

Appendix A

Notice of Preparation and Environmental Checklist



NOTICE OF PREPARATION AND PUBLIC SCOPING MEETING
Memorandum of Understanding for Water Service to the Shingle Springs Rancheria
Environmental Impact Report

March 3, 2011, 6:00 p.m. to 8:00 p.m.
El Dorado Irrigation District Customer Service Building
Sly Park Conference Room
2890 Mosquito Road, Placerville, California, 95667

NOTICE IS HEREBY GIVEN that El Dorado Irrigation District (EID or District) staff will hold a California Environmental Quality Act (CEQA) scoping meeting to seek comments on the scope and content of the environmental information that should be included in the Draft Environmental Impact Report (EIR) for the Memorandum of Understanding (MOU) for Water Service to the Shingle Springs Rancheria.

About the Project. The proposed project involves EID providing water service to the Shingle Springs Rancheria consistent with the MOU to serve existing uses on the Rancheria, the relocation of an existing flow meter vault, and the installation of a new pipeline on the Rancheria to connect with EID's existing water supply infrastructure.

The proposed project does not include construction and/or operation of the hotel and casino, or the associated highway interchange. These projects have previously undergone both CEQA and National Environmental Policy Act (NEPA) environmental reviews, which were ultimately upheld by the respective state and federal courts. The environmental reviews for the hotel and casino identified two feasible options for providing water service to the casino and hotel: shipping of water using water trucks and delivery from EID. The use of water from EID for the existing and previously-analyzed casino operations, which have been open since 2008, is the subject of this environmental review and the proposed project.

EID would provide water service to the Rancheria through a 3 inch flow meter located in an underground flow meter vault connected to the a new 4,025 foot 12-inch water supply main via a service lateral installed along Honpie Road. Other appurtenances adjacent to the flow meter vault include a backflow prevention assembly. All other existing EID lines within the Rancheria would be disconnected and abandoned in place. The meter would provide maximum continuous flow of 95 gpm and a maximum average daily delivery of 135,000 gallons.

Purpose of Scoping Meeting. EID has prepared an Initial Study to help determine the scope and content of the EIR. The Initial Study is available for public review for 31 days, February 11, 2011 through March 14, 2011 at:

1. El Dorado Hills Public Library, 7455 Silva Valley Parkway, El Dorado Hills
2. Placerville Main Public Library, 345 Fair Lane, Placerville
3. EID Customer Service Building, 2890 Mosquito Road, Placerville
4. EID website at www.eid.org.

The purpose of the scoping meeting is to provide a forum for the public to comment on the Initial Study. These comments will assist EID staff in determining the scope and content of the Draft EIR, including helping EID to identify the range of, alternatives, mitigation measures, and any potentially significant effects associated with the proposed project.

For More Information. Comments on the Initial Study must be received by 5:00 p.m. on March 14, 2011. Requests for additional information and comments on the scope and content of the Initial Study can be sent to Dan Corcoran, Environmental Manager, El Dorado Irrigation District at 2890 Mosquito Road, Placerville, CA 95667, or dcorcoran@eid.org.

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Organizations

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Nick Fonseca

Volker Law Offices

Grassy Run Homeowners
Association/Community Services District

SNR Denton
Matthew Adams

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Publications

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EL DORADO IRRIGATION DISTRICT MEMORANDUM OF UNDERSTANDING FOR WATER SERVICE TO THE SHINGLE SPRINGS RANCHERIA

Initial Study Checklist

Prepared for
El Dorado Irrigation District

February 2011



EL DORADO IRRIGATION DISTRICT MEMORANDUM OF UNDERSTANDING FOR WATER SERVICE TO THE SHINGLE SPRINGS RANCHERIA

Initial Study Checklist

Prepared for
El Dorado Irrigation District

February 2011



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EL DORADO IRRIGATION DISTRICT MEMORANDUM OF UNDERSTANDING

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EL DORADO IRRIGATION DISTRICT MEMORANDUM OF UNDERSTANDING

Environmental Checklist

1. **Project Title:** El Dorado Irrigation District Memorandum of Understanding for Water Service to the Shingle Springs Rancheria
2. **Lead Agency Name and Address:** El Dorado Irrigation District
2890 Mosquito Rd
Placerville, CA 95667
3. **Contact Person and Phone Number:** Dan Corcoran, Environmental Manager
(530)642-4082
4. **Project Location:** See project description
5. **Project Sponsor's Name and Address:** El Dorado Irrigation District
2890 Mosquito Rd
Placerville, CA 95667
6. **General Plan Designation:** Adopted Plan
7. **Zoning:** Exempt from County Zoning
8. **Description of Project:** See project description
9. **Surrounding Land Uses and Setting:** See project description
10. **Other public agencies whose approval is required:** El Dorado County LAFCO

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a potentially significant impact.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology, Soils and Seismicity |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology and Water Quality |
| <input type="checkbox"/> Land Use and Land Use Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation and Traffic | <input checked="" type="checkbox"/> Utilities and Service Systems | |

DETERMINATION:

On the basis of this initial evaluation:

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

Project Description

1. Introduction and Background

In 1988, the El Dorado County Local Agency Formation Commission (LAFCO) adopted a resolution approving the Shingle Springs Rancheria (Rancheria or Tribe) petition to annex into the El Dorado Irrigation District (EID or District) service area for the purpose of water service. The resolution included a condition that EID provide water for residential uses only, including accessory uses and for tribal use limited to community facilities, schools, playgrounds, recreational facilities, a residential home for tribal elders and community grazing or garden projects. A further condition imposed was that water service was to be limited to that necessary to serve a community of 40 residential lots. This is equivalent to 45 equivalent dwelling units (EDUs).

In 2001, the California Department of Transportation (Caltrans) and the Tribe finalized an agreement by which Caltrans would work with the Tribe so the Tribe could construct an interchange connecting Highway 50 to the Rancheria. That interchange would allow the Tribe to construct and operate a casino and hotel on the Rancheria pursuant to a gaming compact with the State of California and certain approvals from the National Indian Gaming Commission (NIGC) and the Bureau of Indian Affairs (BIA). The casino and hotel project was reviewed pursuant to National Environmental Policy Act (NEPA) and an Environmental Assessment (EA) was prepared¹. Caltrans also prepared and certified a joint EA/Environmental Impact Report (EIR) in 2002², which analyzed off-Rancheria impacts of the interchange and the hotel and casino. Litigation resulted in Caltrans preparing a Supplemental EIR³ as well, and ultimately, the California Court of Appeal upheld Caltrans's environmental review of the interchange and hotel and casino, and, in 2008, the California Supreme Court declined to review the case, ending the litigation. Additionally, Federal courts upheld both the EA and joint EA/EIR in response to legal challenges. The Tribe opened the hotel and casino in 2008.

Also in 2008, EID and the Tribe entered into a Memorandum of Understanding (MOU) stating that the District would provide the Rancheria with water service at a maximum rate of 95 gallons per minute and an average volume of 135,000 gallons per day (gpd), a net increase of 215.75 EDU over the existing 45 EDUs of service. The MOU stated that the El Dorado LAFCO restrictions were not binding because they were in conflict with achieving congressionally approved uses of the Rancheria, including the hotel and casino, and were therefore preempted. The District prepared a Notice of Exemption under the California Environmental Quality Act (CEQA) for adopting and implementing the MOU. Following adoption of the 2008 MOU, the Tribe completed the physical improvements necessary to receive water service consistent with the MOU. Those improvements are described below in Section 5.

¹ National Indian Gaming Commission, *Shingle Springs Rancheria Hotel and Casino Project Final Environmental Assessment/Finding of No Significant Impact*, December 2001.

² California Department of Transportation, *Shingle Springs Interchange Project Final Environmental Impact Report/Environmental Assessment*, September 2002

³ California Department of Transportation, *Shingle Springs Interchange Project Final Supplemental Environmental Impact Report*, August 2006.

Approval of the MOU with a CEQA exemption was subsequently challenged in El Dorado County Superior Court (Court). In a December 15, 2009, decision (*Voices for Rural Living v. El Dorado Irrigation District, et. al.*), the Court concluded that, based on the administrative record then before it, the District's Notice of Exemption was improper. Specifically, the Court noted that the administrative record left some doubt about whether the MOU may have a significant impact on the District's water supplies, particularly during severe drought conditions. However, the Court subsequently held that EID may continue to provide drinking water to the Tribe in an amount not to exceed that which the MOU allows and on terms not inconsistent with the MOU, so long as EID is actively pursuing compliance with CEQA.

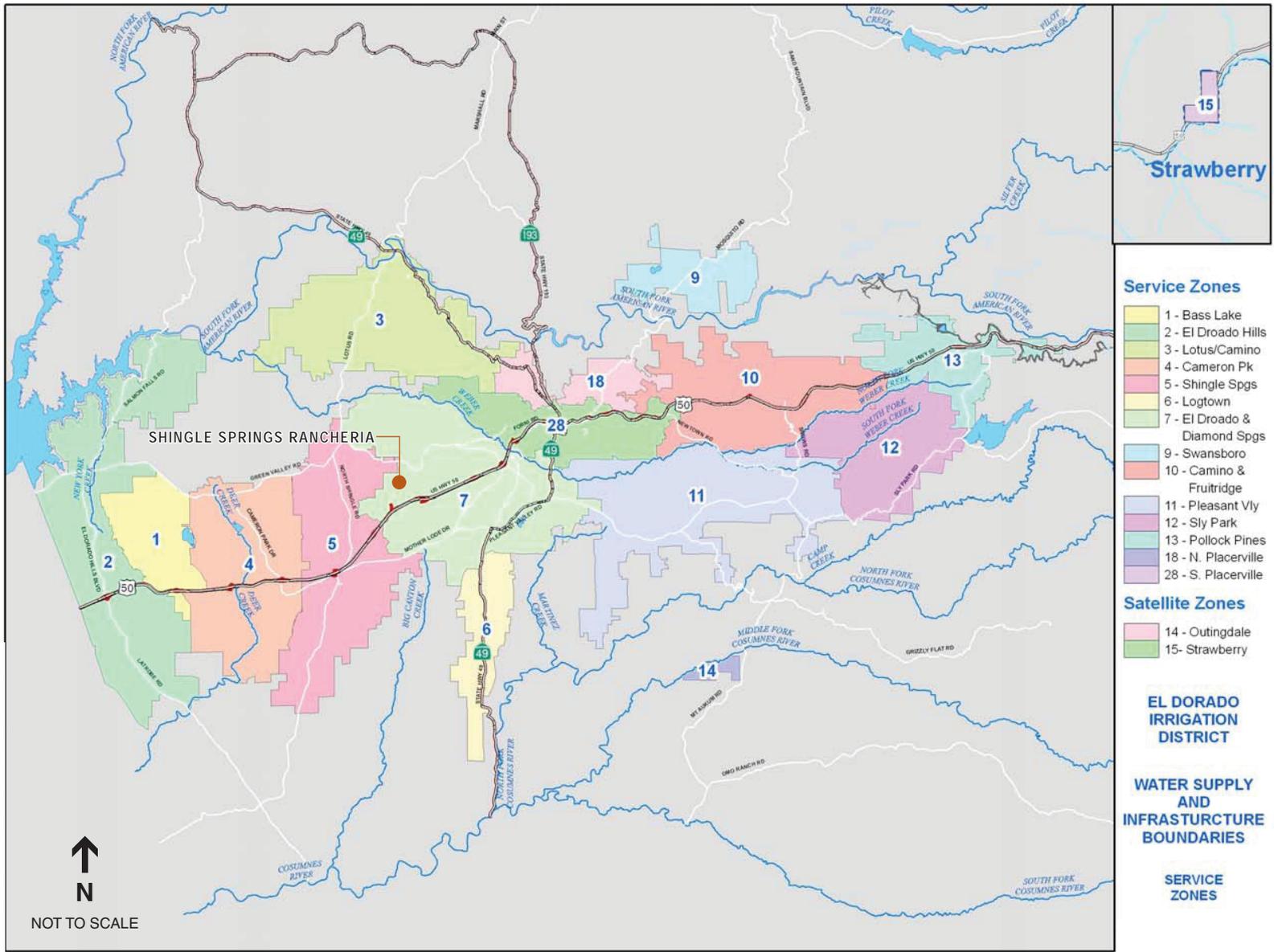
On September 13, 2010, the Court issued a Peremptory Writ of Mandate (Writ) providing that EID may only adopt a MOU with the Rancheria or other agreement to provide water service to the Rancheria after EID has: (1) complied with CEQA; and (2) secured any necessary approvals from LAFCO. The Writ further states that EID may continue to provide water service to the Rancheria in an amount not to exceed what the MOU allows and on terms not inconsistent with the MOU, so long as the District is actively pursuing the actions described above in (1) and (2). The District has chosen to prepare its response to the Writ in the form of an EIR. The Writ defines the scope of this analysis.

CEQA Guideline 15126.2 states that “[i]n assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published...”. However, to provide a complete assessment of potential impacts of the proposed project and in response to the Court decision, for the purpose of this analysis existing conditions (or baseline) regarding water supply has been defined as those conditions existing immediately before EID approved the MOU. Therefore, the proposed project includes EID providing water service to the Shingle Springs Rancheria consistent with the MOU to serve existing uses on the Rancheria and the relocation of an existing flow meter vault and the installation of a new pipeline on the Rancheria to connect with EID's existing water supply infrastructure. No other EID construction on or off the Reservation is proposed to occur. A detailed discussion of proposed project elements is provided below.

The previous environmental reviews outlined above identified two potentially feasible options for providing water service to the casino and hotel: shipping of water using water trucks and delivery from EID. The use of water from EID for the existing and previously-analyzed gaming facility is the subject of this environmental review and the proposed project.

2. Project Location

The Shingle Springs Rancheria is on the north side of Highway 50, approximately 10 miles east of Placerville. The Rancheria encompasses approximately 160 acres. (See **Figure 1**).



SOURCE: EID, 2009; and ESA, 2010

El Dorado Irrigation District Memorandum of Understanding NOP/IS . 210446

Figure 1
El Dorado Irrigation District Service Area

The District is located on the western slope of the Sierra Nevada in El Dorado County (see Figure 1) in two major watersheds, the South Fork of the American River to the north and the North Fork of the Cosumnes River to the south. The District is hydrologically split by the Placerville Ridge and Highway 50. Although the rivers drain east to west, the minor streams trend northwest toward the American River and southwest toward the Cosumnes River⁴.

As shown on Figure 1, the District is divided up into service zones with the Rancheria located in the El Dorado and Diamond Springs Service Zones. Proposed infrastructure improvements would be installed on the Rancheria approximately 2,000 feet to the southwest from the present location and connected to an existing water line located along Honpie Road serving the Rancheria (see **Figure 2**). Both the existing water line and the water line connecting the relocated meter are located entirely on the Rancheria, which is federal land.

3. Project Objectives

The primary objectives of the proposed project are to:

- Provide water service to the Rancheria consistent with the May 2008 MOU.
- Provide water service to the Rancheria consistent with EID's plans, policies, and administrative regulations.
- Provide sufficient water service to support the consumptive and fire suppression demands of existing development on the Rancheria, including approximately 24 residences, tribal administrative buildings, the gaming facility developed in 2008, and landscaping.
- Obtain LAFCO approval as necessary to allow full implementation of the MOU.

4. Existing Operations

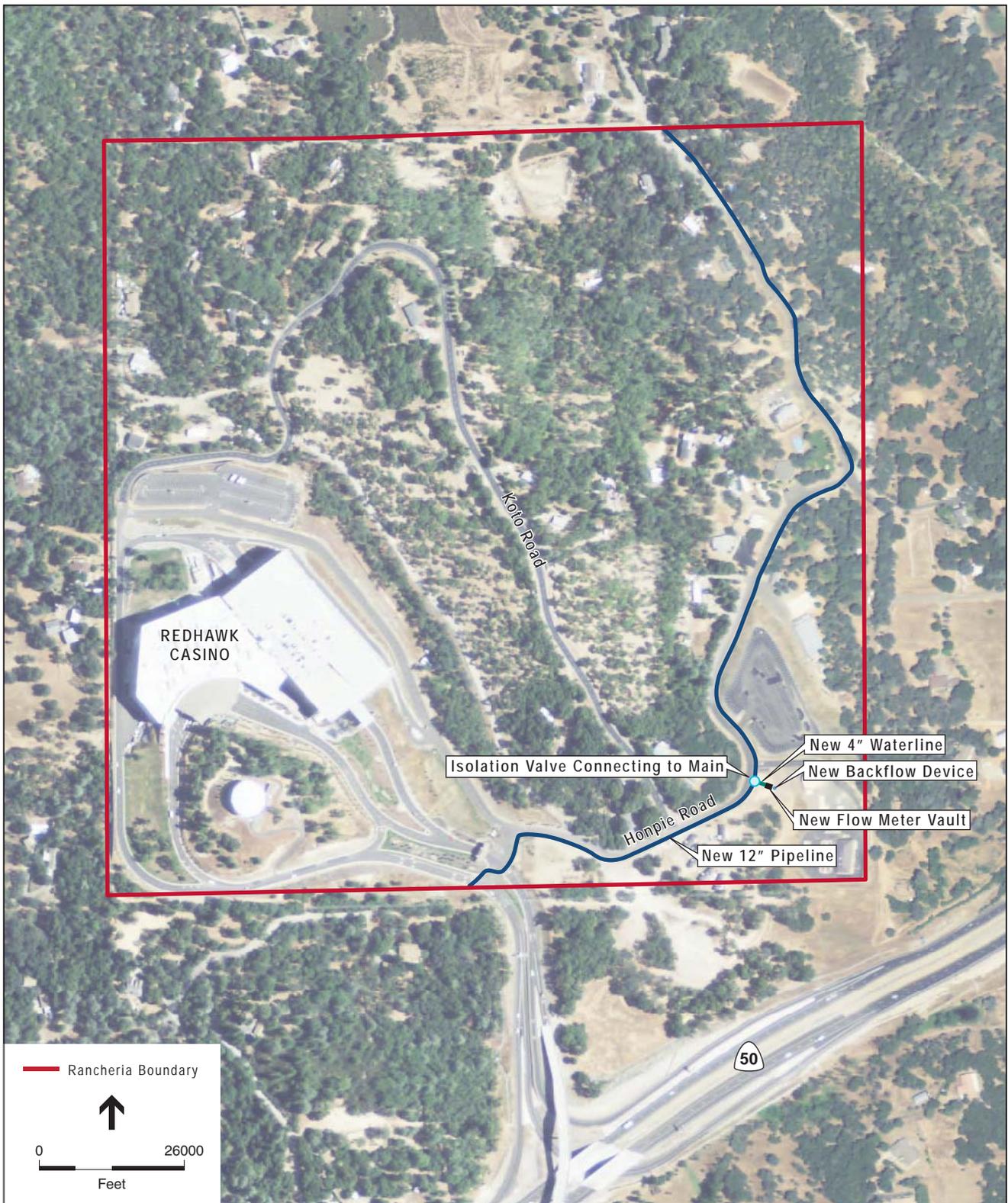
The following summarizes existing EID operations.

4.1 Existing EID Operations

EID serves drinking water to approximately 92,400 people through roughly 38,000 active service connections. EID relies entirely on surface water to meet its potable water demand. EID's transmission system is composed of three subsystems, the El Dorado Forebay subsystem; the Jenkinson Lake subsystem; and the Folsom Lake subsystem. The three main diversion points for the system are District-owned and -operated Sly Park Dam and Jenkinson Lake, the District's Hydroelectric Project 184 at Forebay Reservoir, and Folsom Lake, where the District has rights under a Water Service Contract and a Warren Act Contract with the US Bureau of Reclamation (USBR), and State water right permit 21112. The District also has two satellite diversions, providing service to Outingdale via a diversion from the Middle Fork of the Cosumnes River and to the community of Strawberry via a diversion on the upper South Fork of the American River.⁵

⁴ El Dorado Irrigation District, 2006. *Final Urban Water Management Plan 2005 Update El Dorado County, California* January 2006..

⁵ El Dorado Irrigation District, 2006. *Final Urban Water Management Plan 2005 Update El Dorado County, California* January 2006.



SOURCE: EID, 2010; and ESA, 2011

El Dorado Irrigation District Memorandum of Understanding NOP/IS . 210446

Figure 2
Project Facilities

Water conveyance through the distribution system includes a combination of pipelines, regulating reservoirs, tanks, and a limited number of gold rush era ditches. The ditch system that delivers raw water to agricultural users and a water treatment facility is composed of 26.5 miles of ditch, 15 percent of which is piped. The piped potable system consists of 1,239 miles of pipe ranging in size from 2 inches to 48 inches. The District has a total of 36 tanks and reservoirs with a combined storage capacity of 72.2 million gallons (MG). EID water storage facilities include 41,033 ac-ft in Jenkinson Lake, 1,200 ac-ft in Weber Reservoir, and a total of approximately 37,500 ac-ft in Project 184 storage (Lake Aloha and Caples, Silver, and Echo lakes)⁶.

In the El Dorado Forebay subsystem, water is treated at the Forebay water treatment plant (26 mgd capacity) located in Pollock Pines. Water in the Jenkinson Lake subsystem is treated at the Sly Park water treatment plant (64 mgd capacity). The Folsom Lake subsystem conveys treated water from the El Dorado Hills water treatment plant (19.5 mgd capacity)⁷.

Water Use by Demand Type

The past, current, and projected water demand and supply for the District in a normal water year are identified in **Table 1**. Projected demands are based on the growth and population assumptions from the adopted 2004 El Dorado County General Plan, which used an analysis of the acreage within the region, and the demands that would result if the acreage were developed in accordance with the forecast land uses and requirements. The growth rate is the average increase in demand experienced by the District between 1989 and 1999. The annual rate of increase from past water years 2000 through 2005 is approximately four percent. The District estimates that its demand will increase at an overall 2.5 percent annual rate through 2030, corresponding to a demand projection of approximately 89,000 acre-feet per year (ac-ft/yr) by the year 2030. Demand reductions as a result of conservation efforts are not included in these projections⁸.

**TABLE 1
PAST, CURRENT, AND PROJECTED WATER DELIVERIES (AC-FT/YR)**

Water Use Sectors	Year						
	2000	2005	2010	2015	2020	2025	2030
Single Family	18,322	20,816	23,311	25,805	28,300	30,794	33,288
Multi-Family	1,159	1,399	1,639	1,880	2,120	2,360	2,600
Commercial	2,841	3,862	4,882	5,903	6,923	7,944	8,965
Agricultural	6,571	9,677	12,783	15,888	18,994	22,100	25,206
Recreational Turf Services	1,720	1,720	1,720	1,720	1,720	1,720	1,720
Ditches	1,019	1,115	1,212	1,308	1,404	1,500	1,596
UFW and Beneficial Uses	5,706	6,558	7,409	8,260	9,112	9,963	10,814
Latent Demand	2,131	2,634	3,138	3,642	4,145	4,649	5,153
Total Demand	39,469	47,781	56,094	64,406	72,718	81,030	89,342
Total Supply	n/a	70,200	82,065	83,362	103,653	103,653	103,653

SOURCE: El Dorado Irrigation District, 2006. Final Urban Water Management Plan 2005 Update El Dorado County, California January 2006.

^{6, 7, 8} El Dorado Irrigation District, 2006. *Final Urban Water Management Plan 2005 Update El Dorado County, California* January 2006.

The District adopted a Drought Preparedness Plan in January 2008. The Plan presents the actions and procedures for preparing for, identifying, and responding to a drought. The objective of the Plan is to help EID preserve essential public services and to minimize the effects of a water shortage on public health and safety, economic activity, environmental resources, and individual lifestyle.⁹ Implementation of the Plan involves both voluntary response actions and mandatory response actions, depending on water supply conditions. Voluntary and mandatory actions apply to all EID customers, including the Tribe.

5. Project Elements

Under the proposed project, EID would provide water service to the Shingle Springs Rancheria consistent with the MOU to serve existing uses on the Rancheria. Specific project elements are described below.

Water service would be provided through a three-inch flow meter located on the Rancheria in an approximately 5-foot by 7-foot underground vault (flow meter vault) adjacent to Honpie Road. The meter would provide maximum continuous flow of 95 gpm and a maximum average daily delivery of 135,000 gallons. No physical changes would occur to EID control, access, operation, maintenance, repair, or replacement capabilities. Water service on the Rancheria would be provided through a tribal utility district independent of EID. The new flow meter would be relocated approximately 2,000 feet to the southwest from the existing meter serving the Rancheria. The flow meter would be connected to approximately 4,025-feet of new 12-inch water supply pipeline along Honpie Road. The underground flow meter vault would be locked and EID would have sole access. Other appurtenances adjacent to the flow meter vault include a backflow prevention assembly structure which would be approximately 4-feet tall. The proposed project would also include the abandonment in place of an existing 6-inch EID waterline that runs just outside of the Rancheria along Artesia Road and all 6-inch waterlines and service connections within the Rancheria, which extend from north of Reservation Court to the existing 12-inch line. Abandonment in place of the existing asbestos concrete pipeline is EID and industry standard practice and would minimize the need for additional land disturbance. The Tribe installed the water service infrastructure in 2008. Consistent with the Court's December 15, 2009 order, however, this project description and accompanying environmental analyses assess the project's environmental impacts as if these water service improvements are not yet constructed.

The Tribe is responsible for the construction of any new infrastructure on the downstream side of the three-inch meter, including backflow protection. As part of the EID's and the Tribe's respective construction responsibilities, EID would abandon existing easements on Rancheria land, and the Bureau of Indian Affairs (BIA) would grant EID easements for all new lines to allow EID control and maintenance.

No new infrastructure would be constructed off the Rancheria in the EID service area and existing EID operations would remain unchanged.

⁹ El Dorado Irrigation District, 2008. *Drought Preparedness Plan*, January 2008.

5.1 Environmental Commitments

Measures to protect sensitive environmental resources during the construction phase of the proposed project have been incorporated into the proposed project. These environmental commitments are consistent with mitigation measures adopted on January 22, 2002 by the Shingle Springs Band and the National Indian Gaming Commission as part of the Shingle Springs Rancheria Hotel and Casino Project Final Environmental Assessment/Finding of No Significant Impact (EA/FONSI). The mitigation measures described in the Final EA/FONSI (Section 6.0 Mitigation Measures) were implemented to reduce potentially significant adverse impacts associated with the development of the hotel and casino project, which included the installation of water supply infrastructure consistent with the proposed project. The MOU includes the Tribe's commitment to implement these water supply-related measures as necessary. The Shingle Springs Rancheria Hotel and Casino Project, El Dorado, California Final EA/FONSI is hereby incorporated by reference consistent with CEQA Guidelines Section 15150 and is available for review at EID's main office located at 2890 Mosquito Road, Placerville, California, 95667.

The following are the environmental commitments that are part of the proposed project.

Implement construction related air quality BMP's, rules, and guidelines, consistent with the El Dorado County Air Quality Management District, including the following:

- a. Incorporation of the following construction related BMP's contained within Chapter 8.44 of Title 8 of the El Dorado County Ordinance Code, Section 8.44.030 which specifically addresses "General Requirements for Grading, Excavation and Construction Activities."
 - Water work areas during excavation and other ground disturbing activities at least twice daily, or more frequently if necessary to prohibit visible dust emissions.
 - Limit vehicle access and speed.
 - Maintain high moisture conditions or apply a "binder" to seal fibers of disturbed surfaces or stockpiles.
 - Cover loads of excavated materials.
 - Sweep dirt and debris that may contain asbestos from adjacent street to prevent re-suspension.

Implement the following Best Management Practices (BMPs) to protect receiving water quality:

- Sediment curtains would be placed upstream and downstream of the construction zone to prevent sediment disturbed during trenching activities from being transported and deposited outside of the construction zone.
- Spoil sites such that they do not drain directly into drainages and/or seasonal wetlands. If a spoil site would be located so that they drain into a drainage channel or seasonal wetland, catch basins would be constructed to intercept sediment before it reaches the drainage or wetland. Spoil sites would be covered to reduce the potential for erosion.
- Equipment and materials would be stored away from the drainages and wetland areas. No debris shall be deposited within 25 feet of the drainages and wetland areas.

Implement the following measures to protect nesting raptors:

- Tree removal activities would be conducted before or after the raptor nesting season which runs from March 1 through August 31.
- A qualified wildlife biologist would be retained to conduct a survey for nesting raptors during the nesting season at the project site prior to construction activity (i.e., grading). Active raptor nests located within 0.25 mile of construction activity would be mapped.
- If active raptor nests are located on or within 0.25 mile of an active or scheduled construction site, then appropriate buffer zones would be established in consultation with the California Department of Fish and Game (CDFG) , and construction activities would be prohibited within this buffer zone until the end of the nesting season or until the young have fledged. A qualified wildlife biologist would monitor the nest to determine when the young have fledged and submit weekly reports to the CDFG throughout the nesting season.
- If necessary, identified nest trees would only be removed prior to the onset of the nesting season (March) or after young have fledged (August).

5.2 Construction Considerations

The proposed 4,025-foot pipeline trench would be 2-feet wide by 6-feet deep. Although, distance of pipeline installed would vary on a daily basis, it is anticipated an average of 150-200 feet of pipeline would be installed daily and would occur over the course of 20-27 days. All excavated material would be used as backfill or deposited onsite and no soils material hauling would be required. Construction equipment required for the proposed project would include a 24-inch bucket excavator and up to 2 pick-up trucks.

Construction activities would be conducted in conformance with the environmental commitments discussed under subsection 5.1.

Environmental Checklist

Aesthetics

Environmental Checklist and Discussion

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
1. AESTHETICS—				
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway corridor?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a,b) Land uses on the Rancheria are primarily low-density residential and accessory community facilities, and hotel, gaming, and entertainment uses. There are no scenic vistas or scenic resources on the Rancheria where the proposed water supply infrastructure would be installed. Nor would there be any construction in other, off-Rancheria locations. Therefore, the proposed project would not have a substantial adverse effect on a scenic vista or substantially damage scenic resources. No impact would occur and this issue will not be evaluated in the EIR.
- c) Because proposed facilities would be primarily underground, implementation of the proposed project would not permanently change the surrounding visual character. Due to the size of the proposed facilities, installation of the pipeline vault, and backflow prevention assembly structure would require limited trenching and construction activities, including use of equipment and construction staging. The trenches would be filled in and the ground leveled back to original grade. Because ground disturbance would be short-term there would be no permanent change to visual character. The approximately 4-foot tall backflow prevention assembly structure would be located adjacent to the road and is not inconsistent with surrounding buildings and utility facilities. Therefore, implementation of the proposed project would not substantially degrade the visual character of the site and its surroundings, and this less-than-significant impact will not be evaluated in the EIR.
- d) The proposed underground pipeline, flow meter vault, and backflow prevention assembly structure would not include the installation of any new lighting nor would they involve the use of reflective materials that could create new sources of glare. Therefore, no impact would occur and this issue will not be evaluated in the EIR.

Agricultural and Forest Resources

Environmental Checklist and Discussion

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
2. Agricultural and Forest Resources— Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland of Statewide Importance to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a,b) There are no agricultural uses or Williamson Act Contracts on or adjacent to the Rancheria.¹⁰ Therefore, there would be no on- or off-reservation conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and no conflict with Williamson Act contracted lands. No impact would occur and this issue will not be evaluated in the EIR.
- c,d) Land uses on the Rancheria are primarily low-density residential and accessory community facilities, hotel, gaming, and entertainment uses. Land surrounding the Rancheria is zoned and designated by the El Dorado County General Plan as low density residential.¹¹ Therefore, implementation of the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland zoned Timberland Production, and it would not result in the loss or conversion of forest land to non-forest use. No impact would occur and this issue will not be evaluated in the EIR.
- e) As discussed in Environmental Checklist Items 2a through d, construction of proposed infrastructure on the Rancheria would not result in the direct or indirect conversion of

¹⁰ <http://www.conservation.ca.gov/dlrp/lca/Pages/Index.aspx> accessed November 1, 2010.

¹¹ El Dorado County, 2003. El Dorado County General Plan Land Use Diagram.

agricultural or forest lands on or adjacent to the Rancheria. Therefore, implementation of the proposed project would not result in the conversion of Farmland of Statewide Importance to non-agricultural use or conversion of forest land to non-forest use. No impact would occur and this issue will not be evaluated in the EIR.

Air Quality

Environmental Checklist and Discussion

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
3. AIR QUALITY				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a-d) Construction activities would generate dust, equipment, and vehicle emissions; however, the emissions would be short-term in duration and minimal due to the limited activity required to install the proposed infrastructure. The proposed project includes the following environmental commitments to minimize construction air emissions:

Implement construction related air quality BMP's, rules, and guidelines, consistent with the El Dorado County Air Quality Management District, including the following:

- b. Incorporation of the following construction related BMP's contained within Chapter 8.44 of Title 8 of the El Dorado County Ordinance Code, Section 8.44.030 which specifically addresses "General Requirements for Grading, Excavation and Construction Activities."
- Water work areas during excavation and other ground disturbing activities at least twice daily, or more frequently if necessary to prohibit visible dust emissions.
 - Limit vehicle access and speed.
 - Maintain high moisture conditions or apply a "binder" to seal fibers of disturbed surfaces or stockpiles.
 - Cover loads of excavated materials.
 - Sweep dirt and debris that may contain asbestos from adjacent street to prevent re-suspension.

Short-term mitigated and unmitigated construction-generated emissions of criteria pollutants were modeled using the AQMD recommended URBEMIS 2007, Version 9.2.4, computer program in conjunction with the AQMD CEQA Guidelines significance criteria. The AQMD CEQA Guidelines specify that the maximum daily mass emissions of reactive organic gas (ROG), nitrogen oxides (NO_x), carbon monoxide (CO), and particulate matter that is 10 microns and 2.5 microns or less in diameter (PM₁₀, and PM_{2.5}) that would be emitted during project construction (expressed in pounds per day [lb/day]) be quantified. However, it should be noted that the AQMD has determined that if ROG and NO_x emissions are below El Dorado County AQMD Significance Criteria, then exhaust emissions of CO and PM₁₀, and PM_{2.5} from construction equipment, and all constituents from worker commute vehicles, could also be deemed not significant (EDCAQMD, 2002). **Table 2** presents the AQMD significance thresholds and a summary of modeled mitigated and unmitigated construction generated emissions.

**TABLE 2
YEAR 2011 - CONSTRUCTION EMISSIONS ESTIMATES (POUNDS PER DAY)**

Pollutant	El Dorado County APCD Significance Thresholds	Year 2011 - Construction Emissions (lbs/day) ^{1, 2}	
		Unmitigated Worse-Case Day	Mitigated Worse-Case Day ⁵
ROG	82 (lbs/day)	1	1
NOx	82 (lbs/day)	11	11
PM10	AAQS ^{3,4} 50 µg/m ³	11	6
PM2.5	AAQS ³ 35 µg/m ³	3 ⁴	2 ⁴
CO	AAQS ³ 9 ppm (1 hour) 20 ppm (8 hour)	6 ⁴	6 ⁴

- 1 Project construction emissions estimates were made using URBEMIS 2007. Assumptions included the following: 1-month of construction (January 2011), with a daily acreage disturbed of 0.01 acres, one roundtrip per truck with a roundtrip length of 20 miles (for a total distance of 40 miles for both trucks), and one excavator and one water truck operating per day. See Appendix AQ for details.
- 2 Values in **bold** are in excess of the applicable El Dorado County AQMD significance threshold.
- 3 For the non-ozone precursor pollutants, the El Dorado County AQMD considers emissions to be significant if they will cause or contribute significantly to a violation of the applicable national or state ambient air quality standards (AAQS).
- 4 El Dorado County AQMD has determined that if ROG and NO_x Emissions are determined to be not significant per El Dorado County AQMD Significance Criteria, then exhaust emissions of CO and PM from construction equipment, and all constituents from worker commute vehicles, may also be deemed not significant (El Dorado County CEQA Guide, Chapter 4, Page 3).
- 5 Emission reductions incorporated into URBEMIS modeling include "Replace Ground Cover in Disturbed Areas Quickly", "Water Exposed Surfaces 2x Daily", and "Reduce Speed on Unpaved Roads to Less than 15 mph".

SOURCE: ESA, 2011; El Dorado County AQMD, 2002

As shown in Table 2, all unmitigated and mitigated worst-case day proposed project construction emissions would be below the significance thresholds due to the temporary and limited nature of construction emissions and incorporation of measures to reduce fugitive dust emissions. Therefore, impacts associated with construction related air emissions would be less than significant and this issue will not be evaluated in the EIR. Potential exposure to naturally-occurring asbestos is addressed in Environmental Checklist Item 8.

- Implementation of the proposed project would not involve the installation of new permanent mechanical or electrical facilities that would contribute to long-term operational air emissions. In addition, there would be no noticeable increase in vehicle emissions associated with water supply infrastructure maintenance vehicles. Proposed facilities would be maintained by existing EID staff. Therefore, there would be no noticeable change in long-term operational air emissions over current conditions. This impact would be less than significant and will not be evaluated in the EIR.
- e) Generally, the types of land use development that pose potential odor problems include wastewater treatment plants, refineries, landfills, composting facilities and transfer stations. The proposed project would involve the installation of new water supply infrastructure on the Rancheria and the provision of water service to the Shingle Springs Rancheria consistent with the MOU between EID and the Rancheria to serve existing uses on the Rancheria. None of the proposed project elements would result in the creation of objectionable odors; therefore, no impact would occur and this issue will not be evaluated in the EIR.
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Biological Resources

Environmental Checklist and Discussion

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
4. BIOLOGICAL RESOURCES— Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a-d) Facilities would be installed on the Rancheria in an area primarily surrounded by built uses. The trenches would be filled in and the ground leveled back to original grade. Construction activities could disturb special-status species and habitat. Several special-status plant and animal species have the potential to occur in the area surrounding the proposed new infrastructure including California Red-Legged Frog, Valley Elderberry Longhorn Beetle and Layne’s Butterweed. However, the Shingle Springs Rancheria Hotel and Casino Project Final EA/FONSI found that potential impacts to these species would not be significant due to the location of potential habitat relative to the casino project site, or because surveys conducted did not reveal presence of these species.¹² Because the proposed infrastructure would be installed within the area evaluated for the casino project in the Environmental

¹² National Indian Gaming Commission, 2001. *Shingle Springs Rancheria Hotel and Casino Project El Dorado County, California, Final Environmental Assessment*, December 2001.

Assessment, impacts to special-status species would be less than significant and impacts associated with installation of the proposed infrastructure will not be evaluated in the EIR.

Suitable habitat exists in the vicinity of the proposed infrastructure for nesting raptors. A survey conducted as part of the Shingle Springs Rancheria Hotel and Casino Project Final EA/FONSI did not identify any active nests; however, nests can be established prior to construction activities.¹³ The project includes the following environmental commitments to protect nesting raptors:

- Tree removal activities would be conducted before or after the raptor nesting season which runs from March 1 through August 31.
- A qualified wildlife biologist would be retained to conduct a survey for nesting raptors during the nesting season at the project site prior to construction activity (i.e., grading). Active raptor nests located within 0.25 mile of construction activity would be mapped.
- If active raptor nests are located on or within 0.25 mile of an active or scheduled construction site, then appropriate buffer zones would be established in consultation with the California Department of Fish and Game (CDFG), and construction activities would be prohibited within this buffer zone until the end of the nesting season or until the young have fledged. A qualified wildlife biologist would monitor the nest to determine when the young have fledged and submit weekly reports to the CDFG throughout the nesting season.
- If necessary, identified nest trees would only be removed prior to the onset of the nesting season (March) or after young have fledged (August).

As a result, potential impacts to nesting raptors associated with installation of the proposed infrastructure would be less than significant and will not be evaluated in the EIR.

An intermittent channel in the vicinity of the project area was determined to be jurisdictional under Section 404 of the Clean Water Act.¹⁴ However, the proposed facilities would be installed adjacent to Honpie Road so they would not be located in the vicinity of the channel; therefore, there would be no fill and no direct affect to wetland resources. Construction activities could result in discharge of sediments or the placement of equipment that could affect the quality of the water of the intermittent stream channel. Construction of the proposed infrastructure would include implementation of Best Management Practices (BMPs) to protect receiving water quality (see Environmental Checklist Items 9a and f). Therefore, impacts to federally protected wetlands as defined by Section 404 of the Clean Water Act resulting from installation of the proposed infrastructure would be less than significant and will not be evaluated in the EIR.

Implementation of the proposed project would involve increased water supply service to the Rancheria consistent with the MOU between EID and the Rancheria to serve existing

¹³ National Indian Gaming Commission, 2001. *Shingle Springs Rancheria Hotel and Casino Project El Dorado County, California, Final Environmental Assessment*, December 2001.

¹⁴ National Indian Gaming Commission, 2001. *Shingle Springs Rancheria Hotel and Casino Project El Dorado County, California, Final Environmental Assessment*, December 2001.

uses on the Rancheria. However, approving and executing the MOU would not require or result in a change to existing EID operations. Potentially significant impacts to special-status species, sensitive habitat, federally protected wetlands, and other terrestrial and aquatic species associated with existing EID operations of Project 184 (one of two sources of supply) are discussed and addressed in the 1999 EIR for the Acquisition, Repair, and Operation of Project 184 and NEPA and CEQA analysis performed by the Federal Energy Regulatory Commission (FERC) and the State Water Resources Control Board (SWRCB) for the relicensing of Project 184 in 2003 and 2006, respectively. Specifically, the FERC Environmental Impact Statement (EIS) and 2006 SWRCB Supplemental CEQA analysis identified operational and environmental measures that are included in the FERC license and accompanying documents, and are implemented and enforced through a mitigation and mitigation monitoring program adopted by EID. Those documents also determined that the implementation of these operational and environmental measures would not diminish the quantity or reliability of consumptive water supplies.

Potential impacts to special-status species, sensitive habitat, federally protected wetlands, and other terrestrial and aquatic species associated with existing EID operations of Sly Park Reservoir (the other source of supply) are discussed and addressed in the Final Environmental Assessment (EA) and Mitigated Negative Declaration (MND) for the Transfer of the Sly Unit of the Central Valley Project from the U.S. Bureau of Reclamation (Reclamation) to EID, which was completed in September 2003. The EA/MND determined that the transfer and ongoing operation of Sly Park Reservoir and its associated infrastructure will not have an effect on special status species, riparian habitat, wetlands, migratory fish or wildlife, or local policies and ordinances. Additionally, the EA/MND found that the transfer and ongoing operation of Sly Park Reservoir and its associated infrastructure will have no effect on former Central Valley Project Sly Park Unit (Unit) lands, U.S. Forest Service lands that support Unit facilities, or on the hydrology of Sly Park Creek or Camp Creek. These analyses and conclusions were based upon the premise that EID's maximum consumptive water supplies from Sly Park Reservoir would neither increase nor diminish, but rather continue to be equal to the reservoir's firm yield, which was consistent with both EID's contractual entitlement and EID's actual past purchases when the facilities were under Reclamation's ownership. Although Sly Park Reservoir's actual SWRCB-license water rights authorize a greater supply, EID agreed as part of its environmental commitments to conduct a separate CEQA analysis for the diversion of water greater than the maximum historical amounts up to the State Water Resources Control Board water right license amount.

Existing supplies addressed in the documents referenced above would serve the Rancheria consistent with the MOU between EID and the Rancheria to serve existing uses on the Rancheria. Therefore, there would be no adverse effect on special-status species, sensitive habitat, federally protected wetlands, terrestrial and aquatic species, or adopted mitigation measures in place to protect sensitive habitat and species in the EID service area. These impacts would be less than significant and will not be evaluated in the EIR.

- e,f) Facilities would be installed along Honpie Road in an area of the Rancheria that is primarily surrounded by built uses. Therefore, the proposed project would not conflict with any adopted policies or ordinances protecting biological resources. There are no adopted Habitat Conservation Plans or Natural Community Conservation Plans in the EID service area. Therefore, no impact would occur and this issue will not be evaluated in the EIR.
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Cultural Resources

Environmental Checklist and Discussion

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
5. CULTURAL RESOURCES— Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a,b,d) As stated in the Shingle Springs Rancheria Hotel and Casino Project Final EA/FONSI a record search and field survey found no evidence of prehistoric or historic sites and any undiscovered cultural resources found during project construction activities would be protected by the Archeological Resources Protection Act.¹⁵ Because the proposed infrastructure would be installed within the area evaluated in project area evaluated in the Environmental Assessment, impacts to prehistoric and historic resources would be less than significant and cultural resources will not be evaluated in the EIR.
- c) Installation of the pipeline, flow water meter vault and backflow prevention assembly structure would involve ground disturbance and trenching. Underlying geologic materials in the project area consist predominantly of igneous (volcanic) formations and the type of sedimentary deposits where paleontological resources might be present but are typically not found¹⁶. Therefore, it is unlikely that any paleontological resources would be encountered and this impact would be less than significant and will not be evaluated in the EIR.

¹⁵ National Indian Gaming Commission, 2001. *Shingle Springs Rancheria Hotel and Casino Project El Dorado County, California, Final Environmental Assessment*, December 2001.

¹⁶ El Dorado County General Plan, 2003. *El Dorado County General Plan Draft Environmental Report El Dorado County, California*, May 2003.

Geology, Soils, and Seismicity

Environmental Checklist and Discussion

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
6. GEOLOGY, SOILS, AND SEISMICITY— Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a-d) El Dorado County does not include any active faults as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map; therefore, proposed infrastructure would not be subject to fault rupture¹⁷. Regional faults include faults in the Foothill Fault Zone, which includes the Bear Mountain and Melones Fault Zones. The infrastructure would be installed in an area classified in the Uniform Building Code (UBC) as being in a Seismic Zone 3. Areas in Zone 3 are expected to experience major damage with a corresponding magnitude 5.0 - 5.9 earthquake. This would result in very strong ground shaking with negligible damage

¹⁷ El Dorado County General Plan, 2003. *El Dorado County General Plan Draft Environmental Report El Dorado County, California*, May 2003.

in buildings of good design consistent with UBC recommendations for construction in Zone 3 and considerable damage in poorly built or badly designed structures¹⁸.

Soils underlying the project area are classified as having low shrink-swell (liquefaction) potential and slight to moderate erosion hazard¹⁹; therefore, liquefaction during a seismic event would be limited, and soil erosion during construction activities would also be limited. Expansive soils are directly related to areas with a high shrink-swell potential and is therefore considered to be low for the project area²⁰.

Proposed project installation methods include approximately 2-foot by 6-foot deep trenches that could expose construction workers to adverse effects during a seismic event. In addition, the pipeline, flow meter vault, and backflow prevention assembly structure could be exposed to damage. Installation of proposed project facilities is required to comply with applicable laws and regulations and would use standard engineering practices and best management practices including the California Building Standards Code and guidelines published by the American Water Works Association. Compliance with these rules and regulations would reduce any significant impacts associated with seismic ground shaking, erosion, and/or hazardous soil conditions such as expansive soils, lateral spreading or landslides to less-than-significant. Operational activities include conveyance of water through underground water supply infrastructure and would not exacerbate the risk of exposure to geologic hazards or soil constraints. Therefore, potential impacts associated with geology, soils, and seismicity would be less than significant and will not be evaluated in the EIR.

- e) The project would not include the use of septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur and this issue will not be evaluated in the EIR.

¹⁸ United States Geological Survey (USGS). 2010. *The Modified Mercalli Intensity Scale*, <http://earthquake.usgs.gov/learn/topics/mercalli.php>. Accessed October 14, 2010.

¹⁹ National Indian Gaming Commission, 2001. *Shingle Springs Rancheria Hotel and Casino Project El Dorado County, California, Final Environmental Assessment*, December 2001.

²⁰ El Dorado County General Plan, 2003. *El Dorado County General Plan Draft Environmental Report El Dorado County, California*, May 2003.

Greenhouse Gas Emissions

Environmental Checklist and Discussion

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
7. Greenhouse Gas Emissions— Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a,b) Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness that even though the various contributors to and consequences of global climate change are not yet fully understood, global climate change is occurring, and that there is a real potential for severe adverse environmental, social, and economic effects in the long term. The following is a summary of the various statewide and local initiatives in place in California to address GHG emissions:

- Assembly Bill 1493
- Executive Order S-3-05
- Assembly Bill 32, California Global Warming Solutions Act of 2006
- California Climate Action Registry
- Senate Bill 1368
- Executive Order S-1-07
- Senate Bill 97
- Senate Bills 1078 and 107 and Executive Order S-14-08
- Senate Bill 375
- Climate Change Scoping Plan
- OPR Proposed Amendments to the CEQA Guidelines
- ARB Draft GHG Significance Thresholds

As described in Section 3 – Air Quality, the proposed project would result in less than significant temporary emissions of GHG during the construction phase. Operation of the proposed project would not result in a change in EID operations and project operations would not result in point source GHG emissions through increased consumption of electricity or fossil fuels. Construction related GHG emissions would be intermittent and temporary and would be less than the lower reporting limit for major GHG sources established by

the California Air Resources Board, which includes fossil fuel burning power plants, petroleum refineries, petrochemical plants, and food processing plants²¹. As a result, the proposed project would represent a less-than-significant source of GHGs and would not conflict with the State's ability to implement policies and plans for the purpose of reducing emissions of GHG's. Therefore, the generation of GHG emissions would be less than significant and this issue will not be evaluated in the EIR.

Implementation of the proposed project involves increased water supply service to the Rancheria consistent with the MOU between EID and the Rancheria to serve existing uses on the Rancheria. Water supply and availability to meet the proposed increase in demand could be affected by climate change. Impacts relating to the potential effect of climate change on water supply availability and reliability are potentially significant and will be addressed in the EIR. EID believes that its existing water supply sources are sufficient to meet increased demand in the service area. However, a Water Supply Assessment (WSA) will be prepared as part of this EIR. See Environmental Checklist Item 17d.

²¹ California Air Resources Board, 2008. AB 32 Climate Change Scoping Plan, December 2008.

Hazards and Hazardous Materials

Environmental Checklist and Discussion

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
8. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a-d) Installation of proposed infrastructure could involve the limited use, storage and disposal of small quantities of hazardous materials. The use, storage, and transport hazardous materials would be required to comply with applicable local, state, and federal regulations. Transportation of hazardous materials on area roadways is regulated by California Highway Patrol (CHP) and Caltrans, and use of these materials is regulated by California Department of Toxic Substance Control (DTSC), as outlined in Title 22 of the California Code of Regulations (CCR). Any use or storage of hazardous materials would be required to obtain permits and comply with appropriate regulatory agency standards designed to avoid hazardous waste releases.

The DTSC Hazardous Waste and Substances Sites (Cortese) List is a reporting document used by the state, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. The Cortese List is updated at least annually, in compliance with California regulations (California Code Section 65962.5(a)(4)). The Cortese List includes federal superfund sites, state response sites, non-operating hazardous waste sites, voluntary cleanup sites, and school cleanup sites. Based on a review of the Cortese List conducted in October 2010, no listed sites are located within the vicinity of the proposed project.

El Dorado County contains serpentine rock that contains Naturally Occurring Asbestos (NOA) which when broken release asbestos fibers that are considered a human health hazard. However, the project site is outside the identified review areas for NOA as shown on the Asbestos Review Areas Map for the Western Slope of El Dorado County²². Because the proposed project is outside identified review areas for NOA, impacts related to the creation of significant hazards to the public through routine, transport, use, disposal, and risk of upset are less than significant and this issue will not be evaluated in the EIR.

- e,f) Project facilities would not be located in a planned or adopted airport land use plan area and the nearest airport facility is the Cameron Air Park, which is located approximately 4.5 miles to the west. Therefore, implementation of the proposed project would not pose a safety hazard with respect to airport or aircraft operations; therefore, no impact would occur and this issue will not be evaluated in the EIR.
- g) The proposed project would not impede or interfere with emergency response or evacuation plans. No impact would occur and this issue will not be evaluated in the EIR.
- h) Fire hazard impacts would be limited to the construction phase of the proposed project through the accidental combustion of flammable vegetation. Federal, State, and local regulations and ordinances, specifically the El Dorado County Fire Hazard Ordinance and the Uniform Fire Code, establish standard construction practices to reduce hazard risks associated with fires. These regulations reduce impacts associated with wildland fires to less-than-significant and this issue will not be evaluated in the EIR.

²² El Dorado County, 2005. El Dorado County Asbestos Review Areas Map for the Western Slope of El Dorado County, California. Available online at: http://www.co.el-dorado.ca.us/Government/AirQualityManagement/Asbestos_Maps.aspx

Hydrology and Water Quality

Environmental Checklist and Discussion

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
9. HYDROLOGY AND WATER QUALITY— Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river or, by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a,f) Trenching and other earth disturbing activities could expose soils to increase rates of erosion and sediment loading in receiving waters during storm events. However, as discussed under Environmental Checklist Item 6, soils underlying the project area are classified as having slight to moderate erosion hazard. In addition, pollutants that are associated with construction equipment, such as lubricants and fuel, could be released into receiving waters if appropriate management measures are not implemented. As stated under

Environmental Checklist Item 4 the proposed facilities would be installed adjacent to Honpie Road and not in the vicinity of an existing intermittent stream channel. Therefore, it is unlikely that construction activities could result in discharge of sediments or the placement of equipment that could affect the quality of the water of the stream channel. Never the less, the proposed project includes the following environmental commitments to protect receiving water quality:

- Sediment curtains would be placed upstream and downstream of the construction zone to prevent sediment disturbed during trenching activities from being transported and deposited outside of the construction zone.
- Spoil sites such that they do not drain directly into drainages and/or seasonal wetlands. If a spoil site would be located so that they drain into a drainage channel or seasonal wetland, catch basins would be constructed to intercept sediment before it reaches the drainage or wetland. Spoil sites would be covered to reduce the potential for erosion.
- Equipment and materials would be stored away from the drainages and wetland areas. No debris shall be deposited within 25 feet of the drainages and wetland areas.

As a result, potential impacts to receiving water quality associated with installation of the proposed infrastructure would be less than significant and will not be evaluated in the EIR.¹⁴

- b) The proposed project involves providing water service to the Shingle Springs Rancheria consistent with the MOU between EID and the Rancheria using surface water supplies to serve existing uses on the Rancheria. Groundwater is not a supply source in the EID service area. Therefore, the proposed project would not deplete groundwater supplies.

Proposed facilities include the installation of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria to connect with EID's existing water supply infrastructure. No new water supply infrastructure would be installed in the EID service area outside of the Rancheria. Installation of the proposed facilities would not result in a noticeable increase in impervious surface cover over that which currently exists, and would not noticeably reduce the rate or amount of groundwater recharge. Therefore, impacts associated with groundwater are less-than-significant and will not be evaluated in the EIR.

- c,d,e) Proposed facilities include the installation of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria to connect with EID's existing water supply infrastructure. No new water supply infrastructure would be installed in the EID service area outside of the Rancheria. Installation of the proposed facilities would not result in a noticeable increase in impervious surface cover over that which currently exists, and therefore, would not noticeably change the rate or amount of surface runoff. Because the infrastructure would be mostly underground, it would also not be anticipated to alter existing drainage patterns or result in associated increased rates of erosion or

- flooding.²³ Therefore, impacts associated with the changes in the rate, volume and pattern of runoff are less-than-significant and will not be evaluated in the EIR.
- g,h,i) The proposed project would not include the construction of any structures or facilities in a designated flood hazard area therefore, no structures or persons would be exposed to risks associated with flood events. No impact would occur and this issue will not be evaluated in the EIR.
- j) No new habitable structures or facilities would be constructed as part of the proposed project; therefore, no structures or persons would be exposed to risks associated with inundation by seiche, tsunami or mudflow. No impact would occur and this issue will not be evaluated in the EIR.
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²³ The proposed construction activities actually occurred in 2008 (see project description). Under regulations applicable at the time of construction, activities of this magnitude and character did not require the filing of a Notice of Intent to obtain coverage under the National Pollution Discharge Elimination System (NPDES) Permit for the Discharges of Stormwater Associated with Construction Activities (NPDES General Stormwater Permit), nor compliance with the terms of the NPDES General Stormwater Permit. Regulatory changes effective July 1, 2010 would require NOI filing and NPDES General Stormwater Permit compliance if the construction activities were conducted today, imposing additional measures to reduce potential impacts to receiving water quality.

Land Use and Land Use Planning

Environmental Checklist and Discussion

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
10. LAND USE AND LAND USE PLANNING—				
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a) Proposed facilities include the installation of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria to connect with EID’s existing water supply infrastructure. No new water supply infrastructure would be installed in the EID service area outside of the Rancheria. Therefore, the proposed project would not physically divide an established community. No impact would occur and this issue will not be evaluated in the EIR.
- b) Proposed facilities include the installation of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria to connect with EID’s existing water supply infrastructure. No new water supply infrastructure would be installed in the EID service area outside of the Rancheria. The Rancheria is held in trust for the Shingle Springs Band of Miwok Indians by the federal government, and therefore physical improvements on the Rancheria are not subject to El Dorado County land use jurisdiction. Land use on the Rancheria is governed by the Tribal Land Use Plan. The proposed project is consistent with the Tribal Land Use Plan.

Implementation of the proposed project also involves increased water supply service to the Rancheria consistent with the MOU between EID and the Rancheria to serve existing uses on the Rancheria.

In response to the Court’s ruling, the proposed project includes obtaining a LAFCO decision removing any conditions that might limit water service to anything different or less than the MOU proposes to allow. If LAFCO makes such a decision, its approval would make the MOU consistent with existing and adopted plans.

Additionally, as described under Environmental Checklist Item 8e, there are no planned or adopted airport land use plans applicable to where the proposed infrastructure would

be installed. As a result, there would be no impact to existing land use plans and policies and this issue will not be evaluated in the EIR.

- c) As discussed under Environmental Checklist Item 4f there are no adopted Habitat Conservation Plans or Natural Community Conservation Plans in the EID service area. Therefore, no impact would occur and this issue will not be evaluated in the EIR.
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Mineral Resources

Environmental Checklist and Discussion

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
11. MINERAL RESOURCES—Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a,b) Proposed facilities include the installation of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria to connect with EID’s existing water supply infrastructure. No new water supply infrastructure would be installed in the EID service area outside of the Rancheria. As stated in the Shingle Springs Rancheria Hotel and Casino Project Final EA/FONSI no known mineral resources are known to occur in the hotel and casino study area. ²⁴Because the proposed infrastructure would be installed within the area evaluated in the Environmental Assessment, the proposed project would not involve activities that could result in the loss of available mineral resources. No impact would occur and this issue will not be evaluated in the EIR.

²⁴ National Indian Gaming Commission, 2001. Shingle Springs Rancheria Hotel and Casino Project El Dorado County, California, Final Environmental Assessment, December 2001.

Noise

Environmental Checklist and Discussion

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
12. NOISE—Would the project:				
a) Result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a-d) As described in the Shingle Springs Rancheria Hotel and Casino Project Final EA/FONSI noise levels in the vicinity of the proposed infrastructure are dominated by vehicle noise from Highway 50.²⁵ Increases in noise attributed to activities associated with installation of the proposed infrastructure would be short-term and would occur in an area dominated by vehicle noise and with limited sensitive receptors. In addition, project installation would not require impact pile driving or the use of other equipment that would generate excessive groundborne vibration beyond standard construction practices. Therefore, increases in short-term construction noise would be less than significant and this issue will not be evaluated in the EIR.

There are no new mechanical or electrical facilities proposed that would result in operational noise increases above existing conditions. Therefore, no impact would occur and permanent increases in noise levels will not be evaluated in the EIR.

- e,f) No new facilities or occupied structures would be constructed that could expose people to excessive noise levels associated with airport operations. As discussed in Environmental

²⁵ National Indian Gaming Commission, 2001. Shingle Springs Rancheria Hotel and Casino Project El Dorado County, California, Final Environmental Assessment, December 2001.

Checklist Item 8e the closest airport is located approximately 4.5 miles to the west. Therefore, no impact would occur and this issue will not be evaluated in the EIR.

Population and Housing

Environmental Checklist and Discussion

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
13. POPULATION AND HOUSING— Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a) The proposed project involves providing water service to the Shingle Springs Rancheria consistent with the MOU between EID and the Rancheria to serve existing uses on the Rancheria. Proposed facilities include the installation of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria to connect with EID's existing water supply infrastructure. No new water supply infrastructure would be installed in the EID service area outside of the Rancheria and EID operations would remain unchanged. Lands neighboring the Rancheria are fully subdivided and zoned for residential use only. On the Rancheria, there could be minor additional residential development served by the project. The exact amount would depend on and be consistent with the Tribal Land Use Plan. This is considered a less than significant impact and will not be evaluated in the EIR.
- b,c) The proposed project involves the installation and operation of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria and conveyance of water through these facilities. It would not result in the displacement of housing or people to accommodate construction of the project. Therefore, no impact would occur and this issue will not be evaluated in the EIR.

Public Services

Environmental Checklist and Discussion

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
14. PUBLIC SERVICES— Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a.i - v) The proposed project involves providing water service to the Shingle Springs Rancheria consistent with the MOU between EID and the Rancheria to serve existing uses on the Rancheria. Proposed facilities include the installation of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria to connect with EID’s existing water supply infrastructure. No new water supply infrastructure would be installed in the EID service area outside of the Rancheria and EID operations would remain unchanged. The proposed project would not include the construction of any permanent occupied structures. Therefore, it would not generate new population that could result in the need to provide additional public services the construction of which could cause physical environmental impacts. No impact would occur and these issues will not be evaluated in the EIR.

Recreation

Environmental Checklist and Discussion

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
15. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a,b) The proposed project involves providing water service to the Shingle Springs Rancheria consistent with the MOU between EID and the Rancheria to serve existing uses on the Rancheria. Proposed facilities include the installation of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria to connect with EID's existing water supply infrastructure. No new water supply infrastructure would be installed in the EID service area outside of the Rancheria and EID operations would remain unchanged. The proposed project would not include the construction of any permanent occupied structures. Therefore, it would not generate new population that could result in the need to provide new or improved recreational facilities the construction of which could cause physical environmental impacts. No impact would occur and these issues will not be evaluated in the EIR.
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Transportation and Traffic

Environmental Checklist and Discussion

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
16. TRANSPORTATION AND TRAFFIC— Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a,b,f) Proposed facilities include the installation of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria to connect with EID’s existing water supply infrastructure. No new water supply infrastructure would be installed in the EID service area outside of the Rancheria and EID operations would remain unchanged. Proposed project facilities would be maintained on a routine maintenance schedule by existing EID staff and would not result in an increase in vehicle trips associated with project operations.

The installation of proposed underground pipeline and flow meter vault would involve open trench installation and backfilling of soils. The trench dimensions are estimated to be 2-foot wide by 6-foot deep for the pipeline and 5-foot by 7-foot for the flow meter vault. A backflow prevention assembly structure would also be constructed adjacent to Hornpie Road. The construction phase would occur over approximately 20 to 27 days. The number of vehicles used during the construction phase would be minimal due to the limited size of the proposed infrastructure. As a result, the percent increase in traffic volumes caused by

- project-generated construction traffic on the roadways in the project area would not be anticipated to be substantial (falling within the daily fluctuations of traffic volumes). The number of project-generated truck trips would not be high, would be dispersed throughout the work day lessening the effect on traffic conditions in any one hour, and would only occur during the course of project construction. As a result construction vehicle trips would be limited and short-term in duration, and would not be anticipated to have a noticeable effect on the level of service of roadways off the Rancheria. Therefore, increases in vehicle trips during construction would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system or conflict with an applicable congestion management program or public transit program. This impact is less than significant and will not be evaluated in the EIR.
- c) The proposed project involves the construction of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria and the conveyance of water through these facilities. Therefore, the proposed project would not result in a change in air traffic patterns that could cause a safety risk. No impact would occur and this impact will not be evaluated in the EIR.
- d,e) The proposed project involves the construction of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria and conveyance of water through these facilities. Therefore, the proposed project would not increase road hazards due to design features, incompatible uses or emergency access. No impact would occur and this issue will not be evaluated in the EIR.
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Utilities and Service Systems

Environmental Checklist and Discussion

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
17. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Require new or expanded water supply resources or entitlements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a,b,e) The proposed project involves providing water service to the Shingle Springs Rancheria consistent with the MOU between EID and the Rancheria to serve existing uses on the Rancheria. Proposed facilities include the installation of an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria to connect with EID's existing water supply infrastructure. No new water supply infrastructure would be installed in the EID service area outside of the Rancheria and EID operations would remain unchanged. The proposed project would not include the construction of any permanent occupied structures. Therefore, it would not directly generate new population that could result in the need to provide additional wastewater collection, treatment and disposal facilities or water treatment facilities, the construction of which could cause significant environmental effects. No impact would occur and these issues will not be evaluated in the EIR.
- c) Proposed facilities include the installation an underground pipeline, flow meter vault, and backflow prevention assembly structure on the Rancheria to connect with EID's existing water supply infrastructure. No new water supply infrastructure would be installed in the EID service area outside of the Rancheria and EID operations would be unchanged. Installation of the facilities would not result in a noticeable increase in impervious surface

- cover over that which currently exists, and therefore, would not noticeably change the rate or amount of surface runoff and would not require new or expanded storm water drainage facilities, the construction of which could cause significant environmental effects. No impact would occur and this issue will not be evaluated in the EIR.
- d) The proposed project involves providing water service to the Shingle Springs Rancheria consistent with the MOU between EID and the Rancheria to serve existing uses on the Rancheria. EID's believes its existing reliable supplies are sufficient to accommodate the amount of water identified in the MOU. In response to the Court's ruling, however, the District has determined that it will prepare a comprehensive and conservative analysis of the project's potential impact on EID's ability to meet existing and future water demand during normal, single-dry and multiple-dry years, both on the Rancheria and in the EID service area outside of the Rancheria, and, further, that it will do so as part of an EIR. Therefore, for the purpose of determining which impacts to evaluate in an EIR, this impact is deemed to be potentially significant. Further studies, including a WSA, will evaluate whether the MOU will significantly affect the environment by requiring new or expanded water supply resources, and, if so, whether those impacts can feasibly be mitigated.
- f,g) The proposed project would not include the construction of any permanent occupied structures. Therefore, it would not directly generate new population that could generate additional solid waste disposal needs. No impact would occur and this issue will not be evaluated in the EIR.
-

Mandatory Findings of Significance

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a) As described in Environmental Checklist Item 4 the proposed project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project includes measures to protect receiving water quality and nesting raptors. As discussed in Environmental Checklist Item 5 implementation of the proposed project would not eliminate important examples of the major periods of California history or prehistory. Therefore, these impacts would be less than significant and they will not be evaluated in the EIR.
- b) As described in Environmental Checklist Item 17d (Utilities and Service Systems), the proposed project involves providing water service to the Shingle Springs Rancheria consistent with the MOU between EID and the Rancheria to serve existing uses on the Rancheria. Approving and executing the MOU could affect the EID’s ability to meet existing and future water demand during normal, single-dry and multiple-dry years both on the Rancheria and in the EID service area outside of the Rancheria, but this potential is no different than if EID allocates this water to other uses, since the water committed under the MOU is within EID’s existing reliable supplies. EID believes that its existing water supply sources are sufficient to meet increased demand in the service area. However, a Water Supply Assessment (WSA) will be prepared as part of this EIR. See Checklist Item 17d. Cumulative impacts related to EID’s ability to meet existing and future water demand on the Rancheria and in the EID service area outside of the Rancheria will be evaluated in the EIR. All other resources

- areas have been determined to be less-than-significant and associated cumulative impacts may not be evaluated in the EIR.
- c) As described in Environmental Checklist Item 17d (Utilities and Service Systems), the proposed project would involve providing water service to the Shingle Springs Rancheria consistent with the MOU between EID and the Rancheria to serve existing uses on the Rancheria. Although EID's existing reliable supplies are sufficient to accommodate the amount of water identified in the MOU, the District has determined in response to the Court's ruling that it will prepare an EIR containing a comprehensive and conservative analysis of the impact of EID's ability to meet existing and future water demand during normal, single-dry and multiple-dry years, both on the Rancheria and in the EID service area outside of the Rancheria. Therefore, for the purpose of determining which impacts to evaluate in an EIR, this impact is deemed to be potentially significant. Further studies, including a WSA, will evaluate whether the MOU will significantly affect the environment by requiring new or expanded water supply resources, and, if so, whether those impacts can feasibly be mitigated.
-

Appendix B

Comments in Response to the Notice of Preparation





JERRY BROWN
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



Notice of Preparation

February 11, 2011

To: Reviewing Agencies

Re: Memorandum of Understanding for Water Service to the Shingle Springs Rancheria
SCH# 2011022045

Attached for your review and comment is the Notice of Preparation (NOP) for the Memorandum of Understanding for Water Service to the Shingle Springs Rancheria draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Dan Corcoran
El Dorado Irrigation District
2890 Mosquito Road
Placerville, CA 95667

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2011022045
Project Title Memorandum of Understanding for Water Service to the Shingle Springs Rancheria
Lead Agency El Dorado Irrigation District

Type NOP Notice of Preparation
Description The proposed project involves EID providing water service to the Shingle Springs Rancheria consistent with the MOU to serve existing uses on the Rancheria, the relocation of an existing flow meter vault, and the installation of a new pipeline on the Rancheria to connect with EID's existing water supply infrastructure.
The meter would provide maximum continuous flow of 95 gpm and a maximum average daily delivery of 135,000 gallons.

Lead Agency Contact

Name Dan Corcoran
Agency El Dorado Irrigation District
Phone (530) 642-4082 **Fax**
email
Address 2890 Mosquito Road
City Placerville **State** CA **Zip** 95667

Project Location

County El Dorado
City
Region
Cross Streets Honpie Road
Lat / Long 38° 41' 38" N / 120° 54' 06" W
Parcel No. 31910037
Township 10N **Range** 10E **Section** 29 **Base**

Proximity to:

Highways Hwy 50
Airports
Railways
Waterways Slate Creek
Schools Buckeye ES, California Montessori Project
Land Use Tribal Land

Project Issues Water Supply; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 2; CA Department of Public Health; Native American Heritage Commission; California Highway Patrol; Caltrans, District 3; State Water Resources Control Board, Division of Financial Assistance; State Water Resources Control Board, Division of Water Rights; Department of Toxic Substances Control; Regional Water Quality Control Bd., Region 5 (Sacramento); California Department of Justice, Attorney General's Office

Date Received 02/11/2011 **Start of Review** 02/11/2011 **End of Review** 03/14/2011

NUP Distribution List

UWU

County: El Dorado

SCH#

Regional Water Quality Control Board (RWQCB)

<input type="checkbox"/> Resources Agency Nadell Gayou	<input type="checkbox"/> Fish & Game Region 1E Laurie Harnsberger	<input type="checkbox"/> Native American Heritage Comm. Debbie Treadway	<input type="checkbox"/> Caltrans, District 8 Dan Kopulsky	<input type="checkbox"/> RWQCB 1 Cathleen Hudson North Coast Region (1)
<input type="checkbox"/> Dept. of Boating & Waterways Mike Sotelo	<input type="checkbox"/> Fish & Game Region 2 Jeff Drongesen	<input type="checkbox"/> Public Utilities Commission Leo Wong	<input type="checkbox"/> Caltrans, District 9 Gayle Rosander	<input type="checkbox"/> RWQCB 2 Environmental Document Coordinator San Francisco Bay Region (2)
<input type="checkbox"/> California Coastal Commission Elizabeth A. Fuchs	<input type="checkbox"/> Fish & Game Region 3 Charles Armor	<input type="checkbox"/> Santa Monica Bay Restoration Guangyu Wang	<input type="checkbox"/> Caltrans, District 10 Tom Dumas	<input type="checkbox"/> RWQCB 3 Central Coast Region (3)
<input type="checkbox"/> Colorado River Board Gerald R. Zimmerman	<input type="checkbox"/> Fish & Game Region 4 Julie Vance	<input type="checkbox"/> State Lands Commission Marina Brand	<input type="checkbox"/> Caltrans, District 11 Jacob Armstrong	<input type="checkbox"/> RWQCB 4 Teresa Rodgers Los Angeles Region (4)
<input type="checkbox"/> Dept. of Conservation Rebecca Salazar	<input type="checkbox"/> Fish & Game Region 5 Don Chadwick Habitat Conservation Program	<input type="checkbox"/> Tahoe Regional Planning Agency (TRPA) Cherry Jaques	<input type="checkbox"/> Caltrans, District 12 Chris Here	<input checked="" type="checkbox"/> RWQCB 5S Central Valley Region (5)
<input type="checkbox"/> California Energy Commission Eric Knight	<input type="checkbox"/> Fish & Game Region 6 Gabrina Gatchel Habitat Conservation Program	<input type="checkbox"/> Business, Trans. & Housing	<input type="checkbox"/> Cal EPA	<input type="checkbox"/> RWQCB 5F Central Valley Region (5) Fresno Branch Office
<input type="checkbox"/> Cal Fire Allen Robertson	<input type="checkbox"/> Fish & Game Region 6 I/M Brad Henderson Inyo/Mono, Habitat Conservation Program	<input type="checkbox"/> Caltrans - Division of Aeronautics Philip Crimmins	<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> RWQCB 5R Central Valley Region (5) Redding Branch Office
<input type="checkbox"/> Central Valley Flood Protection Board James Herota	<input type="checkbox"/> Dept. of Fish & Game M George Isaac Marine Region	<input type="checkbox"/> Caltrans - Planning Terri Pencovic	<input type="checkbox"/> Airport Projects Jim Lerner	<input type="checkbox"/> RWQCB 6 Lahontan Region (6)
<input type="checkbox"/> Office of Historic Preservation Ron Parsons	<input type="checkbox"/> Other Departments	<input type="checkbox"/> California Highway Patrol Scott Loetscher Office of Special Projects	<input type="checkbox"/> Transportation Projects Douglas Ito	<input type="checkbox"/> RWQCB 6V Lahontan Region (6) Victorville Branch Office
<input type="checkbox"/> Dept of Parks & Recreation Environmental Stewardship Section	<input type="checkbox"/> Food & Agriculture Steve Shaffner	<input type="checkbox"/> Housing & Community Development CEQA Coordinator Housing Policy Division	<input type="checkbox"/> Industrial Projects Mike Tollstrup	<input type="checkbox"/> RWQCB 7 Colorado River Basin Region (7)
<input type="checkbox"/> California Department of Resources, Recycling & Recovery Sue O'Leary	<input type="checkbox"/> Dept. of General Services Anna Garbeff Environmental Services Section	<input type="checkbox"/> Dept. of Transportation	<input type="checkbox"/> State Water Resources Control Board Regional Programs Unit Division of Financial Assistance	<input type="checkbox"/> RWQCB 8 Santa Ana Region (8)
<input type="checkbox"/> S.F. Bay Conservation & Dev't. Comm. Steve McAdam	<input type="checkbox"/> Dept. of Public Health Bridgette Binning Dept. of Health/Drinking Water	<input type="checkbox"/> Caltrans, District 1 Rex Jackman	<input type="checkbox"/> State Water Resources Control Board Student Intern, 401 Water Quality Certification Unit Division of Water Quality	<input type="checkbox"/> RWQCB 9 San Diego Region (9)
<input type="checkbox"/> Dept. of Water Resources Resources Agency Nadell Gayou	<input type="checkbox"/> Independent Commissions, Boards	<input type="checkbox"/> Caltrans, District 2 Marcelino Gonzalez	<input type="checkbox"/> State Water Resources Control Board Steven Herrera Division of Water Rights	<input type="checkbox"/> Other <u>Sara Drake, 463 office</u>
<input type="checkbox"/> Conservancy	<input type="checkbox"/> Delta Protection Commission Linda Flack	<input type="checkbox"/> Caltrans, District 3 Bruce de Terra	<input type="checkbox"/> Dept. of Toxic Substances Control CEQA Tracking Center	
<input type="checkbox"/> Fish and Game	<input type="checkbox"/> Cal EMA (Emergency Management Agency) Dennis Castrillo	<input type="checkbox"/> Caltrans, District 4 Lisa Carboni	<input type="checkbox"/> Department of Pesticide Regulation CEQA Coordinator	
<input type="checkbox"/> Dept. of Fish & Game Scott Flint Environmental Services Division	<input type="checkbox"/> Governor's Office of Planning & Research State Clearinghouse	<input type="checkbox"/> Caltrans, District 5 David Murray		
<input type="checkbox"/> Fish & Game Region 1 Donald Koch		<input type="checkbox"/> Caltrans, District 6 Michael Navarro		
		<input type="checkbox"/> Caltrans, District 7 Elmer Alvarez		

DEPARTMENT OF TRANSPORTATION

DISTRICT 3—SACRAMENTO AREA OFFICE

2379 GATEWAY OAKS DRIVE, SUITE 150

PHONE (916) 274-0635

FAX (916) 274-0602

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March 09, 2011

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Memorandum of Understanding for Water Service to the Shingle Springs Rancheria

Notice of Preparation

SCH# 2011022045

Mr. Dan Corcoran

El Dorado Irrigation District

2890 Mosquito Road

Placerville, CA 95667

Dear Mr. Corcoran,

Thank you for the opportunity to review and comment on the Notice of Preparation (NOP) for the Memorandum of Understanding for Water Service to the Shingle Springs Rancheria draft Environmental Impact Report (EIR). The El Dorado Irrigation District (EID) proposes providing water service to the Shingle Springs Rancheria consistent with the MOU to serve existing uses on the Rancheria, the relocation of an existing flow meter vault, and the installation of a new pipeline on the Rancheria to connect with EID's existing water supply infrastructure. Our comments are as follows:

- Caltrans requests that you identify any work proposed within the State right-of-way. Any work proposed and performed within the State right-of-way must be in accordance with Caltrans' standards and require a Caltrans Encroachment Permit prior to commencing construction, surveying or other activities in the right-of-way. For more information on encroachment permits, the requirements, and an application form, please visit our web page at www.dot.ca.gov/doingbusiness and click on "Encroachment Permits" or contact the Caltrans District 3, Office of Permits at (530) 741-4403.
- Caltrans requests that you identify any potential increases to any surface water or peak runoff discharge within the State right-of-way. No net increase to the surface water (stormwater) peak runoff discharge (100-year storm event) may be realized within the State right-of-way or Caltrans drainage facilities. Increases in peak runoff discharge to the State's highway right-of-way and to Caltrans' highway drainage facilities must be reduced to at or below the pre-construction levels. Whether discharged directly or indirectly, all runoff must meet all Regional Water Quality Control Board (RWQCB) water quality standards prior to entering the State right-of-way or Caltrans drainage facilities. The proponent/developer may be held liable for future damages caused by diverted or increased drainage flows determined to be the result of the proposed development/project that were not properly mitigated.

Mr. Dan Corcoran
March 09, 2011
Page 2

Please provide our office with the upcoming DEIR. If you have any questions regarding these comments, please contact Sadie Smith at (530) 741-4004 or sadie_smith@dot.ca.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eric Fredericks".

ERIC FREDERICKS, Chief
Office of Transportation Planning – South

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
Fax (916) 657-5390



February 22, 2011

Dan Corcoran
El Dorado Irrigation District
2890 Mosquito Road
Placerville, CA 95667

RE: Memorandum of Understanding for Water Service to the Shingle Springs Rancheria; El Dorado County. SCH# 2011022045.

Dear Mr. Corcoran:

The Commission has reviewed the above mentioned Memorandum of Understanding for Water Service to the Shingle Springs Rancheria; El Dorado and does not have any comments.

Sincerely,

A handwritten signature in cursive script that reads "Katy Sanchez".

Katy Sanchez
Program Analyst



SHINGLE SPRINGS RANCHERIA

SHINGLE SPRINGS BAND OF MIWOK INDIANS
SHINGLE SPRINGS RANCHERIA
(VERONA TRACT), CALIFORNIA
5281 HONPIE ROAD, PLACERVILLE, CA 95667
P.O. BOX 1340, SHINGLE SPRINGS, CA 95682
(530) 646-8010 OFFICE, (530) 676-8033 FAX

February 19, 2011

Mr. Dan Corcoran
Environmental Manager
El Dorado Irrigation District
2890 Mosquito Road
Placerville, CA 95667

Re: Memorandum of Understanding for Water Service to the Shingle Springs
Rancheria

Dear Mr. Corcoran:

I am writing, on behalf of the Shingle Springs Band of Miwok Indians (the "Tribe"), to confirm that the Tribe is not aware of any reasonably-foreseeable, probable future projects related to the above-cited agreement. Nor is the Tribe aware of any proposals to change the use of tribal land in reliance on the above-cited agreement.

Please do not hesitate to contact the Tribe if you need any additional information.

Sincerely,

Nicholas Fonseca
Chairman