

Exhibit A

FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS
FOR THE
GENERAL PLAN UPDATE FINAL EIR

FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE

CITY OF IONE GENERAL PLAN UPDATE EIR

SCH# 2009012038

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INTRODUCTION

The City of Lone Project includes a comprehensive update of the City's existing General Plan. In addition, the project includes amendments to the City's Sphere of Influence and annexation of three parcels, updates to the City's Zoning Code, and the West Lone Roadway Improvement Strategy (WIRIS). Each of these components is described below. For the purposes of these Findings, the term "project" or "proposed project" refers to the General Plan update and its associated project components.

General Plan Update

The updated General Plan will serve as the comprehensive, official policy statement for the City and guide future public and private development within the Planning Area (per Government Code Section 65300). The General Plan update involves all seven mandatory elements: Land Use, Circulation, Housing, Conservation, Noise, Open Space, and Safety. Noise and Safety have been combined into one element as have Conservation and Open Space. In addition, the lone General Plan update includes two optional elements: Public Facilities and Economic Development. The city currently occupies approximately five square miles, or approximately 2,903.68 acres of land and the existing General Plan Map shows the current SOI to contain an additional 856.22 acres. The updated General Plan Planning Area (Planning Area) boundary would result in a total of 31,769.65 acres, with land within the city limits at 2,903.68 acres, an expansion of the current SOI to 1,533.70 acres, and the remaining area beyond the SOI boundaries at 27,332.28 acres (2,903.68 acres within the city limits + 1533.70 acres within the SOI + 27,332.28 acres outside the SOI but within the Planning Area). It is anticipated that the updated General Plan will build out to full development capacity by 2030. The updated General Plan has capacity for 7,475 housing units (6,038 single-family units and 1,437 multi-family units) and a total population of 18,182 within the Planning Area.

Sphere of Influence Amendments and Annexations

The project includes amendments to the City's Sphere of Influence and annexation of three parcels. The SOI amendments will expand the SOI toward the southwest to include 33.32-acres of land currently developed as the Castle Oaks Water Reclamation Plan (COWRP) and City Corporation Yard and 81.89-acres of land currently designated for Surface Mining (SM) to be added to the Old Stockton Road and Industrial Park Policy Areas. In addition, the project proposes annexation of the following three parcels which are already located within the City's SOI: Wastewater Treatment Plant Annexation – Annexation to the south west to include the COWRP, the Corporation Yard, the proposed park site, the existing Wastewater Treatment Plan (WWTP) and two existing single-family homes located between the existing corporate boundaries and the COWRP and WWTP; Collins Road Annexation – Annexation to the north-west to include a one-acre parcel (APN 005-070-013) at the north east corner of Collins Road and SR 104; and State Property Annexation ("The Tail") – Annexation to the northeast to include a 3.7-acre parcel (APN 011-090-010) just northwest of the intersection of Waterman Road and SR 124.

City Zoning Code Update

Updates to the Zoning Code include the addition of new zoning districts, as well as amendments to development standards for several existing zoning districts. The Zoning Code updates are largely administrative and are intended to clarify the types of uses that are permitted under a particular General Plan land use designation.

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West lone Roadway Improvement Strategy

The final aspect of the project includes various roadway improvements. The West lone Roadway Improvement Strategy (WIRIS), formerly referred to as the "Interim West Bypass," consists of a series of improvements to existing roadways and construction of new roadways in the western area of lone to improve the circulation system for the benefit of both local and regional traffic. Principally, the improvements will provide greater access to the bridge over Sutter Creek at Five Mile Drive/Old Stockton Road for residents living on the western side of the city. Upon completion, the roadway improvements will provide for a new backbone roadway on the western side of the city. This new backbone roadway could serve as a new route for State Route 104.

The City of lone General Plan Update Environmental Impact Report (EIR) identified significant impacts associated with the adoption of the lone General Plan Update. Approval of a project with significant impacts requires that findings be made by the Lead Agency pursuant to the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000 et seq.), and State CEQA Guidelines (California Administrative Code, Title 14, Chapter 3) Sections 15043, 15091, and 15093. Significant impacts of the project would either: 1) be mitigated to a less than significant level pursuant to the mitigation measures identified in the EIR; or 2) mitigation measures notwithstanding, have a residual significant impact that requires a Statement of Overriding Consideration. Specifically, CEQA Guidelines Section 15091 requires lead agencies to make one or more of the following written findings:

1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the findings. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, social or other considerations make infeasible the mitigation measure or project alternative identified in the Final EIR.

These Findings accomplish the following: a) they address the significant environmental effects identified in the EIR for the approved project; b) they incorporate all mitigation measures associated with these significant impacts identified in either the Draft EIR or the Final EIR; c) they indicate whether a significant effect is avoided or reduced by the adopted mitigation measures to a less-than-significant level, or remain significant and unavoidable, either because there are not feasible mitigation measures or because, even with implementation of mitigation measures, a significant impact will occur; and, d) they address the feasibility of all project alternatives identified in the EIR. For any effects that will remain significant and unavoidable, a "Statement of Overriding Considerations" is presented. The conclusions presented in these Findings are based on the Final EIR (consisting of the Draft EIR, Response to Comments, and Errata to the Draft EIR) and other evidence in the administrative record.

For purposes of these Findings, the term "mitigation measures" shall constitute the "changes or alterations" discussed above. The term "avoid or substantially" will refer to the effectiveness of one or more of the mitigation measures or alternatives to substantially lessen an otherwise significant environmental effect or to reduce it to a less than significant level. (*See Laurel Hills*

Homeowners' Association v. City Council (1978) 83 Cal.App.3d 515) Although CEQA does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these Findings will address such potential impacts. Subsequent references in these Findings will account for all such effects identified in the EIR for the project. When an impact remains significant or potentially significant with mitigation, the Findings will indicate that the impact is still "significant." Subsequent references in these Findings to "significant effects" shall include both significant and potentially significant effects.

In the process of adopting mitigation, the City of Lone has had to decide whether the mitigation proposed in the EIR is "feasible." Pursuant to the CEQA Guidelines, "'[f]easible' means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (CEQA Guidelines, § 15364.) The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*Sequoyah Hills Homeowners Association v. City of Oakland* (1993) 23 Cal.App.4th 704, 715; *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) "'[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*City of Del Mar, supra*, 133 Cal.App. 3d at 417.)

The proposed mitigation measures outlined in these Findings are adopted by the City of Lone and the City hereby binds itself to implement these measures. These Findings are not merely informational, but constitute a binding set of obligations that will come into effect when the City of Lone adopts the General Plan (Public Resources Code, Section 21081.6[b]). The mitigation measures identified as feasible and within the City's authority to implement for the approved project become express conditions of approval which the City binds itself to upon project approval. The City of Lone, upon review of the Final EIR, which includes the Draft EIR, and based on all the information and evidence in the administrative record, hereby makes the Findings set forth herein.

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CEQA PROCESS OVERVIEW

In accordance with Section 15082 of the CEQA Guidelines, the City of Lone prepared and circulated a Notice of Preparation (NOP) for the Lone General Plan Update EIR for public and agency review on January 16, 2009 and held a public scoping meeting on February 10, 2009. The comments received in response to the NOP and scoping meeting were included as an appendix to the Draft EIR. Comments raised in response to the NOP were considered and addressed during preparation of the EIR.

Upon completion of the Lone General Plan Update Draft Environmental Impact Report (State Clearinghouse No. 2009012038), the City prepared and distributed a Notice of Availability on June 10, 2009 pursuant to CEQA Guidelines Section 15087. Pursuant to CEQA Guidelines, Sections 15087 and 15105, a 45-day public comment and review period was opened on June 10, 2009 and was closed on July 27, 2009. A public meeting was held at the City of Lone City Hall on July 14, 2009, before the Lone Planning Commission in order to obtain comments on the Draft EIR. Written comment letters and oral comments were received during this public review period. No new significant environmental issues, beyond those already covered in the Draft EIR, were raised during the comment period, and the Final EIR was prepared. Responses to comments received on the Draft EIR did not involve any changes to the project that would create new significant impacts or provide significant new information that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. Responses to comments were provided in the Final EIR, and responses were sent to public agencies that commented on the Draft EIR ten days prior to certification of the Final EIR.

ADMINISTRATIVE RECORD

The environmental analysis provided in the Draft and Final EIR and the Findings provided herein are based on and are supported by the following documents, materials and other evidence, which constitute the Administrative Record for the City of Lone General Plan Update EIR:

1. The NOP, comments received on the NOP and all other public notices issued by the City in relation to the General Plan Update EIR (e.g., Notice of Availability).
2. The Draft EIR, associated appendices to the Draft EIR and technical materials cited in the Draft EIR.
3. The Final EIR, including all comment letters, inquiries, recorded oral testimony concerning the CEQA documents received by the City in relation to the project and technical materials cited in the document.
4. All non-draft and/or non-confidential reports and memoranda, maps, minutes and other planning documents prepared by the City of Lone and its consultants.
5. Any documents that embody the City's action on the Project, including staff reports, statements of decisions and resolutions, minutes and transcripts of the discussions regarding the project and/or project components at public hearings, scoping meetings, or workshops held by the City of Lone Planning Commission and City Council.
6. Staff reports associated with Planning Commission and City Council meetings on the General Plan Update.

7. Any other documents required for inclusion in the administrative record in accordance with Public Resources Code sections 21167.6(e).
8. The existing lone General Plan, and the lone General Plan Update.

The City Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the City of lone at 1 East Main Street, lone, CA 95640.

DISCRETIONARY ACTIONS

The discretionary actions for the Project involve the following approvals by the City Council:

1. Certification of the EIR, including adoption of the CEQA Mitigation Monitoring and Reporting Program;
2. Adoption of these Findings of Fact and Statement of Overriding Considerations;

The City Council has primary approval authority over the Project. However, a number of potentially responsible agencies may also have discretionary authority over the Project.

LEGAL EFFECT OF THE FINDINGS

The City of lone makes these Findings pursuant to Public Resources Code section 21081(a) and section 15091 of the CEQA Guidelines. The City of lone finds that where more than one reason exists for any finding, each reason independently supports these findings. All feasible mitigation measures that avoid or substantially lessen the significant effects of the project and that are adopted are binding on the City of lone and its assigns or successors in interest at the time of approval of the Project.

MONITORING PROGRAM

As required by Public Resources Code section 21081.6, the City of lone, in adopting these Findings, also adopts a mitigation monitoring and reporting program pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15097. The monitoring program is designed to ensure that during implementation of the Project, the City of lone and any other responsible parties implement the adopted mitigation measures. The monitoring program is set forth as an exhibit to the resolution approving these Findings of Fact. The City of lone will ensure that the monitoring and reporting obligations are fulfilled. The City of lone has authority to stop the Project, or take other appropriate action if it determines that any adopted mitigation is not being satisfactorily fulfilled.

DOCUMENT ORGANIZATION

The findings are organized into the following sections:

1. Findings Associated with Less Than Significant Impacts Identified in the EIR
2. Findings Associated with Significant, Potentially Significant, and Cumulatively Considerable Impacts which can be Mitigated to a Less Than Significant Level

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3. Findings Associated with Significant, Potentially Significant and Cumulatively Considerable Impacts which Cannot Feasibly be Mitigated to a Less Than Significant Level
4. Findings Associated with Project Alternatives
5. Findings Associated with the Mitigation Monitoring and Reporting Program
6. Additional Findings Associated with Final Modifications to the General Plan Update
7. Statement of Overriding Considerations for Significant and Unavoidable Impacts

FINDINGS REGARDING SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The City of Lone has reviewed the EIR for the project and has considered the public record on the Project. The EIR sets forth environmental effects of the Project that would be potentially significant or significant in the absence of mitigation measures for the Project. These effects (or impacts) are set forth below along with the adopted mitigation measures, changes, or alterations that will avoid or substantially lessen those potentially significant or significant effects.

The City of Lone is not required by law to adopt mitigation measures for impacts that are less than significant. The voluntary adoption of such mitigation measures with respect to certain impacts does not obligate the City of Lone to similarly adopt measures with respect to other less than significant impacts.

After reviewing the public record, the City of Lone makes the following findings regarding the significant effects of the Project.

1.0 FINDINGS ASSOCIATED WITH LESS THAN SIGNIFICANT AND LESS THAN CUMULATIVELY CONSIDERABLE IMPACTS IDENTIFIED IN THE EIR

1.1 LAND USE

- 1.1.1 **Impact 4.1.1** Implementation of the proposed project would not physically divide an established community.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with physically dividing an established community are less than significant because the project would not result in the division of or substantial changes in the character of existing communities as the goals, policies, and actions proposed in the General Plan seek to phase growth in an orderly manner based on infrastructure capacity, infrastructure financing, transportation facilities, and other infrastructure.

Reference: DEIR pages 4.1-16 through 4.1-22; General Plan Policy LU-1.3 and Action LU-1.3.1.

- 1.1.2 **Impact 4.1.2** Implementation of the project has the potential to result in incompatibilities or conflicts between existing and future land uses in the Planning Area, including land located outside the existing city limits.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that

impacts associated with land use incompatibilities and conflicts are less than significant because General Plan Policies LU-1.8, LU-1.12, LU-1.17, LU-2.6, and LU-2.7, and Action LU-1.4.1 include requirements intended to avoid potential incompatibilities between land uses within the Planning Area, including areas proposed for annexation. Specifically, these policies require comprehensive land use plans for future applications for annexations and for each of the Policy Areas identified in the General Plan to protect existing neighborhoods, ensure consistency with General Plan land use policies, ensure land use and circulation connections with the City, and, where appropriate, require buffers in the form of open space preserves, reduced development densities, landscape screening, and/or additional development setbacks.

Reference: DEIR pages 4.1-23 through 4.1-29; General Plan Policies LU-1.8, LU-1.12, LU-1.14, LU-1.17, LU-2.6, and LU-2.7, and Action LU-1.4.1.

1.2 AGRICULTURAL RESOURCES

No impacts in this section were determined to be less than significant.

1.3 POPULATION AND HOUSING

- 1.3.1 **Impact 4.3.2** Implementation of the proposed project may result in the displacement of housing and/or persons due to the construction of infrastructure necessary to serve new development or revitalization efforts.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with the displacement of housing and/or persons due to the extension of infrastructure are less than significant because federal and state law require just compensation for required relocations.

Reference: DEIR pages 4.3-15 and 4.3-16

1.4 TRAFFIC AND CIRCULATION

- 1.4.1 **Impact 4.4.2** Implementation of the proposed project would result in an increase in traffic volumes, which could increase the potential opportunities for safety conflicts as well as potential conflicts with emergency access.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with roadway safety and emergency access are less than significant because the General Plan provides for significant improvements to the City's circulation system that would create additional emergency access routes and relieve existing traffic congestion in the downtown area. In addition, the City's design standards and review process would ensure that new roadway facilities are properly and safely designed and constructed. Finally, the General Plan Circulation Element contains policies that encourage roadway safety and address emergency access.

Reference: DEIR page 4.4-40 through 4.4-44; General Plan Policies CIR-1.1, CIR-1.5, CIR-1.6, Policy CIR-1.7, CIR-1.10, CIR-2.8, CIR-4.1, and PF-13.2 and Actions CIR-1.1.1, CIR-1.1.2, CIR-

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1.1.3, CIR-1.1.4, CIR-1.1.5, CIR-1.5.1, CIR-1.5.2, CIR-1.10.1: CIR-1.10.2, CIR-2.8.1, CIR-2.8.2, CIR-2.8.3, CIR-2.8.4, CIR-2.8.5, CIR-2.8.6, CIR-2.8.7, CIR-4.1.1

- 1.4.2 **Impact 4.4.3** Implementation of the proposed project would result in an increase in the demand for public transit service (e.g., bus service).

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with an increase in the demand for public transit service are less than significant because General Plan Policy CIR-1.12 requires the City to coordinate with regional agencies and transit providers to support transit program. In addition, General Plan Action CIR-1.5.5 requires the City to specifically coordinate with the Amador County Transportation Commission ACTC to update its Short Range Transit Plan in order to plan for service expansions to meet future needs.

Reference: DEIR pages 4.4-44 through 4.4-47; General Plan Policy CIR-1.12 and Action CIR-1.5.5

- 1.4.3 **Impact 4.4.4** Implementation of the proposed project would result in an increase in the demand for bicycle and pedestrian infrastructure.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with bicycle and pedestrian infrastructure are less than significant because the General Plan plans for a better mix of transportation uses as well as expanded pedestrian and bicycle facilities to encourage these alternative modes of transportation.

Reference: DEIR pages 4.4-47 through 4.4-52; General Plan Policies CIR-1.1, CIR-2.1, CIR-2.2, CIR-2.3, CIR-2.4, CIR-2.5, CIR-2.6, CIR-2.7, CIR-2.8, CIR-2.9, CIR-3.1, CIR-3.3, CIR-3.5, CIR-3.6, and CIR-3.7; and Actions CIR-1.1.4, CIR-1.1.5, CIR-2.2.1, CIR-2.2.2, CIR-2.2.3, CIR-2.2.4, CIR-2.4.1, CIR-2.4.2, CIR-2.4.3, CIR-2.5.1, CIR-2.6.1, CIR-2.8.1, CIR-2.8.2, CIR-2.8.3, CIR-2.8.4, CIR-2.8.5, CIR-2.8.6, CIR-2.8.7

- 1.4.4 **Impact 4.4.6** When considered with existing, proposed, approved and planned development in the region, implementation of the proposed project has the potential to contribute to an increase in the demand for public transit service (e.g., bus service).

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with public transit service are less than significant because the General Plan plans for a better mix of transportation uses as well as expanded pedestrian and bicycle facilities to encourage these alternative modes of transportation both within the city limits and between the City and surrounding communities. Further, no conflicts with current transit provisions and plans are expected as a result of the proposed project even under cumulative conditions.

Reference: DEIR page 4.4-54; General Plan Policy CIR-1.12

1.5 AIR QUALITY AND CLIMATE CHANGE

- 1.5.1 **Impact 4.5.2** The project would allow continued growth in population, housing, and jobs in the City of Lone that would increase traffic volumes on local roadways over time. This could result in elevated carbon monoxide (CO) emissions from motor vehicle congestion that violates federal CO standards. However, based on the projections of traffic congestion, these projected traffic volumes are not expected to exceed CO standards.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with a violation of an air quality standard for CO are less than significant because the Planning Area is in a region that is in attainment for CO and because the General Plan would not significantly increase the percentage of vehicles operating in cold start mode, would not significantly increase traffic volumes by more than 5 percent, and would not significantly worsen traffic flow as improvements are required to those roadway segment that would operate at unacceptable levels of service.

Reference: DEIR pages 4.5-20 and 4.5-21; General Plan Policies CIR-1.3, CIR-1.6 and Action CIR-1.1.3

- 1.5.2 **Impact 4.5.3** Implementation of the proposed project may result in future siting of land uses that create objectionable odors or expose future sensitive receptors to existing odor sources.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with exposure to objectionable odors are less than significant because General Plan Policy LU-2.4 encourages cohesive land utilization and discourages the encroachment of incompatible activities and uses into residential areas in order to minimize negative impacts such as exposure of sensitive receptors to objectionable odors. In addition, General Plan Policies LU-2.9 and LU-2.10 require sensitive receptor uses to be located away from uses that might create objectionable odors and require new air pollution point sources to be located away from sensitive receptor uses, respectively. Furthermore, the Amador Air Pollution Control District regulates land uses that produce odors and that adversely affect nearby persons through District Rule 205 and its stationary source permitting process.

Reference: DEIR pages 4.5-21 through 4.5-22; General Plan Policies LU-2.4, LU-2.9, and LU-2.10

- 1.5.3 **Impact 4.5.4** Implementation of the proposed project may result in the siting of future land uses that emit TACs or expose future sensitive receptors to existing TAC sources.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impact associated with toxic air contaminants (TACs) are less than significant because General Plan Policy LU-2.4 encourages cohesive land utilization and discourages the encroachment of incompatible activities and uses into residential areas in order to minimize negative impacts such as exposure of sensitive receptors to TACs. In addition, General Plan Action NS-5.5.4 will minimize the amount of asbestos fiber emissions into the

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atmosphere during grading and construction, and reduce exposure of construction workers to asbestos. Impacts related to exposure to naturally occurring asbestos (NOA) would be further reduced through compliance with the Air Resources Board's airborne toxic control measure (ATCM) for NOA.

Reference: DEIR pages 4.5-23 through 4.5-25; General Plan Policy LU-2.4 and Action NS-5.5.4

- 1.5.4 **Impact 4.5.8** Implementation of the proposed project could substantially increase emissions of greenhouse gas emissions over existing conditions that could result in environmental effects to the City.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with potential environmental effects from climate change are less than cumulatively considerable. It is not fully understood how global climate change may affect the state or the City; however, based on consideration of recent climate change studies, and based on the fact that Amador Water Agency's surface water sources are anticipated to largely remain intact (though the form of precipitation in the Sierra Nevada Mountains is expected to come from rain rather than snowmelt), it is reasonably expected that the impacts of global climate change on the City would not be significant.

Reference: DEIR pages 4.5-54 and 4.5-55; General Plan Policy PF-2.4, and Action NS-3.2.9

1.6 NOISE

- 1.6.1 **Impact 4.6.1** Activities associated with construction resulting from the project could result in elevated noise levels at noise-sensitive land uses. Increases in ambient noise levels, particularly during the nighttime hours, could result in increased levels of annoyance and potential sleep disruption.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with construction noise are less than significant because they would be temporary in nature and because General Plan policies would minimize such impact. General Plan policies and actions would prohibit construction activities in proximity to residential uses during hours when they have the potential to be the greatest nuisance (i.e., early morning and nighttime), would require stationary construction equipment and construction staging areas to be set back from existing noise-sensitive land uses, and would require the use of temporary construction noise control measures.

Reference: DEIR pages 4.6-16 through 4.6-19; General Plan Policies NS-1.4, and NS-1.5, and Actions NS-1.4.1 and NS-1.5.1

- 1.6.2 **Impact 4.6.4** As additional development occurs throughout the city, the potential exists for noise-sensitive land uses to be exposed to construction-generated sources of groundborne vibration resulting from the project.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that

impacts associated with groundborne vibration are less than significant because they would be primarily associated with short-term construction activities and therefore temporary in nature and because they will be minimized through the implementation of General Plan Policies NS-1.4, and NS-1.5; and Actions NS-1.4.1, and NS-1.5.1. These policies and actions would prohibit construction activities in proximity to residential uses during hours when they have the potential to be the greatest nuisance (i.e., early morning and nighttime), would require stationary construction equipment and construction staging areas to be set back from existing noise-sensitive land uses, and would require the use of temporary construction noise control measures.

Reference: DEIR pages 4.6-30 through -33; General Plan Policies NS-1.4, and NS-1.5; and Actions NS-1.4.1 and NS-1.5.1

1.7 HAZARDS AND HUMAN HEALTH

- 1.7.1 **Impact 4.7.1** Implementation of the proposed project could include the routine transportation, use, or disposal of hazardous materials on the Planning Area transportation network.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with the routine transportation, use, or disposal of hazardous materials are less than significant because any such activity would be required to remain in compliance with state and federal laws for the transportation of hazardous materials.

Reference: DEIR pages 4.7-16 through 4.7-19; General Plan Actions NS-5.4.2, NS-5.5.2, NS-5.5.3, NS-5.6.1, and NS-5.6.2.

- 1.7.2 **Impact 4.7.2** The Planning Area contains land uses that have the potential to result in an increased risk of release of hazardous materials.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with accidental release and exposure to hazardous materials are less than significant because the use, storage, and transport of hazardous materials by developers, contractors, business owners, industrial businesses, and others are required to be in compliance with local, state, and federal regulations during project construction and operation. Furthermore, facilities that use hazardous materials are required to obtain permits and comply with appropriate regulatory agency standards designed to avoid hazardous waste releases. In addition, General Plan Action NS-5.2.1 requires that the City adopt and update local standards for maximum acceptable exposure for the evaluation of hazardous facilities for potential to create hazardous physical effects on-site and at off-site locations that could result in death, significant injury, or significant property damage. General Plan Action Item NS-5.3.1 requires that the review and approval process for development plans and building permits ensure that secondary containment is provided for hazardous and toxic materials. General Plan Action Item NS-5.3.2 requires all sites that are suspected or known to contain hazardous materials and/or are identified in a hazardous material/waste search to be reviewed, tested, and remediated for potential hazardous materials in accordance with all local, state, and federal regulations. Finally, General Plan Action Item NS-5.5.1 requires that industries which store and process

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hazardous or toxic materials provide a buffer zone between the materials and surrounding property boundaries.

Reference: DEIR pages 4.7-19 through 4.7-23; General Plan Policies NS-2.5, and NS-5.4, and Actions NS-5.2.1, NS-5.3.1, NS-5.3.2, and NS-5.5.1.

- 1.7.3 **Impact 4.7.3** The Planning Area contains land uses that have the potential to result in an increased risk of release of hazardous materials onto school and residential sites.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with accidental release of hazardous materials onto school and residential sites are less than significant because the future siting of schools within the Planning Area will have to comply with state statutory and regulatory requirements addressing public and environmental health as well as safety from hazards, including hazardous substances. In addition, the use, storage, and transport of hazardous materials by developers, contractors, business owners, industrial businesses, and others are required to be in compliance with local, state, and federal regulations during project construction and operation. Furthermore, facilities that use hazardous materials are required to obtain permits and comply with appropriate regulatory agency standards designed to avoid hazardous waste releases.

Reference: DEIR pages 4.7-23 through 4.7-27; General Plan Policies NS-2.5 and NS-5.4, and Actions NS-5.2.1, NS-5.3.1, NS-5.3.2, and NS-5.5.1.

- 1.7.4 **Impact 4.7.4** Implementation of the proposed General Plan update and associated project components could impair implementation of or physically interfere with the Amador County Multi-Hazard Mitigation Plan (ACMHMP).

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with interference with emergency response plans are less than significant because implementation of the proposed roadway system under the General Plan would improve the ability of fire protection, emergency response and law enforcement to respond to emergency situations and would have a beneficial impact on the implementation of emergency response plans within the Planning Area. Additionally, proposed General Plan policies would require the City to update a local emergency management plan and work with the County on implementing the ACMHMP.

Reference: DEIR pages 4.7-27 through 4.7-29; General Plan Actions NS-2.3.1, NS-2.3.3, and NS-2.3.4.

- 1.7.5 **Impact 4.7.5** Implementation of the proposed project would not cumulatively contribute to regional hazards.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative hazards and human health impacts are less than cumulatively considerable because General Plan policies will improve the response time of emergency agencies to hazardous material incidents, leading to a quicker resolution of such incidents. General

Plan policies would also expedite any necessary evacuations of residents and workers, thereby protecting their health and safety. In addition, future development in the region would be required to comply with applicable federal, state, and local regulations related to hazardous materials. Finally, the proposed General Plan Update contains several goals, policies and action items that would assist in reducing hazards and human health risks.

Reference: DEIR pages 4.7-29 through 4.7-31; General Plan Policies NS-2.5 and NS-5.4, and Actions NS-2.3.1, NS-2.3.3, NS-2.3.4, NS-5.2.1, NS-5.3.1, NS-5.3.2, NS-5.4.2, NS-5.5.1, NS-5.5.2, NS-5.5.3, NS-5.6.1, and NS-5.6.2.

1.8 BIOLOGICAL RESOURCES

- 1.8.1 **Impact 4.8.4** Implementation of the proposed project would not interfere substantially with the movement of several special-status and common wildlife species.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with the movement of several special-status and common wildlife species are **less than significant** because Implementation of General Plan Action Item CO-1.1.3 and CO-1.1.6 will reduce impacts to migratory/movement corridors by requiring a biological resources evaluation, preserving riparian habitat, incorporating wildlife corridors into planning decisions and impact analyses, and buffering sensitive areas.

Reference: DEIR pages 4.8-62 through 4.8-64; General Plan Policy CO-2.4; Action Items CO-1.1.1, CO-1.1.3, CO-1.1.6, CO-2.1.2.

- 1.8.2 **Impact 4.8.5** Implementation of the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any adopted biological resources recovery or conservation plan of any federal or state agency.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that there are no impacts associated with conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any adopted biological resources recovery or conservation plan of any federal or state agency, because no such plans are in effect for the Planning Area.

Reference: DEIR page 4.8-64.

1.9 CULTURAL RESOURCES

No impacts in this section were determined to be less than significant.

1.10 HYDROLOGY AND WATER QUALITY

- 1.10.1 **Impact 4.10.2** New development associated with implementation of the proposed project may result in adverse impacts to water quality from construction activities.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that

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impacts associated with adverse impacts to water quality from construction activities are less than significant because General Plan Policies CO-4.4 and CO-4.6, and Actions CO-4.4.1, CO-4.4.2, CO-4.4.3, and CO-4.4.4 as well as the Construction General Permit (CGP) requirements (or the requirements of applicable subsequent orders and permits issued by the SWRCB) would minimize the amount of sediments and other contaminants generated by construction activities that enter surface waters. Specifically, Action CO-4.4.4 would ensure that development projects would incorporate best management practices (BMPs) prior to project approval.

Reference: DEIR pages 4.10-32 through 4.10-35; General Plan Policies CO-4.4 and CO-4.6, and Actions CO-4.4.1, CO-4.4.2, CO-4.4.3, and CO-4.4.4

1.11 GEOLOGY AND SOILS

- 1.11.1 **Impact 4.11.1** Implementation of the proposed General Plan update and other project components would not result in the exposure of new and/or increased development to seismic hazards, including but not limited to, strong ground shaking and seismically related ground failure.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with seismic hazards are less than significant because implementation of proposed General Plan Policies NS-2.3, NS-2.4, NS-4.1, NS-4.2 and Actions NS-2.3.2, NS-2.3.3, and NS-2.3.4 would reduce impacts associated with seismic hazards. Specifically, Policy NS-4.2 would ensure that for new development projects, consistent with the updated General Plan, site-specific geotechnical evaluations would be conducted that would identify geotechnical hazards and measures to reduce potentially significant effects associated with those hazards. In addition, Policy NS-4.1 supports programs that effectively mitigate seismic and safety hazards and requires that new development comply with seismic standards in the California Building Code.

Reference: DEIR pages 4.11-27 through 4.11-30; General Plan Policies NS-2.3, NS-2.4, NS-4.1, and NS-4.2; and Actions NS-2.3.2, NS-2.3.3, and NS-2.3.4.

- 1.11.2 **Impact 4.11.2** Implementation of the proposed General Plan update could result in new and/or increased development that would result in soil erosion, wind and water erosion, and loss of topsoil.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with soil erosion or loss of topsoil would be less than significant because implementation of proposed General Plan Policies CO-4.4 and Actions CO-4.4.1, CO-4.4.2, CO-4.4.3 and CO-4.4.4 as well as compliance with NPDES requirements, would ensure that future development projects would be evaluated for potential soil erosion impacts on a site-by-site basis and that runoff and erosion control measures would be integrated into the construction process and project site design that would fully mitigate any potential impacts.

Reference: DEIR pages 4.11-30 through 4.11-32; General Plan Policies CO-4.4; and Actions CO-4.4.1, CO-4.4.2, CO-4.4.3 and CO-4.4.4.

- 1.11.3 **Impact 4.11.4** Implementation of the proposed project may result in new development on expansive soils.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with location on unstable and/or expansive soil are less than significant because implementation of proposed General Plan Policy NS-4.2 and Action NS-4.2.1 requires that a geotechnical investigation be conducted on new development sites and that the investigation must identify unstable and expansive soils on the site. Furthermore, this policy requires that the investigation provide appropriate recommendations to remediate potential hazards associated with such soils. Site-specific geotechnical investigations would identify and mitigate any impacts associated with future development being placed on unstable or expansive soils on a site-by-site basis.

Reference: DEIR pages 4.11-35 through 4.11-37; General Plan Policy NS-4.2; and Action NS-4.2.1.

- 1.11.4 **Impact 4.11.6** Trenching, grading, and other excavations resulting from implementation of the General Plan update and other project components could expose zones of asbestos-containing rock and possibly cause airborne releases of fibrous minerals.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts related to the release of fibrous minerals are less than significant because General Plan Policy LU-2.4 and Actions LU-2.4.1, LU-2.4.2, LU-2.4.3, LU-2.4.4, and NS-5.5.4 would minimize the amount of asbestos fiber emissions into the atmosphere during grading and construction, reduce exposure of construction workers to asbestos and subject future development to the California Air Resources Board's airborne toxic control measure (ATCM) for naturally-occurring asbestos.

Reference: DEIR pages 4.11-40 through 4.11-42; General Plan Policies Policy LU-2.4 and Actions LU-2.4.1, LU-2.4.2, LU-2.4.3, LU-2.4.4, and NS-5.5.4

- 1.11.5 **Impact 4.11.7** Implementation of the proposed project, along with other planned, proposed, recently approved, and reasonably foreseeable development within the Planning Area, would not contribute to cumulative geology, soils, and seismicity impacts, as the impacts would be site-specific and not additive in character.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative geologic, soil, and seismic impacts are less than significant because adherence to all federal, state, and local requirements, in addition to implementation of proposed General Plan Policies NS-2.3, NS-2.4, NS-4.2, NS-4.1, CO-4.4, LU-1.4 and Actions Action NS-2.3.1, NS-2.3.2, NS-2.3.3, NS-2.3.4, NS-2.4.1, NS-4.1.1, NS-4.2.1, CO-4.4.1, CO-4.4.2, CO-4.4.3, and CO-4.4.4 would further minimize the City of Lone's contribution to cumulative geology, soils, and seismicity impacts.

Reference: DEIR pages 4.11-43 and 4.11-44; General Plan Policies NS-2.3, NS-2.4, NS-4.2, NS-4.1, CO-4.4, LU-1.4; and Actions NS-2.3.1, NS-2.3.2, NS-2.3.3, NS-2.3.4, NS-2.4.1, NS-4.1.1, NS-4.2.1, CO-4.4.1, CO-4.4.2, CO-4.4.3, and CO-4.4.4.

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1.12 VISUAL RESOURCES

- 1.12.1 **Impact 4.12.1** Implementation of the proposed General Plan update and other project components would not result in substantial damage to scenic resources within a state or county scenic highway.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with alteration of scenic resources within a scenic highway are less than significant because there are no officially designated state or county scenic highways or any highways eligible for such designation within or proximate to the Planning Area.

Reference: DEIR page 4.12-6.

- 1.12.2 **Impact 4.12.2** Implementation of the proposed General Plan update and associated project components would not encourage new development and redevelopment activities that could potentially degrade existing scenic vistas.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with degradation of scenic vistas are less than significant. Implementation of the proposed General Plan Policy CO 3.4 and Actions CO 3.4.1, CO-5.1.1, CO-5.2.1, CO-9.2.1 and CO-9.2.2 would reduce impacts to scenic vistas by requiring setbacks at mining operations which are and will be located well outside the city limits and within foreground views from the city and by encouraging the preservation of open space and agricultural areas and views of such areas during the development review process.

Reference: DEIR pages 4.12-6 through 4.12-8; General Plan Policy CO-3.4; and Actions CO-3.4.1, CO-5.1.1, CO-5.2.1, CO-9.2.1 and CO-9.2.2.

1.13 PUBLIC SERVICES AND UTILITIES

- 1.13.1 **Impact 4.13.1.1** Implementation of the project would result in the need for additional fire protection and emergency medical staff, equipment, and facilities that could result in physical environmental impacts.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with fire protection and emergency medical services are less than significant because continued implementation of City Fire Code provisions and implementation of proposed General Plan Policy PF-12.1 and Action PF-13.1.3 would ensure that adequate fire protection and emergency medical services are provided.

Reference: DEIR pages 4.13-6 through 4.13-8; General Plan Policy PF-12.1, and Action PF-13.1.3.

- 1.13.2 **Impact 4.13.1.2** Implementation of the proposed project could result in safety hazards associated with wildland fires in residential, commercial, and industrial areas adjacent to open space and natural areas.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated wildland fire safety hazards are less than significant because General Plan Policies NS-7.2, NS-7.3, and PF-13.2, and Actions NS-2.2.1, NS-7.1.1, NS-7.1.2, NS-7.1.3, NS-7.1.4, NS-7.1.5, NS-7.1.6, NS-7.1.7, NS-7.1.8, NS-7.1.9, NS-7.1.4, and NS-7.4.2 include requirements for funding mechanisms and provision of fire suppression and establish fire safe regulations for all new housing developments in areas with high potential for wildfires.

Reference: DEIR pages 4.13-8 through 4.13-11; General Plan Policies NS-7.2, NS-7.3, and PF-13.2, and Actions NS-2.2.1, NS-7.1.1, NS-7.1.2, NS-7.1.3, NS-7.1.4, NS-7.1.5, NS-7.1.6, NS-7.1.7, NS-7.1.8, NS-7.1.9, NS-7.1.4, and NS-7.4.2

- 1.13.3 **Impact 4.13.1.3** Implementation of the project in combination with other reasonably foreseeable development could further increase the amount of development into wildland areas and could contribute to the need for expanded fire protection services, thus requiring additional fire stations, the development of which could cause significant physical impacts to the environment.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with fire protection and emergency medical services are less than significant because continued implementation of City Fire Code provisions and implementation of proposed General Plan Policies and associated Action items PF-13.1; PF-13.1.3; PF-13.2, NS-2.2.1; NS-7.1.1; NS-7.1.2; NS-7.1.3; NS-7.1.4; NS-7.1.5; NS-7.1.6; NS-7.1.7; NS-7.1.8; NS-7.1.9; NS-7.2; NS-7.3; NS-7.4.1 and NS-7.4.2 would ensure that adequate fire protection and emergency medical services are provided.

Reference: DEIR pages 4.13-11 and 4.13-12; General Plan Policies PF-13.1, PF-13.2, NS-7.2, and NS-7.3, and Actions PF-13.1.3, NS-2.2.1, NS-7.1.1, NS-7.1.2, NS-7.1.3, NS-7.1.4, NS-7.1.5, NS-7.1.6, NS-7.1.7, NS-7.1.8, and NS-7.1.9;

- 1.13.4 **Impact 4.13.2.1** Implementation of the proposed project would increase the Planning Area population and would result in additional residential, commercial, industrial, and recreational uses in the Planning Area, which may result in additional law enforcement protection facilities that could result in physical environmental impacts.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with law enforcement services and facilities are less than significant because implementation of proposed General Plan Action items PF-13.3.1, PF-13.3.2, PF-13.5.1 and PF-13.5.2, coupled with adherence to state and local standards and regulations and payment of required impact fees, would ensure that implementation of the proposed project would result in law enforcement that is appropriately funded and adequate services are provided.

Reference: DEIR pages 4.13-16 through 4.13-18; General Plan Actions PF-13.3.1, PF-13.3.2, PF-13.5.1, and PF-13.5.2.

- 1.13.5 **Impact 4.13.2.2** Implementation of the project and other reasonably foreseeable development in southeastern Amador County would increase the population within the

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Planning Area and surrounding area and would require additional law enforcement services and related facilities under cumulative conditions.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts to law enforcement services and facilities are less than significant because the proposed project would not significantly impact law enforcement services, numerous locations are available to develop new facilities with no significant physical impact, and implementation of the proposed project would not impact the Police Department's ability to participate in a mutual aid program with other agencies. All new facilities are subject to their own CEQA review at such time as the facilities are designed and locations are considered. Implementation of General Plan Action items PF-13.3.1, PF-13.3.2, PF-13.5.1 and PF-13.5.2 would also ensure that funding mechanisms are established, response time thresholds are formulated and Police Department Master Plan is in place to ensure adequate service levels are maintained.

Reference: DEIR pages 4.13-18 and 4.13-19; General Plan Actions PF-13.1, PF-13.1.3, and PF-13.2.

- 1.13.6 **Impact 4.13.3.1** Implementation of the proposed project could require additional water supply to meet the projected water demands. However, adequate water supplies exist to meet this demand.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with increased demand for water supply are less than significant because implementation of proposed General Plan policies PF-4.2 and PF-4.3 and Action items PF-3.1.1, PF-3.1.2, PF-3.1.3, PF-4.1.1, PF-4.1.2 and PF-4.1.3 would require the city to implement various water conservation programs, as well as ensure sufficient water supply and distribution levels are met for residential, commercial, and industrial demands. Furthermore, the General Plan Update's projected water supply demand does not exceed projected demand accounted for in the Amador Water Agency (AWA) 2005 Urban Water Management Plan (UWMP).

Reference: DEIR pages 4.13-27 through 4.13-30; General Plan Policies PF-4.2, and PF-4.3, and Actions PF-3.1.1, PF-3.1.2, PF-3.1.3, PF-4.1.1, PF-4.1.2 and PF-4.1.3.

- 1.13.7 **Impacts 4.13.3.2** Implementation of the proposed project could increase the demand for water supplies in areas that are currently served by wells and thus result in the need for additional water conveyance, storage, and treatment infrastructure. However, implementation of proposed General Plan Update policies would require that water supply infrastructure be provided at the same time as development.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with additional water supply infrastructure are less than significant because proposed General Plan Policies PF-1.1, PF-1.2, PF-1.3, PF-1.4, PF-4.1 and PF-4.3 and Actions PF-1.1.1, PF-1.2.1, PF-1.3.1, PF-1.3.2, PF-4.1.1, PF-4.1.2, PF-4.1.3, and PF-4.1.4 would ensure that the new development under the proposed project would not proceed without adequate water supply infrastructure. Particularly, Policy PF-1.4 precludes development within all areas of the city, including newly annexed areas, until backbone

infrastructure is completed that will provide for all phases of the development. In addition Policy PF-4.1 requires the city to work collaboratively with AWA to ensure efficient delivery of potable water and address water capacity issues in lone and to work with AWA to facilitate the construction, expansion, and/or rehabilitation of water treatment facilities in lone.

Reference: DEIR pages 4.13-30 through 4.13-33; General Plan Policies PF-1.1, PF-1.2, PF-1.3, PF-1.4, PF-4.1, and PF-4.3, and Actions PF-1.1.1, PF-1.2.1, PF-1.3.1, PF-1.3.2, PF-4.1.1, PF-4.1.2, PF-4.1.3, and PF-4.1.4.

- 1.13.8 **Impact 4.13.3.3** Implementation of the proposed project and associated development would contribute to the cumulative demand for water supply and associated infrastructure. However, implementation of proposed General Plan policies and actions would require that water supply infrastructure be provided at the same time as development.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts to water service are less than significant because implementation of proposed General Plan policies. General Plan Policies PF-1.1, PF-1.2, PF-1.3, PF-1.4, PF-4.1 and PF-4.3 and Actions PF-1.1.1, PF-1.2.1, PF-1.3.1, PF-1.3.2, PF-4.1.1, PF-4.1.2, PF-4.1.3, and PF-4.1.4 would require the City to implement various water conservation programs, as well as ensure that the new development under the proposed project would not proceed without adequate water supply infrastructure. Implementation also requires that the City work collaboratively with Amador Water Agency to ensure efficient delivery of potable water and address water capacity issues in lone and to work with AWA to facilitate the construction, expansion, and/or rehabilitation of water treatment facilities in lone. Furthermore, the General Plan Update's projected water supply demand does not exceed projected demand accounted for in the AWA 2005 UWMP.

Reference: DEIR pages 4.13-33 through 4.13-35; General Plan Policies PF-1.1, PF-1.2, PF-1.3, PF-1.4, PF-4.1, and PF-4.3, and Actions PF-1.1.1, PF-1.2.1, PF-1.3.1, PF-1.3.2, PF-4.1.1, PF-4.1.2, PF-4.1.3, and PF-4.1.4.

- 1.13.9 **Impact 4.13.4.1** Implementation of the proposed project would increase wastewater flows and require additional treatment and disposal capacity to accommodate anticipated demands. The construction of additional collection system infrastructure would also be required and could result in a physical effect on the environment. However, implementation of proposed General Plan Update policies would require that wastewater conveyance and treatment capacity be provided at the same time as development.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with increased demand for wastewater services are less than significant because implementation of the proposed General Plan policies PF-1.1, PF-1.2, PF-1.3, PF-1.4, PF-3.1, PF-5.1, PF-5.2, PF-5.4 and PF-5.5 and Actions PF-1.1.1, PF-1.2.1, PF-1.3.1, PF-1.3.2, PF-3.1.2, PF-3.1.3, PF-5.1.1 and PF-5.1.2 would mitigate this impact by ensuring that adequate wastewater facilities would be available to serve new development. In particular, Policy PF-1-3 precludes the approval of new development unless the applicant can demonstrate that all necessary infrastructure will be installed or adequately

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financed, infrastructure improvements are consistent with City infrastructure plans, and infrastructure improvements incorporate all feasible measures to reduce public safety and/or environmental impacts associated with the construction, operation, and maintenance of any required improvement.

Reference: DEIR pages 4.13-47 through 4.13-52; General Plan Policies PF-1.1, PF-1.2, PF-1.3, PF-1.4, PF-3.1, PF-5.1, PF-5.2, PF-5.4 and PF-5.5, and Actions PF-1.1.1, PF-1.2.1, PF-1.3.1, PF-1.3.2, PF-3.1.2, PF-3.1.3, PF-5.1.1 and PF-5.1.2.

- 1.13.10 **Impact 4.13.4.2** Implementation of the proposed project could result in wastewater discharge that would exceed wastewater treatment requirements of the Central Valley Regional Water Quality Control Board.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts related to wastewater discharges that would exceed wastewater treatment requirements are less than significant because General Plan Policies PF-1.3, PF-5.3, PF-5.4, and PF-5.5 would ensure that funding is available to construct new facilities, meet water quality discharge standards, ensure sufficient wastewater treatment capacity and use of best available control technology appropriate to dispose of treated effluent.

Reference: DEIR pages 4.13-52 and 4.13-53; General Plan Policies PF-1.3, PF-5.3, PF-5.4, and PF-5.5

- 1.13.11 **Impact 4.13.4.3** Implementation of the proposed project, which would include existing, planned, proposed, approved, and reasonably foreseeable development within the City's wastewater service area, would substantially increase wastewater flows and require additional infrastructure and treatment capacity to accommodate anticipated treatment and conveyance demands that would result in a physical effect on the environment. However, implementation of proposed General Plan Update policies would require that wastewater treatment and infrastructure capacity be provided at the same time as development.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with increased demand for wastewater services are less than significant because implementation of proposed General Plan Policies PF-1.1, PF-1.2, PF-1.3, PF-1.4, PF-3.1, PF-5.1, PF-5.2, PF-5.4 and PF-5.5 and Actions PF-1.1.1, PF-1.2.1, PF-1.3.1, PF-1.3.2, PF-3.1.2, PF-3.1.3, PF-5.1.1 and PF-5.1.2 specifically require that public facilities be identified and financed and that public services and facilities be available on time to maintain desired service levels, and would also require that wastewater treatment and infrastructure capacity be available at the same time as development occurs.

Reference: DEIR pages 4.13-54 and 4.13-55; General Plan Policies PF-1.1, PF-1.2, PF-1.3, PF-1.4, PF-3.1, PF-5.1, PF-5.2, PF-5.4, and PF-5.5, and Actions PF-1.1.1, PF-1.2.1, PF-1.3.1, PF-1.3.2, PF-3.1.2, PF-3.1.3, PF-5.1.1 and PF-5.1.2.

- 1.13.12 **Impact 4.13.5.1** The proposed project would accommodate future development, including residential, commercial, and office, that would result in increased solid waste generation.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with increased demand for solid waste services are less than significant because compliance with all local and state policies and standards as well as implementation of the proposed General Plan Policy PF-7.2, and Actions PF-7.1.1, PF-7.1.2 and PF-7.2.1 would ensure continued provision of franchised solid waste collection, increased diversion of waste and expand recycling and efforts to reduce solid waste volumes. Additionally, landfill capacities are adequate to serve the population projected under the proposed project, and this increased generation would not exceed landfill capacity or conflict with solid waste reduction measures.

Reference: DEIR pages 4.13-59 and 4.13-61; General Plan Policy PF-7.2, and Actions PF-7.1.1, PF-7.1.2 and PF-7.2.1.

- 1.13.13 **Impact 4.13.5.2** The proposed project would not substantially affect the ability to comply with solid waste source reduction programs.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with solid waste source reduction programs are less than significant because compliance with the Waste Management Agency's waste reduction surcharge and proposed General Plan Action PF-7.2.1 would establish regulations in Franchise Agreements for solid waste collection and disposal, as well in municipal operations and programs, to meet the waste diversion requirements.

Reference: DEIR pages 4.13-61 and 4.13-62; General Plan Action PF-7.2.1.

- 1.13.14 **Impact 4.13.5.3** The proposed project, in combination with proposed and approved projects in the cumulative setting area, would generate solid waste that would require expanded collection and disposal services.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with solid waste service are less than significant because the proposed land uses associated with the proposed project do not adversely affect solid waste facilities and proposed General Plan Policy PF-7.2, and Actions PF-7.1.1, PF-7.1.2 and PF-7.2.1 would ensure continued provision of franchised solid waste collection, increased diversion of waste and expand recycling and efforts to reduce solid waste volumes.

Reference: DEIR pages 4.13-62 and 4.13-63; General Plan Policy PF-7.2, and Actions PF-7.1.1, PF-7.1.2 and PF-7.2.1.

- 1.13.15 **Impact 4.13.6.1** Implementation of the proposed project would increase student enrollment within the ACUSD and may require new school facilities and related services. However, existing fee programs would mitigate new growth demands for public school services.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with public school facilities are less than significant because payment

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of state and district fees as well as implementation of proposed General Plan policies PF-8.1, PF-8.2 and PF-8.3, would ensure that adequate school sites and facilities are provided to meet increased student generation.

Reference: DEIR pages 4.13-68 and 4.13-71; General Plan Policies PF-8.1, PF-8.2 and PF-8.3.

- 1.13.16 **Impact 4.13.6.2** The proposed GPU, in combination with reasonably foreseeable development proposed in the District, would result in a cumulative increase in student enrollment at ACUSD schools.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with public school facilities are less than significant because proposed General Plan Policies PF-8.1, PF-8.2, PF-8.3 and PF-8.4, in combination with payment of state and district fees, would ensure that proposed land uses associated with the proposed project do not adversely affect school facilities.

Reference: DEIR pages 4.13-72; General Plan Policies PF-8.1, PF-8.2, PF-8.3 and PF-8.4.

- 1.13.17 **Impact 4.13.7.1** Implementation of the proposed project would increase the demand for existing facilities and require additional parks and recreational facilities to accommodate the anticipated growth associated with the proposed project.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with increased demand for parks and recreation are less than significant because payment of necessary fees and implementation of the proposed General Plan Actions CO-8.1.1, CO-8.2.1 and CO-8.2.2 would ensure adequate funding for new park and recreation facilities. Specifically, Action CO-8.1.1 requires developers of all new residential projects to dedicate parkland at a rate of at least five acres of land per population of 1,000 persons.

Reference: DEIR pages 4.13-72 through 4.13-75; General Plan Policies Action CO-8.1.1, CO-8.2.1 and CO-8.2.2.

- 1.13.18 **Impact 4.13.7.2** Implementation of the proposed project in combination with other reasonably foreseeable development would require additional park and recreation facilities within the Planning Area.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with increased demand for parks and recreation are less than significant because payment of necessary fees and implementation of the proposed General Plan Actions CO-8.1.1, CO-8.2.1 and CO-8.2.2 would ensure adequate funding for new park and recreation facilities. Specifically, Action CO-8.1.1 requires developers of all new residential projects to dedicate parkland at a rate of at least five acres of land per 1,000 population.

Reference: DEIR pages 4.13-78; General Plan Actions CO-8.1.1, CO-8.2.1 and CO-8.2.2.

- 1.13.19 **Impact 4.13.8.1** Implementation of the proposed project would require additional electric and natural gas supplies, along with conveyance facilities for these and telephone and cable television services.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with electrical, natural gas, and telephone service are less than significant because adherence to state standards and regulations, and implementation of the proposed General Plan Policies PF-11.2; PF-11.3; PF-12.1 and PF-12.3 would ensure adequate utilities are available to meet demands associated with increased development.

Reference: DEIR pages 4.13-80 through 4.13-83; General Plan Policies PF-11.2; PF-11.3; PF-12.1 and PF-12.3.

- 1.13.20 **Impact 4.13.8.2** Implementation of the proposed project as well as potential development in the surrounding areas would result in cumulative utility service impacts.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with electrical, natural gas, and telephone service are less than significant because adherence to state standards and regulations, and implementation of the proposed General Plan Policies PF-11.2; PF-11.3; PF-12.1 and PF-12.3 would ensure adequate utilities are available to meet demands associated with cumulative development.

Reference: DEIR pages 4.13-84 and 4.13-85; General Plan Policies PF-11.2; PF-11.3; PF-12.1 and PF-12.3.

2.0 FINDINGS ASSOCIATED WITH SIGNIFICANT, POTENTIALLY SIGNIFICANT, AND CUMULATIVELY CONSIDERABLE IMPACTS WHICH CAN BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City of Lone (City) hereby adopts and makes the following findings relating to its approval of the Lone General Plan Update. Having received, reviewed, and considered the entire record, both written and oral, relating to the Lone General Plan Update and associated Draft and Final EIR, the City makes the following findings associated with significant, potentially significant, and cumulatively significant impacts which can be mitigated to a less-than-significant level through implementation of proposed General Plan policies and action items and/or the implementation of mitigation measures identified in the Final EIR.

2.1 LAND USE

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

2.2 AGRICULTURAL RESOURCES

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

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2.3 POPULATION AND HOUSING

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

2.4 TRAFFIC AND CIRCULATION

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

2.5 AIR QUALITY AND CLIMATE CHANGE

- 2.5.1 **Impact 4.5.5** Implementation of the proposed project will lead to development that may expose sensitive receptors to short-term emissions of particulates and contribute to the region's non-attainment status for the PM₁₀ standard.

Mitigation Measures

MM 4.5.5 The City shall ensure that construction projects incorporate the following good housekeeping and/or work practices, as applicable, pursuant to AAPCD Rule 218:

- Application of water and/or approved chemicals to control emissions in the demolition of existing buildings or structures, construction operations, solid waste disposal operations, the grading of roads and/or the clearing of land.
- Application of asphalt, water and/or approved chemicals to road surfaces.
- Application of water and/or suitable chemicals to material stockpiles and other surfaces that may generate fugitive dust emissions.
- Paving and/or re-paving roads.
- Maintenance of roadways in a clean condition by washing with water or sweeping promptly.
- Covering or wetting material stockpiles and open-bodied trucks, trailers, or other vehicles transporting materials that may generate fugitive dust emissions when in motion.
- Installation and use of paved entry aprons or other effective cleaning techniques to remove dirt accumulating on a vehicle's wheels on haul or access roads to prevent tracking onto paved roadways.
- For process equipment, the installation and use of hoods, fans, and filters to enclose, collect, and clean the emissions prior to venting.

- Ceasing operations until fugitive emissions can be reduced and controlled.
- Using vegetation and other barriers to contain and to reduce fugitive emissions.
- Using vegetation for windbreaks.
- Instituting good housekeeping practices by regularly removing piles of material that have accumulated in work areas and/or are generated from equipment overflow.
- Maintaining reasonable vehicle speeds while driving on unpaved roads in order to minimize fugitive dust emissions.
- Other precautions not specifically listed in this rule but have been approved in writing by the APCO prior to implementation.

Finding: Mitigation Measure Feasible and Required. Mitigation measure MM 4.5.5 requires construction projects to incorporate a variety of work practices to minimize air emissions from construction activities including controlling dust and reducing equipment emissions. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a)(1), the City hereby adopts mitigation measure MM 4.5.5 and finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.5-25 through 4.5-27

2.6 NOISE

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

2.7 HAZARDS AND HUMAN HEALTH

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

2.8 BIOLOGICAL RESOURCES

- 2.8.1 **Impact 4.8.1** Implementation of the proposed General Plan and associated project components would result in direct and indirect loss of habitat and individuals of endangered, threatened, rare, proposed, and candidate status, as well as plant species identified by the California Native Plant Society with a rating of List 1A or 1B (i.e., rare, threatened, or endangered plants).

Mitigation Measures

- MM 4.8.1** For proposed private and public projects in which special-status species are found, likely to occur, or where the presence of species can be

reasonably inferred, the City shall require feasible mitigation of impacts to those species that ensure that the project does not contribute to the decline of the affected species such that their decline would impact the viability of the species. Such mitigation measures may include providing and permanently maintaining similar quality and quantity of replacement habitat, enhancing existing habitat areas, or paying fees towards to an approved habitat mitigation bank. Replacement habitat may occur either on-site or at approved off-site locations. Feasible mitigation shall be determined by the City after the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) are provided an opportunity to comment. Mitigation shall emphasize a multi-species approach to the maximum extent feasible. This may include development or participation in a habitat conservation plan.

Finding: Mitigation Measure Feasible and Required. Mitigation measure MM 4.8.1, along with General Plan Actions CO-1.1.5 and CO-8.1.4 will ensure that a biological resource assessment is conducted for subsequent projects that could affect sensitive resources, that mitigation will be required for loss of vernal pool complexes, that the spread of noxious weeds will be reduced, and that indirect impacts to special-status fish species will be minimized. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby adopts mitigation measure MM 4.8.1, and finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.8-41 through 4.8-51; General Plan Policies CO-2.1, CO-2.2, CO-2.4, CO-3.1, CO-3.2, CO-4.3, CO-4.4, CO-4.5, CO-4.6; Action Items CO-1.1.1, CO-1.1.2, CO-1.1.3, CO-1.1.5, CO-2.1.1, CO-2.1.2, 2.4.1, 2.4.2, CO-2.4.3, CO-4.3.1, CO-4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4, CO-8.1.4.

- 2.8.2 **Impact 4.8.2** Implementation of the proposed General Plan and associated project components would result in direct and indirect loss of habitat and individuals of animal and plant species of concern, listed as “fully protected” in the Fish and Game Code of California (Sections 3511, 4700, 5050, and 5515), migratory birds protected under the Migratory Bird Treaty Act, and other non-listed special-status species including plant species identified by the California Native Plant Society with a rating of List 2.

Mitigation Measures

Implement mitigation measure MM 4.8.1

Finding: Mitigation Measure Feasible and Required. Mitigation measure MM 4.8.1, along with General Plan Action Item Action CO-1.1.5 and CO-8.1.4, will mitigate any direct or indirect impacts to non-listed special-status species in the Planning Area by requiring surveys for special-status species and appropriate mitigation for impacts to special-status species. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.8-51 through 4.8-58; General Plan Policies CO-2.1, CO-2.2, CO-2.4, CO-3.1, CO-3.2, CO-4.3, CO-4.4, CO-4.5, CO-4.6; Action Items CO-1.1.1, CO-1.1.2, CO-1.1.3, CO-1.1.5, CO-2.1.1, CO-2.1.2, 2.4.1, 2.4.2, CO-2.4.3, CO-4.3.1, CO-4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4, CO-8.1.4.

- 2.8.3 **Impact 4.8.3** Implementation of the proposed project would result in disturbance, degradation, and removal of sensitive biological communities.

Mitigation Measures

Implement mitigation measure MM 4.8.1

Finding: Mitigation Measure Feasible and Required. Mitigation measure MM 4.8.1, along with General Plan Action Item Action CO-1.1.5 and CO-8.1.4, will mitigate impacts to sensitive biological communities by requiring a biological resources evaluation, preserving vernal pool complexes, preserving riparian habitat, discouraging planting of and actively removing invasive species, mitigating and preserving wetland habitats, and buffering sensitive areas. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.8-58 through 4.8-62; General Plan Policies CO-2.1, CO-2.2, CO-2.4, CO-3.1, CO-3.2, CO-4.3, CO-4.4, CO-4.5, CO-4.6; Action Items CO-1.1.1, CO-1.1.2, CO-1.1.3, CO-1.1.5, CO-2.1.1, CO-2.1.2, 2.4.1, 2.4.2, CO-2.4.3, CO-4.3.1, CO-4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4, CO-8.1.4

2.9 CULTURAL RESOURCES

- 2.9.1 **Impact 4.9.1** Adoption of the City of Lone General Plan update and associated project components could result in the potential disturbance of cultural resources (i.e., prehistoric sites, historic sites, and isolated prehistoric/historic artifacts and features) and human remains.

Mitigation Measures

MM 4.9.1a The Planning Department shall be notified immediately if any prehistoric, archaeological, or fossil artifact or resource is uncovered during construction. All construction must stop and an archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action.

MM 4.9.1b All construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of California’s Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed.

Finding: Mitigation Measure Feasible and Required. Implementation of mitigation measures MM 4.9.1a and 4.9.1b, as well as the incorporation of General Plan Policy CO-

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9.3 and Action ED-3.1.5, will reduce impacts to known and undiscovered cultural resources and human remains by requiring evaluation and mitigation of any prehistoric resources, historic resources, or human remains discovered during construction activities. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby adopts mitigation measures MM 4.9.1(a) and 4.9.1(b), and finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.9-22 through 4.9-25; General Plan Policy CO-9.3 and Action ED-3.1.5

- 2.9.2 **Impact 4.9.2** Future development to implement the proposed project could potentially cause a direct substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5.

Mitigation Measures

MM 4.9.2 The city shall protect and enhance the historic character of the downtown and historic properties in order to preserve archaeologically significant resources (including Native American remains) in place if feasible, or provide mitigation (avoidance, excavation, documentation, curation, data recovery, or other appropriate measures prior to further disturbance).

Finding: Mitigation Measure Feasible and Required. Implementation of mitigation measure MM 4.9.2, as well as the incorporation of General Plan Action Item ED-3.1.6, will ensure protection and preservation of significant historical resources by identifying resources and avoiding or mitigating potential impacts. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby adopts mitigation measure MM 4.9.2, and finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less than significant level.

Reference: DEIR pages 4.9-25 through 4.9-28; General Plan Policies ED-1.2, ED-5.2; Action Items ED-1.2.1, ED-3.1.6, ED-5.2.1, ED-5.2.2, ED-5.2.3, ED-5.2.4.

- 2.9.3 **Impact 4.9.3** Adoption of the proposed project could result in the potential disturbance of paleontological resources.

Mitigation Measures

Implement mitigation measures MM 4.9.1a, MM 4.9.1b, and MM 4.9.2

Finding: Mitigation Measure Feasible and Required. Implementation of mitigation measures MM 4.9.1a, MM 4.9.1b, and MM 4.9.2, along with General Plan Actions ED-3.1.5 and ED-3.1.6 will reduce impacts to paleontological resources by requiring evaluation and mitigation of any such resources discovered during construction activities. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or

incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.9-28 through 4.9-30; General Plan Actions ED-3.1.5 and ED-3.1.6

- 2.9.4 **Impact 4.9.4** Adoption of the proposed project, its associated subsequent projects and specific plans within the Planning Area, in combination with all other foreseeable development projects within lone and the surrounding areas of Amador County, has the potential to disturb cultural resources (i.e., prehistoric sites, historic sites, historic buildings, and isolated artifacts and features) and human remains.

Mitigation Measures

Implement mitigation measures MM 4.9.1a and MM 4.9.1b

Finding: Mitigation Measure Feasible and Required. Mitigation measures MM 4.9.1a, 4.9.1b, and 4.9.2 as well as General Plan Action ED-3.1.5 would require future development projects to comply with certain procedures and methods for the identification, avoidance, protection, and preservation of cultural resources. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-cumulatively-considerable level.

Reference: DEIR pages 4.9-30 and 4.9-31; General Plan Policy CO-9.3 and Action ED-3.1.5

- 2.9.5 **Impact 4.9.5** Adoption of the proposed project, its associated subsequent projects and specific plans within the Planning Area, in combination with all other foreseeable development projects within lone and Amador County, has the potential to cause a direct substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5.

Mitigation Measures

Implement mitigation measure MM 4.9.2

Finding: Mitigation Measure Feasible and Required. Implementation of mitigation measure MM 4.9.2 outlines procedures and methods for the protection and preservation of historic properties. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-cumulatively-considerable level.

Reference: DEIR pages 4.9-31 and 4.9-32; General Plan Policies ED-1.2 and ED-5.2, and Actions ED-1.2.1, ED-3.1.6, ED-5.2.1, ED-5.2.2, ED-5.2.3, and ED-5.2.4.

- 2.9.6 **Impact 4.9.6** Adoption of the proposed project, its associated subsequent projects and specific plans within the Planning Area, in combination with all other foreseeable development projects within lone and Amador County has the potential to disturb paleontological resources (i.e., fossils and fossil formations).

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Mitigation Measures

Implement mitigation measures MM 4.9.1a, MM 4.9.1b, and 4.9.2

Finding: Mitigation Measure Feasible and Required. Implementation of mitigation measures MM 4.9.1a, 4.9.1b, and MM 4.9.2 along with General Plan Actions ED-3.1.5 and ED-3.1.6 outline procedures and methods for the identification, avoidance, protection, and preservation of paleontological resources. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-cumulatively-considerable level.

Reference: DEIR pages 4.9-32 and 4.9-33; General Plan Actions ED-3.1.5 and ED-3.1.6

2.10 HYDROLOGY AND WATER QUALITY

2.10.1 **Impact 4.10.1** New development associated with implementation of the project would increase stormwater runoff rates and volumes when compared with existing conditions.

Mitigation Measures

MM 4.10.1a The City shall not permit new development projects to result in new or increased flooding impacts on adjoining parcels in either upstream or downstream areas.

MM 4.10.1b The City shall seek to minimize toxic runoff from such sources as homes, businesses, public facilities and recreation areas, and roadways. Examples of potential programs include:

- The use of “bioswales” and similar features (such as infiltration trenches, filter trips, and vegetated buffers) to trap contaminants;
- Installation of grease/oil separators to keep these contaminants out of storm runoff;
- Regular street sweeping programs to prevent the buildup of oil, grease, and other contaminants and keep them from being swept into creeks and rivers;
- Minimizing pesticide use and promoting the use of natural pest controls;
- Encouraging the installation of “gray water” systems.

Finding: Mitigation Measure Feasible and Required. General Plan Policies CO-2.2, CO-2.3, CO-4.3, CO-4.4, CO-4.6, CO-5.1 and Actions CO-4.3.1, CO-4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4 and CO-5.1.1, along with mitigation measures MM 4.10.1a and 4.10.1b also would ensure that drainage systems to accommodate and discharge anticipated runoff without exacerbating downstream flooding conditions would be in place for future development, that Low Impact Development (LID)

techniques would be used to minimize runoff events and peak flows of runoff, and that development projects would consult with the appropriate agencies regarding stormwater facilities prior to project approval. LID techniques have the capability of reducing the frequency of the more common runoff events to pre-development levels and include measures such as bioretention and rain gardens; vegetated swales, buffers and strips; roof leader disconnection; rain barrels and cisterns, permeable pavers, and impervious surface reduction and disconnection. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby adopts mitigation measures MM 4.10.1a and 4.10.1b, and finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.10-27 through 4.10-32; General Plan Policies CO-2.2, CO-2.3, CO-4.3, CO-4.4, CO-4.6, CO-5.1 and Actions CO-4.3.1, CO-4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4 and CO-5.1.1

- 2.10.2 **Impact 4.10.3** Installation of storm drainage facilities serving future development per the proposed project could affect the water quality of underlying aquifers. Also, surface runoff discharged to downstream creeks from new development may contain pollutants that may infiltrate to shallow underlying groundwater.

Mitigation Measures

MM 4.10.3 As a part of mitigating for increases in runoff and mitigating for potential introduction of pollutants to surface water associated with new development, projects may be required to incorporate detention facilities, retention facilities, LID measures, or other measures into the project design. If such a facility is proposed to be located in a low-lying area having high percolation rates and a shallow depth to groundwater, measures (such as an impermeable liner or facility relocation) that will mitigate this impact shall be incorporated into the design of said facilities when warranted. The potential for introducing pollutants carried in stormwater to the groundwater shall be addressed via technical and soils investigations prepared by a California Registered Professional Engineer and submitted (along with remedial solutions) to the City for review and approval.

Finding: Mitigation Measure Feasible and Required. General Plan Policies CO-2.2, CO-2.3, CO-4.3, CO-4.4, CO-4.6, CO-5.1 and Actions CO-4.3.1, CO-4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4 and Action CO-5.1.1 along with mitigation measure MM 4.10.3, would ensure that new development mitigate impacts on stormwater quality that may percolate to groundwater along existing downstream creeks and incorporate design features to prevent development-related pollutants from percolating to groundwater at project detention, retention, LID, or similar facilities. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby adopts mitigation measure MM 4.10.3, and finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.10-35 through 4.10-39; General Plan Policies CO-2.2, CO-2.3, CO-4.3, CO-4.4, CO-4.6, CO-5.1 and Actions CO-4.3.1, CO-4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4 and Action CO-5.1.1

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- 2.10.3 **Impact 4.10.4** Implementation of the proposed project could expose structures and facilities to flood hazards and potential damage.

Mitigation Measures

MM 4.10.4 Development shall adhere to regulations set forth in the City's Floodplain Management Ordinance. When development is proposed to occur near an area where only approximate 100-year floodplain mapping exists, a hydrologic and hydraulic analysis shall be performed to more accurately determine base flood elevations and floodplain limits, or at least verify that the project will not be impacted by the nearby flooding source. The hydrologic and hydraulic analysis shall be prepared by a California Registered Professional Engineer and submitted to the City for review and approval.

Finding: Mitigation Measure Feasible and Required. General Plan Policy CO-2.1 and Actions CO-2.1.1, CO-2.1.2, and CO-2.1.3 along with mitigation measure MM 4.10.4 would establish policies for development adjacent to creeks and provide additional floodplain information where needed to aid in the effectiveness of administering the City's Floodplain Management Ordinance. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.10-39 through 4.10-41; General Plan Policies Policy CO-2.1 and Actions CO-2.1.1, CO-2.1.2, and CO-2.1.3

- 2.10.4 **Impact 4.10.5** Future development allowed by the proposed project, along with all planned, proposed, recently approved, and reasonably foreseeable development in the cumulative setting, may result in cumulative impacts on stormwater runoff and surface drainage, stormwater quality, groundwater quality, and exposure to flood hazards.

Mitigation Measures

Implement mitigation measures MM 4.10.1a, MM 4.10.1b, MM 4.10.3, and MM 4.10.4.

Finding: Mitigation Measure Feasible and Required. General Plan Policies CO-2.1, CO-2.2, CO-2.3, CO-4.3, CO-4.4, CO-4.6, CO-5.1 and Actions CO-2.1.1, CO-2.1.2, and CO-2.1.3, CO-4.3.1, CO-4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4 and Action CO-5.1.1 as well as MM 4.10.1a, MM 4.10.1b, MM 4.10.3, and MM 4.10.4 would reduce identified cumulative stormwater/flooding impacts to a less-than-significant level. Specifically, General Plan Policies CO-2.2, CO-2.3, CO-4.3, CO-4.4, CO-4.6, CO-5.1 and Actions CO-4.3.1, CO-4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4 and CO-5.1.1, along with mitigation measures MM 4.10.1a and 4.10.1b would ensure that drainage systems to accommodate and discharge anticipated runoff without exacerbating downstream flooding conditions would be in place for future development, that LID techniques would be used to minimize runoff events and peak flows of runoff, and that development projects would consult with the appropriate agencies regarding stormwater facilities prior to project approval. In addition, General Plan Policies CO-2.2, CO-2.3, CO-4.3, CO-4.4, CO-4.6, CO-5.1 and Actions CO-4.3.1, CO-

4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4 and Action CO-5.1.1 along with mitigation measure MM 4.10.3, would ensure that new development mitigate impacts on stormwater quality that may percolate to groundwater along existing downstream creeks and incorporate design features to prevent development-related pollutants from percolating to groundwater at project detention, retention, LID, or similar facilities. Furthermore, General Plan Policy CO-2.1 and Actions CO-2.1.1, CO-2.1.2, and CO-2.1.3 along with mitigation measure MM 4.10.4 would establish policies for development adjacent to creeks and provide additional floodplain information where needed to aid in the effectiveness of administering the City's Floodplain Management Ordinance. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.10-41 and 4.10-42; General Plan Policies CO-2.1, CO-2.2, CO-2.3, CO-4.3, CO-4.4, CO-4.6, and CO-5.1; and Actions CO-2.1.1, CO-2.1.2, CO-2.1.3, CO-4.3.1, CO-4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4 and CO-5.1.1.

2.11 GEOLOGY AND SOILS

- 2.11.1 **Impact 4.11.3** Implementation of the proposed project could result in new and/or increased development in areas prone to slope instability and landslides.

Mitigation Measures

MM 4.11.3a Slope stability analysis shall be performed by a licensed Geotechnical Engineer for new improvements planned to be built on slopes greater than 30 percent or on or near constructed cut slopes. The purpose of the analysis shall be to develop design parameters for new improvements that will not induce slope failure and subsequently expose people and structures to hazards associated with slope instability.

MM 4.11.3b Construction activities for all development activities within the city shall comply with OSHA (Occupational Safety and Hazard Administration) requirements for all temporary and permanent cut slopes.

Finding: Mitigation Measure Feasible and Required. General Plan Policy LU-2.4 and Actions Action LU-2.4.1, LU-2.4.2, LU-2.4.3 and LU-2.4.4 along with mitigation measures MM 4.11.3a and MM 4.11.3b sufficiently protect people and structures from the impact of slope instability that may occur at natural slopes and permanent cut slopes by requiring that development in areas prone to slope instability hazards be analyzed and designed to reduce slope failure hazards and protect people from slope instability hazards. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby adopts mitigation measures MM 4.11.3a and 4.11.3b, and finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.11-32 and 4.11-35; General Plan Policies Policy LU-2.4 and Actions LU-2.4.1, LU-2.4.2, LU-2.4.3 and LU-2.4.4

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2.12 VISUAL RESOURCES

- 2.12.1 **Impact 4.12.4** Implementation of the proposed project would result in the intensification of land uses within the Planning Area, which has the potential to create new sources of daytime glare and nighttime illumination.

Mitigation Measures

- MM 4.12.4** As part of planned major roadway improvements identified in the Circulation Element, and particularly for the WIRIS bypass, the City shall require the installation of landscaping in areas identified where vehicle headlights could generate glare on existing residences or areas designated in the General Plan for future residential development.

Finding: General Plan Policy PF-1.5 and Action PF-1.5.1 and PF-1.5.2 include requirements to minimize the intensity of new street lighting, prohibit the spillover of nighttime lighting onto adjacent residential uses, and restrict the use of reflective building materials that may cause glare. Furthermore, mitigation measure MM 4.12.4 will require landscape buffering along major roadways where vehicle headlight could adversely affect residential uses. Therefore, pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the City hereby adopts mitigation measure MM 4.12.4, and finds that changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.12-13 through 4.12-16; General Plan Policies Policy LU-2.4 and Actions LU-2.4.1, LU-2.4.2, LU-2.4.3 and LU-2.4.4

2.13 PUBLIC SERVICES AND UTILITIES

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

3.0 FINDINGS ASSOCIATED WITH SIGNIFICANT AND CUMULATIVE SIGNIFICANT IMPACTS WHICH CANNOT FEASIBLY BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

Based upon the criteria set forth in the Draft Environmental Impact Report and the Final Environmental Impact Report, the City finds that the following environmental effects of the project are significant and unavoidable and cannot be reduced through mitigation measures to a less-than-significant level. However, as explained in the Statement of Overriding Considerations contained in Section 7 below, these effects are considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project.

3.1 LAND USE

- 3.1.1 **Impact 4.1.3** Implementation of the project has the potential to conflict with applicable land use plans, policies, or regulations of agencies with jurisdiction over parts of the Planning Area, including Amador County.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-2.5 and LU-2.8 and Actions LU-2.5.1 and LU-2.5.2 ensure consistency between the City's General Plan and Zoning Code and the creation of buffers where development is planned adjacent to existing agricultural uses, there are no feasible mitigation measures available that could fully offset the project's conflicts with the Amador County General Plan. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Development of land that is currently outside the City limits and under the jurisdiction of the County in accordance with the proposed Land Use Map would be inconsistent with the land use designations and/or policies of the Amador County General Plan in some instances. Particularly, as more urban development occurs outside the existing city limits, individual projects may be placed adjacent to Williamson Act lands, lands designated for agricultural use, or agricultural operations, which could create conflicts between these land uses. In addition, lands designated for urban uses such as residential or parks and recreation within the city could be inconsistent with existing county lands identified for agricultural and industrial uses if the City were to attempt to annex the land and change the designation. Draft EIR pages 4.1-29 through -36 provide an assessment of these potential conflicts and determine that they are necessary to accommodate the City's projected growth over the life of the proposed General Plan Update. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

- 3.1.2 **Impact 4.1.4** When considered with existing, proposed, planned, and approved development in the region, implementation of the proposed project has the potential to contribute to cumulative land use conditions in the region that result in significant impacts to the physical environment.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-1.8, LU-1.12, LU-1.14, LU-1.17, LU-2.5 and Actions LU-1.4.1, LU-2.5.1, and LU-2.5.2 would assist in reducing this impact, there are no feasible mitigation measures available that would fully minimize, avoid or reduce this cumulative land use impact. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Growth and development associated with implementation of the proposed project in combination with other planned development in the region would result in various environmental impacts. Draft EIR pages 4.1-37 and -38 provide an assessment of these potential impacts and the proposed policies and action items that would assist in minimizing, avoided, and/or reducing these impacts. It is concluded that the proposed project would provide environmental benefits by increasing the intensity of development in the Planning Area thereby minimizing the area that would be affected; however, development and urbanization would be necessary in order to accommodate the City's projected growth and there are is no feasible mitigation that could fully mitigate this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

3.2 AGRICULTURE

- 3.2.1 **Impact 4.2.1** Implementation of the proposed project would result in the loss of Important Farmlands (Prime Farmland, Unique Farmland and Farmland of Statewide Importance) as designated by the Farmland Mapping and Monitoring Program.

Mitigation Measures

MM 4.2.1 The City shall require development to protect a minimum of one acre of existing farmland of equal or higher quality for each acre of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance that would be converted to non-agricultural uses. This protection may consist of the establishment of farmland conservation easements, farmland deed restrictions, or other appropriate farmland conservation in perpetuity, but may also be utilized for compatible wildlife conservation efforts. The farmland to be preserved shall be located within Amador County and must have adequate water supply to support agricultural use.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policy CO-10.2 and mitigation measure MM 4.2.1 (which has been determined to be feasible) provide some agricultural resource benefit, there are no feasible mitigation measures available that will lessen this significant adverse effect on the environment to a less-than-significant level. Therefore, the City further finds that there are no further feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Land use development within the city limits associated with implementation of the proposed Land Use Map would result in the conversion of 230 acres of Important Farmlands within the city limits. In addition, Important Farmland would be impacted by the WIRIS. Although implementation of mitigation measure MM 4.2.1 would reduce the impacts of conversion of any Important Farmlands to nonagricultural use, the conversion of Important Farmland is considered a permanent, irreversible impact that cannot be fully mitigated through off-site conservation. The only mitigation for such impacts –

restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

- 3.2.2 **Impact 4.2.2** Implementation of the proposed project could result in the placement of urban uses adjacent to agricultural uses within and adjacent to the city.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CO-10.2, LU-2.4, and NS-1.2 and Actions LU-2.4.1, LU-2.4.2, LU-2.4.3, NS-1.2.1, NS-1.2.2, NS-1.3.1, NS-1.4.1, and NS-1.4.2 provide some mitigation of agriculture/urban interface conflicts, these measures would not fully mitigate agricultural/urban interface conflicts, especially in regard to farm equipment and vehicle conflicts on area roadways, potential trespassing and vandalism to active farmlands, and growth pressure on farmland in proximity to urban uses in the city. Therefore, the City further finds that there are no feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update and other project components would result in the placement of urban uses adjacent to agricultural uses both within and outside the city limits. Implementation of General Plan Policies and Actions listed above would minimize the conversion of agricultural land and would assist in reducing agricultural/urban interface conflicts through the use of buffers, the adoption of specific development standards, the disclosure of potential nuisances to home buyers, the adoption of noise standards, and the restriction of construction and commercial-activities in close proximity to residences. However, the measures would not fully mitigate agriculture/urban interface conflicts, especially in regard to farm equipment and vehicle conflicts on area roadways, potential trespassing and vandalism to active farmlands, and growth pressures on farmland in proximity to urban uses in the City, for which there is no feasible mitigation available (Draft EIR pages 4.2-21 through 4.2-24). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

- 3.2.3 **Impact 4.2.3** Implementation of the proposed General Plan could result in a conflict with active Williamson Act contracts.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CO-10.2 and CO-10.5 provide agricultural resource benefit by discouraging the conversion of agricultural lands and prohibiting City approval of development projects on lands under an active Williamson Act contract, there are no feasible mitigation measures available that will lessen this significant adverse effect on the environment. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update and associated project components could result in the conversion of over 91 acres of land currently under active Williamson Act contracts. In addition, the proposed WIRIS project, depending on its final alignment, could result in the conversion of additional land subject to Williamson Act contracts. General Plan Policy CO-10.5 prohibits City approval of development projects that would conflict with an active Williamson Act; however, the project could still place pressure on land owners encouraging non-renewal of contracts and subsequent development. There are no feasible mitigation measures to fully reduce or minimize this impact (Draft EIR pages 4.2-23 through 4.2-25). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR

- 3.2.4 **Impact 4.2.4** Implementation of the proposed project, along with other proposed development in Amador County, would contribute to the cumulative conversion of Important Farmlands to other uses and may increase agriculture/urban interface conflicts.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CO-10.2, LU-2.4 and NS-1.2 and Actions LU-2.4.1, LU-2.4.2, LU-2.4.3, NS-1.2.1, NS-1.2.2, NS-1.3.1, NS-1.4.1, and NS-1.4.2 and mitigation measures MM 4.2.1 and MM 4.2.3 (which have been determined to be feasible) provide agricultural resource benefit, there are no feasible mitigation measures available that will lessen this significant adverse effect on the environment. Thus, this impact is cumulatively considerable and significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update and associated project components in combination with other planned development in the region would contribute to the ongoing statewide loss of farmland due to direct conversion and conflicts with encroaching urban development. Implementation of General Plan Policies CO-10.2, LU-2.4 and NS-1.2 and Actions LU-2.4.1, LU-2.4.2, LU-2.4.3, NS-1.2.1, NS-1.2.2, NS-

1.3.1, NS-1.4.1, and NS-1.4.2 would provide significant agricultural resource benefit by discouraging the conversion of agricultural lands, prohibiting the approval of projects on land under Williamson Act contract, and minimizing land use conflicts related to noise, dust, and pesticide spray drift within the Planning Area. However, the project would still result in the loss of farmland and urban/agriculture interface conflicts and there are no feasible mitigation measures to fully reduce or avoid these impacts (Draft EIR pages 4.2-26 and 4.2-27). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

3.3 POPULATION AND HOUSING

3.3.1 **Impact 4.3.1** Implementation of the proposed General Plan Land Use Map and other project components would result in land uses that promote an increase in population, housing, and employment in the Planning Area and thus induce substantial growth. Development associated with substantial growth could result in significant impacts on the environment.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-1.3, LU-1.4, LU-1.5, LU-2.4, CON-10.3, CON-10.4, H-3.1, H-4.4, H-4.5 and Actions LU-1.3.1, LU-1.4.1, H-3.1.1, H-4.4.1, H-4.5.1 reduce this impact, there are no feasible mitigation measures available that will lessen this significant adverse on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update and associated project components would result in substantial population growth within the Planning Area requiring significant new development which could result in environmental impacts. Implementation of General Plan Policies LU-1.3, LU-1.4, LU-1.5, LU-2.4, CON-10.3, CON-10.4, H-3.1, H-4.4, H-4.5 and Actions LU-1.3.1, LU-1.4.1, H-3.1.1, H-4.4.1, H-4.5.1 encourage smart, phased, and efficient growth in order to minimize environmental impacts. However, the project would still result in significant new development that would have adverse impacts on the environment and there are no feasible mitigation measures to fully reduce or avoid these impacts (Draft EIR pages 4.3-11 through 4.3-15). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

3.3.2 **Impact 4.3.3** Implementation of the proposed project would create numerous new jobs within the Planning Area, potentially resulting in an unbalanced jobs-to-housing ratio.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Goal H-2, Policies LU-2.2, LU-2.3, ED-1.5, ED-2.3, ED-4.1, ED-4.2, H-2.2, and Actions LU-2.2.1, LU-2.3.1, ED-4.2.1, ED-4.2.2, and H-2.2.1 assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update and associated project components would result in the creation of new jobs as well as the development of new residential uses. As a result, the City's jobs to housing ratio would be unbalanced at build out of the Planning Area with more substantially more jobs than housing units. Such an imbalance could result in significant environmental impacts related to workers commuting into the City. Implementation of General Plan Goal H-2, Policies LU-2.2, LU-2.3, ED-1.5, ED-2.3, ED-4.1, ED-4.2, H-2.2, and Actions LU-2.2.1, LU-2.3.1, ED-4.2.1, ED-4.2.2, and H-2.2.1 would encourage the development of adequate housing. However, given the land use designations and density ranges established by the General Plan, a jobs to housing ratio imbalance would still result. There are no additional feasible mitigation measures that could fully reduce or avoid this impact (Draft EIR pages 4.3-17 and 4.3-18).

- 3.3.3 **Impact 4.3.4** Development under the proposed General Plan update and associated project components would include substantial population, housing unit, and employment increases.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-1.3, LU-1.4, LU-1.5, LU-2.4, CON-10.3, CON-10.4, H-3.1, H-4.4, and H-4.5 and Actions LU-1.3.1, LU-1.4.1, H-3.1.1, and H-4.5.1 assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update and associated project components in combination with other planned development in the region would result in substantial population, housing and employment growth. Such growth is anticipated to result in significant adverse effects to the environment. Implementation of General Plan Policies LU-1.3, LU-1.4, LU-1.5, LU-2.4, CON-10.3, CON-10.4, H-3.1, H-4.4, and H-4.5 and Actions LU-1.3.1, LU-1.4.1, H-3.1.1, and H-4.5.1 would encourage smart, phased, and efficient growth in order to minimize environmental impacts. However, given the land use designations and density ranges established by the General Plan, substantial growth would still occur that could result in significant environmental impacts. There are

no additional feasible mitigation measures that could fully reduce or avoid this impact (Draft EIR page 4.3-19 through 4.3-21). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

3.4 TRANSPORTATION AND CIRCULATION

3.4.1 Impact 4.4.1 Implementation of the proposed project would result in an increase in traffic volumes beyond traffic volumes associated with the existing General Plan that would result in deficient level of service conditions and conflict with Amador County and Caltrans standards for level of service.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CIR-1.1, CIR-1.2, CIR-1.3, CIR-1.4, CIR-1.5, CIR-1.13, CIR-3.1, CIR-3.3, CIR-3.4, CIR-3.5, CIR-3.6 and Actions CIR-1.1.1, CIR-1.1.2, CIR-1.1.3, CIR-1.1.5, CIR-1.2.1, CIR-1.2.2, CIR-1.3.1, CIR-1.3.2, CIR-1.4.1, CIR-1.5.4, CIR-1.13.1, CIR-3.1.1, and CIR-3.1.3 will assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update would lower the minimum level of service (LOS) required within the City thereby allowing traffic conditions to deteriorate and resulting in conflicts with existing Caltrans and Amador County LOS policy. In addition, the growth allowed by the General Plan would increase traffic on Planning Area roadways and intersections resulting in unacceptable levels of service on seven roadway segments located both within and outside the city limits. In order to avoid these policy conflicts and lessen traffic impacts, significant roadway improvements would be required along multiple roadways. DEIR pages 4.4-35 through 4.4-40 provide an assessment of why these improvements would not be feasible on five of these segments. Implementation of General Plan Policies CIR-1.1, CIR-1.2, CIR-1.3, CIR-1.4, CIR-1.5, CIR-1.13, CIR-3.1, CIR-3.3, CIR-3.4, CIR-3.5, CIR-3.6 and Actions CIR-1.1.1, CIR-1.1.2, CIR-1.1.3, CIR-1.1.5, CIR-1.2.1, CIR-1.2.2, CIR-1.4.1, CIR-1.5.4, CIR-1.13.1, CIR-3.1.1, and CIR-3.1.3 would help to reduce LOS impacts on the affected roadway segments. However, given the traffic increases projected to result from implementation of the General Plan Update and the inability to implement all necessary roadway improvements (i.e., outside of the City’s jurisdiction to ensure implementation), deficient LOS conditions would still occur. General Plan Actions CIR-1.3.1 and CIR-1.3.2 would create a long term plan to address the policy conflicts; however, they require coordination with other agencies and cannot be guaranteed to resolve the conflicts. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would

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fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

- 3.4.2 **Impact 4.4.5** When considered with existing, proposed, approved and planned development in the region, implementation of the proposed project have the potential to contribute to an increase in traffic volumes that would result in deficient level of service conditions under cumulative conditions (including buildout of the Planning Area) resulting in significant impacts to the physical environment.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CIR-1.1, CIR-1.2, CIR-1.3, CIR-1.4, CIR-1.5, CIR-1.13, CIR-3.1, CIR-3.3, CIR-3.4, CIR-3.5, and CIR-3.6; and Actions CIR-1.1.1, CIR-1.1.2, CIR-1.1.3, CIR-1.1.5, CIR-1.2.1, CIR-1.2.2, CIR-1.3.1, CIR-1.3.2, CIR-1.4.1, CIR-1.5.4, CIR-1.13.1, CIR-3.1.1, and CIR-3.1.3 will assist in reducing this impact; however, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update would lower the minimum level of service (LOS) required within the City thereby allowing traffic conditions to deteriorate and resulting in conflicts with existing Caltrans and Amador County LOS policy, and, in combination with other planned development, would contribute to cumulative traffic impacts in the region. Implementation of the General Plan policies listed above would ensure that a long-term solution is developed to eliminate the conflicting LOS policies. For example, General Plan Action Item CIR-1.3.1 requires the City of lone to coordinate with the Amador County Transportation Commission (ACTC) to minimize inconsistencies between the City's proposed LOS policies and those contained in future updates to the Regional Transportation, General Plan Action Item CIR-1.3.2 requires the City of lone to coordinate with Caltrans to minimize inconsistencies between the City's proposed LOS policies and those contained in future Transportation Concept Reports for SR 104 and SR 124, and General Plan Action Item CIR-1.3.3 requires the City to revise its CIP to widen SR 124 between Washington Street and WIRS to four-lanes, and SR 124 between WIRS and Buena Vista Road to four-lanes, in coordination with Caltrans. Although these policies would require the City to work with Amador County, ACTC, and Caltrans, there is no guarantee that the respective policies will be modified. Additionally, the feasibility of these mitigation measures is uncertain because the Transportation Concept Report (TCR) for SR 124 identifies a concept facility limited to two-lanes. However, the TCR does acknowledge the fact that the next TCR should investigate upgrading SR 124 to four-lanes. SR 124 is outside of the City's jurisdiction (within the jurisdiction of Caltrans) and the City cannot ensure the timely implementation of these improvements. The effect of regional traffic through the City, timing of required permits and coordination with Amador County and Caltrans. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan

and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

3.5 AIR QUALITY AND CLIMATE CHANGE

3.5.1 **Impact 4.5.1** The proposed project would accommodate future growth in population, housing, commercial development, and jobs in the City of Lone. These activities would result in the emission of non-attainment pollutants within Amador County. Specific to the production of the pollutant, ozone, implementation of the General Plan and its associated project components would allow for population growth that may exceed projections assumed in the 2004 Amador County Regional Transportation Plan (RTP). Although there presently is no ozone attainment standard, traffic congestion in excess of projections may impair compliance with any ozone attainment plan adopted in the future. The traffic congestion could also increase particulate matter (PM₁₀ and PM_{2.5}) emissions in excess of State and federal standards.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-1.3, LU-1.5, LU-2.3, CIR-1.3, CIR-1.6, CIR-1.11, CIR-1.12, CIR-1.13, CIR-2.3, CIR-2.6, CIR-2.7, CIR-2.9, CO-6.1, CO-6.2, CO-6.3, CO-6.4, CO-10.4, ED-2.2, and ED-3.4, and Actions LU-3.1.2, LU-3.1.3, CIR-1.1.3, CO-6.2.2, CO-6.2.3, CO-6.2.4, CO-6.2.5 assist in reducing this impact, there are no feasible mitigation measures available that will off-set this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Lone General Plan Update and associated project components would accommodate significant future growth resulting in increased emission of nonattainment air pollutants including ozone and particulate matter. Because the project would result in growth beyond that projected in the 2004 Amador County RTP, the project would conflict with the RTP and may significantly impact regional ozone air quality. Implementation of General Plan Policies LU-1.3, LU-1.5, LU-2.3, CIR-1.3, CIR-1.6, CIR-1.11, CIR-1.12, CIR-1.13, CIR-2.3, CIR-2.6, CIR-2.7, CIR-2.9, CO-6.1, CO-6.2, CO-6.3, CO-6.4, CO-10.4, ED-2.2, and ED-3.4, and Actions LU-3.1.2, LU-3.1.3, CIR-1.1.3, CO-6.2.2, CO-6.2.3, CO-6.2.4, CO-6.2.5 would promote efficient, phased growth, would reduce traffic congestion and would otherwise minimize air emissions. However, in the absence of an updated ozone and particulate matter attainment plan by the Amador County Air Pollution Control District (AAPCD), the project could impact the region’s attempts to develop an ozone and particulate matter plan. The City cannot control or guarantee that the AAPCD will update its air quality plan in response to the new growth projections for the City. There are no additional feasible mitigation measures that could fully reduce or avoid this impact (Draft EIR pages 4.5-15 through 4.5-20). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would

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fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

- 3.5.2 **Impact 4.5.6** Implementation of the proposed project, in combination with cumulative development in the Air Basin, would contribute to a cumulative air quality impacts and could conflict with ozone and particulate matter attainment efforts.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-1.3, LU-1.5, LU-2.3, CIR-1.3, CIR-1.6, CIR-1.11, CIR-1.12, CIR-1.13, CIR-2.3, CIR-2.6, CIR-2.7, CIR-2.9, CO-6.1, CO-6.2, CO-6.3, CO-6.4, CO-10.4, ED-2.2, and ED-3.4, and Action LU-3.1.1, LU-3.1.2, CIR-1.1.3, CO-6.2.2, CO-6.2.3, CO-6.2.4, CO-6.3.5 assist in reducing this impact, there are no feasible mitigation measures available that will offset this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update and associated project components, in combination with other planned development in the region, would accommodate significant future growth that could exceed growth projections used in regional air quality planning and attainment efforts under year 2030 conditions. Implementation of General Plan Policies LU-1.3, LU-1.5, LU-2.3, CIR-1.3, CIR-1.6, CIR-1.11, CIR-1.12, CIR-1.13, CIR-2.3, CIR-2.6, CIR-2.7, CIR-2.9, CO-6.1, CO-6.2, CO-6.3, CO-6.4, CO-10.4, ED-2.2, and ED-3.4, and Action LU-3.1.1, LU-3.1.2, CIR-1.1.3, CO-6.2.2, CO-6.2.3, CO-6.2.4, CO-6.3.5 would promote efficient, phased growth, would reduce traffic congestion and would otherwise minimize air emissions within the Planning Area. However, buildout of the Planning Area in combination with other planned development in the region would still exceed growth projections in the 2004 Amador County RTP, and would result in substantial increases in emissions. There are no additional feasible mitigation measures that could fully reduce or avoid this impact (Draft EIR page 4.5-28). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

- 3.5.3 **Impact 4.5.7** Implementation of the proposed project would substantially increase Greenhouse Gas emissions of CO₂e over existing (2008) conditions. This increase in Greenhouse Gas emissions would be inconsistent with state efforts to reduce Greenhouse Gas emissions.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CO-6.5, CO-6.6, LU -1.1, LU-1.3, LU-1.5, LU-2.3, CIR-1.11, CIR-1.12, CIR-2.3, CIR-2.6, CIR-2.7, CIR-2.9, CIR-3.7, CO-3.1, CO-3.3, CO-4.1, CO-6.1, CO-6.2, CO-6.3, CO-6.4, CO-10.4, ED-2.2, ED-3.4, PF-3.1, PF-7.1, PF-8.3, and PF-11.3, and Actions CO-6.5.1, CO-6.5.2, LU-3.1.1, LU-3.1.2, LU-3.1.3, CO-6.2.2, CO-6.2.3, CO-6.2.4, CO-6.2.5, PF-4.1.3, PF-6.1.5, PF-7.1.1, PF-7.1.2 assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update and associated project components would result an increase in CO_{2e} emissions primarily from increases in housing and traffic associated with the City's projected population growth. Implementation of General Plan Policies CO-6.5, CO-6.6, LU -1.1, LU-1.3, LU-1.5, LU-2.3, CIR-1.11, CIR-1.12, CIR-2.3, CIR-2.6, CIR-2.7, CIR-2.9, CIR-3.7, CO-3.1, CO-3.3, CO-4.1, CO-6.1, CO-6.2, CO-6.3, CO-6.4, CO-10.4, ED-2.2, ED-3.4, PF-3.1, PF-7.1, PF-8.3, and PF-11.3, and Actions CO-6.5.1, CO-6.5.2, LU-3.1.1, LU-3.1.2, LU-3.1.3, CO-6.2.2, CO-6.2.3, CO-6.2.4, CO-6.2.5, PF-4.1.3, PF-6.1.5, PF-7.1.1, PF-7.1.2 would help reduce CO_{2e} emissions from motor vehicles and energy use associated with the City's projected growth consistent with current state measures to address climate change. However, the net increase in emissions would further contribute to climate change and the project's compliance with current state measures to reduce greenhouse gas emissions can only be determined once specifically applicable regulations are adopted. Therefore, there are no feasible mitigation measures that could fully reduce or avoid this impact (Draft EIR page 4.5-40 through 4.5-54). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

3.6 NOISE

3.6.1 **Impact 4.6.2** The proposed General Plan update and other project components would result in increased traffic noise levels along area roadways that could adversely affect noise-sensitive land uses. In addition, future development of industrial uses within the southern portion of the city could result in resumed railroad traffic and increased noise levels along the existing UP Railroad corridor. Increases in surface transportation noise could result in increased noise levels at noise-sensitive land uses in excess of City noise standards.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies NS-1.1, NS-1.2, NS-1.6 and NS-1.7;

and Actions NS-1.2.1, and NS-1.2.2 assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update would result in the exposure of existing and planned noise sensitive uses to unacceptable noise levels associated with surface transportation including vehicles and trains. Implementation of the General Plan Policies NS-1.1, NS-1.2, NS-1.6 and NS-1.7; and Actions NS-1.2.1, and NS-1.2.2 would reduce potential surface transportation noise impacts by establishing noise level performance standards and ensuring that future development complies with these standards. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. There are no additional feasible mitigation measures that could fully reduce or avoid this impact (Draft EIR pages 4.6-20 through 4.6-26). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

- 3.6.2 **Impact 4.6.3** As additional development occurs throughout the city, the potential exists for new noise-sensitive land uses to encroach upon existing or proposed stationary noise sources.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies NS-1.1, NS-1.2, NS-1.3, NS-1.4, NS-1.6, and NS-1.7; and Actions NS-1.2.1, NS-1.3.1, and NS-1.4.2 assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update would allow for the development of new noise-sensitive uses near existing or proposed stationary noise sources as well as the development of new stationary noise sources near existing noise-sensitive uses, both within and outside the city limits. Increased exposure to non-transportation source noise levels could result in increased levels of annoyance, activity interference, and potential sleep disruption for occupants of nearby land uses. Implementation of the General Plan Policies NS-1.1, NS-1.2, NS-1.3, NS-1.4, NS-1.6, and NS-1.7; and Actions NS-1.2.1, NS-1.3.1, and NS-1.4.2 would help reduce potential noise impacts associated with stationary noise sources by establishing noise level performance standards, ensuring that future development complies with these standards, and by restricting the hours of operation for noise-producing sources commonly associated with

commercial uses. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. There are no additional feasible mitigation measures that could fully reduce or avoid this impact (Draft EIR pages 4.6-26 through 4.6-30). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

- 3.6.3 **Impact 4.6.5** Implementation of the proposed project along with potential development of the Planning Area could result in increased noise conflicts.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies NS-1.1, NS-1.2, NS-1.5, and NS-2.2; and Actions NS-1.2.2, NS-1.5.1, NS-2.2.1, and NS-2.2.2 assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed lone General Plan Update and associated project components, in combination with other planned development in the region, would result in the exposure of noise-sensitive land uses to increased traffic noise levels. Projected future noise contours for major roadways within the city and predicted increases in traffic noise levels associated with future development are summarized in DEIR Tables 4.6-6 and 4.6-7. Implementation of General Plan Policies NS-1.1, NS-1.2, NS-1.5, and NS-2.2; and Actions NS-1.2.2, NS-1.5.1, NS-2.2.1, and NS-2.2.2 would reduce potential noise impacts by establishing noise level performance standards and requiring future development projects to analyze project-related noise impacts and incorporate necessary noise-reduction measures sufficient to achieve applicable noise standards. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. There are no additional feasible mitigation measures that could fully reduce or avoid this impact (Draft EIR pages 4.6-33 through 4.6-35). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

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3.7 HAZARDS AND HUMAN HEALTH

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and not mitigable to a less-than-significant level.

3.8 BIOLOGICAL RESOURCES

- 3.8.1 **Impact 4.8.6** Implementation of the proposed General Plan and associated project components, together with past, present, and probable future projects in the Planning Area and larger regional context, would result in a cumulatively significant loss of biological resources in the region.

Mitigation Measures

Implement mitigation measure MM 4.8.1

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Implementation of General Plan Policies CO-2.1, CO-2.2, CO-2.4, CO-3.1, CO-3.2, CO-4.3, CO-4.4, CO-4.5, and CO-4.6, and Actions CO-1.1.1, CO-1.1.2, CO-1.1.3, CO-1.1.5, CO-2.1.1, CO-2.1.2, 2.4.1, 2.4.2, CO-2.4.3, CO-4.3.1, CO-4.3.2, CO-4.3.3, CO-4.3.4, CO-4.4.1, CO-4.4.2, CO-4.4.3, CO-4.4.4, and CO-8.1.4 will reduce impacts to cumulative biological resources. However, there are no feasible mitigation measures available that could fully offset the project's contribution to cumulative and significant biological resource impacts for the region. Thus, this impact is cumulatively considerable and significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Development arising through implementation of the project would result in direct and indirect impacts to listed and non-listed special-status species as well as impacts to jurisdictional waters of the U.S. and non-special-status species, trees, habitat, and movement corridors. Further development under way in the cities of Jackson, Sutter Creek, and Plymouth as well as in unincorporated areas of Amador County would increase indirect impacts on the cumulative area. Draft EIR pages 4.8-65 through 4.8-66 provide an assessment of cumulative biological resource impacts and the General Plan policies and action items that would assist in minimizing, avoiding, and/or reducing these impacts. The proposed project would provide environmental benefits by increasing the intensity of development in the Planning Area thereby minimizing the area that would be affected; however, development and urbanization would be necessary in order to accommodate the City's projected growth. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

3.9 CULTURAL RESOURCES

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and not mitigable to a less-than-significant level.

3.10 HYDROLOGY AND WATER QUALITY

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and not mitigable to a less-than-significant level.

3.11 GEOLOGY AND SOILS

3.11.1 **Impact 4.11.5** Implementation of the proposed project could result in the loss of availability of a potentially valuable mineral resource.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CO-5.1, CO-5.2, NS-8.1, NS-8.2, ED-1.3 and Actions CO-5.1.1, CO-5.1.2, CO-5.2.2, ED-1.3.1, ED-1.3.2 and ED-1.3.3 would support the retention and ongoing operation of mining uses within and around the city and reduce risks associated with local surface mining, which could in turn reduce conflicts between mining operations and surrounding uses. However, there are no feasible mitigation measures available that will completely eliminate this significant adverse effect on the environment. Therefore, the City further finds that there are no feasible mitigation measures that might minimize, avoid or reduce alteration of visual character. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: The majority of the Planning Area is located in mineral resource zone (MRZ) -2 through -3a which represents areas where mineral resources are known to exist and are currently in mining operations; or where geologic data indicates significant resources may be present. In particular, land included in the MRZ-2a category is of prime importance because it contains known economic mineral deposits. Urban development that includes intensive paving, structures, and the creation of impervious surfaces could permanently preclude the future exploration for, and extraction of, mineral resources in areas where mineral resources are available but not currently mined. Site specific impacts and mitigation measures for mineral resource will not be able to be identified until specific development proposals are presented to the City. Therefore, there is no feasible mitigation to reduce this impact to less than significant (Draft EIR pages 4.11-37 through 4.11-40). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR.

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- 3.11.2 **Impact 4.11.8** Implementation of the proposed project, along with other planned, proposed, recently approved, and reasonably foreseeable development in the region, could result in a cumulatively significant loss of mineral resources in the region.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CO-5.1, CO-5.2, NS-8-1, NS-8-2, ED-1.3 and Actions CO-5.1.1, CO-5.1.2, CO-5.2.1, CO-5.2.2, ED.1.3.1, ED.1.3.2, and ED1.3.3 would minimize local impacts to mineral resources. However, development of areas in MRZ-2 zones within the Planning Area, in addition to other planned, proposed, recently approved, and reasonably foreseeable development in the region, creates significant impacts to mineral resources. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed project would result in the loss of land areas known to contain important mineral resources. Development of this land would result in the irrevocable loss of mineral resource zones. Site specific impacts and mitigation measures for mineral resource will not be able to be identified until specific development proposals are presented to the City. Therefore, there is no feasible mitigation to reduce this impact to less than significant (Draft EIR pages 4.11-44 and 4.11-45).

3.12 VISUAL RESOURCES

- 3.12.1 **Impact 4.12.3** Conversion of existing agricultural lands and undeveloped lands to urban uses from implementation of the proposed project would result in a substantial visual change and significant impact to the visual character of the Planning Area.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-1.9, LU-1.15, LU-1.16, LU-1.17, CO-2.4, and CO-3.4 and Actions LU-2.4.1, LU-2.4.2, LU-3.1.3, ED-1.2.1, ED-1.3.3, ED-5.2.1, ED-5.2.2, ED-5.2.3, ED-5.2.4, CO-2.4.3 and CO-3.4.1 which would implement Policy Area plans, incorporate buffers and setbacks, improve landscape quality, preserve trees, etc., future development within the city limits would still irrevocably alter the visual character of lone. There are no feasible mitigation measures available that will completely eliminate this significant adverse effect on the environment. Therefore, the City further finds that there are no feasible mitigation measures that might minimize, avoid or reduce alteration of visual character. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: The proposed project would allow for the conversion of the existing rural and open space character of the Planning Area to a more urban character through intensification of urban uses within the existing city limits and introduction of urban uses outside the city limits. This conversion would result in the irrevocable change in the existing character of the Planning Area. There is no feasible mitigation to reduce this impact to less than significant (Draft EIR pages 4.12-8 through 4.12-13).

- 3.12.2 **Impact 4.12.5** Implementation of the proposed General Plan update and other project components in combination with other reasonably foreseeable development projects within Amador County would result in significant cumulative impacts to the visual character and scenic vistas of the region.

Mitigation Measures

None available.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CO-2.4, CO-3.4, LU-1.9, LU-1.15, LU-1.16, LU-1.17, and Actions CO-2.4.3, CO-3.4.1, CO-5.2.1, CO-9.2.2, LU-2.4.1, LU-2.4.2, LU-3.1.3, ED-1.2.1, ED-1.3.3, ED-5.2.1, ED-5.2.2, ED-5.2.3, ED-5.2.4 and H-3.2.1 and Mitigation Measures MM 4.12.4a, b, c and d would reduce cumulative visual resources impacts through incorporation of buffers and setbacks, improving landscape quality, preserving trees, regulating lighting and landscaping along roadways as well as providing nighttime lighting standards and restricting the use of non-reflective building materials. However, none of these policies or mitigation measures would completely eliminate significant adverse effects on the environment. Therefore, the City further finds that there are no feasible mitigation measures that would minimize, avoid or reduce this impact. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of General Plan Policies CO-2.4, CO-3.4, LU-1.9, LU-1.15, LU-1.16, LU-1.17, and Actions CO-2.4.3, CO-3.4.1, CO-5.2.1, CO-9.2.2, LU-2.4.1, LU-2.4.2, LU-3.1.3, ED-1.2.1, ED-1.3.3, ED-5.2.1, ED-5.2.2, ED-5.2.3, ED-5.2.4 and H-3.2.1 would reduce cumulative visual resources impacts. As undeveloped areas transition from a rural to an urban character, existing viewsheds within the county and incorporated cities would be affected, existing views of orchards and vineyards would be changed to urban uses, and views of the Sierra Nevada and foothills may be obstructed. There is no feasible mitigation to reduce this impact to less than significant (Draft EIR pages 4.12-16 through 4.12-18).

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3.13 PUBLIC SERVICES AND UTILITIES

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and not mitigable to a less-than-significant level.

4.0 FINDINGS ASSOCIATED WITH PROJECT ALTERNATIVES

CEQA Guidelines require that an EIR “describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly obtain the basic objectives of the Project...” (CEQA Guidelines 15126.6[a]).

Further, Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by [CEQA] are intended to assist public agencies in systematically identifying both the significant effects of proposed Projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” This section further provides that “in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.” (Pub. Resources Code, § 21002.)

CEQA defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” (Pub. Resources Code, § 21061.1.) The CEQA Guidelines add “legal” considerations as another factor. (CEQA Guidelines, § 15264; see also *Citizens of Goleta Valley v. Board of Supervisors* (“Goleta II”) (1990) 52 Cal.3d 553, 565; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (“Sequoyah Hills”) (1993) 23 Cal.App.4th 704, 715.)

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site. (CEQA Guidelines, § 15126.6(f)(1).)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objections of a project. (*City of Del Mar v. City of San Diego* (“City of Del Mar”) (1982) 133 Cal.App.3d 410, 417. “Feasibility” under CEQA encompasses “desirability, to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (Id. see also *Sequoyah Hills*, 23 Cal.App.4th at 715.)

Where a significant impact can be substantially lessened solely by the adoption of mitigation measures, the agency in drafting its findings has no obligation to consider the feasibility of alternatives with respect to that mitigated impact, even if the alternative would mitigate the impact in question to a greater degree than the project as mitigated. (See Pub. Resources Code, § 21081(b).) The California Supreme Court has stated that, “[w]isdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balances.” (*Goleta II*, supra, 52 Cal.3d at 576.)

A “public agency may approve a developer’s choice of a project once its significant adverse effects have been reduced to an acceptable level—that is, all avoidable damages has been eliminated and that which remains is otherwise acceptable.” (See Laurel Hills, supra, 83 Cal.App.3d at 521.) In this context, acceptable means that on balance, “the specific economic, legal, social, technological, or other benefits of a proposal [sic] project outweigh the unavoidable adverse environmental effects...” (CEQA Guidelines, § 15093(a).)

The purpose of the project is to provide a policy framework that will guide all future land use and growth decisions for the City through the year 2030. The City has identified following objectives for the project:

- Facilitate structured growth and economic development while preserving the small-town feel historically associated with Lone.
- Provide a safe transportation system including roadways, transit, walking and bicycle routes.
- Protect open space, providing trails, parkland and a wide range of recreational opportunities.
- Minimize noise and safety risks associated with natural and human caused noise and safety hazards.
- Encourage businesses to thrive and expand.
- Provide public facilities and infrastructure with sufficient capacity to adequately serve the demands of the community.

The City recognizes that while several of the alternatives described below would yield environmental benefits, the procurement of these benefits may also have corresponding negative environmental impacts and may conflict with the goals and objectives of the City associated with the General Plan.

The alternatives analyzed are as follows:

- Alternative 1 – No Project Alternative
- Alternative 2 – Reduced Planning Area Alternative
- Alternative 3 – Reduced Planning Area with Future Growth Area Alternative
- Alternative 4 – West Lone Roadway Improvement Strategy Segments Alternative
- Alternative 5 – Q Ranch Alternative.

Subsequent to the Draft EIR, the Q Ranch Alternative (Alternative 5) has been recommended for inclusion in the project. The environmental effects of this Alternative are addressed in the Draft EIR. The inclusion of the Q Ranch Alternative into the project will not result in any new significant environmental impacts or a substantial increase in the severity of an existing environmental impact that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. This change is discussed further in Section 6.0, Additional Findings Associated with Final Modifications to the General Plan, below.

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4.1 ALTERNATIVE 1 – NO PROJECT

Description: CEQA, through case law and statutory language, requires that the “no project” alternatives be evaluated; under Section 15126.6(e)(2), “the No Project Alternative shall discuss the existing conditions at the time the notice of preparation is published...as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.”

According to Section 15126.6(e)(3)(A), “[w]hen the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future. In the case of Alternative 1 or the No Project alternative, the proposed project would not be approved and the existing City of Lone General Plan would continue as the primary guiding document for growth and development within the city. In addition, the SOI Amendments, annexations, Zoning Code updates, and WIRIS would not occur. The existing 1992 General Plan included approximately 3,759.90 acres within the Planning Area, with 2,903.68 acres located in the city limits and 856.22 acres within the city’s Sphere of Influence (SOI). The 1992 General Plan also estimated that the city would reach 11,758 persons, including the area’s prison population, by the year 2010.

Finding: The City finds that the No Project Alternative is less desirable than the project and is infeasible for the following reasons:

- This alternative would result in greater project-specific environmental effects in the areas of biological resources, greenhouse gases, and cultural and historical resources than the proposed project.
- This alternative would be inconsistent with the City’s vision for the Planning Area for identifying areas that could be considered for future development to meet growth needs beyond the current incorporated boundaries of the City of Lone.
- This alternative would not include the SOI Amendments, annexations, Zoning Code updates, or construction of the West Lone Roadway Improvement Strategy (WIRIS), which is intended to improve the circulation system for the benefit of both local and regional traffic.

Facts that Support the Finding: Draft EIR pages 6.0-2 through 6.0-17 provide an analysis of the No Project Alternative as compared to the proposed General Plan. Draft EIR page 6.0-76 does note that this alternative would be considered the environmentally superior alternative. However, based on comparison of the existing General Plan Land Use Map and the proposed General Plan Land Use Policy Map, this alternative would eliminate future growth areas of the City that would provide necessary land area for City housing needs and job/economic development. Consideration of potential future growth beyond the current City limits is considered appropriate given that the California Department of Finance estimates that Amador County’s population will be 54,788 by 2030. In addition, this alternative would not include construction of the West Lone Roadway Improvement Strategy, which is necessary to accommodate local and regional traffic.

4.2 ALTERNATIVE 2 –REDUCED PLANNING ALTERNATIVE

Description: The Reduced Planning Area Alternative would include housing in the northwestern direction of the city with Q Ranch designated for low-density residential and Ringer Ranch designated for high-density residential and affordable housing near the Mule Creek State Prison

entrance. Commercial uses are proposed at SR 88 and Buena Vista and SR 104. A community park is proposed near the tertiary plant, west of the city. Low-density residential is also proposed in the area to the west of the existing city limits, roughly to the south of Waterman Road and both east and west of SR 124. The Planning Area under Alternative 2 would remain at 31,769.65 acres. At buildout, this alternative would consist of a population of 26,091 persons, 10,113 dwelling units, and 12,800 jobs.

Finding: The City finds that Alternative 2 is less desirable than the project and is infeasible for the following reasons:

- This alternative would result in development at an overall density which is higher than the desired intensity of development in the City of Lone as reflected in the proposed project.
- This alternative would result in new significant or more severe impacts to noise, air quality, biological resources, traffic, population and housing, public services and utilities and water quality than the proposed project.

Facts that Support the Finding: Draft EIR pages 6.0-17 through 6.0-31 provide an analysis of this alternative as compared to the proposed General Plan. As noted in the Draft EIR, this alternative would result in new significant or more severe environmental impacts than the proposed project.

4.3 ALTERNATIVE 3 – REDUCED PLANNING AREA WITH FUTURE GROWTH AREA ALTERNATIVE

Description: The Reduced Planning Area with Future Growth Area Alternative includes residential growth south of the city limits, west of Castle Oaks, low-density residential growth in the Q Ranch area and east of SR 124 around Waterman Road. Affordable housing is proposed at SR 124 on the eastern edge of town. Commercial uses are proposed at SR 88 and Buena Vista Road, and SR 104 and Buena Vista Road. Areas north of the Old Stockton Policy Area and south of Marlette Street are proposed for Open Space and low-density residential. A community park is proposed near the tertiary plant west of the city. The Planning Area under Alternative 3 would remain at 31,769.65 acres. At buildout, this alternative would consist of a population of 26,757 persons, 10,371 dwelling units, and 12,800 jobs.

Finding: The City finds that Reduced Planning Area with Future Growth Area Alternative is less desirable than the project and is infeasible for the following reasons:

- This alternative would result in development at an overall density which is higher than the desired intensity of development in the City of Lone as reflected in the proposed project.
- This alternative would result in new significant or more severe impacts to noise, air quality, biological resources, traffic, population and housing, public services and utilities and water quality than the proposed project.

Facts that Support the Finding: Draft EIR pages 6.0-32 through 6.0-46 provide an analysis of this alternative as compared to the proposed General Plan. As noted in the Draft EIR, this alternative would result in new significant or more severe environmental impacts than the proposed project.

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4.4 ALTERNATIVE 4 – WESTERN IONE ROADWAY IMPROVEMENT STRATEGY SEGMENTS ALTERNATIVE

Description: Under this alternative, the proposed City of Ione General Plan Update Land Use Policy Map would be modified by including different alignment alternatives for the Western Ione Roadway Improvement Strategy or WIRIS. These include segment alignments (A-1, F-1, G-1, G-2A, G-2B, G-4 and H-1) that were considered but not selected while the proposed conceptual WIRIS alignment was being developed. All policy provisions of the proposed project would remain as they are currently proposed. At buildout, this alternative would consist of a population of 18,182 person, 7,475 dwelling units, and 12,800 jobs. The WIRIS improvements are a combination of roadway improvements and the construction of new roadways with the primary purpose of routing truck and heavy vehicular traffic away from the downtown core and onto SR 124 and 104.

Finding: The Western Ione Roadway Improvement Strategy Segments Alternative is less desirable than the project and is infeasible for the following reasons:

- This alternative would not result in any substantial environmental benefits to the proposed project.
- The segment alignments included in this alternative would impact existing development to a greater degree than the project and would substantially alter existing neighborhoods.

Facts that Support the Finding: Draft EIR pages 6.0-46 through 6.0-60 provide an analysis of the Western Ione Roadway Improvement Strategy Segments Alternative as compared to the proposed project. This alternative would not have any environmental benefits in comparison to the proposed project and would not include the preferred alignment for the WIRIS as determined during conceptual analysis.

4.5 ALTERNATIVE 5 – Q RANCH INCREASED DENSITY ALTERNATIVE

Description: Under this alternative, the proposed City of Ione General Plan Update Land Use Policy Map would be modified for an alternate configuration for the boundary and conceptual land use plan for the Q Ranch Policy Area, which is to be developed with 850 units. This alternative includes the following key differences from the version explored in the project:

- Removal of 13.7± acres west of Irish Hill Road in the northwestern corner of the Policy Area and removal of the same area from the city's Sphere of Influence; and
- Addition of 57.3± acres east of Irish Hill Road in the southwestern corner of the Policy Area and addition of the same area to the city's Sphere of Influence (SOI).

This alternative land use plan calls for the same maximum development potential of 850 dwelling units as identified in the proposed project. The conceptual land use plan is substantially the same as the project, except that in the addition area, Open Space and Low Density Residential land uses are proposed. Additionally, the Medium Density Residential (RM) area could be either Low Density Residential or Medium Density Residential.

Finding: The Q Ranch Increased Density Alternative is less desirable than the Project and is infeasible for the following reasons:

- This alternative would result in increased impacts in many environmental issue areas, as well as create new significant impacts in areas that are considered less than significant under the proposed project.
- This alternative would not result in any substantial environmental benefits to the proposed project.

Facts that Support the Finding: Draft EIR pages 6.0-60 through 6.0-76 provide an analysis of the environmental effects of this alternative as compared to the proposed project. As documented by the Draft EIR, this alternative would result in more severe environmental impacts than the proposed General Plan and would not have any environmental benefits in comparison to the proposed project.

5.0 FINDINGS ASSOCIATED WITH MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the California Public Resources Code requires the City Council to adopt a monitoring and reporting program regarding changes in the Project or mitigation measures imposed to lessen or avoid significant effects on the environment.

The Mitigation and Monitoring Program, in the form presented to the City Council, is adopted because it effectively fulfills the CEQA mitigation monitoring requirements:

- A. The mitigation measures are specific and, as appropriate, define performance standards to measure compliance and subsequent implementation as part of the General Plan.
- B. Compliance with the Program is itself a requirement of the project through implementation of the General Plan.

6.0 ADDITIONAL FINDINGS ASSOCIATED WITH FINAL MODIFICATIONS TO THE GENERAL PLAN

Since release of the Draft EIR and Final EIR, the City Council directed that the following changes be made to the General Plan Update:

- Various minor revisions to text, tables, and figures to correct previous errors, clarify meaning, or provide additional information
- Various minor changes to the General Plan Land Use Map (see General Plan Figure 3-2)
- General Plan Figures 3-14, 3-15, and 3-16 were added providing Conceptual Land Use Plans for the Industrial Park, Old Stockton, and Q Ranch Policy Areas.
- The Q Ranch Alternative (Alternative 5) has been recommended for inclusion in the project. Accordingly General Plan Table 3-1 (Policy Area Development Potential) and page 3-45 of the General Plan were revised to reflect a maximum of 850 dwelling units for the Q Ranch Policy Area.
- Several minor edits and changes to General Plan policies and actions have been made, including the addition of new policies and actions and the revision of existing policies and actions as required by mitigation measures contained in the Draft EIR. These edits are associated with the Land Use Element, Conservation Element, Circulation Element,

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Public Facilities Element, Noise and Safety Element, and Economic Development Element.

Finding: The environmental effects of the implementation of the Q Ranch Alternative are addressed in the Draft EIR. The inclusion of the Q Ranch Alternative into the project will not result in any new significant environmental impacts or a substantial increase in the severity of an existing environmental impact beyond what has been disclosed in the Draft EIR and Final EIR. Furthermore, modifications to the General Plan Update land use map, policies and actions would not result in any new significant environmental effects or an increased severity of environmental effects beyond what has been disclosed in the Draft EIR and Final EIR. Recirculation of the Draft EIR is not required pursuant to CEQA Guidelines Section 15088.5.

Facts that Support the Finding: The City has reviewed the changes to the General Plan and has determined that no new significant environmental effects or an increased severity of environmental effects beyond what has been disclosed in the Draft EIR and Final EIR would occur as described below under each environmental issue area.

LAND USE

Impacts associated with consistency with the Amador County General Plan and cumulative land development would still occur at the same extent identified in the Final EIR because no significant changes to the General Plan Land Use Map or associated policies would occur and because the extent of urban development would be the same as what was considered in the Final EIR.

AGRICULTURAL RESOURCES

Impacts associated with project and cumulative conversion of important farmlands, urban/agricultural conflicts, or conflicts with active Williamson Act contracts would still occur at the same extent identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

POPULATION AND HOUSING

Impacts associated with direct and indirect population, housing and employment growth and the City's projected jobs to housing ratio would still occur at the same extent identified in the Final EIR because the development potential of the Planning Area would not be substantially different from what was considered in the Final EIR. Although the development potential of the Q Ranch Policy Area was increased from 500 dwelling units to 850 dwelling units, this would represent only a minor increase in the City's projected population and housing stock and would not significantly increase traffic volumes or otherwise affect the environmental analysis presented in the Draft EIR and Final EIR.

TRAFFIC AND CIRCULATION

Impacts associated with project and cumulative increases in traffic volumes and conflicts with Amador County and Caltrans level of service policies would still occur at the same extent identified in the Final EIR because the extent of urban development and planned circulation system would be the same as what was considered in the Final EIR.

AIR QUALITY AND CLIMATE CHANGE

Impacts associated with the emission of non-attainment air pollutants and conflicts with regional air plans would still occur at the same extent identified in the Final EIR because the extent of urban development and associated increases in population and traffic would be the same as what was considered in the Final EIR.

NOISE

Impacts associated with increases in traffic noise levels, exposure of sensitive receptors to stationary noise sources, and noise conflicts would still occur at the same extent identified in the Final EIR because the extent of urban development and associated increases in traffic would be the same as what was considered in the Final EIR.

BIOLOGICAL RESOURCES

Impacts associated with the cumulative loss of biological resources would still occur at the same extent identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

GEOLOGY AND SOILS

Impacts associated with project and cumulative losses of availability of potential valuable minerals resources would still occur at the same extent identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

VISUAL RESOURCES

Impacts associated with substantial changes to the visual character of the Planning Area would still occur at the same extent identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

7.0 STATEMENT OF OVERRIDING CONSIDERATIONS

In approving the City of Lone General Plan Update, which is evaluated in the Final EIR, the City makes the following Statement of Overriding Considerations in support of its findings on the Final EIR. The City has considered the information contained in the Final EIR (Draft EIR, Response to Comments on the Draft EIR, and Errata) and has fully reviewed and considered the public testimony and record in this proceeding.

The City has carefully balanced the benefits of the project against any adverse impacts identified in the EIR that could not be feasibly mitigated to a level of insignificance. Notwithstanding the identification and analysis of the impacts that are identified in the EIR as being significant which have not been eliminated, lessened or mitigated to a level of insignificance, the City, acting pursuant to Section 15093 of the CEQA Guidelines, hereby determines that the benefits of the project outweigh the unmitigated adverse impacts and the project should be approved. The EIR describes certain environmental impacts that cannot be avoided if the project is implemented. This Statement of Overriding Considerations applies specifically to those impacts found to be significant and unavoidable as set forth in the EIR and the public hearing records.

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Twenty-two significant and unavoidable impacts have been identified in the EIR:

First, implementation of the project would result in conflicts with applicable land use plans, policies, and/or regulations of agencies with jurisdiction over parts of the Planning Area, including Amador County. These conflicts are necessary to accommodate the City's projected growth and are therefore unavoidable. For this reason, this impact is considered **significant and unavoidable**.

Second, implementation of the project, in combination with other planned development in the region, would contribute to cumulative land use conditions in the region that would result in significant impacts to the physical environment. The project would provide environmental benefits by increasing the intensity of development in the Planning Area thereby minimizing the area that would be affected; however, development and urbanization would be necessary in order to accommodate the City's projected growth. For this reason, this impact is considered **significant and unavoidable**.

Third, implementation of the proposed project would result in the loss of Important Farmlands as designated by the state's Farmland Mapping and Monitoring Program. The loss of farmland is considered a permanent, irreversible impact that cannot be fully mitigated through off-site conservation of farmland. For this reason, this impact is considered **significant and unavoidable**.

Fourth, implementation of the proposed project could result in the placement of urban uses adjacent to agricultural uses within and adjacent to the city. General Plan policies and actions would minimize these impacts; however, conflicts may still occur especially related to farm equipment and vehicle conflicts on area roadways, potential trespassing and vandalism to active farmlands, and growth pressures on farmland in proximity to urban uses in the City. For this reason, this impact is considered **significant and unavoidable**.

Fifth, implementation of the proposed project could result in a conflict with active Williamson Act contracts. General Plan policy provisions would prohibit the City from approving development projects that would conflict with a Williamson Act contract; however, the project could still place development pressure on land owners encouraging the non-renewal of contracts and subsequent development. For this reason, this impact is considered **significant and unavoidable**.

Sixth, implementation of the proposed project, in combination with other planned development in the area, would contribute to the cumulative conversion of Important Farmlands and may increase agricultural/urban interface conflicts. The loss of farmland is considered a permanent, irreversible impact that cannot be fully mitigated through off-site conservation of farmland. Furthermore, conflicts related to farm equipment on area roadways, trespassing and vandalism on active farmland, and growth pressures on farmland from encroaching urban development cannot be fully mitigated. For this reason, this impact is considered **significant and unavoidable**.

Seventh, implementation of the proposed project would result in substantial growth in the Planning Area which could result in significant impacts on the environment. General Plan policy provisions would minimize these impacts by encouraging smart, phased, and efficient growth. However, growth would still occur and not all associated environmental impacts can be fully mitigated. For this reason, this impact is considered **significant and unavoidable**.

Eighth, implementation of the proposed project would create a substantial number of new jobs in the Planning Area resulting in an unbalanced jobs-to-housing ratio and environmental impacts associated with worker commutes. General Plan policy provisions would permit and encourage the development of adequate housing. However, given the land use designations and density

ranges established by the General Plan, a jobs-to-housing ratio imbalance would still result. For this reason, this impact is considered **significant and unavoidable**.

Ninth, implementation of the proposed project, in combination with other planned development in the area, would result in substantial population, housing, and employment growth that is anticipated to result in significant adverse effects to the environment. General Plan policy provisions would minimize these impacts by encouraging smart, phased, and efficient growth within the Planning Area. However, growth would still occur and not all associated environmental impacts can be fully mitigated. For this reason, this impact is considered **significant and unavoidable**.

Tenth, implementation of the proposed project would result in an increase in traffic volumes that would result in deficient level of service conditions and conflicts with Amador County and Caltrans level of service standards. General Plan policy provisions and proposed mitigation measures would help to reduce LOS impacts on study area roadway segments. However, given the projected traffic increases and the inability to implement all necessary roadway improvements, deficient level of service conditions would still occur. Furthermore, because the resolution of policy conflicts would require coordination with other agencies, they cannot be guaranteed. For this reason, this impact is considered **significant and unavoidable**.

Eleventh, implementation of the proposed project, in combination with other planned development in the area, would result in increased traffic volumes that would result in deficient level of service conditions under cumulative conditions. General Plan policy provisions and proposed mitigation measures would help to reduce LOS impacts on study area roadway segments. However, given the projected traffic increases and the inability to implement all necessary roadway improvements, deficient level of service conditions would still occur. For this reason, this impact is considered **significant and unavoidable**.

Twelfth, implementation of the proposed project would accommodate substantial growth that would exceed growth projected in the 2004 ACTC RTP and would result in the emission of non-attainment pollutants. General Plan policy provisions would promote efficient, phased growth, would reduce traffic congestion and would otherwise minimize air emissions; however, in the absence of an updated ozone and particulate matter attainment plan, the project could impact the region's attempts to develop an ozone and particulate matter plan. The City cannot guarantee that there air quality plans will be updated in response to the new growth projections for the City. For this reason, this impact is considered **significant and unavoidable**.

Thirteenth, implementation of the proposed project, in combination with other planned development in the region, would contribute to cumulative air quality impacts and could conflict with ozone and particulate matter attainment efforts. General Plan policy provisions would promote efficient, phased growth, would reduce traffic congestion and would otherwise minimize air emissions. However, buildout of the Planning Area in combination with other planned development in the region would still exceed growth projections used in attainment plan development and would result in substantial increases in emissions. For this reason, this impact is considered **significant and unavoidable**.

Fourteenth, implementation of the proposed project would substantial increase emissions of CO₂e. General Plan policy provisions would help reduce GHG and CO₂e emissions from motor vehicles and energy use associated with the City's projected growth. However, the net increase in emissions would further contribute to climate change. For this reason, this impact is considered **significant and unavoidable**.

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Fifteenth, implementation of the proposed project would result in the exposure of existing and planned noise sensitive uses to increased noise levels associated with traffic along area roadways. General Plan policy provisions would reduce potential surface transportation noise impacts by establishing noise level performance standards and ensuring that future development complies with these standards. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. For this reason, this impact is considered **significant and unavoidable**.

Sixteenth, implementation of the proposed project could result in the encroachment of new noise-sensitive land uses upon existing or proposed stationary noise sources. General Plan policy provisions would help reduce this impact by establishing noise level performance standards, ensuring that future development complies with these standards, and by restricting the hours of operation for noise-producing sources commonly associated with commercial uses. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. For this reason, this impact is considered **significant and unavoidable**.

Seventeenth, implementation of the proposed project could result in increased noise conflicts. General Plan policy provisions would reduce this impact by establishing noise level performance standards and requiring future development projects to analyze project-related noise impacts and incorporate necessary noise-reduction measures sufficient to achieve applicable noise standards. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. For this reason, this impact is considered **significant and unavoidable**.

Eighteenth, implementation of the proposed project, in combination with other planned development in the area, would result in a cumulatively significant loss of biological resources in the region. The project would provide environmental benefits by increasing the intensity of development in the Planning Area thereby minimizing the area that would be affected; however, development and urbanization would be necessary in order to accommodate the City's projected growth. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan identified in Section 3.0 of the DEIR. For this reason, this impact is considered **significant and unavoidable**.

Nineteenth, implementation of the proposed project could result in the loss of availability of a potentially valuable mineral resource as the majority of the Planning Area is located in mineral resource zone (MRZ) 2 through 3a which represent areas where mineral resources are known to exist or may be present. Development would result in the irrevocable loss of mineral resource zones; however, development and urbanization would be necessary in order to accommodate the City's projected growth. For this reason, this impact is considered **significant and unavoidable**.

Twentieth, implementation of the proposed project, in combination with other planned development in the area, could result in a cumulatively significant loss of mineral resources in the region. Development would result in the irrevocable loss of mineral resource zones; however, development and urbanization would be necessary in order to accommodate the City's projected growth. For this reason, this impact is considered **significant and unavoidable**.

Twenty-first, implementation of the proposed project would result in substantial visual change and degradation of the Planning Area's visual character through the conversion of existing agricultural and undeveloped land. This conversion would result in the irrevocable change of the existing character of the Planning Area; however, development and urbanization would be necessary in order to accommodate the City's projected growth. For this reason, this impact is considered **significant and unavoidable**.

Finally, implementation of the proposed project, in combination with other planned development in the area, would result in significant cumulative impacts to the visual character and scenic vistas of the region. General Plan policy provisions would reduce this impact. However, development and urbanization would be necessary in order to accommodate the City's projected growth. For this reason, this impact is considered **significant and unavoidable**.

7.1 SPECIFIC FINDINGS

Project Benefits Outweigh Unavoidable Impacts. The City hereby finds that the remaining significant and unavoidable impacts of the project are acceptable in light of the long-term social, environmental, land-use and other considerations set forth herein. The following statement identifies the reasons why, in light of the City's judgment, the benefits outweigh the project's unavoidable significant effects. Any one of these reasons is sufficient to justify approval of the project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporate by reference into this section, and the documents found in the administrative record of proceedings. The following project benefits, which outweigh the project impacts, are listed below:

1. The project would facilitate structured growth and economic development while preserving the small-town feel historically associated with Lone.
2. The project would provide a safe transportation system include roadways, transit, and walking and bicycle routes.
3. The project would protect open space, providing trails, parkland and a wide range of recreational opportunities.
4. The project would minimize noise and safety risks associated with natural and human caused noise and safety hazards.
5. The project would encourage businesses to thrive and expand.
6. The project would provide public facilities and infrastructure with sufficient capacity to adequately serve the demands of the community.

Balance of Competing Goals. The City hereby finds it is imperative to balance competing goals in approving the project and the environmental documentation of the project. Not every environmental concern has been fully satisfied because of the need to satisfy competing concerns to a certain extent. The City has chosen to accept certain environmental impacts because complete eradication of impacts would unduly compromise some other important community goals.

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The City hereby finds and determines that the project proposal and the supporting environmental documentation provide for a positive balance of the competing goals and that the social, environmental, land-use and other benefits to be obtained by the project outweigh any remaining environmental and related potential detriment of the project.

7.2 OVERRIDING CONSIDERATIONS

Based upon the objectives identified for the project and through extensive public participation, the City has determined that the project should be approved and that any remaining unmitigated environmental impacts attributable to the project are outweighed by the specific social, environmental, land-use and other overriding considerations. These include the project providing additional affordable housing opportunities, job opportunities, commercial opportunities, and the ability to control land use decisions and guide the development of the City.

The City has determined that any environmental detriment caused by the General Plan has been minimized to the extent feasible through mitigation measures identified herein, and, where not feasible, has been outweighed and counterbalanced by the significant social, educational, environmental, and land-use benefits to be generated to the City.

7.3 CONCLUSION

The EIR was prepared pursuant to the CEQA Guidelines. The City has independently determined that the EIR fully and adequately addresses the impacts and mitigations of the project. The number of project alternatives identified and considered in the EIR meets the test of "reasonable" analysis and provides the City with important information from which to make an informed decision. The City conducted several public hearings on the project. Substantial evidence in the record from those hearings and other sources demonstrates various benefits and considerations including economic, legal, social, technological, and other benefits which would be achieved from implementation of the project. The City has balanced these project benefits and considerations against the unavoidable and irreversible environmental risks identified in the EIR and has concluded that those impacts are outweighed by the project benefits. The City has concluded that the benefits that will derive from implementation of the project outweigh those environmental risks. The City hereby determines that the above-described project benefits override the significant and unavoidable environmental impacts of the project.

The City adopts the mitigation measures in the Mitigation Monitoring and Reporting Program, which is attached hereto as Exhibit ___ and incorporated by reference into the Project, and finds that any residual or remaining effects on the environment resulting from the Project, identified as significant and unavoidable in the preceding findings of fact, are acceptable due to the benefits set forth in this Statement of Overriding Considerations.