 Main Street  
Sutter Creek, CA 95685  
[eventura@haugebrueck.com](mailto:eventura@haugebrueck.com)



### **COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, BROAD MEADOWS ESTATE SUBDIVISION PROJECT, SCH#2023100658, AMADOR COUNTY**

Pursuant to the State Clearinghouse's 23 October 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Broad Meadows Estate Subdivision Project, located in Amador County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

#### **I. Regulatory Setting**

##### **Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

1

2

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/)

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central

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<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: [https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: [http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

*Peter Minkel*

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento

## Response to Central Valley Regional Water Quality Control Board

1. A mitigation measure has been proposed which requires that a Construction General Permit be obtained. Refer to page 38.
2. A mitigation measure has been proposed which requires that a Storm Water Pollution Prevention Plan be developed and implemented. Refer to page 38.

## 7. Preparers and References

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### References:

Regulations, Code of (CA) (as amended). Title 14 – Natural Resources, Division 6 – Natural Resources Agency, Chapter 3 -- *Guidelines for Implementation of the California Environmental Quality Act, Appendix G – Environmental Checklist Form* . Sacramento, CA.

See also references pertaining to specific Checklist Topics, and within the text of each Checklist Topic.

## 7. Glossary

Annexation	The inclusion of territory into a city or special district.
Contiguous	In the case of boundary, territory adjacent to an agency to which boundary is proposed. Territory is not contiguous if the only contiguity is based upon a strip of land more than 300 feet long and less than 200 feet wide.
District	An agency of the state, formed in accordance with general law or a special act, for the local performance of governmental functions within limited boundaries. Synonymous with "special district."
General Plan	A document containing a statement of development policies including a diagram and text setting forth the objectives of the plan. The general plan must include certain state mandated elements related to land use, circulation, housing, conservation, open-space, noise, and safety.
Lead Agency	The public agency which has the principal responsibility for carrying out or approving a project. The Lead Agency decides whether an EIR or Negative Declaration is required for a project, and causes the appropriate document to be prepared.
Negative Declaration	A written statement prepared by a Lead Agency that briefly describes the reasons that a project, not exempt from CEQA, will not have a significant effect on the environment and therefore does not require the preparation of an EIR.
Open Space	Any parcel or area of land or water, which is substantially unimproved and devoted to an open-space use.
Prime Agricultural Land	An area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than agriculture and meets certain criteria related to soil classification or crop and livestock carrying capacity. Class I and II soils as mapped by the Soil Conservation Service, U.S. Department of Agriculture.

Project Under the California Environmental Quality Act (CEQA), a project is the whole of an action which has the potential to result in significant environmental change in the environment, directly, or ultimately (see CEQA Guidelines Section 15378).

Responsible Agencies Under CEQA, responsible agencies are all public agencies other than the Lead Agency that have discretionary approval power over the project.

Zoning The primary instrument for implementing the general plan. Zoning divides a community or county into districts or "zones" that specify the permitted/prohibited land uses.

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