



Special Planning Commission Meeting Agenda

Monday, October 26, 2026 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

The Agenda can be found on the City's Website: www.cityofsuttercreek.org

The City of Sutter Creek City Planning Commission meeting will be available in person and LIVE on YouTube at <https://www.youtube.com/@CityofSutterCreek>.

You can also watch the meeting on Zoom (please note Zoom participation is only available for viewing.

<https://us02web.zoom.us/j/81391466458?pwd=4jXmBm1AP5bEbiID3iDwuxk4GpreRY.1>

Or Dial by phone: 301 715 8592 Webinar ID: 816 8589 0182 Passcode: 186036

Unless stated otherwise on the agenda, every item on the agenda is exempt from review under the California Environmental Quality Act ("CEQA") per CEQA Guidelines Sections 15060(c), 15061(b)(3), 15273, 15378, 15301, 15323 and/or Public Resources Code Section 21065.

1. Call to Order, Roll Call, and Establish a Quorum for Regular Meeting
2. Pledge of Allegiance to the Flag
3. Public Forum

Discussion items only, no action to be taken. Any person may address the Commission at this time upon any subject within the jurisdiction of the Planning Commission; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent meeting. Please note – there is a five (5) minute limit per topic.

4. Consent Agenda

Items listed on the consent agenda are considered routine and may be enacted in one motion. Any item may be removed for discussion at the request of the Commission or the Public.

- A. [Planning Commission Minutes of Month October 13, 2026](#)

[Recommendation: Approval of Minutes](#)

5. Public Hearings

- A. Sutter Creek Ranch Phase 1A – Tentative Subdivision Map #172 for a 150-Lot Residential Subdivision
Conduct a public hearing to review the proposed Sutter Creek Ranch Phase 1A Tentative Subdivision
Map #172; receive public comment; and provide direction to staff and the applicant regarding project
phasing, proposed conditions of approval, and outstanding issues concerning consistency with the Gold
Rush Ranch Specific Plan and certified Environmental Impact Report.

6. Adjournment



Planning Commission Meeting Minutes

Tuesday, October 13, 2026 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

The Agenda can be found on the City's Website: www.cityofsuttercreek.org

1. Call to Order and Establish a Quorum for Regular Meeting

The meeting was called to order at 6:00 p.m. by Chair Lucy Mulvey.

PRESENT: Chair Lucy Mulvey and Commissioners Michael Kirkley and Robert Trudgen

ABSENT: Vice Chair Thomas Baggett and Commissioner Meredith Hansen

STAFF: City Manager Tom DuBois, Contract City Planner Erin Ventura, and Interim City Clerk Alejandra Zambrano

2. Pledge of Allegiance to the Flag

Chair Mulvey led the Pledge of Allegiance.

3. Public Forum

There was no public comment on items not listed on the agenda.

4. Consent Agenda

Items listed on the consent agenda are considered routine and may be enacted in one motion. Any item may be removed for discussion at the request of the Commission or the Public.

A. Planning Commission Minutes of August 10, 2026

Recommendation: Approval of Minutes.

Commissioner Kirkley moved to approve the Consent Agenda, seconded by Commissioner Trudgen.

AYES: Mulvey, Kirkley, Trudgen

NOES: None

ABSTAIN: None

ABSENT: Baggett, Hansen

MOTION CARRIED 3-0

5. Administrative Agenda

A. Sign Permit - 54 Main Street (Bespoke Perfume Bar)

Recommendation: Approval of the sign permit application.

The Commission reviewed the proposed hanging sign for Bespoke Perfume Bar, a second-floor business at 54 Main Street. The staff report described a double-sided sign measuring 16 by 24 inches per side, with a total sign area of approximately 5.33 square feet, to hang from the second-floor balcony. The Commission discussed the sign location and compliance with the allowable sign area.

Commissioner Kirkley moved to approve the sign permit for 54 Main Street (Bespoke Perfume Bar), seconded by Chair Mulvey.

AYES: Mulvey, Kirkley, Trudgen

NOES: None

ABSTAIN: None

ABSENT: Baggett, Hansen

MOTION CARRIED 3-0

A suggestion was made to consider allowing staff approval of sign permits.

B. Short Term Rental Ordinance Discussion

Recommendation: Hold a discussion regarding policies for a proposed Short Term Rental Ordinance and provide feedback and options to the City Council.

Contract City Planner Ventura presented the staff report regarding proposed short-term rental (STR) policies. The report identified 17 valid STR permits, consisting of 10 active and seven inactive rentals. The Commission discussed permit review, waitlist procedures, the maximum number of permits, and the distribution of permits throughout the City.

B. Short Term Rental Ordinance Discussion

Recommendation: Hold a discussion regarding policies for a proposed Short Term Rental Ordinance and provide feedback and options to the City Council.

Contract City Planner Ventura presented the staff report regarding proposed short-term rental (STR) policies, including current rental activity, permit review, waitlist procedures, permit limits, and geographic distribution.

Permit Review

The Commission discussed annual permit review, quarterly monitoring of rental activity, and minimum rental activity requirements when a waiting list exists. Discussion included addressing prolonged inactivity, potentially rescinding permits after four consecutive quarters without occupancy or an acceptable explanation, and providing a warning after the third quarter.

Other topics included nonreporting, complaint volume, serious violations, and whether permits could transfer upon the sale of a property.

Waitlist Protocol

The Commission discussed a hybrid waitlist approach and minimum rental activity thresholds, including Scenario B's threshold of 25 rental nights per year.

Discussion also addressed properties temporarily used as long-term rentals and how a waiting list could affect their ability to resume short-term rental use.

Maximum Number of STR Permits

The Commission discussed the housing units included in calculating a percentage-based permit cap, a proposed cap of 2% of the City's housing units, and the use of standard rounding rules.

Distribution of Permits Throughout the City

The Commission discussed geographic allocation of permits, including a possible 50–50 split between properties within and outside the Historic District, as well as an approach without a geographic split.

Discussion included commercial and residential properties on Main Street, counting permits allowed by right toward the citywide cap, parking requirements, consistent application of operating requirements, complaint handling, and the concentration of STRs.

Next Steps

The process discussed was to return a draft ordinance to the Planning Commission before consideration by the City Council.

6. Adjournment

Chair Mulvey adjourned the meeting at 6:55 p.m.



TO: Planning Commission

MEETING DATE: October 26, 2026

FROM: Erin Ventura, Contract Planner

SUBJECT: Sutter Creek Ranch (GRR-SP) 150 Lot Subdivision - Tentative Subdivision Map #172

RECOMMENDATION:

Staff recommends that the Planning Commission conduct a public hearing to review a proposal for a Tentative Subdivision map to divide approximately 39 acres into 150 residential lots, ranging in size from 7,000 sf to 14,624 sf, a 0.51 acre neighborhood park lot (Lot B), a 1.01 acre water tank site (Lot A), and the identification of a 17.5 acre community park site. The project site is within the Gold Rush Ranch Specific Plan area.

BACKGROUND:

Gold Rush Ranch Specific Plan

In 2010, the City Council approved the [Gold Rush Ranch Specific Plan \(GRR-SP\)](#) along with an accompanying [Environmental Impact Report](#) (California State Clearinghouse #2005042094).

In California land use planning, a General Plan acts as a city's overarching constitution for future growth, while a Specific Plan is a standalone regulatory document that systematically implements that vision for a targeted geographic area.

Because a Specific Plan combines high-level policy with detailed development standards, it essentially replaces both the General Plan and the standard citywide zoning ordinance for the parcels within its boundaries. Future projects within the plan area must comply with the Specific Plan zoning and standards, which may differ from the City's general zoning regulations. Specific Plans are adopted elements of the General Plan and may be developed or redeveloped in phases over time.

The GRR-SP covers a 945 acre site located northwest of State Routes 49, 88, and 104.

Based on the Project Description in the certified EIR, the GRR-SP zones for the following:

- 18-hole golf course, turfed spray field, clubhouse and related facilities
- 1,334 primary single-family residential dwelling units (1,268 detached and 66 attached/mixed-use)
- Minimum of 64 secondary residential dwelling units (located on single-family residential lots)
- 300 interval-ownership vacation units
- 60-room hotel
- 20,000 square feet of neighborhood commercial development within a commercial core area
- Public safety site dedicated for a fire station and police station

- Commercial/residential mixed-use site adjacent to State Route (SR) 104 (Ridge Road) with up to 37,000 square feet of commercial uses and up to 30 residential units (included in the 1,334 total residential units within the Project)
- Two passive-recreation park sites totaling approximately 21 acres
- Approximately 300 acres of permanently preserved open space with a trail system and oak tree/habitat mitigation
- Construct a new wastewater treatment plant.

Gold Rush Ranch Development Agreement

As part of the Specific Plan and EIR adoption, the City entered into a Development Agreement (DA) with the property developer at the time who owned the entire 945 acres. At the time, the owner/developer was Gold Rush Golf, LLC. The DA was entered into between the City and the Gold Rush Golf, recorded in 2011.

A Development Agreement (DA) is a contract between the applicant and the City that establishes the regulations, policies, and obligations for a large scale development project. It allows the city to lock in development standards for a set period, providing stability for the developer, while the city secures its interests by establishing rules on uses, density, and public benefits like parks or infrastructure. The DA typically includes a schedule outlining key dates and obligations associated with the project.

After an economic downturn, on July 15, 2019 the City Council removed the DA from the title at the request of the property owner. The DA had terminated earlier due to lack of completion of a “design and construction agreement.” The staff report for that action can be found [here](#).

Change of ownership

The project has changed ownership over the years, with the current applicants purchasing the property in 2018. A portion of Phase 1A is owned by John Allen, with an option by the applicants to develop it.

Recent Applications

Over the years City staff have received applications for the area within the Gold Rush Ranch Specific Plan area. The applications were never deemed complete. There has been a lot of back and forth, changes to plans and adaptation to try to reach something that is economically feasible, appropriate for the community, and complaint with a 15 year old plan that is in itself somewhat internally inconsistent. All past plans have been superseded by the current proposal.

Please note: The current owner has been trying to move development forward for the last two years. However with uncertainty about the communities appetite to support any development, they have been hesitant to incur upfront costs. They are looking for indications of support for their project. You will read in this report that certain studies and updates required by the GRR-SP are being specified as conditions of approval. This approach is because they want to know that the community is supportive of developing 150 homes before they invest more funds into the project.

This is a large project compared to most in Sutter Creek. Some requested reports have continued to be updated. We will notify of you anything coming in prior to the meeting. Because of the size of the item, you may not complete it in a single meeting, in which case, it can be continued to a second meeting.

DISCUSSION:

Proposed Project: Sutter Creek Ranch Phase 1A

In August 2024, the City received an application from Sutter Creek Land Advisors, LLC for a 150 lot subdivision in a portion of land within the Gold Rush Ranch Specific Plan Area. The application was for Boundary Line Adjustment and Tentative Subdivision Map. (Attachment A)

Boundary Line Adjustment

The Boundary Line Adjustment application is currently incomplete. The City Engineer's office is waiting for a current title report. The Final Tentative Map cannot be approved prior to the Boundary Line adjustment being completed. This will be brought back to the Planning Commission at a later date.

Tentative Subdivision Map

The proposed Tentative Subdivision Map proposes to subdivide approximately 39 acres into 150 residential lots, ranging in size from 7,000 sf to 14,624 sf, a 0.51 acre neighborhood park lot (Lot B), a 1.01 acre water tank site (Lot A), and the identification of a 17.5 acres community park site. The map also proposes four (4) additional lettered lots, including an ag buffer lot (Lot F).

The proposal also includes the extension of Valley View Way to Highway 104. The area proposed for development is located in Village B (northeast end) of the GRR Specific Plan.

The applicant is proposing how the original Phase 1 is being phased. In the Specific Plan, Phase 1 was quite large and included 530 dwelling units, the golf course, the hotel and the commercial core. The original phasing plan is laid out in the Specific Plan (4.4 Gold Rush Ranch Specific Plan Phasing Page 4-4, 4.4.1 *Phase One*) and shown below in Table 4-2.

The City Attorney has advised that the City Council may modify phasing of the Specific Plan. The Council will determine if the scaled-back Phase 1A proposal, now presented 15 years after plan approval, will be allowed. Judicial precedent recognizes that the city councils that enact legislative enactments such as the Specific Plan are entitled to reasonable deference in interpreting their actions. The Planning Commission may provide feedback to Council on the new phasing proposal.

SUTTER CREEK RANCH

PHASE 1A
SHEET 1 of 1
MAY 19, 2024

Section 5, Item A.





Table 4.2. Land Use Development by Phase

Section 5, Item A.

Land Use/Development	Phase One	Phase Two	Phase Three	Phase Four	Total
Single-Family Residential (units)					
Large Lot 1 (Village A)	57				57
Large Lot 2 (Village B)	228				228
Large Lot 3 (Village C-3)		89			89
Large Lot 5 (Villages E-2 and E-3)	110	231			341
Large Lot 6 (Village F)	45				45
Large Lot 7 (Village G)			72		72
Large Lot 9 (Village I)			72		72
Large Lot 10 (Village J)			42		42
Large Lot 11 (Village K)				46	46
Large Lot 12 (Village L)			120		120
Residential Custom Lots (units)					
Large Lot 3 (Villages C-1 and C-2)		19			19
Large Lot 5 (Village E1)	24				24
Large Lot 8 (Village H)			15		15
Large Lot 13 (Village M)				35	35
Large Lot 14 (Village N)				42	42
Large Lot 15 (Village O)			6		6
Large Lot 16 (Village P)			15		15
Attached Residential (units)					
Large Lot 4 (Village D)	36				36
Mixed-Use Residential (units)					
Large Lot 22 (Parcel V)	30				30
Max. Number of Residential Units by Phase	530	339	342	123	1,334
Mixed-Use Commercial Office/Retail (sq ft)					
Large Lot 22 (Parcel V)	37,000				37,000
Mixed Use Police/Fire Station (sq ft)					
Large Lot 26 (Parcel Z)	13,000				13,000
Commercial Core Clubhouse/Restaurant (sq ft)					
Large Lot 18 (Parcel R)	15,000				15,000
Commercial Core Neighborhood Commercial (sq ft)					
Large Lot 18 (Parcel R)	20,000				20,000
Commercial Area by Phase (Square Feet)	85,000				85,000
Commercial Core Hotel (sq ft)					
Large Lot 18 (Parcel R)	60				60
Vacation Units (units)					
Large Lot 17 (Parcel Q)	150 min./ 300 max.	Remainder of units			300
Golf Course (18 holes and driving range) (acres)	239.40				239.40
Golf Maintenance Facility (sq ft)					
Large Lot 19 (Parcel S)	20,000				20,000
Community Park (acres)	15+				15+
Passive Parks (acres)	19.26				19.26
Open Space (acres)	309.90				309.90
Source: Based on GRR, 2007, Volume I, Tab 1, Attachment 2, page 2					

The original Phase 1 is now proposed to be built in multiple phases, Phase 1A and Phase 1B. The applicant is proposing 150 homes under Phase 1A due to available capacity at the City's wastewater treatment plant. The timing and specifics on Phase 1B are unknown at this time. Below is a summary of the proposed changes to the phasing:

Original Phase 1	Proposed: Phase 1A, 1B
80' Parkway & 60' collector roadway	80' Parkway - 1A 60' Collector - 1B

Golf Course/ Clubhouse	Phase 1B	Section 5, Item A.
8.4 miles of trails	Phase 1B	
Commercial Uses	Phase 1B	
Residential Units 464 Detached Units 66 Attached/Mixed Use Units	150 Detached Units Phase 1A 380 Units Future Phase	
Community Park (15 acres) Passive Parks (19.26 acres) Open Space (309.9 acres)	Phase 1A- identification only Future Phase Future Phase	
Vacation Homes and Hotel 60 Hotel Rooms 150-300 Vacation Units	Phase 1B	
Community Facilities District (CFD)	Phase 1A	
Tertiary WWTP with +40% capacity	Contribute funding to the City or Construction of recycled water pipeline and pumping station - Phase 1A Contribute funding to the City for WWTP Expansion - Phase 1B	

Since the application was originally submitted, the Planning Department has received five updated resubmittals, held a Technical Advisory Committee Meeting, and conducted a project prescreening meeting before the City Council in March 2025.

Community Benefits

Below is a list of the potential benefits, if approved, that this project will bring to the City.

1. Housing: The provision of housing is not merely a byproduct of land development, but a fundamental public benefit in its own right. Meeting the housing needs of a community ensures economic vitality, allows the local workforce to live where they work, and prevents the displacement of long-term residents due to escalating costs. In Sutter Creek, the severe constraint on housing supply has elevated the delivery of new homes to a critical public priority.

Sutter Creek's historic pace of development has not kept up with natural population growth or workforce demand. According to the City of Sutter Creek's *2025 Housing Element Annual Progress Report (6th Cycle)*, the city issued only three (3) new residential construction building permits, entitled zero residential units, and finalized zero (0) residential units for the entire calendar year. Furthermore, zero permits were issued for multi-family complexes, senior apartments, or secondary accessory dwelling units during that same period. This exceptionally slow historic development rate highlights a stagnant housing inventory that fails to provide necessary residential turnover or options for new families.

2. State RHNA Requirement: The City's Housing Element mandates that Sutter Creek accommodate its fair share of the regional housing need. Sutter Creek's 6th Cycle Regional Housing Needs Allocation (RHNA) target is 74 new units, distributed across specific income tiers: 15 very-low income, 12 low-income, 13 moderate-income, and 34 above-moderate income units. Some of the proposed housing units are on smaller lots and therefore may be more affordable by design, and the developer has agreed to restrict 15 units as affordable housing. These deed restricted units will count as very low, low, and moderate priced housing, depending on the agreed upon affordability level.

When comparing the city's historic development pace (e.g., 3 units per year) against its RHNA obligations, it is clear that Sutter Creek is operating under a structural housing deficit. Without the approval and execution of comprehensively planned residential projects, the City will remain unable to meet its state-mandated housing goals or alleviate local inventory constraints.

3. Ease Economic Shortage: Because the historic delivery of new housing has been functionally frozen, existing homes absorb the entirety of market demand, driving up local real estate prices. This shortage manifests locally as an affordability crisis for the "missing middle"—teachers, healthcare employees, and service workers who are vital to Sutter Creek's local economy but are increasingly priced out of the city limits.
4. Parks: The project dedicates 0.51 acres for a neighborhood park site and identifies 17.5 acres for a community park site, significantly increasing the City's total amount of park space.
5. Roadway Extension of Valley View Way to Highway 104.
6. Prospect Dr to Bowers Drive extension. While already completed, the project will pay its fair share of the costs of construction of this roadway.
7. Recycled water pipeline and pump station from the wastewater plant to the property: The developer has committed to fund construction of a pipeline and pump station to bring recycled water to the GRR-SP property, which decreases fire risk and helps the city with wastewater disposal.
8. Establishment of a Community Facilities District (CFD) will be required to provide funding for ongoing maintenance and operations, including street lighting, roadway maintenance, and storm drain infrastructure.

Concerns

1. What will happen to the rest of the 900 Acre GRR-SP site? There is no guarantee of future phases following the completion of Phase 1A. The developer has indicated that future phases will be determined based on the market demand for the housing in Phase 1A.
2. What will Parks be like? The developer has identified an area on the Tentative Map for the 17.5 acre community park site. It will be an open space, nature park - there are no park improvements being proposed. It must be dedicated to the City as part of this project. Trails: Sidewalks will be built along neighborhood roadways to connect to the shared-use trail bike path and sidewalk along Valley View Way between its existing

terminus and its new intersection with Highway 104. The land, and access to that outside of the proposed development is not part of this Phase 1A project.

3. Specific Plan Inconsistency and Constraints: Due to the specific plan standards, size of the proposed lots, the topography, and the grading standards in the Specific Plan, some of the lots may be unbuildable or costly to build.

Considerations the Planning Commission may want to make

In reviewing the applicant's proposal to build in smaller phases, the Planning Commission may wish to consider the benefits of allowing additional flexibility in the phasing and implementation of the project. The following community considerations are provided for context and discussion.

- The original Phase One may be economically infeasible. No progress has been made in fifteen (15) years since adoption of the GRR-SP. Allowing smaller, more manageable phases allows the local market to absorb the development at a slower pace.
- The potential for future development by the current owner is contingent upon the developer's ability to market and sell the initial 150 residential lots.
- It's very possible that the rest of the land area could be split up and sold to others.

Proposed Conditions of Approval

Since the Specific Plan was adopted, state ordinances and legal rulings by the courts have changed old practices. Staff has done its best to interpret the project, but there are areas where the GRR Specific Plan is quite complex and perhaps inconsistent within the document itself. Staff has kept the original goals in mind applied to today's legal context.

Specific Plan Attachment J establishes a comprehensive set of Conditions of Approval (COAs) for the project. These conditions are organized into three categories:

1. Section 1.0 – Conditions applicable to each phase, area, and activity within the Gold Rush Ranch (GRR) Project, and which remain ongoing;
2. Section 2.0 – Conditions applicable to the Large Lot Subdivision Map(s); and
3. Section 3.0 – Conditions applicable to subsequent development, including Small Lot Subdivision Maps and Parcel Maps within the GRR Project.

The current application must comply with the applicable Conditions of Approval (COAs) from all three sections. When the COAs were originally established, it was assumed the project would be constructed as one large initial phase followed by smaller subsequent phases. With new phasing, staff has evaluated which conditions must be satisfied for approval of the Phase 1A Tentative Subdivision Map, which may remain in place for completion at later stages such as building permit issuance, and which may be applied to future phases. Some conditions will carry forward as part of the Tentative Subdivision Map's approval, while others must be fulfilled prior to its approval.

The attached document, **Sutter Creek Ranch Phase 1A Conditions of Approval (COAs)**, Attachment B, identifies the specific conditions applicable to Phase 1A, notes which conditions have already been satisfied, distinguishes between those that may remain as ongoing requirements and those that must be completed prior to approval of the Tentative Subdivision Map, and identifies which COAs are associated with EIR Mitigation Measures outlined in the adopted [Mitigation Monitoring and Reporting Program](#).

Staff is asking the Planning Commission to weigh in on three specific items: the grading plan, the tree removal plan, and affordable housing.

1. Grading

Requirements:

Attachment H of the Specific Plan (page 220 of the PDF) establishes grading standards, guidelines, and restrictions for development within the project area and covers specific areas of concern such as the extent of mass grading and “Scenic Ridgeline Development Guidelines.”

The **Landform Grading Standards**, which apply site-wide, state that street patterns and building pad configurations should follow existing topography rather than cutting across natural features. The intent of these standards is for the project to fit the land, rather than reshaping the land to fit the project.

- a. Attachment H divides the project area into three grading zones: the **General Grading Zone**, **Restricted Grading Zone**, and **Limited Grading Zone** (Attachment H, Section 2.0 – *Grading Standards by Zone*). Approximately 51 lots of the Phase 1A development lies entirely within the General Grading Zone, and the remaining 99 lots are either within the Restricted Grading Zone completely or partially.
- b. Pursuant to **GRR Implementation Measure 3.3-1**, grading plans for the GRR Project must comply with the standards outlined in Attachment H, which include the following provisions:
 - Grading shall be restricted to roadway and utility infrastructure construction, except as otherwise provided in the Specific Plan.
 - Roadways shall follow natural ridges or valleys, be curvilinear, and conform to existing contours through the use of landform grading techniques.
 - Grading shall protect the existing skyline, oak trees, prominent hillsides, riparian corridors, and other topographically sensitive features, and emulate the natural landform.
 - Grading for individual home sites within the Restricted and Limited Grading Zones shall be limited to what is necessary to construct the driveway and home site, and reviewed at the time of individual lot development.
 - Oak trees shall be retained unless removal is demonstrated to be infeasible or unreasonable.

The applicant proposes compliance with Attachment H by mass grading where allowed and grading within the Restricted Grading Zone at the time of individual lot development, as required.

Areas for Interpretation with respect to Grading:

There are several options that the Planning Commission should discuss and comment on:

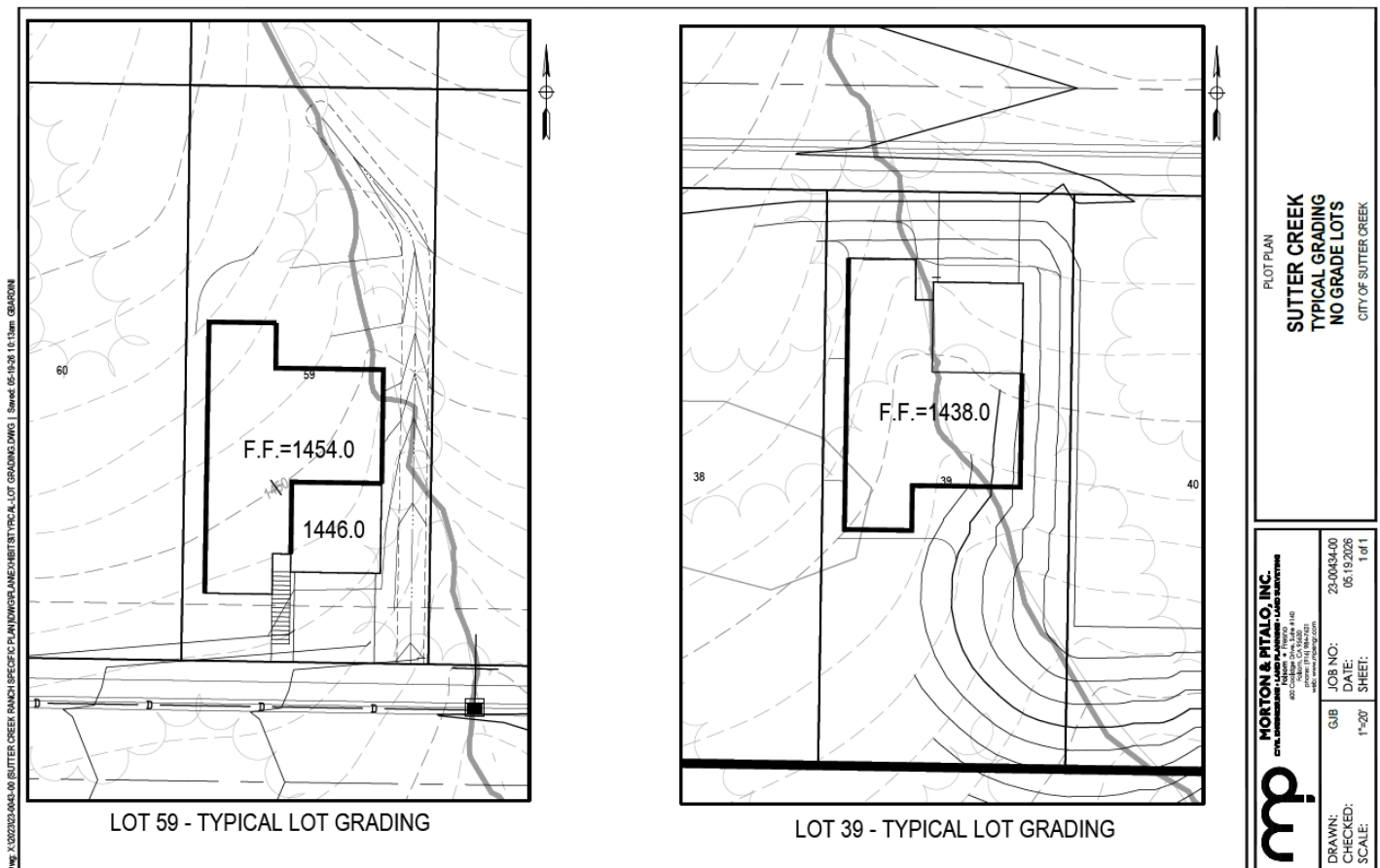
2. Small lots in the Restricted Grading Zone

- a. The applicant has provided two examples, Lot 39 and Lot 59. Based on preliminary grading that was provided and the typical lot grading identified on those two lots, it is unclear how the applicant proposes to meet the grading standards (e.g., grading within the restricted zone shall be limited to what is necessary to construct the driveway and home site). Lot 39, located within the restricted grading zone, appears to grade outside of the footprint of the house and the driveway which is not permitted.

Section 5, Item A.

The Planning Commission can request clarification and commitments within the Restricted Grading Zone.

- b. The Planning Commission can approve the tentative map but require a covenant be recorded on each lot within the Restricted Grading Zone. This would ensure that future developers or homeowners are aware of applicable grading limitations and site constraints. Some lots may be costly to develop.



3. Approval of Lots 40 through 49 and lots 139 through 150

- a. These lots have proposed grading at the rear of these lots that extends more than 200 feet in length, 8 feet in height, and is visible from the public street. Section 3.1 Grading Standards says “Where manufactured slopes are over eight feet in vertical height and exceed 200 feet in horizontal length and are visible from a public street or public space, the contour shall be curved in an undulating fashion with varying horizontal radii to reflect the natural terrain.” The applicant says “We feel the proposed grades are following the natural contours. The project is proposed to be graded the way it is to avoid a large and costly retaining wall or rockery wall.”

- b. The Planning Commission should review the provided grading and standards and determine if they want to allow the proposed grading in order to enable the number of houses proposed or restrict the grading which will impact the number of units that can be constructed.
4. Scenic Ridgeline:
- a. Two areas within the GRR Project include visible scenic ridgelines. **Lot 2 (Village B)** is located within one of these areas. Section 9.3 of the Specific Plan (*Scenic Ridgeline Development Guidelines*) establishes supplemental design standards for development on or near these ridgelines.
 - b. A ridge is defined as a landform where elevation is at its highest and contours drop away on either side to form a valley or drainage feature. A ridgeline has the characteristic of exhibiting a prominent “skyline” or silhouette against an open sky when viewed from different vantage points. A scenic ridgeline exhibits a prominent skyline when viewed from prominent public access points. Not every ridge is a scenic ridgeline. The intent of these Standards is to provide a set of standards for areas in the GRR-Project that are identified as scenic ridgelines.

- Single-Family Detached Residential
- Single-Family Attached Residential
- Residential Custom Lots
- Mixed-Use
- Parks
- Visible Ridges





Approximate location of Scenic Ridgeline through Village B (shown as a dashed line starting at the top of the grading plan)

- c. Based on review of the preliminary grading plan, it is unclear whether the Project will conform to the following condition from the Scenic Ridgeline Development Guidelines: *Site grading shall not alter existing prominent geological features of the ridgeline silhouette (EIR Visual Impacts MM 14-3).* Staff considered addressing this through a condition of approval but is concerned that the applicant may not be able to comply without revising the Tentative Subdivision Map and Preliminary Grading Plan. Additionally, the applicant is proposing a water tank site located in the area immediately west of an identified ridgeline. The size and height of the water tank are not specified at this time. Per EIR Mitigation Measure 14-3 *the Project applicant shall demonstrate to the satisfaction of the City that visual effects associated with development on hilltops or ridgelines have been minimized. This measure shall be achieved through incorporation of the following measures into the Project Specific Plan development standards and the Project applicant shall demonstrate consistency with the standards upon submittal of Project-related applications: a) No new structures can protrude above the crest of a visible skyline ridge more than 15 feet, unless obscured by vegetation. b) No major ridgelines shall be altered. c) Development along ridgelines and hilltops shall be low, built into the natural topography, and buffered from view with landscaping.*

The Planning Commission should review the Scenic Ridge within the project site and determine if the applicant has demonstrated that visual effects associated with development on hilltops or ridgelines have been minimized. Additionally, Attachment H- Grading Standards requires development within any large lot parcels in areas of hilltops/ridgelines to demonstrate avoidance or minimization of grading.

2. Tree Removal Plans: This Specific Plan condition does not appear to be associated Mitigation Measure from the EIR Mitigation Monitoring and Reporting Program.

Section 5, Item A.

- a. Tree Removal: Based on the preliminary grading plan it appears that 247 trees are proposed for removal. Of the 247 trees proposed for removal, 149 are located within the Restricted Grading Zone, which limits grading to the driveway and individual home site and tree removal is limited to individual home building footprints.

The GRR-SP allows for grading plans for homesites within the Restricted Grading zoning to be submitted at the time of individual grading/building permit. The applicant originally showed additional tree removal within the Restricted Grading area but it was removed because proposed tree removal, without homesites identified, is premature. Approximately 600 trees are marked for future removal within the Restricted Grading zone. Many of those trees are outside of the homesite footprint (for example, within the rear setback) but have been marked for proposed removal during homesite construction because of health.

Areas for Interpretation with respect to Tree Removal:

The Planning Commission should consider what, if any trees, should be allowed for removal outside of the homesite footprint within the Restricted Grading Zone. How should the health of the tree be taken into consideration when being allowed for removal?

3. Lot Size and Affordable Housing

Specific Plan Attachment J, Condition 3.17, requires that the average lot size for single-family detached residential units within each large lot be 7,000 square feet or greater, except as otherwise allowed to accommodate affordable housing. Within Phase 1A, the average lot size exceeds 7,000 square feet.

According to the GRR Specific Plan Land Use Element, single-family detached residential uses are to be located on Large Lots 1, 2, 3 (part), 5 (part), 6, 7, 9, 10, 11, and 12 (identified as Villages A, B, C3, E2, E3, F, G1, G2, G3, I, J, K, and L). The Specific Plan envisions a range of lot and home sizes to meet diverse housing demands, including the potential for duplexes on corner lots. The Plan further specifies that:

- *The average lot size within the GRR Project shall be 7,000 square feet or greater, except as otherwise provided for affordable housing;*
- *Low- and moderate-income housing shall comprise 10% of the total approved dwelling units;*
- *Within each small lot subdivision, 8% to 12% of lots may range between 4,500 and 6,999 square feet to accommodate affordable housing; and*
- *Each small lot subdivision shall include at least two housing types affordable to low- or moderate-income households (e.g., cottages or duplexes).*

Since adoption of the Specific Plan, state housing policy and definitions of affordability have evolved. Previously, projects could satisfy affordable housing requirements through “affordability by design,” where smaller lots or attached units were assumed to be affordable due to their physical characteristics. Under current state law, however, units must be deed-restricted to qualify as affordable and count toward the City’s Regional Housing Needs Allocation (RHNA).

Affordable housing designations range from very low income (30-50% of Area Median Income (AMI)), low (50-80% AMI), and Moderate (80-120% AMI). There is nothing stopping a city from continuing “affordability by design”, the City will just have to justify the affordability through sale or rental records.

Area for interpretation with respect to lot size

When the Specific Plan was adopted, it was assumed that 8% to 12% of the smaller lots would be “affordable by design.” The applicant has agreed to 15 units (10%) within Phase 1A be deed-restricted affordable housing which meets the requirement. The applicant at this time has not identified lots that will contain a second housing type. The applicant is not proposing any housing at this time, just to subdivide the land.

- a. The Planning Commission should comment on this approach. 15 deed-restricted single family units for low and/or moderate income homes. Is a second type of housing design (e.g., cottage or duplex) desirable or is a deed restriction sufficient?

Compliance with the COAs

Any change to a Conditions of Approval in Attachment J, will require confirmation that the EIR Mitigation Measures and their associated timing requirements remain satisfied, or that any modified measures continue to achieve the same intended outcomes.

CEQA COMPLIANCE:

The City must determine whether the proposed changes to the Gold Rush Ranch Specific Plan phasing for the Sutter Creek Ranch – 150 Lot Subdivision require additional environmental review under the California Environmental Quality Act (CEQA). The Gold Rush Ranch and Golf Resort Environmental Impact Report (EIR) was certified by the City Council on December 7, 2009 (California State Clearinghouse No. 2005042094) and evaluated the environmental effects associated with implementation of the Gold Rush Ranch Specific Plan.

CEQA Guidelines Section 15162 provides that, when an EIR has been certified for a project, a subsequent EIR is not required unless the lead agency determines, based on substantial evidence in light of the whole record, that one or more of the following circumstances apply:

1. Substantial changes are proposed in the project that will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, shows that:
 - a. The project will have one or more significant effects not discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would substantially reduce one or more significant effects, but the project applicant declines to adopt them; or
 - d. Mitigation measures or alternatives that are considerably different from those analyzed

in the previous EIR would substantially reduce one or more significant effects, but project applicant declines to adopt them.

If only minor technical changes or additions are necessary and none of the triggers set forth above have occurred, then the City can prepare an Addendum to the Gold Rush Ranch and Golf Resort Environmental Impact Report (certified by the City Council on December 7, 2009, California State Clearinghouse #2005042094) pursuant to CEQA Guidelines Section 15164, to explain why “some changes or additions” to the certified EIR “are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

The City has completed a consistency checklist to determine whether the Project, proposed within the boundary of the Gold Rush Ranch Specific Plan, is consistent with the EIR that evaluated the impacts of implementing the Specific Plan, and fulfills the CEQA documentation needs of the subject project. Projects that are consistent with the Specific Plan EIR are eligible for CEQA streamlining, as described below.

At the time of this staff report, the project is mostly consistent with the certified EIR with a few outstanding items that the applicant must address to be fully consistent. Inconsistencies have been identified in the following areas:

1. Impact 5-2 Public Services and Utilities

From the original EIR:

The Project could result in adverse physical impacts associated with the provision of 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 public services: fire protection, police protection, schools, parks, and other public facilities. This impact is significant. (EIR, pp. 5-35 to 5-36)

In addition, the City is aware that the Amador County Unified School District is considering the possible development of a new school to serve the residents of the Project and other students throughout the District and that the Project applicant has voluntarily offered to donate approximately 17 acres to the District for a potential school site. The agreement between the Project applicant and the District gives the District the right to investigate the feasibility of using the site for a school for a specified period after approval of the Gold Rush Ranch Project, if the Gold Rush Ranch Project is approved by the City of Sutter Creek. During that time, the Agreement requires the District to complete its own environmental evaluation of the Project pursuant to CEQA.

Significant and unavoidable.

Staff comments: The City is confirming with the school district that given the new phasing, this requirement can be delayed to a future phase. The School District is currently consolidating due to decreasing enrollment and has initially indicated deferral is acceptable. We are asking for a formal letter. Staff recommend deferring this to a future phase.

2. Impact 7-8 Air Quality

From the original EIR:

The Project will result in emissions of greenhouse gases. This impact is significant. (EIR, pp. 7-28 to 7-39)

MM-7-8:

The Project shall prepare and implement GHG emissions reduction plans for all areas to be developed within the Project site, and shall implement all feasible construction-related and long-term GHG emission reduction strategies. GHG reduction plan shall be prepared by the Project applicant and submitted to the City with each tentative small-lot subdivision map application or with a grading permit application for those areas of the Project proposed to be developed without further subdivision. Each GHG emissions reduction plan shall identify all feasible measures to reduce construction-related and long-term GHG emissions associated with development and land uses within the subject area and shall demonstrate compliance with applicable state and local greenhouse gas emission reduction regulations in effect at the time of each tentative small-lot map or grading plan application. Prior to the City's approval of each tentative small-lot map or grading plan, the City shall review and approve the GHG emissions reduction plan, verify that the plan achieves all feasible GHG emission reduction strategies and shall require that the Project implement all feasible strategies identified in the plan. GHG emission reduction measures to be considered for feasibility and incorporation to the GHG emissions reduction plan shall include, but not be limited to, the following:

1. Design measures to reduce vehicle trips and encourage other modes of travel, such as:
 - (a) including high density residential, mixed, or retail/commercial uses within 1/4 mile of activity centers;
 - (b) providing Class I or Class II bike lanes or comparable bikeway connections to existing facilities (residential, commercial, mixed);
 - (c) providing for pedestrian facilities and improvements such as sidewalks and trails with a 5-foot minimum width providing connectivity within and among all residential, commercial and mixed-use areas of the Project; providing parking lot designs with clearly marked and shaded pedestrian pathways towards building entrances (commercial).
2. Include electric vehicle charging facilities at parking areas of all new homes.
3. Provide the minimal amount of car parking required and increase the amount of bike storage and parking areas at both residential and non-residential projects.
4. Payment of transportation impact fees to fund public transit service.
5. Orient lot configurations towards locations at which public transportation options are available.
6. Include energy efficient designs and materials for buildings, appliances, lighting and office equipment.
7. Incorporate use of solar panels, water reuse systems and composting and on-site renewable energy production.
8. Include low-emitting furnaces in all residential, commercial, and mixed-use buildings within the Project.
9. Include skylights in structures to reduce the need for general area lighting on sunny days.
10. Participate in local-area recycling programs through provision of convenient recycling bins and separation facilities.
11. Incorporate landscape designs that reduce energy and water consumption, such as planting

12. Prohibit requirements that front and side yards of single family homes be planted with turf grass, and permit and encourage bunch grass and low-water landscaping;

13. Install Energy Star labeled roof materials in all occupied or other conditioned structures.

14. Provide optimized thermal distribution in all occupied and other conditioned structures by separating ventilation and thermal conditioning systems.

15. Provide highly reflective, highly emissive roofing for all occupied and other conditioned structures.

16. Provide solar water heaters for all occupied and other conditioned structures.

17. Provide energy efficient appliances (e.g., Energy Star) in all residential units and commercial structures.

18. Equip all occupied and conditioned structures with energy-reducing programmable thermostats that automatically adjust temperature settings.

19. Equip all occupied and conditioned structures with low-water use appliances.

Staff Comments: The application is missing bike parking at the proposed park. The applicant should revise the plans to demonstrate compliance with MM-7-8 or provide information demonstrating that the applicable measures have otherwise been satisfied. It is unclear what is meant by item 2 that states “Include electric vehicle charging facilities at parking areas of all new homes”, whether that means at each single family home site or in parking areas for multi-family housing developments that are not included in Phase 1A. State Building code now requires all homes be “EV charging ready” which could meet this requirement. Installation of vehicle charging hardware at individual home sites will be a responsibility of the homeowner.

3. Impact 11-9 Public Safety and Hazards

From the original EIR:

Development and land uses within the Project will expose residents and residential and other structures to wildland fire risk. This impact is significant. (EIR, pp. 11-24 to 11-25)

MM 11-9:

The Project shall prepare both a fuels management program and a coordinated wildland fire emergency response plan that shall be reviewed and approved by the Sutter Creek Fire Protection District prior to approval of the first small-lot subdivision map for the Project and prior to the development of any residential or commercial structures within the Project.

The Project shall retain a qualified consultant to prepare a fuels management program for the Project which shall be reviewed and approved by the Sutter Creek Fire Protection District and reviewed and adopted by the City prior to approval of the first small-lot subdivision map for the Project and prior to the development of any residential or commercial structures within the Project. The fuels management program shall specify minimum separation of structures and areas of natural vegetation, landscaping materials restrictions, vegetation clearing/defensible space requirements and responsible parties, ingress and egress routes for public and firefighter safety, fuels reduction requirements and other Project design and on-going private and public space management requirements for minimizing the potential for wildland fire intrusion to or spread within the Project site or to spread between the Project site and adjacent areas. The

program shall be consistent with the General Guidelines for Creating Defensible Space for compliance with PRC 4291 (State Board of Forestry and Fire Protection and California Department of Forestry and Fire Protection, 2006) or the most current guidance from these agencies. The fuels management program shall identify specific requirements associated with minimizing fuels laddering adjacent to developed areas, prohibitions on the use of flammable plants or materials in public landscaping areas, restrictions or limitations associated with cigarette smoking in open space areas, and outdoor residential burning restrictions/prohibitions.

The program shall include an element of property owner education and enforcement programs to ensure compliance with the programs elements pertaining to private property. The program shall identify funding requirements and a funding mechanism which provides for full funding of development and implementation of the program by the Project.

The Project shall develop a coordinated wildland fire emergency response plan for the Project which shall be reviewed and approved by the Sutter Creek Fire Protection District. The response plan shall identify key emergency response agencies, contacts and coordination responsibilities, on-site access and evacuation routes, funding requirements and mechanisms, training and agency coordination activities, and resident notification plans. The response plan shall be developed with a primary goal of minimizing fire risk to structures and developed areas of the Project; however, the plan shall address management of fires in open space areas to limit the potential spread of open space fires to developed areas, to minimize the potential for wildland fire to spread between the Project and adjacent areas and to minimize fire damage to oak trees and other important vegetation within open space areas.

Staff Comments: The required fuels management program and coordinated wildland fire emergency response plan have not yet been completed. The applicant should provide the required plans for review and approval in accordance with MM-11-9 prior to proceeding with the applicable Project approvals.

4. Impact 12-2 Biological Resources

From the original EIR:

The Project will result in the removal of native trees and loss or degradation of sensitive upland natural communities, including oak woodlands. This impact is significant. (EIR, pp. 12-23 to 12-31)

MM 12-2:

For each acre of oak woodland habitat removed by the Project, the Project shall permanently preserve at least two acres of comparable oak woodland habitat (i.e., preservation shall be accomplished at a 2:1 ratio). The overall 2:1 oak woodland habitat preservation ratio takes into account that some of the retained lands within the Project site or at off-site preserved areas may have reduced wildlife habitat values due to adjacent land uses, size, shape, location, configuration, or connectivity to other natural open space. This measure is considered consistent with the State oak woodland mitigation guidelines for counties in Public Resources Code section 21083.4. (See Final EIR, responses to Comments 2-1113, 20-3.) The Project shall fund the preparation of an Oak Woodlands Management Plan (OWMP) to map and describe oak woodland habitat impacted and preserved by the Project, and to prescribe land uses and an endowment trust to sustainably manage preserved oak woodlands in perpetuity.

12-2(1) Permanent Preservation of Oak Woodland Habitats at a 2:1 Ratio

For each acre of oak woodland habitat removed as a result of development within the Project

site and construction of off-site infrastructure associated with the Project, the Project shall permanently preserve at least two acres of comparable oak woodland habitat. Comparable preserved oak woodland habitat is defined as having within 20 percent of the canopy cover and similar dominant canopy species composition as those removed. Preserved oak woodlands shall be acquired at the 2:1 ratio by the Project applicant in fee or permanent conservation easement prior to the City's issuance of a grading permit for construction activities within any portion of the Project site or for off-site roadway improvements and utility infrastructure installation.

Preservation shall occur pursuant to a City-approved Oak Woodlands Management Plan (OWMP) as described at Mitigation Measure 12-2(2). Preservation shall occur as needed to achieve the required 2:1 preservation prior to removal of oak woodlands and may be implemented on a phased basis pursuant to Project development phasing.

To achieve the requirements of this mitigation measure, the Project shall:

- a. Submit to the City for review, and gain approval of, the OWMP for the area under the grading permit (see Mitigation Measure 12-2(2);
- b. Acquire in fee or permanent conservation easement at least two acres of comparable oak woodland habitat for each acre to be removed pursuant to a Project grading permit;
- c. Transfer to a City-approved qualified land trust the title or easement of the preserved oak woodland parcels; and
- d. Create and fully fund an endowment account which shall be transferred to a City approved qualified land trust in an amount sufficient for the on-going management of the preserved oak woodland habitats.

12-2(2) Oak Woodland Management Plan (OWMP)

The City of Sutter Creek shall retain, at the sole expense of the Project applicant, a Registered Professional Forester (RPF) to prepare or independently review an applicant-prepared OWMP.

The OWMP shall describe and quantify oak woodland habitats to be removed and preserved, including acres of habitat, percent canopy cover, dominant and codominant tree species, and qualitative description of understory species composition including the density and distribution of oak seedlings (1-4" DBH) and snags. The OWMP shall address areas of potential disturbance within the Project site as well as off-site areas of potential disturbance associated with the installation of Project-related roadways and utility infrastructure.

The OWMP shall include a legal description of the proposed preservation property(ies), including location, jurisdiction, current land use(s), land use and zoning designation(s) conservation easement language specifying permitted, conditional and prohibited uses; the monitoring program, proposed easement holder and land manager; an estimate of the on-going annual management cost; and the management endowment trust account.

The City shall review and approve the OWMP, and the preservation area shall be acquired, transferred to a City-approved trust and the management endowment trust account shall be established prior to the City's issuance of a grading permit for grading within the Project site or for off-site roadway improvements and utility infrastructure installation. Preservation shall occur as needed to achieve the required 2:1 preservation prior to removal of oak woodlands and a separate OWMP may be prepared for each grading permit application.

Staff Comment: The required Oak Woodland Management Plan has not yet been completed. The applicant must demonstrate compliance with the mitigation measures outlined in MM-12-2 (e.g., details outlined under 12-2(2) and 12-2(1) above) prior to issuance of the applicable

5. Impact 14-3 Visual Resources

From the original EIR:

Development of the Project will result in a substantial and permanent change to the existing visual character of the Project site as viewed from off-site areas. This impact is significant. (EIR, pp.14-16 to 14-20)

MM 14-3:

The height and amount of development on hilltops and ridgelines shall be minimized and native trees shall be preserved within the Project site to the greatest extent feasible to reduce visibility of development within the Project from off-site areas.

1. Upon submittal of a grading plan, small-lot subdivision map and other Project-related development applications to the City, the Project applicant shall demonstrate to the satisfaction of the City that visual effects associated with development on hilltops or ridgelines have been minimized. This measure shall be achieved through incorporation of the following measures into the Project Specific Plan development standards and the Project applicant shall demonstrate consistency with the standards upon submittal of Project-related applications:

a) No new structures can protrude above the crest of a visible skyline ridge more than 15 feet, unless obscured by vegetation.

b) No major ridgelines shall be altered.

c) Development along ridgelines and hilltops shall be low, built into the natural topography, and buffered from view with landscaping.

2. Upon submittal of grading plans, small-lot subdivision maps and other Project-related applications to the City, the Project applicant shall demonstrate to the satisfaction of the City that existing native trees will be preserved within the subject areas to the greatest extent feasible to reduce the visibility of development within the Project from off-site areas

Staff Comment: As discussed above there is a disagreement between staff and the applicant on the degree of compliance to ridgeline protection measures. For example, home sites along the ridgeline (e.g., 19, 125, and 117) appear to be located immediately on top of the ridgeline and homes constructed on these lots may protrude more than 15 feet above the crest of the visible ridge. Additional information is needed from the applicant to confirm compliance with this mitigation measure.

6. Impact 14-6 Visual Resources

From the original EIR:

The Valley View Way extension will remove nine heritage oak trees. This impact is significant. (EIR, pp. 14-22 to 4-23)

MM 14-6:

Prior to the City's approval of a final alignment and grading plan for the Valley View Way extension, the Project applicant shall demonstrate that the alignment and grading plan minimize removal of oak trees resulting from the extension of Valley View Way to the Project site. The Valley View Way extension shall include landscaping consistent with the final Project development standards and design guidelines.

1. Prior to the City's approval of a final alignment and grading plan for the Valley View Way extension, the Project applicant shall demonstrate that the alignment and grading plan minimizes the removal of oak trees resulting from the extension of Valley View Way to the Project site. The City shall determine that the final alignment and grading plan minimize the removal of oak trees as necessary to result in no more than a low degree of adverse change to the visual character of the area within and adjacent to the extension alignment as viewed from SR 49 and the existing segment of Valley View Way.

2. The Valley View Way extension shall include landscaping commensurate with landscaping consistent with the final Project development standards and design guidelines.

Staff comment: Based on the plans and information provided by the applicant, approximately 65 trees are proposed for removal to extend Valley View Way to the Project site, of which approximately 25 are considered heritage (e.g., any other tree which has a trunk with a diameter of sixteen inches or more, measured at forty-eight inches above natural grade.). This substantially exceeds the nine heritage oak trees identified in the certified EIR. The City needs additional information regarding the number, species, size, and location of the trees proposed for removal to evaluate whether removal of trees has been minimized or the proposed tree removal represents a substantial change from the project evaluated in the certified EIR. The applicant should also demonstrate compliance with MM-14-6 by providing an alignment and grading plan that minimizes tree removal to the extent required by the mitigation measure. City staff recognize that it is possible that during the period since the certified EIR was prepared, tree growth has resulted in a larger number of existing "heritage oaks" within the Valley View Way extension area. However, as mentioned above, updated plans are needed to confirm that loss of qualifying "heritage oaks" trees is minimized to the extent feasible.

CEQA Compliance / Consistency with Certified EIR

At the time of the writing of this staff report, the proposed Phase 1A project has not demonstrated complete consistency with the certified Gold Rush Ranch and Golf Resort EIR and the mitigation measures adopted as part of the Project approvals. Six items are either incomplete or partially complete and involve outstanding documentation, design revisions, or implementation of mitigation measures that were already evaluated and adopted as part of the certified EIR. These items should be addressed by the applicant before the City makes a final determination regarding the project's CEQA compliance.

The applicant may update the project and/or provide the information necessary to demonstrate compliance with the certified EIR and its mitigation measures. If the project is revised to conform to the assumptions, development standards, and mitigation measures evaluated in the certified EIR, the City can rely on the existing certified EIR, subject to the City's final determination regarding the applicability of the existing CEQA documentation.

Separately, the City must evaluate whether any proposed changes to the Project, including changes in tree removal, circulation, development intensity, public services, or other physical characteristics, constitute substantial changes under CEQA Guidelines Section 15162. The City must also consider whether substantial changes in circumstances or new information of substantial importance have occurred that could result in new significant environmental effects or substantially more severe previously identified effects.

If the City determines that none of the circumstances identified in Section 15162 have occurred, but changes or additions to the certified EIR are necessary to address the proposed Phase 1A project, the City may prepare an Addendum pursuant to CEQA Guidelines Section 15164.

Accordingly, staff recommends that the applicant first address the outstanding inconsistencies and demonstrate compliance with the applicable mitigation measures identified above. Following receipt and review of the revised plans and supporting documentation, the City can finalize its Section 15162 analysis and determine the appropriate CEQA documentation for the proposed Phase 1A project.

REFERRAL COMMENTS:

As part of the project review process, application materials are sent out to outside agencies for review and comment.

On October 1, 2025, a referral package was sent to Environmental Health Department, ACTC, Amador Water Agency, PG&E, Sutter Creek Fire Protection District, Public Works, City Sanitation Engineer, Caltrans District 10, City Engineering/Building Dept., Amador Co. Planning, Sutter Creek Police Department, Amador Co. LAFCo, Sutter Creek Finance Department, Amador Co. Assessor, Amador Fire Protection District, DTSC, RWQCB, ARSA, Amador Westover Field (Airport), ACRA, Dept. of Fish and Wildlife.

The City received comments back from ACTC, Caltrans, DTSC, PG&E, AWA, City of Sutter Creek Engineering Dept., LAFCo, and RWQCB. The referral comment letters are attached to this report. We have reviewed the referral comments and in general they ask that the City comply with EIR mitigation measures and/or conditions of approval from the Specific Plan. Caltrans and ACTC are asking for an updated traffic impact study which has been prepared by the applicant and provided to the City.

NEXT STEPS:

At this time, staff has identified the outstanding issues to be resolved before the City can make a final determination regarding the proposed Phase 1A project, including consistency with the certified Gold Rush Ranch and Golf Resort EIR, compliance with applicable mitigation measures and Conditions of Approval, infrastructure and circulation requirements, and the development standards discussed in this report.

These issues include:

1. Assign need for a new school to future phases beyond initial 150 homes
2. Accept “EV Charger ready” building code requirement within the proposed project area as compliance with the EIR and provide bike parking at the neighborhood park
3. Provide Fuels Mgmt and Wildfire plan approved by Fire District
4. Provide Oak Woodlands Management Plan that includes the details for the required 2:1 oak woodland preservation ratio and preservation plan.
5. Planning Commission decision on any conditions of approval or unavoidable impact to scenic ridge in middle of housing project
6. Remove no more than 9 of the Heritage Oaks in the Valley View Way extension area located to the north of the Project OR demonstrate how impacts are being minimized as required in the GRR-SP

The Planning commission can either:

1. Approve or Reject the project based on the required findings if all required items are provided by the date of the meeting.
2. Provide feedback and direction on items presented here and continue the meeting to a future date for consideration of the remaining items.

The Planning Commission may approve the tentative subdivision map only if it determines none of the findings requiring denial of the map under the Municipal Code can be made:

Chapter 17.12 - TENTATIVE MAPS

17.12.100 - Planning commission action on the tentative map.

The planning commission shall take action on a tentative map within fifty calendar days of the date on which the application is deemed complete. If an environmental impact report is required, the planning commission shall render its report or decision required by this section within forty-five calendar days after certification of the environmental impact report.

The planning commission shall determine whether the tentative map is in conformity with the general plan, with the proper standards for lot and street design, with the improvement standards of the city, and with all provisions of this title. As conditions of approval, the commission may require a dedication of real property within the proposed subdivision for roads, including access and abutter's rights, drainage, public utility and other easements, may require the construction of reasonable off-site and on-site improvements for the parcels being created, and may impose other conditions of approval as the commission deems are necessary to ensure the public health, safety, and welfare.

Approval of a tentative or final map shall be denied by the city when it makes any of the following findings:

- A. The proposed subdivision is not consistent with the general plan, any applicable specific, special or community plan, or the city subdivision ordinance; or*
- B. The subject property is not physically suitable for the type of development proposed; or*
- C. The design of the proposed subdivision or its proposed improvements is likely to cause serious public health problems; or*
- D. The design of the proposed subdivision or its improvements is likely to cause substantial environmental damage or substantially and avoidable injury to fish or wildlife in their habitat; or*
- E. The design of the proposed subdivision or the type of improvements will conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The local agency may approve a map if it finds that alternative easements for access or for use will be substantially equivalent to those previously acquired by the public. This subsection shall apply only to easements of record, or to easements established by judgment of a court of competent jurisdiction; or*
- F. The discharge of liquid or solid waste into a sewer or individual sewage disposal system would result in violation or add to a violation of existing requirements prescribed by the local health officer or the Central Valley Regional Water Quality Control Board; or*
- G. The proposed subdivision does not provide, to the extent feasible, for future passive or natural heating or cooling opportunities for the proposed new parcels. "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.*

Attachments:

**Links go to the Planning Section at the City Web site, cityofsuttercreek.org
Sutter Creek Ranch Tentative Subdivision Map Application Materials**

- [Tentative Subdivision Map #172](#)
- [Traffic Impact Study](#)
- [Responses to Attachment](#)
- [Bike and Trail Plan](#)
- [Park Layout Exhibit](#)
- [Oak Woodland Preservation Areas Exhibit](#)
- [Exhibits PEA](#)
- [Drainage Basin Exhibit](#)
- [Greenhouse Gas Emission Reduction Plan](#)
- [Lighting Plan](#)
- [Noise Analysis](#)
- [Preliminary Stormwater Quality Report](#)
- [Geotechnical Report](#)
- [Pre-Development Arborist Report](#)
- [Tree Inventory](#)
- B. Sutter Creek Ranch Phase 1A DRAFT Conditions of Approval (COAs)
- C. DRAFT Resolution
- D. EIR consistency checklist
- E. [Caltrans Comment Letter](#)
- F. [DTSC Comment Letter](#)
- G. [PG&E Comment Letter](#)
- H. [AWA Comment Letter](#)
- I. [LAFCO Comment Letter](#)
- J. [RWQCB Comment Letter](#)

Links

1. [Gold Rush Ranch - Specific Plan](#)
www.cityofsuttercreek.org/media/9991
2. [Gold Rush Ranch Final Environmental Impact Report](#)
<https://www.cityofsuttercreek.org/planning-building/page/gold-rush-ranch-specific-plan-eir>
3. [July 15, 2019 City Council staff report terminating the Development Agreement](#)
<https://www.cityofsuttercreek.org/media/4441>
4. [Mitigation Monitoring and Reporting Program](#)
<https://www.cityofsuttercreek.org/media/11196>

Tentative Subdivision Map #172

Sutter Creek Ranch Phase 1A

Gold Rush Ranch Specific Plan Area

Conditions of Approval (Attachment B)

Note: Based on the requirements of the Gold Rush Ranch Specific Plan, the Environmental Impact Report Mitigation Monitoring and Reporting Program (MMRP), and comments received from reviewing agencies, the items identified in this chart have been categorized according to when they must be addressed:

1. Required for the application to be deemed complete;
2. Required for Planning Commission review prior to approval of the small lot tentative subdivision map;
3. Required prior to approval of the final subdivision map; or
4. Required prior to issuance of a grading or building permit.

Items in Categories 1 and 2 must be provided to the City prior to approval of the small lot tentative subdivision map. Items in Categories 3 and 4 may be addressed through conditions of approval, with submittal, completion, or compliance required at the applicable stage of project implementation.

Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
Conditions based on GRR-SP Attachment J						
1.0- Conditions that Apply to Each Phase, Area, and Activity within the GRR-Project and are Ongoing						
1.1	Defend, indemnify, and hold harmless the City	City of Sutter Creek	✓		✓	
1.2	Payment of applicable costs and fees prior to entitlements	City of Sutter Creek	✓		✓	
1.3	Enforcement of COAs	City of Sutter Creek	✓		✓	
1.4	Compliance with Architectural and Landscape Design Standards (Attachment A)	City of Sutter Creek	✓		✓	
1.5	Compliance with Oak Woodlands & Rare Plant Plan (Attachment B)	City of Sutter Creek	✓	✓		
1.6	Compliance with Wildlife Habitat Management Plan (Attachment C)	City of Sutter Creek	✓		✓	Prior to grading permit
1.7	Compliance with Water Resources Management Plan (Attachment D)	City of Sutter Creek	✓		✓	
1.8	Compliance with Cultural Resource Management Plan (Attachment E)	City of Sutter Creek	✓		✓	Prior to grading permit
1.9	Compliance with Fire Safety & Evacuation Plan (Attachment F)	City of Sutter Creek Sutter Creek Fire	✓	✓		MM 11-9 SP: Prior to Final Map EIR: Prior to TSM ap

Tentative Subdivision Map #172

Sutter Creek Ranch Phase 1A

Gold Rush Ranch Specific Plan Area

Conditions of Approval (Attachment B)

Note: Based on the requirements of the Gold Rush Ranch Specific Plan, the Environmental Impact Report Mitigation Monitoring and Reporting Program (MMRP), and comments received from reviewing agencies, the items identified in this chart have been categorized according to when they must be addressed:

1. Required for the application to be deemed complete;
2. Required for Planning Commission review prior to approval of the small lot tentative subdivision map;
3. Required prior to approval of the final subdivision map; or
4. Required prior to issuance of a grading or building permit.

Items in Categories 1 and 2 must be provided to the City prior to approval of the small lot tentative subdivision map. Items in Categories 3 and 4 may be addressed through conditions of approval, with submittal, completion, or compliance required at the applicable stage of project implementation.

Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
1.10	Compliance with Construction Management Practices (Attachment G)	City of Sutter Creek Engineering Dept. Building Dept	✓		✓	
1.11	Compliance with Grading Standards (Attachment H)	City of Sutter Creek Engineering Department	✓	✓	✓	Planning Commission shall confirm compliance
1.12	Compliance with Golf Course Best Management Practices (Attachment I)	City of Sutter Creek	NA	NA	NA	
1.13	Compliance with Project Application Requirements (Attachment K)	City of Sutter Creek Engineering Dept.	✓	✓	✓	
1.14	Wastewater Treatment	City of Sutter Creek	✓		✓	NA
1.15	Golf Course	City of Sutter Creek	NA	NA	NA	
1.16	Compliance with the MMRP and associated fees	City of Sutter Creek	✓	✓	✓	
1.17	Building Permit Fees	City of Sutter Creek	✓		✓	
1.18	Waste Water Treatment sufficient capacity	City of Sutter Creek	✓		✓	MM 5-9
1.19	Pay City transfer fee	City of Sutter Creek	✓		✓	
1.20	Comply with grading standards	City of Sutter Creek Engineering	✓	✓		Planning Commission Discretion
1.21	Annexation into the Sutter Creek Fire Protection	City of Sutter Creek	✓		✓	

Section 5, Item A.

Tentative Subdivision Map #172

Sutter Creek Ranch Phase 1A

Gold Rush Ranch Specific Plan Area

Conditions of Approval (Attachment B)

Note: Based on the requirements of the Gold Rush Ranch Specific Plan, the Environmental Impact Report Mitigation Monitoring and Reporting Program (MMRP), and comments received from reviewing agencies, the items identified in this chart have been categorized according to when they must be addressed:

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Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
1.22	Comply with Phasing Schedule GRR-SP Section 4.4	City of Sutter Creek	✓		✓	City Council Discretion
1.23	Use of reclaimed water	City of Sutter Creek	✓		✓	
1.24	Use of reclaimed water	City of Sutter Creek	✓		✓	
1.25	Golf Course operations	City of Sutter Creek	NA	NA	NA	
1.26	Parks operations	City of Sutter Creek	✓		✓	MM 8-10
1.27	Acknowledgment of noise	City of Sutter Creek	✓		✓	MM 15-4
1.28	Building Permit requirements - wood burning and Title 24	City of Sutter Creek Building Department	✓		✓	MM 7-5
1.29	Large special events	City of Sutter Creek	NA	NA	NA	MM 15-5
1.30	Removal Action Workplan (RAW)	City of Sutter Creek	✓		✓	MM 10-4
1.31	Roadway construction standards	City of Sutter Creek	✓		✓	
1.32	Allen Ranch Rd./Valley View- Oak tree removal	City of Sutter Creek	✓	✓	✓	MM 14-6
1.33	Bus stops	ACTC/ARTS	✓		✓	
1.34	Residential community gates	City of Sutter Creek	NA	NA	NA	MM 11-8
1.35	Regional and Local Traffic Impact Fees at building	City of Sutter Creek	✓		✓	MM 6-7
1.36	Right of ways, roadway and intersection	ACTC	✓		✓	MM 6-7
1.37	Right of ways, roadway and intersection	ACTC	✓		✓	MM 6-2
1.38	Roadway construction and improvements	City of Sutter Creek	NA	NA	NA	MM 11-7
1.39	Greenhouse Gas (GHG) reduction plan	City of Sutter Creek	✓		✓	MM 7-8

Tentative Subdivision Map #172 **Sutter Creek Ranch Phase 1A** **Gold Rush Ranch Specific Plan Area** **Conditions of Approval (Attachment B)**

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Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
1.40	Acoustical analysis	City of Sutter Creek	NA	NA	NA	MM 8-9
1.41	Hiking and biking trails	City of Sutter Creek	✓		✓	
1.42	Community Park	City of Sutter Creek	✓		✓	
1.43	Backbone infrastructure	Engineering Dept.				
1.44	Fire safety program	AWA	✓		✓	
		Fire Dept.	✓		✓	
1.45	International Crime Prevention through Environmental Design (CPTED) Association design standards	Police Dept.	✓		✓	
2.0 - Conditions that Apply to the Large Lot Subdivision Map(s)						
2.1	Contact info of Master Developer and schedule	City of Sutter Creek	✓		✓	
2.2	Creation of a CFD	City of Sutter Creek	✓		✓	
2.3	Gold Rush Ranch Master Homeowners Association	City of Sutter Creek	✓		✓	
2.4	Annexation into the City of Sutter Creek and the Sutter Creek Fire Protection District- fees	City of Sutter Creek LAFCo	✓		✓	
2.5	Annexation into the City of Sutter Creek and the Sutter Creek Fire Protection District	City of Sutter Creek LAFCo	✓		✓	
2.6	Oak Woodland Management Plan in accordance with GRR-SP Attachment B.	City of Sutter Creek	✓	✓	✓	

Tentative Subdivision Map #172

Sutter Creek Ranch Phase 1A

Gold Rush Ranch Specific Plan Area

Conditions of Approval (Attachment B)

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Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
2.7	Wildlife Habitat Management Plan in accordance with GRR-SP Attachment C.	City of Sutter Creek	✓		✓	
2.8	Stormwater Management Plan in accordance with GRR-SP Attachment D.	City of Sutter Creek	✓		✓	
2.9	Fire Safety, Emergency Response, and Evacuation Plan in accordance with GRR-SP Attachment F	City of Sutter Creek Fire Dept.	✓		✓	
2.10	Off-Site Infrastructure and Utility Plan	City of Sutter Creek	✓		✓	
2.11	Urban Runoff Best Management Practices (BMP)	DTSC	✓		✓	MM 10-3
2.12	Urban Runoff Best Management Practices (BMP)	DTSC	✓		✓	MM 10-3
2.13	Raw water for golf course	AWA	NA	NA	NA	MM 5-6
2.14	Irrevocable Offers of Dedication - Roads	City of Sutter Creek	✓		✓	
2.15	Irrevocable Offers of Dedication - Parks	City of Sutter Creek	✓		✓	
2.16	Open Space and trails plan	City of Sutter Creek	✓		✓	
2.17	Funding for the perpetual maintenance, management, and administration (including liability insurance) of the open space, open space trail system, trailhead parking, and the two passive parks	City of Sutter Creek ARCA	✓		✓	

Tentative Subdivision Map #172

Sutter Creek Ranch Phase 1A

Gold Rush Ranch Specific Plan Area

Conditions of Approval (Attachment B)

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Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
	Provide documentation of recorded deed restrictions for Large Lots 23, 24, and 25 (aka Parcels W, X, and Y) ensuring permanent maintenance as a golf course and spray easement for reclaimed wastewater.	City of Sutter Creek	NA		NA	
2.18						
2.19	Wastewater facilities	City of Sutter Creek	✓		✓	MM 5-9
2.20	Sewer Facilities	City of Sutter Creek	✓		✓	MM 5-9
2.21	Roadway- SR 104/Allen Ranch Rd./Road D	City of Sutter Creek	✓		✓	
2.22	Gold Rush Ranch Parkway/Road D intersection	City of Sutter Creek	NA		NA	MM 6-5
2.23	Ingress and egress Lots 22 and 26	Caltrans	NA		NA	MM 6-6
2.24	DTSC approval	DTSC	✓		✓	MM 11-5
2.25	Cultural Resource preservation	Local tribes	✓		✓	MM 13-4
3.0 - Conditions that Apply to Subsequent Development, Small Lot Subdivision Maps & Parcel Maps within the GRR-Project						
3.1	Oak Woodland Management Plan- Attachment B	City of Sutter Creek	✓	✓	✓	
3.2	Rare Plant Management Plan - Attachment B	City of Sutter Creek	✓		✓	
3.3	Wildlife Habitat Management Plan Attachment C	City of Sutter Creek	✓		✓	
3.4	Water Resources Management Plan - Attachment D.	City of Sutter Creek	✓		✓	
3.5	Cultural Resources Management Plan - Attachment E.	City of Sutter Creek Local Tribes	✓		✓	

Tentative Subdivision Map #172

Sutter Creek Ranch Phase 1A

Gold Rush Ranch Specific Plan Area

Conditions of Approval (Attachment B)

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Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
3.6	Fire Safety, Emergency Response, and Evacuation Plan - Attachment F.	City of Sutter Creek Fire Dept.	✓		✓	
3.7	Fire Safety, Emergency Response, and Evacuation Plan - Attachment F.	City of Sutter Creek Fire Dept.	✓		✓	
3.8	Construction Management Practices - Attachment G	City of Sutter Creek Engineering Dept. Building Dept.	✓		✓	
3.9	Grading Standards- Attachment H	City of Sutter Creek Engineering Dept. Building Dept.	✓	✓	✓	
3.10	Waste water system capacity	City of Sutter Creek Public Works	✓		✓	MM 5-9
3.11	Sewage collection system improvements	City of Sutter Creek Public Works	✓		✓	MM 5-9
3.12	Sewage collection system improvements	City of Sutter Creek Public Works	✓		✓	MM 5-9
3.13	Effluent conveyance facilities necessary for conveyance of reclaimed water	City of Sutter Creek Public Works	✓		✓	

Tentative Subdivision Map #172

Sutter Creek Ranch Phase 1A

Gold Rush Ranch Specific Plan Area

Conditions of Approval (Attachment B)

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Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Approval	Comments
3.14	Will serve from AWA- water service	AWA	✓	✓	✓	MM 5-6
3.15	Will serve from AWA for potable and raw water	AWA	✓	✓	✓	MM 5-6
3.16	AWA approved plans for public water supply and fire protection	AWA	✓	✓	✓	MM 5-6
3.17	Average lot size within each large lot is 7,000 sf	City of Sutter Creek	✓	✓	✓	
3.18	GRR-SP GRR Implementation Measure 3.10-1 low and moderate income housing	City of Sutter Creek	✓	✓	✓	
3.19	Irrevocable Offers of Dedication	City of Sutter Creek Public Works	✓		✓	MM 5-10
3.20	Easements and notice regarding noise	City of Sutter Creek Westover Field	✓		✓	
3.21	Backbone infrastructure	Engineering Dept. AWA	✓		✓	MM 9-2 MM 9-3
3.22	Geotechnical evaluation	Engineering Dept.	✓		✓	
3.23	Logtown Ridge Formation and the Foothill Melange-Ophiolite Formation	City of Sutter Creek Engineering Dept.	✓		✓	MM 9-2
3.24	Adequate facilities that provide for access to open	City of Sutter Creek	✓		✓	
3.25	Landscaping and associated facilities for public	City of Sutter Creek	✓		✓	

Tentative Subdivision Map #172 Sutter Creek Ranch Phase 1A Gold Rush Ranch Specific Plan Area Conditions of Approval (Attachment B)

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Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
3.26	Sutter Creek Fire Protection District- conditions	Sutter Creek Fire	✓	✓	✓	MM 15-4
3.27	Large Lots 13 and 14 (aka Villages M and N) -	City of Sutter Creek	NA	NA	NA	MM 15-4
3.28	Roadway, bike, and ped facilities, landscaping,	City of Sutter Creek	✓	✓	✓	MM 6-2
3.29	Bus turnout at SR104	ACTC	✓	✓	✓	
3.30	Circulation for peds and golf carts		✓	✓	✓	MM 6-5
3.31	Direct residential driveway access to GRR-Project		✓	✓	✓	MM 6-5
3.32	Sewer facilities	City of Sutter Creek	✓	✓	✓	MM 7-3
3.33	Noise buffering	City of Sutter Creek	✓	✓	✓	MM 8-8
3.34	emergency parking for 500 feet of road surface	City of Sutter Creek	NA	NA	NA	
3.35	Street and road design shall not contain cul-de-sacs or dead end streets where feasible.	City of Sutter Creek Engineering Dept.	✓	✓	✓	
3.36	No residential properties within the GRR-Project shall be located within 100 feet of an adjacent agricultural-zoned property.					
		City of Sutter Creek	✓		✓	
3.37	Fencing between project and ag lands	City of Sutter Creek	✓	✓	✓	MM 8-11
3.38	Noise levels	City of Sutter Creek	✓	✓	✓	
3.39	Materials or substances which may pose a health	City of Sutter Creek	✓	✓	✓	
3.40	Grinding rock site	City of Sutter Creek	NA	NA	NA	MM 11-3
3.41	Protect and preserve paleontological resources	City of Sutter Creek	NA	NA	NA	MM 13-5

Tentative Subdivision Map #172

Sutter Creek Ranch Phase 1A

Gold Rush Ranch Specific Plan Area

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Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
3.42	Golf course maintenance	City of Sutter Creek	NA	NA	NA	MM 8-7
3.43	Prepare and distribute to residents and post in public areas and at interval-ownership vacation units a brochure that identifies natural hazards present within and adjacent to the Project site	City of Sutter Creek	✓	✓	✓	MM 11-6
3.44	Each mixed use area in the GRR-Project (located on Large Lots 17 and 18 and Large Lots 22 and 26) shall include a community gathering area(s).	City of Sutter Creek	NA	NA	NA	
3.45	Submit a letter or other documentation from the Amador County Unified School District confirming compliance with the terms and conditions of the School Facilities Mitigation Agreement and an Option and Agreement for Conveyance of Property	Amador County School District	✓	✓	✓	

Conditions based on the Mitigation Monitoring and Reporting Program (MMRP)

MMRP 5-10	Public Services and Utilities- Park Land	City of Sutter Creek	✓	✓	✓	
MMRP 6-3	Transportation and Circulation - CSD	City of Sutter Creek	✓	✓	✓	
MMRP 6-4	Transportation and Circulation - construction-period traffic management plan	City of Sutter Creek	✓	✓	✓	
MMRP 7-2	Air Quality - Construction Activities	CalTrans City of Sutter Creek	✓	✓	✓	

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Sutter Creek Ranch Phase 1A

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Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
MMRP 7-8	Air Quality - Greenhouse Gases	City of Sutter Creek	✓	✓		Inconsistent
MMRP 8-3	Noise - Construction Activities	City of Sutter Creek	✓		✓	
MMRP 8-4	Noise - Construction Activities	City of Sutter Creek	✓		✓	
MMRP 8-5	Noise - Construction Activities	City of Sutter Creek	✓		✓	
MMRP 8-6	Noise - Construction Activities	City of Sutter Creek	✓		✓	
MMRP 8-10	Noise - Parks	City of Sutter Creek	✓		✓	
MMRP 8-11	Noise	City of Sutter Creek	✓		✓	
MMRP 9-5	Soils and Geology - SWPPP	City of Sutter Creek	✓		✓	
MMRP 9-6	Soils and Geology	City of Sutter Creek	✓		✓	
MMRP 10-3	Hydrology and Water Quality	City of Sutter Creek	✓		✓	
MMRP 10-4	Hydrology and Water Quality	City of Sutter Creek DTSC	✓		✓	
MMRP 10-8	Hydrology and Water Quality - Drainage Study	City of Sutter Creek	✓		✓	
MMRP 11-3	Public Safety and Hazards	City of Sutter Creek	✓		✓	
MMRP 11-4	Public Safety and Hazards	City of Sutter Creek	✓		✓	
MMRP 11-6	Public Safety and Hazards	City of Sutter Creek	✓		✓	
MMRP 11-9	Public Safety and Hazards - Fuels Management	City of Sutter Creek	✓	✓		Inconsistent

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Sutter Creek Ranch Phase 1A

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Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
MMRP 12-2	Biological Resources- Oak Woodland Management Plan	City of Sutter Creek	✓	✓		Inconsistent
MMRP 12-5	Biological Resources- Nesting Birds	City of Sutter Creek	✓		✓	
MMRP 12-6	Biological Resources- Vegetation Clearing	City of Sutter Creek	✓		✓	
MMRP 12-7	Biological Resources	City of Sutter Creek	✓		✓	
MMRP 12-8	Biological Resources	City of Sutter Creek	✓		✓	
MMRP 12-9	Biological Resources	City of Sutter Creek	✓		✓	
MMRP 13-3	Cultural and Paleontological Resources	City of Sutter Creek	✓		✓	
MMRP 13-6	Cultural and Paleontological Resources	City of Sutter Creek	✓		✓	
MMRP 14-2	Visual Resources	City of Sutter Creek	✓		✓	
MMRP 14-3	Visual Resources	City of Sutter Creek	✓	✓		Inconsistent

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Sutter Creek Ranch Phase 1A

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Condition of Approval #	Summary	Responsible Agency	Phase 1A requirement	Requirement for complete application	Condition of Approval	Comments
MMRP						
14-5	Visual Resources	City of Sutter Creek	✓		✓	
MMRP						
14-6	Visual Resources	City of Sutter Creek	✓	✓		Inconsistent

Conditions based on Agencies Comments						
ACTC		ACTC	✓		✓	
CalTrans		CalTrans	✓		✓	
DTSC		DTSC	✓		✓	
PG&E		PG&E	✓		✓	
AWA		AWA	✓		✓	
RWQCB		RWQCB	✓		✓	

RESOLUTION 26-27-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SUTTER CREEK APPROVING TENTATIVE SUBDIVISION MAP 172-
SUTTER CREEK RANCH PHASE 1A**

WHEREAS, in 2010, the City Council of the City of Sutter Creek approved the Gold Rush Ranch Specific Plan (GRR-SP), together with the associated Gold Rush Ranch and Golf Resort Environmental Impact Report (EIR), certified on December 7, 2009, State Clearinghouse No. 2005042094; and

WHEREAS, the Gold Rush Ranch Specific Plan establishes the land use framework, development standards, infrastructure requirements, environmental protections, and phasing for approximately 945 acres located northwest of State Routes 49, 88, and 104; and

WHEREAS, Tentative Subdivision Map No. 172 proposes to subdivide approximately 39 acres into 150 residential lots ranging in size from approximately 7,000 square feet to 14,624 square feet, a 0.51-acre neighborhood park lot (Lot B), a 1.01-acre water tank site (Lot A), four (4) additional letter lots including an ag buffer lot (Lot F) and the identification of a 17.5-acre community park site; an extension of Valley View Way to State Route 104; and

WHEREAS, the City Council retains authority to determine whether to modify the phasing established by the Gold Rush Ranch Specific Plan to accommodate the proposed Phase 1A development; and

WHEREAS, the project is subject to the Conditions of Approval established in Attachment J of the Gold Rush Ranch Specific Plan, including conditions applicable to each phase, large-lot subdivision maps, and subsequent development; and

WHEREAS, the project is subject to the Project Application Requirements established in Attachment K of the Gold Rush Ranch Specific Plan, including requirements applicable to each phase, large-lot subdivision maps, and subsequent development; and

WHEREAS, the Planning Commission considered the proposed subdivision, the staff report and attachments, the project plans, public testimony, agency comments, the Gold Rush Ranch Specific Plan, the certified EIR, the applicable Conditions of Approval, and other evidence in the administrative record; and

WHEREAS, the Planning Commission did at said public hearing on October 26, 2026 receive a report from the planning staff, receive input from the Applicant and members of the public in attendance at said public hearing, and at the closing of said public hearing did deliberate and consider the same; and

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SUTTER CREEK
DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. RECITALS

The foregoing recitals are true and correct and are incorporated into this Resolution by reference.

SECTION 2. CEQA DETERMINATION

The Planning Commission has considered the environmental effects of the proposed Sutter Creek Ranch

Phase 1A project pursuant to the California Environmental Quality Act (CEQA).

The City certified the Gold Rush Ranch and Golf Resort EIR on December 7, 2009 (State Clearinghouse No. 2005042094). The certified EIR evaluated development within the Gold Rush Ranch Specific Plan area, including residential development, roadways, parks, utilities, and other associated improvements.

The proposed Phase 1A project must be evaluated pursuant to CEQA Guidelines Sections 15162 and 15164 to determine whether subsequent environmental review is required or whether an addendum to the certified EIR is appropriate.

Prior to adoption of this Resolution, the City shall complete its CEQA review and make the applicable environmental determination based on substantial evidence in the whole record. If the City determines that an addendum is appropriate, the addendum shall be considered and adopted in accordance with CEQA Guidelines Section 15164. If the City determines that one or more circumstances under CEQA Guidelines Section 15162 apply, the City shall complete the subsequent environmental review required by CEQA before acting on the project.

The City's final CEQA determination shall address, as applicable, the outstanding matters identified in the staff report and EIR consistency review, including:

1. Public services and utilities, including the timing and applicability of school-related requirements.
2. Greenhouse gas reduction measures under Mitigation Measure MM-7-8.
3. Wildland fire and fuels management requirements under Mitigation Measure MM-11-9.
4. Oak woodland preservation and management under Mitigation Measure MM-12-2.
5. Scenic ridgeline protection and visual resources under Mitigation Measure MM-14-3.
6. Heritage oak tree removal and the Valley View Way extension under Mitigation Measure MM-14-6.
7. Any other applicable mitigation measures, project changes, or new information relevant to the City's determination under CEQA.

The Planning Commission's action on the Tentative Subdivision Map shall not be construed as a final CEQA determination unless and until the applicable CEQA document and findings have been completed and adopted by the appropriate decision-making body.

SECTION 3. FINDINGS FOR APPROVAL OF THE TENTATIVE SUBDIVISION MAP

Pursuant to Sutter Creek Municipal Code Section 17.12.100, the Planning Commission has reviewed the proposed Sutter Creek Ranch Phase 1A Tentative Subdivision Map, the staff report and supporting documents, the public testimony, the Gold Rush Ranch Specific Plan, the certified Gold Rush Ranch and Golf Resort Environmental Impact Report (EIR), and other evidence in the administrative record.

Based on that review, and subject to the completion of the required CEQA determination and satisfaction of the applicable conditions of approval, the Planning Commission makes the following findings:

A. Consistency with the General Plan, Applicable Specific Plans, and Subdivision Ordinance

The proposed subdivision is located within the Gold Rush Ranch Specific Plan area and proposes 150 residential lots, a 0.51-acre neighborhood park lot, a 1.01-acre water tank site, identification of a 17.5-acre community park site, and the extension of Valley View Way to State Route 104.

The project is subject to the Gold Rush Ranch Specific Plan, including its applicable land use designations, development standards, grading requirements, infrastructure obligations, environmental protections, and Conditions of Approval. The proposed subdivision shall also comply with the applicable provisions of the Sutter Creek Municipal Code, including Title 17, and the California Subdivision Map Act.

The Planning Commission finds that the proposed subdivision is consistent with the applicable General Plan, Specific Plan, and subdivision requirements, provided that the outstanding inconsistencies identified in the staff report are resolved, the applicable Conditions of Approval are satisfied, and any necessary modification to the Specific Plan's phasing is approved by the City Council.

B. Physical Suitability of the Property for the Proposed Development

The property is located within an area designated for development under the Gold Rush Ranch Specific Plan. The proposed subdivision includes residential lots, park sites, a water tank site, roadways, and associated infrastructure.

The site includes areas subject to grading restrictions, topographic constraints, and scenic ridgeline protection requirements. The City has identified questions concerning the developability of certain lots, the extent of proposed grading, and potential impacts to scenic ridgelines and existing trees.

The Planning Commission finds that the property may be physically suitable for the proposed subdivision, subject to the Applicant demonstrating compliance with the Specific Plan's grading and ridgeline standards, providing the required supporting plans and technical information, and making any necessary revisions to the tentative map. Approval of the tentative map does not guarantee that every individual lot can accommodate a particular home design or grading plan.

C. Public Health and Safety

The proposed subdivision includes residential development and associated infrastructure that will require adequate access, water supply, wastewater service, drainage, fire protection, and emergency response capabilities.

The project shall comply with applicable City and agency requirements, including the adopted EIR mitigation measures addressing oak woodland preservation, wildland fire risk, greenhouse gas emissions, hydrology and water quality, public services, and utilities. The Applicant shall provide the required fuels management program and coordinated wildland fire emergency response plan pursuant to Mitigation Measure MM-11-9, and shall demonstrate that the applicable infrastructure and emergency access requirements can be satisfied. Additionally, the applicant shall provide written verification that the Department of Toxic Substance Control has certified that the RAW has been fully implemented and that soils and water quality conditions on the site do not pose a health and safety hazard for any proposed land uses or activities within the Project site.

The Planning Commission finds that the design and improvement of the subdivision will not be likely to cause serious public health problems, provided that the required infrastructure, fire protection, emergency response, and other applicable safety requirements are demonstrated and satisfied in accordance with the Conditions of Approval.

D. Environmental Damage and Protection of Fish and Wildlife

The City certified the Gold Rush Ranch and Golf Resort EIR on December 7, 2009, to evaluate the

environmental effects of development under the Gold Rush Ranch Specific Plan.

The proposed Phase 1A project is subject to the applicable mitigation measures and environmental protection requirements established by the certified EIR and its Mitigation Monitoring and Reporting Program. These include measures addressing greenhouse gas emissions, oak woodland preservation, scenic ridgelines, heritage oak tree removal, and other potentially significant environmental effects.

The City has identified outstanding information and design issues concerning compliance with Mitigation Measures MM-7-8, MM-11-9, MM-12-2, MM-14-3, and MM-14-6, among other applicable requirements.

The Planning Commission finds that the design and improvement of the subdivision will not be likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, provided that the City completes the required CEQA review, determines the appropriate environmental documentation, and verifies compliance with applicable mitigation measures before the approvals or activities for which such compliance is required.

E. Public Easements and Access

The proposed subdivision includes the extension of Valley View Way to State Route 104 and associated roadway and infrastructure improvements.

The Applicant shall identify and address all existing public easements of record or established by judgment of a court of competent jurisdiction that may be affected by the proposed subdivision or its improvements. The final map and associated improvement plans shall preserve applicable public access and utility rights or provide alternative easements that are substantially equivalent where permitted by law.

Based on the project information reviewed, and subject to verification of existing easements and compliance with applicable mapping and improvement requirements, the Planning Commission finds that the design of the subdivision and its improvements will not conflict with applicable public easements in a manner that cannot be resolved in accordance with the Subdivision Map Act and the City's subdivision requirements.

F. Wastewater Disposal

The proposed Phase 1A development is intended to proceed in consideration of available capacity at the City's wastewater treatment plant. The Gold Rush Ranch Specific Plan also establishes wastewater-related infrastructure obligations and requirements for future phases.

The Applicant shall demonstrate that wastewater generated by Phase 1A can be adequately served and disposed of in compliance with applicable requirements of the City, the responsible sanitation authorities, the local health officer, and the Central Valley Regional Water Quality Control Board, as applicable.

The Applicant shall comply with the wastewater infrastructure and recycled water obligations assigned to Phase 1A, including the applicable requirements for funding or constructing a recycled water pipeline and pumping station. Obligations assigned to future phases shall remain in effect as provided in the approved Conditions of Approval.

The Planning Commission finds that the proposed subdivision will not result in the discharge of liquid or solid waste into a sewer or individual sewage disposal system in violation of, or in a manner that adds to a

violation of, applicable requirements, provided that adequate service capacity and regulatory compliance are demonstrated before the applicable approvals and development activities proceed.

G. Passive or Natural Heating and Cooling Opportunities

The subdivision design shall provide for future passive or natural heating and cooling opportunities for the proposed parcels to the extent feasible, considering economic, environmental, social, and technological factors.

The Applicant shall comply with the applicable Gold Rush Ranch Specific Plan design standards and environmental measures relating to site planning, building orientation, energy efficiency, landscaping, and other feasible measures that support passive or natural heating and cooling.

The Planning Commission finds that the proposed subdivision can provide for future passive or natural heating and cooling opportunities to the extent feasible, subject to compliance with the applicable Specific Plan standards and Conditions of Approval.

H. Additional Findings Regarding Project Implementation and Phasing

The proposed Phase 1A development represents a revised approach to the implementation of the Gold Rush Ranch Specific Plan, with 150 residential units proposed as an initial phase and other elements of the originally contemplated Phase One deferred to future phases.

The Planning Commission recognizes that the revised phasing must be considered in the context of the Specific Plan's adopted development framework, infrastructure requirements, public benefits, and environmental mitigation obligations. Approval of Phase 1A shall not waive obligations applicable to future phases or authorize development beyond the scope of the approved tentative map.

Any necessary modification to the Specific Plan's adopted phasing shall be approved by the City Council before implementation of the revised phasing.

SECTION 4. CONDITIONS OF APPROVAL

Tentative Subdivision Map No. 172 is approved subject to the following conditions, together with all applicable conditions in the Sutter Creek Ranch Phase 1A Conditions of Approval attached to the staff report as Attachment B. In the event of a conflict, the City shall interpret and apply the conditions consistent with the Gold Rush Ranch Specific Plan, the adopted EIR mitigation measures, applicable law, and the final project approvals.

1. Approved Plans

The subdivision shall be developed substantially in accordance with the approved Tentative Subdivision Map No. 172 and associated exhibits, as revised and approved by the City. Any material revisions shall be subject to review and approval by the appropriate City decision-making body.

2. Gold Rush Ranch Specific Plan Compliance

The Applicant shall comply with all applicable provisions of the Gold Rush Ranch Specific Plan, including Attachment H (Grading Standards), Attachment J (Conditions of Approval), the applicable design guidelines, and the adopted EIR Mitigation Monitoring and Reporting Program.

3. Revised Phasing

The revised Phase 1A phasing shall not be implemented until the City Council has approved any necessary modification to the phasing established by the Gold Rush Ranch Specific Plan.

The Applicant shall demonstrate compliance with the infrastructure, public facility, open space, park, and other obligations applicable to Phase 1A. Requirements assigned to future phases shall remain applicable as provided in the approved Conditions of Approval and shall not be deemed satisfied or waived by approval of Phase 1A.

4. Boundary Line Adjustment

The Applicant shall complete the required Boundary Line Adjustment and satisfy all applicable City Engineering and mapping requirements before approval of the Final Map. The Final Map shall not be approved until the Boundary Line Adjustment has been completed and the City has verified the resulting legal parcel configuration.

5. CEQA Compliance

Before issuance of any grading permit, tree removal authorization, or other approval requiring prior environmental compliance, the Applicant shall satisfy the applicable requirements of the City's final CEQA determination and the adopted Mitigation Monitoring and Reporting Program.

Any revisions to the project necessary to demonstrate consistency with the certified EIR shall be incorporated into the project plans and approvals.

6. Grading and Restricted Grading Zones

The Applicant shall demonstrate compliance with the grading standards in Attachment H of the Gold Rush Ranch Specific Plan.

Grading within the Restricted Grading Zone shall be limited to what is necessary for construction of the driveway and individual homesite, as required by the Specific Plan.

The City may require recorded notices or covenants identifying grading restrictions and site development limitations for affected lots, consistent with applicable law and the approved Conditions of Approval.

7. Manufactured Slopes

The Applicant shall revise or substantiate the proposed grading for Lots 40 through 49 and Lots 139 through 150 to demonstrate compliance with the Specific Plan's manufactured-slope standards. Where applicable, slopes exceeding eight feet in vertical height and 200 feet in horizontal length that are visible from a public street or public space shall incorporate the required undulating contours and varying horizontal radii to reflect natural terrain.

Any alternative design shall be subject to City review and approval and shall comply with the Specific Plan and applicable environmental requirements.

8. Scenic Ridgeline Protection

The Applicant shall provide revised grading plans, elevations, cross-sections, visual analyses, or other information necessary to demonstrate compliance with the scenic ridgeline standards and EIR Mitigation

Measure MM-14-3.

The plans shall demonstrate that:

- a. New structures will not protrude above the crest of a visible skyline ridge by more than 15 feet unless obscured by vegetation;
- b. Major ridgelines will not be altered; and
- c. Development along ridgelines and hilltops will be low, built into the natural topography, and buffered from view with landscaping.

The Applicant shall also demonstrate that the proposed water tank site and associated facilities comply with the applicable visual resource requirements. Any necessary changes to the tentative map or grading plan shall be made before the affected development approvals are issued.

9. Tree Removal and Oak Tree Protection

Tree removal shall comply with the Gold Rush Ranch Specific Plan, applicable tree protection requirements, and the adopted EIR mitigation measures.

Within the Restricted Grading Zone, tree removal shall be limited as required by the Specific Plan. Removal of trees outside individual homesite footprints shall not be authorized solely because a tree has been identified for future removal. Any additional removal shall be supported by the documentation required by the applicable standards and approved by the City.

The Applicant shall provide the information necessary for the City to evaluate proposed tree removal, including tree species, size, health, location, and relationship to proposed improvements.

10. Valley View Way Extension

Before approval of the final alignment and grading plan for the Valley View Way extension, the Applicant shall provide updated tree surveys and plans identifying the number, species, size, and location of trees proposed for removal.

The Applicant shall demonstrate compliance with EIR Mitigation Measure MM-14-6, including that the roadway alignment and grading have minimized heritage oak tree removal to the extent required by the mitigation measure.

The Applicant shall revise the alignment or grading plan as necessary to demonstrate compliance. Landscaping associated with the extension shall be consistent with the applicable Specific Plan development standards and design guidelines.

11. Oak Woodland Management

The Applicant shall comply with EIR Mitigation Measure MM-12-2, including preparation and approval of an Oak Woodland Management Plan (OWMP) and permanent preservation of comparable oak woodland habitat at a minimum 2:1 ratio for each acre removed, as required by the adopted mitigation measure.

The OWMP shall identify affected and preserved habitat, preservation properties or easements, management responsibilities, monitoring, and funding for long-term management.

The required preservation, transfer to an approved qualified land trust, and endowment funding shall be completed at the times specified in the adopted mitigation measure and applicable Conditions of Approval, including before issuance of the applicable grading permit and before removal of oak woodland habitat.

12. Greenhouse Gas Reduction Measures

The Applicant shall demonstrate compliance with EIR Mitigation Measure MM-7-8 and the applicable Greenhouse Gas Emissions Reduction Plan.

The project plans shall address applicable feasible greenhouse gas reduction measures, including pedestrian and bicycle connectivity, energy efficiency, water conservation, and other measures required by the adopted mitigation program.

The Applicant shall revise the plans to address the identified bicycle parking deficiency at the proposed neighborhood park and demonstrate compliance with applicable bicycle facility requirements.

Electric vehicle charging requirements shall be implemented in accordance with the adopted mitigation measure and applicable project approvals.

13. Wildland Fire Protection

Before the applicable project approvals, the Applicant shall prepare and obtain the required review and approval of the fuels management program and coordinated wildland fire emergency response plan pursuant to EIR Mitigation Measure MM-11-9.

The plans shall address defensible space, vegetation management, emergency access and evacuation, agency coordination, property owner education, ongoing maintenance, and funding responsibilities, as applicable.

14. Parks and Dedications

The Applicant shall provide for the dedication and conveyance of the 0.51-acre neighborhood park site and 17.5-acre community park site in accordance with the approved map and applicable Conditions of Approval.

The community park is proposed as an open-space nature park. No specific park improvements are approved by this Resolution unless expressly included in the approved plans or Conditions of Approval.

The Applicant shall complete applicable park dedication, access, maintenance, and related requirements at the times established by the approved Conditions of Approval.

15. Water Tank Site and Utilities

The Applicant shall demonstrate that the proposed water tank site and associated facilities satisfy applicable water supply, fire flow, access, grading, visual resource, and utility requirements.

The Applicant shall comply with the applicable Specific Plan requirements for the recycled water pipeline and pumping station, including the required funding or construction obligations, and any wastewater treatment plant expansion obligations assigned to Phase 1A or future phases.

16. Circulation and Transportation

The Applicant shall comply with applicable traffic study recommendations, roadway design requirements, and agency conditions, including requirements of the City, Caltrans, and the Amador County Transportation Commission, as applicable.

The Valley View Way extension to State Route 104 and other required circulation improvements shall be designed and constructed in accordance with the approved plans and applicable agency approvals.

The Applicant shall satisfy applicable fair-share obligations for the Prospect Drive to Bowers Drive extension in accordance with the approved Conditions of Approval.

17. Affordable Housing

The Applicant shall provide 15 deed-restricted affordable residential units within Phase 1A, subject to approval of an affordable housing implementation plan identifying the applicable affordability levels, unit or lot designations, recorded restrictions, and monitoring and enforcement procedures.

The Applicant shall also demonstrate compliance with the applicable Gold Rush Ranch Specific Plan requirements concerning housing types affordable to low- or moderate-income households.

18. Community Facilities District and Maintenance

The Applicant shall comply with the applicable requirements to establish or participate in a Community Facilities District or other approved funding mechanism for ongoing maintenance and operations of applicable infrastructure and services, including street lighting, roadway maintenance, and storm drainage facilities.

19. Conditions of Approval and Mitigation Monitoring

The Applicant shall comply with all applicable Conditions of Approval in Attachment J of the Gold Rush Ranch Specific Plan, as identified and assigned to Phase 1A in Attachment B, Sutter Creek Ranch Phase 1A Conditions of Approval.

Conditions designated for completion before Final Map approval, grading permit issuance, building permit issuance, or subsequent phases shall be satisfied at the applicable time. Nothing in this Resolution shall waive an adopted mitigation measure or a requirement that must be completed before the activity to which it applies.

20. Payment of Fees to ACTC

The Applicant will pay a mitigation fee for the Prospect/ Bowers interchange of \$1,007.12 per single family unit.

21. Future Phases

Approval of Phase 1A does not constitute approval of Phase 1B or any other future phase of the Gold Rush Ranch Specific Plan. Future development shall remain subject to applicable Specific Plan requirements, infrastructure capacity, environmental review, mitigation measures, and required discretionary approvals.

22. Expiration and Extensions

The Subdivision Map, in accordance with Chapter 17.22 of City Code, shall be recorded within 24

months of Planning Commission Tentative Map approval.

SECTION 5. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Resolution is held invalid or unconstitutional by a court of competent jurisdiction, the remaining portions shall remain in full force and effect to the extent they can be implemented independently of the invalid provision.

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on Tuesday the 26th day of October, 2026 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

THE CITY OF SUTTER CREEK

Lucy Mulvey, Chairman

ATTEST:

Alejandra Zambrano, City Clerk

EIR Consistency Analysis

SUTTER CREEK RANCH PHASE 1A - 150 LOT SUBDIVISION PROJECT

1 Introduction

The following is an analysis (hereinafter “EIR Consistency Analysis”) that compares the proposed Sutter Creek Ranch Phase 1A- 150 Lot Subdivision (hereinafter “Project”) to the program Environmental Impact Report (EIR) for the Gold Rush Ranch Specific Plan (herein referred to as Certified EIR), certified in January 2010 by the City of Sutter Creek (California State Clearinghouse #2005042094). The purpose of this analysis is to determine whether the Project is within the scope of the Certified EIR, including whether the Project is consistent with the Certified EIR and whether the Project would result in any potential impacts resulting from construction/operations of the Project that were not previously analyzed in the Certified EIR.

1.1 Purpose of the EIR Consistency Analysis

In the case of a project proposal requiring discretionary approval by the City on a project for which the City has certified an EIR for the overall project, as here, the City must determine whether the Project is exempt from further environmental review or whether a supplemental or subsequent EIR is required. The California Environmental Quality Act (CEQA) statute and the CEQA Guidelines provide guidance in this process by requiring an examination of whether, since the certification of the EIR, changes in the project or conditions have been made to such an extent that the proposal may result in substantial changes in physical conditions that are considered significant under CEQA. If so, the City would be required to prepare a subsequent EIR or supplement to the EIR. The examination of impacts is the first step taken by the City in reviewing the CEQA treatment of the Project.

CEQA provides, in Public Resources Code Section 21083.3, that if a parcel has been zoned to accommodate a particular density of development or has been designated in a community plan to accommodate a particular density of development and an environmental impact report was certified for that zoning or planning action, the application of CEQA to the approval of any subdivision map or other project that is consistent with the zoning or community plan “shall be limited to effects upon the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report.” In accordance with this provision, the CEQA Guidelines provide, in Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” These provisions streamline the review of such projects and reduce the need to prepare repetitive environmental studies. Pursuant to Section 15813, the public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

- (1) Are peculiar to the project or the parcel on which the project would be located,
- (2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent,

- (3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
- (4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

In addition, in accordance with CEQA, as set forth in Public Resources Code Section 21166 and Section 15162 of the CEQA Guidelines, no subsequent or supplemental EIR shall be required unless the Lead Agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. (CEQA Guidelines Section 15162(a); see also Public Resources Code Section 21166).

2 Gold Rush Ranch Specific Plan

The Gold Rush Ranch Specific Plan (GRR-SP) was adopted in 2010. The GRR-SP covers a 945 acre site located northwest of State Routes 49, 88, and 104. Based on the Project Description in the certified EIR, the GRR-SP allows for the following:

- 18-hole golf course, turfed spray field, clubhouse and related facilities
- 1,334 primary single-family residential dwelling units (1,268 detached and 66 attached/mixed-use)
- Minimum of 64 secondary residential dwelling units (located on single-family residential lots)

- 300 interval-ownership vacation units
- 60-room hotel
- 20,000 square feet of neighborhood commercial development within a commercial core area
- Public safety site dedicated for a fire station and police station
- Commercial/residential mixed-use site adjacent to State Route (SR) 104 (Ridge Road) with up to 37,000 square feet of commercial uses and up to 30 residential units (included in the 1,334 total residential units within the Project)
- Two passive-recreation park sites totaling approximately 21 acres
- Approximately 300 acres of permanently preserved open space with a trail system and oak tree/habitat mitigation.

The project was originally proposed to be built in four phases, The planning area of focus for this consistency analysis is located in a portion of what was previously proposed in Phase One of development, specifically Large Lot 2/Village B. Phase One is described in the GRR-SP as follows:

Phase One shall be the first phase of development within the GRR-Project. This phase includes Large Lots 1, 2, 4, 5 (part), 6, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 (aka Villages A, B, D, E-1, E-2, and F and Parcels Q, R, S, T, U, V, W, X, Y, and Z). The following actions shall be implemented in Phase One:

1. Prior to the start of construction activities, biological mitigation and monitoring programs, including wetland, elderberry, oak woodland, and wildlife habitat mitigation programs, will be initiated.
2. The tertiary wastewater treatment plant together with related wastewater system facilities including, but not limited to, storage, transmission, disposal, and other facilities as specified in the Sutter Creek Sewer System Master Plan, the Amador Regional Sanitary Authority Master Plan, and the final technical memorandum adopted by the City Council, as amended, will be constructed.
3. The golf course on Large Lots 23, 24, and 25 (aka Parcels W, X, and Y), the maintenance facility on Large Lot 19 (aka Parcel S), and the clubhouse on Large Lot 18 (aka Parcel R) will be constructed.
4. Prior to the permitting of the thirty-first single-family dwelling unit within the GRR-Project, the conservation and open space preserve on Large Lots 27 through 33 (aka Parcels OS-1 through OS-7) will be dedicated to the City with at least 8.4 miles of completed nature trails and trailhead parking areas.
5. Prior to the recordation of Large Lots 1 or 2 (aka Villages A or B) or the permitting of the fifty-first single-family dwelling unit in Large Lot 5 (part) (aka Village E-1 and E-2), the Valley View Way extension between the Allen Ranch Road and State Route 49 will be constructed.
6. The primary infrastructure improvements for Large Lots 1, 2, 4, 5 (part), 6, 17, 18, 23, 24, and 25 (aka Villages A, B, D, E-1, E-2, F, and Q and Parcels R, W, X, and Y), including the 80-foot local collector street (Allen Ranch Road, Gold Rush Ranch Parkway, and Valley View extension), the 60 foot primary local

street (Roads A and D and a portion of Loop Road B), on-site and off-site sewer and water facilities, and drainage infrastructure, will be installed. Non-potable irrigation demands will be served utilizing Amador Water Agency (AWA) raw water unless reclaimed water exists.

7. The neighborhood commercial uses and hotel on Large Lot 18 (aka Parcel R) and vacation-ownership units on Large Lot 17 (aka Village Q) with at least 150 units will be constructed in Phase One.

8. Mixed-use commercial on Large Lots 22 and 26 (aka Parcels V and Z) will be developed.

9. Residential neighborhoods on Large Lots 1, 2, 4, and 6, and eastern portions of Large Lot 5 (aka Villages A, B, D, E-1, E-2, and F) will be developed (see Table 4.2 for detail on the maximum number of units and square footage for each phase).

10. A community park with at least 15 acres of usable parkland within or adjacent to the GRR-Project and applicable residential parks will be dedicated and constructed.

11. Large Lots 20 and 21 (Parcels T and U) will be dedicated to the City for passive parks.

12. Collector and minor streets will be built and sewer, water, and drainage facilities extended to individual structures and lots.

The project is now proposed to be broken down into additional smaller phases, with the first being Phase 1A. Time on subsequent phases is unknown at this time.

Project Description

In August 2024, the City received an application from Sutter Creek Land Advisors, LLC for one 150 lot subdivision in a portion of land within the Gold Rush Ranch Specific Plan Area. The application was for Boundary Line Adjustment and Tentative Subdivision Map. This new revised Phase 1A is called Sutter Creek Ranch Phase 1A. The City has been working with the applicant to deem the application complete and determine the best step for processing the entitlements under the Specific Plan. At this time, the application has not yet been deemed complete. In an effort to move the application towards completeness, the City is using this process to understand community support and determine what remaining items may be required as conditions of approval.

The Tentative Subdivision Map proposes to subdivide approximately 50 acres into 150 residential lots, ranging in size from 7,000 sf to 14,624 sf, a 0.51 acre neighborhood park lot, a 1.01 acre water tank site, and a 17.5 acre community park site.

The proposal also includes the extension of Valley View Way to Highway 104, as required by the GRR-SP. The area proposed for development is located in Village B (northeast end) of the GRR-SP.

2.1 Project-Specific Transportation Impact Study Report (TIS) Summary

A TIS was conducted for the Project to determine project-specific roadway and intersection impacts. The TIS addresses potential transportation impacts for the proposed Phase 1A development so that the City may compare them to the impacts disclosed in the 2010 EIR. To evaluate the impacts on the transportation infrastructure due to the addition of traffic from the proposed project, three study intersections were identified and were evaluated during the weekday morning (a.m.) peak hour and weekday afternoon (p.m.) peak hour under three study scenarios. The study

intersections were evaluated under: Existing Conditions; Existing plus Project (Phase 1A) Conditions, and Existing plus Full Build-Out Conditions. The results of the level of service analysis for Existing plus Project Conditions are summarized in TIS Table 7. The results for Existing Conditions are included for comparison purposes, along with the projected increases in delay as a result of Phase 1A buildout. The intersection LOS was analyzed using the Synchro Version 12 software package. Under Existing plus Project (Phase 1A) Conditions, all of the study intersections will operate at LOS D or better, which is an acceptable LOS based on Amador County Standards. As such, buildout of Phase 1A development would be consistent with the 2010 EIR and no mitigation measures would be required.

2.2 Analysis of Vehicle Miles Traveled

On September 27, 2013, Senate Bill (SB) 743 was signed into law, which creates a process to change the way that transportation impacts are analyzed under California Environmental Quality Act (CEQA). Under the new guidelines, VMT has been adopted as the most appropriate measure of transportation impacts under CEQA, effective July 1, 2020.

State California Environmental Quality Act (CEQA) Guidelines Section 15162(a) provides criteria for when a subsequent or supplemental EIR must be prepared, including the following item of relevance to this discussion:

- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted, shows any of the following...*

As documented in Air Quality Impact Analysis for GRR-SP (Chapter 7 of the Certified 2010 EIR) URBEMIS-2007 modeling was completed that specifically considered impacts from anticipated vehicle trips and trip length (using estimates in the model - see Section 7.4.1.2). Thus, while VMT represents an updated metric for the analysis of transportation impacts under CEQA, and the specific methods for its measurement and evaluation have been updated and become more sophisticated, it is not a new concept. Below is a summary of the VMT analysis completed as part of the TIS prepared for the Phase 1A Project.

As discussed in Section 4.1 of the TIS, following changes to the California Environmental Quality Act (CEQA) to address new requirements under SB 743 (e.g., Governor's Office of Planning & Research (OPR) December 2018 Technical Advisory on Evaluating Transportation Impacts), a Vehicle Miles Traveled (VMT) assessment was conducted for the Project. There is no established VMT significance criteria for the City of Sutter Creek or Amador County. Based on the preliminary analysis, the Project would generate approximately 28.6 VMT per capita per day. In many jurisdictions, a project is considered to have a less-than-significant impact if it achieves a reduction of at least 15 percent below the existing regional average VMT per capita. Because Amador County has not adopted a VMT significance threshold, the TIS assessment uses the existing Amador Countywide average home-based VMT of 32.0 VMT per capita per day as a reference value (source: *CEQA Initial Study/TSM 186 & GPA-22; 7-1 Putnam Ranch*, page 42, prepared by Fehr & Peers). Applying a 15 percent reduction to the existing Amador Countywide average of 32.0 VMT per capita per day results in a value of 27.2 VMT per capita per day. Therefore the Phase 1A Project would need to reduce its estimated VMT by approximately 1.4 VMT per capita per day, or 4.9 percent, to achieve the 15 percent reduction of existing Amador Countywide average VMT per capita per day. As reported in Section 4.1 of the TIS, VMT reduction measures are included in the Phase 1A Project and include sidewalks throughout the residential development, and a shared-use trail bike path and sidewalk along the extension of Valley View Way from its existing terminus point near the Amador County Transit Center to the proposed Valley View Way/SR 104 intersection. Based on a qualitative analysis using the California Air Pollution Control Officers

Association (CAPCOA) *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*, the proposed pedestrian network improvements are estimated to reduce project-generated VMT by up to 6.4 percent. This reduction exceeds the 4.9 percent reduction required to achieve the target 278.2 VMT per capita per day value. Therefore no new impacts have been identified for VMT and no new mitigation measures are needed to address VMT at Phase 1A buildout.

As discussed above, information regarding VMT could have been known with reasonable diligence at the time the EIR was certified in 2010 by reviewing URBEMIS-2007 air quality modeling data. Therefore, it does not comprise “new information of substantial importance” under CEQA and does not require supplemental analysis beyond the EIR consistency analysis included in Section 3.

3 EIR Consistency Analysis

3.1 State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning)

As demonstrated in the EIR Impact Analysis Summary provided in Section 3.3, the Project has been evaluated to determine whether it is exempt from further environmental review because the Project is within the scope of the Certified EIR on the basis that all proposed entitlements are consistent with the development density established by the existing zoning and development standards of the Gold Rush Ranch Specific Plan and additional standards from the City’s Development Code, the environmental effects of which were previously analyzed in the Certified EIR. In carrying out this evaluation, it has been determined that there may be additional project-specific effects, and without changes to the project as it is proposed, may require further environmental review.

- A. The Project entitlements are consistent with the land uses, densities, and other zoning and development standards set forth in the Gold Rush Ranch Specific Plan, and which were analyzed in the Certified EIR, but there still remains inconsistencies with the required mitigation measures.

The project site is located in Village B (northeast end) of the GRR Specific Plan. The GRR-SP provides a framework for land use planning and other decision-making. The site is designated Residential/GRR-SP R-1 (PD) in the GRR-SP; therefore, the project must comply with development standards established in the GRR-SP for parcels designated Residential. As discussed above, the Project would require approval of a Boundary Line Adjustment and Tentative Subdivision Map. All proposed land uses are permitted within the zoning designations and no amendments to the General Plan or zoning designations would be required. Accordingly, City staff has determined that the Project would be consistent with the General Plan and zoning designations.

- B. “Environmental effects that are peculiar to the project or the parcel on which the project would be located” Standard

Pursuant to Section 15183(b)(1) of the CEQA Guidelines, this section presents an examination and discussion of whether the proposed development associated with the Project may result in environmental effects that are peculiar to the project or the parcel on which the project would be located. The CEQA Guidelines further state that “if an impact is not peculiar to the parcel or the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or

standards, then an EIR need not be prepared for the project solely on the basis of that impact” (CEQA Guidelines § 15183(c)). If no additional mitigation measures are required to reduce project-specific impacts to a less than significant level, other than those required in the prior EIR, then the Section 15183 exemption applies.

No development has occurred within the GRR-SP area over the past 16 years. The Project site itself has remained unchanged and undeveloped. Based on the EIR impact analysis summary presented in Section 3.3, the proposed project would not result in any new impacts that would require additional mitigation measures, beyond those required under the Certified EIR. Compliance with the required mitigation of the Certified EIR remains necessary.

- C. “Environmental effects that were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent” Standard

Pursuant to Section 15183(b)(2) of the CEQA Guidelines, this section presents an examination and discussion of whether there are any environmental effects that were not analyzed as significant effects in the Certified EIR for the Gold Rush Ranch Specific Plan and other related Plans [e.g., General Plan amendments, zoning actions, etc.] with which the Project is consistent.

The EIR Impact Analysis Summary provided in Section 3.3 includes a summary of the impact conclusions of the Certified EIR compared to the potential impacts associated with the proposed project. The only significant and unavoidable impacts identified in the Certified EIR are associated with provision of governmental facilities (Impact 5-2), increased vehicle trips on area roadways (Impact 6-7), air quality emissions (Impact 7-5 and Impact 7-8), changes to visual character (Impact 14-3), and increases in night sky illumination/light and glare (Impact 14-8). Although the proposed project has the potential to contribute to these significant and unavoidable impacts, as identified and disclosed in the Certified 2010 EIR, no new significant impacts would occur.

- D. “Environmental effects that are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action” Standard

Pursuant to Section 15183(b)(3) of the CEQA Guidelines, this section presents a discussion of and analyzes whether there are any environmental effects that are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action.

The proposed project would require off-site roadway improvements and utility connections. The required roadway and utility improvements would comply with mitigation measures included in the Certified 2010 EIR and compliance with policies set forth in the City’s General Plan. Off-site domestic water, recycled water, and storm drain improvements would be limited to short runs to connect to existing utility infrastructure beneath the roadway ROW adjacent to the project site. The proposed off-site sewer improvements would extend north and east of the project site beneath proposed and existing paved roadways. The proposed sewer recycled water pipeline would be consistent with the City’s Sewer capital improvement plans. As such, off-site utility and roadway improvement would not result in new or more severe impacts than those analyzed in the Certified EIR.

- E. “Environmental effects that are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.” Standard

Pursuant to Section 15183(b)(4) of the CEQA Guidelines, this section presents a discussion of and analyzes whether there are any environmental effects that are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

The City deemed updated analysis with regards to tree survey, noise analysis, and transportation impact study was appropriate for the proposed project in order to confirm whether the project implementation would result in new information of substantial importance.

Accordingly, City staff has determined that the “new information” presented in the updated noise analysis and project-specific TIS would not result in more severe adverse impacts than discussed in the Certified 2010 EIR. However, additional information is still needed to determine consistency with oak woodland management and fire safety.

3.2 State CEQA Guidelines Section 15162 (Subsequent or Supplemental EIR)

Alternatively, and as also demonstrated in the EIR Impact Analysis Summary provided in Section 3.3, no new information of substantial importance meeting the criteria listed in State CEQA Guidelines Section 15162 has been identified.

The discussion in this section confirms that the Project has been evaluated for significant impacts pursuant to CEQA and no new information of substantial importance meeting the criteria listed in State CEQA Guidelines Section 15162 has been identified. Under Section 15162, the determination here is that the project’s impacts have been considered in an EIR (i.e., the Gold Rush Ranch Specific Plan EIR) that was reviewed and certified by the City Council, and that the EIR provides a sufficient and adequate analysis of the environmental impacts of the proposed project.

A. “Substantial Changes in the Project” Standard

Pursuant to Section 15162(a)(1) of the CEQA Guidelines, this section presents a discussion of whether the proposed development associated with the Project constitutes a substantial change in the project analyzed in the Certified EIR, that

would require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The project site is within Village B of the GRR-SP. The Project includes development of residential land uses, consistent with the existing land use and zoning designations. Overall, development of the Project would not result in any substantial changes from what has been previously analyzed, would not involve new significant impacts not identified in the EIR or result in a substantial increase in the severity of previously identified significant impacts. The proposed Project, therefore, does not constitute a substantial change in the project.

B. “Substantial Changes in the Circumstances” Standard

Pursuant to Section 15162(a)(2) of the CEQA Guidelines, this section presents a discussion of whether changes to the project site or the vicinity (environmental setting) have occurred subsequent to the certification of the previous EIR that would result in new significant impacts or a substantial increase in the severity of a previously

identified significant impact that were not evaluated and mitigated by the previous EIR.

No development has occurred within GRR-SP area over the past 16 years. Physical changes that have occurred since approval of the Gold Rush Ranch Specific Plan, and preparation of the associated EIR in 2010, include construction of off-site infrastructure and roadways (e.g., Bowers/Prospect Drive interchange improvements). The Project site itself has remained unchanged and undeveloped, dominated by Oak Savanna- Grassland and Oak Woodland.

Since there have been no substantial changes to the environmental baseline identified in the Certified EIR, the Project would not result in new significant impacts or a substantial increase in the severity of a previously identified significant impact.

One of the requirements of CEQA is the examination of whether a proposed project would conflict with existing plans and regulations, including the General Plan, zoning regulations, and other planning documents. Inconsistencies may suggest that a project would have environmental effects that have not been identified in advance, and for which planning or analysis has not occurred. Permitted land uses and zoning designations within Phase 1A are consistent with the City's General Plan and Municipal Code. Accordingly, City staff has determined that the Project would be consistent with the General Plan and zoning designations.

Based on the above, the proposed project would not result in any new circumstances that would result in new significant impacts or substantially more severe impacts from what has been anticipated for the site in the previous environmental document.

C. "New Information of Substantial Importance" Standard

Pursuant to Section 15162(a)(3) of the CEQA Guidelines, this section includes a discussion of whether the proposed project would result in new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified. New information of substantial importance

includes: (1) one or more significant effects not discussed in the previous EIR; (2) significant effects previously examined that are substantially more severe than shown in the previous EIR; (3) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (4) mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Prior to July 1, 2020, transportation impacts relied on Level of Service (LOS) impacts. As such, the Certified EIR did not specifically analyze VMT effects associated with transportation impacts. Although VMT analysis was not required for analysis of transportation impacts at the time the Certified EIR was prepared, the Air Quality Study included in the Certified EIR included URBEMIS-2007 modeling that specifically considered number and anticipated distance of vehicle trips. An evaluation of VMT for the Sutter Creek Ranch Phase 1A is summarized above in Section 2.2. The TIS analysis concluded that the proposed project would result in a reduction in VMT compared to the Amador Countywide average. As such, VMT analysis does not comprise "new information of substantial importance" under CEQA.

The requirements of site plan and design review, prior to construction and operation, are requirements that apply to activities generally on the Project site, and do not reflect inconsistency with the City's regulations that have been approved for the Sutter Creek Ranch Phase 1A. The analysis in the Certified EIR, to the extent the analysis relied on review and approval of a project that would follow the standards and requirements as set forth in planning documents, is unchanged and valid. The changes do not raise issues of environmental significance under CEQA.

3.3 EIR Impact Analysis Summary

The organization of this analysis follows Section 3, Environmental Analysis, from the Certified EIR. This analysis provides a brief summary of the environmental analysis from the Certified EIR, addresses potential impacts associated with the Project, and describes whether the Project is within the scope of the Certified EIR such that no further environmental review is required, and whether the Project would be consistent with the findings and mitigation measures identified in the Certified EIR, resulting in less than significant impacts. This analysis is intended to provide a general overview that supports the City's finding that the Project is generally within the scope of the Certified EIR and consistent with the Certified EIR and no additional environmental review is required pursuant to the California Environmental Quality Act (CEQA), as detailed in Section 3.1, as long as the applicant complies with the specified items.

Please note: Mitigation measures highlighted in bold are those applicable to the proposed project. Any mitigation measures that are not bolded are not applicable to the proposed project.

Population and Housing			
Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures
Impact 4-2 Population and Housing	The Project will increase the population of the City beyond the growth projections of the City's 1994 General Plan. This impact is <i>less than significant</i> . (EIR 3, pp. 4-13 to 4-17)		No applicable mitigation measures for Impact 4-2.

Impact 4-3 Population and Housing	The Project will remove two existing residential dwelling units and displace existing residents. This impact is <i>less than significant</i> . (EIR, p. 4-17)		No applicable mitigation measures for Impact 4-3.
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Public Services and Utilities

Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures
Impact 5-2 Public Services and Utilities	The Project could result in adverse physical impacts associated with the provision of 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 public services: fire protection, police protection, schools, parks, and other public facilities. This impact is <i>significant</i> . (EIR, pp. 5-35 to 5-36)	CONSISTENT: The City believes this is not applicable to Phase 1A. Discussing/confirming with the School district as they go through consolidation.	Significant and unavoidable.

Impact 5-3 Public Services and Utilities	The Project will result in an increase in the number of school age children within the Amador County Unified School District requiring additional school facilities. This impact is <i>less than significant</i> . (EIR, p. 5-39)		No applicable mitigation measures for Impact 5-3.
Impact 5-4 Public Services and Utilities	The Project will require electricity and natural gas supply. This impact is <i>less than significant</i> . (EIR, p. 5-40)		No applicable mitigation measures for Impact 5-4.
Impact 5-5 Public Services and Utilities	The Project will require telephone, cable television and internet services and connectivity. This impact is <i>less than significant</i> . (EIR, pp. 5-40 to 5-41)		No applicable mitigation measures for Impact 5-5.
Impact 5-6 Public Services and Utilities	The Project will require potable and raw water supply. This impact is <i>significant</i> . (EIR, pp. 5-41 to 5-43)	CONSISTENT: The Applicant will provide written verification of water supply for the Project from the Amador Water Agency and a written will-serve, or conditional will-serve, water service commitment from the Amador Water Agency. 10/30/25- Determination of Water Availability provided to the project applicant by AWA.	MM 5-6: <i>Prior to recordation of a <u>small-lot final subdivision map</u> or issuance of a building permit in an area not subject to further subdivision, written verification of water supply for the Project from the Amador Water Agency and a written a will-serve, or conditional will-serve, water service commitment from the Amador Water Agency shall be obtained by the Project applicant.</i>

Impact 5-7 Public Services and Utilities	Project water deliveries will affect environmental resources. This impact is <i>less than significant</i> . (EIR, pp. 5-44 to 5-59)		No applicable mitigation measures for Impact 5-7.
Impact 5-8 Public Services and Utilities	Climate change could affect the future water supply and availability for the Project. This impact is <i>less than significant</i> . (EIR, pp. 5-59 to 5-61)		No applicable mitigation measures for Impact 5-8.
Impact 5-9 Public Services and Utilities	Project development will require increased wastewater treatment plant capacity and increased sewerage and effluent conveyance and storage capacity and will reduce the treated effluent disposal capacity of the Project site. This impact is <i>significant</i> . (EIR, pp. 5-62 to 5-65)	CONSISTENT: Since the certification of the EIR, the City has moved forward with a Waste Water Treatment Plant expansion and will not need the Project to treat and process wastewater generated by the development. Instead, the Project will contribute financially to the City's Waste Water Treatment Plant project.	MM 5-9: Building Permits for non-residential construction shall not be issued, and <u>small-lot final subdivision maps</u> shall not be recorded, until wastewater treatment capacity is secured to serve each increment of new development. <i>1. For each increment of new development within the Specific Plan area, the Project applicant shall demonstrate to the satisfaction of the City that the City's wastewater treatment plant has capacity to accommodate the increment of new development. The Project applicant shall also demonstrate to the satisfaction of the City that development timing will not impede other development for which previous entitlements have been issued. The requirements of this measure shall be made a condition of any small-lot tentative map approval associated with the new development and shall be verified by the City</i>

prior to recordation any final map associated with the new development. Where no small-lot tentative map and final map are required prior to non-residential development having the potential to increase wastewater flows, the requirement for such verification, to be demonstrated no later than the time of issuance of building permits, shall be made a condition of approval of project-level discretionary approvals analogous to issuance of building permits, shall be made a condition of approval of project-level discretionary approvals analogous to issuance of small-lot tentative maps.

2. The Project shall fund and install all improvements or modifications to the existing sewage collection system needed to serve the Project.

3. The Project shall fund and install all new sewage collection facilities (including the construction of a raw sewage pipeline between the Project and the WWTP) needed to serve the Project.

4. The Project shall fund the costs of developing effluent conveyance facilities necessary for conveyance of recycled water to the Project golf course.

Impact 5-10 Public Services and Utilities	The Project will increase the use of existing city parks and the demand for the development of new parks and recreation facilities. This impact is <i>significant</i>. (EIR, pp. 5-65 to 5-66)	Consistent: The applicant is providing 0.51 acres of neighborhood park in Phase 1A. Per MM5-10 f: Dedicated parklands shall be developed within two years of issuance of the first residential building permit in the residential neighborhood in which they are located. Note: This will be made a Condition of Approval in order for Sutter Creek Ranch Phase 1A to be consistent with the GGR-SP EIR.	MM 5-10: <i>A minimum of 4.5 acres of parkland shall be dedicated within residential neighborhoods of the Project. The City may reimburse parkland fees based on the dedication of parkland. Dedicated parklands shall meet the following criteria:</i> <i>a) Parks shall be distributed as follows:</i> (1) At least one park each in Lots 1, 2, and 3 (2) At least two parks in Lot 5; and (3) At least one park in Lots 9 and 10 and in lots 11 and 12; <i>b) Dedicated parkland shall be situated in central location(s) within each single-family residential neighborhood within the Project (residential custom lot areas may be excluded). Parklands shall be in locations of high visibility from surrounding residences and roadways, and locations shall be approved by the Planning Commission and City Police Department for compliance with this requirement prior to approval of small-lot subdivision within the Project;</i> <i>c) Parkland shall be dedicated with the recordation of each small-lot final map;</i> <i>d) Dedicated parkland shall be a minimum of one-quarter acre and a maximum of one acre in size;</i> <i>e) A minimum of one half of each dedicated parkland site shall be graded to create relatively level play field areas (with</i>
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			slope as required for drainage) with a minimum resulting regular-shaped turf area of 5,000 square feet; f) Dedicated parklands shall be developed within two years of issuance of the first residential building permit in the residential neighborhood in which they are located.
Impact 5-11 Public Services and Utilities	The Project construction and land uses will generate solid waste which will consume landfill capacity. This impact is <i>less than significant</i> . (EIR, p. 5-67 to 5-69)		No applicable mitigation measures for Impact 5-11.

Transportation and Circulation

Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures
Impact 6-2 Transportation and Circulation	Project consistency with Amador County Regional Transportation Plan policies. (EIR, pp. 6-30 to 6-34)	CONSISTENT: Based on the original proposed phasing of the project, a large lot subdivision was to occur first. Sutter Creek Ranch Phase 1A does not propose to do large lot subdivision, therefore the trigger to preserve the right of way for SR 104 will not be occurring. This impact will be addressed at a later phase of development.	MM 6-2: Right-of-way for potential future widening of SR 104 shall be preserved. The potential future SR 104 right-of-way requirements along Project frontage shall be determined through coordination with Caltrans and ACTC and said right of way reservation shall be recorded with the Project final subdivision map.

Impact 6-3 Transportation and Circulation	Project consistency with Amador County Pedestrian and Bicycle Transportation Plan policies. (EIR, pp. 6-34 to 6-36)	CONSISTENT: The applicant will be required to establish a Community Services District to maintain the bicycle and pedestrian facilities. Note: Establishment of a CSD will be made a Condition of Approval in order for Sutter Creek Ranch Phase 1A to be consistent with the GGR-SP EIR, No benches proposed at this time. The applicant must install benches at a minimum interval of every .25 miles along Valley View Way. This will be added as a Condition of Approval.	MM 6-3: Project roadway and pedestrian facilities design shall be modified to be consistent with the Amador County Pedestrian and Bicycle Transportation Plan guidelines, the Project shall establish a funding mechanism for the maintenance of bicycle/pedestrian facilities, and the Project shall include ancillary bicycle and pedestrian facilities. Prior to the City's approval of a <u>small-lot tentative subdivision map</u> within the Project, or approval of a grading permit for an area not subject to small-lot subdivision, the Project applicant shall demonstrate, to the satisfaction of the City, compliance with the following measures: 1. Project roadway and bicycle and pedestrian facilities designs shall be consistent with the design guidelines of the Amador County Pedestrian and Bicycle Transportation Plan. 2. Project roadway and/or common-area landscaping maintenance funding mechanisms (which may include the establishment of a community services district for the Project) shall specifically identify and include bicycle and pedestrian facility maintenance as a component of roadway and/or landscaping costs. The funding mechanism shall ensure that sufficient revenue for the maintenance of Project bicycle and pedestrian facilities is secured on an on-going basis. 3. Ancillary bicycle and pedestrian transportation facilities shall be included in
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			the Project design to promote safe and convenient bicycle and pedestrian transportation within the Project. In addition to bicycle and pedestrian pathways, bicycle storage/security rack systems shall be included at convenient and visible locations within the Project commercial core area and the mixed-use commercial/residential parcel adjacent to SR 104 (Lot 22). Bicycle storage/security rack systems shall be installed at attached and multi-family residential developments within the Project (residential duplex units may be excluded from this requirement). Bicycle and pedestrian pathways shall be lighted for convenience and security through combined lighting with street lights or installation of separate pathway lighting, excluding pathways within the open space and golf course parcels. Benches shall be installed along pedestrian walkways parallel to the Gold Rush Ranch Parkway and Valley View Way extension at intervals not exceeding 0.25 mile.
Impact 6-4 Transportation and Circulation	Construction activities within and adjacent to public roadways and construction vehicle and equipment ingress and egress to the Project site will result in traffic delays and unsafe conditions for motorists and bicyclists. This impact is <i>significant</i> . (EIR, pp. 6-36 to 6-38)	<i>CONSISTENT: Condition of Approval that the applicant will work with Caltrans to develop a construction-period traffic management plan.</i>	MM 6-4: A construction-period traffic management plan shall be developed. Intersection improvements shall be installed on SR 104 prior to initiating construction within the Project site. 1. Through coordination with Caltrans, a construction-period traffic management plan which defines construction activities, staging, traffic management/detour routing, signage, barrier installation and other requirements deemed necessary for the safe and efficient movement of traffic

			through the SR 104 corridor between SR 88 and SR 49 during construction activities within or adjacent to the SR 104 right-of-way shall be developed and implemented. 2. Prior to construction activities with the Project site construction access location(s) shall be defined. Intersection improvements at this/these locations shall be installed as necessary to provide turn lanes and acceleration/deceleration lanes for construction vehicles accessing the Project site from SR 104. 3. A construction-period roadway maintenance program which defines periodic roadway cleaning/sweeping/surfacing requirements and measures to minimize the track-out of materials from the Project site shall be developed and implemented. The program shall ensure that no construction debris or excessive vehicle tracking accumulates on SR 104 or other Project area public roadways and shall apply to areas within the Project site following initial development and occupancy of residences within the Project.
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Impact 6-5 Transportation and Circulation	Project roadways could operate at unacceptable levels of service and traffic volumes could exceed those acceptable for golf cart, bicycle and pedestrian path crossings and direct residential driveway access. This impact is <i>significant</i> . (RDEIR, pp. 21-25;	CONSISTENT: Sutter Creek Ranch Phase 1A does not include construction in the area of Gold Rush Ranch Parkway/Road D (MM 6-5 1). Golf course construction is not planned as part of Phase 1A (MM 6-5 2a)	MM 6-5: The Project shall install a four-way stop control or roundabout at the Gold Rush Ranch Parkway/Road D intersection; the number of at-grade golf cart, bicycle and pedestrian path roadway crossings shall be minimized and a Golf Cart Circulation Plan and Bicycle and Pedestrian Circulation Plan shall be prepared and approved by the
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	FEIR, pp. 6-38 to 6-40)	A Bicycle and Pedestrian Circulation Plan has been prepared for Phase 1A (MM 6-5 2b).	City; and direct residential driveway access to Project roads projected to carry over 4,000 vehicles per day shall be prohibited. 1. The Project shall install either an all-way stop control intersection or a roundabout at the Gold Rush Ranch Parkway/Road D intersection. 2a. A primary circulation route for both pedestrian and golf cart navigation of the Project golf course shall be designed and documented. Routes shall be designed to minimize the number of roadway crossings. The locations of at-grade crossings shall be in areas highly visible from motor-vehicle travel lanes and shall be marked with signage and surface treatment to ensure that both motorists and golf cart operators receive clear indication of potential crossing movements. Crossings and designs shall be incorporated into a Golf Cart Transportation Plan to be prepared by the Project applicant and reviewed and approved by the City upon the City's satisfaction that crossings provide adequate safety. The City may, at its discretion, require grade-separated crossings for golf cart path crossings of Project roadways projected to exceed 4,000 ADT or of roadways projected to have fewer than 4,000 ADT if special circumstances, such as visibility or terrain, warrant the separation. 2b. Bicycle and pedestrian path at-grade roadway crossings shall be minimized and
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			shall be located in areas highly visible from motor-vehicle travel lanes and shall be marked with signage and surface treatment to ensure that both motorists and bicyclists and pedestrians receive clear indication of potential crossing movements. Crossings and designs shall be incorporated into a Bicycle and Pedestrian Circulation Plan to be prepared by the Project applicant and reviewed and approved by the City upon the City's satisfaction that crossings provide adequate safety. The City may, at its discretion, require grade-separated crossings for bicycle and pedestrian path crossings of Project roadways projected to exceed 4,000 ADT or of roadways projected to have fewer than 4,000 ADT if special circumstances, such as visibility or terrain, warrant the separation. 3. Direct residential driveway access to Project roads projected to exceed 4,000 ADT shall be prohibited.
Impact 6-6 Transportation and Circulation	Vehicular access to the mixed-use site could be precluded as a result of inadequate intersection spacing. This impact is <i>significant</i> . (EIR, pp. 6-41 to 6-42)	CONSISTENT: Phase 1A does not involve the development of Lots 22 and 26.	MM 6-6: Prior to the City's approval of the Project, the City shall secure Caltrans verification that access to Lots 22 and 26 from SR 104 is feasible or an alternative access to this area of the Project shall be developed. Prior to the City's approval of a <u>small-lot tentative subdivision map</u> or building permit within either Lot 22 or Lot 26, the City Project applicant shall provide written verification from Caltrans that access to Lots 22 and 26, including that necessary for emergency vehicle operations associated with police/fire station operations, is

			feasible. In the event that the access from SR 104 is not feasible, the City shall require that the Project be amended to either define alternative access to Lots 22 and 26 or to relocate the mixed-use and public safety sites to alternative locations within the Project site.
Impact 6-7 Transportation and Circulation	The Project will increase motor vehicle trips on area roadways and will contribute to unacceptable traffic operations under baseline and long-term/cumulative conditions. This impact is <i>significant</i> . (EIR, pp. 6-42 to 6-109)	CONSISTENT: With the addition of a Condition of Approval, this mitigation measure can be met. Applicant must construct intersection improvements and signalization (if signal warrants are met) at SR 104/Ampine-Fibreform Road/Allen Ranch Road intersection. (MM 6-7: 2a)	MM 6-7: The Project shall pay the Regional Traffic Impact Mitigation Fee and the applicable Local Traffic Mitigation Fee in effect at the time of each building permit issuance. In addition, the Project shall construct specific roadway and intersection improvements required for Project site access and the Project shall dedicate or acquire rights-of-way, fully fund and install specific regional roadway improvements. <i>1. Each applicant for a building permit within the Project shall pay the Regional Traffic Mitigation Fee (RTMF) and the applicable Local Traffic Mitigation Fee in effect at the time each building permit is issued.</i> <i>2. The Project shall acquire necessary rights-of-way, fully fund, design, and construct and/or upgrade at the sole cost and expense of the Project the following Project access roadways and intersections:</i> <i>a. Prior to issuance of a building permit within the Project, the Project shall construct intersection improvements and signalization (if signal warrants are met) at SR 104/Ampine-Fibreform Road/Allen Ranch Road intersection.</i>

			<i>b. Prior to the issuance of a building permit for the eighty-first (81st) single-family dwelling within the GRR-SP, the Project shall construct the Allen Ranch Road/Valley View Way from the northern property boundary to Valley View Way.</i> <i>c. Prior to the earliest of 1) thirty-six (36) months of the date of Project approval, 2) issuance of a building permit for the 301st residential unit in the Project, and 3) issuance of a building permit for any Phase 2, Phase 3 or Phase 4 land use, the Project shall construct the SR 104/Locomotive Lane/Road D intersection and shall install Road D between Gold Rush Ranch Parkway and SR 104.</i> <i>d. Prior to issuance of a building permit for the Golf Course Maintenance Area in Lot 19 (Parcel P), the Project shall construct the SR 88/Golf Maintenance Access intersection.</i> <i>e. Prior to issuance of building permits for development within Lots 22 and 26 (Parcels V and Z) unless an alternative access route to these lots is provided from within the Project site, the Project shall construct the SR 104/Mixed Use Access intersection.</i> <i>3. The Project shall acquire necessary rights-of-way, fully fund, design, and construct and/or upgrade at the sole cost and expense of the Project the following regional roadways and Intersections:</i>
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			a. Prior to issuance of a building permit within the Project, the Project shall construct the Bowers Drive/Prospect Drive realignment. b. Prior to the earliest of 1) thirty-six (36) months of the date of Project approval, 2) issuance of a building permit for the 301st residential unit in the Project, and 3) issuance of a building permit for any Phase 2, Phase 3 or Phase 4 land use, the Project shall construct a right turn lane from southbound SR 49 to westbound SR 104. c. Prior to the issuance of a building permit for the 500th residential unit in the Project, the Project shall construct improvements at the Valley View Way/Bowers Drive.
Impact 6-8 Transportation and Circulation	Project parking standards do not meet the requirements of the City Zoning Ordinance parking standards. This impact is <i>significant</i> . (EIR, pp. 6-110 to 6-111)	CONSISTENT: This will be implemented at time of building permit.	MM 6-8: The Project minimum parking standards shall be consistent with the City Zoning Ordinance chapter 18.48, Off-Street Parking, and the Project shall install a minimum of five (5) parking spaces at Project trailhead access locations.

Air Quality			
Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures

Impact 7-2 Air Quality	Construction activities such as clearing, excavation and grading operations, construction and grading operations, construction vehicle traffic and wind blowing over exposed earth will generate fugitive particulate matter emissions that will temporarily affect local air quality for adjacent uses. This impact is <i>significant</i>. (EIR, pp. 7-19 to 7-21)	CONSISTENT: Condition of Approval	MM 7-2: Specific fugitive dust reduction measures shall be implemented during on-site and off-site ground disturbance and other construction activities and construction vehicles and equipment shall be maintained according to manufacturer specifications. <i>Specific fugitive dust reduction measures and vehicle/emission control measures shall be implemented during site preparation and grading. The Project shall demonstrate to the satisfaction of the City the following construction dust control measures shall be implemented for the purpose of fugitive dust suppression for all phases of construction:</i> <i>a) Construction contracts shall require that work will be accomplished in accordance with Amador County Air Pollution Control District Rule 218 Fugitive Dust Emissions.</i> <i>b) Active construction sites shall be watered a minimum of twice daily. Frequency shall be based on the type of operation, soil and wind exposure.</i> <i>c) In addition to watering for dust control soil (per item b, above), when grading within 100 feet of residence, park or other sensitive receptor boundary areas to be disturbed shall be watered prior to and during ground disturbance as necessary so as to eliminate visible dust emissions.</i>
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- d) Land clearing, grading, earthmoving or excavation activities shall be suspended when control efforts are unable to avoid visible dust plumes.
- e) Paved streets adjacent to the construction sites shall be swept or washed at the end of each day as necessary to remove excessive accumulations of silt and/or mud that may have accumulated.
- f) A gravel apron, rock rip-rap, grate or other methods shall be installed to provide for passive cleaning of construction vehicles prior to exiting the site.
- g) The size of the area subject to active excavation, grading or other construction activity at any one time shall be limited to 43 acres or less to avoid excessive dust. Project areas in excess of the 43 acres shall be undisturbed or disturbed soils shall be secured with stabilizers.
- h) Unpaved haul roads shall be watered for dust control a minimum of twice daily, and a speed limit of 15 mph will be enforced on haul roads and unpaved areas.
- i) Soil stabilizers shall be applied or reestablishing ground cover to construction areas shall commence within 7 days of completing grading activities.
- j) A wind erosion monitoring program shall be developed for areas which will remain

			<i>inactive for extended periods; this program should at a minimum provide for weekly monitoring of inactive sites to assess the effectiveness of wind erosion controls.</i> <i>k) No open burning shall be allowed; vegetative material shall be chipped or delivered to waste or energy facilities, with priority to energy facilities if available.</i> <i>l) Construction vehicles and equipment shall be maintained in accordance with manufacture specifications.</i>
Impact 7-3 Air Quality	Project sewer facilities could expose Project residents or visitors to hydrogen sulfide gas. This impact is <i>significant</i> . (EIR, pp. 7-22 to 7-23)	CONSISTENT: No longer applicable. Sewer facilities for Phase 1A do not require onsite improvements.	MM 7-3: <i>The Project applicant shall demonstrate to the satisfaction of the City that Project-related sewer facilities (both within the Project site and off-site conveyance facilities) and the design of wastewater lift stations and other facilities vented to the atmosphere include effective odor control design or equipment to meet the CARB-adopted standard of 0.03 parts per million (ppm) for a one-hour average measured at 25 feet from the boundary of the facility or component or at the parcel boundary of any occupied residential or non-residential use, whichever is closer as a requirement of facility approval. Considerations shall include facility design and location/proximity of facilities to residential, commercial and outdoor public areas (including trail or other open space uses). In the event that operation of the Project sewer facilities results in</i>

			<i>H2S or other odor emissions that result in nuisance complaints, the sewer system facilities shall be modified as necessary to resolve such nuisance. (Compliance with the state H2S ambient air quality standard of 0.03 ppm for a one-hour average shall be required; however, additional controls may be necessary to address/resolve nuisance issues.) Implementation of this measure shall be fully funded by the Project applicant.</i>
Impact 7-4 Air Quality	Exhaust from diesel equipment and other construction vehicles will affect regional air quality and increase health risks related to diesel exhaust particulate, an identified toxic air contaminant. Additionally, Project residents could be exposed to diesel exhaust particulates resulting from vehicle traffic on adjacent roadways. This impact is <i>less than significant</i> . (EIR, pp. 7-23 to 7-24)		No applicable mitigation measures for Impact 7-4.
Impact 7-5 Air Quality	Project-related vehicle trips and on-site emissions from other activities in excess of thresholds and will contribute to regional air quality impacts. This impact is <i>significant</i> . (EIR, pp. 7-24 to 7-27)	CONSISTENT: Condition of Approval and implemented at Building Permit issuance.	MM 7-5: <i>Wood-burning devices within residential and commercial developments shall be prohibited within the Project. Open burning of trash, leaves, vegetation or other material shall be prohibited within the Project. Outdoor electrical supply and energy efficiency in excess of current standards shall be required.</i> <i>1. The installation and use of wood-burning fireplaces, stoves or other</i>

			devices shall be prohibited within the Project (natural gas fireplaces are permitted), and open burning of trash, leaves, vegetation or other material shall be prohibited within the Project. 2. All building permit applications for development within the Project shall demonstrate that all structures within the Project will be built to exceed Title 24 energy efficiency requirements by a minimum efficiency increase of 20 percent (beyond Title 24 requirements) and that commercial and residential structures within the Project will include exterior electrical outlets for use of electrical landscape maintenance equipment.
Impact 7-6 Air Quality	In the event that naturally occurring asbestos is present within the Project site, grading and other ground disturbing activities could generate airborne asbestos fibers and create a human health risk. This impact is <i>less than significant</i> . (EIR, p. 7-27)		No applicable mitigation measures for Impact 7-6.
Impact 7-7 Air Quality	Project-related vehicle trips will increase area traffic volumes and congestion levels, and will have the potential to increase carbon monoxide concentrations adjacent to congested areas. This impact is <i>less than significant</i> . (EIR, pp. 7-28)		No applicable mitigation measures for Impact 7-7.

Impact 7-8 Air Quality	The Project will result in emissions of greenhouse gases. This impact is <i>significant</i>. (EIR, pp. 7-28 to 7-39)	INCONSISTENT: The application is missing the electric vehicle charging area (MM 7-8 bullet 2) and bike parking at the proposed park (MM 7-8 bullet 3). The applicant should revise the plans to demonstrate compliance with MM-7-8 or provide information demonstrating that the applicable measures have otherwise been satisfied.	MM-7-8: The Project shall prepare and implement GHG emissions reduction plans for all areas to be developed within the Project site, and shall implement all feasible construction-related and longterm GHG emission reduction strategies. GHG reduction plan shall be prepared by the Project applicant and submitted to the City with each tentative <u>small-lot subdivision map</u> application or with a grading permit application for those areas of the Project proposed to be developed without further subdivision. Each GHG emissions reduction plan shall identify all feasible measures to reduce construction-related and long-term GHG emissions associated with development and land uses within the subject area and shall demonstrate compliance with applicable state and local greenhouse gas emission reduction regulations in effect at the time of each tentative small-lot map or grading plan application. Prior to the City's approval of each tentative small-lot map or grading plan, the City shall review and approve the GHG emissions reduction plan, verify that the plan achieves all feasible GHG emission reduction strategies and shall require that the Project implement all feasible strategies identified in the plan. GHG emission reduction measures to be considered for feasibility and incorporation to the GHG emissions reduction plan shall include, but not be limited to, the following: 1. Design measures to reduce vehicle trips
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			and encourage other modes of travel, such as: (a) including high density residential, mixed, or retail/commercial uses within 1/4 mile of activity centers; (b) providing Class I or Class II bike lanes or comparable bikeway connections to existing facilities (residential, commercial, mixed); (c) providing for pedestrian facilities and improvements such as sidewalks and trails with a 5-foot minimum width providing connectivity within and among all residential, commercial and mixed-use areas of the Project; providing parking lot designs with clearly marked and shaded pedestrian pathways towards building entrances (commercial). 2. Include electric vehicle charging facilities at parking areas of all new homes. 3. Provide the minimal amount of car parking required and increase the amount of bike storage and parking areas at both residential and non-residential projects. 4. Payment of transportation impact fees to fund public transit service. 5. Orient lot configurations towards locations at which public transportation options are available. 6. Include energy efficient designs and materials for buildings, appliances, lighting and office equipment.
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7. Incorporate use of solar panels, water reuse systems and composting and on-site renewable energy production.
8. Include low-emitting furnaces in all residential, commercial, and mixed-use buildings within the Project.
9. Include skylights in structures to reduce the need for general area lighting on sunny days.
10. Participate in local-area recycling programs through provision of convenient recycling bins and separation facilities.
11. Incorporate landscape designs that reduce energy and water consumption, such as planting drought resistant native trees that increase area-wide shade and xeriscaping.
12. Prohibit requirements that front and side yards of single family homes be planted with turf grass, and permit and encourage bunch grass and low-water landscaping;
13. Install Energy Star labeled roof materials in all occupied or other conditioned structures.
14. Provide optimized thermal distribution in all occupied and other conditioned structures by separating ventilation and thermal conditioning systems.

			15. Provide highly reflective, highly emissive roofing for all occupied and other conditioned structures. 16. Provide solar water heaters for all occupied and other conditioned structures. 17. Provide energy efficient appliances (e.g., Energy Star) in all residential units and commercial structures. 18. Equip all occupied and conditioned structures with energy-reducing programmable thermostats that automatically adjust temperature settings. 19. Equip all occupied and conditioned structures with low-water use appliances.
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Noise			
Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures
Impact 8-2 Noise	Noise levels associated with aircraft use of the Westover Field could exceed established noise level criteria. This impact is <i>less than significant</i> . (EIR, pp. 8-16)		No applicable mitigation measures for Impact 8-2.

Impact 8-3 Noise	Site preparation, grading and other construction activities associated with Project development will increase noise within the Project site and at adjacent areas during the initial phase of Project construction. This impact is <i>significant</i>. (EIR, pp. 8-16 to 8-18)	CONSISTENT: Condition of Approval	MM 8-3: Construction contractors shall be required to comply with applicable noise regulations, ensure that engine-driven equipment is fitted with appropriate mufflers, prohibit construction activities during unspecified allowable times and require equipment staging to be situated a minimum of 250 feet from sensitive noise receptors. <i>Concurrent with any application for any Project-related grading permit the applicant shall submit to the City a report prepared by a qualified consultant demonstrating compliance with all applicable local regulations regarding noise attenuation. The following requirements shall be included in the construction specifications, improvements and construction plans that will require the construction contractor to perform and/or comply with the following:</i> <i>a) Limit outdoor construction activities (e.g., grading) to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and the hours of 8:00 a.m. to 5:00 p.m. on Saturday and prohibited on Sunday;</i> <i>b) Locate fixed construction equipment such as compressors and generators at distances no less than 250 feet from sensitive receptors, and at greater distances if feasible;</i> <i>c) Shroud or shield impact tools, and muffle or shield intake and exhaust ports on power construction equipment;</i>
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			d) Construction equipment using internal combustion engines shall be in proper tune; e) Portable rock crushing facilities shall be located a minimum of 1,500 feet from occupied residences or a detailed site-specific noise analysis shall be performed to identify Project noise levels and mitigation requirements to ensure that hourly noise levels do not exceed 60 dB Leq; f) Implement Mitigation Measure 8-6 to reduce potential noise and vibration effects due to blasting.
Impact 8-4 Noise	Activities associated with final grading, roadway paving on-site utilities installation and structure construction and finishing within the Project will increase noise within the Project site and at adjacent areas during each phase of Project construction. This impact is <i>significant</i> . (EIR, pp. 8-19 to 8-20)	CONSISTENT: Condition of Approval	MM 8-4: Specific informational programs shall be developed and implemented, occupancy shall be limited until major construction has been completed, and construction staging areas, construction water tanks, and other nodes of construction activity will be located distant from occupied residences. 1. The preparation and implementation of a construction crew education and signage program shall be required to advise construction workers of the need to minimize construction activity noise levels. Information shall be made available at model homes and through purchasing agents to advise new home buyers that new home construction may be occurring within their neighborhood which could result in temporary noise disturbances.

			2. For each increment of development, all supporting road and supporting backbone utility construction (except for connections from an individual lot to the backbone utility), and lot grading (excluding areas within which residential lots will require individual pad grading) shall be completed for that phase prior to issuance of a certificate of occupancy for any residential structure in that increment of development. This measure does not apply to model homes, which may be used for sales purposes prior to the completion of major construction within a phase. 3. Staging of construction equipment and water tanks shall be located a minimum of 250 feet from occupied on-site residences.
Impact 8-5 Noise	Construction activities associated with development of off-site utility infrastructure and roadway improvements will result in a temporary increase in noise levels in areas adjacent to construction activities. This impact is <i>significant</i> . (EIR, pp. 8-20 to 8-21)	CONSISTENT: Condition of Approval	MM 8-5: Construction contractors for off-site utility infrastructure and roadway improvements shall be required to comply with applicable noise regulations, ensure that engine-driven equipment is fitted with appropriate mufflers and development, prohibit construction activities during certain times of day and require equipment staging to be situated a minimum of 25- feet from sensitive noise receptors. <i>During construction of off-site utility infrastructure and roadway improvements associated with the Project, contractors shall be required to comply with applicable local, state, and federal regulations regarding noise attenuation, and ensure that engine-driven equipment is fitted with adequate mufflers according to</i>

manufacturers' specifications. These provisions shall be included in the construction specifications, improvements and construction plans that will require the construction contractor to perform the following tasks:

- a) Limit outdoor construction activities (e.g., grading) to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and the hours of 8:00 a.m. to 5:00 p.m. on Saturday and prohibited on Sunday;
- b) Locate fixed construction equipment such as compressors and generators at distances no less than 250 feet from sensitive receptors, and at greater distances if feasible;
- c) Shroud or shield impact tools, and muffle or shield intake and exhaust ports on power construction equipment;
- d) Construction equipment using internal combustion engines shall be in proper tune;
- e) Equipment staging areas should be located a minimum of 250 feet from occupied residences.

Impact 8-6 Noise	Construction activities, including blasting, could generate excessive ground-borne vibration or excessive ground-borne noise levels. This impact is <i>less than significant</i>. (EIR, pp. 8-21 to 8-23)	CONSISTENT: Condition of Approval	MM 8-6: <i>Limit blasting to weekdays during the day, to the extent practicable, all blasting for a given phase of construction shall be completed prior to occupancy of any structure constructed within that phase and implement best management techniques to reduce adverse noise and vibration effects.</i> <i>1. Blasting shall be allowed only on weekdays from 10 a.m. to 4 p.m. Exceptions are allowed if it can be shown that construction beyond these times is necessary to meet regulatory deadlines or to alleviate safety hazards.</i> <i>2. All blasting required for each phase of construction site shall be completed to the extent practicable prior to occupancy of any structures constructed within that phase.</i> <i>3. In areas of controlled blasting, the contractor shall:</i> <i>a) Ensure that blasting of rock shall be conducted under the guidance of a qualified blasting consultant;</i> <i>b) Give 30 and 5-day written notices to all residences, businesses and utility owners within a half mile from the controlled blasting area;</i> <i>c) Inspect all structures within 300 feet of the blast site no more than two weeks prior to commencement of controlled blasting;</i>
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			d) Use best available technology, such as blast mats, emplacing overburden, modifying shot timing, or other techniques to minimize noise generated by blasting; and; e) Require all personnel in the controlled blasting area to wear ear and other appropriate protection during blasting excavation activities.
Impact 8-7 Noise	Noise sources associated with golf course and turf maintenance and activities at the golf course equipment maintenance area could cause noise levels to exceed Sutter Creek or Amador County noise standards and/or noise a source of annoyance to land uses within or adjacent to the Project site. This impact is <i>significant</i> . (EIR, pp. 8-23 to 8-25)	CONSISTENT: Not applicable to Phase 1A	MM 8-7: Specific maintenance area and building design criteria, operational practices and hours of operation adequate to reduce noise generated during turf maintenance and within the maintenance area to achieve applicable City and/or County noise standards at adjacent noise sensitive land uses shall be required. <i>The following operation and design criteria shall be required for the golf course maintenance area:</i> a) Golf course, park and other turf and landscape noise-generating maintenance activities shall not occur within 65 feet of residential dwelling before 7:00 a.m.; b) Noise-generating equipment maintenance activities shall be performed within an enclosed maintenance structure (with appropriate ventilation, lighting, and other safety measures) which shall be designed and

			constructed with noise-attenuating wall material or insulation; and c) Doors, windows or other openings within the maintenance building which open toward noise-sensitive land uses shall not be designed as an integral component of the maintenance building ventilation and shall be required to be closed by personnel during equipment maintenance activities which generate substantial noise levels.
Impact 8-8 Noise	Traffic noise from primary roadways within the Project will have the potential to exceed City noise standards at residential areas adjacent to primary Project roads. This impact is <i>significant</i> . (EIR, pp. 8-25 to 8-27)	CONSISTENT: Updated Noise Study provided to document that Valley View Way roadway noise levels do not exceed standards on the lots adjacent to the roadway.	MM 8-8: A minimum separation between residential property outdoor activity areas and Project roadways shall be required in the configuration of small-lot subdivisions sufficient to ensure that traffic noise levels in residential outdoor activity areas do not exceed 60 dBA Ldn. The configuration of small-lot subdivision shall be required to provide a minimum separation between the outdoor activity areas of residential properties and roadway centerlines within the Project as necessary, to ensure that traffic noise levels at residential outdoor activity areas do not exceed 60 dBA Ldn. The Project shall conduct an acoustical analysis for <u>small-lot tentative subdivision maps</u> to determine the minimum separation between residential outdoor activity areas and Project roads to achieve this requirement. Upon submittal of a tentative <u>small-lot subdivision map</u> application to the City, it shall be demonstrated by the applicant that outdoor activity areas are not within the predicted 60 dBA Ldn contour of any

			roadway based on projected cumulative traffic volumes at full buildout of the Project.
Impact 8-9 Noise	Noise from activities associated with commercial uses within the commercial core area could result in exceedance of City noise standards or otherwise result in noise-related annoyance to residents at adjacent residential properties. This impact is <i>significant</i> . (EIR, pp. 8-27 to 8-29)	CONSISTENT: Not applicable to Phase 1A.	MM 8-9: Prior to the issuance of grading and building permits for development within the commercial core area, the submittal of a site design for the commercial core area and an acoustical analysis that identifies Project noise levels associated with specific and worst-case noise levels associated with the design shall be required. Specific mitigation strategies shall be identified as necessary to ensure that noise levels will be consistent with applicable City noise standards. <i>Concurrent with any application for any Project-related grading or building permit within the commercial core area, the applicant shall submit to the City a final design of the area and an acoustical analysis prepared by a qualified consultant that specifically evaluates the commercial core design for potential noise impacts shall be conducted both within the commercial core area and at adjacent residential parcel property boundaries and submitted with the final design of the commercial core area. The acoustic analysis shall identify necessary noise control measures to ensure that noise levels do not exceed City standards and shall require that such measures be incorporated into the Project design. Noise</i>

			control measures may include, but are not limited to, use of noise barriers, site-redesign, silencers, partial or complete enclosures of critical equipment, etc. At a minimum, the following measures shall be incorporated into the design of the commercial core and adjacent residential areas (note that these measures are minimum design measures and additional measures shall be implemented as necessary to achieve compliance with applicable City noise standards): a) Truck unloading/loading and solid waste collection areas shall be located a minimum distance of 100 feet from residential properties; b) Circulation routes within commercial areas shall be located a minimum of 25 feet from residential properties; c) HVAC equipment within the commercial core area shall be located within enclosed mechanical rooms or otherwise shielded with solid barriers; d) Where commercial land uses are separated from residential areas by local streets, loading activities shall be limited to the opposite sides of the buildings from residential uses.
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Impact 8-10 Noise	Noise from activities associated with Project recreational uses could result in exceedance of City noise standards or otherwise result in noise-related annoyance at adjacent properties. This impact is <i>significant</i> . (EIR, pp. 8-29 to 8-30)	CONSISTENT: Condition of Approval	MM 8-10: Parks within the Project shall be closed between the hours of 10:00 pm and 7:00 am.
Impact 8-11 Noise	The operation of off-site utility infrastructure associated with the Project could result in increased noise levels at existing and future noise-sensitive receptors. This impact is <i>significant</i> . (EIR, p. 8-30)	CONSISTENT: Condition of Approval	MM 8-11: Utility infrastructure equipment shall be specified, constructed and operated to not exceed an hourly average noise level of 50 dB at existing or future residential or other noise-sensitive land uses. <i>Utility infrastructure equipment shall be specified, constructed, and operated to not exceed an hourly average noise level of 50 dB at existing or future residential or other noise-sensitive land uses. Prior to the installation of infrastructure that will generate audible noise during operation and located within 100 feet of existing or future residential areas, the infrastructure operation specifications, operational noise levels and evidence that City noise standards will not be exceeded by the operation of the infrastructure shall be submitted to the City for review and approval.</i>

Impact 8-12 Noise	Motor vehicle trips associated with Project land uses will increase vehicle trips on area roads outside of the Project and increase noise levels at land uses adjacent to such roads. This impact is <i>less than significant</i> . (EIR, pp. 8-31 to 8-33)		No applicable mitigation measures for Impact 8-12.
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Soils and Geology

Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures
Impact 9-2 Soils and Geology	Development within the Project site could expose structures and residents to faulting, seismic ground shaking, liquefaction and seismically induced landslide potential. This impact is <i>significant</i> . (EIR, pp. 9-13 to 9-14)	CONSISTENT: Design level geotechnical evaluations shall be prepared. Per City Engineer: This can be provided at time of grading permit.	MM 9-2: <i>A design-level geotechnical evaluation shall be prepared for final grading plans and/or <u>tentative small lot-subdivision map</u> applications. Structures within the Project site shall be constructed according to applicable building code requirements and shall be designed to resist earthquake damage. Structures shall not be constructed on unengineered soils containing mine tailing deposits. Structures shall not be constructed within 50 feet of the unnamed fault at the contact between the Logtown Ridge Formation and the Foothill Melange-Ophiolite Formation metasedimentary rock within the Project or less if determined by a site-specific geotechnical evaluation.</i> <i>The preparation and submittal of design-level geotechnical evaluations concurrent with the final grading map and/or tentative <u>small-lot subdivision map</u> for construction within the site shall be required. The design-level geotechnical report shall include an assessment of liquefaction potential of the soils on which development is identified. Project applicant shall demonstrate to the satisfaction of the City Engineer that no increased potential for risk of earthquake damage, liquefaction or other geological hazards will occur as a result of the final grading plan and <u>small-lot subdivision map</u>.</i>

Structures within the Project site shall be constructed in accord with the recommendations of the site-specific geotechnical evaluation and in accord with applicable building code standards at the time of small-lot tentative subdivision map application. At a minimum, structures shall not be located on foundation soils that may be susceptible to liquefaction and shall be designed to:

- 1) resist minor earthquakes without damage,
- 2) resist moderate earthquakes without structural damage, but with some non-structural damage, and
- 3) resist major earthquakes without collapse, but with some structural as well as non-structural damage.

No structures shall be constructed within 50 feet of the unnamed fault at the contact between the Logtown Ridge Formation and the Foothill Melange-Ophiolite Formation metasedimentary rock within the Project or less if determined by a site-specific geotechnical evaluation.

Impact 9-3 Soils and Geology	Site grading could result in slope instability, landslides and settlement of soils that could damage structures and pose safety risks. This impact is <i>significant</i>. (EIR, pp. 9-14 to 9-15)	CONSISTENT: Design level geotechnical evaluations shall be prepared. Per City Engineer: This can be provided at time of grading permit.	MM 9-3: A design-level geotechnical exploration report for areas identified for grading or other ground disturbance shall be prepared and submitted to the City concurrent with each final grading map and/or tentative <u>small-lot subdivision map</u> for construction within the site. The design-level geotechnical explorations shall characterize the engineering properties of soil and bedrock materials and address geotechnical issues such as site preparation, grading, subdrains, keyways and foundations. A report shall be prepared that documents the result of each design-level geotechnical exploration and shall identify specific measures to minimize potential slope instability. The report shall be submitted to the City for review and approval prior to Project construction. Slope stability and grading plans shall include consideration of increased slope instability potential associated with major earthquakes. The following shall be considered for incorporation into final site design: <i>a) Cut and fill slopes shall be designed and constructed no steeper than 2:1 (horizontal:vertical);</i> <i>b) For cut or fill slopes steeper than 3:1, terraces at least 8 feet in width shall be established at not more than 30-foot vertical intervals to control surface drainage, with drainage in lined ditches to control runoff;</i> <i>c) Slopes higher than 30 feet that are</i>
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			constructed no steeper than 3:1 may be designed without benches, provided appropriate erosion control measures are implemented; d) A maintenance bench a minimum of 15 feet in width shall be provided where the toe of major cut or fill slopes is adjacent to areas of residential development and access to these benches shall be provided for maintenance purposes; e) Detailed fill placement criteria shall be developed to reduce the magnitude of postconstruction fill settlement, which may include higher compaction specifications in the deeper portions of fills, selective grading methods, and moisture conditioning of fill materials to above-optimum moisture content. Detailed fill placement criteria shall be developed based on laboratory testing and analysis performed in conjunction with the design-level geotechnical investigation; f) Uniform foundation support shall be provided through over-excavation in lots cut or cut/fill transition areas as determined by the site-specific geotechnical analysis; g) For fills over existing slopes, existing slopes shall be over excavated to provide proper keyways at the toe of fill slopes and benching into stable materials. Sliver fills over existing natural slopes or above cuts shall not be made without keying or benching; h) Existing fills that are located within areas of
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			development shall be removed during Project grading to reduce the potential for excessive settlement. (These soils may be suitable for use as engineered fill provided that deleterious materials, such as wood, are removed and oversized rock fragments are properly treated.); i) In areas susceptible to increased risk associated with slope instability during major earthquake events, grading and site design shall include consideration of remedial grading and/or provision of adequate development setbacks.
Impact 9-4 Soils and Geology	Amendments to General Plan Policy 3.3 could result in increased erosion and landslide potential in areas of future development within the City. This impact is <i>significant</i> . (EIR, p. 9-16)	CONSISTENT: Not applicable	MM-9-4: The City shall not amend Conservation and Open Space Policy 3.3 as proposed by the Project. <i>The City shall not amend General Plan Conservation and Open Space Policy 3.3 with the language proposed by the Applicant.</i>
Impact 9-5 Soils and Geology	Construction activities associated with development within the Project site and that necessary for installation of off-site utility and roadway improvements will result in exposure of soils and increased erosion potential that could accelerate topsoil loss. This impact is <i>significant</i> . (EIR, pp. 9-17 to 9-18)	CONSISTENT: A SWPPP was provided and implementation will be required as a Condition of Approval.	MM 9-5: A SWPPP shall be developed which identifies specific BMPs for controlling erosion from construction areas and the SWPPP shall be implemented during construction within the Project site and in off-site areas where Project – related utility infrastructure or roadway improvements construction will occur. Authorization under the NPDES Stormwater

			Permit for General Construction Activity, and other approvals, shall be obtained as necessary (e.g., NPDES construction dewatering permit). As required under the NPDES Stormwater Permit for General Construction Activity, a SWPPP shall be prepared for the Project that identifies the construction BMPs to be used for erosion and sediment control, waste disposal, and non-stormwater management controls, and roles and responsibilities of contractors working at the site to implement the terms and conditions of the SWPPP. The SWPPP shall be submitted to the City for approval as an element of the plans and specifications for the development. Implementation of BMPs and associated inspection requirements shall be conducted to comply with water quality objectives established in the Basin Plan. The SWPPP shall identify the appropriate personnel responsible for supervisory duties related to implementation of the SWPPP. Construction contractors shall provide, and retain, a copy of the approved SWPPP on the construction site. Erosion and contaminant control measures for the SWPPP shall include, but need not be limited to, the following as applicable and in compliance with state guidelines: a) Specify the pollutants that are likely to be used during construction that could be present in stormwater drainage and non-stormwater discharges.
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			b) Confine grading and activities related to grading (excavation, construction), to the dry season (April through October) to the extent feasible. c) Minimize exposure of disturbed areas and stockpiles to rainfall and minimize, to the extent feasible, construction work near or in drainage channels. d) Stabilize disturbed areas either by vegetative or mechanical methods to reduce erosion. e) Trap sediment before it leaves the site with such techniques as check dams, sediment ponds, or siltation fences. f) Control landscaping activities carefully with regard to the application of fertilizers, herbicides, pesticides or other hazardous substances. g) Specify BMP inspection protocols to ensure that the BMPs are effective and ensure the monitoring is conducted if non-visible pollutants are inadvertently discharged into Stormwater. h) Identify the types of hazardous materials used for equipment operation and specify appropriate spill prevention and contingency measures for clean up of spills. Emergency procedures for responding to spills shall be identified.
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			i) Identify personnel training requirements and procedures to be used to ensure that workers are aware of permit requirements and proper installation, performance, and inspection of BMPs.
Impact 9-6 Soils and Geology	Development of roadways or structures on soils with moderate or high plasticity or expansion potential could result in structural damage. This impact is <i>significant</i> . (DEIR, pp. 9-18 to 9-19)	CONSISTENT: Condition of Approval	MM 9-6: Soils and bedrock material with moderate to high shrink and swell potential shall be overexcavated and either replaced with low expansive material or moisture conditioned and compressed. <i>Prior to the approval of any grading or building permit within the Project, the applicant shall demonstrate to the satisfaction of the City that design-level geotechnical and soils evaluation have been conducted to determine the plasticity and expansion potential of soils or bedrock on which roadways, slabs or other structure foundations will be developed. Final grading plan(s) submitted to the City for development within the Project site shall include the results of these studies and shall identify measures identified to address soils or bedrock materials having a moderate or higher plasticity or expansion potential. Such areas shall be over-excavated and either replaced with low expansive material or moisture conditioned to several percentage points over optimum moisture content and compacted according to the specific requirement to be specified in the design-level geotechnical evaluation.</i>

Hydrology and Water Quality

Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures
Impact 10-2 Hydrology and Water Quality	Construction activities associated with development within the Project site, and with off-site utilities and roadway improvements will result in exposure of soils and increased erosion potential that could increase sedimentation in stormwater runoff and adversely affect water quality. This impact is <i>significant</i> . (EIR, pp.10-15 to 10-16)	CONSISTENT: See MM 9-5	MM 10-2: Implement Mitigation Measure 9-5
Impact 10-3 Hydrology and Water Quality	Conversion of agricultural lands to urban and golf course uses will result in waste discharge to stormwater runoff and changes in water quality characteristics of groundwater; Stony Creek and receiving waters downstream. This impact is <i>significant</i> . (EIR, pp. 10-16 to 10-18)	CONSISTENT: Condition of Approval	MM 10-3: Permanent post-construction BMPs for controlling contaminated stormwater runoff from developed areas within the Project shall be developed in coordination with the City and implemented as a component of the Project conditions of approval. As part of the Project conditions of approval, the Project shall develop and implement an urban runoff BMP plan in coordination with and approval by the City of Sutter Creek Department of Public Works. The Project shall coordinate with other responsible agencies such as DTSC, EP, CVRWQCB, CDFG, DWR and others as part of the BMP development process. Permanent water quality BMPs shall be included in the design of drainage facilities and landscaped areas within the Project site that are consistent with regulations governing the NPDES

			Stormwater Permit for General Construction Activity. The most effective BMPs combine both preventive (nonstructural) and treatment (structural) features. The design and specifications of BMPs shall ensure that water quality is protected in the long term. The BMPs shall be designed, constructed, and maintained to meet a performance standard established in consultation with the City. The Project shall comply with Attachment 4 of the State of California's NPDES General Permit (WQP 2003-005-DWR). The Project shall minimize the short-and long-term impacts on receiving water quality from new development. The Project shall utilize the appropriate Source Control, Treatment Control and Run-off Reduction measures to reduce pollutants in the discharge in accordance with the Statewide Stormwater Management Plan.
Impact 10-4 Hydrology and Water Quality	The Project will modify the runoff characteristics of the Project site which could result in increased introduction of arsenic to surface water within Stony Creek and Sutter Creek and other downstream receiving waters. This impact is <i>significant</i>. (EIR, pp. 10-18 to 10-20)	CONSISTENT: While this is not a requirement at time of small-lot subdivision application, staff is requesting that the applicant show that work on this has begun. Coordination with DTSC is often time consuming.	MM 10-4: Prior to the issuance of a grading permit for the Project, the applicant shall provide the City with written verification from DTSC which verifies that soils and water quality conditions on the Project site and Valley View Way extension alignment will be remediated in compliance with a DTSC-approved Removal Action Workplan (RAW) and that grading activities will not pose a health and safety hazard. Prior to the issuance of a certificate of occupancy for a Project development in an area subject to the RAW, the applicant shall provide the City with

written verification that DTSC has certified that the RAW has been fully implemented and that soils and water quality conditions on the site do not pose a health and safety hazard for any proposed land uses or activities within the Project site.

1. Prior to the issuance of a grading permit for the Project, the applicant shall provide the City with written verification from DTSC which:

a. Identifies the areas of health and safety hazard associated with the presence of arsenic within the Project site and the Valley View Way extension alignment ("areas of concern");

b. Verifies that in determining the areas of concern DTSC has considered potential health and safety hazards within the entire Project site and the Valley View Way extension alignment, including those associated with the proposed land uses and activities for the Project;

c. Verifies that a Removal Action Workplan (RAW) has been approved by DTSC for all areas of concern;

d. Verifies that grading or other activities associated with implementation of the RAW will not pose a health and safety hazard to workers or the public; and

e. Verifies that implementation of the RAW will result in site conditions that do not pose a

			health and safety hazard associated with any proposed land uses and activities within the Project site. 2. Prior to issuance of the first certificate of occupancy for a Project development in an area subject to the RAW, the applicant shall provide the City with written verification from DTSC which: a. Certifies that the RAW has been fully implemented; b. Certifies that soils and water quality conditions within areas subject to the RAW have been remediated in compliance with DTSC requirements and in accordance with the RAW; and c. Certifies that soils and water quality conditions on the site do not pose a health and safety hazard for any proposed land uses or activities within the Project site.
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Impact 10-5 Hydrology and Water Quality	The long-term turn and pest management activities for the golf course operation within the Project site have the potential to increase contaminant discharges to groundwater, Stony Creek, and receiving waters located downstream. This impact is <i>significant</i> . (EIR, pp. 10-20 to 10-22)	CONSISTENT: Not Applicable to Phase 1A	MM 10-5: The City shall require the Project to develop and implement a Project-specific golf course management BMP plan which identifies specific BMPs to be implemented during design, construction and long-term operation of the Gold Rush Ranch golf course and a process for ensuring the monitoring BMP implementation. The Project shall prepare a final golf course management BMP plan which complies with Attachment 4 of the State of California's NPDES General Permit (WQP 2003-005-DWQ). Nonstructural and permanent structural water quality BMPs shall be included in the design of the golf course to ensure that water quality is protected in the long term. The Project shall be responsible for implementing these mitigation measures, and when necessary, shall be maintained by the Project. The City bears the ultimate responsibility to ensure compliance with this mitigation measure, and therefore grading and building permits for the golf course may be withheld until such time as the appropriate documentation and commitments are developed pursuant to this measure.
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Impact 10-6 Hydrology and Water Quality	Irrigation of the golf course using recycled wastewater could degrade water quality in surface and groundwater resources through discharge of pollutants but will be subject to Regional Water Board permit requirements. This impact is <i>less than significant</i> . (EIR, pp. 10-22 to 10-23)	CONSISTENT: Not Applicable	None
Impact 10-7 Hydrology and Water Quality	Conversion of agricultural lands to urban and golf course uses will increase the amount of impervious surfaces and stormwater runoff in the Project site and could result in reduced groundwater recharge and associated effects to groundwater supply or wells. This impact is <i>less than significant</i> . (EIR, pp. 10-23 to 10-24)	CONSISTENT: Not Applicable	None
Impact 10-8 Hydrology and Water Quality	Conversion of undeveloped land to urban uses will increase the amount of impervious surfaces and reduce infiltration of rainfall and runoff into the soil. This could result in an increase in stormwater drainage and localized off-site runoff compared to existing conditions, which could cause localized flooding. This impact is <i>significant</i> . (EIR, pp. 10-24 to 10-26)	CONSISTENT: Condition of Approval	MM 10-8: A final drainage study and stormwater management plan shall be prepared and approved by the City prior to issuance of a grading permit. The drainage study shall identify stormwater management facilities and operations to safely convey stormwater runoff through and off the Project site without resulting in on- or off-site flooding. Prior to issuance of any grading permit or

building permit for the Project, the Project shall develop and submit to the City a stormwater drainage plan that identifies the Project-specific stormwater drainage plans and specifications in coordination with the City of Sutter Creek Department of Public Works. The stormwater drainage plan and associated engineering specifications shall be approved by the City Engineer, and shall be implemented as a part of all phases of the Project. The stormwater drainage plan shall describe the quantitative analysis for drainage and flow control features that are necessary to avoid localized site flooding and integrate Project-related stormwater drainage into downstream drainage conveyance facilities. The stormwater drainage plan and design of stormwater drainage features within the Project site shall meet the following performance measures during all phases of Project development:

1. Install stormwater drainage facilities to restrict post-development stormwater runoff discharge velocity and quantity to levels at or below pre-project conditions.
2. Incorporate existing drainage course into the Project stormwater drainage facilities on the site to the greatest extent practicable.
3. Drainage discharge locations shall be designed to ensure that velocities within the channel or outfall are below levels that

			<i>will be erosive to surrounding soils. Channel scour protection shall be provided to accommodate predicted flow velocities at buildout.</i> <i>4. Ensure that drainage and erosion control structures are pedestrian and vehicle safe, and suitable for passage of aquatic life (where applicable).</i>
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Public Safety and Hazards			
Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures
Impact 11-2 Public Safety and Hazards	The Project could result in a potential conflict associated with safety policies pertaining to public safety and hazards. This impact is <i>less than significant</i> . (EIR, p. 11-17)	CONSISTENT: Not Applicable	No applicable mitigation measures for Impact 11-2.
Impact 11-3 Public Safety and Hazards	Site preparation and construction activities, including demolition of two existing residential structures within the Project site and removal/disposal of existing debris, could result in human exposure to lead-based paints, asbestos or other hazardous substances. This impact is <i>significant</i> . (EIR, pp. 11-18 to 11-19)	CONSISTENT: Condition of Approval.	MM 11-3: <i>Lead-based paint, asbestos and other hazardous materials surveys of structures and dispersed debris/materials locations shall be conducted by the Project applicant prior to demolition or removal. The required regulatory permits and approvals for handling, transport and disposal of such materials shall be obtained. Prior to demolition of structures or prior to the removal of materials or substances in dispersed areas of the site which may contain hazardous substances, such structures and substances shall be evaluated by the Project applicant for their potential to contain materials or substances which may pose a health risk or which may otherwise require special removal, transport and/or disposal techniques for compliance with applicable federal, state and/or local regulations. In the event that the evaluation(s) determine that such materials or substances are present, the following</i>

			shall occur: a) The City shall be notified of the presence of such materials/substances, and the City shall be advised of the removal, transport and disposal techniques of the materials/substances; b) The appropriate federal, state and/or local regulatory agencies with purview over the materials/substances shall be notified; c) The Amador County Unified School District and Independence High School shall be notified if materials are located within 0.25 miles of Independence High School; d) Required approvals and permits associated with the handling, transport and disposal of the materials/substances shall be obtained; e) Written documentation of such approvals and permits shall be provided to the City prior to the removal of such materials/substances; f) The removal, transport and disposal activities of such materials/substances shall comply with permit or other regulatory approval requirements; and g) Written documentation, which fully documents compliance with permit or other regulatory approval requirements, shall be provided to the City upon completion of such removal, transport and disposal
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			<i>activities.</i>
Impact 11-4 Public Safety and Hazards	Construction activities will require transportation, handling, temporary storage and use of hazardous substances that will pose a risk of release to the environment and potential risk to human safety. This impact is <i>significant</i> . (EIR, pp. 11-19 to 11-20)	CONSISTENT: Condition of Approval.	MM 11-4: The Project applicant shall prepare and implement a construction materials management plan that identifies specific hazardous materials to be used during construction, and defines the storage, handling and disposal practices of such materials. Prior to the initiation of any Project construction activities, the Project applicant shall prepare a construction materials management plan. The management plan shall identify hazardous materials (including fuels) to be used during management plan shall be developed through coordination with the Amador County Environmental Health Department (the local CUPA) and shall be submitted by the Project applicant and approved by the City. The plan shall identify hazardous material (including fuels) to be used during construction, storage locations and containment facilities, as well as transportation, disposal and other management activities associated with the use and disposal of such materials. The management plan shall include a spill prevention and response management plan which identifies agency contacts and protocol in the event of a spill.

Impact 11-5 Public Safety and Hazards	Construction and long-term Project land uses will increase the potential of worker and public exposure to elevated arsenic concentrations known to be present within mine tailings and surface waters at the Project site. This impact is <i>significant</i>. (DEIR, pp. 11-20 to 11-21)	CONSISTENT: While this is not a requirement at time of small-lot subdivision application, staff is requesting that the applicant show that work on this has begun. Coordination with DTSC is often time consuming.	MM 11-5: <i>Implement Mitigation Measure 10-4</i>
Impact 11-6 Public Safety and Hazards	Development and land uses within the Project site will increase the potential for human exposure to natural hazards. This impact is <i>significant</i>. (DEIR, pp. 11-21 to 11-22)	CONSISTENT: Condition of Approval	MM 11-6: <i>A brochure shall be developed by the Project applicant and distributed to home buyers and vacation unit occupants which identifies natural hazards within the Project site and recommends personal precautions to minimize risk associated with exposure to these hazards.</i> <i>A brochure which identifies the various natural hazards present within the Project site (such as poison oak, rattle snakes, mountain lions, ticks and mosquitoes) identifies common/typical precautionary measures to avoid exposure to these hazards and identifies resources where additional information concerning such hazards is available shall be developed. (This information may be included in a larger brochure which may address issues such as water and cultural/paleontological resources protection, arsenic soils avoidance, and emergency evacuation or other safety information.) The brochure shall be distributed to new property/home buyers within the Project, shall be available at public areas within the Project site, and</i>

			shall be maintained in each interval-ownership vacation-unit. The brochure, or information in the brochure, shall be posted and available at public kiosks at each of the three trailhead parking areas within the Project. The brochure shall be prepared and distributed at the sole and complete expense of the Project applicant and at no cost to the City. Sufficient quantities of the brochure shall be provided to the City for distribution to the public.
Impact 11-7 Public Safety and Hazards	Project access locations for public access and emergency vehicle access could provide inadequate emergency response and public evacuation routes in the event of a wildfire or other emergency situations within the Project. This impact is <i>significant</i> . (DEIR, pp. 11-22 to 11-23)	CONSISTENT: Not Applicable to Phase 1A	MM 1-7: The Project shall install a vehicle access route open to the public at all times from SR 88 that connects to the Project loop Road B. This road shall be installed prior to the approval of certificates of occupancy for any residential or commercial development in Phase 3 of the Project with the exception of Lot 22. Prior to the approval of certificates of occupancy for any residential or commercial development in Phase 3 of the Project as illustrated on Figure 2-14 of the Project EIR with the exception of Lot 22, the Project shall install a vehicle access route open to the public at all times from SR 88 that connects to the Project loop Road B.

Impact 11-8 Public Safety and Hazards	Gated access to residential areas within the Project site could restrict or substantially delay emergency vehicle access and public evacuation. This impact is <i>significant</i> . (EIR, p. 11-24)	CONSISTENT: Not Applicable as no gates are proposed at this time.	MM 11-8: <i>Residential community gates shall be designed to provide for override and manual control by emergency service providers and pedestrian exit routes shall not be locked.</i> <i>Residential community gates shall be designed to provide for override and manual control by emergency service providers, according to specifications to be approved by the City of Sutter Creek Police Department and the Sutter Creek Fire Department District. Gated communities shall comply with City-adopted design standards for gated communities, which specify the minimum number of pedestrian exit routes from gated communities, which specify the minimum number of pedestrian exit routes from gated communities and which prohibit the use of locks on pedestrian exit routes from gated communities.</i>
Impact 11-9 Public Safety and Hazards	Development and land uses within the Project will expose residents and residential and other structures to wildland fire risk. This impact is <i>significant</i> . (EIR, pp. 11-24 to 11-25)	INCONSISTENT: The required fuels management program and coordinated wildland fire emergency response plan have not yet been completed. The applicant should provide the required plans for review and approval in accordance with MM-11-9 prior to proceeding with the applicable Project approvals.	MM 11-9: <i>The Project shall prepare both a fuels management program and a coordinated wildland fire emergency response plan that shall be reviewed and approved by the Sutter Creek Fire Protection District prior to approval of the first <u>small-lot subdivision map</u> for the Project and prior to the development of any residential or commercial structures within the Project.</i> <i>The Project shall retain a qualified</i>

			consultant to prepare a fuels management program for the Project which shall be reviewed and approved by the Sutter Creek Fire Protection District and reviewed and adopted by the City prior to approval of the first <u>small-lot subdivision map</u> for the Project and prior to the development of any residential or commercial structures within the Project. The fuels management program shall specify minimum separation of structures and areas of natural vegetation, landscaping materials restrictions, vegetation clearing/defensible space requirements and responsible parties, ingress and egress routes for public and firefighter safety, fuels reduction requirements and other Project design and on-going private and public space management requirements for minimizing the potential for wildland fire intrusion to or spread within the Project site or to spread between the Project site and adjacent areas. The program shall be consistent with the General Guidelines for Creating Defensible Space for compliance with PRC 4291 (State Board of Forestry and Fire Protection and California Department of Forestry and Fire Protection, 2006) or the most current guidance from these agencies. The fuels management program shall identify specific requirements associated with minimizing fuels laddering adjacent to developed areas, prohibitions on the use of flammable plants or materials in public landscaping areas, restrictions or limitations associated with cigarette
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smoking in open space areas, and outdoor residential burning restrictions/prohibitions. The program shall include an element of property owner education and enforcement programs to ensure compliance with the programs elements pertaining to private property. The program shall identify funding requirements and a funding mechanism which provides for full funding of development and implementation of the program by the Project.

The Project shall develop a coordinated wildland fire emergency response plan for the Project which shall be reviewed and approved by the Sutter Creek Fire Protection District. The response plan shall identify key emergency response agencies, contacts and coordination responsibilities, on-site access and evacuation routes, funding requirements and mechanisms, training and agency coordination activities, and resident notification plans. The response plan shall be developed with a primary goal of minimizing fire risk to structures and developed areas of the Project; however, the plan shall address management of fires in open space areas to limit the potential spread of open space fires to developed areas, to minimize the potential for wildland fire to spread between the Project and adjacent areas and to minimize fire damage to oak trees and other important vegetation within open

			<i>space areas.</i>
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Biological Resources

Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures
Impact 12-2 Biological Resources	The Project will result in the removal of native trees and loss or degradation of sensitive upland natural communities, including oak woodlands. This impact is <i>significant</i> . (EIR, pp. 12-23 to 12-31)	INCONSISTENT: The required Oak Woodland Management Plan has not yet been completed. The applicant must demonstrate compliance with the mitigation measures outlined in MM-12-2 (e.g., details outlined under 12-2(2) and 12-2(1) above) prior to issuance of the applicable grading permit and before removal of oak woodland habitat.	MM 12-2: For each acre of oak woodland habitat removed by the Project, the Project shall permanently preserve at least two acres of comparable oak woodland habitat (i.e., preservation shall be accomplished at a 2:1 ratio). The overall 2:1 oak woodland habitat preservation ratio takes into account that some of the retained lands within the Project site or at off-site preserved areas may have reduced wildlife habitat values due to adjacent land uses, size, shape, location, configuration, or connectivity to other natural open space. This measure is considered consistent with the State oak woodland mitigation guidelines for counties in Public Resources Code section 21083.4. (See Final EIR, responses to Comments 2-1113, 20-3.) The Project shall fund the preparation of an Oak Woodlands Management Plan (OWMP) to map and describe oak woodland habitat impacted and preserved by the Project, and to prescribe land uses and an endowment trust to sustainably manage preserved oak woodlands in perpetuity. 12-2(1) Permanent Preservation of Oak Woodland Habitats at a 2:1 Ratio For each acre of oak woodland habitat removed as a result of development within the Project site and construction of off-site infrastructure associated with the Project,

			the Project shall permanently preserve at least two acres of comparable oak woodland habitat. Comparable preserved oak woodland habitat is defined as having within 20 percent of the canopy cover and similar dominant canopy species composition as those removed. Preserved oak woodlands shall be acquired at the 2:1 ratio by the Project applicant in fee or permanent conservation easement prior to the City's issuance of a grading permit for construction activities within any portion of the Project site or for off-site roadway improvements and utility infrastructure installation. Preservation shall occur pursuant to a City-approved Oak Woodlands Management Plan (OWMP) as described at Mitigation Measure 12-2(2). Preservation shall occur as needed to achieve the required 2:1 preservation prior to removal of oak woodlands and may be implemented on a phased basis pursuant to Project development phasing. To achieve the requirements of this mitigation measure, the Project shall: • Submit to the City for review, and gain approval of, the OWMP for the area under the grading permit (see Mitigation Measure 12-2(2); • Acquire in fee or permanent conservation easement at least two acres of comparable oak woodland habitat for each acre to be removed pursuant to a Project grading permit;
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			• Transfer to a City-approved qualified land trust the title or easement of the preserved oak woodland parcels; and • Create and fully fund an endowment account which shall be transferred to a City approved qualified land trust in an amount sufficient for the on-going management of the preserved oak woodland habitats. 12-2(2) Oak Woodland Management Plan (OWMP) The City of Sutter Creek shall retain, at the sole expense of the Project applicant, a Registered Professional Forester (RPF) to prepare or independently review an applicant-prepared OWMP. The OWMP shall describe and quantify oak woodland habitats to be removed and preserved, including acres of habitat, percent canopy cover, dominant and codominant tree species, and qualitative description of understory species composition including the density and distribution of oak seedlings (1-4"DBH) and snags. The OWMP shall address areas of potential disturbance within the Project site as well as off-site areas of potential disturbance associated with the installation of Project-related roadways and utility infrastructure. The OWMP shall include a legal description of the proposed preservation property(ies), including location, jurisdiction, current land
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			use(s), land use and zoning designation(s) conservation easement language specifying permitted, conditional and prohibited uses; the monitoring program, proposed easement holder and land manager; an estimate of the on-going annual management cost; and the management endowment trust account. The City shall review and approve the OWMP, and the preservation area shall be acquired, transferred to a City-approved trust and the management endowment trust account shall be established prior to the City's issuance of a grading permit for grading within the Project site or for off-site roadway improvements and utility infrastructure installation. Preservation shall occur as needed to achieve the required 2:1 preservation prior to removal of oak woodlands and a separate OWMP may be prepared for each grading permit application.
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Impact 12-3 Biological Resources	The Project will result in the loss of waters of the U.S., wetlands, and associated riparian habitats regulated by the Corps under Section 404 of the Clean Water Act and/or the CDFG under Section 1600 of the California Fish and Game Code. This impact is <i>significant</i> . (EIR, pp. 12-30 to 12-34)	CONSISTENT: Not applicable to Phase 1A.	MM 12-3: <i>The applicant shall obtain a CWA Section 404 permit from the Corps, a CWA Section 401 permit from the CVRWQCB and a Section 1600 LSAA permit from CDFG for the Project and provide copies of these permits to the City prior to the City's issuance of grading permits for the Project for areas where grading could impact streams, wetlands, and associated riparian habitats. The Project shall comply with the permit conditions, including habitat restoration or enhancement of stream channels, seasonal wetlands, and associated riparian habitat. In lieu of restoration or enhancement, the Project may satisfy all or a portion of its restoration/enhancement requirements through the purchase of "credits" at an agency approved mitigation bank. The Project shall implement construction impact avoidance and minimization techniques</i> 1. The applicant shall obtain a CWA Section 404 permit from the Corps, a CWA Section 401 certification or waiver from the CVRWQCB and a Section 1600 LSAA permit from CDFG for the Project and provide copies of these permits to the City prior to the City's issuance of grading permits for the Project for ground disturbance activities that could impact wetlands, streams and associated riparian habitat. The Project applicant shall commit to replace, restore, or enhance, on a "no net loss" basis, the habitat acreage, functions and values of streams, wetlands and associated riparian habitats to be removed, lost, and/or degraded with
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			implementation of the Project. In lieu of restoration or enhancement, the Project may satisfy all or a portion of its restoration/enhancement requirements through the purchase of “credits” at an agency-approved mitigation bank. a. Prior to ground disturbance, the Project applicant shall submit updated Project designs, WoUS delineations, habitat maps and a mitigation and monitoring plan to the Corps for permitting under Section 404, the CVRWQCB under Section 401, and the CDFG Section 1600. The Project applicant shall provide copies of permits from these agencies to the City prior to the City issuing grading permits. The Project applicant shall comply with permit conditions to avoid or minimize impacts to WoUS and associated riparian habitats. b. In conjunction with preparation and implementation of an approved wetland mitigation and monitoring plan, the Project applicant shall prepare and submit plans for the creation, restoration or enhancement of wetlands, streams and riparian habitat at an adequate mitigation ratio to offset the aquatic functions and values lost at the Project site, account for the temporal loss of habitat, and contain an adequate margin of safety to reflect anticipated success. The mitigation and monitoring plans must demonstrate how habitat functions and values will be replaced. The wetland creation section of the mitigation and monitoring plan shall include the following: ● target areas for creation, restoration,
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			and/or enhancement; • a biological assessment of existing resources in target areas; • specific creation and restoration plans for target areas; • a monitoring plan, including schedule, methods, metrics, responsible parties and annual-report format; and • performance standards. c. Restored or enhanced riparian and wetland habitats shall have similar hydrologic regimes of removed areas. Restoration or enhancement shall be designed to create riparian and wetland habitats dominated by locally native vegetation species, and with functions and values as good or better than the areas impacted by the Project as determined by a qualified wetlands scientist or wildlife biologist. Specific locations and designs for restoration mitigation sites shall be developed by a qualified professional (e.g., biologist, wetland scientist or landscape architect), and shall be developed in consultation with the Corps, CVRWQCB, and CDFG during the permit process. Installed vegetation and habitat types shall consist of locally native species, maintained and monitored for at least five years or until habitat performance standards are met. Riparian woodland habitat that is planted and maintained consistent with VELB habitat compensation guidelines may be applied towards VELB mitigation requirements specified at Mitigation Measure 12-6. d. The Project applicant may satisfy all or a
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			portion of this mitigation through the purchase of “credits” at a mitigation bank approved by the Corps, CVRWQCB, and/or CDFG for compensatory mitigation of impacts to hydrologically similar wetlands and other WoUS 2. The following measures shall be implemented during Project construction to avoid or minimize construction-related impacts to streams, wetlands, and other jurisdictional WoUS and associated riparian habitats unless explicitly permitted otherwise by the Corps, CVRWQCB and/or CDFG: a. Construction shall be scheduled during the dry or low flow season to the extent Feasible; b. If flowing water is present during construction, a temporary dam shall be constructed for the construction site using non-erosive materials (e.g., sand bags, sheet pile, rubber/plastic tubes); c. If sufficient stream flows are present at the time of construction, a flexible diversion pipe shall be installed to convey flows from above the upstream dam to an area downstream of the downstream dam. The pipe shall be screened to prevent large fish and amphibians from becoming entrained into the pipe; d. Silty or turbid water produced from dewatering or other pipeline construction activities shall not be discharged directly into
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			the streams, ponds, or wetlands. Instead, water impounded between the dams and/or underflow seepage into the work site will be pumped into an upland containment area where the water will be allowed to percolate into the soil and not mix with channel flows; e. The use of heavy equipment in WoUS shall be limited to the area between Impoundments; f. Excavated material shall be stored away outside of WoUS and riparian habitats to prevent incidental discharge; g. The primary streambed access point shall be stabilized on the bank using a pad of coarse aggregate underlain by filter cloth to reduce erosion and tracking of Sediment; h. After backfilling, disturbed areas in WoUS shall be recompact to original conditions prior to restoration of flows; i. Water impoundments, if used, shall be removed starting with the downstream structure, and construction materials shall be removed from the channel before flows are restored. The bed and banks shall be returned to their original configuration and re-vegetated. j. A qualified biologist shall relocate stranded wildlife during initial construction of impoundments; and
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			<i>k. Establishment of native vegetation shall be considered as a method to meet erosion control and bank stabilization goals and objectives of the Project.</i>
Impact 12-4 Biological Resources	The Project will result in the permanent loss of wildlife habitat, which will reduce the number and diversity of wildlife species. This impact is <i>significant</i>. (EIR, pp. 12-34 to 12-36)	CONSISTENT: Applicant has identified and designated wildlife corridors on the Tentative Map. They confirmed that the culvert/water crossing on Valley View Way will be sufficient for wildlife to use.	MM 12-4: <i>The Project applicant shall prepare and implement a Wildlife Habitat Management Plan for the Project which demonstrates to the satisfaction of the City that the Project will to enhance the value of wildlife habitat within the Project site and off-site preserved lands pursuant to Mitigation Measure 12-2. The WHMP shall identify and designate wildlife corridors connecting open space and riparian areas with the Project, crossings of Project roadways, and providing connectivity to habitat and migration areas beyond the Project site.</i> <i>The Project applicant shall obtain a qualified wildlife biologist to develop a Wildlife Habitat Management Plan (WHMP) and submit the plan to the City for review and approval prior to the City's issuance of a grading permit for the Project. The WHMP shall include designs and management strategies for interconnected wildlife corridors to be maintained throughout the Project's Conservation and Open Space Preserve (COSP) areas, golf course and buffer areas, and other portions of the Project site to provide viable wildlife riparian corridors and oak woodland habitats. The WHMP shall include the following elements to be</i>

			implemented during construction of the Project: a) Wildlife-friendly crossings (including, but not limited to, over-sized natural bottom box culverts) shall be designed and installed where roads cross streams and other drainages; b) A buffer of undeveloped land shall be maintained along Stony Creek and tributaries through the Project site; c) Locally native plants shall be emphasized in all landscaped areas and used entirely in landscaped areas adjacent to COSP lands; d) Informational brochures be developed by qualified biologists and be provided to new residents on non-native invasive plant species to avoid planting, the importance of not releasing domestic pets, and the importance of not handling or capturing native wildlife; e) A variety of wildlife habitat structures including, but not limited, to, downed wood or log structures, mammal dens within log structures, brush piles, top tree snags, bat roosting slits, bat bark flanges, bat stumps, sapwells, tree cavities, hollow trees, artificial raptor perches and bird houses, shall be installed within the permanently preserved open space and in oak woodlands (including that acquired pursuant to Mitigation Measure 12-2[2]) to provide cover, nest and roost sites for terrestrial wildlife. The number, type, and
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			location of wildlife habitat structures shall be described in the WHMP and determined by a qualified wildlife biologist to replace habitats removed by the Project and to provide for the long-term benefit of targeted locally-native wildlife populations. The size, location, and materials of habitat structures placed in wildland-urban interface areas shall comply with General Guidelines for Creating Defensible Space (State Board of Forestry and Fire Protection and California Department of Forestry and Fire Protection, 2006) and the fuels management program to be prepared pursuant to Mitigation Measure 11-9.
Impact 12-5 Biological Resources	Grading and vegetation clearance will remove suitable nesting habitat for bird species protected under the Migratory Bird Treaty Act and California F&G Code. (DEIR, pp. 12-36 to 12-37)	CONSISTENT: This will be a Condition of Approval.	MM 12-5: Project construction shall avoid and minimize impacts to protected nesting birds and consultation with the CDFG and USFWS shall be initiated if special-status bird species are detected within or adjacent to Project construction area(s). 1. If feasible, the Project shall avoid vegetation clearance and the initiation of construction activities during the nesting season (March 1 to August 31) each year to avoid or minimize impacts to nesting bird species. If vegetation clearing or the initiation of new construction cannot be avoided during these periods as demonstrated to the satisfaction of the City, Mitigation Measure 12-5(2) shall be implemented. 2. If vegetation clearance, grading, or construction initiation occur during the

			nesting season, a qualified biologist shall conduct pre-construction nesting bird surveys 15-30 days prior to the initiation of construction activities within 500 feet of all areas of vegetation clearance and new construction to occur during any one construction season. If no nesting birds are detected, no further measures are required. If protected raptor species or California species of Special Concern are detected, then the Project applicant shall initiate consultation with CDFG. Impacts to protected species shall be avoided by establishment of appropriate buffers around the nests. No Project activity shall commence within the buffer area until a qualified biologist confirms that any young have fledged and the nest is no longer active. Site-specific nest impact avoidance and minimization measures. Impacts to protected species shall be avoided by establishment of appropriate buffers around the nests. No Project activity shall commence within the buffer area until a qualified biologist confirms that any young have fledged and the nest is no longer active and applied during construction. If species protected by the MBTA are actively nesting in the construction area, then the Project applicant shall initiate consultation with the USFWS. Impacts to protected species shall be avoided by establishment of appropriate buffers around the nests. No Project activity shall commence within the buffer area until a qualified biologist confirms that young have fledged and the nest is no longer active. Site-specific nest impact avoidance and minimization measures shall be developed in consultation with USFWS and
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			applied during construction.
Impact 12-6 Biological Resources	Vegetation clearance and grading will remove and degrade habitat for the Threatened valley elderberry longhorn beetle (VELB). This impact is <i>significant</i> . (EIR, pp. 12-38 to 12-40)	CONSISTENT: This will be a Condition of Approval.	MM 12-6: <i>The Project shall conduct pre-construction surveys, impact minimization and transplantation of elderberry shrubs, and establishment of VELB habitat compensation in compliance with Conservation Guidelines for the Valley Elderberry Longhorn Beetle (U.S. Wildlife Service, 1999.)</i> <i>The City shall require the following:</i> <i>1. Prior to the initiation of ground disturbance, a qualified biologist shall prepare an inventory and map of all VELB habitat (elderberry shrubs with at least one stem greater than one inch in diameter) within 100 feet of any construction activity. Survey and habitat inventory methods shall be consistent with the Conservation Guidelines for the Valley Elderberry Longhorn Beetle (U.S. Fish and Wildlife Service, 1999a). All VELB habitat shall be shown on grading and vegetation clearance plans. A qualified biologist shall prepare a Biological Assessment of the Project and submit to the USFWS for consultation and an incidental take permit under Section 7 or Section 10(a)(1)(B) of the ESA as part of the Section 404 permit application process (see Mitigation Measure 12-3). The Project applicant shall adhere to all permit conditions in the USFWS' Biological Opinion and incidental take permit.</i> <i>2. The Project applicant shall mitigate Project-related impacts to VELB habitat in accordance</i>

			with the Conservation Guidelines for the Valley Elderberry Longhorn Beetle (U.S. Fish and Wildlife Service, 1999a) and as specified in the Biological Opinion and incidental take permit required pursuant to Mitigation Measure 12-6(1), above. Pursuant to the USFWS Guidelines, elderberry shrubs shall be avoided to the extent feasible. All retained shrubs shall have buffer areas established and maintained during construction. It is common for the USFWS to determine that construction projects such this Project must maintain non-disturbance buffers of at least 20 feet from any retained shrub to avoid habitat take. The USFWS may require different non-disturbance buffers to avoid take based on the topography and type of construction activity. For retained elderberry shrubs within 100 feet of any construction activity, the following conditions shall apply: a) Fence and flag areas that are to be avoided. Provide a minimum setback of at least 20 feet or other distance determined by the USFWS to avoid incidental take from the canopy dripline of each elderberry plant. b) Brief contractors on the legal requirements for avoiding damage to elderberry plants and the criminal penalties for non-compliance. c) Post signs every 50 feet along the edge of the avoidance areas with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered
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			<i>Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment.” The signs should be clearly readable from a distance of 20 feet, and must be maintained for the duration of construction.</i> <i>d) Instruct work crews about the legal status of the VELB and the need to protect its elderberry host plant.</i> <i>e) If the buffer area is damaged during construction, the damage shall be reported immediately to the USFWS to determine any additional mitigation required.</i> <i>f) No insecticides, herbicides, fertilizers, or other chemical that might harm the VELB or its host plant shall be used within 100 feet of any elderberry plant with a stem measuring 1.0 inch or greater in diameter at ground level.</i> <i>3. Elderberry shrubs removed or disturbed by the Project (including those within 20 feet of construction or grading or within the USFWS-designated buffer area) shall be transplanted to a conservation area. In lieu of transplanting and planting seedlings, the Project applicant may satisfy all or a portion of the mitigation for adversely affected plants by purchasing credits at a USFWS-approved mitigation bank at a ratio equivalent to the mitigation set forth herein as approved in a Biological Opinion. Transplantation shall occur between November 1 and February 15 or the replacement ratio shall be increased pursuant to USFWS Conservation Guidelines. The conservation area shall be located, designed,</i>
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			<i>planted, monitored, and maintained in accordance with the Conservation Guidelines for the Valley Elderberry Longhorn Beetle (U.S. Fish and Wildlife Service, 1999a). In summary, the conservation area shall be:</i> <i>a) Located in permanently protected open space;</i> <i>b) Located in an ecologically suitable area for elderberry shrubs and associated woody native riparian species;</i> <i>c) Planted with a density of one transplanted shrub, 5 elderberry seedlings, and 5 associated native woody riparian species within each 1,800-square foot unit, with the total number of elderberry seedlings and associated riparian plants to be established based on the inventory of VELB habitat and ratios;</i> <i>d) Monitored and maintained for a period to be specified by the USFWS in its Biological Opinion; and</i> <i>e) At the end of the monitoring period, have at least 60 percent survival of all elderberry shrubs and 60 percent survival of all associated riparian plants.</i> <i>To the extent feasible and contingent upon approval by the USFWS, suitable locations in the Project site shall be utilized as conservation areas. Suitable areas include riparian corridors in permanently protected open space adjacent to Stony Creek or its</i>
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			tributaries. VELB habitat compensation is consistent with the restoration of native riparian woodland and oak woodland habitat types. Therefore, the design and location of the VELB habitat conservation area shall also meet riparian woodland habitat mitigation requirements under Mitigation Measure 12-3 and contribute native trees towards the requirements of Mitigation Measure 12-2(3). Based on the standard densities for elderberry shrub transplants, the 24 elderberry shrubs transplanted by the Project may be planted within one acre of riparian habitat. Additional VELB habitat compensation may be required based on an inventory of stems, shrub locations, and VELB occupancy status of affected shrubs, and if single shrubs consist of clumps of individually rooted plants. 4. The Project applicant shall demonstrate compliance with USFWS VELB permit requirements prior to the City issuing a grading permit for any area within 100 feet of a VELB habitat. 5. In the event that the VELB is removed from the USFWS list of Threatened species, impacts to VELB and VELB habitat will be considered less than significant and the preceding mitigation shall not be required.
Impact 12-7 Biological Resources	Project construction and land uses will adversely affect habitat for special-status reptile and amphibian species associated with wetland	CONSISTENT: Condition of Approval.	MM 12-7: The Project shall identify and implement impact minimization and avoidance measures to reduce or compensate for potential impacts to special-status reptiles and amphibians. Prior to the issuance of a grading permit,

	and aquatic habitats, including the California redlegged frog (CRLF), California tiger salamander (CTS) foothill yellow-legged frog (FYLF), and Northern Pacific pond turtle (NPPT). This impact is <i>significant</i>. (EIR, pp. 12-41 to 12-43)		recordation of a <u>small-lot subdivision map</u>, or the initiation of ground disturbing activities for the Project, the Project applicant shall demonstrate to the satisfaction of the City that the following requirements are achieved: 1. Prior to ground disturbing activities, a qualified biologist shall review completed surveys and final construction plans, conduct updated field surveys and literature reviews if necessary, and prepare a Biological Assessment for Project-related impacts to specialstatus reptiles and amphibians. The Biological Assessment shall be submitted to the USFWS for consultation under Section 7 of the ESA if required as part of the Section 404 permit process, and to the CDFG as part of the Section 1600 LSAA application process. If the Corps, USFWS and/or CDFG, as appropriate depending on each agency's jurisdiction, concur that no impacts to NPPT, CRLF, FYLF, and CTS will result from project implementation, evidence of this conclusion shall be submitted to the City, and no additional mitigation is required for special-status reptile and amphibian species. 2. If the Corps, USFWS and/or CDFG, as appropriate, determine that the Project may affect special-status reptiles and amphibians, construction of the Project shall adhere to all impact avoidance and minimization measures developed in consultation with the USFWS and/or CDFG. Specific measures will depend on the species and shall be approved by the USFWS and/or CDFG. The Project applicant shall comply with the provisions of a
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			<i>Biological Opinion, and at a minimum shall provide mitigation in the form of habitat creation, restoration or preservation to ensure no net loss of habitat functions and values. These measures may include, but shall not be limited to, the following measures:</i> <i>a) A qualified biologist shall conduct pre-construction surveys, worker environmental training, direct the installation of protective barriers to prevent species from entering work areas;</i> <i>b) A qualified biologist shall monitor grading and vegetation clearing construction activities;</i> <i>c) If individual special-status reptile and amphibians are found in construction areas, all work in the vicinity of the species shall be halted until a qualified biologist relocates the animal to a site approved by the CDFG or USFWS. The CDFG and/or USFWS shall be consulted for additional mitigation measures</i> <i>d) Bridges or culverts with natural bottoms and structures shall be installed at all roadways or paths crossing drainages and riparian areas within the Project to maintain existing grades and conducive to wildlife passage;</i> <i>e) Best Management Practices shall be implemented to prevent or control surface runoff, soil erosion, sedimentation, and chemical spills into riparian, wetland, and</i>
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			aquatic habitats; f) Construction buffer areas shall be established near sensitive habitats; and g) Grading, vegetation clearing and other ground disturbing activities in drainages or riparian areas shall be restricted to low-flow periods (e.g., July 1- November 1).
Impact 12-8 Biological Resources	Development and other activities within the Project site will have the potential to affect potential habitat for special-status bat species. This impact is <i>significant</i>. (EIR, pp. 12-43 to 12-44)	CONSISTENT: Condition of Approval.	MM 12-8: Impact avoidance and minimization measures shall be implemented to reduce impacts to bat species. Prior to the issuance of a grading permit or the initiation of ground disturbing activities for the Project, the Project applicant shall demonstrate to the satisfaction of the City that the following requirements have been achieved: 1. A qualified biologist shall conduct pre-construction surveys to detect bat use of trees or structures that will be removed for Project construction. Trees and structures slated for removal shall be assessed for bat inhabitation. If a tree or structure offers no suitable bat roosting habitat, it may be removed with no impact to roosting bats. If suitable habitat occurs, the trees or other features offering roosting habitat shall be removed only after it is determined that no roosting bats occur. If bats are detected, the trees or structures shall be removed during the non-nesting season (September 1 through April 1), and only after a qualified biologist has excluded bats from the removal site by installing exclusion devices during night when the roost is unoccupied.

			2. Removal of trees and other structures with suitable bat roosting habitat shall be removed from September 1 through April 1 when feasible. If tree or structure removal during the bat breeding season (April through August) cannot be avoided, bats must be excluded from structures and/or potential tree habitat before the end of April to avoid impacting pregnant females that are establishing a maternity roost. The potential breeding areas shall be made inaccessible to bats by closing the areas off with sheet plastic prior to April 30 to avoid having the bats establish a maternity roost and necessitating physical removal of bats and their young.
Impact 12-9 Biological Resources	Construction activities may affect rare plant species. This impact is significant. (EIR, pp. 12-44 to 12-46)	CONSISTENT: Condition of Approval.	MM 12-9: Pre-construction surveys shall be conducted and impact minimization and avoidance measures shall be implemented to reuse to compensate for impacts to rare plant species in areas of off-site infrastructure improvements. Prior to the issuance of a grading or other construction-related permit for construction of offsite infrastructure for the Project, the Project applicant shall demonstrate to the satisfaction of the City that the requirements listed below have been achieved: 1. Prior to ground disturbing activities in areas of offsite infrastructure improvements, or if areas of chaparral habitat are proposed for oak tree planting pursuant to other mitigation measures identified in this EIR, a qualified botanist shall conduct rare plant surveys of areas to be graded or otherwise disturbed.

			<i>Surveys shall be conducted during the appropriate phenological period to properly identify all special-status plant species that may occur. Surveys shall be conducted in accordance with standard CNPS and CDFG protocols. The results of the survey shall be submitted to the City of Sutter Creek and CDFG prior to the City issuing grading permits. If no special-status plant species occur in the construction footprint, no impacts to special-status plants are expected to occur and no additional mitigation is required. If special-status plant species occur, Mitigation Measure 12-9(2) shall be implemented.</i> <i>2. If special-status plant species occur in the construction area, Project design modifications shall be developed and implemented to the extent feasible to avoid impacts to rare plants. If the City determines that complete avoidance of rare plant populations is not feasible, the Project applicant shall consult with the CDFG under Section 1913 (CNPPA) to develop additional species-specific mitigation measures. Measures may include seasonal construction restrictions, boring below populations, erection of protective barriers, seed collection and restoration of populations, relocation of individual plants, site monitoring during construction, site restoration, and implementation of construction practices that will avoid specific areas.</i>
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Cultural and Paleontological Resources			
Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures
Impact 13-2 <i>Cultural and Paleontological Resources</i>	Construction activities and land uses within the Project site will result in the potential disturbance, removal and/or destruction of up to 72 previously identified individual historic sites and historic isolates, including 29 rock walls/alignments, within the Project site. This impact is <i>significant</i> . (EIR, pp. 13- 22 to 13-23)	CONSISTENT: Not applicable to Phase 1A	MM 13-2: Disturbance of rock walls and alignments within the Project site shall be avoided and/or rock walls and alignments shall be incorporated into Project design. Disturbance of rock walls and alignments within the Project site shall be avoided and/or rock walls and alignments shall be incorporated into Project design. Prior to approval of a final grading plan and/or a <u>small-lot subdivision map</u> for a portion of the Project, rock walls and rock alignments located within the area subject to the grading plan or small-lot subdivision shall be identified by the Project applicant. The Project applicant shall demonstrate, to the satisfaction of the City, a plan for preservation. Preservation may occur through a combination of avoidance, removal prior to and replacement following grading activities, and/or relocation to other areas within the Project site. Preservation may also occur through the incorporation of rocks from walls into Project features, such as entryways or public art. Preserved rock walls and related historic materials shall be protected by the installation of post and cable fencing and interpretive signage Implementation of mitigation measure 13-2 will reduce this impact to a less-than significant level.

Impact 13-3 Cultural and Paleontological Resources	Construction activities associated with Project development could result in the disturbance, removal and/or destruction of unidentified cultural resources and human remains that may be present within the Project site and in areas where off-site utility and roadway improvements will be developed. This impact is <i>significant</i>. (EIR, pp. 13-25)	CONSISTENT: This will be a Condition of Approval.	MM 13-3: A cultural resources impact prevention/inadvertent discovery program shall be developed and implemented. <i>Prior to issuance of any grading permits for the Project and prior to any ground disturbing activities associated with the Project, the Project applicant shall prepare and implement a cultural resources identification and impact prevention/inadvertent discovery program which provides information and processes for the identification and appropriate reporting/avoidance measures for construction contractors. The program shall be submitted to the City for review and approval. All costs for preparing and implementing the program shall be funded by the Project applicant. The program shall require that should cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, or architectural remains be encountered during development activities, work shall be suspended within 50 feet of the discovery and the City of Sutter Creek Planning Department shall be immediately notified. At that time, necessary investigation of the discovery shall be coordinated with an appropriate specialist (e.g., archaeologist or architectural historian). Mitigation recommendations specific to the discovered resource shall be prepared by a qualified archaeologist or other appropriate technical specialist and submitted to the City for review. Implementation of additional</i>
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			mitigation for newly discovered historical resources, unique archaeological resources or unique paleontological resources shall be required. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other measures deemed acceptable by the City and in compliance with City General Plan policies and State law. If human remains are discovered, work shall immediately cease within 50 feet of the find, the City of Sutter Creek Planning Department shall be notified, and the County Coroner shall be notified according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.
Impact 13-4 <i>Cultural and Paleontological Resources</i>	Development of a park or other land uses will disturb or provide public access to the prehistoric bedrock milling site (ASI-GR-19) which could result in the destruction or degradation of this resource. This impact is <i>significant</i> . (EIR, pp. 13-26 to 13-27)	CONSISTENT: Not applicable to Phase 1A	MM 13-4: A detailed treatment and management plan for the provision (or prohibition, as may be deemed appropriate) of public access to the grinding rock site (ASI-GR-19) shall be developed and implemented. Prior to issuance of any grading permits for the Project and prior to any ground disturbing activities associated with the Project, the Project applicant shall prepare and implement a detailed treatment and management plan for the provision (or prohibition, as may be deemed appropriate)

			of public access to the grinding rock site (ASI-GR-19). The plan shall be developed with input by Native Americans (individuals or tribal representatives) who may have an interest in the preservation of this site. The plan shall identify opportunities for interpretation of the site and shall identify measures to protect the site from vandalism. If the Native American community objects to public access to the site, public access to the site shall be prohibited, and measures to protect the site from public access and vandalism as identified in the treatment and management plan for the site shall be implemented by the Project applicant upon approval by the City. The treatment plan shall be submitted to the City for review and approval. All costs for preparing and implementing the plan shall be funded by the Project applicant. This site shall be identified as an environmentally sensitive area (ESA) on grading plans and other appropriate Project plans. Temporary ESA fencing (or permanent fencing consistent with Project design standards) shall be installed around the perimeter of the site and construction worker education regarding prohibition of access shall be developed and implemented upon approval by the City. The construction worker education plan shall be submitted to and approved by the City prior to initiation of construction activities within the Project site.
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Impact 13-5 <i>Cultural and Paleontological Resources</i>	Construction activities and long-term use of the Project site associated with development within the Project could disturb or destroy paleontological unique or sensitive resources known to be present within an isolated body of Permian limestone and associated fissure-fill secondary sediment deposits within the Project site. (EIR, pp. 13-27 to 13-28)	CONSISTENT: Not applicable to Phase 1A	MM 13-5: Paleontological resources within the limestone outcropping in Lot 24 of the Project shall be protected and preserved through either reconstruction avoidance and access restrictions of through the development and implementation of resource evaluation and recovery program prior to any disturbance of the outcropping. <i>The Project applicant shall identify the limestone body as an environmentally sensitive area (ESA) on all Project grading plans and other appropriate Project plans. Temporary ESA fencing, (or permanent fencing per Mitigation Measure 13-4), shall be installed around the perimeter of the outcropping and construction worker education regarding prohibition of access be developed and implemented upon approval by the City. The construction worker education plan shall be submitted to and approved by the City prior to initiation of construction activities within the Project site. Paleontological resources within the limestone outcropping in Lot 24 of the Project shall be protected and preserved through either construction avoidance and access restrictions or through the development and implementation, at the expense of the Project applicant, of a resource evaluation and recovery program prior to any disturbance of the outcropping. Prior to issuance of any grading permits for the Project and prior to any ground disturbing activities associated with the</i>
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			<i>Project, the Project applicant shall prepare and implement a monitoring plan for the site which provides information and processes for the identification of disturbances to the area, identification of and new paleontological resources discovered within the Project, and the methodology for documenting monitoring activity. The monitoring plan shall be prepared, funded and implemented by the Project applicant and approved by the City.</i> <i>The monitoring plan shall identify frequency of monitoring activities, notification processes in the event of a disturbance to paleontological resources, and potential remediation actions. The monitoring plan shall require that should disturbances be identified or new paleontological resources, such as fossils, be identified an appropriate specialist (i.e., paleontologist) shall be retained to determine if a disturbance has impacted paleontological resources and/or provide assistance with appropriate treatment of a new discovery.</i>
Impact 13-6 Cultural and Paleontological Resources	Construction activities associated with Project development could result in the disturbance, removal and/or destruction of unidentified sensitive or unique paleontological resources that may be present within the Project site and in areas where	CONSISTENT: Condition of Approval.	MM 13-6: A paleontological resources impact prevention/inadvertent discovery program shall be developed and implemented. <i>Prior to issuance of any grading permits for the Project and prior to any ground disturbing activities associated with the Project, the Project applicant shall prepare and implement a paleontological resources identification and impact</i>

	offsite utility and roadway improvements will be developed. This impact is <i>significant</i>. (DEIR, pp. 13-28 to 13-29)		<i>prevention/inadvertent discovery program which provides information and processes for the identification and appropriate report/avoidance measures for construction contractors. The program shall be prepared, funded and implemented by the Project applicant and approved by the City. The program shall require that should paleontological resources, such as fossils, be encountered during development activities, work shall be suspended within 50 feet of the discovery and the City of Sutter Creek Planning Department shall be immediately notified. At that time, necessary investigation of the discovery shall be coordinated with an appropriate specialist (i.e., paleontologist).</i> <i>Mitigation recommendations presented by a qualified paleontologist or other appropriate technical specialist for unanticipated discoveries of unique or significant paleontological resources shall be considered, and a measure or measures that have been deemed feasible and appropriate by the City of Sutter Creek, shall be implemented. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Additional mitigation that may be necessary for the protection of newly discovered unique or sensitive paleontological resources shall be implemented.</i>
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Visual Resources			
Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures
Impact 14-2 Visual Resources	Construction activities within the Project site will temporarily detract from the existing visual quality of the site as viewed from surrounding areas. This impact is <i>significant</i> . (DEIR, pp. 14-14 to 14-15)	CONSISTENT: This will be a Condition of Approval.	MM 14-2: Construction staging areas and temporary construction debris storage shall be situated in locations that screen them from publicly accessible areas both outside of and within the Project site and measures shall be implemented to minimize the visibility and to reestablish vegetation in areas denuded during grading. The following shall be required of construction activities and contractors working with the Project site: 1. Primary construction staging areas shall be situated a minimum of 150 feet from areas accessible by the public both within and outside of the Project site. 2. Construction areas shall be maintained in orderly condition and free of excess debris. 3. Areas graded and/or cleared of vegetation and upon which the development of permanent surface treatment or structure development shall not occur within a three month period and shall receive a temporary surface treatment to minimize the visibility of exposed, denuded soils. Surface treatment may include re-vegetation and/or mulching. (Re-vegetation or mulching requirements associated with erosion

			control/stormwater BMPs may serve to achieve this element.)
Impact 14-3 Visual Resources	Development of the Project will result in a substantial and permanent change to the existing visual character of the Project site as viewed from off-site areas. This impact is <i>significant</i> . (EIR, pp.14-16 to 14-20)	INCONSISTENT: Applicant is potentially proposing to alter a major ridgeline through the site. The proposed layout alters the major ridgeline that crosses through the site in the northwest corner. Applicant needs to demonstrate to the City how the Phase 1A development will satisfy the requirements outlined in Mitigation Measure 14-3. Review 9.3 Scenic Ridgeline Development Guidelines.	MM 14-3: The height and amount of development on hilltops and ridgelines shall be minimized and native trees shall be preserved within the Project site to the greatest extent feasible to reduce visibility of development within the Project from off-site areas. <i>1. Upon submittal of a grading plan, <u>small-lot subdivision map</u> and other Project-related development applications to the City, the Project applicant shall demonstrate to the satisfaction of the City that visual effects associated with development on hilltops or ridgelines have been minimized. This measure shall be achieved through incorporation of the following measures into the Project Specific Plan development standards and the Project applicant shall demonstrate consistency with the standards upon submittal of Project-related applications:</i> <i>a) No new structures can protrude above the crest of a visible skyline ridge more than 15 feet, unless obscured by vegetation.</i> <i>b) No major ridgelines shall be altered.</i> <i>c) Development along ridgelines and hilltops</i>

			shall be low, built into the natural topography, and buffered from view with landscaping. 2. Upon submittal of grading plans, <u>small-lot subdivision maps</u> and other Project-related applications to the City, the Project applicant shall demonstrate to the satisfaction of the City that existing native trees will be preserved within the subject areas to the greatest extent feasible to reduce the visibility of development within the Project from off-site areas.
Impact 14-4 <i>Visual Resources</i>	Development of structures or other aspects of the Project with reflective surfaces within the Project site will result in periodic daytime sunlight reflection and unwanted glare within the Project and at off-site areas. This impact is <i>less than significant</i> . (EIR, pp. 14-20)	CONSISTENT:	None
Impact 14-5 Visual Resources	Construction activities associated off-site roadway and utility infrastructure installation will result in oak tree removal and will detract from the existing visual quality of the areas within which the facilities will be located. This impact is <i>significant</i> . (EIR, pp. 14-21)	CONSISTENT: Condition of Approval.	MM 14-5: Construction staging areas and temporary construction debris storage shall be screened to the extent feasible from public areas and measures shall be implemented to minimize the visibility and to reestablish vegetation to areas denuded during grading. <i>a) Construction areas shall be screened to the extent feasible from public areas and</i>

	to 14-22)		shall be maintained in orderly condition and free of excess debris. b) Areas graded and/or cleared of vegetation and upon which the development of permanent surface treatment or structure development will not occur within a six month period shall receive a temporary surface treatment to minimize the visibility of exposed, denuded soils. Surface treatment may include re-vegetation and/or mulching.
Impact 14-6 Visual Resources	The Valley View Way extension will remove nine heritage oak trees. This impact is <i>significant</i>. (EIR, pp. 14-22 to 4-23)	INCONSISTENT: Based on the plans and information provided by the applicant, approximately 25 heritage sized trees are proposed for removal. This substantially exceeds the nine heritage oak trees identified in the certified EIR. The City should obtain additional information regarding the number, species, size, and location of the trees proposed for removal and evaluate whether the proposed tree removal represents a substantial change from the project evaluated in the certified EIR. The applicant should also demonstrate compliance with MM-14-6 by providing an alignment and grading plan that demonstrates that tree removal has been minimized to the extent required by the mitigation measure.	MM 14-6: <i>Prior to the City's approval of a final alignment and grading plan for the Valley View Way extension, the Project applicant shall demonstrate that the alignment and grading plan minimize removal of oak trees resulting from the extension of Valley View Way to the Project site. The Valley View Way extension shall include landscaping consistent with the final Project development standards and design guidelines.</i> <i>1. Prior to the City's approval of a final alignment and grading plan for the Valley View Way extension, the Project applicant shall demonstrate that the alignment and grading plan minimizes the removal of oak trees resulting from the extension of Valley View Way to the Project site. The City shall determine that the final alignment and grading plan minimize the removal of oak trees as necessary to result in no more than a low degree of adverse change to the visual character of the area within and</i>

			adjacent to the extension alignment as viewed from SR 49 and the existing segment of Valley View Way. 2. The Valley View Way extension shall include landscaping commensurate with landscaping consistent with the final Project development standards and design guidelines.
Impact 14-7 <i>Visual Resources</i>	The visual character of the developed Project will be inconsistent with the existing visual character and visual quality objectives of the City. This impact is <i>significant</i>. (DEIR, pp. 14-23 to 14-25)	CONSISTENT: Architecture and Landscape Design Standards (Attachment A of the Specific Plan) were adopted and will be implemented.	MM 14-7: Development/design standards that apply to aspects of the Project and which define required standards for architecture of buildings and other structures, landscaping, signage, lighting, fencing and retaining walls, public facilities, roads and pathways, bridges and other aspects of Project design shall be prepared and adopted to ensure that the Project design is consistent with the City's character and visual objectives. Development/design standards shall be developed. Implementation processes for such standards that apply to aspects of the Project's internal design shall be defined. The standards shall be intended to achieve Project consistency with existing development within the Project area; however, allowances may be provided to create a distinctive sense of place and character within the Project. Development/design standards shall specify the City's review and approval process for tentative <u>small-lot subdivision maps</u>, grading plans and building permits within the Project to ensure City oversight and compliance with standards.

Development standards shall include elements to achieve the following goals:

a) Minimize grading and maximize retention of existing trees and vegetation reflective of their existing distribution and density within the Project;

b) Retain existing historical rock walls within the Project site;

c) Avoidance of development within and adjacent to riparian areas (including minimization of roadway stream crossings);

d) Prohibit soundwalls within the Project site; and

e) Avoid exceedance of background tree/ground horizon elevation rooftops, water tanks and other non-natural Project components as viewed from public areas

Design standards shall specify acceptable architectural styles, colors, size ranges, location criteria, and other requirements associated with the following physical attributes of various components of the Project. The following shall be considered by the City for inclusion in the Project design standards:

a) Structures within the Project, including single-family and custom residential, hotel, golf/community clubhouse, interval-

			ownership vacation units, multi-family housing, mixed-use structures, fire and police station, golf maintenance facility, rain/sun shelters at transit stops, in parks and at golf course locations, and restroom facilities in parks, golf course areas and open space trailheads; b) Project fencing, including commercial and residential properties (fencing shall not necessarily be required in these areas), site perimeter fencing, safety and security fencing; c) Project lighting, including light standard design, convenience and safety lighting in public areas and parking lots, and lighting at commercial and residential properties; d) Parking lot design at parks, open space trailheads, commercial core, mixed-use commercial, interval-ownership vacation area; e) Residential neighborhood roadway design, public areas, parking (e.g., on-street and/or pocket parking areas), and residential neighborhood open space/parks; f) Minimum number of floor plans and “elevations” (roof line and façade variations for same floor plan) within each residential neighborhood; g) Retaining wall design;
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			<i>h) Streets and other directional/information signage;</i> <i>i) Commercial signage;</i> <i>j) Public area waste receptacles;</i> <i>k) Commercial area waste storage/collection areas;</i> <i>l) Open space, parks and other public area kiosks;</i> <i>m) Parkway medians (if any) and existing vegetation/new plantings;</i> <i>n) Parkway right-of-way landscaping, including provisions for retention of existing vegetation/trees and center median requirements;</i> <i>o) Public area landscaping, including provisions for retention of existing vegetation/trees.</i> <i>Project design standards shall include an updated plant list developed in consultation with Amador County Master Gardeners, and the Project shall retain an independent, licensed landscape architect to review the recommended plant list and landscape designs;</i> <i>p) Golf cart, bicycle and pedestrian paths and trails, including width, surfacing, shoulder width/surface, routing, signage, courtesy fencing, bollards stream/riparian</i>
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			<i>crossings, roadway crossings, roadway interface areas (curb, striping/markings);</i> <i>q) Bus stops and shelters; and</i> <i>r) Roadway stream/riparian area crossings and bridge/crossings designs.</i>
Impact 14-8 Visual Resources	Lighting associated with the Project will result in a permanent increase in night sky illumination and localized light spill and glare. This impact is <i>significant</i>. (EIR, pp. 14-26 to 14-30)	CONSISTENT: A lighting plan has been provided.	MM 14-8: <i>Lighting plan(s) for development within the Project shall be developed by the Project applicant and reviewed and approved by the City prior to or concurrently with the approval of <u>small-lot subdivision maps</u> of building permits and shall provide evidence and commitments to achieve specific lighting standards and intensities within the Project. Prior to the approval of a <u>small-lot subdivision plan</u> or the issuance of building permits for development within areas of the Project not requiring further subdivision, the Project applicant shall prepare and submit an exterior lighting plan to the City for review and approval. The plan must provide a detail of fixtures identified and a plan view must be provided showing the number and location of fixtures along with the intensity, lighting patterns, and type of illumination. The following illumination standards [shown on the table entitled “Gold Rush Project Illumination Standards at Final EIR page 14-29] shall be achieved:</i> <i>a) Luminaires in MXCR and MXCOR areas shall be designed to have total cutoff light at an angle less than 90 degrees and</i>

located so that the bare light bulb, lamp or light source is completely shielded from the direct view of an observer at ground level at the parcel boundary.

b) Lighting for recreational uses shall be turned off during non-operating hours.

c) Safety or security lighting mounted on residences shall not exceed the height of exterior walls on the same structure and such lighting shall be directed to serve the property while minimizing spill over onto adjacent parcels.

d) Wall-mounted luminaires intended for parking lot illumination on commercial, industrial, non-residential, and multi-family residential buildings and structures shall have fixtures that cut off direct light from view. Parking lot and site perimeter lighting must be located on poles or at ground level and must be directed toward the property interior. Luminaires designed for entryways and decorative purposes on non-residential and multi-family residential buildings and structures which exceed 2,000 lumens (150 watts incandescent) shall have fixtures that cut off direct light from view.

e) Outdoor lighting shall be reduced by a minimum of 75 percent or deactivated by timers and sensors during non-operating hours for non-residential uses. Illuminated signs are included in this requirement.

f) Field lighting for nighttime use of the golf

course, driving range, putting greens and tennis courts shall be prohibited within the Project in the absence of a site-specific design, lighting study and CEQA impact analysis.

g) Non-residential light sources, and residential light sources higher than 12 feet, must be directed away from public streets and private properties. The lamps must be shielded in a manner so that they are not visible from an adjoining property. Sensor controlled lamps exceeding 2,000 lumens (150 watts incandescent) must have cut-off type luminaires.

h) Luminaires shall not be permitted which shine light into the night sky. Flood and/or spot lights utilized for the uplighting of building facades and landscaping shall have luminaires with a maximum output of no more than 2,000 lumens (150 watts incandescent) and shall be completely shielded to prevent glare into the night sky.

i) Street lighting shall be a maximum of 25 feet in height with a minimum clearance of 16 feet above roadway unless otherwise required by state and local standards.

j) Lighting which does not achieve the requirements specified herein, but is deemed necessary to provide for public safety, may be identified and such proposal shall document the purpose of the variance from this standard. The City may approve a variance from these standards on a case-

			<i>by-case basis if the City finds that the variance is necessary to ensure public safety and that no feasible lighting alternatives that will achieve the requirements of this measure while providing an appropriate level of public safety are available.</i>
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Land Use			
Resource	Summary of Certified EIR Analysis	Potential Project Impacts	Applicable Mitigation Measures
Impact 15-2 Land Use	Project consistency with the Amador County General Plan Land Use Element. This impact is <i>less than significant</i> . (EIR, pp.15-16 to 15-17)		No applicable mitigation measures for Impact 15-2.
Impact 15-3 Land Use	The Project will result in the conversion of Project site land use from agriculture/grazing lands to residential, commercial, golf course and recreation uses. This impact is <i>less than significant</i> . (EIR, p. 15-17)		No applicable mitigation measures for Impact 15-3.
Impact 15-4 Land Use	Development and land uses within the Project will create the potential for conflicts with adjacent agricultural land uses. This impact is <i>significant</i> . (EIR, pp. 15-18 to 15-19)	CONSISTENT: The applicant is proposing a 100 ft buffer along the agricultural land on the westside of the property. Fencing will be required as a Condition of Approval.	MM 15-4: <i>No residential properties shall be designated or developed within 50 feet of agricultural properties immediately adjacent to the Project site. A physical barrier between the Project site and adjacent agricultural areas shall be required, and sellers to Project properties sold within 500 feet of the</i>

		A disclosure statement will be required as a Condition of Approval.	<i>Project boundary shall be required to provide a disclosure statement to buyers advising or adjacent agricultural lands and potential nuisance conditions.</i> <i>a) No residential properties within the Project shall be located within 50 feet of an adjacent agricultural-zoned property.</i> <i>b) Fencing between the Project site and adjacent agricultural properties shall be installed and maintained. Fencing shall be designed to restrict/limit human and cattle or other livestock movement across property boundaries, and shall be consistent with the Project design standards requirements and shall not substantially impede movement of wildlife species.</i> <i>c) A disclosure statement shall be provided to buyers of properties within 500 feet of the Project boundary. The disclosure statement shall advise of the adjacent property owners' right to farm and the potential for normal agricultural practices to create nuisance conditions. Evidence of the provision of this notice and its receipt by subsequent property owners shall be provided to the City.</i>
Impact 15-5 Land Use	Project land uses could result in potential land use conflicts associated with special events or other temporary activities within the Project. This impact is <i>significant</i> . (EIR, p. 15-19) impacts	CONSISTENT: Not applicable to Phase 1A.	MM 15-5: <i>Special events within the GRR-Project having 250 participants or more shall obtain approval from the City Council in consultation with the City Manager, Sutter Creek Police Department, and Sutter Creek Fire Protection District until such time as the City adopts an ordinance regulating large</i>

	associated with implementation of General Plan Build-out would be <i>less than significant</i> .		<i>assemblages of people.</i>
Impact 15-6 Land Use	Development of off-site utility infrastructure will result in the short-term, and potential long-term, conversion of land uses and could conflict with existing uses. This impact is <i>less than significant</i> . (DEIR, p. 15-20)		No applicable mitigation measures for Impact 15-6.
Impact 15-7	The extension of Valley View Way will result in the permanent conversion of existing agricultural lands to public facility (roadway) and will create a permanent physical separation of an existing land parcel that could limit access and reduce potential future land use opportunities. This impact is <i>significant</i> . (EIR, pp. 15-20 to 15-21)	CONSISTENT: The right-of-way has been acquired.	MM 15-7: The right-of-way for the Valley View Way extension shall be acquired by the Applicant through willing-buyer/willing-seller negotiations with the current property owner. Right-of-way negotiations shall ensure that access to the remaining parcel south of the extension is not precluded. <i>The Valley View Way extension right-of-way shall be acquired by the Applicant through willing buyer/ willing-seller negotiations with the current property owner (either in fee or through permanent easement acquisition). Project grading or other construction activities shall not be approved until such time as evidence of the acquisition is provided to the City. Access to and reasonable use of the remaining parcel to the south of the Valley View Way extension shall not be precluded.</i>