

Damon Polk

Mon, Apr 21, 2003 4:43 PM

Subject: Inclusionary Zoning is not the way to go
Date: Friday, January 10, 2003 3:16 PM
From: Damon Polk <damon@biasup.org>
Cc: Bruce Houdesheldt <bruce@biasup.org>, John Costa <costaj@biasup.org>

Dear County Supervisors and Planning Commissioners,

I have included an attached file discussing affordable housing and how units can be built without implementing inclusionary zoning. In essence, 1) increase the supply of land available for multifamily, condos, mobile home parks, and townhouses through zoning; 2) apply for, advertise, and utilize local, state, and federal funding sources for the construction of affordable housing, and 3) provide incentives to building affordable housing. By utilizing this formula, affordable units can and will be built without the need for inclusionary zoning.

1-1

I thank you for your time,

--
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Affordable Housing: Solving a Crisis Without Creating One

While the Sacramento Region faces considerable challenges with regard to the provision of affordable housing, its situation is not unique - housing prices throughout California are at an all time high. Why? For a simple answer, one needs to look no further than the basic economic theory of supply and demand. The state Department of Finance estimates that California is under-producing housing at an annual rate of roughly 100,000 units per year. Over a ten-year period, that adds up to a statewide shortage of 1 million units. This imbalance between supply and demand has made housing prices soar, causing housing hardships for all Californians but particularly those of low and moderate incomes.

That is the simple answer. Unfortunately for the state and local governments, the simple answer leads to a series of difficult issues such as how to overcome the current regulatory and political structures that serve to hinder housing production and – the most pertinent one to this discussion – how to provide housing for the very low, low and moderate-income families with a limited supply of funding.

Inclusionary Zoning Myths and Realities

Inclusionary zoning is an increasingly popular method being employed by local governments in an attempt to provide low-income housing. It is being touted as a win-win solution, the panacea of affordable housing woes. But as is the case with all complex problems, the one-dimensional answers are rarely the best and unintended consequences generally accompany their implementation. That is the case with inclusionary zoning.

Myth #1: Inclusionary zoning is the best way to provide low-income housing

Inclusionary zoning is actually a constraint to housing production and as such does little to effect much positive change on the affordability of the housing market. Indeed, inclusionary programs don't build many units. A study by University of San Diego reports that half of the inclusionary programs started in the 1980s produced fewer than 3.4 units per year. In addition, the *Journal of American Planning* reported that 60 percent of municipalities with inclusionary zoning mandates had produced less than 100 units since their inception and 30 percent had not produced any units.

Under most inclusionary programs, which typically include an in-lieu fee, the cost of subsidizing low-income housing units is underwritten by the purchasers of market-rate units in the form of higher prices. This practice of cost shifting is particularly detrimental to a homebuyer who marginally qualifies for a mortgage yet earns too much to receive governmental assistance. In addition, inclusionary ordinances can have a chilling effect on housing construction in general, ultimately undermining the provision of the low-income units which they are intended to foster.

Source: California Department of Housing and Community Development (HCD)

Myth #2: Market-rate builders and developers can easily accommodate low-income units.

California's high land costs and uncertain entitlements process are making it difficult for developers to obtain needed land and subdivision improvement loans.

Source: HCD's "Raising the Roof" report

It sounds easy enough: require market-rate homebuilders to build low-income units. But the reality is that it is not economically feasible for private, for-profit builders to build low-income housing. A study from Hobson Johnson Associates states that "the developer makes a living through managing risk, evaluating the probable financial return on a project in light of assumed risk." The imposition of inclusionary zoning ordinances makes it even more difficult for a developer or homebuilder to convince a lender that the risk/return ratio is equitable.

In addition, market-rate homebuilders and developers lack the expertise and access to capital that affordable housing developers possess. Indeed, HCD reports that "for-profit builders in California cannot economically supply significant amounts of affordable housing."

Myth #3: Inclusionary zoning makes housing more affordable.

At its core, inclusionary zoning is a fee on new development, and not one which is evenly distributed. It provides housing opportunities to a few individuals while locking many more out of the housing market. This does not make housing more affordable, but simply shifts unmet housing needs. And, like all fees, the fee burden is greatest for households at the lower end of the homeownership ladder. What's more, the high inclusionary requirements in the Central Coast are cited by HCD as being responsible for the high fee totals in that region. At the time of the "Pay to Play" study, Sacramento's fee average did not include any inclusionary programs and can be expected to rise with the adoption of such policies.

According to the state Department of Housing and Community Development, the Sacramento area has the third highest development fees in the state with an average of \$27,480 added to the cost of each new home. The Central Coast has the highest fees at \$29,799 per unit followed by the Bay Area at \$28,668.

In short, inclusionary zoning actually exacerbates a problem it is intended to fix by raising housing prices, restricting housing production and failing to produce an adequate supply of low-income units. There is a better way.

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Getting to "Yes" on Affordable Housing Without Inclusionary Zoning

There is no magic bullet when it comes to affordable housing, but there are things that jurisdictions can do to facilitate and encourage its development. Meeting affordable housing goals starts with the acknowledgement that low-income housing is the responsibility of a community – not just one segment of it. The best way to provide affordable housing is:

- 1) To adequately zone multi-family land and then work aggressively to secure financing through broad-based funding sources to ensure that the housing gets built;
- 2) To minimize government-imposed costs and restrictions that artificially raise the costs of all housing; and
- 3) To incentivize homebuilders and developers to build it (part of which will happen naturally when restrictions are lifted).

Other jurisdictions are coming up with creative affordable housing solutions, including the region's own City of Roseville as well as the City of Los Angeles.

The Roseville Model

The City of Roseville's approach to affordable housing is to establish a 10 percent goal that reflects fiscal and political realities rather than expectations that cannot be met. The City designates affordable housing goals during the Specific Plan process using objectives they have quantified in their housing element. For this housing element cycle, the City's goal is to produce 512 units of affordable housing. Other components of the model include the following:

- Recognizes that the provision of affordable housing is the responsibility of the entire community.
 - The City actively encourages local businesses to cooperatively establish an investment fund to provide financing for the production of affordable housing.
- Establishes and operates under a partnership between the city development interests.
 - The City works aggressively to secure and maximize potential funds available through existing state, federal and local programs.
 - The City works with all property owners subject to the affordability requirements by assisting developers in acquiring appropriate and available subsidies to construct affordable housing. If adequate subsidies are not available, the 10 percent goal may be deferred to a latter phase of the project to allow time to assemble the necessary funding.

The City of Roseville first adopted the 10 percent Affordable Housing Goal in 1988. Since then it has met or exceeded the 10 percent AHG by approving 21,623 units of which 2,323 are affordable housing units.

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LA's Housing Trust Fund

In addition to reducing barriers to housing production, the City of Los Angeles has established a \$100 million housing trust fund in conjunction with the local BIA, businesses and affordable housing groups. The business community provided the City with ideas about how to redirect money in the City coffers toward the trust fund. To date, the city has not imposed any new fees or inclusionary zoning on homebuilders/homebuyers. The proposed funding sources are below.

Potential Funding Sources	Estimated amount to be generated from Source	New or existing General Fund (GF) \$
1A. 25% of Business License Tax funds from Amnesty 2001	\$5 M/year (at anticipated \$20 M total receipts)	New to General Fund. Already adopted by City Council ordinance.
1B. 25% of new Business License Tax revenue post AB 63	\$10M/year (based on \$66M total projected revenue)	New to General Fund. Once AB 63 passes, amend existing ordinance (above)
2. Revenue from Closure of Central Business District CRA Project Area	\$15M/year	New to General Fund, but budgeted in 2001-2002 budget. Pacheco motion has already proposed this allocation.
3A. 40% of future property tax increment citywide. Index current property tax revenues	\$11- 16M/year	New to General Fund monies. Recommended also by Housing Crisis Task Force
3B. AB 1284 (Lowenthal), creates Housing Opportunity Districts (HOD's) which dedicate 100% of property tax increment to housing	Unknown. Additional to revenues in 3A. City should study for areas of greatest return if AB1284 passes.	New to General Fund, as dedicated future property tax. This bill is now a two-year bill in the state legislature.
4. Dedicate future CRA Bunker Hill revenues to housing citywide	\$5 M/year	New to General Fund.
5A. CRA dedicate more than 20% of tax increment to housing. The revenue estimates do not include the CBD revenues if new area.	\$7M/year. This only counts the difference between 20% and 30%, as 20% is considered "old money" \$21M/year if all 30% of tax increment is counted towards AHTF	New to General Fund. Requires approval of each project area.
5B. Apply 5A to CBD CRA area.	Unknown. Will be considered all new money, since new CRA area.	New to General Fund.
6A. Dedicate 40% Documentary Transfer (DT) tax (0.45% sales tax on real estate transactions)	\$32 M/yr	Diversion from existing General Fund.

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6B. Index the Documentary Transfer tax revenues, and 100% of additional tax funds go to HTF	\$4 M for each 5% increase in revenues (likely, based on surge in development)	New to General Fund
6C. Increase DT Tax to .5%	\$9M	New to General Fund. Ballot measure may be required.
7. Program income from housing loan paybacks	\$13 million/year	Redirect from existing CDBG funds. Does not take funds from General Fund
8. Targeted Neighborhood Initiative (TNI) funds reprogrammed when TNI areas	Roughly \$10 M / year	Redirect from CDBG funds. Does not take funds from General Fund.
9. Bond for slum housing. Would be used to purchase slum properties and pay for relocation of tenants	\$100 – 200M non-recurring. Program income goes to AHTF.	New to General Fund. Ballot Measure is required.
10. Pooled investment housing fund (Genesis LA model)	Private investment funding	New money. Private Investment contributions with return on investments.

Reducing Barriers, Creating Incentives

Fully utilizing existing and creating new funding sources are important components of an affordable housing solution. However, there are things that the cities and counties can do to help encourage the production of affordable housing. These are listed as follows:

- Reduce uncertainty, risk and delay in the planning, environmental and permitting processes by committing and adhering to targeted timelines.
 - Jurisdiction should work with BIA to develop a reasonable processing timeline. Everyone involved in the process should have some degree of accountability and incentive to meet the targeted time-line. The time-line would be codified in the zoning code.
- Encourage regulatory costs to be imposed at Certificate of Occupancy, rather than at building permit stage.
- Facilitate mixed-income neighborhoods through flexible zoning policies which permit a broad range of densities and a variety of housing types in a single district by right (without the need for additional hearings or approvals)
 - Create a master EIR for the entire area to eliminate requirements for each project.
- Establish an “Affordable Housing Barrier Removal Committee” which would identify barriers to housing and make recommendations to the Planning Commission and City Council/Board of Supervisors. This committee should be responsible for conducting a “Housing Impact Analysis” as described below.
- A Housing Impact Analysis should be conducted for all ordinances and policies with the potential to impact housing availability and affordability. Criteria should be established to assess an action’s impact on affordability. (the Urban Land Institute identifies three: regulations restricting development of otherwise developable land; regulations imposing fees and exactions; regulations adding to the uncertainty, risk or delay associated with planning review and approval.) The level of impact could be assessed on a scale.

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- “Fast Track” affordable housing developments by providing relaxed standards for density, street width, garages (i.e not require them), set backs street lights and sidewalks.
- Parking and tax incentives could be provided to commercial developers who add residential units on top of commercial uses or to business owners who choose to locate in residential projects.
 - Add affordable residential to commercial for tax incentives and for additional commercial density – the City of Aspen does this.
- Provide density bonuses and fee reductions or waivers for providing affordable housing.
- Give builders the ability to earn affordable housing credits by producing affordable housing in a given area that in turn could be applied towards other communities in which they might build. Allow them to sell these to other builders to offset their affordability requirements.
- A City or County could create an Affordable Housing Director position. This person would serve as an expeditor and liaison for builders. They would publish policies and procedures for obtaining approvals including turnaround times. Programs would be put in place that provide gap financing and fee credits. The Director would serve to make those incentives readily available and would assist developers in obtaining state and federal grants and low-interest financing. The Director would also conduct outreach and education programs to encourage developers to consider providing affordable housing.

Next Steps

Jurisdictions took the first step toward providing affordable housing when they updated their housing elements and identified appropriate sites to accommodate their future housing needs. Imposing inclusionary zoning won't further their efforts in any significant way. The BIA recommends that jurisdictions further examine the Roseville model, investigate broad-based funding sources for the Housing Trust Fund, and aggressively implement incentives and remove barriers to housing production.

BIA considers itself part of the solution and is available to help the jurisdictions craft affordable housing programs that truly makes housing more affordable for all residents.

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The El Dorado Business Alliance
P.O. Box 121, Shingle Springs, CA 95682

VISION FOR EL DORADO COUNTY
Position on Issues for the Proposed General Plan
 April 10, 2003

The El Dorado Business Alliance has crafted this Vision for El Dorado County: Position on Issues for the Proposed General Plan not as a response to any specific document (those are addressed by other documents) but rather as a source of more general recommendations of the BA member groups. The goal of this paper is to offer a vision based on the yet-to-be released EDC General Plan. It is our firm belief that if we do not offer the public at least the beginning of a vision for growth in this area, that the public will once again become disenfranchised from efforts to plan for growth – a course that would have disastrous results. The BA members, through active trade organizations, have access to important statistical data, resource materials and expertise to provide timely information on fundamental land-use issues. We offer this paper as food-for-thought, as a compilation of our concerns and possible solutions, and as a means of educating our members and the public about basic General Plan issues. For a more in-depth understanding of the recommendations of the ED Business Alliance, please refer to written public comment sections of the Draft General Plan.

GENERAL COMMENTS

The Business Alliance encourages local planners, elected and appointed officials and the public to THINK LONG-TERM regarding the General Plan planning process. The document should be concise, comprehensible and user-friendly. It should offer a vision that planners, public agencies, business people, developers and the public can strive to make a reality. It should offer a clear view of how this county will look in 20-50 years. It should plan for all sectors of economic expansion and growth projections in order to avoid future gridlock and a shortage of necessary infrastructure. Below are some crucial facts that the Business Alliance believes must be contained in the final product in order for the document to be useful and successful:

- Keep in mind El Dorado County's (EDC) varied, often-hilly and sloped terrain when setting policies. This will insure a workable product as a result. *(For example: biking to work from the rural, low-density areas of the community is not realistic – though it may be a worthy goal for El Dorado Hills.)*
- Private property rights are an important component of county's customs and culture, and the source of much of the area's economic prosperity. Existing property owners' right to use their land should be protected.
- The General Plan should identify state and federal policies and programs that have been agreed to – to date - that could impact General Plan policies and use of private property. *(For example: Elected officials have agreed to provide land for protection of plant and*

The El Dorado Business Alliance is made up of the following organizations: The Building Industry Association of Superior California (BIASC), El Dorado Builders' Exchange, El Dorado County Joint Chambers Commission, El Dorado Forum, El Dorado County Association of Realtors (EDCAR) and Surveyors, Architects, Geologists and Engineers (SAGE).

species protection. These agreements should be acknowledged so the public is aware of how they will impact the county's future land-use plans.)

- The Business Alliance believes the General Plan should be incentive based – not punitive.
- It is the position of the Business Alliance that a permanent and secure source of funding should be identified for continuing maintenance of existing government-controlled lands prior to including additional lands for government protection.



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WATER

The following general points are the position of the Business Alliance regarding water in El Dorado County:

- The General Plan (GP) should contain water policies that respond to the needs generated by realistic land-use planning, and should not be used as a means of controlling growth in the county.
- The GP should reference prior contractual agreements and federal and state Decisions that have cited specific protection of EDC's county-of-origin water rights for its own use.
- The GP should incorporate a drought-preparedness policy for the county that minimizes the negative effects of drought on local citizens, business, agriculture and tourism.
- The GP should identify major sites that have potential as future water storage sites and drought protection (such as Alder Reservoir) based on previously conducted studies like the SoFAR project.
- The GP policies should encourage development of local water supplies for local use, sale and power generation that could benefit local residents.
- The GP should encourage water conservation and provide incentives for commercial and residential projects to use recycled water for landscape irrigation.
- The GP should protect lands identified in county water, wastewater and recycled water master plans, as needed, for facilities to be constructed in the future to meet the requirements of the GP. This would include land designated for open or closed storage reservoirs, treatment plants and conveyance systems.

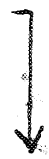


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TRANSPORTATION/CIRCULATION

The following states the position of the Business Alliance regarding transportation in El Dorado County:

- Policy has been established that holds new development responsible for mitigating its impacts on the county's transportation system and for which funding mechanisms are in place. The county is responsible for funding existing deficiencies attributable to existing



2-9

residents. The GP should identify specific funding sources for the county's responsibilities for maintenance of county roads to identified levels of service (LOS).

↑ 2-9

- The General Plan (GP) should identify all projected major roadways, including White Rock Road as an alternative route to Hwy 50 to reach Sacramento.] 2-10
- The GP should identify long-term solutions to the Placerville/Highway 50 backlog, and should include policies that support expansion of Highway 50, in order to accommodate additional projected commuter and tourist traffic. (For example: policies should be identified that would be triggered by specific LOS thresholds.)] 2-11
- The GP should include a policy to investigate additional multi-lane routes into the Sacramento valley region, including the expansion of Highway 50 to 8 lanes, in order to accommodate growth and job projections and to avoid gridlock to the region's major metropolitan area.] 2-12
- The GP should identify future light rail corridors.] 2-13

AGRICULTURE

The BA recognizes the importance of a strong agricultural industry to El Dorado County's economic well-being as well as to its customs and cultural components. We also recognize that agricultural needs can be a source of conflict with other land uses - such as housing (refer to Housing comments below). The BA acknowledges the following important points: El Dorado County's gross crop value in recent years has been near \$50 million, with impacts of around \$380 million using a standard multiplier and tourism impacts; Agriculture provides citizens with alternative lifestyles to urban living; Agriculture encourages and promotes a strong tourism industry; Agricultural lands provide much valued open space for local citizens and tourists to enjoy. Most importantly, the local agricultural industry contributes to California's ability to feed much of the world's population.

The BA envisions a community where abundant agricultural lands are bordered by a variety of forms of open space (refer to Open Space comments below) and/or large residential parcels that would not be negatively affected by agricultural activities such as pesticide use and field dust. These larger-parcel residential areas could then be bordered by higher density residential uses - that would accommodate a variety of housing sizes and costs.

] 2-14

The following points identify some key areas that we believe are necessary in the EDC General Plan.

- The BA encourages the protection of prime agricultural soils as defined by the Agricultural Commission and Farm Bureau through the inclusion of incentive based policies.] 2-15
- The BA supports the protection of private property rights for all landowners and cautions against the incorporation of GP policies that would eliminate agricultural property owners right to use their property and make a living from their land.] 2-16

- The GP should consider the permanent and temporary housing needs of local and migrant farm workers. } 2-17
- The BA supports all disciplines within the agricultural community, from raising crops, to growing grapes, to developing wineries, to ranching and logging. We believe the GP should include positive incentives that take advantage of El Dorado County's abundance of all these uses. } 2-18

OPEN SPACE

The following general points are the position of the Business Alliance regarding open space in El Dorado County:

- The BA believes that open space can consist of any of the following: wilderness areas, national or state parks, BLM lands, land protected under the Williamson Act, land designated as "prime agricultural soils", neighborhood parks, golf courses, range lands, grazing land, fruit orchards, vineyards, conservation easements and watershed corridors. The General Plan (GP) should reflect these areas as open space in its future vision for the county. } 2-19
- The GP should recognize that over one-half of El Dorado County is already protected as National Forest and state protected lands. } 2-20
- The Business Alliance opposes more federal/state designated wilderness areas within El Dorado County. } 2-21

HOUSING

Business Alliance (BA) members include local, regional and statewide large and small builders, a multitude of business people, realtors, land developers, land-use planners, surveyors and engineers. Through this broad base of experience, the BA members have previously resolved many of the issues that are currently under discussion in El Dorado County. The following positions are the result of statistical data, research and the experience of BA professionals. It is our fundamental belief that the underlying principle of a successful community is that it appeals to all age groups.

- The General Plan (GP) should identify affordable housing locations *within each community* in El Dorado County. } 2-22
- The General Plan (GP) should identify affordable senior housing policies for *each community* within El Dorado County. } 2-23
- The GP should identify model projects for often-controversial high-density development to encourage acceptance of affordable housing. } 2-24
- The GP should avoid over-regulating policies on housing design, size and type that increase costs of homes to consumers. } 2-24

- The GP should establish policies/sources of new funding for affordable housing.] 2-25
- The Business Alliance is opposes inclusionary zoning policies for El Dorado County.] 2-26
- The Business Alliance encourages reconsideration of the General Plan's definition of "high density" currently set at a maximum of 5 units per acre. Statistics show that to meet housing needs of seniors, first-time buyers, and those earning the local pay scale for public servants such as law enforcement and teachers, "high" density should be defined as 6-8 units per acre.] 2-27
- The GP should recognize that for the most part there are no more large parcels available for development and the GP should consider land-use planning and funding resources with this fundamental fact in mind.] 2-28
- The Business Alliance opposes the inclusion of a mandatory "Universal Design" concept due to negative impacts on the cost of new homes with limited benefits. To assure the availability of affordable housing, GP policies should encourage flexible design.] 2-29
- To aid in providing affordable housing the GP should include tax deferral policies for impact fees. The deferred amount could be recorded/assumed with sale of the property to protect the county's interests.] 2-30
- It is the position of the BA that it is more productive to give builders positive incentives instead of negative mandates to encourage the type of housing needed in the county.] 2-31
- It is the position of the BA that flexible zoning is needed to meet the areas housing needs. For example: allowing residential living units above commercial/retail shops will provide affordable housing, will deter crime by avoiding the deserted-after-dark syndrome that plagues many commercial areas.] 2-32

ECONOMIC DEVELOPMENT

The following positions of the Business Alliance are offered on economic development issues in El Dorado County:

- The Business Alliance encourages the GP to balance "desires" with projected costs for implementing its policies.] 2-33
- The GP should identify a source of revenue for all programs and policies it mandates.] 2-34
- The Business Alliance believes a main goal of the new General Plan should be to increase and retain all locally based employers.] 2-35
- The GP should adopt/identify enterprise zones (which consist of federal rebate money based on number of employees/jobs created) and redevelopment areas - such as what has taken place in Lake Tahoe.] 2-36
- The Business Alliance believes it is necessary to establish policies aimed at correcting the imbalance between the cost-of-living and the cost-of-housing in El Dorado County.] 2-37

- The GP needs to designate and protect adequate land for industrial uses, as a means of providing high-paying jobs and attempting to balance out the county's income-to-housing-ratio imbalance.

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The Business Alliance recognizes that this paper has merely scratched the surface of some issues. Again, we offer these comments as the result of our member's expertise in a variety of areas, but also as an attempt to introduce some vision into the general plan planning process. We will provide specific comments on the Draft General Plan and Environmental Impact Report upon their release, and offer our assistance in providing our services to the community in this ongoing effort.

From: Jones Family [janine@d-web.com]
Sent: Thursday, April 10, 2003 11:19 AM
To: generalplan@co.el-dorado.ca.us
Subject: Comment on plan alternatives

To Whom It May Concern:

Re: Parcel 048-121-43-100 & Parcel 048-121-11-100

In all the alternatives, the Land Use Designation is LDR. These parcels are an island of LDR as there are 2 & 3 acre parcels all around us.

I am particularly concerned about Parcel 048-121-11 as that parcel is 19.09 acres. Under the LDR designation, it would be 1 acre short for a 4-way split (5 acre parcels). This affects the value of the land considerably (particularly as we purchased it as a 2 acre splittable piece). Being able to split it into 4 pieces is certainly in line with the neighborhood and everything that has happened previously. Furthermore, the road was put in with the idea of it being splittable and utilities are already available to the parcel.

3-1

As far as 048-121-43 is concerned, I hope that the supervisors will NOT vote the no project alternative. This is not good for the county. It is reasonable for parcels in the same area to be designated similarly and I would hope that we would be able to split this property into two 5 acre parcels. We wish to build a new home on the other half of this property for ourselves and sell our existing home.

Thank you for taking these comments under consideration.
Janine M. Jones

April 14, 2003

03 APR 16 PM 2:23
RECEIVED
PLANNING DEPARTMENT

Oystein Solheim
3570 Vista Grande
Shingle Springs CA 95682-7602
530-677-2006
solheim2636@earthlink.net

County of El Dorado Planning Department
Att: General Plan Project Manager
2850 Fair Lane Court
Placerville CA

Reference: Letter dated April 9, 2003 from your office regarding the General Plan and letter from myself Oystein Solheim dated 9/9/2002 (copies) enclosed.

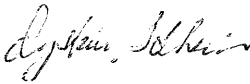
I appreciate your progress in developing the general plan for the El Dorado County. I have reviewed the new plans now available at the County Offices and have the following comments.

My 5 acre property identified as APN-070-160-59 is now shown on your county general plans "110 project and 1996 Alt. and alternate #1 roadway constraint six-lanes "plus" proposed to be zoned "medium density" for one house per acre. These proposals are in accordance with my request.

I thank you for the positive response to my request. I hope that you will check the other alternate plan to make them also consistent with my request.

I thank you so much for your effort.

Sincerely,



Oystein Solheim

4-1

September 19, 2002

County of El Dorado Planning Department
General Plan Project Manager
2850 Fair Lane Court
Placerville CA

ENCLOSURES

My name is Oystein Solheim
My address is 3570 Vista Grande, Shingle Springs CA 95682-7602

I bought my (6) acre property in Shingle Springs in 1970. At that time the area of my property was zoned for (1) acre lots. In 1975 I built my home on one acre; this one acre is identified as APN-070-160-59. Our plan was to have the other (5) acre lots available should kids or grandkids want to build their homes there and we might also need to sell some lots if I should need money for my retirement.

The zoning of my 5 acres which is identified for tax purposes as APN- 070-160-58 now apparently is in question even though all my neighbors homes are on 1 and 2 acres lots.

I respectfully request that the new county plans will show that my property is zoned for one (1) acre lots so I can proceed to submit a parcel map of the 5 acres for future records.

I verbally presented above request at the general plan workshop #3 on August 29, 2002 during the special meeting of the Planning Commission and was asked to confirm my specific request in writing to the General Plan Project Manager for implementation.

I thank you for your consideration.

Sincerely,



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530-677 2006
solheim2636@earthlink.net

From: ljprotzel [ljprotzel@attbi.com]
Sent: Wednesday, April 16, 2003 2:33 PM
To: generalplan@co.el-dorado.ca.us
Subject: Comments for General Plan Consideration

April 16, 2003

El Dorado Planning Commission

General Plan Considerations

Attn: Peter Maurer

Cc: Rusty Dupray

Re: APN 108-010-34

Dear Peter,

Thank you for taking the time to speak with me and explain the current status of the El Dorado County General Plan. As I mentioned, I would like to express my desire to maintain the same HDR land use designation, as that proposed in the 1996 GP, and under which I purchased my property, with no "No Growth" provisions.

My property, APN #108-010-34, has been contemplated for many years to provide a viable opportunity for population growth while maintaining its community integrity within Cameron Park. This is evidenced by its location and proximity to freeways, schools and shopping and reinforced by adjacent existing community developments. The property is located just South of Hwy. 50 between Bass Lake Rd. and Cambridge Rd., approximately 5 minutes from the freeway and just 10 minutes from schools such as Buckeye, Blue Oak and Holy Trinity. There is also easy shopping access at either EDH or Cameron Park.

Additionally, infrastructure is currently in place around the property to support the HDR land use designation (under the 1996 GP); access roads are in place on all sides of the property with surplus capacity to support both current and future traffic in the area. There is even a proposed commercial development property adjacent to my property. There is every indication that this property is well suited to its HDR land use designation, under the 1996 GP, and should remain so without any constraints, i.e., No Growth initiatives, etc.

Please see the attached document for more perspective on this parcel and why I am in support of its unencumbered HDR land use designation under the 1996 GP. To this end I would like to request to be kept informed on any new developments for General Plan consideration and would be happy to participate in support of my position at any planning commission hearings, or other appropriate forums.

Respectfully,

John Protzel
Owner: APN # 108-010-34
(408) 736-6449

5-1



From: frankseverson [frankseverson@netzero.net]
Sent: Wednesday, April 16, 2003 10:23 AM
To: generalplan@co.el-dorado.ca.us
Subject: Yes to environmental alternative

Dear General Plan Team:

Based upon what I read in the Mt. Democrat, the environmental alternative to the General Plan looks best. I want the General Plan that is most sensitive to the environment, maintaining as much protection for animals and their habitat as possible.

6-1

Frank J. Severson
7014 Stope Court
Placerville, CA 95666

phone: (530) 642-1787
fax: (530) 642-1887
e-mail: frankseverson@netzero.net
web site: www.frankseverson.com

From: Valdes [val5@accessbee.com]
Sent: Saturday, April 19, 2003 1:12 PM
To: generalplan@co.el-dorado.ca.us
Subject: Environmental Alternative Supported.

I've been reading through the environmental scenarios with respect to each alternative. I am adamant about environmental protection and protecting open space specifically in the areas of Cool, Coloma, and Pilot Hill. The expected increases in development within these areas would have a significant effect on wildlife habitat connectivity, significant impact on mortality on Highway 49, and a significant impact on water quality: riparian areas and watershed condition.

I favor the Environmental Alternative. Please keep me informed on any actions, potential actions and public meetings with respect to the General Plan. Thank You!

Michael Anthony Valdes

7-1

From: Theresa Storlie [calceltic@sbcglobal.net]
Sent: Monday, April 21, 2003 11:19 AM
To: generalplan@co.el-dorado.ca.us
Subject: Bass Lake Road

Dear Planning Dept. Members,
I would like to offer a suggestion regarding the use of land along Bass Lake Road. Under the current climate of water use and supply concerns I would say that designating the land in this area as parcels of 2 acres or greater would lesson the use of water by lowering the density of population. Also it would preserve the county feel of this are and increase the value as time goes on. The road is also a concern as plans to develop it and make it safer seem to have taken a back seat. Please submit my suggestion to the board.
Thank you.

Sincerely ,
Theresa Storlie

8-1

The El Dorado Business Alliance
P.O. Box 121, Shingle Springs, CA 95682

April 22, 2003

Heide Tschudin, Project Manager
 El Dorado County General Plan
 Planning Department
 2850 Fair Lane Court
 Placerville, CA 95667

Dear Heide:

This letter serves as our request to synchronize the General Plan and EIR public comment schedules. As you know the Draft General Plan was released last week on April 9, 2003 giving the public 45 days or until May 27, 2003 to provide written comments. The Draft EIR release dated is targeted for around May 12, 2003 and will have its own 45-day review period. This means that public comments will be accepted until about June 27, 2003. Under this schedule there is barely more than two weeks to fully analyze and compare the General Plan to the EIR, *if* the EIR is released on schedule. If the EIR is postponed, that overlap period could shrink to one week or less.

The biggest problem with the current schedule is that the public is unable to assess the environmental impacts of the Draft General Plan. Yet the public is being asked to recommend, or offer their perspective, on which of a variety of alternative plans is *preferable*, based in part on the environmental impacts for each of the alternative plans. We find there is already confusion among stakeholders about this staggered schedule and it's not clear that each document has its own and separate public comment period. We do not believe it is worth putting the current efforts at risk over the prospect of losing four weeks from a schedule that appears tentative at best.

The Business Alliance is further concerned that this decoupling of the Draft General Plan from the EIR for the purposes of public comment may not meet the spirit or intent of CEQA and thus may once again place the county in legal jeopardy. It is our understanding that the lawsuit filed against our 1996 General Plan was based on changes made to the Plan that did not undergo adequate analysis of their impacts as prescribed by CEQA.

The Draft General Plan contains four alternatives that are to receive equally weighted treatment and analysis in the EIR. The EIR is anticipated to present an additional eight sub-alternatives that have been described as receiving analytical treatment in the EIR that is not to the level or degree of the four equal weight alternatives. Additionally, any of the 12 alternatives and sub-alternatives could ultimately become part of the final General Plan. Again, the public is being asked to choose amongst several options, when all those options are not now clear.

The El Dorado Business Alliance is made up of the following organizations: The Building Industry Association of Superior California (BIASC), El Dorado Builders' Exchange, El Dorado County Joint Chambers Commission, El Dorado Forum, El Dorado County Association of Realtors (EDCAR) and Surveyors, Architects, Geologists and Engineers (S.A.G.E.).

9-1

Heide Tschudin Letter
April 22, 2003
Page 2

The Business Alliance believes the most obvious solution to this dilemma is to extend the Draft General Plan public comment schedule so that it corresponds to the EIR's. We do not anticipate that aligning the two public comment periods will negatively affect the county's schedule, in fact we would expect the county to receive fewer comments overall if the timeframes are the same, rather than based on two completely separately timed documents. In our informal survey of other jurisdictions, El Dorado County seems unique in its approach of separating the General Plan review from its EIR.

9-1

Thank you for your immediate consideration of this request.

Sincerely,

(Original Signed)

Kimberly Beal
Chairwoman

Cc: Business Alliance
BA Distribution Lists

The El Dorado Business Alliance
P.O. Box 121, Shingle Springs, CA 95682

MEMO

April 23, 2003

To: Heide Tschudin, Project Manager
El Dorado County General Plan

From: Kimberly Beal, Chairperson
El Dorado Business Alliance

RECEIVED
APR 24 12 23 PM '03
BOARD OF SUPERVISORS
EL DORADO COUNTY

Hello Heide:

Thank you for meeting with Rick Russell and myself today. We hope you have a better understanding of the Business Alliance's (BA) position regarding the General Plan process and timing issues with same. The BA has no desire to see the General Plan process slowed overall. As stated in our letter to you dated April 22, 2003, we do believe it would benefit all parties if the public comment period on the General Plan is extended a couple of weeks, and aligned with the EIR, so that the public can comment on both at the same time. We appreciate your positive response to this request.

10-1

To further clarify our position as set forth in our recent newsletter, we were not advocating holding up the General Plan process until late fall or winter or even early 2004. We were advocating that our county go forward *as soon as possible* to fill the seat vacated by Carl Borelli's untimely death. It is our understanding that the county charter has provisions for holding a special election, specifically in response to similar situations (ie, board member vacancies) in the past.

10-2

We support your goal of our county adopting a General Plan by December 2003.

Please let me know if any further clarification of our positions is necessary.

Cc: ED Business Alliance
ED Board of Supervisors

COPY SENT TO BOARD MEMBERS
FOR THEIR INFORMATION

DATE 4-24-2003

The El Dorado Business Alliance is made up of the following organizations: The Building Industry Association of Superior California (BIASC), El Dorado Builders' Exchange, El Dorado County Joint Chambers Commission, El Dorado Forum, El Dorado County Association of Realtors (EDCAR) and Surveyors, Architects, Geologists and Engineers (S.A.G.E.).

From: Dpgirvin@aol.com
Sent: Thursday, April 24, 2003 11:59 AM
To: generalplan@co.el-dorado.ca.us
Subject: Assessors Parcel No: 108-030-03

To Whom It May Concern:

I am the owner of this 7.6 acre property located at the intersection of Wilson Blvd. and Ridgeview in El Dorado Hills. This property is surrounded by development on all sides. Streets, sewer and water lines are contiguous to the property. I purchased adequate water rights when AD3 took place. I started the tentative map process for a PUD and was partially thru the County in November 1998. I have checked the four alternative versions of the general plan online and note the land-use designations on three versions calls for HDR while one version calls for LDR. I would strongly object to the LDR designation for all of the reasons outlined above.

Can you advise me of what, if any action on my part is required to get this designation of LDR changed to HDR for all four plan versions?

Thank you.

Richard B. Girvin
7640 Heathfield Ct. University Park, Fl. 34201 Phone: 941-358-8896
e-mail: dpgirvin@aol.com

11-1

From: Chris.Hurley@Wellpoint.com
Sent: Friday, April 25, 2003 2:49 PM
To: generalplan@co.el-dorado.ca.us
Subject: Support for Environmentally Constrained Alternative

I am writing to let you know that I support the Environmentally Constrained Alternative to the 1996 General Plan. A number of points make this alternative plan a sound one and will help to ensure that El Dorado County remains ecologically whole for many generations. By concentrating growth in already populated areas and by protecting biological corridors this alternative plan will better keep our natural environment in tact. Protecting tree canopy for our abundant avian species, preventing land fragmentation and preserving rare plant life is necessary for maintaining El Dorado County's diverse wildlife. Landowners and developers may want unlimited freedom to do whatever they want to their property, but their choices affect ALL inhabitants of El Dorado County. Cutting down trees and building fences can severely damage habitat and it is becoming increasingly clear that our resources are not inexhaustible or easily restorable. The environmental alternative to the General Plan only slows the despoliation of our County, however. With human population increasing steadily, this is all it can do. Hopefully though, it will give us more time to find permanent solutions to the problems created by human encroachment on the environment. Please count my vote for the Environmentally Constrained Alternative!

12-1

Chris Hurley
573 Olivene Court
Placerville, CA 95667
530-622-6273

Apr.28, 2003
 Steve & Judy Arrigotti
 1481 Lomita Way
 El Dorado Hills, CA 95762

Rusty Dupray
 El Dorado County Board of Supervisors
 330 Fairlane Ct.
 Placerville, CA 95667

03 MAY -2 PM 1:10
 RECEIVED
 PLANNING DEPARTMENT

Attention: Rusty Dupray,

This letter is to inform you of our interest in medium density designations for Lomita Way as indicated on the 1996 alternative for the El Dorado County general plan. There are nine property owners on Lomita Way who own from 3 to 15 acre parcels and we have maintained our interest in medium density designations at public hearings and in letters to the planning department since 1978 when this process began for us. We have been diligent in voicing our concerns about the large developers who continue to subdivide El Dorado County land and consume EID water while small land owners are prevented from either.

History:

Shortly after we purchased our 13 acre parcel in 1976 I researched the estimated cost of water and road improvements for the Lomita Way residents. The total estimated cost of an EID water line extension at that time was \$36,000. My most recent research has revealed an astounding figure of \$160,000 for the same line.

In Aug. of 1978 we attended hearings to amend the County General Plan and that was the beginning of our long and frustrating journey with the General Planning. We attended the workshops in August 2002 and, once again, wrote letters to express our interest in medium density designations. Our goal is to divide our land into 3 acre parcels and to have access to EID water.

Many of the landowners on Lomita Way purchased their property as an investment with the expectation that it could eventually be divided into smaller parcels. Several of us have retired and watched our children grow up while the General Plan zoning designations changed and EID put a moratorium on water meters. We waited in limbo while the land around us was being devoured by large developments with unlimited access to EID water.

- We were involved in the planning meetings that brought about the 1996 General Plan proposal.
- We lived through the moratorium on EID water meters.
- We attended Weber Dam meetings with Serrano representatives to insure water availability.
- We filed the "Facility Improvement letter" and paid the fees to start the process to bring an EID line extension down Lomita Way.
- We intend to begin construction of the water line in 2004.

Please support our request for a medium density parcel designation for Lomita Way when approving the General Plan of El Dorado County. The land development around us is divided into smaller parcels so medium density designations fit the existing development with a natural transition.

Thank you for your consideration.

Steve Arrigotti *Judith Arrigotti*
 Steve and Judy Arrigotti 1481 Lomita Way (13 1/2 acres) Parcel #067-090-161

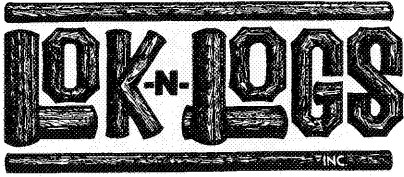
Sandra Winters 1480 Lomita Way (12.09 acres) Parcel # 067-090-171

Sandra Winters
 Floyd and Patty Andrus 1541 Lomita Way 11.71 acres) Parcel # 067-090-191

Floyd & Patty Andrus
 Mosely Collins (15.39 acres) Parcel # 067-090-211

Mosely Collins (Mosely Collins)

13-1



03 MAY -9 PM WEST COAST OFFICE
RECEIVED
PLANNING DEPARTMENT

5611 Greenstone Court, Hwy. 50
Placerville, CA 95667
Telephone 530 626-4555
Fax 530 626-4557
Toll Free 800 660-LOGS

May 1, 2003

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, Ca. 95667

RE: Plot Plan 319-200-31
Address: 5611 Greenstone Court, Placerville, Ca. 95667

Dear Sirs:

Our property is adjacent to both Hwy 50 and Greenstone Road and is zoned Low Density Residential operating as Lok-n-Logs' Model Home and Sales Center under a special use permit.

We respectfully request to be considered Commercial. Our proximity to Hwy 50 and Greenstone make the reasons obvious. We wish to sell our property for our own business reasons, yet we can't sell for residential nor for commercial.

Thank you for your consideration.

Very truly yours,

James I. Webb *Betty M. Webb*
James I. Webb Betty M. Webb, owners

Cc: Charlie Paine

14-1

Manufacturers of Custom Log Homes – Log Structures – Fort Restoration

From: ljprotzel [ljprotzel@attbi.com]
Sent: Friday, May 02, 2003 9:17 AM
To: generalplan@co.el-dorado.ca.us
Cc: bosone@co.el-dorado.ca.us; laly Protzel
Subject: Clarification of Intent: APN 108-010-34

Attn: Peter Maurer

Dear Peter,

In reviewing the two alternatives to the 'NO Project and 1996 General Plan' I feel the proposed densities for my property, APN #108-010-34, are not commensurate with it's potential. There is a significant disparity between it's current HDR designation and the proposed LDR land use designations with no consideration for a "Medium" density designation.

The accommodating topography of this property, flat to gently rolling slopes, along with its proximity to freeways, schools and shopping within minutes, make's it ideally suited as a transition between community and country living.

To this end I would like to short stop any density disparity by requesting a change in my property's land use designation to medium density residential (MDR), where in the future I can subdivide the property into 1-4 acre parcels. Infrastructure is currently in place to support this with access roads on all sides of the property. I believe an MDR land use designation would be most beneficial to the community by providing accommodation for controlled population growth while preserving the integrity of a pristine country-community setting.

Kind regards,

John Protzel

15-1

Robert Campbell
4212 Missouri Flat Road
Placerville, CA 95667

03 MAY -7 AM 11:08
RECEIVED
PLANNING DEPARTMENT
May 5, 2003

El Dorado County Board
Of Supervisors, 3rd District
330 Fair Lane
Placerville, CA 95667

Re: New General Plan & Zoning Changes
APN: 327.213.061 and 327.213.081

To Whom It May Concern:

I own approximately 13.5 acres of land on Missouri Flat Road, near the Highway 50 Interchange. Presently approximately 7.5 acres are zoned commercial – as they should be. The balance of 6 acres is zoned R1. The existing “dual zoning” is greatly restricting my ability to transfer my property.

In the coming months, as the General Plan is prepared for final approval, please do whatever is necessary to insure that the entire area is zoned commercial. I will be happy to take any further action necessary to shepherd this request to its' inclusion in the new General Plan.

Should you have any questions or suggestions how I might be clearer as to my objectives or effective in getting this change implemented, please let me know.

Very truly yours,

Robert J. Campbell

Robert J. Campbell
530.626.4212

cc: Helen Baumann
Charlie Paine
David Solaro
Rusty Dupray
Conrad Montgomery, Planning Director
Heidi Tschudin, General Plan Project Manager

16-1

From: Chris.Hurley@Wellpoint.com
Sent: Tuesday, May 06, 2003 3:45 PM
To: generalplan@co.el-dorado.ca.us
Subject: Support for the Environmentally Constrained Alternative

I am writing to let you know that I support the Environmentally Constrained Alternative to the 1996 General Plan. A number of points make this alternative plan a sound one and will help to ensure that El Dorado County remains ecologically whole for many generations. By concentrating growth in already populated areas and by protecting biological corridors this alternative plan will better keep our natural environment in tact. Protecting tree canopy for our abundant avian species, preventing land fragmentation and preserving rare plant life is necessary for maintaining El Dorado County's diverse wildlife. Landowners and developers may want unlimited freedom to do whatever they want to their property, but their choices affect ALL inhabitants of El Dorado County. Cutting down trees and building fences can severely damage habitat and it is becoming increasingly clear that our resources are not inexhaustible or easily restorable. The environmental alternative to the General Plan only slows the despoliation of our County, however. With human population increasing steadily, this is all it can do. Hopefully though, it will give us more time to find permanent solutions to the problems created by human encroachment on the environment. Please count my vote for the Environmentally Constrained Alternative!

17-1

Chris Hurley
573 Olivene Court
Placerville, CA 95667
530-622-6273

To: Peter Maurer
 EL Dorado County
 General Plan Team.

Adam C. E. Smith
 1231 Manchester Drive
 El Dorado Hills, California 95762
 916-933-0228

May 8th 2003

03 MAY 12 PM 1:57
 RECEIVED
 PLANNING DEPARTMENT

Dear Peter,

I would like to comment on the current General Plan proposals. Under Alternative No. 3, the Environmentally Constrained plan I would lose the commercial zoning I have on 5 parcels of land totaling 9.18 acres. These are: -

078 030 57
 078 030 58
 078 030 59
 078 030 60
 078 260 75

Parcel 58 has a commercial building unit known as the waystation, street address 3760 Pleasant Valley Road.

These parcels were originally subdivided as commercial parcels and possess a commercial water meter. Commercial zoning exists to the left and across the road where a cabinet shop and other commercial enterprises already exist.

In the 1996 General Plan these parcels retained their commercial zoning as they fell within the Chrome Ridge Rural Center.

In Alternative No. 3 they would become Low Density Residential. I believe the parcels do not stretch far enough away from the busy Pleasant Valley Road to be suitable for

18-1

residential use. The road would be a hazard for children and would not provide an appropriate home site environment.

I do however feel that the land has a viable and suitable future use as currently zoned. The property is on a historic Mormon trail and could accommodate uses associated with tourism. It is also at the entrance to a large vineyard and could one day support retail and restaurant uses.

My request is that the commercial zoning for these and the surrounding parcels be retained as there are pre-existing commercial uses and the area has long supported these.

I believe an appropriate commercial use could be found which makes use of the attractive location, environmentally and which would increase people's ability to enjoy the environment.

I feel therefore that in plan no. 3, as in Plans 1, 2, & 4, the zoning should be retained as commercial, and that the Chrome Ridge Rural Center be kept as in the other plans.

Thank you for your kind attention to this matter,

yours sincerely,

Adam Smith

To Conrad B. Montgomery
 Planning Director
 El Dorado County

Adam C. E. Smith
 1231 Manchester Drive
 El Dorado Hills, California 95762
 916-933-0228

03 MAY 12 PM 1:57
 RECEIVED
 PLANNING DEPARTMENT

May 8th 2003

Dear Conrad,

I am writing to ask for your help with the new General Plan. Under alternative No. 3 I would lose the commercial zoning on 5 parcels of commercial land that I own in Pleasant Valley. These lie within the Chrome Ridge Rural Center.

The parcels are 078030 57, 58, 59, 60, & 078~~030~~ 26075. There has been a commercial use here and across the street for many years. Parcel 58 contains the Waystation building whose address is 3260 Pleasant Valley Road. I don't believe that a commercial use would be inconsistent with the goals of plan 3. I think it could fit within the terms of the Environmentally Constrained Plan.

These parcels were originally subdivided for commercial and have been so ever since. They were included in the Chrome Ridge Rural Center. Under plan No. 3 they would become Low Density Residential, but the parcels are not very deep and I do not think they would be very suitable for single family homes.

In the future there will be a viable commercial use for these parcels which can be made to be supportive of the environment. Is there anyway that there could be kept commercial under the No. 3 Alternative for their land use

19-1

designation?

request,

(would appreciate your consideration of this

yours ever,

Adam Smith.



19-1

From: Theresa Storlie [calceltic@sbcglobal.net]
Sent: Thursday, May 08, 2003 10:33 AM
To: generalplan@co.el-dorado.ca.us
Subject: Regarding County Plans

General Plan Team,

I am a resident of El Dorado Hills and I would like to make a few comments regarding the current plans under review. Like many people here I moved here from the Bay Area. Please take into consideration the drastic changes that have occurred in that area in the recent decades. Aside from the obvious population explosion the poor quality of life there was in large part created by poor planning.

20-1

We live here in a environmental oasis. Please do not be deceived by the open space you currently see around you. It dissapears fast. We should encourage an environmentally sound plan, preserving open spaces, allowing for biodeversity creates a healthier quality of life for us all. Imagine in ten years if you do this responsibly what our county can achieve. Less traffic, quality homes, space for business growth and potential yet some of the most beautiful wildlife preserves and parks in California.

20-2

From: Dpgirvin@aol.com
Sent: Friday, May 09, 2003 9:02 AM
To: generalplan@co.el-dorado.ca.us.
Subject: Parcel No: 108-030-03

General Plan Team: Peter Maurer and Heidi Tschudin:

The 7.6 acre parcel 108-030-03 has been processing thru County Planning since Nov. 1998 under the Application Processing # TM-98-1357, PD98-10 and Z98-19 LaCresta Woods.

The various plans currently under consideration designate this property as NO Building on one alternative, LDR on one alternative, and HDR on two alternatives.

The property is surrounded by existing single family developments on conventional lots. Streets, sewer and water lines are contiguous to the property. E.I.D. has assigned 30 EDU's for this property. These water units were purchased years ago when AD3 was established.

Our PUD is designed to minimize grading, retain trees and allow for open space around the clustered detached empty-nester homes. This is an obvious in-fill project which had approval from all of the various local agencies at the time it was being processed thru County Planning. (Then the law-suit!) Will you please assign an HDR designation to this parcel for all of the various plans under consideration? It certainly isn't good planning to have a single home on 7.6 acres when located in the heart of a conventional residential neighborhood.

Thanks for your consideration.

Richard B. Girvin
7640 Heathfield Ct.
University Park, Fl. 34201

e-mail: dpgirvin@aol.com

Phone: 941-358-8896

21-1

May 12, 2003

03 MAY 13 AM 11:20
RECEIVED
PLANNING DEPARTMENT

General Plan Team
El Dorado County Planning Dept.
2850 Fairlane Court
Placerville, Calif. 95667

Subject: General Plan Comments

I offer the following comments pursuant to the draft alternatives of the County General Plan.

Consistency of Goals/Objectives

In comparing the drafts, I find Goals/Objectives vary among the alternatives. While it is understandable that in some instances goals maybe specific to one alternative or another, it is just as certain that some goals/objectives do overlap and thus should be contained in each plan alternative. As such, I believe:

] 22-1

The noise Objective 6.5.1 and accompanying policies under the No Project and 1996 General Plan Alternatives should be included in the other Plan alternatives.

] 22-2

The Air Quality Goal 6.7 and related Objective 6.7.1 in the No Project and 1996 General Plan Alternatives should likewise be included in the other Plan alternatives.

] 22-3

The constraint on development hours, Goal HS 12 and related policy HS 12c in the Environmentally Constraint Alternative need to be included in the No Project & 1996 General Plan Alternatives.

] 22-4

Other comments regarding other items contained in the draft alternatives:

General Plan needs to define what is a high volume roadway. See draft "No Project & 1996 General Plan Alternatives" Goal 6.5, Policy 6.5.1.5.

] 22-5

General Plan should include policies, which address speeding problems on local roads. Policies at a minimum should consider traffic calming measures.

] 22-6

General Plan needs specific policies to implement affordable housing. Existing 1996 housing incentive goal does little to ensure that affordable housing comes to fruition in El Dorado County. It is my belief that such housing will not happen through incentives and education alone. If it is the County's intent to really want affordable housing than tough policies will need to be drafted and approved. Such policies should ensure that affordable housing specifically single family units be located through out the Plan area in lieu of being concentrated in specific neighborhoods.

] 22-7

General Plan needs to address penalties for non-compliance with Plan Policies. Penalties need to be harsh enough to ensure compliance. I mentioned this because the current requirement that construction activities be from the hours of 7am to 7 pm is continually violated at least in the area I reside.

22-8

In closing, if I was to select an alternative, it would be the No Project. I choose this alternative for several reasons. The air quality is poor in the western portion of El Dorado County and additional development is only going to further worsen the air. Also traffic and the related noise such traffic creates is currently a problem. With the development projects that are already approved are completed both the traffic and noise they create will only further aggravate our current problem. Lastly, water seems to be our biggest unknown. However, we do know it is a limited resource. I recall the drought we had in the early 1970's and the extreme hardships it created for so many residents in this County. I absolutely believe that a similar drought today, with our increased population, would devastate this County and the people and industries who call this home.

22-9

Sincerely,



W. W. Sturch
953 Olson Lane
El Dorado Hills, Calif. 95762

**General Plan: All Alternative Zoning Issue
(Book 109 Page 03)**

May 14, 2003

Heidi Tschudin, General Plan
Helen Bauman- Board of Supervisors
Elizabeth Diamond- DOT
John Mac Cready, Planning Commission
Peter Maurer- Senior Planner

Subject: Conflict of Land Use Designation in Shingle Springs

Summary: The present infrastructure surrounding the parcels in 109-030 does not support pedestrian traffic that would be incurred by any additional MFR development at this time, let alone the existing developments. DOT has indicated that the improvements to Durock Rd. are not to be seen in the foreseeable future, (>5 years out). For this reason, it is premature to consider rezoning any of this area until adequate walkways and bike lanes are in place.

The rezoning of Parcels in Book 109 Page 03 would affect six or more existing RE-5 Single Family Homes, including two that were newly constructed in 2002.

There are vast expanses of undeveloped land parcels in the immediate area that could be converted from Industrial, Commercial or other Vacant Low Density Residential to make up the shortfall in low income housing. These areas are closer to shopping centers, without over-shadowing the existing homes in an established neighborhood.

We urge you to reconsider this portion of the plan, and to stage your priorities in a logical manner, rather than reducing the Level of Service to existing residents.

It is recommended that the utmost consideration be given to shifting the borders of the proposed MFR to an area outside of the indicated SFR's, and delay the development of any new MFR's until a realistic schedule for the Durock Road improvements can be seen on the horizon.

Residents of Durock Rd
C/o Bob Moore
3755 Durock Rd
Shingle Springs, CA 95682

Bob Moore & Margaret Kane
Laila and Rick Johnson
Dean and Trudy Pillow
Others yet to be contacted.

23-1

109-030-11

Vacant Land
(Closer to shopping etc.)

109-030
Presently RE-5 but MFR under
all versions of the General Plan



**Existing
MFR**

LEGEND

	Adopted Plan		Non-Jurisdictional Lands
	Commercial		Agricultural District
	High Density Residential		Platted Lands
	Industrial		Planned Communities
	Low Density Residential		Ecological Preserves
	Medium Density Residential		Mineral Resources
	Multi-Family Residential		Specific Plans
	Natural Resources		Community Regions
	Open Space		Rural Centers
	Public Facilities		Texas Hill Reservoir Take Line
	Research & Development		Parcel Boundaries
	Rural Residential		Major Roads
	Tourist Recreational		Airport Safety Zones

03 MAY 16 PM 1:55 Mt. Murphy Associates
RECEIVED 4321 McNeil Road
PLANNING DEPARTMENT Cameron Park, CA 95682
14 May 2003

Planning Commission
County of El Dorado
2850 Fairlane Court
Placerville, CA 95667

Re: General Plan - Mt. Murphy APN 006-011-37-100, 006-011-45-100,
006-011-44-100

Commissioners:

We wish to express our concern regarding the proposed designation of the parcels known as Mt. Murphy from RA 20 to Natural Resource. We believe that this property, which is very steep and rocky, has limited agricultural potential. There are approximately 15 to 20 acres at the top of the property and 15 acres at the bottom that could be used for grazing or agricultural purposes, but the remainder of the 267-acre property is too steep for such use. Its value lies primarily as 20-acre residential view parcels and is surrounded in large part by 10-acre parcels.

Having owed this property for almost 25 years and paying property taxes based on 20-acre parcel designation it is of no small consequence to have the value of the property rezoned to NR 40-acre minimums.

We therefore ask that you retain the 20-acre designation.

Respectfully,



Lawrence R. Mancuso
Mt. Murphy Associates

24-1

May 15, 2003

General Plan Team
El Dorado County Planning Dept.
2850 Fairlane Court
Placerville, Calif. 95667

03 MAY 19 PM 2:26
RECEIVED
PLANNING DEPARTMENT

Subject: General Plan Comments

I offer the following comments pursuant to the draft alternatives of the County General Plan.

Consistency of Goals/Objectives

In comparing the drafts, my wife and myself find Goals/Objectives vary among the alternatives. While it is understandable that in some instances goals maybe specific to one alternative or another, it is just as certain that some goals/objectives do overlap and thus should be contained in each plan alternative. As such, we believe:

25-1

- The noise Objective 6.5.1 and accompanying policies under the No Project and 1996 General Plan Alternatives should be included in the other Plan alternatives.
- The Air Quality Goal 6.7 and related Objective 6.7.1 in the No Project and 1996 General Plan Alternatives should likewise be included in the other Plan alternatives.
- The constraint on development hours, Goal HS 12 and related policy HS 12c in the Environmentally Constraint Alternative need to be included in the No Project & 1996 General Plan Alternatives.

25-2
25-3
25-4

Other comments regarding other items contained in the draft alternatives:

General Plan needs to define what is a high volume roadway. See draft "No Project & 1996 General Plan Alternatives" Goal 6.5, Policy 6.5.1.5.

25-5

General Plan should include policies, which address speeding problems on local roads. Policies at a minimum should consider traffic calming measures.

25-6

General Plan needs specific policies to implement affordable housing. Existing 1996 housing incentive goal does little to ensure that affordable housing comes to fruition in El Dorado County. It is my belief that such housing will not happen through incentives and education alone. If it is the County's intent to really want affordable housing than tough policies will need to be drafted and approved. Such policies should ensure that affordable housing specifically single family units be located through out the Plan area in lieu of being concentrated in specific neighborhoods.

25-7

General Plan needs to address penalties for non-compliance with Plan Policies. Penalties need to be harsh enough to ensure compliance. I mentioned this because the current requirement that construction activities be from the hours of 7am to 7 pm is continually violated at least in the area we reside.

25-8

Law enforcement to ensure construction truck traffic does not begin in residential neighborhoods before 7:00 AM.

25-9

A policy is needed to limit vehicular traffic numbers to no more than 2,000 ADT on residential streets. We can assure you since we live on a busy street where the number average 2000 ADT that the noise and speed of the passing vehicles is intolerable.

The policy should require that when numbers exceed this 2000 ADT threshold, than measures need to be taken to re-direct some of the traffic to other streets. If there is new development impacting the vehicle numbers should be put on hold until re-directing measures are taken, (better Planing).

25-10

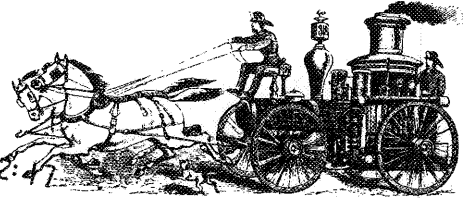
In closing, if we were to select an alternative, it would be the No Project. I choose this alternative for several reasons. The air quality is poor in the western portion of El Dorado County and additional development is only going to further worsen the air. Also traffic and the related noise such traffic creates is currently a problem. With the development projects that are already approved but as yet not constructed are completed both the traffic and noise they create will only further aggravate our current problem. Lastly, water seems to be our biggest unknown. However, we do know it is a limited resource. I recall the drought we had in the early 1970's and the extreme hardships it created for so many residents in this County. We absolutely believe that a similar drought today, with our increased population, would devastate this County and the people and industries who call this home.

25-11

Sincerely,



Bob and Patti Anderson
965 Olson Lane
El Dorado Hills, Calif. 95762



03 MAY 20 PM 2:47
RECEIVED
PLANNING DEPARTMENT

GEORGETOWN FIRE DISTRICT

Post Office Box 420
Office Phone: 530 333-4111
Fax 530 333-4020

Georgetown, California 95634

Peter Maurer, Principal Planner
County of El Dorado
2850 Fairlane Court
Placerville, CA 95667

May 16, 2003

RE: Comments Fire and Life Safety, General Plan

Dear Mr. Maurer,

The Georgetown Fire District has reviewed the Safety Elements of the General Plan and has the following comments:

1. Under the Draft Roadway Constrained Six-Lane "Plus" Alternative Policy HS-2c states in part "The County shall *discourage* development in areas of high and very high wildland fire hazard."
2. Under the Draft Environmentally Constrained Alternative Policy HS-2c states in part " The County shall *preclude* development in areas of high and very high wildland fire hazard unless it can be demonstrated.....as determined by the local fire protection districts....."

26-1

Virtually the entire west slope of El Dorado County is rated as high or very high hazard for fire. It appears that the draft documents in both versions attempt to eliminate any new development. The words discourage and preclude are clearly stated. Is that what the intent is?

If one of the drafts were adopted as presented, then, by policy, local fire protection districts would be required to become much more involved in the mitigation process. Consideration must be given to the local fire protection districts as to the impacts of additional workload and staff requirements to mitigate new development impacts.

26-2

Thanks for giving the district the opportunity to review these drafts.

Sincerely,

Rick Todd, Fire Chief
Cc: Georgetown Fire District Board of Directors

From: gourds@lanset.com
Sent: Monday, May 19, 2003 11:40 AM
To: generalplan@co.el-dorado.ca.us.
Subject: Draft General Plan

May 19, 2003
Steve & Judy Arrigotti
1481 Lomita Way
El Dorado Hills, CA 95762
Phone: (916) 933-4663

Attention: Peter Maurer, Principal Planner & Heidi Tschudin, General
Plan Project Manager
Subject: The Draft General Plan

It has been brought to my attention that plan 2 and 3 of the proposed general plans are directly influenced by the Measure Y Committees objections to the "96" plan. We, as residence of El Dorado County, were invited to meetings and asked to write letters to guide the planning department to a workable plan that would be acceptable to the majority of the El Dorado County property owners. In the years since we have continued to take an active roll in the meetings that followed. We attended workshops, wrote letters and spoke up at board meetings. The most recent workshops were in August of 2002 where the "96" plan was on display. All of our neighbors were present and gave input so they could go on the record as wanting medium density designations for their land. We were pleased to find that the medium density assignment to Lomita Way in El Dorado Hills and the surrounding area was consistently displayed on the interim maps, on the website and on the wall at the planning department, throughout the long process.

27-1

It was a shock and disappointment to see the maps for proposals 2 and 3 because they are so different from any maps that were suggested or proposed before. Where did these plans come from? Who suggested them? How are they justified as being a fair and equitable land use plan for the property owners who have waited so long to be able to split their land to medium density parcels? We are strongly opposed to plans 2 or 3 and believe that implementing them would be unfair and out of compliance with the designations of the surrounding community.

The residence between Lakehills Drive and New York Creek were singled out for low density in plan 2 and 3 when we are surrounded by medium and high density developments; Lakehills, Southpoint and Waterford. Plans 2 and 3 excluded us from the El Dorado County Community Service District without our knowledge or approval although we pay taxes to them. The Community Service District didn't even realize what changes might occur if plan 2 or 3 are implemented.

27-2

Historically we have been zoned Medium Density Residential (MDR) and part of our tax base has been going for the Community Service District (CSD).

27-3

We have attended numerous meetings, written letters and voiced our desires that we want the MDR designation for our properties to stay in effect.

Thank You,
Steve & Judy Arrigotti
(916) 933-4663

Received at 6/4/03 hearing

May 19, 2003
Steve & Judy Arrigotti
1481 Lomita Way
El Dorado Hills, CA 95762
Phone: (916) 933-4663

Attention: Peter Maurer, Principal Planner & Heidi Tschudin, General Plan Project Manager
Subject: The Draft General Plan

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Historically we have been zoned Medium Density Residential (MDR) and part of our tax base has been going for the Community Service District (CSD). We have attended numerous meetings, written letters and voiced our desires that we want the MDR designation for our properties to stay in effect.

Thank You,
Steve & Judy Arrigotti

May 19, 2003

Planning Commission
Re: General Plan Alternatives #1 and #4
RE: PARCELS #10424021, 20,19.

03 MAY 20 PM 2:25
RECEIVED
PLANNING DEPARTMENT

Alternatives # 1 or #4 Give me the zoning I want for parcels 10424021 & 20. We would like to have you add parcel # 10424019 (which we now own) to the Tourist Recreational zoning that we desire.

We would like to develop an upscale RV park in this area. We believe this would be consistent with the county plan as well as the Bureau of Land Management plans. Much of the area adjacent to our property will be part of the Pine Hill Preserve. If we were to develop a Recreational Vehicle Park in this area, it would facilitate travelers who are interested in observing the rare plants. We believe the preserve plans on making a nature walk in the area.

We would also like to build a small Bed & Breakfast Inn with an area for purchasing food and snacks and possibly a small restaurant. All of this would be consistent with plans for the general area. Our property is also very near the rafters disembarking point. I have done a survey of the rafters and they have expressed a desire to have a restaurant in the area where they could purchase hot food.

28-1

Our second choice for the parcels would be MDR (Medium Density Residential).

Thank you for your consideration

Charles & Lorna Garrett
1841 Dorado Ridge Trail
El Dorado Hills, CA 95762
(916) 933-5376
email: celogarrett@juno.com

cc: Charlie Paine, Supervisor



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No Project and 1996 Alternatives #1 and #4 [Quad Map No.: 27]	
Assessor's Parcel Number	10424019
Acreage*	9.772
Land Use Designation	RR TR ON MDL
Non-Jurisdictional	
Agricultural District	
Platted Lands	
Mineral Resources	
Ecological Preserve	
Planned Communities	
Community Regions	
Rural Centers	
Specific Plans	
Special Districts	

Roadway Constrained Six-Lane "Plus" Alternative #2 [Quad Map No.: 27]	
Assessor's Parcel Number	10424019
Acreage*	9.772
Land Use Designation	RL TR ON MDL
Non-Jurisdictional	N/A
Agricultural District	
Platted Lands	N/A
Mineral Resources	
Ecological Preserve	
Planned Communities	N/A
Community Regions	
Rural Centers	
Specific Plans	
Special Districts	N/A

Environmental Constrained Alternative #3 Map No.: 27]	
Assessor's Parcel Number	104
Acreage*	9.77
Land Use Designation	RL TR ON MDR
Non-Jurisdictional	N/A
Agricultural District	N/A
Platted Lands	N/A
Mineral Resources	
Ecological Preserve	
Important Biological Corridors	
Community Regions	
Rural Centers	
Specific Plans	
Special Districts	N/A

<http://www.co.el-dorado.ca.us/generalplan/tables.asp?apn=10424019&Submit=S> 5/19/03



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No Project and 1996 Alternatives #1 and #4 [Quad Map No.: 27]	
Assessor's Parcel Number	10424020
Acreage*	9.966
Land Use Designation	TR
Non-Jurisdictional	
Agricultural District	
Platted Lands	
Mineral Resources	
Ecological Preserve	
Planned Communities	
Community Regions	
Rural Centers	
Specific Plans	
Special Districts	

Roadway Constrained Six-Lane "Plus" Alternative #2 [Quad Map No.: 27]	
Assessor's Parcel Number	10424020
Acreage*	9.966
Land Use Designation	TR
Non-Jurisdictional	N/A
Agricultural District	
Platted Lands	N/A
Mineral Resources	
Ecological Preserve	
Planned Communities	N/A
Community Regions	
Rural Centers	
Specific Plans	
Special Districts	N/A

Environmental Constrained Alternative #3 Map No.: 27]	
Assessor's Parcel Number	104
Acreage*	9.96
Land Use Designation	RE TR 00 MOR
Non-Jurisdictional	N/A
Agricultural District	N/A
Platted Lands	N/A
Mineral Resources	
Ecological Preserve	
Important Biological Corridors	
Community Regions	
Rural Centers	
Specific Plans	
Special Districts	N/A

<http://www.co.el-dorado.ca.us/generalplan/tables.asp?apn=10424020&Submit=S> 5/19/03



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No Project and 1996 Alternatives #1 and #4 [Quad Map No.: 27]	
Assessor's Parcel Number	10424021
Acreage*	9.751
Land Use Designation	TR
Non-Jurisdictional	
Agricultural District	
Platted Lands	
Mineral Resources	
Ecological Preserve	
Planned Communities	
Community Regions	
Rural Centers	
Specific Plans	
Special Districts	

Roadway Constrained Six-Lane "Plus" Alternative #2 [Quad Map No.: 27]	
Assessor's Parcel Number	10424021
Acreage*	9.751
Land Use Designation	TR
Non-Jurisdictional	N/A
Agricultural District	
Platted Lands	N/A
Mineral Resources	
Ecological Preserve	
Planned Communities	N/A
Community Regions	
Rural Centers	
Specific Plans	
Special Districts	N/A

Environmental Constrained Alternative #3 Map No.: 27]	
Assessor's Parcel Number	104
Acreage*	9.75
Land Use Designation	RETROV MOR
Non-Jurisdictional	N/A
Agricultural District	N/A
Platted Lands	N/A
Mineral Resources	
Ecological Preserve	
Important Biological Corridors	
Community Regions	
Rural Centers	
Specific Plans	
Special Districts	N/A

<http://www.co.el-dorado.ca.us/generalplan/tables.asp?apn=10424021&Submit=S> 5/19/03

From: Jones Family [janine@internet49.com]
Sent: Tuesday, May 20, 2003 6:58 AM
To: generalplan@co.el-dorado.ca.us
Subject: Comments on plan alternatives

To Whom It May Concern:

I believe that well-planned development is in the best interest of this county. I do NOT think that alternative #1 is an acceptable alternative. For example, I have a 10 acre piece that I live on. I would like to split it and build on the other half. Everything around me is 2, 3, or 5 acre parcels. For such a split to be disallowed would be foolish. It is helpful to the county to have the tax basis expanded. The issue is to see that growth is consistent with the surrounding neighborhoods and that essentials like water can be provided. However, this should be done on an individually decided basis - not a general plan that decrees mindlessly that there will be no new growth.

29-1

My preference for the general plan would be alternative #4, but any are better than #1.

29-2

Thank you for listening.
Janine Jones

From: Peter Schwabe [pschwabe@accessbee.com]
Sent: Wednesday, May 21, 2003 10:39 AM
To: general plan
Subject: Re: buffer zone between existing sprawls

Greetings,

On reviewing this material and the General Plan alternatives, I am impressed with the thoroughness and expertise evident in their preparation. I have a couple comments which I would request be included somewhere in the record. I live on the western edge of Bridlewood Canyon. The ridgeline over my fence extends from Bass Lake to U.S.50 to the South. It is the last essentially undeveloped primary ridge from the Sacramento Valley to Cameron Park. As such, I suggest that El Dorado County learn from the experiences of other counties, including Sonoma and Napa, and preserve this irreplaceable piece of nature. The existing zoning is 10-acre parcels. The owners of land on the ridge prepared the Bass Lake Specific Plan referred to in the alternatives. While the concept of the high density called for in that "plan" was approved by an early Board of Supervisors attuned to an idea favoring high density development, the owners of the land constituting the ridge bought their property under its current zoning. Regardless of their expectations, they do not, in the absence of contracts, have a right to a zone change permitting higher density. (When I practiced law in Oregon, I successfully argued this point in court). Similarly, as an adjoining owner, I bought my property based on the existing zoning of the ridge, but I do not have a right to maintenance of that zoning. The issue, then, is whether public policy favors the status quo, i.e., 10-acre parcels. Frank Lloyd Wright had a maxim which applies here. He said that to build on a hill is to destroy it.

30-1

Peter Schwabe, 3668 Waldwick Cir., El Dorado Hills, CA 95762
, El Dorado Hills, Ca, 95762

Adam C. E. Smith
1231 Manchester Drive
El Dorado Hills, California 95762
916-933-0228

03 MAY 23 PM 4:27
RECEIVED
PLANNING DEPARTMENT

May 21st 2003

Dear Mr. Mac Cready,

I am writing to you as the Planning Commissioner for District II in which I live and also own some property on Pleasant Valley Road. This land has been zoned for commercial use ever since it was originally divided many years ago. The property consists of 9.18 acres & in 5 parcels,

- 078 030 57
- 078 030 58
- 078 030 59
- 078 030 60
- 078 260 75

31-1

Parcel 58 has a commercial building on it known as the Waystation at 3760 Pleasant Valley Road.

In General Plan No. 3. the environmentally constrained plan the properties would be changed from commercial to Low Density Residential. At present they are contained within the Chrome Ridge Rural Center. There are other businesses across the street.

My concerns are two fold. I do not think these parcels are particularly suitable for houses, being quite

shallow and on a very busy road. -
very safe place for small children. My second concern is that from an environmental standpoint the best use is the one that causes the least damage to the environment. A commercial use that provides local services and employment within the area in which people live, reduces the length of car trips, reduces the amount of gas used, and keeps more cars off the highway.

Increasing the housing stock increases the demand on existing public services such as schools, fire services, and roads. In an Environmentally Constrained plan the environment and the public good should be considered. I believe it would be more advantageous to the environment and to the public good to have the future availability of local services in this area.

My request would be that in the final plan we could retain the Chrome Ridge Rural Center with its current zoned use. If possible I would like to make an appointment to come and meet with you and discuss this with you.

With best wishes,

Adam Smith

Peter N. Maurer
Principal Planner
Planning Department
El Dorado County

03 MAY 22 AM 11:39
RECEIVED
PLANNING DEPARTMENT

Re: Parcel 329-091-01-100
Robert & Alice Fuller
6120 Lambert Lane, El Dorado

This is regarding our 13.79 acres located at the corner of El Dorado Road and Lambert Lane. At the present time it is zoned R1A Medium Density Residential. We understand that the new general plan is considering changing it to R5 Low Density Residential.

The property

1. Is surrounded by parcels of less than five acres. NOW.
2. Has EID water. NOW.
3. Has power. NOW.
4. Has fire hydrants. NOW.
5. Is on a main county road.
6. Is one mile from Highway 50.
7. No other property in this immediate area can be developed because:
 - El Dorado Road is the west boundary.
 - Pasture/wetland is to the south.
 - Surrounded by parcels less than five acres on all other sides.

32-1

We have invested in and developed this beautiful piece of land, planning to do a four way split. We were in the process of dividing it when the moratorium stopped us from proceeding.

A 5 acre split could be done in only one way due to the shape of the parcel and the topography. This would drastically affect the value and appeal of the parcels. A four way split naturally fits the varying features of the property.

This is our primary asset for financial retirement and to pass on to our children.

We have waited patiently/impatiently for the County to settle the dispute regarding the general plan. Now we ask that you not betray our trust after we have invested in El Dorado County.

We are asking you to retain R1A Medium Density Residential on our property.

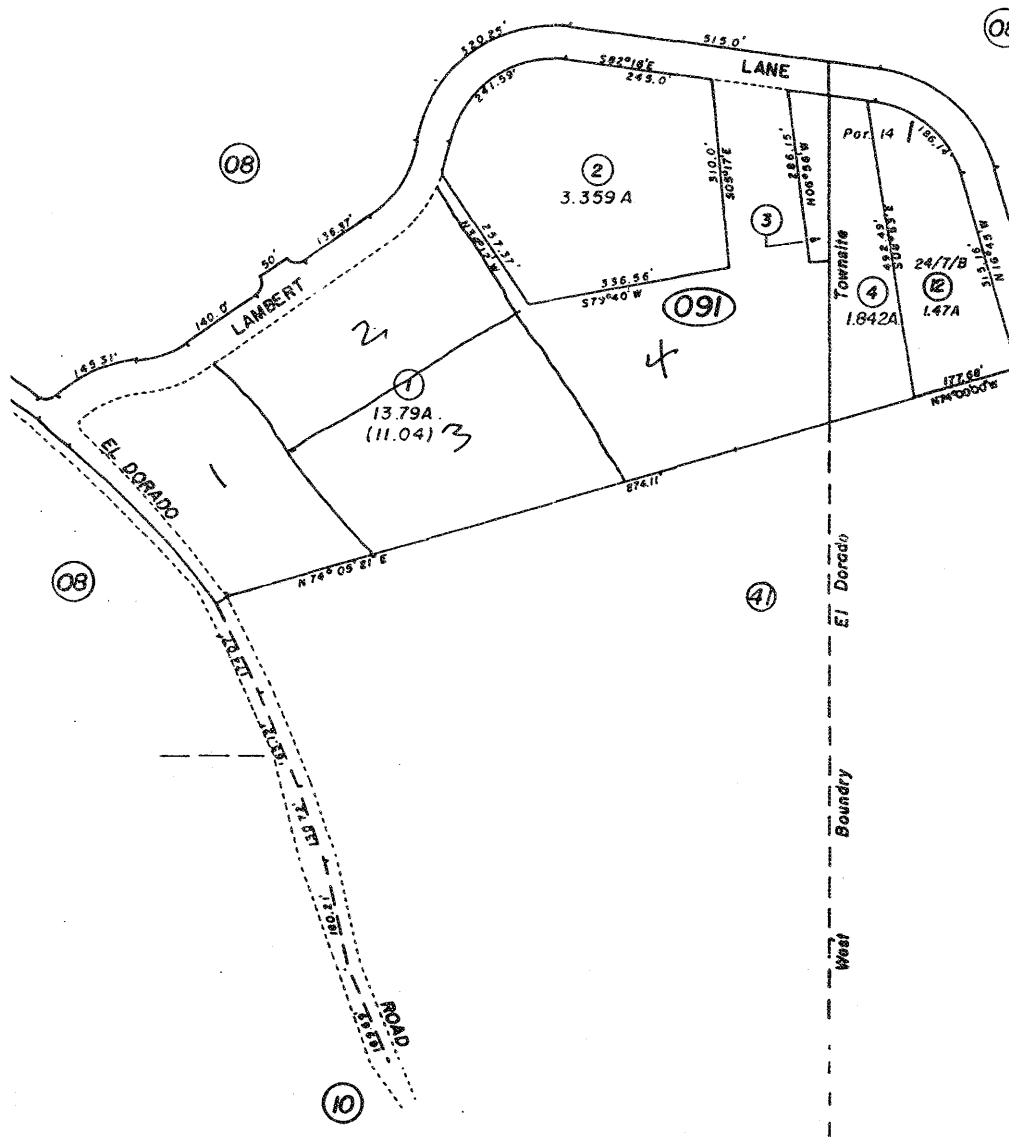
Thank you,

Robert E. Fuller
Robert E. Fuller

Alice L. Fuller
Alice L. Fuller

530 621 4454

POR'S. SEC'S 26 & 27, T. 10N, R. 10E, M.D.M.
 POR. EL DORADO TOWNSITE, BLOCK 1.



NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles

May 23, 2003

03 MAY 23 AM 11:36

RECEIVED
PLANNING DEPARTMENT

MEMO TO: El Dorado County

ATTN: Conrad Montgomery
Planning Director

RE: Zoning Issues - 5670 Bassi Road, Lotus, CA

This shall serve as an update for your file, and to express the concern I have since owning (20) acres in Lotus from 1971 and paying property taxes all these years! In September of 1971, I purchased referenced property from Neil Barrett, and was informed at that time that one to eighty acres were available. Unfortunately, my family and I could only afford to purchase the property with a home and barn that was designated under the general plan (1962-1982) as a minimum of (5) acre parcels. This was important to me at the time of the purchase in 1971. I have four children, which would ultimately receive five acre's each. I had planned to remain on the property until my death.

I am now 65 years of age, and it is becoming more then I can handle to maintain the (20) acres. In view of the fact, that my property is surrounded by (5) acre parcels, I cannot for the life of me understand why my property is being discriminated/and rezoned? I need to request in writing from you, as to why a planner would color my property in "Brown" = RE-10 when in fact almost all the surrounding parcels are eight acres or "less"!!

Further, I have been on file requesting this restriction be changed to RE-5 since the hearings in January 1996! By my calculation, this is 7 years ago - and I have not received any consideration or for that matter - a logical explanation as to why I have been designated and refused to have my property rezoned to match all other parcels that surround me. Perhaps you can reconsider evaluating my personal situation at this time?

It has become necessary for me to move forward, and have my attorney get my will in order. Therefore, I hereby make a plea to formally request that my children be allowed to inherit the (5) acre parcels that we had planned for, and I worked for 32 years to pay off so I could leave them with this beautiful place they grew up on!

33-1

Page 2 of 2
Re: Zoning Issue
May 23, 2003

I have enclosed for further review and consideration, photos of the land, along with letters to the editor sent in September 2001 expressing my grave disappointment then, and still with the elected leaders of El Dorado County. The down-zoning of my property is no less than robbery. I am being literally robbed from the "TRUE VALUE" of my land, and being prevented of providing each one of my children (4) to inherit (5) acres due to zoning discrimination.

Please, please consider my request to look into this matter and overturn a decision that should never had been made that included my (20) beautiful acres in this plan. I purchased it in 1971, and it was always to be considered an option of four (5) acre parcels!! Again, I pled with you, to look at the surrounding property and ask why the county would single out my land to remain a twenty acre parcel and not the original four (5) acre parcels that I could split. Thank you for your timely attention to this request. I appeal to you to contact me and review this matter. I am available at your earliest convenience to conclude these issues and would welcome the opportunity to sit down with you, while I am still able to do this.

Respectfully submitted,

Bill Rathbun

33-1

Date Jan 23-11 1966

B. OTHER REQUESTS (DID NOT PREVIOUSLY SUBMIT A SITE SPECIFIC REQUEST APPLICATION CONSIDERED BY THE PLANNING COMMISSION)

1. APN 331-221-16 (0.225 AC), (Eve Marie Andrews)
Map Panel 14
Current Zoning: R1

Land Use Designation: High Density Residential (HDR)

Request: Commercial (C)

Notes: Corner lots surrounded by commercial designation. May consider adjacent parcel to the south for Commercial designation (APN 331-221-17 [0.207 AC], [Diane Dias]).

2. APN 109-161-01 (5.015), (Enrico Adamo, Tony and Virginia Nanci)
Map Panel 13
Current Zoning: R2-PD

Land Use Designation: Multi-Family Residential (MFR)

Request: Multi-Family Residential (MFR)

3. 109-250-12 (18.73), (Good Shepherd Fund Trust)
Map Panel 13
Current Zoning: R2-PD and RE-5

Land Use Designation: Multi-Family Residential (MFR) and Low Density Residential (LDR)

Request: Retain MFR on north portion of parcel.

4. 041-250-01 (13.0 AC), (Fred and Evelyn Strauss)
Map Panel 15
Current Zoning: RE-5

Land Use Designation: Medium Density Residential (MDR)

Notes: Located within the Grizzly Flat Townsite in the Grizzly Flat Rural Center.

5. 105-080-42 (20.20 AC), (Bill and Marcia Rathbun)
Map Panel 7
Current Zoning: RE-10

Land Use Designation: Rural Residential (RR)

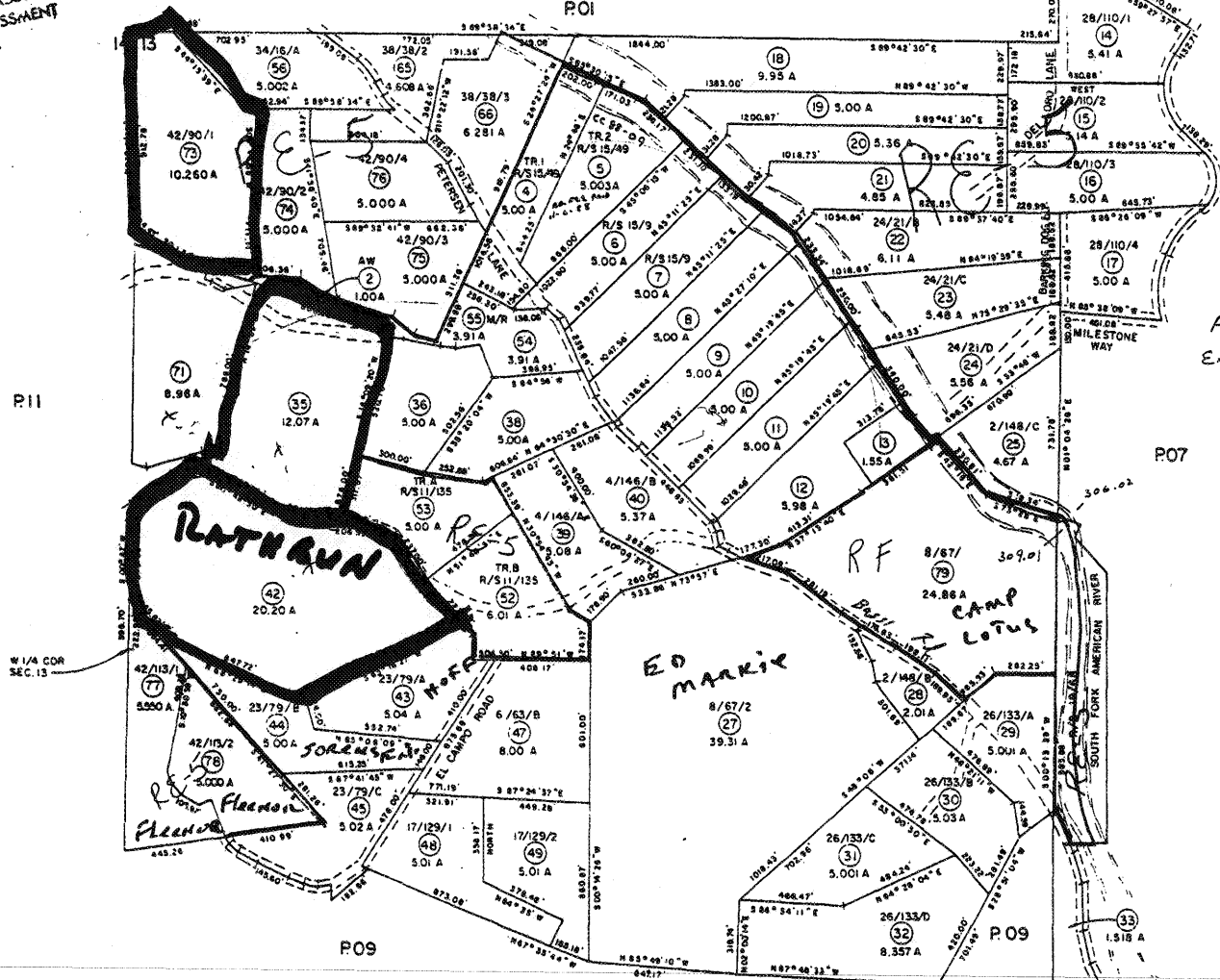
Request: Low Density Residential (LDR)

ONLY 3 Parcels OVER 10.
The Rest is Loss

PREPARED BY THE
 ASSESSOR'S
 OFFICE

POR. SEC. 13, T.11N, R.9E, M.D.M.

Tax Area Code 105:08

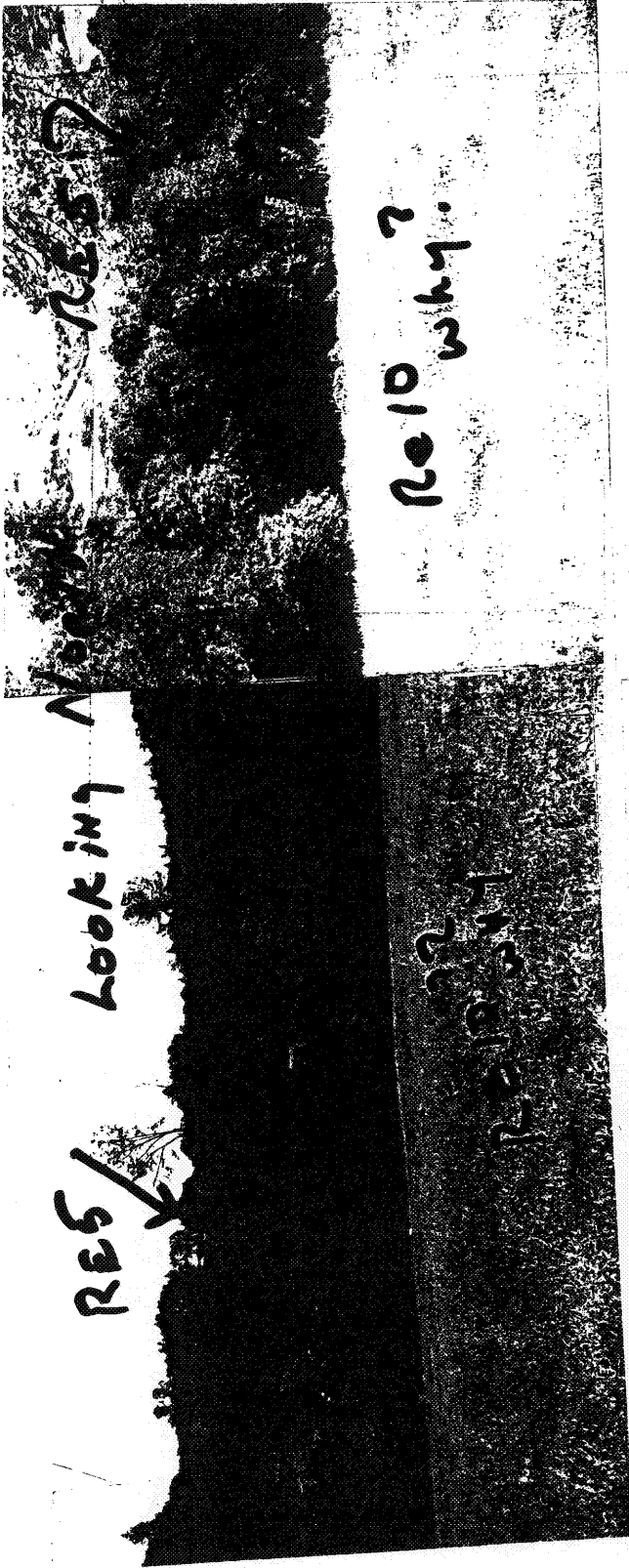


Lotus/Coloma
 ALL RE-10
 EXCEPT AS NOTED!!

Census Tract	30622
Super. Dist.	317.01
Zone	4
Comm. No.	C + A (See Map)
Parcel No.	060042
Date	0450 E
	10-12-83

THIS MAP IS NOT A SURVEY, it is prepared by the El Dorado Co. Assessor's Office
 NOTE - Assessor's Block Numbers Shown in Ellipses





RES / Looking

RES /

Re 10 why?

Re 10 why?



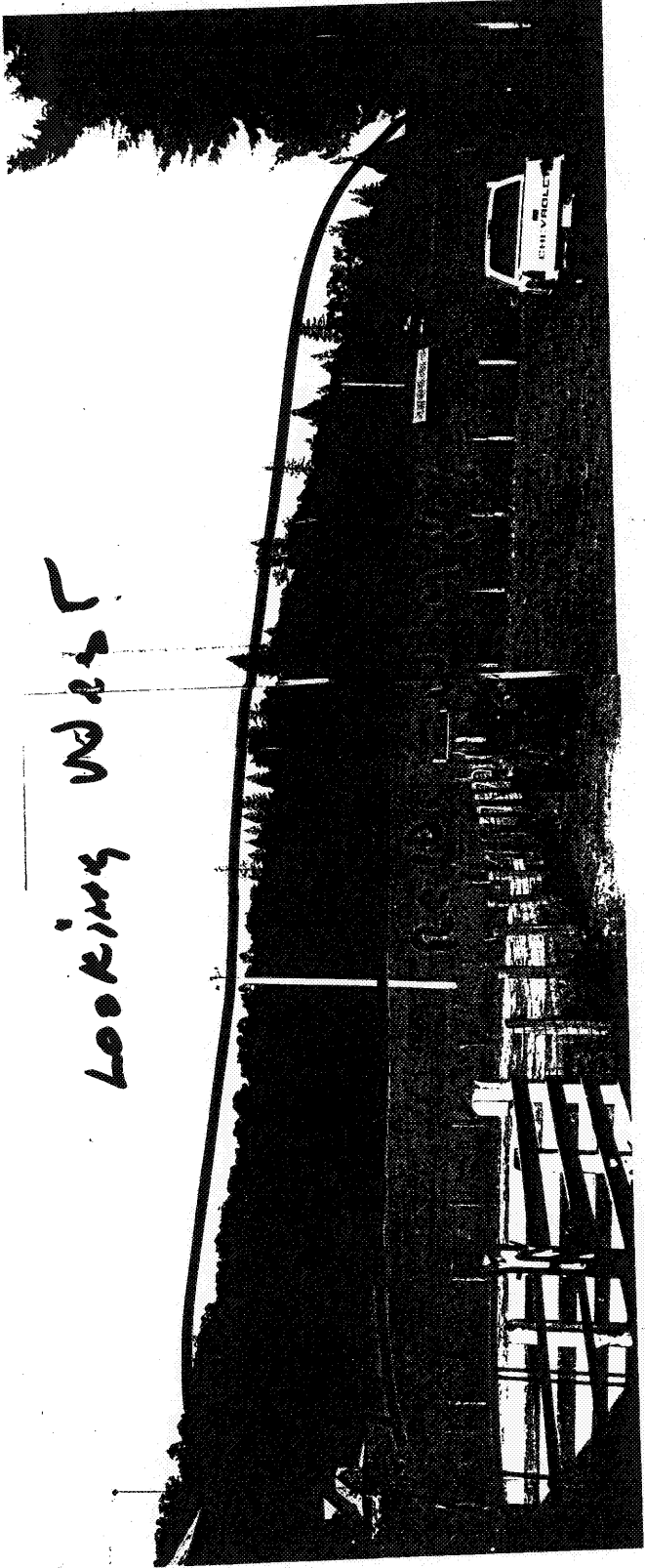
Looking west

RES

Re 10 why??

Re 10 why??

Looking West



Looking East



Please note that Power poles
going across my 20 acres to
make a 4-acre split was done in 1981
because of the fact that I was Designated
1-5 acres on the General Plan 1962-1982
This was a large expense in doing things
right according what I believed was straight
forward and legal on my part.

Your concentration on this problem of
mine will be greatly appreciated

Bruce Rathbun
5670 Bassi Rd.
Lakes Ca.

9/5/01

Letter to the Editor:

Something is certainly very wrong, when we taxpayers live in this lovely country and find that the system has gone amiss! I have lived and paid taxes in El Dorado County for some 30 years. I am now in my 60's and looking forward to retirement soon on my property. My property is 20 acre's which the county zoned years ago to be split into two 10 acre parcels. I would like to build my retirement home on one, and sell the other 10. Since I'm still employed, can qualify for the loan to build, etc. I feel that my civil rights are being violated! By the time the general plan goes through I will most likely be unemployed, and will not be in a position to qualify for a loan! We have appointed our Supervisors to assist us with issues in our county, only to find out that our concerns and issues fall onto deaf ears! Perhaps a class action suit should be filed on behalf of all the property owners in the County that have similar issues to me. I cannot believe I am the only person wishing to have control over his property. Who owns this land anyway?

From:
Bill Rathbun
Lotus

FROM : C&J CONSTRUCTION

PHONE NO. : 5306269450

May. 28 2003 11:02AM P1

May 24, 2003

03 MAY 28 AM 10:52
RECEIVED
PLANNING DEPARTMENT

General Plan Team
Mr. Peter Maurer or Ms. Sue Lee
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667
Fax: 530-642-0508

Dear Planning Department Representative,

RE: Proposed General Plan Alternatives #2 and #3

We have reviewed the proposed changes and want to express our concerns about the direct negative impacts of rezoning our 26.54-acre Parcel No. 329-070-14.

Our property, and four connecting parcels, are surrounded by parcels zoned for low-density-residential with five-acre minimums. We purchased this property two years ago and paid a premium price for it with the understanding that in the future we would have the option of splitting it into five-acre parcels to subsidize our retirement income. If the County rezones it to ten-acre minimums, it negatively affects the property's desirability, value, and our retirement plans. We understand that this rezoning process was computer generated and respectfully request that you look at the location of these parcels in conjunction with the surrounding subdivisions of five-acre developments and hopefully you will agree that rezoning is not only unnecessary but detrimental to the property owners.

We would appreciate your consideration in leaving our properties designated as-is, low-density residential with five-acre minimums.

We sincerely thank you,



John and Carmen Bethel, Parcel #329-070-14
4201 Irishport Lane
Placerville, CA 95667
Phone: 530-626-9150
Fax: 530-626-9450

34-1

El Dorado Hills 5-24-03

03 MAY 28 AM 10: 59
RECEIVED
PLANNING DEPARTMENT

**EL DORADO COUNTY
PLANNING DEPARTMENT**

Re: Parcel NO. 102-200-01-Owners: Dolores Saenz and Rosalie Saenz-Bianchi

Dear Sirs

We have reviewed the latest General Plan four Alternatives and we must bring to your attention the following.

The parcel in question consists of 42,32 acres and has been in our family since 1951. Our parents, struggled all their lives, to realize, " their American dream" by being able to pay off their land and house. My sister and I, are now retired, and we were hoping that at this stage in our lives, we could profit from our parents endeavors.

During the many years that we have owned this land we have paid taxes and took care of the premises, while waiting patiently for the end of all the legal disputes which have been hampering the completion of the General Plan for the county. As you can see our land is surrounded by many other parcels that were somehow zoned in 5 acres lots. For example, 800 yards from our parcel, across Green Valley Road, there is Green Spring Ranch which is a development divided in smaller parcels. In addition within a mile there is another substantial development called Sterling Shire which in turn borders with the hills of Serrano.

It seems odd to us, to look at all the developments which are now bordering our land and realize that after over half a century we are still unable to have a rezoning that would reflect the different reality that surround us.

With the approval of the General Plan we thought that we could benefit from our parent endeavors and thus make our retirement more secure. It

35-1

seems to us that it is our right to dispose of our property the best way possible without harming or changing the environment.

To this end we will try our best efforts to have the present zoning changed and we trust that the committee that will examine our area will find reasons to accommodate our wishes to have the zoning change to 5 acres lots. We think that five acres lots will retain the bucolic beauty of the land, which through the years we learned to love and appreciate.

We take this occasion to thank you in advance for the consideration we trust you will give to our request.

Best regards

Dolores Saenz and Rosalie Saenz Bianchi

Rosalie Saenz Bianchi



Bianchi Rosalie
5317 Bantry Pl
El Dorado Hills, CA 95762

35-1

RECEIVED VIA EMAIL
5/24/03

EDC General Plan Commentary

by Don Hartley

Article No. 1

May 1, 2003

Background... To the Future

El Dorado County is in the process of selecting one of four proposed Plan Alternatives which will determine the future development of our county for the next generation. The all encompassing nature of the General Plan will touch every one of us in many ways. Where we and our children live, work, shop and play will be determined by the choices made today. How we manage the inevitable growth of the next 20 years will dramatically impact our County's economy, affordability, and overall quality of life.

A General Plan is a legal requirement of all counties. El Dorado County has the dubious distinction of being the only county in California without an approved General Plan in place. The 1996 General Plan was challenged in the courts and since 1999 we have been under a Writ of Mandate to develop a plan that satisfies the issues identified in the Writ. The various proposals currently under consideration all deal with the dominant issue of growth in different ways. Each of the plans has obvious merits and NOT so obvious ramifications that are the subject of numerous debates among citizens and land owners within the county. The individual elements include:

- ⇒ Land Use
- ⇒ Transportation & Circulation
- ⇒ Housing
- ⇒ Public Services & Utilities
- ⇒ Health, Safety & Noise
- ⇒ Conservation & Open Space

- ⇒ Agriculture & Forestry
- ⇒ Parks & Recreation
- ⇒ Economic Development
- ⇒ Tahoe Basin

The purpose of this letter and others to follow is to address the elements of the various General Plan Proposals, element by element, in a manner that highlights their inherent differences, strengths and weaknesses. The sheer volume of materials which must be reviewed and analyzed is daunting, but the energy expended will be worth the effort IF the issues brought to light stimulate debate and action at the grass roots level.

The development of the General Plan(s) to this point has been an administrative process carried out over many years at a cost of millions of dollars by the county planning department, consultants and special interest groups. Finally on April 9, 2003 the draft documents were released to the public.

The documents are finally available FREE at:

<http://co.el-dorado.ca.us>

Printed copies or CD ROM formats are available FOR SALE at the county planning office. Large wall maps showing proposed land use are on display in the hallway of the county offices.

The public has ONLY a 45 day period for public comment. Grass roots input is needed and needed quickly. By one estimate over 80 % of all parcels east of Cameron Park will be affected by one or more of the plan alternatives. Possible uses (zoning) of these parcels may be restricted with or without the land

36-1

owner's prior input, knowledge or agreement. If you own land, particularly vacant unimproved land, it is strongly recommended that you investigate how your specific parcel(s) may be affected under the various proposals. If you do not understand or do not agree with these proposed changes, the time to speak up is now. Call or write the County Supervisors, the Planning Commission, and your local media to express your fears and concerns. Attend one or more of the public meetings scheduled in the upcoming weeks.

Raising Red Flags

El Dorado County has the distinction of being the flashpoint for the start of the greatest human migration in history. When gold was discovered in 1848 at Sutter's Mill on the American River, El Dorado County became the desired destination for thousands from around the world. 150 Years later we are once again in a time where thousands more want to come to El Dorado County. The difference between then and now is that when the gold ran out in the late 1800's many people went home.

Today gold is not the draw, but *home* is. The scenic beauty, favorable climate and quality of life that we sometimes take for granted attract many immigrants from more congested and expensive areas like the Bay Area or Southern California. These newcomers are ready and willing to pay higher prices to enjoy the country we have already discovered. This modern population surge is inevitable. We can already see the impact it has had at the western edge of the county in Cameron Park and El Dorado Hills. Regardless of how you feel about growth, it is naïve to believe that it will not continue. For property owners the good news is that home and

land values continue to rise. Demand is high and the desired commodities, affordable housing and land suitable for homes, are in short supply. Values have risen to the level that much of the current population cannot afford to buy a home here.

Comments or questions are encouraged. Reply to don.hartley@century21.com or call

530-651-1511

Squeaky Wheels

Growth management and Land Use are the most dominant and controversial issues addressed by the General Plan. How our representative government handles these complicated issues will depend largely on the input they receive from their constituents. As the saying goes "speak NOW or forever hold your piece" or is it "peace"? Whichever it is, the intent is to let your voice be heard before it is too late. The policies decided upon today will be with us for the next generation and beyond.

Our county's past record on resource management issues and compliance with State and Federal regulations does not speak well of our ability to manage our own affairs. In many cases local action or inaction has prompted intervention by other government agencies or special interest sponsored legal action. The court's ruling on the

1996 General Plan is the most obvious example, but numerous other examples are easily cited. i.e. (mining operations oversight, exposed public water reservoirs, endangered species, illegal parcels, inadequate affordable housing)

As a result of the county's inability to develop a consensus on how or what the best plan of action may be we have wasted years on debate and millions of dollars that should have been spent on infrastructure rather than jurisprudence. Even at this late date many important questions remain unanswered or unaddressed. The number of plan alternatives under review only tends to muddy the water and confuse the public. The time for decisions is here and NOW. Let's be sure we make the BEST ones possible. We must try to avoid further litigation and set the county on a path of **responsible growth management** instead of the confused state of paralysis that has prevailed over the last several years.

FROM : C&J CONSTRUCTION

PHONE NO. : 5306269450

May. 29 2003 12:00PM P1

May 24, 2003

General Plan Team
Mr. Peter Maurer or Ms. Sue Lee
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667
Fax: 530-642-0508

Dear Planning Department Representative,

RE: Proposed General Plan Alternatives #2 and #3

I have reviewed the proposed changes and want to express my concerns about the direct negative impacts of rezoning my two Parcels No. 319-190-22-100 and No. 319-180-13-100.

My properties, and two connecting parcels, are surrounded by parcels zoned for low-density-residential with five-acre minimums. This property has been in my family for years and I have maintained it with the understanding that in the future I would have the option of splitting it into five-acre parcels to subsidize my retirement income. If the County rezones it to ten-acre minimums, it negatively affects the property's desirability, value, and my retirement plans. I understand that this rezoning process was computer generated and respectfully request that you look at the location of these parcels in conjunction with the surrounding subdivisions of five-acre developments and hopefully you will agree that rezoning is not only unnecessary but detrimental to the property owners.

I would appreciate your consideration in leaving my properties designated as-is, low-density residential with five-acre minimums.

I sincerely thank you,

Catrina Vierra, Parcels #319-190-22-100 and 319-180-13-100
4200 Irishport Lane
Placerville, CA 95667
Phone: 530-622-2560

↑ correct APN
IS 319-190-32

37-1



May 26, 2003

03 MAY 29 PM 3:30
RECEIVED
PLANNING DEPARTMENT

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

General Plan Team:

Below are some comments on your Draft General Plan which was furnished to the District last week. Your Team should also be aware that the FAA has funded an Airport Master Plan for Cameron Park Airport. Work started on the Master Plan in December 2002 and to date the survey control and aerial mapping is well along and the noise study is currently in progress. The data from the District's work on the Master Plan will be furnished to the ALUC and the County Planning Department.

38-1

Cameron Park Airport District comments on the Draft General Plan.

Copy of the Draft - Roadway Constrained Six-Lane "Plus" Alternative
Page 45 Aviation System

Cameron Airpark Airport IS NOT a privately-owned and operated facility. Cameron Park Airport District is a Special District formed by Resolution 411-87 on December 1, 1987.

38-2

Annual operations about right but will be part of master plan which will be part of the Master Plan.

Page 58 Policy TC-10

When the District was formed, the County required the District to maintain the streets and required that the streets would remain "public". The streets maintained by the District are 100 feet wide and serve as taxiways for aircraft and as streets for vehicles. The County should fund the maintenance of the streets the same as it does for a 50 foot right of way street or 24 ft. of pavement plus 3.5 ft. of shoulder each side. The District would then maintain the taxiway portions.

38-3

Page 63 Air Transportation

The County uses Zoning to regulate land around airports. It could use the Building Code to advise airport sponsors of proposed buildings or modification of buildings so that air and aviation easements could be obtained where they presently do not exist.

38-4

3374 Mira Loma Drive, Cameron Park, California 95682

Page 67 Measure TC-M & TC-N	38-5
<p>Bikeways and pedestrian walkways are not compatible with airports and must be controlled by the Airport Board in the airport vicinity.</p>	
Page 239 Airport Safety	38-6
<p>Clear zones are known as Runway Protection Zones (RPZ)</p>	
Appendix B page B-1	38-7
<p>The Noise Contour map for Cameron Park Airport will probably change in accordance with the Noise Study portion of the Airport Master Plan which is now underway. The noise study being performed by Brown-Buntin, Inc. will be furnished to the Airport Land Use Commission when completed.</p>	
Page B-5	38-8
<p>There are about 440 acres in Cameron Park now under the Bureau of Land Management. The area does not appear to be shown on B-5.</p>	
Copy of the Draft - Environmentally Constrained Alternative	
Pages 19 & 20 General Plan Land Use Element Requirements	38-9
<p>Land use around the Cameron Park Airport should be included in commercial/industrial/open space zoning as compatible with airport land use. This comment will also be included in the meeting with the Airport Land Use Commission.</p>	
Page 65 Air Transportation	38-10
<p>County regulation by zoning. Should also be through the Building Department. Airports should be advised of requests for permits so that Air and Avigation easements can be obtained over old subdivisions where none exist at this time.</p>	
Page 69 Measures M, N, O	38-11
<p>Planners should remember that aircraft and bikes/pedestrians do not mix.</p>	
Page 112	38-12
<p>Please see comments under Pages 19 & 20 and Page 65.</p>	
Page 241 Airport Safety Policy and Noise	38-13
<p>General comments appear fine. More specific comments will be included in the Airport's comprehensive land use plan.</p>	

Page 248 Goal HS-14

Airport noise study is in progress as part of the Airport Master Plan which will be included with data furnished to the ALUC.

38-14

Page 248 Implementation Program

Airports are an important part of emergency programs.

38-15

Appendix B page B-1

The Noise Contour map for Cameron Park Airport will probably change in accordance with the Noise Study portion of the Airport Master Plan which is now underway. The noise study being performed by Brown-Buntin, Inc. will be furnished to the Airport Land Use Commission when completed.

38-16

Page B-5

There are about 440 acres in Cameron Park now under the Bureau of Land Management. The area does not appear to be shown on B-5.

38-17

Please call me if you have any questions.

Very truly yours,


Robert Tanger, General Manager

cc: Raymond Vail

FROM :

FAX NO. :

May. 29 2003 02:54PM P1

May 27, 2003

Supervisor Rusty Dupray
El Dorado County Board of Supervisors
360 Fir Lane
Placerville, CA 958667

Dear Supervisor Dupray,

I am writing you concerning the down-planning of our property its historic land use of MDR to LDR on the drafts alternatives, "Roadway Constraint Six-Lane" (Alternative 2) and "Environmentally Constrained" (Alternative 3), to the general plans currently under consideration. Our property, APN: 110-020-15-100 is located on the equestrian village situated to the east and north of the northwest Specific Plan in El Dorado Hills.

As affected property owners we are deeply concerned about this change in land use suggested by the Planning Department. It calls for the removal of the historic designation of MDR and the CC&R (recorded in January 1977) with a minimum of three (3) acres parcels from our properties. To justify the LDR designation in Alternatives 2 & 3, the exiting Community Region line has been moved from Salmon Falls Road to Lake Hills Drive. This action would deny us the services and enforcement of our CC&R by the El Dorado Hills Architectural Committee and future El Dorado Hills incorporation.

39-1

To allow an EIR to be prepared on the basis of superficial analysis and unjustified and arbitrary changes involving no more than a 8 lots (changing from 25 to 17), and thus forcing us and our attorneys to come back into the process to get back our historic designation would be completely unfair and unrealistic. That would completely prejudice our position by the very fact that our historic potential use would not have been considered in the EIR

As a neighborhood, we have developed half of our village with million-dollars home, and have secured water meters (Weber Dam Contract with EID dated 12-22-2000) for the rest of the future development of our properties—a maximum of twenty five (25) new lots of three (3) acre each—and have looked forward to the time when we can develop our properties. To ignore the long history of hearings, discussions and commitments made concerning this part of the El Dorado Hills, and to ignore the wishes of property owners to maintain their designation and the remain within the Community Region, and finally to ignore the fact that the property designation has persisted through all previous iterations of the General Plan, from the very first Administrative Draft to the Final adopted plan in January 1996, would be completely unfair, unjustified and unconscionable.

39-2

As our representative, and a candidate for re-election we realize that you are under tremendous pressure form the so-called environmentalists. However, we urge you in

FROM :

FAX NO. :


May. 29 2003 02:55PM P2

2

strongest terms to resist politicizing the review and approval process and vote for the 1996 General Plan (Alternative 4), which the community and professionals, not lobbyists, have developed, worked on and modified over the past fifteen years.

cc. Peter Maurer, Principal Planner
Heidi Tschudin, General Plan Project Manager
El Dorado Hills Area Planning Advisory Committee
Planning Commissioners

39-2

Sincerely,

Bahman Fozouni
3115 Hopkins Place
El Dorado Hill, CA 95762

AR 11835

May 27, 2003

03 MAY 28 AM 11:39
RECEIVED
PLANNING DEPARTMENT

El Dorado Hills Planning Department
2850 Fairlane Court
Placerville, CA 95667

RE: El Dorado County General Plan

Dear El Dorado County Planning Department:

As an El Dorado Hills resident living in Highland Hills Village, I would like to comment on the future Silva Valley Interchange project. My concerns with this proposed project involves issues of safety, quality of life, and environmental issues of noise, and air quality due to increased traffic. It is my hope that these issues will be prudently addressed through appropriate safety, traffic, noise, and air pollution studies and surveys before the project goes forward. It should be taken into consideration that the increased traffic, noise, and pollution will negatively impact the schools, library, and the many residential villages – all noise sensitive areas located along Silva Valley Parkway. Safety and preservation of quality of life for the residents should be a top priority, and not compromised in favor of accommodating future needs.

40-1

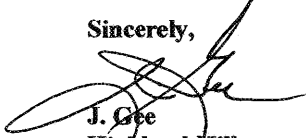
Silva Valley Parkway is already experiencing an undesirable increase in road traffic noise and pollution due to speeding traffic during early morning commute (6-8am), evening commute, before and after school commute. Trucks, commercial vehicles, and numerous large and heavy construction vehicles that vibrate and roar shamelessly during the day are also major contributors to the noise, which is at an unacceptable level. Speed violations are commonplace, and vehicular noise is intensified as speed increases. Speeding traffic has also become a hazard for cyclists, joggers, and for pedestrians attempting to cross the road.

I also favor limited growth in El Dorado County, for I shudder to think that El Dorado County might become another Santa Clara County within the next 20 years, if growth continues at its current pace. The beautiful surroundings and rural atmosphere that enticed so many to become permanent residents of this area will cease to exist if the county becomes a victim of over-development.

40-2

Thank you.

Sincerely,



J. Gee
Highland Hills
El Dorado Hills, CA
Champagnetaste28@aol.com



Janise A. Gee
3096 Lennox Dr.
El Dorado Hills, CA 95762



03 MAY 30 AM 11:53

RECEIVED
PLANNING DEPARTMENT

May 27, 2003

Planning Dept
Pete Mauer
2850 Fairlane Ct- Bldg Dept
Placerville, CA 95667

RE: 2.85 acres Fair Play Rd (094-020-05)

Dear Pete:

I own this 2.85 parcel on Fair Play Rd. It is presently General Plan designated commercial. It is adjacent and contiguous to the Grays corner at the intersection of E-16 and Fair Play Rd in Somerset. I have spoken with both Pierre Rivas and Helen Bauman about the feasibility of a rezone from its present residential zoning to commercial zoning at some point in the future. Neither Pierre nor Helen could foresee any reason for a rezone to be denied. It is a relatively flat piece of property with good road frontage and site distance for access. The location at this intersection is perfect for some sort of agriculture associated business in the future. I am requesting that regardless of which of the proposed general plans you adopt, you leave me the option of being able to rezone and develop the site in the future. I am looking forward to a favorable review and approval of my request.

41-1

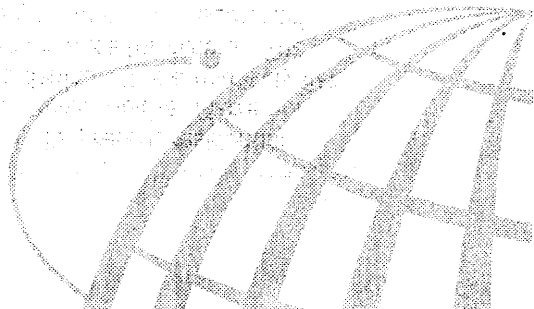
Sincerely,

Ed Keller

Cc: Helen Bauman
Pierre Rivas

P.O. Box 25
Somerset, CA 95684
Bus: (800) 622-1323
Bus: (530) 622-9649
Fax: (530) 622-1214

Independently owned and operated.



From: Marilyn L [marilyn3@internet49.com]
Sent: Tuesday, May 27, 2003 11:23 AM
To: generalplan@co.el-dorado.ca.us
Subject: Selection of General Plan

We would like to register our comments on the selection of the General Plan.

We are in favor of the General Plan alternative #1. This was the plan originally decided on. With the changes required by the court in place, it should remain the plan of choice.

Sincerely,

Arlo & Marilyn Lawless
3461 Forni Rd.
Placerville, CA 95667

42-1

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, Ca. 95667

27 May 2003
03 MAY 28 AM 11:21
RECEIVED
PLANNING DEPARTMENT

Subject: APN 102-020-31-1 (120 Ac.)

To Whom It May Concern:

Is it really fair or reasonable to single out larger parcels of land causing what appears to be damage to their future potential development? By changing the land designation from Rural Residential (No Project /1996 Alternative) to Natural Resources (Roadway Constrained and Environmentally Constrained Alternatives) this would be such a result.

The property owners should have the right within reason, to do what they want with their property not be forced by agencies or groups who seem to have more pull. If the property owner wants to make their property open space or so called Natural Resources, that should be their call.

If the Board decides to go with the down sizing of property capabilities, are they willing to compensate the property owners for the loss of the potential revenue? How does the El Dorado County Governing Board plan to account for their decisions if they will ultimately damage the larger property owners?

Most people who purchased larger parcels of land years ago did so with the intentions of capitalizing on the increased value at a later date. Several years ago we purchased an additional legal access to our property so that someday, if and when we decided, we would have the potential to split the property into smaller parcels. At the time one of the requirements for a rural subdivision was to have more than one access.

It is amazing to us looking at the maps how magically the ecological preserve boundaries seem to have been established. The same kind of magic was apparently used to determine the natural resources and agricultural designations. There does not appear to be any consistency in how some of the large parcels were singled out.

Our parcel is surrounded by 5 and 10 Ac. Parcels. When the Final Plan is established, our property needs to have the land use designation of 5 or 10 Ac. Parcels (LDR). Natural Resources designation is not appropriate or acceptable. We hope that this can be accomplished without the need of us seeking legal counsel.

Thank you

Sincerely

Rene and Christine Thorne
4041 Jayhawk Dr.
Rescue, Ca. 95672



Cc: Charlie Paine supervisor 4th district

43-1



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF RECLAMATION
Central California Area Office
7794 Folsom Dam Road
Folsom, California 95630-1799

MAY 27 2003

03 MAY 28 AM 11:22
RECEIVED
PLANNING DEPARTMENT

CC- 411
ENV- 6.00

Mr. Peter Maurer
Principal Planner
El Dorado County Plannig Department
2850 Fairlane Court
Placerville, CA 95667

Subject: El Dorado County Draft General Plan

Dear Mr. Maurer:

Thank you for the opportunity to review the Draft El Dorado County General Plan; please see the enclosed comments. We look forward to seeing the final document! If you have any questions, please call Sandi Richerson at 916-989-7174 (TDD 989-7285).

] 44-1

Sincerely,

Thomas J. Aiken
Area Manager

Enclosure

Comments on April, 2003, El Dorado County Draft General Plan

Page 289-290 (depending on alternative) – under PUBLIC PARKS AND RECREATION PROVIDERS, add ...and Department of the Interior Bureau of Reclamation.

44-2

Page 289-290 (depending on alternative) – under **United States Government**, add the following paragraph:

U.S. Department of the Interior Bureau of Reclamation

44-3

The Bureau of Reclamation (Reclamation) owns a large area of land, partially in the County, near Folsom Reservoir and along the lower South Fork of the American River which is managed by the California Department of Parks and Recreation as the Folsom Lake State Recreation Area.

Page 208-210 (depending on alternative) should break out water supply by water district, individual sources, and water rights. The lump sum given of 55,264 acre-feet per annum (AFA) is impossible to analyze for accuracy.

44-4

Reclamation provides El Dorado Irrigation District (EID) with a firm yield of 23,000 AFA from Sly Park, and contracts with EID for 7,550 AFA from Folsom Lake. Both sources of supply are subject to reductions in dry years. Under the contract for Sly Park, EID has withdrawn as much as 29,247 AF.

44-5

Public Law 106-377, Section 212, directed Reclamation to transfer all right, title, and interest in and to the Sly Park Unit to the EID. Transfer of the Sly Park Unit is expected to be complete by the end of 2003. The transfer will include a total of 34,400 AF water rights to Sly Park, Hazel and Camp Creeks.

44-6

Public Law 101-514, Section 206, directed Reclamation to contract with El Dorado County Water Agency for 15,000 AFA of water. The amount would be subcontracted with EID and Georgetown Divide Public Utilities District for 7,500 AFA each. The contract is expected to be completed before the end of 2003.

44-7

EID has entered into an agreement with Placer County Water Agency for transfer of 2,000 AFA to be supplied from the Middle Fork Project. Reclamation is planning on contracting with EID under Warren Act ("water wheeling") provisions to allow EID to convey that amount as well as its pre-1914 ditch water rights (4,560 AFA) for diversion from Folsom Lake.

44-8

EID also plans to withdraw additional water from Folsom Lake by way of an engineered structure called a Temperature Control Device. This would remove warm water in the reservoir and increase cold-water pool water available for downstream fisheries.

44-9



STATE MINING & GEOLOGY BOARD
DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA



May 29, 2003

ALLEN M. JONES,
CHAIRMAN

ROBERT GRIEGO,
VICE CHAIRMAN

BRIAN BACA

LARRY E. FANNING

ROBERT HABLITZEL

JULIAN C. ISHAM

RICHARD RAMIREZ

ROBERT E. TEPEL

Peter N. Maurer
Principal Planner
El Dorado County Planning Dept.
2850 Fairlane Court
Placerville, California 95667

Re: Mineral Resources Management Policies / General Plan

RECEIVED
PLANNING DEPARTMENT
03 JUN -3 PM 2:51

Dear Mr. Maurer:

801 K STREET
MS 24-05
SACRAMENTO
CALIFORNIA
95814
PHONE
916/322-1082
FAX
916/445-0738
INTERNET
constrv.ca.gov

At its regularly scheduled business meeting on May 23, 2003, the Policy and Legislation Committee of the State Mining and Geology Board (SMGB) reviewed the proposed changes to El Dorado County's mineral resource management policies. Specifically, three alternate drafts were reviewed: "No Project and 1996 General Plan Alternatives"; "Environmentally Constrained Alternative"; and, "Roadway Constrained Six-Lane Plus Alternative".

The Committee determined that the proposed changes and the overall policies were in accordance with the requirements of the Surface Mining and Reclamation Act (SMARA, Public Resources Code Section 2710 et seq.); however, the Committee made one recommendation as follows:

- Reference should be included in the Mineral Resource Management Policies to the most recent mineral classification report submitted to the County in mid-April, 2003 titled, Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03.

Thank you for the opportunity to review the County's proposals. If you have any questions, please do not hesitate to contact the SMGB office.

Sincerely,

John G. Parrish, Ph. D.
Executive Officer

Mission of the State Mining and Geology Board is to Represent the State's Interest in the Development, Utilization and Conservation of Mineral Resources; Reclamation of Mined Lands; Development of Geologic and Seismic Hazard Information; and to Provide a Forum for Public Redress

45-1



03 MAY 30 AM 6: 58

SERRANO ASSOCIATES, LLC RECEIVED
PLANNING DEPARTMENT
4525 Serrano Parkway • El Dorado Hills, CA 95762
Telephone 916/939-3333 • Facsimile 916/939-4049

DATE: May 29, 2003
TO: El Dorado County Planning Commission
FROM: Sam Miller, Director of Planning

Subject: Comments on the Draft El Dorado County General Plan Proposals

The following comments focus on the two alternative draft plans, the Roadway Constrained Six Plan "Plus" Alternative (Roadway) and the Environmentally Constrained Alternative (Constrained).

The commentary is in two parts. The first section addresses those land use map designations that have direct relevance to properties owned by Parker Development. The second section addresses those policies that have direct relevance to properties owned by Parker Development.

Parker Development represents three separate land holdings in the El Dorado Hills area of El Dorado County. Those properties are often referred to as Pedregal, Serrano and Marble Valley.

SECTION ONE -- MAPS

A. Pedregal:

Roadway Alternative: The land use map designates the bulk of the property as Rural Lands. This designation appears to be applied to all "unentitled lands, both within and without Rural Areas. This property currently experiences significant trespass in that it has 64 single family homes and three apartment complexes as neighbors. The property has been planned for its currently designated densities since at least the early 1980s and has paid assessments for 113 sewer and water hookups. It is also served by two of the six major through ways within the El Dorado Hills area (El Dorado Hills Blvd and Wilson Way). Olson Lane on its northerly boundary also serves as the

46-1

46-2

Promontory's only direct connection to El Dorado Hills Blvd. The current zoning, at RE-10, provides the County with discretion to "force" the housing outcome it desires in the context of all plan policies.

The appropriate designation is a split between multifamily and high density residential. This split is reflected on the Constrained plan.

46-2

b. **Marble Valley**

Roadway Alternative: The land use map designates the northeast approximately 120 acres as natural resource. Peter Maurer has expressed the thought that this might simply be a mapping error. Given the current development agreement and tentative maps on the property it seems this designation should be removed. In the tables for the this alternative's traffic analysis the property has 400 dwelling units plus a performing arts center, school and neighborhood park. This would seem to support the assertion that the designation is truly a mapping error.

46-3

SECTION TWO -- POLICIES

INTRODUCTION.

Planning Challenges

The observations on page 9 (Roadway) indicate that the County entered into Development Agreements in the mid to late 90s. The first Development Agreements for the Northwest El Dorado Hills Specific Plan and the El Dorado Hills Specific Plan were entered into in the late 80s.

46-4

The discussion takes a negative view of all development agreement projects. First, these large-scale projects provide communities with far more flexibility and opportunity than the four by four approach included in the Roadway alternative. Secondly, knowing the scale of future demand, in real terms, makes planning for large-scale infrastructure such as roads, schools, sewer treatment and water treatment facilities planning much more meaningful.

46-5

Thirdly, as distinct from all others, the Serrano development agreement obligates the developer to make direct investment in \$120,000,000 in schools and public infrastructure. It is the only plan so burdened.

LAND USE ELEMENT

Roadway and Constrained

Policy LU-1d obligating the County to deny project approvals that would undermine its ability to fulfill state requirements could be construed to require denial of all residential developments. Undermine is such a broad term as to be vague; **it would be helpful to provide criteria for the determination of this vague term.**

46-6

Recommend: LU-3i: The County should ~~shall~~ encourage land use patterns that locate services such as banks, childcare facilities, shopping centers, and restaurants near employment centers **and along major transportation corridors.**

46-7

LU-3k: **The location for the complimentary amount of** affordable housing (serving low, very-low and moderate income households) shall be ~~provided~~ **identified** as a part of all residential **and non residential** development projects.

46-8

PUBLIC SERVICES AND FACILITIES ELEMENT

Policy PS-1f. **It is not possible to obtain will serve letters from the cited service providers prior to the broad spectrum of actions described as “discretionary”.** The policy fails to reflect existing policies of other agencies. The policy should state “prior to approval of final subdivision or parcel maps”

46-9

The preamble to the policy and the related materials are devoid of the rationale for a policy requiring a will serve letter related to power.

HEALTH, SAFETY AND NOISE ELEMENT

Policy HS-2e

Constrained Alternative: The language contained in this alternative reads “**prohibit creation of any new gated subdivisions or neighborhoods...**”. The policy context is Wildfire Safety. The discussion concerns the existence of narrow, dead end rural roads and lack of a public water infrastructure and supply. If the policy were to track with the discussion, the policy would be no gated communities in rural areas with dead end roads and a lack of water infrastructure. We would ask that the policy be revised to reflect the context and suggest:

46-10

The County shall limit gated subdivisions to those areas that meet the following criteria:

1. Are supported by the local fire service provider
2. Provide a minimum of two (2) points of access from a county maintained road.
3. Contain a public water infrastructure in conformance with local fire district standard: hydrants, hydrant pressure and residual water pressure.
4. Contain roads that meet County standards for streets as required by the County improvements standards manual standard 101A.

5. Have 24 hour on site professional staff.
6. Gates must meet local fire district standards for electronic override and manual operation.

46-10

CONSERVATION AND OPEN SPACE ELEMENT

Policy CO-1c This policy would “discourage” grading activities for more than one-half the calendar year.

None of the preceding discussion provides a data source for this policy. The County is currently gearing up to enforce the National Pollution Discharge Elimination Standards program. All projects are now required to install NPDES best management practices erosion control methods on a year around basis. **The policy is so great in its reach in the context of BMP and NPDES work over the last several years that it would seem that the policy would reflect, at least, a requirement for a greater level of BMP during this period of time.**

46-11

Policy CO-3f The term hydrologic unit is not defined in the document. As a result the meaning of the policy is unclear. The policy should be expanded to include any portion of the watershed of either the Cosumnes or American River as the case may be.

46-12

PARKS AND RECREATION ELEMENT

Background. The list of public park and recreation providers fails to include the Serrano Owners Association. The Village Green park in Serrano was constructed, and is maintained by the Serrano Owner’s Association and is subsidized as to its cost of maintenance by the Serrano Owner’s Association.

46-13

Page 292. The discussion fails to reflect that all neighborhood parks in Serrano are privately planned, financed and maintained.

46-14

From: Marilyn L [marilyn3@internet49.com]
Sent: Friday, May 30, 2003 3:32 PM
To: generalplan@co.el-dorado.ca.us
Subject: -General Plan alternaaatives

We e-mailed a comment on our preferance for a General Plan selection of selection #1 because it had been included with #4 the 1996 General Plan. It is the #4 selection we prefer. Including the two together is confusing and misleading to say the least.

47-1

Arlo & Marilyn Lawless
3461 Forni Rd.
Placerville,CA 95667

Dear Supervisors,

In 1975 I requested and received a one acre zoning on my 37 acres located on the corner of Ponderosa and Meder Road in Shingle Springs. I then developed a 22 parcel standard subdivision. I retained parcel APN# 070-300-15-100, which included my home and 8.4 acres. As set forth in maps 2 and 3, my plan was to have the option of selling more parcels in the future.

Accordingly, I hereby request that you adopt map 2 or 3 which would maintain existing one acre zoning and allow me to fulfill my plans.

If you have any questions or require anything further, please feel free to call me at 530-677-1449.

Yours truly,



Don W. Thomas

3359 St. Ives Ct.
Shingle Springs CA 95602

03 MAY 30 PM 4:47
RECEIVED
PLANNING DEPARTMENT

48-1

6/1/03

El Dorado County
Planning Dept.
2850 Fairlane Ct.
Placerville CA 95667

03 JUN - 6 PM 3:40
RECEIVED
PLANNING DEPARTMENT

RE: Draft County General Plan

I have reviewed the DEIR on the El Dorado County General Plan. After carefully considering all four alternatives, I have concluded that Alternative #3; the Environmentally Constrained plan is the best for the long-term interests of the county. With this plan, the county still has the potential to develop, but in a slower, controlled manner.

More acreage put into residential land use, while seemingly a short-term economic solution, is a long-term detrimentally poor alternative. The impact on traffic, schools, roads, resources including water and air quality would be too costly.

Perhaps the Planning Department thinks they planned well for the services needed after the intense pressure of growth in the county since the 1980s. We who drive the pothole-ridden streets, wait in traffic (at Level F at times) and breathe brown air, know the department did an abysmal job.

Don't let the developers do the planning as has happened in the past. You are the Planning Department. Please do not add to the problems by adopting Alternative 1, 2 or 4.

Thank you for your consideration of this letter.

Betty Ann Beauchamp
Betty Ann Beauchamp

*991 Old Keunox
95672*

49-1

03 JUN 11 AM 8:44
RECEIVED
PLANNING DEPARTMENT

June 1, 2003

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, California 95667

ATTENTION: PETER N. MAURER, PRINCIPAL PLANNER

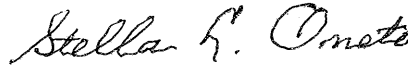
Dear Members:

In reviewing the General Plan alternatives, we request that the land use proposed in the 1996 plan be retained for the General Plan.

Our property (APN 087-040-16, 087-060-01, & 087-010-11) has been in the family since the 40's. The property is currently and has continually been used as a cattle ranch and has been held for an investment for future generations. It is imperative that the utmost consideration be given not to adopt a General Plan so restrictive that it will devalue and restrict the use of the land for future generations.

50-1

Yours truly,



Stella L. Oneto
Stella L. Oneto Trust
17875 State Highway 88
Jackson, California 95642

c.c. El Dorado Co. Board of Supervisors
Files



EL DORADO COUNTY
PLANNING DEPARTMENT

Lorraine Larsen-Hallock..... District I
John MacCready..... District II
Dave Machado..... District III
Ralph Welsh..... District IV
Alan Tolhurst..... District V
Jo Ann Brillisour..... Clerk of the Commission

2850 Fairlane Court • Placerville, CA 95667
<http://www.co.el-dorado.ca.us/planning>
Phone: (530) 621-5355
Fax: (530) 642-0508

MINUTES

Special Meeting of the Planning Commission
June 2, 2003 – 9:00 A.M.
SUPERVISORS MEETING ROOM
330 Fair Lane, Placerville, CA

DRAFT GENERAL PLAN COMMENT HEARING

1. **CALL TO ORDER**

Chair Larsen-Hallock called the meeting to order at 9:03 a.m. The following persons were in attendance: Commissioners Mac Cready, Machado, Welsh, Tolhurst, and Larsen-Hallock; Paula F. Frantz, County Counsel; Conrad B. Montgomery, Planning Director; Heidi Tschudin, General Plan Manager; Peter N. Maurer, Principal Planner; Sue Lee, Senior Planner; and Jo Ann Brillisour, Clerk to the Planning Commission.

2. **ADOPTION OF AGENDA**

ON MOTION OF COMMISSIONER TOLHURST, SECONDED BY COMMISSIONER WELSH AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE AGENDA, AS PRESENTED.

3. **PLEDGE OF ALLEGIANCE**

The Commission and those persons in the audience gave a Pledge of Allegiance.

4. **PUBLIC FORUM/PUBLIC COMMENT – None**

5. **TESTIMONY ON THE DRAFT GENERAL PLAN**

Chair Larsen-Hallock turned the hearing over to Heidi Tschudin who introduced Sue Lee, Peter Maurer, and Conrad Montgomery.

a. **Procedures for Conduct of Hearing**

Ms. Tschudin said the purpose of the hearings this month is to receive public input. Testimony received in these hearings will be summarized but will not be transcribed verbatim. Ms. Tschudin asked that individuals submit their comments

in writing so they can be included in the record. She informed the audience of the hearing procedures. The elements will be discussed in order today. Peter Maurer will give a brief discussion on each element prior to any discussion or input on that element. The June 4 hearing goes from 9 a.m. to 4 p.m. and will be continued to the evening, starting at 7:00 and ending at 10:00 pm. The remaining elements of the General Plan will be considered on June 4. Starting June 9, the hearing will be to receive comments on the EIR. On June 12, comments will be received on both the General Plan and EIR.

b. Staff Report by General Plan Project Manager

Ms. Tschudin said her staff report and the agendas are available on the website. She briefly went over her report. In September, the Commission should be forwarding a recommendation to the Board on which plan, or combination of plans, should be adopted. The Board will hold hearings in October, with plan adoption by the end of December. The County will be operating under the writ until the judge lifts the writ.

Chair Larsen-Hallock said it is her understanding that the recommendation of the Commission could be either one of the plans or a combination of plans. Ms. Tschudin said that is correct. However, staff will have to make sure any combination is covered under the EIR. Commissioner Mac Cready asked for further clarification on taking portions from each plan and making a combined plan.

51-1

Ms. Tschudin spoke about the hearings staff is contemplating for the end of August, beginning of September. Commissioner Mac Cready asked that the hearings not be held at the end of August, as he will not be able to attend.

c. Public Hearing on the following elements of the Draft General Plan: a) Land Use (including testimony on individual properties as designated on the proposed Land Use Maps); b) Housing; c) Economic Development; d) and Tahoe Basin.

Peter Maurer summarized the Land Use Element and pointed out the three primary differences between the three maps and four sets of policies. The land use maps were on display.

Commissioner Tolhurst said he had a technical question for people in the audience that might be having individual parcel concerns. He has had several calls where people are saying that in one of the alternatives their parcel gets down zoned. When they come up to request a specific zoning, are they to say do not approve a specific alternative because their parcel gets down zoned? Mr. Maurer said the land use designation is an important part of the General Plan. The Plan itself does not down zone the property. The land use designation might result in a follow-up down zoning. When the County updates the zoning ordinance, the zoning must be brought into compliance with the General Plan. Even under the

51-2

1996 Alternative, there will be lands that are designated something that would not allow what the current zoning on that property would allow. Clearly on the more constrained alternatives, that is going to happen more often. Typically, there is a range of different zone districts in each land use category.

51-2

Commissioner Tolhurst said in the 1996 and No Project Plans, it is very clear what the documents are because there is a Statement of Vision. There is no clear goal in the other alternatives. Mr. Maurer said the vision of the County is set forth in the introductory paragraph of both those alternatives. Those statements begin on Pages 7 and 8. The Environmentally Constrained leans more to environmental protection. The vision is not necessarily different, but the approach to reaching that vision could be.

51-3

Commissioner Welsh asked if the problem with the 1996 Plan was that it did not meet the needs of the community or meet the law. Ms. Tschudin said it was not the General Plan. The judge identified some problems with the environmental review, in particular the Findings of Fact and a failure to identify appropriate substantial evidence for the decisions that were made. Commissioner Welsh said he would like to avoid that. Ms. Tschudin said staff is trying to take care of that.

51-4

Chair Larsen-Hallock opened the public hearing on the Land Use Element.

Commissioner Machado asked that people identify if they are speaking for someone else or a group and their position in that group.

Nancy Mundt, resident of Georgetown/Garden Valley for 12 years, spoke about Community Regions and Rural Centers, Page 4 of the Manager's report. In the 1996 Plan, the Georgetown boundaries were enlarged from previous maps and designations and placed in the Community Region, and there was a possibility of multifamily development. Georgetown lacks an infrastructure component, namely sewer. To allow a land use designation that would allow apartments does not seem logical. She feels Georgetown is a Rural Center. She does feel Georgetown is able to provide low cost housing for its residents.

51-5

Alice Fuller, owner of 13.79 acres at El Dorado Road and Lambert Lane, said their property was R1A, Medium Density, and changed to Low Density Five-acre. They were in the process of dividing the property when the moratorium occurred. They have water, a fire hydrant, and electricity to the property. It is on a main road and only one mile from Highway 50. They would like to divide the property into four parcels. Most of the surrounding property is one or two-acre parcels, all less than five acres. They would lose a lot of value if they could only divide into two parcels.

51-6

Sam Miller, Serrano Associates, said it is confusing exactly how the process is going to proceed. In one General Plan there are 52 land use policies, and they are not in the same in every element. It is impossible for someone to have a

51-7

meaningful discussion in a three-minute time period about one of those policies that has a dramatic affect on their property irrespective of which land use plan may be appropriate for the site. It would be helpful if the Commission has a discussion as each of the elements comes forward on the differences between the policies in each element. Policy 3H in the Environmentally Constrained Plan appears to conflict with Land Use Policy 3D. He has sent each of the Commissioners an email with comments from the two companies he represents. They are discouraged by having held property for many years, just as some people that have spoken, waiting for a General Plan and having paid assessments for water and sewer units and paid taxes based on the higher value of the land; and now it is suggested, in one case, that the property would be rural surrounded by single-family residences and two of the major thoroughfares in El Dorado Hills.

51-7

Mr. Miller said some of the differences in the policies are very subtle but very significant. In one alternative, a policy states discourage gates and in another alternative it says prohibit them. Commissioner Mac Cready asked if Mr. Miller would like the gated communities left in or taken out. Mr. Miller said there are circumstances where they should be prohibited. He suggested a modification in his email to reflect where they are appropriate and where they are clearly inappropriate. The first determinate of appropriateness is if the local fire department says they can live with it. Most fire departments cannot and will say so.

51-8

Commissioner Machado said Serrano has a development agreement. Mr. Miller said they own commercial property outside the development agreement area.

Ms. Tschudin said staff is aware of how difficult it is to compare policies from the different alternatives. With the distribution of the General Plan document, there was a 20-page document, dated April 9, from Peter Maurer that contains a large table identifying the differences in the policies. The document is also on the website. In her staff report, she did a summary of the table (Page 11 of the report).

Chair Larsen-Hallock said one of the concerns she has heard is how the Commission is going to work through the different alternatives and policies. She was thinking about a workshop type discussion to go through each policy. Ms. Tschudin asked if that could be made a part of these hearings or the hearings in August. We need to take advantage of hearings that have been set up.

Commissioner Tolhurst said Mr. Miller brought up a point, which he thinks needs discussion. He does not think his point was gates or no gates, but how does that further the goal of one of these plans versus the other? How does not having gates further the goal of the Environmentally Constrained versus having gates and constraining the roadway construction? Chair Larsen-Hallock asked if the Commission wants to have this type of discussion now or after it has heard from the speakers. Commissioner Mac Cready asked why one alternative says

51-9

discourage and another one says prohibit. Ms. Tschudin said there were four equal weight alternatives. Staff wanted to do a couple of things. They wanted to take advantage of the environmental impact report to create a base so there is broader spectrum of decisions that can be made. Within the equal weight alternatives, since each one was going to be fully developed with policies, land uses, and maps, they wanted to focus in on some key issues that through the record in the past have been identified as controversial items for the County and give an opportunity to explore the range within an issue. So, in the Environmentally Constrained, they used the word prohibit. With the Roadway Constrained, they used discourage to bracket that issue and give it to the decision makers to decide if that is something the County wants to take on at either end of the spectrum. They have done that with a number of issues, with infrastructure concurrency, subdivision and growth, and a number of others. It is to allow for a spectrum of decision making to be accommodated, depending on where the Planning Commission feels the community wants to go and where the Board, as the ultimate decision makers, feels the community wants to go. Commissioner Tolhurst said it is not an issue that fits more in one alternative than another but something for discussion that could be put in either alternative. Ms. Tschudin said, in general, if it had to do with being more constraining because of environmental issues, staff did try to align it with the Environmentally Constrained Alternative. There may not always be a definite distinction other than to identify and isolate the spectrum so it can be deliberated in the process.

51-9

Commissioner Welsh said he feels the Commission should hear the input from the public before discussing any issues. Commissioner Machado said he would like the speakers to identify all the issues of concern they have so the Commission can discuss them. Commissioner Mac Cready said it is almost impossible to go through each policy. There are many that do not vary from one alternative to another. The Commission needs to discuss those policies where there have been comments made.

Virginia Crespo, resident of Rescue, said the Roadway Alternative has a policy for only allowing four-by-fours, which she feels is very bad planning policy, in general. It does not allow the flexibility necessary for affordable workforce housing, and tends to further sprawl to an extent that she is not sure we want in this County. She is against that policy being instituted. Four-by-fouring has been done in the County in the past, and we have seen some really bad results from it.

51-10

Mark Perlberger said they own 33 acres (Assessor's Parcel Number 109-010-02) at Highway 50 and Cambridge that is currently designated for commercial. He has submitted both oral and written comments. They requested changing the land use on two-thirds of the property from Commercial to Multifamily. There is not enough demand for 30 acres of commercial at this site. There are also some single-family homes in the area that do not want to see that much commercial. In the Environmentally Constrained Alternative, this change is considered. The Road Constrained has the whole property as Commercial. They are not

51-11

supporting any one alternative but would like the Commission to consider the change they have requested. The property works well as a transitional use. Commissioner Tolhurst pointed out that as spoken to by Sam Miller, there might be the possibility for mixed uses.

51-11

Donald Hartley, representing the El Dorado County Association of Realtors, said they want to be fully involved in the General Plan process. He read his comments, which he submitted for the record.

51-12

Art Marinaccio stated that what Sam Miller said about the process really does need to be considered. He does not believe the Planning Commission or Board has the ability to absorb all the information. The Commission needs to comprehend and understand what it is recommending. The General Plan is supposed to be general. People do not understand how the alternatives may affect them. These plans, while useful to look and see what kind of results may occur, really do not constitute plans that are in a position to be adopted. The one plan that has had scrutiny is the 1996 Plan. The maps do not necessarily relate to the policies. You need the level of discussion. The State Mining and Geology Board just released the mine mapping, which must by law be included in the General Plan. It has major implications for the land use maps. There should be a half-day workshop with the Commission, the mining community, and staff. It is very good and useful mapping and does completely eliminate the problem with Marble Valley.

51-13

51-14

Commissioner Welsh asked that Mr. Marinaccio give his written comments to the Commission and staff. Mr. Marinaccio said he would put his comments in writing, but he does not know if this process has the capacity to do justice to the public.

51-15

The Commission took a short break.

Debbie Harris said she has submitted her written request. In the Environmentally Constrained Alternative, they have listened to their request. They have some property adjacent to the firehouse and across from the airport in the Swansboro subdivision. They would like to construct a small store on that property. On some of the properties proposed for commercial across the street, those properties cannot be commercial under the CC&R's. The CC&R's do not cover their parcel. They have a water meter on the property.

51-16

Shan Nejatian, representing Equestrian Trails, said they are proposed on the Road and Environmentally Constrained Alternatives to go from Medium Density to Low Density Residential. They have presented their Assessor's Parcel Numbers and written request, which are not shown on the plan. The Community Region line has been moved so it does not include their parcel. Their historical use has not been considered in the EIR. Mr. Nejatian submitted his written comments.

51-17

Harry Mercado, resident of Lotus representing the Lotus/Coloma Association, said he would present their written comments by June 15. The Dam Inundation maps for Slab Creek and Chili Bar are the same, and he believes they should be different. They believe the Environmentally Constrained Alternative should be named the Rural Quality of Life Plan.

51-18

51-19

Damon Polk, representing the Building Industry Association, said he notices there has been a lot of down zoning, and some of the policies, especially in the Road and Environmentally Constrained Alternatives, heavily influence the ability of the County to provide affordable housing. It is imperative that the County not down zone property in the future or take away people's property rights or their future potential to use their property as they may wish. Ms. Tschudin said this is not the last chance to speak on the alternatives. Written comments are being accepted through June 16, and additional comments will be taken by the Commission in August and later by the Board at their hearings.

51-20

Chair Larsen-Hallock asked if the Commissioners had any comments. The deliberative comments from the Commission will occur in the August meetings.

Commissioner Tolhurst said there is Multifamily across from the Rancheria in the Road Constrained Alternative. That land use is not in the other alternatives. Are there any potential changes if the Rancheria goes in? Mr. Maurer said it was just in the development of the maps. He will look into this issue during the lunch break and get back to the Commission.

51-21

Commissioner Tolhurst said sometime in the next 25 years, the El Dorado Hills area might be a city. Mr. Maurer said it is an unincorporated area of the County at the present time. Ms. Tschudin said if that effort proceeds, they would have to include that in their consideration of seeking city hood. The County is not proposing that they incorporate. Paula Frantz, County Counsel, said incorporation does not have any affect on the land use designation. If there were a city, they would take the County land use designations until they have completed their own General Plan.

51-22

There were no other Land Use comments from the Commissioners.

Sue Lee gave a brief description of the Housing Element. It is the longest element and will be updated in five years per State law.

The public comment period was opened on the Housing Element.

Beverly Van Meurs, resident of Placerville, said she is Chairman of both the local Salvation Army and League of Women Voters Housing Committee, but would be speaking as an individual. The Housing Element, in general, looks as satisfactory as it can be at the present time. There is a large difference between planning and doing. That is their main concern. We have a lot of bad housing in El Dorado

51-23

County. Mrs. Van Meurs said the League has a committee that has been in operation for several years. They have adopted two questions they are going to concentrate on. Why has the lack of affordable housing been allowed to persist? The answer they have come up with so far is that there have been no economic, cultural, social, or political imperatives. The second question is what can the League do to discover the root causes, expose, and advocate corrections. They have been doing a lot of research into all aspects of the housing situation. What is most needed is for the Board to stop being the Housing Commission. They recommend that a Commission on housing alone be developed so someone is really concentrating on the subject. Commissioner Welsh asked that Mrs. Van Meurs put the creative types of housing in writing.

51-23

Bob Smart said affordable housing seems to be going into areas where there is existing infrastructure. We do not have sidewalks, parks, etc. We need to make it so people do not mind having affordable housing in their neighborhood. If you plan to put in affordable housing in different locations, El Dorado County needs to put in sidewalks, bike lanes, parks, etc. We need a package of incentives so this type of housing will be accepted.

51-24

Virginia Crespo, El Dorado County League of Women Voters Housing Committee, said they have been studying the housing situation in El Dorado County for quite some time. Recently, they have been focusing how we got into the housing deficit and what they can do to create change. Adopting a good implementable housing element is a major step. Looking at the Land Use choices, there are no real solutions proposed to get jobs next to housing that are affordable for those jobs. The draft Housing Element appears to be unrealistic. It has a huge list of possible ways to get housing built, which is good. However, the implementation plan seems unimplementable, unaffordable, and unenforceable. There are far too many proposed ordinances and other staff intensified things to be accomplished by the reduced staff that is available. Increasing staff to accomplish these tasks is very unlikely. There is no way to enforce getting the implementation done within the proposed timelines. For these reasons, the draft Housing Element is unacceptable. There needs to be some serious thought given to prioritization of the many parts of this element. A determination needs to be made as to which ones need to be first with an emphasis on the most effective for El Dorado County specifically. The bottom line needs to be getting more work force housing available for El Dorado County's population that is appropriate for the available jobs. They are still working on their written comments that will be submitted by June 16.

51-25

Commissioner Machado said when the General Plan is adopted, there will be a lot of work that needs to be done. He appreciates Virginia Crespo's comments about staffing.

Art Marinaccio said one of the things in the Housing Element, Measure HO-C, states the County shall adopt a mandatory inclusionary housing ordinance that

51-26

requires a percentage of units. He cannot imagine a process by which a County staff member can put within a document that elected officials shall pass a new law. You can put things in for discussion, but they have already sent this to the State of California for approval. That really is a problem. Inclusionary zoning is a tool that might be considered in certain projects and certain circumstances. He does not believe it functions very well. The entire process of how an inclusionary ordinance would be developed and what it would include needs some significant discussion before you include it in your General Plan, just saying you will adopt a law.

51-26

At one of the last hearings, Mr. Marinaccio said he stated the El Dorado Hills incorporation must be included in the Plan. He does not agree with County Counsel that it should not be included.

51-27

Damon Polk, Building Industry Association, said there was a question about the lack of affordable housing in the County. There are several reasons. There is a lack of available parcels. There is a lack of jobs in El Dorado County. As you have no housing in the County, you have no jobs coming to the area. There is the not in my backyard attitude. People feel affordable housing devalues their property and is not attractive housing. They will submit written comments.

51-28

There were no more public comments on the Housing Element.

Commissioner Machado said infrastructure, sewer and water, is not in many parts of the County. It appears the majority of affordable housing is headed for areas with infrastructure. There are four major developments with development agreements that preclude affordable housing. He is frustrated that Cameron Park, Shingle Springs, and El Dorado are going to get the majority of the affordable housing, and El Dorado Hills, where they have all the infrastructure, will not. Ms. Tschudin said the areas that have infrastructure for affordable housing need to be discussed. There are ways to do affordable housing throughout the County. Where the affordable housing is placed is a policy question. The State just gives the County the numbers. Commissioner Welsh asked if he understands that the affordable housing could be spread throughout the County even though the infrastructure may not be available in some areas. Ms. Tschudin said that is what staff is looking to the Commission for. Commissioner Mac Cready said affordable housing implies high density. How can you have high density in an area where there is no water or sewer, especially sewer? Ms. Tschudin said it is not necessarily a requirement to have high density in order to have affordable housing. You need to look at other ways to provide affordable housing. The affordable housing unit, if it is designed properly, should not look any different than any other unit. The only difference is the income of the person occupying it and how it is financed. Based on her experience, it is very difficult to speculate the actual cost of an affordable unit. It varies on a project-by-project basis. You have to consider the cost of the land, the cost of the units, the number of units, the

51-29

51-30

51-31

mechanisms you are using, types of programs you may or may not be choosing to take advantage of.

↑ 51-31

Commissioner Machado asked if there is any serious talk about going back and reopening the development agreements. Ms. Tschudin said the development agreements have been executed between the County and certain individuals. There is no ability to reopen the development agreements without mutual agreement between the parties.

] 51-32

Commissioner Machado asked if there has been consideration of a fee for market rate units that goes into a fund to provide affordable housing. Mrs. Lee said there has been that type of consideration. The housing trust funds may be one way to meet some of the housing needs. Ms. Frantz said inclusionary would be a great debate between the signatories of the development agreements.

] 51-33

Chair Larsen-Hallock opened the comment period on the Housing Element.

Sam Miller said there is discussion in the alternatives about the cost of affordable housing. Fees for a house run between \$35,000 and \$50,000. It would be helpful to have a discussion about what the barriers are for housing.

] 51-34

Beverly Van Meurs said the beauty of combining the commercial and the low cost housing is that the infrastructure is already there.

] 51-35

Nancy Mundt spoke about the resale price for modular units. You do not get the same resale price for a modular that you do for a house. There are many areas of Georgetown that would lend itself to this type of housing if we could overcome the attitudes about modular-type housing.

] 51-36

Bill Snodgrass, Agricultural Commissioner, said all four alternatives have adequate agricultural housing. The Agricultural Commission will be looking at the EIR and the different elements in the four alternatives. The Agricultural Commission will point out strengths and weaknesses of each alternative.

] 51-37

Art Marinaccio said one thing the Taypayers Association has been speaking about for many years is coming up with a comprehensive overriding policy on fees for affordable housing. If we want to bring jobs into El Dorado County, we need to approve affordable housing projects.

] 51-38

Harry Mercado said each plan envisions pushing new development out into Rural Centers in order to accommodate affordable housing. Transferring the housing from along the highways into the Rural Centers is not going to work. The solution is in the development centers, which is where it should be.

] 51-39

Commissioner Tolhurst said El Dorado County is a rural county. We are talking about the infrastructure that must be put in to get to the unit. Paying for a road to one unit on 40 acres is much more expensive than to a high-density area.

51-40

The Commission took a lunch break.

After the lunch break, there was a special power point presentation by four students from Oak Ridge High School. Stan Iverson, teacher at the school, introduced Brian Nelson, Greg Allen, DeAnna Dalton, and Sarah Ziaja who gave the presentation, which was on the Effects of Development on Wildlife Corridors in El Dorado County. Mr. Iverson said the information presented today was student generated.

51-41

Peter Maurer briefly explained the Economic Development Element.

Art Marinaccio said he was on the committee that helped draft the Economic Element for the 1996 General Plan. He urged the Commission to look very carefully at the economics for El Dorado County and look at the future. The County is generating such a small amount of tax money that there just is not any money to do anything with. The Plan that started in 1980 was to move the densities to El Dorado Hills. The process of reducing the densities in places like South County, Georgetown, Camino, and Pleasant Valley, when you look at the disastrous conditions of the local school districts with the loss of population, the loss of the type of jobs that use to exist in those communities, it has not been good for El Dorado County and will just get worse. The moratoriums, lawsuits, etc., did not affect the population at all. The people are going to come. The question that has to be looked at in the Economic Element is what is the economy going to be? Someone has to look at the economics of the County.

51-42

Virginia Crespo, resident of Rescue, said in looking at the Road Constrained Alternative, it appears there is going to be an advisory body that will take five to eight years to establish. By that time, it will be too late. Commissioner Machado agreed. Why is it going to take so long to establish a body? We are losing our tax money to Folsom. He had hoped to see the Chamber present today. The Road Constrained Plan does not put enough teeth into the economic issues.

51-43

Harry Mercado spoke about a report the Forest Service did on the divide and in the Sierra Foothills because of the loss of logging which became an economic hardship. They hired consultants and worked through the Sierra Economic Development District (SEDD) out of Auburn to survey the residents to find out their wants, likes, commuting habits, their incomes, their housing, their employment, etc. They have the information on their website.

51-44

There was no one else in the audience wishing to give input on the Economic Development Element. None of the Commissioners had any comments.

amenities available, either roads, water, etc. We should not be caught up trying to protect everything on these constrained plans when, in fact, Mother Nature has done that for us. We can be sensitive to the things we develop. We can make good plans and allow open space in developments but let's not say to any landowner that their land cannot be developed or improved or handed down to their children because of these restricted uses that we intend to put on it by down sizing or down zoning.

51-50

Another thing Mr. Mercado feels has been neglected is the community boundaries. In the past, people have had a saying in whether they are a Community Region, Rural Center, etc. That has not been done with this plan.

51-51

Referring to density definitions, Mr. Mercado said there is some language in some of the alternatives that actually discourages the expansion of infrastructure. That does not make sense to him. There are many commercial businesses along some of the roads that are boarded up and have someone living in them. The commercial businesses need to be in locations where they can be supported. There are no jobs in El Dorado County. Putting low cost housing away from the major arteries does not make sense.

51-52

Linda Columbo, resident of Nashville, said she is disappointed there are not more people from the public present today. She has purchased the General Plan and EIR. She does not know how the average individual can understand what has gone on over the past 14 years. It would be nice if there could be acetate maps with all the overlays showing which parcels cannot be built on, what is left to build on. There are errors such as transit and transient, special district and special zoning districts. Ms. Tschudin encouraged Ms. Columbo to get together with Peter Maurer regarding her questions. Staff has been meeting with many people and groups, explaining the plans.

51-53

Chair Larsen-Hallock asked if the Commission is going to get a copy of the comments made at the community meetings. Ms. Tschudin said they are relying on people at the meetings to submit their comments. Staff has been meeting with people and groups in the community for many months.

Commissioner Welsh asked if it is correct that there is a Website with State overlays. Ms. Tschudin said that is correct.

Chair Larsen-Hallock clarified that staff will not be submitting information from the community meetings but that staff is relying on individuals to submit such information. Ms. Tschudin confirmed that is correct. Regarding the costs of the materials, unless a jurisdiction has a lot of money, the information must be charged for. All the information is also available on the Website.

Art Marinaccio spoke about the Tourist Residential designation that was placed on many properties with the 1996 Plan. Those properties need to be reviewed.

51-54

Mr. Marinaccio spoke about the elimination of Industrial from the quarries in the Environmentally Constrained Plan. If the Industrial designation goes away, the reclamation plans go away. There is no reason to remove the Industrial designation.

51-55

The Forest Service is looking at doing a Shingle Springs Plan because of the loss of grazing land. That land is no longer economical. Those properties were brought into the Community Region but had a Low Density Residential land use designation.

51-56

Zak Graves commended staff for the work on the Plan. He spoke for three property owners that are proposed for a change from Rural Residential to Natural Resource. Mr. Graves presented his written comments. He added that staff has been very responsive to his questions.

51-57

Harry Mercado spoke about having a vision statement, which would help the Commissioners chose a Plan.

51-58

There were no further comments from the audience or Commission on the Elements presented today.

Ms. Tschudin gave some suggested dates for meetings in August and September. They are August 27 and 28, and September 3, 4, 5, and 8. Commissioner Mac Cready said he would prefer the September dates. He will not be in town from August 10 to the end of the month. Ms. Tschudin said staff feels the Commission would need at least four meetings. Commissioner Tolhurst asked if staff is briefing the candidates for District III on the Plan. Ms. Tschudin said staff has briefed two of the candidates. Commissioner Machado asked if the next set of meetings is where the Commission would make recommendations. Ms. Tschudin replied in the affirmative. All the Commissioners confirmed the August and September meeting dates.

At 3:10 p.m., Chair Larsen-Hallock adjourned and continued the hearing to June 4, 2003, at 9:00 a.m., in the Supervisors Meeting Room.

APPROVED BY THE COMMISSION
Authenticated and Certified:\


Lorraine Larsen-Hallock, Chair

Received at
June 2, 2003 hearing

Supervisor Rusty Dupray
El Dorado County Board of Supervisors
360 Fair lane
Placerville, CA 958667
June 2, 2003

Dear Supervisor Dupray,

We are writing you concerning the down-planning of our properties historic land use of MDR to LDR on the drafts alternatives," Roadway Constraint Six-Lane" (Alternative 2) and " Environmentally Constrained (Alternative 3), to the general plans currently under consideration. Our properties are located on the equestrian village situated to the east and north of the Specific Plan in El Doardo Hills Community Region.

The LDR land use alternative was first introduced as one of the suggestion in Measure Y Committee letter of June 4, 2001, page 2 Specific Areas, District I, El Dorado Hills which was disclosed in the agenda packet for the Board of Supervisors, Meeting of June 26, 2001. In a letter of June 24, 2001 to the Board and Peter Maurer, Principal Planner ,we strongly objected to this unilateral suggestion and explained how unrealistic the LDR suggestion was . On June 26, 2001 Board meeting the property owners who were affected by the suggestion, once again, explained to the Board how down-planning suggestion to LDR would gravely damage our village future master plan .After our presentation to the Board, Ms. Sue Olmstead, one of the officers of Measure Y Committee, in conversation with one of the property owners, Mr. Shan Nejatian, admitted that she had no knowledge of our existing CC&R, the 3 acre parcel limit, and our water contract with EID. Since the suggested change from MDR to LDR would have reduced the number of the lots in our Village by no more than a maximum of 8 lots, she agree that there were no justification for such a change. Additionally , at the planning Commission Workshop of August 22, 2002, Once again we stated our strong desire to maintain our historic MDR land use. In that meeting , the principal Planner, Mr. Peter Maurer requested the parcel numbers for all of the affected properties in the village which we provide promptly.

It appears that our letters, presentations at the Board Meetings and workshop had no effect on the Planning Department decision. The proposed change to LDR are now replicated in the Alternatives 2&3 to the General Plan.

As affected property owners we are deeply concerned abut this change in land use suggested by the Planning Department . In both alternatives the down planing of these parcels is accomplished by arbitrarily moving the community region boundary line to exclude these parcels. The existing Community Region Line has been moved from Salmon Fall Road to Lake Hills Drive . This action would deny us the services and enforcement of our CC&R by the El Dorado Hills Architectural Committee and Future El Dorado Hills incorporation.

52-1

To Allow an EIR to be prepared based upon these unilateral suggestions and arbitrary changes involving no more than 8 lots (changing from 25 to 17), and thus forcing us and our attorney to come back into the process to get back our historic designation would be completely unfair and unrealistic . That would completely prejudice our position by the very fact that our historic potential use would not have been considered in the EIR .

As a neighborhood, we have developed half of our village with million-dollars home, have secured water meters (Weber Dam Contract with EID dated 12-22-2000 for the rest of the future development of our properties - a maximum of twenty five (25) new lots of Three (3) acre each _ and have looked forward to the time when we can complete the development of our village. To ignore the long history of hearings, discussions and commitments made concerning this part of the El Dorado Hills, and to ignore the wishes of property owners to maintain their designation and remain within the Community Region, and finally to ignore the fact that the property designation has persisted through all previous iterations of the General Plan, from the very first Administrative Draft to the Final adopted plan in January 1996, would be completely unfair, unjustified and unconscionable.

As our representative, and a candidate for re-election we realize that you are under tremendous pressure from the so-called environmentalists . However, we urge you in strongest terms to resist politicizing the review and approval process and vote for the 1996 General Plan (Alternative 4), which the community and professionals , not lobbyists, have developed, worked on and modified over the past fifteen years.

Sincerely,


Nejatian, Shan

933-4242

110-020-321&301

Hackett, Lewis & Louise 933-1682

110-020-131


Fozouni, Bahman & Mahnaz 933-2221

110-020-151


Arrigotti Steve and Judy 933-4663

067-090-161


Winters Sandra 933-4466

067-090-171

CC: Helen Baumann, County Supervisor District 2
Carl Borelli, County Supervisor District 3
Allan Tolhurst, County supervisor District 5
Planning Commissioners
Peter Maurer, Principal Planner
Heidi Tschudin, General Plan Project Manager
El Dorado Hills Area Planning Advisory Committee

6/2/2003

Effects of Development on Wildlife Corridors in El Dorado County

Presentation by Greg Allen, DeAnna Dalton, Brian Nelson, and Sarah Ziaja
Oak Ridge High School
Mentoring by Ray Griffiths and Stan Iverson

In October, 2002 we began an ongoing project to document if, when, and what kind of wildlife are using the wildlife corridor determined by *Greenwood & Saving, 1990* between Shingle Springs Drive and Greenstone Road. This corridor links the open wildlife habitat in the north with those in the south and is in danger of disappearing if development in the area continues unchecked. We used four heat-triggered wildlife cameras mounted on either side of both the Shingle Springs Drive underpass and the Greenstone Road underpass. We experienced numerous problems ranging from malfunctioning cameras to vandalism and theft and have recently moved the cameras to remote locations alongside the railroad running parallel to the highway between Shingle Springs Drive and Greenstone Road. Although we have had difficulties obtaining photographic evidence under the highway overpasses, we were able to find, photograph and make plaster casts of animal tracks (deer, raccoon, fox, bobcat) under the overpasses. Once we moved the cameras to more remote locations in the corridor we were able to collect 51 photographs (raccoon, opossum, coyote, skunk, jackrabbit, and one Serval) that clearly show that wildlife are using this corridor area.

We believe that the adoption of Alternative 3, Environmental Constraint of the new El Dorado County General Plan, would protect wildlife in this corridor and reduce excessive development. This Alternative adopts the area between Shingle Springs Drive and Greenstone Road as a wildlife corridor. The County should take the lead in developing protective ordinances to maintain this area as a wildlife corridor by preventing excessive development. If development should occur on these vacant properties, "smart growth" house clusters should occur to leave as much space as possible for wildlife movement. Current development in the corridor establishes several corridor paths that animals could use to connect with populations in the northern oak woodlands of the County. The corridor parcels are mostly 5, 10 and 20+ -acre properties each containing a single housing unit. The corridor contains 113 parcels of undeveloped open space (726 acres). We are excited about being involved in this study and hope that our results will help increase the current understanding of wildlife movement in the area.

53-1

Community "Footprint" Effects Wildlife

By
Stan Iverson

In 1981, at Oak Ridge High School in El Dorado Hills, California, I began my teaching career. The school's first developmental footprint consisted of temporary portables that were nestled near several community villages and surrounded by open space. This open space surrounding our school is an oak woodland savannah. Many nights after coaching football, I would retire into my room to prepare labs and set up practical exams for my students. Sometimes, afterwards, as I walked out through the darkness to my car, I would stop to listen to the natural surroundings. Coyotes yipping and howling in the distance, owls hooting, deer crossing New York Creek to reach the athletic field to dine on green grass. These are some of the sights and sounds I remember. Most impressive were the insects, calling to one another generating so much sound it was amazing that each species was able to find its own individual mate. During halftime of the football games I would watch the swarms of flying insects gathering at the lights. Bats would dart through these clusters as they gathered their dinner. I felt fortunate to work in such a place where humans were sharing their habitat with so many other species. Twenty years ago the biodiversity light was green; however, within ten years all this would change. This change came from population growth as our community's developmental footprint expanded into many open spaces.

Today, I rarely see coyotes, deer, owls or bats at Oak Ridge. In my stream studies of New York Creek, which bisects our campus, development and private ownership of land that borders the creek have changed the aquatic conditions. As a result of these "footprints" the insect biodiversity has decreased. This "footprint" increased discharges

from development projects, private property, schools, and roads into the stream.

Development changed the seasonal creek dynamics and flow. Insect families found in the creek habitat ten years ago soon disappeared and the bats disappearance followed. By the mid 90's, the biodiversity light was beginning to turn yellow.

El Dorado County's 1996 General Plan allowed expansive subdivisions in El Dorado Hills. The population expanded in El Dorado Hills as this quaint town became more urbanized and the highway 50 corridor mushroomed with development. Wildlife was hit hard by this expansion. I would see the daily carnage as "flattened fauna" on my commute to school. Deer, raccoon, opossum, coyote, ringtail cat, domestic cats, domestic dogs, snakes, frogs and birds littered the roadway. As a commuter traveling along Green Valley Road I have witnessed or been involved in many incredible scenarios involving wildlife and humans.

A Doe and her Fawn

One spring day along Silva Valley Road I watched a doe and fawn nibbling at the grass in the morning light. Not long after this scene, a student entered my room upset saying that a fawn had been struck by a car and needed help. I jumped into the back of his truck and we raced to help the fawn. When we arrived, I noticed that the fawn had critical injuries, the young man's girl-friend began to cry asking me to help the fawn. I gathered the fawn up into my arms, under the watchful eye of the mother, and jumped into the back of the truck. We sped up the road to a veterinarian in Cameron Park, but the fawn had died in my arms on the way. When we returned to school the doe was still standing waiting for her fawn to return.

Turkeys Experience Hard Landings and A Coyote Survives

During the last 15 years I have commuted along Green Valley Road to School. The traffic was mostly headed down hill towards Sacramento and at times heavy. However, this commute was mostly low density cars and a few trucks. At one spot east of the entrance to Browns Ravine two grassy knolls occur perpendicular to the roadway. I noticed that turkeys would line up on the north knoll and fly across the road towards the southern knoll. This particular spot benefits turkey pods because it was open, downhill, and favored awkward turkey flight. As development continued to move into these open spaces the knoll on the north side was cut down. Within months several homes popped up out of the ground, yet the turkeys tried in vain to keep their flight path and cross the road at this spot. As the commute density increased turkeys that continued to use this spot to cross were selected against. Misjudging the height necessary to clear large trucks was a major problem for these turkeys as many smashed into the side of the trucks. One day, as I was approaching the knoll area, I watched a pair of turkeys take flight to cross the road. I watched the first turkey barely clear the car I was following. However, the second was a much larger bird and landed in the sunroof of the car in front of me. At different times of the year the roadway would be littered with dead bodies of many animals. Each day however, they disappeared as coyotes took advantage of the free meals. One day I had to stop, yes I was late to class, and watch a coyote struggle with a deer carcass pulling it off the roadway into a nearby ditch for a meal.

A Majestic Buck

At dusk, one January evening this year, at the intersection of Green Valley Road and El Dorado Hills Blvd., I witnessed how our community deals with wildlife. As I stopped at the intersection, there was a moment when all the intersection lights were red. All car lights were illuminating the intersection. To my left a large buck scampered down the embankment and entered the intersection. I sat in amazement watching this majestic four point buck pause in the roadway. Seemingly pondering his next move, the buck lurched forward. This normally graceful animal struggled across the slippery asphalt. The buck appeared to be walking on ice and quickly tried to scramble across the road to sound footing on the other side. But then, the light changed to green and the oncoming traffic had little patience. As traffic moved into the intersection, horns blared and the buck panicked. The buck jumped and scrambled to avoid being hit and feces dropped in the roadway as the buck's eyes expanded with fear. Missing several cars the buck made it, and ran off into the darkness. Why is it so easy for us to place wildlife in harms way and accept this carnage and trauma?

Applying Island Biogeography

We can apply Robert MacArthur & E.O. Wilson's Theory of Island Biogeography to development in El Dorado County. Their theory states that species biodiversity is a function of island size. Large islands close to the mainland have greater species, while smaller islands more distant to the mainland have fewer species. Currently, the human developmental footprint fragments El Dorado County into smaller habitat areas surrounded by urban development. Wildlife must find a way to live within these "biological islands": **adapt** or move away into another "island"; **migrate** or **die!** Our current paradigm is that wildlife must conform with our civilization, and we do little

to help them. Developmental companies in El Dorado Hills have left some open space and mitigated their impact on the landscape by constructing wetlands, but these “crumbs of biological conservation” still remain fragmented and disconnected. In order for wildlife to survive, their habitat needs to remain connected and we need to plan and develop communities that meet the needs of both humans and wild species.

Planning to Preserve Natural Capital

The impact of population growth and urban development in El Dorado County has a long history and its’ pressure on natural capital will effect the social and economic future of the county. El Dorado, Placer and Nevada Counties are the fastest growing counties in the Central Sierra Nevada. The 1999 Sierra Nevada Wealth index describes this region as follows:

“The North Central Sierra has experienced the most rapid population growth, the highest educational achievement, the most extensive farm land losses, the most dramatic increase in groundwater pumping, the lowest unemployment, and the most robust job growth, particularly in the manufacturing sector and the high-wage service sector. The most urgent and critical challenge for the North Central region is to find ways to safeguard its natural capital which, over the past two decades has created and supported the expansion of its social and economic capital.”

The county’s population is expected to double by 2050. Before our biodiversity light turns red we must begin to design and plan communities that save our natural capital. Why must our natural capital suffer as the counties social and economic capital increase? Surely we are capable of planning and designing communities that bring these forces into balance. To compensate for our destruction of natural capital and still maintain economic stability we have employed preservation or restoration conservation methodologies.

Biological conservation began as preservation ecology. John Muir fought to set-aside land and preserve it. These preserved lands became National Parks and today as we visit these “biological islands” our over visitation and overprotection are placing wildlife in these areas in jeopardy. To offset the developers manipulative approach to the land, restoration ecology was developed. Restoring lands and saving them from development is the main mission for many environmentalists. Both of these methodologies simply prolong the biodiversity yellow light.

A New Methodology: Reconciliation Ecology

El Dorado County needs to adopt a General Plan that preserves, restores and connects oak woodland habitat that benefits wildlife and human development. Michael Rosenzweig, author of *Win-Win Ecology: How the Earth's Species can survive in the midst of Human Enterprise*, provides such a solution. He calls it, “reconciliation ecology, defined as the science of inventing, establishing, and maintaining new habitats to conserve species diversity in places where people live, work, or play.” Rosenzweig’s reconciliation ecology is an “additional tool in conservation biology” and he illustrates many varied examples in his book. In chapter 10, Fighting the Crumbs, Rosenzweig states,

“When you want to save a species, you must of course stress saving its habitat. You work hard to find out what the habitat is and then you try to protect it. And you want to know about their demographic problems too. How does chopping up the habitat into isolated bits further burden the species affected? How can we provide corridors of secondary habitat for our species to use – corridors that will fuse the bits of primary habitat into a supportive whole? “

Governmental management of public lands is necessary to save these habitats from ourselves; a need to plan for population growth. Most of the land in this county is

privately owned, but private owner responsibility of their land isn't always under the same guidelines and restrictions as public lands. This dichotomy has led to a battle over land use and pitted ecology against economics. As this paradigm drives our philosophy of land use, we will continue to disconnect and fragment remaining habitats, and wild species as a result will go extinct. The idea of incorporating reconciliation ecology into our General Planning process not only can begin but has begun.

Monitoring a Wildlife Corridor

A Beginning :Reconciliation Ecology in Action

In 1996, Saving & Greenwood, at the California Department of Forestry, CDF-FRAP, conducted a pre-emptive GIS study of the effects of development on oak woodland habitats in El Dorado County, based upon the potential developmental build out within the 1996 General Plan. Their case study clearly shows that if El Dorado County allows the current build out pattern to occur, the northern and southern oak woodlands will become separated and severely fragmented due to suburban (subdivisions) and urban growth, and the highway 50 corridor expansion from Folsom to Placerville.



One of our monitoring cameras captures a Raccoon.

In October, 2002, four Oak Ridge Students (Greg Allen, DeAnna Dalton, Brian Nelson, Sarah Ziaja) and I began working with Ray Griffiths, Center for Sierra Nevada Conservation / CSNC to monitor wildlife in the oak woodland habitat defined by (Saving & Greenwood), and to determine if the oak woodland corridor

between Shingle Springs Drive and Greenstone Road is being used by wildlife. We set-up infrared, heat triggered, cameras under highway 50 overpasses at Shingle Springs Drive and Greenstone Road. The cameras were checked bi-weekly until the end of December. We were unable to photograph wildlife using the underpasses, but we were able to collect plaster casts of foot prints. These footprints were identified: deer (*Odocoileus hemionus*), raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), coyote (*Canis latrans*), and possibly fox or some kind of cat. The presence of these cameras raised public concern: complaints to Cal-Trans, (big brother is watching), and vandalism (covering camera with duct tape, or stealing cameras, were major distractions during the monitoring process).



Monitoring camera captures a non-native Serval

In March 2003, we met with a wildlife biologist to discuss new locations and better methods of baiting sites to attract wildlife to the cameras. To reduce vandalism, we selected three camera sites south of highway 50 within the oak woodland corridor on county property near the rail road tracks and Buckeye School. We still had one camera stolen. The students & I began biking to these sites bi-weekly and gathered 47 photographs of raccoon, coyote, opossum, skunk, Black-tail jackrabbit and a single photograph of a non-native Serval. California Department of Fish & Game biologists verified the Serval photograph and stated that servals are illegal in California. Servals are native to Africa, apparently people bring them into the county to raise as pets. We now know that mammals are living in the oak woodland corridor. But, are they crossing to the north either under or over the freeway? More study and monitoring will be necessary to answer this question.

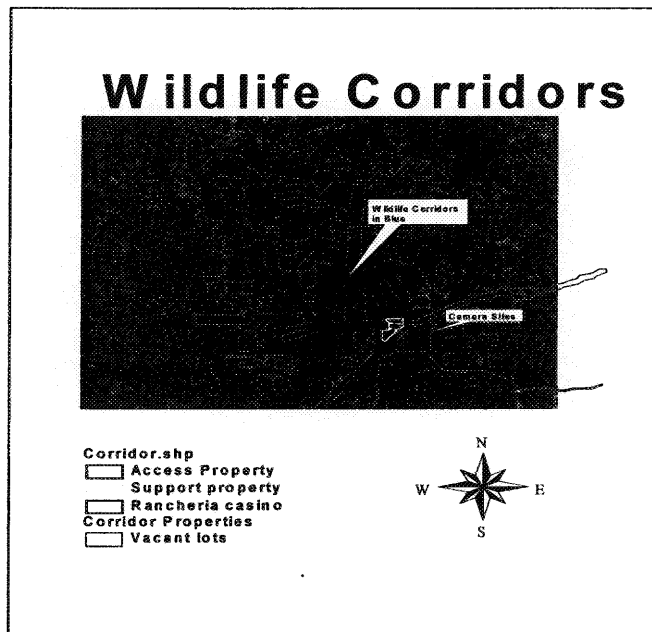
Reconciliation Ecology applied to the El Dorado General Plan

The county is evaluating four General Plan alternatives. These alternative plans are called:

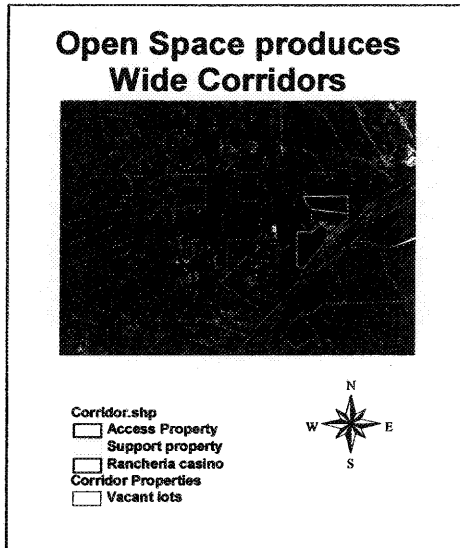
1. **No Project Alternative** – this alternative applies conditions outlined in the 1999 Writ of Mandate. The county would follow the Writ declaration of limiting development if no action is taken.
2. **Roadway Constrained Six-Lane “Plus” Alternative** – this alternative limits growth by limiting freeway expansion to six lanes. Highway 50 would remain six lanes from the county line on the west end of the county to Ponderosa Road. This limitation limits subdivisions to four parcels depending upon base land use designation.
3. **Environmentally Constrained Alternative** – this alternative is designed to limit or prevent adverse environmental effects associated with development. Consideration of natural capital, land use designation, and resources are involved to develop constraints on development.
4. **1996 General plan Alternative** – this is readoption of the original 96 General Plan with minor revisions.

Incorporating reconciliation ecology concepts into the General Plan can retain the oak woodland habitat within this corridor by reducing the human developmental footprint on the landscape. If we design and plan development with wildlife habitat in mind (a major paradigm shift), and create habitat that remains connected to the larger ecosystem, we will reduce the loss of oak woodland biodiversity.

If either Alternative number 1 or Alternative number 4 is approved, the oak woodland corridor between Shingle Springs Drive and Greenstone Road will be lost. The Saving & Greenwood fragmentation case study, as previously discussed, would probably come to fruition if either Alternative 1 or Alternative 4 were adopted.



Due to the inherent attractiveness of living in the foothill oak woodlands, current and future development in this area will significantly increase the counties tax base. Therefore, it is not politically nor economically feasible to stop development in this corridor. However, we need to analyze the effect that development may have upon the oak woodland habitat. Alternative number 3, Environmental Constraints, establishes this area as a corridor, and designates more land as Rural than the other alternatives. In our GIS studies we have calculated that approximately 725 acres of property are vacant in this oak woodland corridor. By creating ordinance and zoning restrictions on



Dark lines connect homes creating open space where Wildlife can migrate through properties between roads.

development, wildlife corridors will remain more open to wildlife. These restrictions should allow one single family residential (SFR) /10 –40 acres. If develop should occur, such as low density residential (LDR), then the units should be clustered to retain as much open space as possible. It is in the best interest of all private and public landowners in this corridor to maintain the ecological health of the oak woodlands.

If the Rancheria casino is built, identified by the blue, yellow & red polygons on the diagram, this construction may block wildlife movement. Extensive planning will need to be discussed and developed to provide sufficient room for wildlife to migrate. Connecting vacant lots, green polygons on the diagram, will help provide cover and habitat for wildlife. However, Drs. Eric Richart and Bill Newmark, at Utah Museum of Natural History, are presently studying corridors for Earthwatch. They are determining that more wildlife studies need to focus not only on where animals move but rather on *why* they move into habitats.

Landowners with vacant property, should be encouraged to minimize the affect of development and allow local wildlife biologists access to evaluate the potential for wildlife movement. This corridor is currently populated, but the homes are spread apart creating open space. Many vacant lots in our study area have the potential to connect with patch fragmented oak woodland habitat providing cover for wildlife movement.

These open space provides opportunities for wildlife to migrate through the homes, seek shelter in vacant lots, and provides a safe covered habitat. Perhaps the county or local conservation groups might consider buying some of these parcels to create permanent corridor paths.

All landowners should be informed about wildlife using this corridor and the County should encourage landowners to help limit their individual future developmental footprint. Landowners can reduce hindrances for wildlife by using fence material that allows wildlife movement and limiting light and noise pollution within the corridor. Author Bonnie Burgess in "Fate of the Wild", 2001, summaries the conservation practices that have been identified by Gray (1993), Meffe and Carroll (1997) and the National Research Council (1995):

- Implement ecosystem-based management on the landscape scale
- Avoid further fragmentation and isolation of natural areas
- Cluster development to maintain open space
- Protect large open areas and provide connections between fragmented isolated areas using corridors.
- Plan in collaboration with local governments, private landowners and state agencies to increase biodiversity.

Hopefully, together, private and public interests can come together to "reconcile" a connected corridor for wildlife in this rapidly disappearing habitat in the Sierra Foothills.

Bibliography

Burgess, *Fate of the Wild*, 2001 Summarizes conservation methodologies and suggests several alternative plans as well as recommendations within fragmented habitats.

El Dorado County General Plan 1996

El Dorado County General Plan Alternatives 2003

Erhgott, *Upper Consumnes River Watershed Conservation Project*, 2000


An excellent three county (Amador, El Dorado, Placer) analysis
Of the overall natural, social and economic health.

Fitzgibbon, Earthwatch, *"Passages"*, 2003 This article discusses the research performed by Richart & Newman on wildlife corridors.

MacArthur & Wilson E.O., *The Theory of Island Biogeography*, 1967

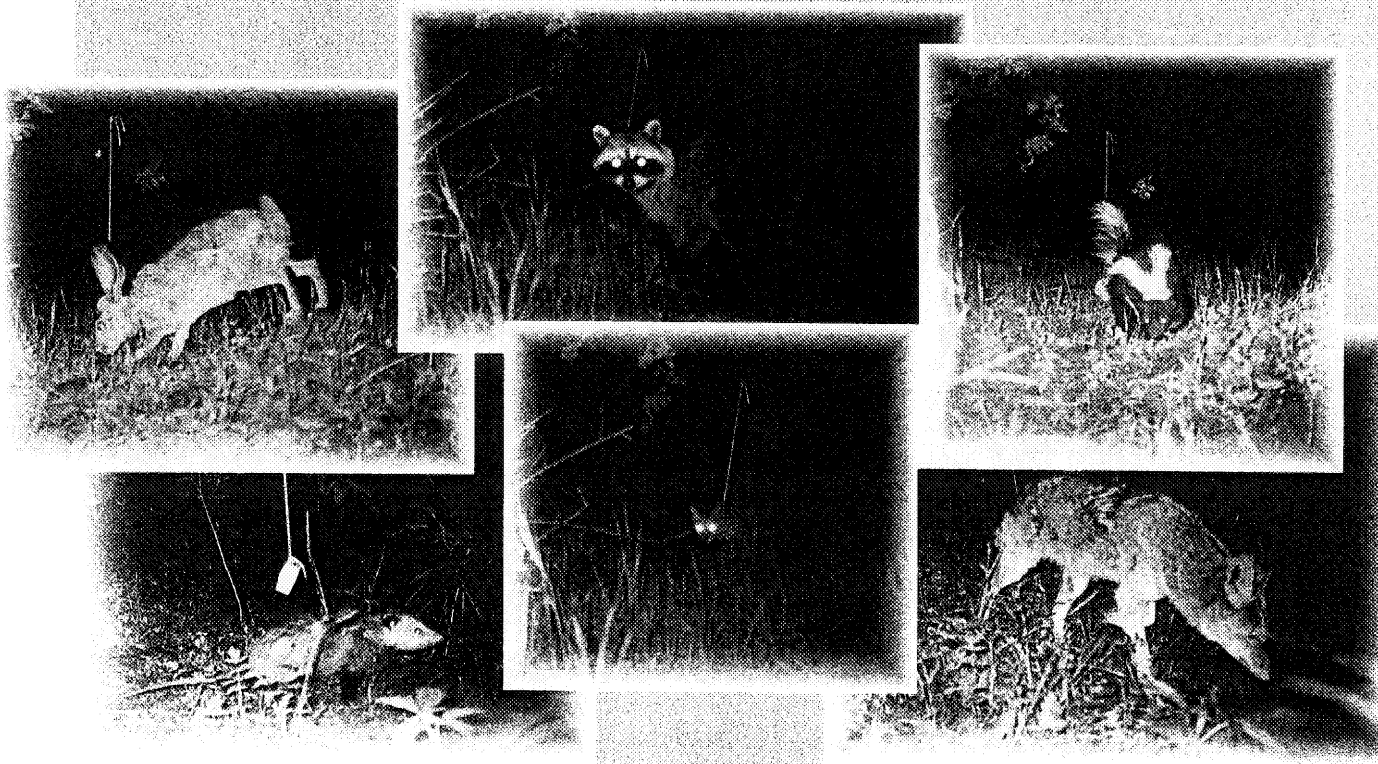
Rosenzweig, *Win Win Ecology: How the Earth's Species can Survive in the Midst of Human Enterprise*, this book reviews preservation and restoration ecology methodologies as well as introduces and provides examples of reconciliation ecology.

Saving & Greenwood, *Potential Impacts of Development on wildlands in El Dorado County*, This excellent document and powerpoint provides an overview as well as graphically explains the effect of the human "footprint" on wildland habitat due to adoption of 1996 General Plan.



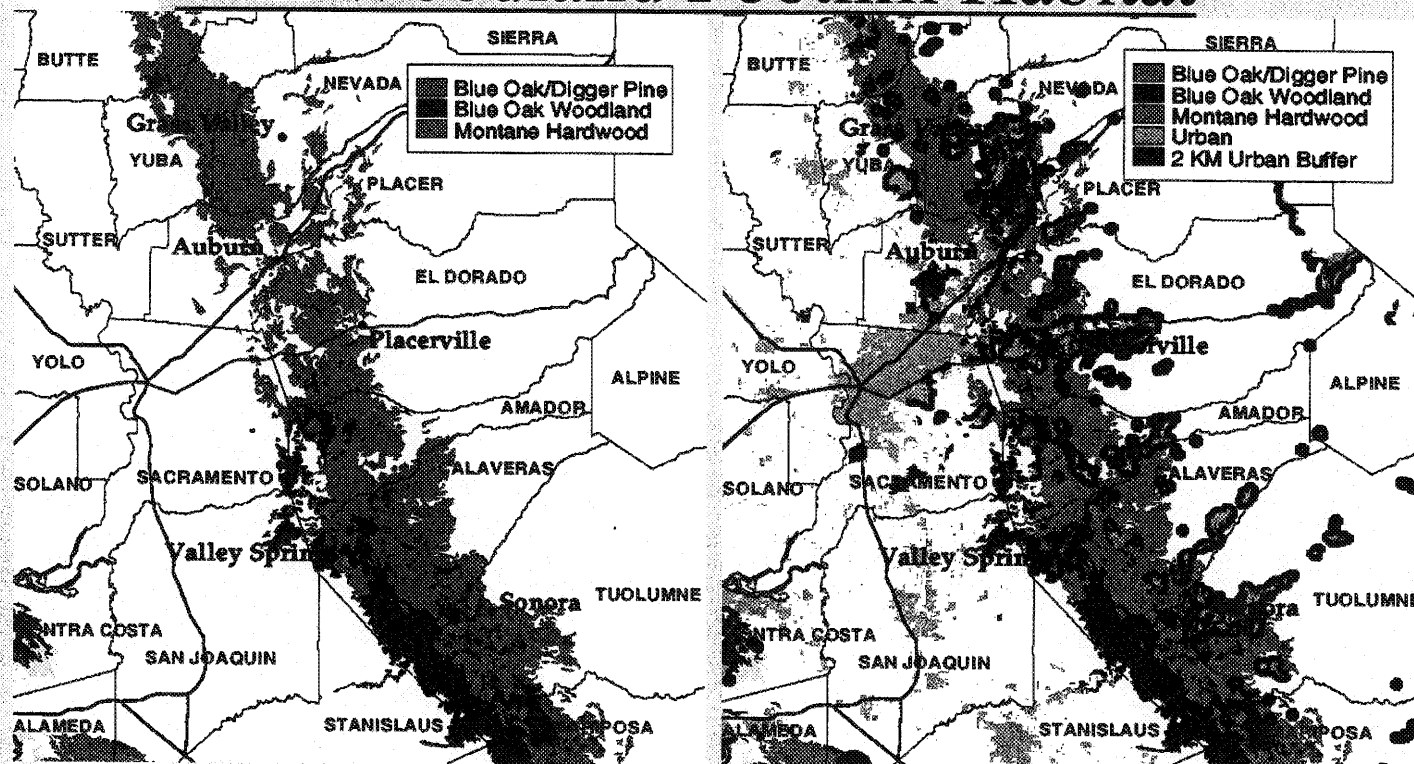
Effects of Development on Wildlife Corridors in El Dorado County

By
Greg Allen, Brian Nelson, DeAnna Dalton, Sarah Ziaja,
Ray Griffiths and Stan Iverson



Effect of Urban Development On Oak Woodland Habitat

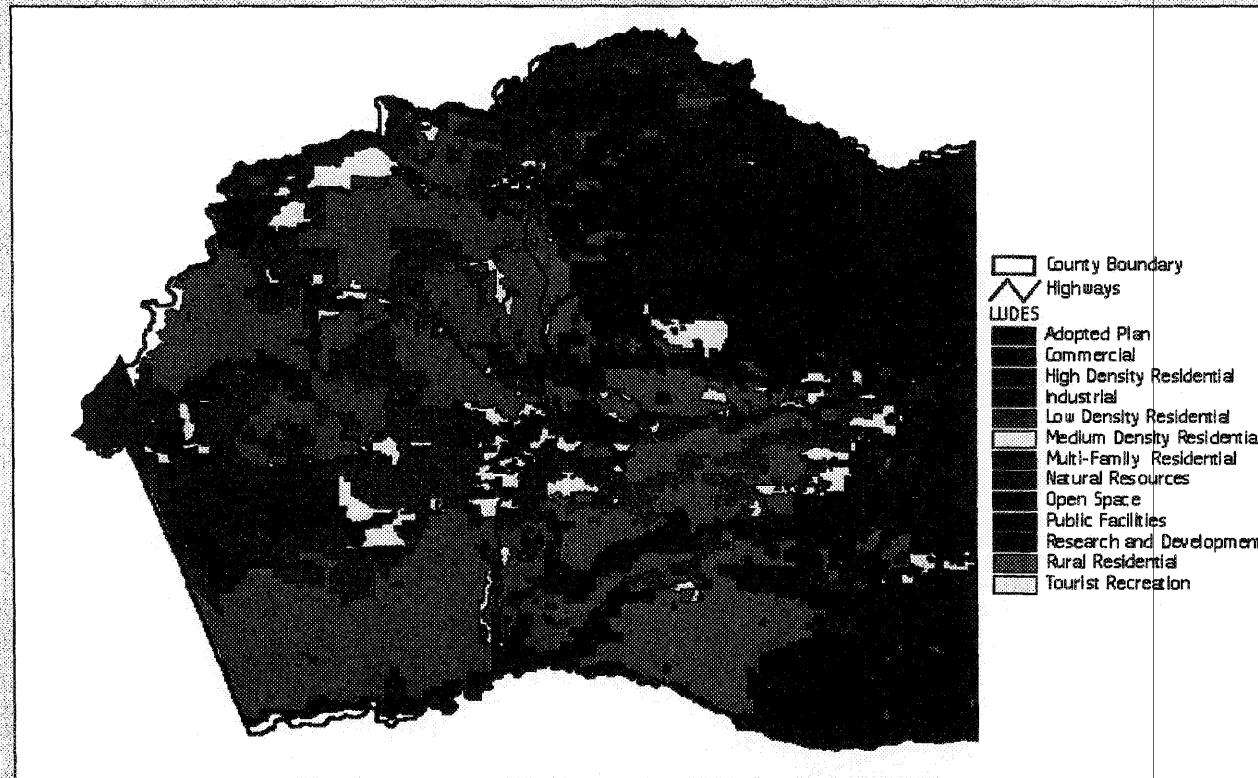
Oak Woodland Foothill Habitat



Greenwood & Saving

Greenwood & Saving

El Dorado County General Plan 1996

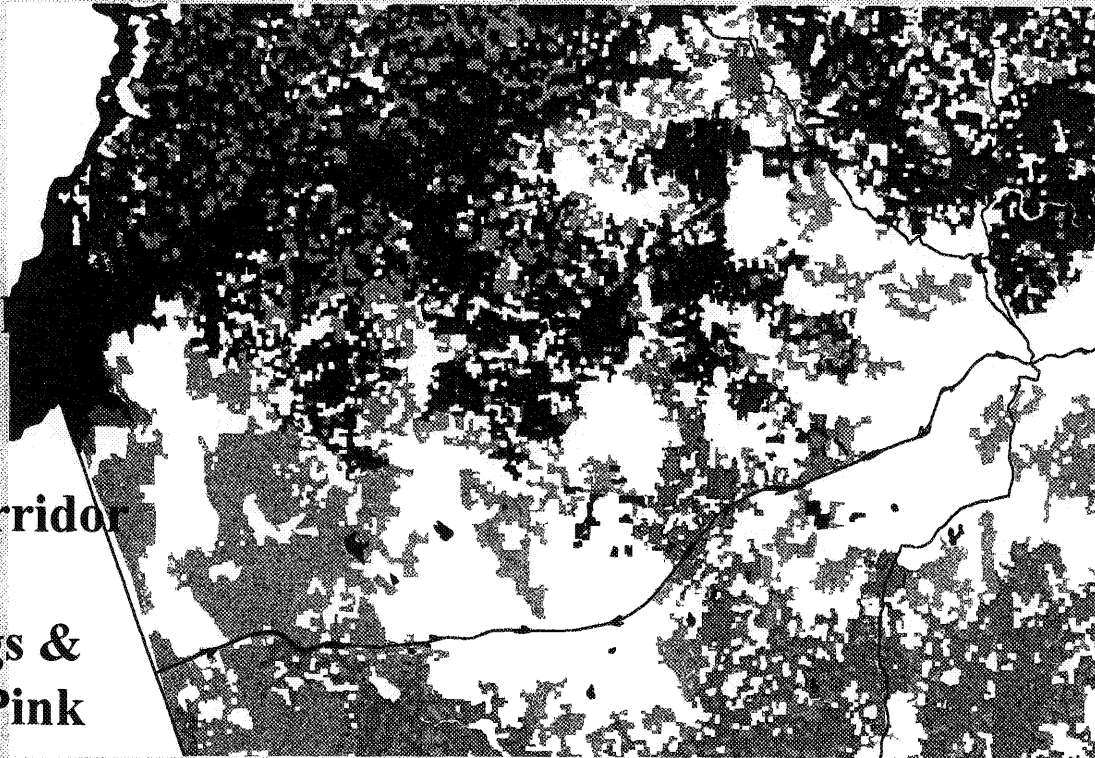


Greenwood & Saving

Saving & Greenwood Established Two Wildlife Corridors

- One of these corridors, grasslands in Gray, near El Dorado Hill

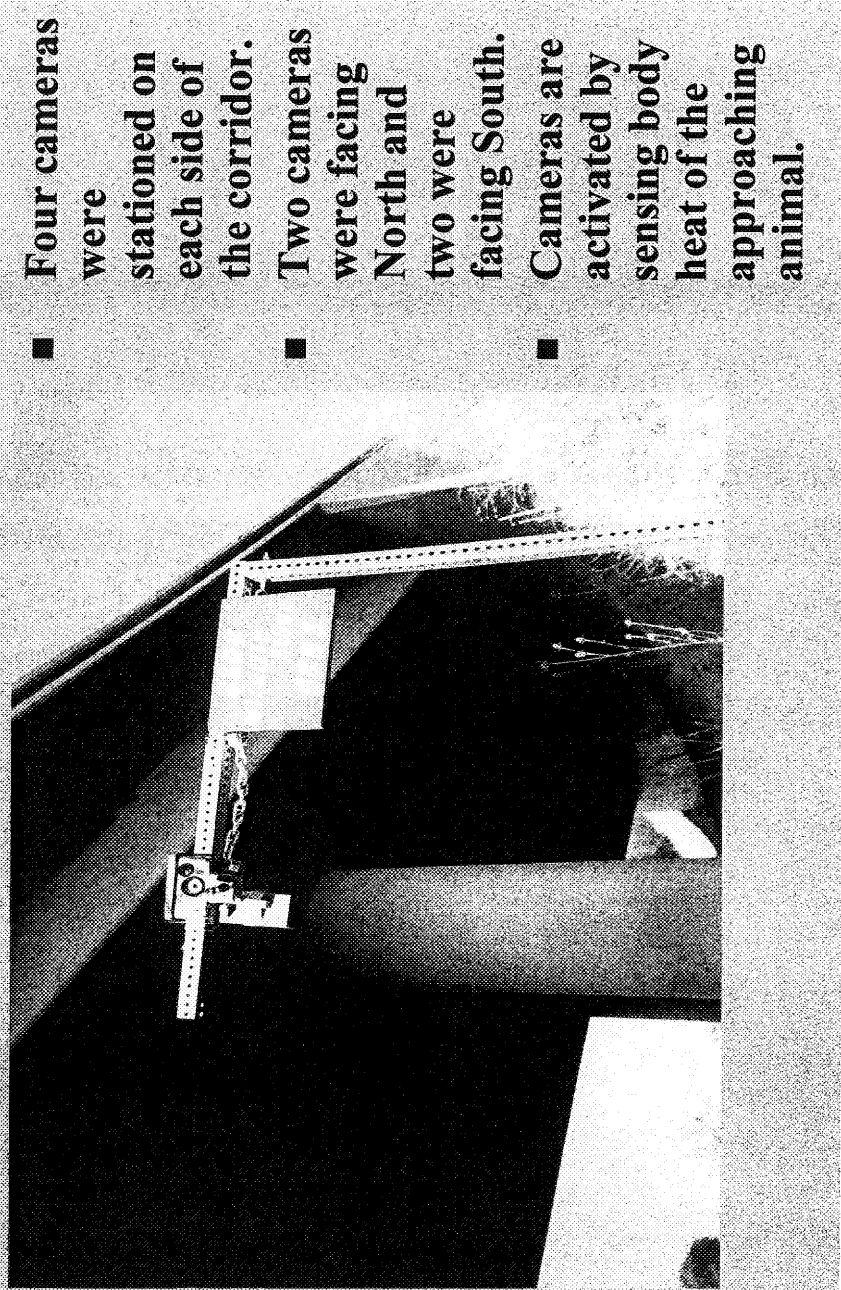
- The other corridor lies between Shingle Springs & Placerville in Pink



Greenwood & Saving



CSNC /ORHS Wildlife Study



- Four cameras were stationed on each side of the corridor.
- Two cameras were facing North and two were facing South.
- Cameras are activated by sensing body heat of the approaching animal.

CSNC / ORHS Wildlife Study



- This underpass is nearly 1200 feet long.
- This view looking North has a narrow dirt path on each side.
- Animal tracks are abundant in the dirt. Most running parallel with freeway.



Two Toed Walkers

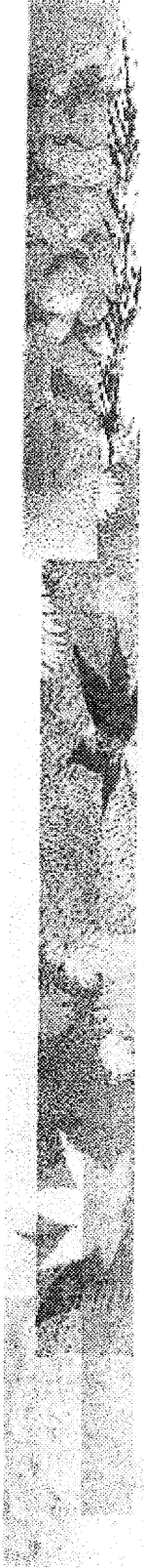


- Tracks are 2 ½" in length.
- Tracks are running parallel with the freeway on the North side of Shingle Springs Dr. animals appear to be headed West.
- Did they come thru the corridor? Or.
- Were they just passing along the near the overpass?
- Id- MULE DEER.
 - *Odocoileus hemionus.*

Four Toed Walkers



- Quarter is roughly 1" in diameter
- Track length is about 2" or less
- Hind foot: outer toes are larger than front toes
- Straight gate, plus claws on toes
- Distance between tracks is <12"
- ID – FOX or COYOTE
 - *Urocyon cinereoargenteus*
 - *Canis latrans*



Mammals with Shuffler Stride

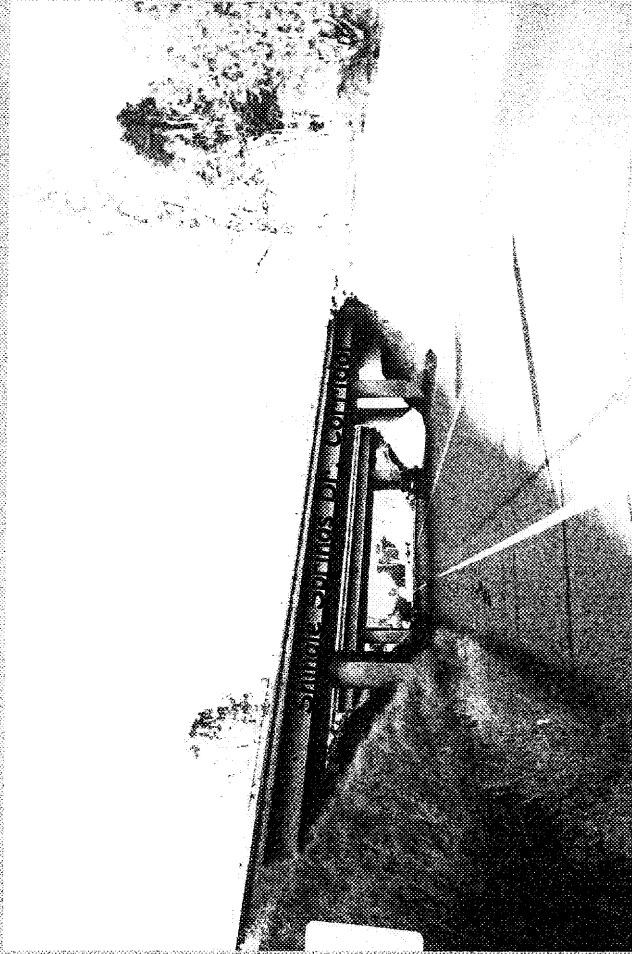


- Front paw is hand -like
- Hind is five toed & 3" long
- Id- RACCOON
 - Procyon lotor

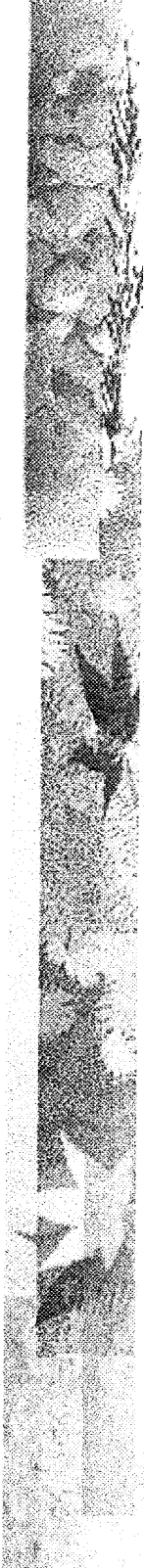




Shingle Springs Corridor



- Corridor is nearly 1500 feet, and side paths are paved with very narrow dirt paths. Tracks were more abundant on the North side.



Shingle Springs Overlook



- **Deer tracks led to this overlook South of Shingle Springs Drive. We believe that deer are using this spot to view the underpass before crossing.**



Alternatives:

The El Dorado General Plan

Map

No Project Alternative – this alternative applies conditions outlined in the 1999 Writ of Mandate.

Map

Roadway Constrained Six-Lane “Plus” – this alternative limits growth by limiting freeway expansion to six-lanes. Six-lane development would stop at Ponderosa Road.

Map

Environmentally Constrained – this alternative recognizes wildlife corridors and is designed to limit or prevent adverse environmental effects associated with development. This plan mandates that land use designation, natural resources, and natural capital will be considered to design constraints on development.

1996 General Plan – this alternative readopts the 1996 El Dorado County general Plan with minor revisions.

-----Original Message-----
From: Douglas Roeca [mailto:droeca@droecalaw.com]
Sent: Monday, June 02, 2003 4:00 PM
To: pmaurer@co.el-dorado.ca.us
Subject: General Plan and APN 319-260-51

Mr. Maurer:

I am writing with respect to the above-referenced parcel and its status under the evolving general plan. The property presently has a general plan designation of industrial. We have already applied to change the zoning from residential to industrial. I understand that the environmentally constrained version of the general plan would redesignate this property as RE5. I want to urge you to recommend against this. This property is actually surrounded by already existing and improved industrial property. It is bordered on two sides by county roads, Greenstone Road and Greenstone Cutoff. Converting this property to residential would make no sense. It then could not be used for purposes consistent with the neighborhood, and would be a terrible residential parcel given the industrial uses surrounding it.

54-1

In addition, there is only limited industrial property in the county. Any property developed for industrial property is actually a more environmentally sound use than a residential use. The industrial use will keep jobs in the community and keep people from commuting to Sacramento for work. An environmentall-constrained plan would encourage the existing zoning, not encourage more housing.

I also wish to address two other issues raised in the various versions of the evolving general plan. One issue is the Floor Area Ratio (FAR) that is to be permitted on commercial and industrial parcels. Apparently under the existing general plan there is a 25% FAR permitted. This is an impossible limitation on commercial and industrial uses. The limitation on commercial and industrial uses should be parking. An arbitrary limitation that bears no relationship to the realities of the use is not good planning.

54-2

Finally, the tree retention policy also is crippling for industrial and commercial properties. There is no possible way that canopies of 80% and the like can be retained a parcel that is to be designated for commercial or industrial uses. If the county plans to zone for such a use, there must be realistic standards imposed.

54-3

Thanks for your consideration of this matter.

Douglas R. Roeca
Attorney at Law
3294 Royal Drive, Suite 202
Cameron Park, CA 95682

Phone: (530) 676-4421
Fax: (530) 677-2033

droeca@droecalaw.com

-----Original Message-----

From: Douglas Roeca [mailto:droeca@droecalaw.com]
Sent: Monday, June 02, 2003 4:12 PM
To: pmaurer@co.el-dorado.ca.us
Subject: General Plan and APN 083-350-03

Mr. Maurer:

I am writing with respect to the above-referenced parcel and its status under the evolving general plan. The property is fronted on the west by Cameron Park Drive and on the east by Sabana Way. There is commercially zoned property on the north and south sides. The property presently has a general plan designation of HDR. This designation was an error. It was the intention of the county to designate this property commercial, like the parcels on either side. In fact, we have applied to correct the land use designation to commercial, and to change the zoning to commercial. The application presently is pending. Conrad Montgomery and Pierre Rivas are familiar with this property and the error made in designating it HDR.

55-1

I have reviewed the various general plan alternatives. The alternatives are confusing, because in some instances it is slated to be commercial, whereas in others it is slated to be HDR. The property should be designated commercial. There are commercial parcels on either side. If we are considering environmental issues, certainly a commercial use that keeps jobs in the county and commuters off HWY 50, is a better environmental result than an HDR designation which simply invites more people to reside in the community.

I also wish to address two other issues raised in the various versions of the evolving general plan. One issue is the Floor Area Ratio (FAR) that is to be permitted on commercial and industrial parcels. Apparently under the existing general plan there is a 25% FAR permitted. This is an impossible limitation on commercial and industrial uses. The limitation on commercial and industrial uses should be parking. An arbitrary limitation that bears no relationship to the realities of the use is not good planning.

55-2

Finally, the tree retention policy also is crippling for industrial and commercial properties. There is no possible way that canopies of 80% and the like can be retained on a parcel that is to be designated for commercial or industrial uses. This is particularly true with respect to this parcel, on which there is a scrub-oak forest. Leaving 80% of this canopy almost wipes out the commercial utility of this property. Certainly a canopy can be left on a residential property. This does not hold true for commercial and industrial properties where parking and other uses require more utilization of the space. If the county plans to zone for a commercial use, there must be realistic standards imposed.

55-3

Thanks for your consideration of this matter.

Douglas R. Roeca
Attorney at Law
3294 Royal Drive, Suite 202
Cameron Park, CA 95682

Phone: (530) 676-4421
Fax: (530) 677-2033
droeca@droecalaw.com

Planning Commission
El Dorado County Planning Department
2850 Fairlane Court, Placerville CA 95667

to Planning
June 2, 2003
JUN 13 AM 8:32
RECEIVED
PLANNING DEPARTMENT

RE: El Dorado Hills Community Region: APN's 067-270-22, 067-270-23, and 067-270-30.

Dear Commissioners:

I once sat where you sit now. I was El Dorado County planning commissioner from March of 1994 to July of 1996. I worked on the plan that, in one form or another, sits before you now. From this experience, I know you have a job as thankless as it is necessary, and I applaud your efforts and thank you for your time. It is vital to the future of our community.

I am writing to request that the land use designation and zoning be preserved on the following parcels: 067-270-22, 067-270-23, and 067-270-30. They total approximately 30 acres.

Under two of the prospective general plan alternatives, the line of the El Dorado Hills Community Region would move to coincide with the western edge of our property – thereby barely excluding it. In turn, this small shift would result in a substantial land use change from HDR to LDR, and downzoning from current 1 ac parcels to 5-10 acre parcels. There are several reasons for preserving the existing land use designations.

First and foremost, this land is truly within the Region, whether the line is drawn there or not. (I love that old quote: don't confuse the map with the territory.) Future development of these parcels is appropriate and will not encourage sprawl or leapfrog development. They are surrounded by roads and nearby housing, and are near existing water and sewer and other development infrastructure. They are entitled to their fair share of water, and the meters are available. Over half of the County's 1,800 square miles are federally owned, or otherwise off limits to further development. Few spots in the county exist this close to development resources, and this should continue to be reflected in the Land Use Designation and Zoning.

We recognize that fairness dictates the same opportunities for future generations that we ourselves have had. The fact is that every house now sits on land that was once vacant. We purchased this land in 1989 with the reasonable expectation that the land use and zoning on the land would remain. That is, quite simply, all we request now.

Due to lawsuits and moratoriums, we can't develop now anyway. But the General Plan is a long term planning document, designed to accommodate 20 years of growth. By any reasonable, forward-looking planning doctrine, regardless of what side of the political spectrum one is on, this parcel should be part of that growth.

Thank you again for your hard work. Please call me directly at work at (415) 616-6152 to discuss this if your convenience should you wish to do so.

Sincerely,

B.W. Veit

Brian W. Veit and Katie Ryan
Also On Behalf of:
John & Lisa Vogelsang
Jim and Julie Beecher
Ann R. Wilson

RECEIVED
JUN 2 2 20 PM '03
BOARD OF SUPERVISORS
EL DORADO COUNTY

Cc: El Dorado County Board of Supervisors: Charlie Paine, David Solaro, Rusty Dupray, Helen Baumann, Carl Borelli, 330 Fair Lane, Placerville, CA 95667, (530) 621-5390, FAX (530) 622-3645;
Mr. John Upton, City Councilman, South Lake Tahoe, 1052 Tata Lane, South Lake Tahoe CA 96150.

56-1



June 2, 2003

El Dorado County Planning Commission
2850 Fairlane Court
Placerville, CA 95667

**RE: Draft General Plan Update Comments
Land Use Designation for the following parcels:
092-021-07, 092-030-09, & 092-030-34**

Dear Members of the Planning Commission,

Mr. Hayden Watson has requested WRG Design to formally submit comments to the Planning Commission regarding the proposed Land Use designations contained within the 2003 General Plan Update. After discussing the properties with Mr. David Shutze, El Dorado County Senior Planner, it has been determined that both the Environmentally Constrained and Roadway Constrained Alternatives have identified Mr. Watson's parcels to be designated as Natural Resources. Mr. Watson asks that the Planning Commission instead designate the parcels as Rural Land for the following reasons:

- The parcels are located within a region with agricultural uses, but the vast majority of the parcel boundaries are contiguous with large swaths of land designated as Rural Land;
- Changing the land use designation to Rural Lands would not circumvent any of the items detailed in LU-7a (e.g., adequate infrastructure available, erosion hazards, excess noise or hazards, the transportation network is adequate, development would not undermine County's fair share allocation, and the designation of rural is consistent with nearby parcels);
- Figure AF-1 shows the parcels to be grazing lands, but located extremely close to urbanized lands, which would make rural housing to be in character with the area;
- Figure AF-2 does not appear to have any of the parcels designated as "Choice Agriculture Lands", which includes Farmland of Local Importance, Prime Farmland, Farmland of Statewide Importance, or Unique Farmland;
- The Land use maps do not show the parcels to be in any sort of important biological corridor or ecological preserve, while nearby properties designated as Rural Lands are clearly within a biological corridor;
- To use these parcels for natural resources purposes is not viable because the lands are essentially an "island" between Highway 49 and Union Mine Road – wildlife other than birds would be bound by the roads and the low-density residential to the north.
- None of the property is under a Williamson Act contract and the land has not been used for cultivation/grazing;
- Although the property has been determined to have "choice soils" content greater than 50 percent, the topographical constraints of the parcels would not allow for agricultural uses; and,
- The property has excellent access to Union Mine Road, which with good design elements, could keep the ingress/egress cuts to a minimum.

Given this reasoning, Mr. Watson would ask the Planning Commission consider designating the parcels as Rural Lands, which is similar in nature to the surrounding properties under both the Environmentally Constrained and Roadway Constrained Alternatives. Mr. Watson also wishes to thank the Commission for allowing him an opportunity to comment on the El Dorado County General Plan Update.



DEVELOPMENT
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CIVIL
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LANDSCAPE
ARCHITECTURE



LAND
SURVEY

5415 SW Westgate Dr.
Suite 100
Portland, OR
97221

PH 503/419-2500
FX 503/419-2600

www.wrgd.com

57-1

Sincerely,
WRG Design, Inc.

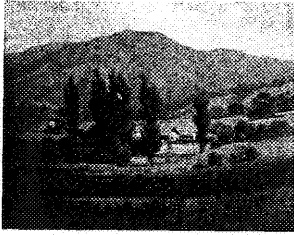


Zachary Graves
Senior Planner

cc: Hayden Watson

C:\WINDOWS\DESKTOP\EL DORADO CO. PC - CONSUMNES PROP..DOC





6/3/03

El Dorado Co. Planning Dept:
2650 Fairlane Ct.
Placerville, Ca. 95667

Dear Planning Dept:

I support General Plan Alternative #3 in that it allows the time to plan + develop intelligently. Cameron Park Drive is an example of no-thought planning. Much easier + cheaper to operate on the side of caution. Don't become another Folsom.

03 JUN -4 PM 1:20

RECEIVED
PLANNING DEPARTMENT

58-1

Sincerely,
David Blanchard
Rescue, Ca.



David T. Beauchamp
991 Old Neumann Rd.
Rescue, CA 95672-9667



EL DORADO COUNTY
DEPARTMENT OF COMMUNITY SERVICES

John Litwinovich
Department Director

937 Spring Street
Placerville, CA 95667
(530) 621-6163
Fax (530) 642-9233

June 3, 2003

General Plan Team
El Dorado County Planning Department
2850 Fairlane Ct.
Placerville, CA 95667

RE: Comments on the Draft General Plan Housing Element

Dear Planning Team Members:

The El Dorado County Community Action Council serves in an advisory capacity to the County on matters impacting low-income residents. At its May 28, 2003 meeting the Community Action Council voted to forward comments on the Housing Element of the draft General Plan. Those comments are summarized as follows:

Under the "Special Needs Groups" part of Section 2 – Housing Assessment and Need (page 84), the Council would have recognized the impact that a lack of affordable and/or subsidized housing has in preventing victims of domestic violence and their children from leaving violent situations. Victims remain in danger of repeated physical, emotional, verbal or sexual abuse due to a lack of options beyond the emergency domestic violence shelters provided by two local non-profit agencies. Lack of housing options and fear of escalating violence are recognized as the two primary reasons that victims of domestic violence do not leave.

The Council believes that both domestic violence victims and at-risk homeless or runaway youth should be considered priority populations in efforts to provide adequate and affordable housing opportunities. Such opportunities will reduce homelessness while ensuring that families move from crisis to safety within our community.

Finally, the Council would have the above recognized populations specifically acknowledged in the "Special Needs Policies" part of Section 6 – Housing Goals, Policies and Implementation Plan (page 138). This could be achieved by including "victims of domestic violence and homeless youth" in goal HO-4, to have their needs addressed through Policies HO-4d, HO-4e and HO-4f.

Please contact me if you have any questions about the above comments. Thank you.

Sincerely,

John Litwinovich
Director of Community Services

03 JUN -4 PM 1:15
RECEIVED
PLANNING DEPARTMENT

59-1

59-2

03 JUN -4 PM 5: 04
RECEIVED
PLANNING DEPARTMENT

5775 Mt. Murphy Rd.
Garden Valley, Ca.
95633
June 3, 2003

COVER LETTER

General Plan Team
2850 FairLane Ct.
Placerville, Ca. 95667

To Whom It May Concern:

This is the third time you've received requests from this neighborhood.
See petitions dated Jan. 20, 1991, Jan 9, 1993, and now.

There are now three of us who still want industrial zoning.

Please consider all of our circumstances outlined on our letters.

Thank you,

Sonia Wilson

Sonia Wilson
530-622-1000

60-1

RECEIVED

JUN 04 2003

EL DORADO COUNTY
BUILDING DEPARTMENT

MARK SONOJA MAIL HIS LETTER

June 3, 2003

General Plan Team
2850 Fair Lane Ct
Placerville, CA 95667

088-050-06
088-050-04

To Whom It May Concern,

I want my entire parcel, located at 5595 Mt Murphy Rd in Garden Valley, zoned industrial. This parcel is split by a tax zoning area, 2 ½ acres residential & ½ acre industrial. The property is on a county road & is unusable for anything else. I also have 2 neighbors that have or want industrial zoning. It is logical to re-zone the parcels as industrial.

61-1

Thank You,

Don Phillips

Don Phillips

Don Phillips
Phillips Steel
PO Box 331
Garden Valley, CA 95633
530-333-0340

5775 Mt. Murphy Rd.
Garden Valley, Ca.
June 3, 2003

General Plan Team
2850 Fair Lane Ct.
Placerville, Ca. 95667

To Whom It May Concern:

I want my entire parcel zoned industrial.

1. This parcel is split by a tax zoning area. One half acre industrial and one acre re5.
2. It is on a county road near Garden Valley.
3. The land is unusable for anything else.
4. This is the third time I've petitioned you for rezoning.
5. See copies of previous petitions for rezoning.
6. My neighbors on three sides have or want industrial zoning. The fourth side is a road.

See composite map of parcels.

It is only logical to rezone the parcels industrial.

Thank you,

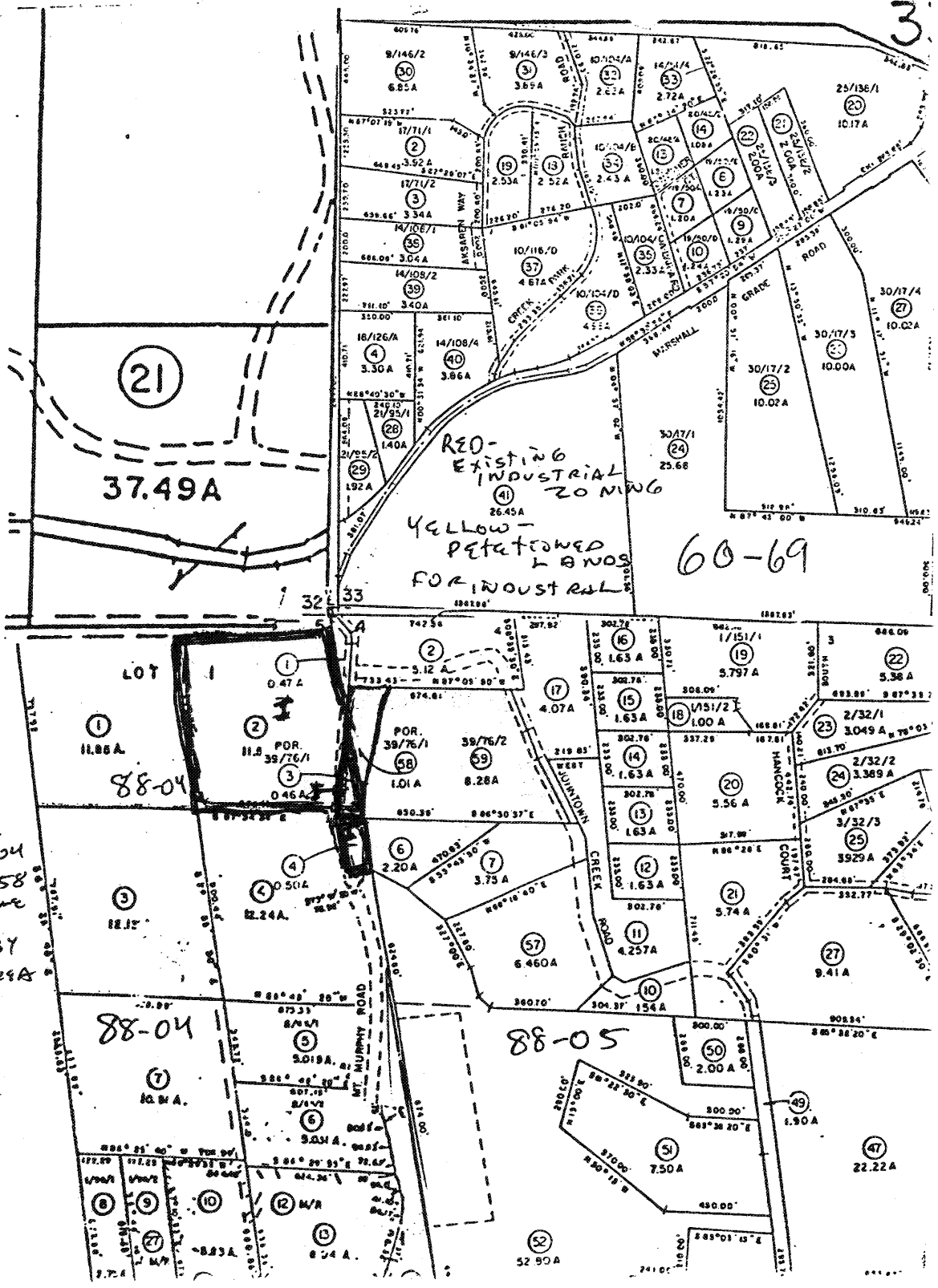
Sonia Wilson

530-622-1000

Ap 88-050-58-100

Ap 88-050-03-100

62-1



P.O. Box 1995
PLACERVILLE, CA 95667
JAN. 9, 1993

EL DORADO Co.
LONG RANGE PLAN
2850 FAIRLANE Ct.
PLACERVILLE, CA 95667

to PIERRE

PLEASE FIND ENCLOSED; COPIES OF
PETITIONS OF JANUARY 1991 AND RECEIPT
LETTER FROM YOUR DEPARTMENT OF
JANUARY 28, 1991, MAPS OF AREA WITH
ZONING + PARCEL NUMBERS, WORKSHOP
FINDINGS OF 4/21/91 AND SPLIT ZONING
INTERPRETATION FROM LARRY WALROD
<RE: MY PARCEL, APS, 88-05-04 + 88-05-58,
NOW SPLIT BY ZONING OF INDUSTRIAL
AND RES WHICH I PREFER TO BE
TOTALLY INDUSTRIAL>

WOULD JUST LIKE TO REMIND YOU
OF THE EXISTING ZONING AND OUR
PETITIONS FOR INDUSTRIAL ZONING
ON OUR PROPERTIES FOR THE
2010 PLAN.

PLEASE CALL ME OR ROY JOHNSON
IF YOU HAVE ANY QUESTIONS

THANK YOU,

Sonia Wilson
SONIA WILSON
622-1000

REQUEST FOR 2010
GENERAL PLAN ANALYSIS
AND DESIGNATION

Applicant: Raymond Jacoby
Address: 5595 Mt. Marshall Garden Valley, Ca
Street No: _____ City: _____ State/ZIP: 95633
Telephone No.: (916) 333-4801
Agent: _____

Address: _____
Street No: _____ City: _____ State/ZIP: _____
Telephone NO.: (916) 333-4801

Property location:
Address: 5595 Mt. Murphy
Location: off Marshall Blvd Rd
near Johnson Creek
APN(s): _____

Area Plan: _____ Acreage: 3 Ac./Sq. Ft.

Land Use Designation: Industrial

Zoning: Residential

Requested potential use of property: None 1/2 Industrial
would like other 2 1/2 zoned
Industrial

I hereby request that my proposal for the future use of the above-referenced property be incorporated as a part of the El Dorado County 2010 General Plan Development Program. I understand that the 2010 General Plan is at least a two year program requiring full CEQA review and adoption by the County Board of Supervisors.

Signature: OWNER Raymond Jacoby Date _____
AGENT _____ /Date _____

5/3/05 NEW OWNERS (PULL P.A.S. 51206)

REQUEST FOR 2010
GENERAL PLAN ANALYSIS
AND DESIGNATION

Applicant: SONIA WILSON
Address: 5775 mt MURPHY Rd. GARDEN VALLEY
Street No. City State/ZIP 95633
Telephone No.: (916) 622-1000
Agent: SAME
Address: SAME GARDEN VALLEY
Street No. City State/ZIP
Telephone NO.: (SAME)

Property location:

Address 5775 mt MURPHY Rd. GARDEN VALLEY CA
Location SAME 95633

APN(s): 88-05-04, 46Ac 2 IND 88-05-58, 1-01
2-RES

Area Plan: I + RES Acreage: _____ Ac./Sq. Ft.

Land Use Designation: INDUSTRIAL

Zoning: INDUSTRIAL + RES

Requested potential use of property: TOTAL PROPERTY
ZONED INDUSTRIAL

I hereby request that my proposal for the future use of the above-referenced property be incorporated as a part of the El Dorado County 2010 General Plan Development Program. I understand that the 2010 General Plan is at least a two year program requiring full CEQA review and adoption by the County Board of Supervisors.

Signature: OWNER [Signature] /Date 1/20/91
AGENT [Signature] /Date _____

REQUEST FOR 2010
GENERAL PLAN ANALYSIS
AND DESIGNATION

Applicant: MARK E SANDER
Address: 5500 JOHNTOWN CREEK RD. GARDEN VALLEY CA 95633
Street No. City State/ZIP

Telephone No.: (916) 332-1626

Agent: _____

Address: _____
Street No. City State/ZIP

Telephone NO.: (_____) _____

Property location:

Address SAME AS ABOVE

Location _____

APN(s): 88-05-59

Area Plan: _____ Acreage: 8.28 Ac./Sq. Ft.

Land Use Designation: RES

Zoning: _____

Requested potential use of property: REQUEST TO REZONE

TO INDUSTRIAL OR COMMERCIAL, 2010 GENERAL PLAN

I hereby request that my proposal for the future use of the above-referenced property be incorporated as a part of the El Dorado County 2010 General Plan Development Program. I understand that the 2010 General Plan is at least a two year program requiring full CEQA review and adoption by the County Board of Supervisors.

Signature: OWNER Mark E Sander /Date 2/28/11

AGENT _____ /Date _____

3
orange

REQUEST FOR 2010
GENERAL PLAN ANALYSIS
AND DESIGNATION

Applicant: MARK SANDER

Address: 5500 JOHNTOWN CREEK RD GARDEN VALLEY CA
Street No. City State/ZIP 95633

Telephone No.: (916) 337 1616

Agent: _____

Address: _____
Street No. City State/ZIP

Telephone NO.: (____) _____

Property location:

Address 5500 JOHNTOWN CREEK RD GARDEN VALLEY

Location _____

APN(s): 028 050 57

Area Plan: GARDEN VALLEY Acreage: 8.15 Ac./Sq. Ft.

Land Use Designation: R.R.A.

Zoning: R.F.5

Requested potential use of property: INDUSTRIAL / UNO USE
AND ZONING

THIS PROPERTY IS NOT FIT FOR AGRICULTURAL USE
NOR RESIDENTIAL USE ALSO THIS PROPERTY BELONGS
TO INDUSTRIAL PROPERTY.
PLEASE NOTIFY ME OF ANY MEETINGS REGARDING THIS
IS ADJACENT.

I hereby request that my proposal for the future use of the above-referenced property be incorporated as a part of the El Dorado County 2010 General Plan Development Program. I understand that the 2010 General Plan is at least a two year program requiring full CEQA review and adoption by the County Board of Supervisors.

Signature: OWNER Mark Sander /Date 4/28/95

AGENT _____ /Date _____

2
Blue

REQUEST FOR 2010
GENERAL PLAN ANALYSIS
AND DESIGNATION

Applicant: Kevin P. and Glenda J. Grant

Address: 6050 Traverse Creek Road, Garden Valley, CA 95633
Street No. City State/ZIP

Telephone No.: (916) 333-4989

Agent: n/a

Address: n/a
Street No. City State/ZIP

Telephone NO.: () n/a

Property location:

Address 6190 Mean Mule Way Garden Valley, CA 95633

Location Off Mt. Murphy Road

APN(s): 88-04-09

Area Plan: _____ Acreage: 2.75 Ac./Sq. Ft.

Land Use Designation: Residential

Zoning: _____

Requested potential use of property: Industrial

We are involved in a Crafts business, and in the future we would
like to put a Craft business for wood crafts.

I hereby request that my proposal for the future use of the above-referenced property be incorporated as a part of the El Dorado County 2010 General Plan Development Program. I understand that the 2010 General Plan is at least a two year program requiring full CEQA review and adoption by the County Board of Supervisors.

Signature: OWNER [Signature] /Date 1-13-91

AGENT _____ /Date _____

Red

REQUEST FOR 2010
GENERAL PLAN ANALYSIS
AND DESIGNATION

Applicant: Roy F Johnson
Address: 5660 MT Murphy Rd Po Box 555 Garden Valley
Street No. City State/ZIP CA 95657
Telephone No.: (916) 333-1960 WK 333-4869

Agent: _____

Address: _____
Street No. City State/ZIP

Telephone NO.: (____) _____

Property location:

Address 5660 MT Murphy Rd Garden Valley

Location _____

APN(s): 088-040-05

Area Plan: Garden Valley Acreage: 5 Ac./Sq. Ft.

Land Use Designation: R.F.A.

Zoning: PE10

Requested potential use of property: Industrial Land use and zoning

Please Notify me of my meeting regarding this

I hereby request that my proposal for the future use of the above-referenced property be incorporated as a part of the El Dorado County 2010 General Plan Development Program. I understand that the 2010 General Plan is at least a two year program requiring full CEQA review and adoption by the County Board of Supervisors.

Signature: OWNER [Signature] /Date 4-19-90

AGENT _____ /Date _____



03 JUN -5 AM 11:37
RECEIVED
PLANNING DEPARTMENT

June 03, 2003

General Plan Team
El Dorado County Planning Department
2850 Fairline Court
Placerville, CA 95667

RE: **Comment on General Plan DEIR**
WRG Project: HHS3378

Thank you for the opportunity to comment on the El Dorado County General Plan DEIR. WRG's client, Mr. Hayden Watson recognizes the importance of this endeavor and appreciates the County's efforts in this General Plan update process.]

63-1

Our only comment is that the four alternatives inherently have both advantages and disadvantages to them. It is our hope that the Planning Commission will "cherry pick" the best of each alternative in order to aggregate the best possible policies within the General Plan to ensure the County's future growth will be of the highest caliber. We feel the General Plan update should recognize that growth in the County will occur and that the Planning Commission should chose the policies which it feels might best pass the court's muster, yet not stymie development entirely in the process.]

63-2

On behalf of Mr. Watson, WRG Design respectfully requests written notification of proposed actions and pending decisions regarding the El Dorado County General Plan Update pursuant to Public Resources Code Section 21092. Please deliver these notifications to:]

63-3

WRG Design, Inc.
c/o Zac Graves
2130 Professional Drive, Suite 120
Roseville, CA 95661

Thank you very much for the opportunity to comment on the El Dorado County General Plan DEIR.

Sincerely,

WRG Design, Inc.

Zac Graves
Senior Planner

cc: Hayden Watson



DEVELOPMENT SERVICES



LAND PLANNING



CIVIL ENGINEERING



LANDSCAPE ARCHITECTURE



LAND SURVEY

5415 SW Westgate Dr.
Suite 100
Portland, OR
97221

PH 503/419-2500
FX 503/419-2600

www.wrgd.com

From: H. Mercado [mercadoh@directcon.net]
Sent: Wednesday, June 04, 2003 8:38 PM
To: generalplan@co.el-dorado.ca.us
Cc: Charlie Paine; Bonnie Morse West; Mike Bean; David Berg; Ron Wolsfeld; Donna McMaster; Candie Bliss
Subject: CLVCA Comments on General Plan

May 4, 2003

Dear Ms. Tschudin,

The Coloma-Lotus Valley Community Association is pleased to offer this response to your call for comments. Our Community Action Plan, and more about our area and the derivation and goals of our organization, can be found at www.sedd.org.

64-1

This response is the result of two public meetings here in the valley, and comments received on our website at <http://silver.he.net/cgi-bin/suid/~coloma/yabb/YaBB.pl?board=CAP;action=display;num=1052327888>. I would characterize the unity of our thinking on these matters as a "strong majority" at the least, and "near consensus" at the most. But we recognize that individual members may come before you for specific items related to their particular properties and interests. As the process unfolds, and particularly if a hybrid plan evolves, we stand ready to adapt our input to the situation at hand. And, we will be happy to provide our detailed reasoning on each of the recommendations that follow.

64-2

Can you copy this to the individual Planning Commission members? They were most kind in taking my many comments at the public hearings.

Please accept our appreciation and thanks to your group, and particularly Mr. Maurer, for your efforts.

Cordially,
Harry Mercado
for CLVCA

CLVCA POSITION ON THE COUNTY GENERAL PLAN ALTERNATIVES:

1. The Coloma/Lotus Community is strongly in favor of preserving our rural atmosphere, our unique historical character, scenic beauty and recreational gems. These features are the basis for our economy and quality of life. Our preferences in this regard are based on the results of a comprehensive community survey funded by the U.S. Forest Service, as well as expressions in our open public meetings.

64-3

2. We want the county to declare this 5-mile long valley an historic district and a scenic corridor on a priority basis, so it can benefit from some of the General Plan protections such a declaration can offer. This does not need to await the adoption of a new County General Plan.

64-4

3. For county planning purposes we prefer that Coloma and Lotus be a single rural center.

64-5

4. In Coloma, we want the small pocket designated "high density residential" to be extinguished, with allowance for current lot owners to build out their homes.

64-6

4. We urge the county NOT to adopt the "1996" General Plan or the "No Plan" alternative.

64-7

5. We endorse the Environmentally Constrained Alternative. This alternative adds 53,610 new EDC residents and most closely aligns with our communities goals as outlined in point #1, above. We do, however, have the following concerns:

64-8

The biological corridors need to be carefully justified both as to placement and purposes.

We object to having the county pressing subsidized, low and moderate income new housing developments out into rural centers (Coloma, Garden Valley, Pilot Hill, etc.) We have an insufficient employment base to support these. We feel that development centers along Hiway 50 are the best fit and have the most need for these developments.

64-9

*Request MFR
6/4/03*

Property Detail

El Dorado, CA John Winner, Assessor

Parcel # (APN): 329-301-19-1

Use Description: RURAL.

Parcel Status: ACTIVE

*Paul T. Converse, Elder
Ph. 626-4700*

Owner Name: EL DORADO CO FEDERATED CHU

Mailing Address: 1031 THOMPSON WY, PLACERVILLE, CA 95667

Situs Address:

Legal Description: POR R/S 16-115

ASSESSMENT

Total Value: \$150,960	Use Code: 21	Zoning: U
Land Value: \$150,960	Tax Rate Area: 078079	
Impr Value:	Year Assd: 2001	Improve Type:
Other Value:	Property Tax:	Price/SqFt:
% Improved:	Delinquent Yr:	
Exempt Amt:	Exempt Codes:	

SALES HISTORY

	<u>Sale 1</u>	<u>Sale 2</u>	<u>Sale 3</u>	<u>Transfer</u>
Recording Date:	09/26/2000	08/08/2000		
Recorded Doc #:	0048 077	0039 498	0000 000	
Recorded Doc Type:				
Transfer Amount:				
Sale 1 Seller (Grantor):				
1st Trst Dd Amt:	Code1:	2nd Trst Dd Amt:	Code2:	

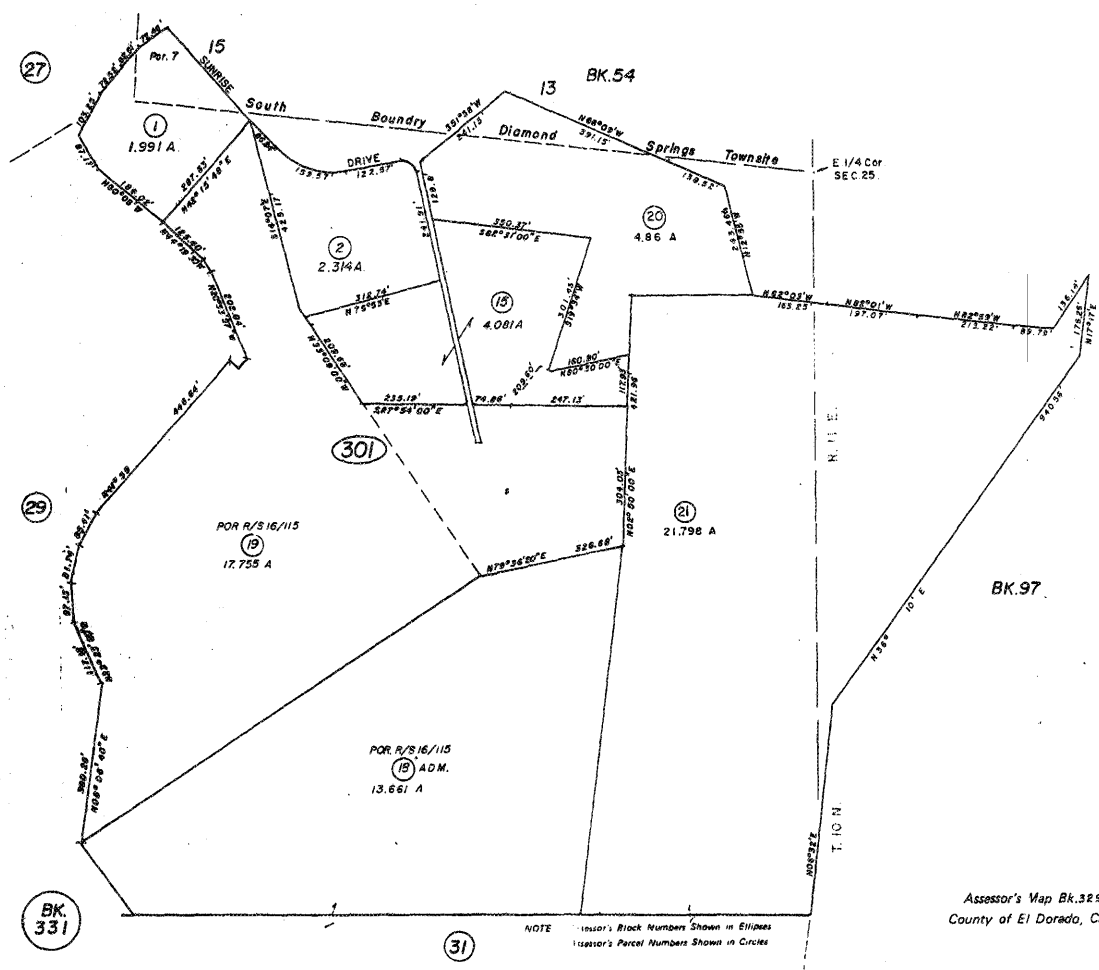
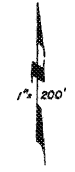
65-1

PROPERTY CHARACTERISTICS

Lot Acres: 17.770A	Year Built:	Fireplace:
Lot SqFt:	Effective Yr:	A/C:
Bldg/Liv Area:		Heating:
Units:	Total Rooms:	Pool:
Buildings:	Bedrooms:	Flooring:
Stories:	Baths (Full):	Park Type:
Style:	Baths (Half):	Spaces:
Construct:	Bsmt SqFt:	Site Infnce:
Quality:	Garage SqFt:	
Building Class:		Timber Preserve:
Condition:		Ag Preserve:
Other:		
Other Rooms:		

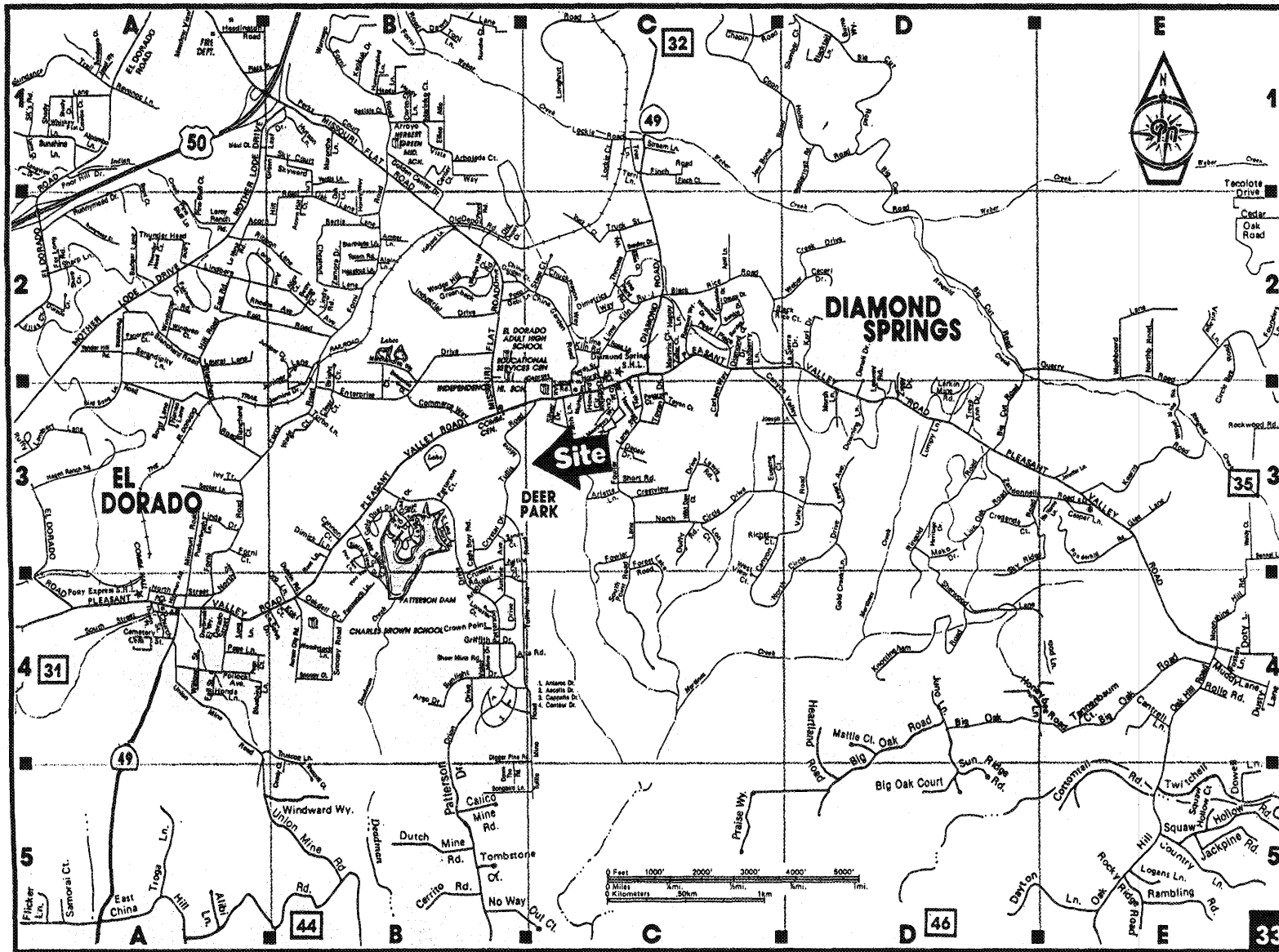
POR'S SEC.25,T.10N,R.10E & SEC.30,T.10N,R.11E.M.D.M.
 POR. DIAMOND SPRINGS TOWNSITE, BLOCKS 13 & 15.

Tax Area Code **329:30**



NOTE: Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk.329 - Pg. 30.
 County of El Dorado, California



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**EL DORADO COUNTY
PLANNING DEPARTMENT**

Lorraine Larsen-Hallock..... District I
 John MacCready..... District II
 Dave Machado..... District III
 Ralph Welsh..... District IV
 Alan Tolhurst..... District V
 Jo Ann Brillisour..... Clerk of the Commission

2850 Fairlane Court • Placerville, CA 95667
<http://www.co.el-dorado.ca.us/planning>
 Phone: (530) 621-5355
 Fax: (530) 642-0508

MINUTES

**Special Meeting of the Planning Commission
 June 4, 2003 – 9:00 A.M.
 SUPERVISORS MEETING ROOM
 330 Fair Lane, Placerville, CA**

DRAFT GENERAL PLAN COMMENT HEARING (continued)

1. CALL TO ORDER

Chair Larsen-Hallock called the meeting to order at 9:10 a.m. The following persons were in attendance: Commissioners Mac Cready, Machado, Welsh, Tolhurst, and Larsen-Hallock; Paula F. Frantz, County Counsel; Heidi Tschudin, General Plan Project Manager; Conrad B. Montgomery, Planning Director; Peter N. Maurer, Principal Planner; Sue Lee, Senior Planner; and Jo Ann Brillisour, Clerk to the Planning Commission.

2. Continue Testimony on the Draft General Plan

Chair Larsen-Hallock said the Commission would be covering the Transportation and Circulation; Public Services and Utilities; Health, Safety, and Noise; Conservation and Open Space; Agriculture and Forestry; and Parks and Recreation Elements today. Each element will be considered individually. Staff will give a brief description of each element prior to input from the public.

a. Procedures for Conduct of Hearing

Ms. Tschudin said, based on the input received at the last meeting, it does not appear the meeting for June 12 will be necessary. There are cards for the public to fill out if someone would like to speak. There is a three-minute timeframe for individuals speaking and five minutes for someone representing a group or organization. The meeting on June 9 will be to consider the EIR.

b. Staff Report by General Plan Project Manager

Ms. Tschudin said copies of her report to the Board of Supervisors are available to the public.

- c. Public Hearing on the following elements of the Draft General Plan: a) Transportation and Circulation; b) Public services and Utilities; c) Health, Safety, and Noise; d) Conservation and Open Space; e) Agriculture and Forestry; and f) Parks and Recreation.

Craig McKibbin, Department of Transportation, briefly pointed out the differences between the four alternatives for the Transportation and Circulation Elements.

Commissioner Tolhurst asked how much control the County has over the number of lanes on Highway 50. Mr. McKibbin said in the Road Constrained Alternative (TC-O), it states that the County is going to encourage that other agencies not go to more than six lanes; however, if they go to eight lanes, there is nothing the County could do. If you want to go to eight lanes, you would have to go to SACOG and do air quality studies. Other studies would also have to be redone. Commissioner Tolhurst asked if you have six lanes and a light rail, would that not have the same impact as another lane? Mr. McKibbin said it might. They did not analyze that. The problem with light rail is that the freeways have to be a mess before people will use the rail system. Once the freeway goes to Level of Service (LOS) F, it does not go back to LOS E, because once it gets better, people start using their cars again.

66-1

66-2

Commissioner Tolhurst spoke about developing nodes of high density so light rail would work. Mr. McKibbin said there are some transit-oriented policies to encourage commuter traffic. The HOV lanes have helped the commuter busses a lot, but the busses are filled to capacity, and there is a waiting list.

66-3

Commissioner Welsh asked if it is realistic that the State would make Highway 50 eight lanes. Mr. McKibbin said his personal opinion is that the State will never make eight lanes. It will rely on local jurisdictions to do that. That will be something that is driven by this County, Sacramento County, Folsom, and Rancho Cordova. The State will provide some funding, but it will be up to the jurisdictions to say this is what they want. We do not have jurisdictional control but would have a say. Mr. McKibbin said he does not see that happening. Commissioner Welsh asked, assuming the other jurisdictions are not going to widen the highway, if would it be prudent for the County to base its General Plan on that. Ms. Tschudin said the reason there are alternatives for six and eight lanes is because staff believes it is prudent to do that. It would be a policy decision.

66-4

66-5

Mr. McKibbin said transit is dependent on very high density. There is a question on how high you have to go before it works. The Amtrak from Sacramento to San Jose works very well. It is going from a high-density residential area to a high-density job area. The concern up here is that we do not have that high a density.

Commissioner Mac Cready asked the relationship between the No Project and 1996 Alternative with respect to Measure Y after the writ. Mr. McKibbin said the policies from Measure Y are in all the alternatives. Some additional policies were put in the Road and Environmentally Constrained Alternatives to clarify the policies added by Measure Y.

66-6

Commissioner Mac Cready asked what happens to the level of service on Pleasant Valley Road, Cedar Ravine, and Big Cut if Texas Hill is built. Mr. McKibbin said that was not analyzed. In the past, they looked at traffic going over the dam. Today, they are not looking at traffic going over dams. It will go out Newtown Road and up Pleasant Valley to Highway 49. There are some tight turns and narrow roads that they would like to straighten out. There is not enough growth for Pleasant Valley Road to go to four lanes.

66-7

Commissioner Machado said a lot of people do not believe the fix through Placerville is going to be a good one, and they talk about bypassing Placerville. Since the County is discouraging Caltrans from going to eight lanes, do they drop that, or are they still interested in looking at these alternatives? Mr. McKibbin said none of the alternatives considers bypassing the City. It would not be in our General Plan. The policy in the Road Constrained Alternative that says the County is going to discourage Caltrans from widening beyond six lanes would not affect the bypass issue.

66-8

Commissioner Machado asked why the Environmentally Constrained Alternative supports eight lanes. It seems to go against environmental concerns. Mr. McKibbin said the road system designed for all alternatives is based on the LOS policies and the land uses proposed. To meet the LOS in the Environmentally Constrained, you need the eight lanes. You could stay at six, but you would have LOS F.

66-9

Commissioner Tolhurst said, as he recalls, Measure Y was to last ten years and then sunset. Paula Frantz said Measure Y has an initial ten years and will then go back to the voters. Commissioner Tolhurst said that is not addressed in any of the Plans. Ms. Tschudin said the Measure Y policies, if adopted as policies of the General Plan, would become permanent policies unless language is added for reconfirmation sometime in the future. Ms. Frantz said the Board wanted the policies under Measure Y to be analyzed as policies for the General Plan.

66-10

Chair Larsen-Hallock opened the public input portion of the hearing on the Transportation and Circulation Element.

Art Marinaccio said there are many comments that came up that need to be commented on. Over the past 15 years, there has been great growth in Folsom. Folsom did not want to fix their roads, because they felt if they did, they would not get light rail. El Dorado County has kept up with trying to get improvements in the ground.

66-11

Mr. Marinaccio spoke about Folsom trying to expand south of Highway 50. LAFCO put a condition on the annexation for a complete study and mitigation of the impacts to Highway 50. El Dorado County needs to pursue eight lanes. The diamond lane needs to become a mixed-use lane. Commissioner Welsh asked if the diamond lane is used for mixed-uses after hours. Mr. Marinaccio replied in the affirmative. Commissioner Welsh asked if Mr. Marinaccio is saying the diamond lane should become a mixed-use land all the time. Mr. Marinaccio replied in the affirmative. He does not see it staying the way it is.

66-11

66-12

Mr. Marinaccio said it is the same with water. If you do not plan for growth, when the County goes to the State for water, it would say you have not planned for the growth, so you do not get added water.

66-13

Commissioner Machado asked if Art Marinaccio supports the Road Constrained Alternative. Mr. Marinaccio said he does not support that alternative at all. When you start looking at all the constraints we have today, that is your zoning map. You might as well go home and not have a plan.

66-14

Virginia Crespo, speaking as an individual from Rescue, talked about Measure Y. She believes it is important that a statement that the voters wanted the sunset clause be included. She has heard that a lot of people are not satisfied with what they wanted the Measure to do.

66-15

Regarding concurrency, Mrs. Crespo said she believes it is a very bad idea. The Road Constrained Alternative states that all the roadways should be built prior to construction of homes. This is a problem. A lot of projects are phased. Having to do all the roadway work first would preclude a lot of projects from being built.

66-16

Commissioner Welsh asked about people being dissatisfied with Measure Y. Mrs. Crespo said a lot of people thought the measure would fix existing deficiencies, and it cannot do that. Measure Y is for new development.

66-17

Commissioner Welsh asked if Mrs. Crespo favors a phased roadway improvement. Mrs. Crespo said that is what we do now. The road improvements are completed with the phasing. She feels that a project should only have to fix impacts it creates, not problems from the past.

66-18

Mr. Marinaccio said one of the things Ponderosa 50 would have provided was the linkage between Cameron Park and Shingle Springs on the north side of the freeway. The Bureau of Land Management purchased that property, and the County failed to ensure the connection. There needs to be a policy that with government acquisition of lands, that acquisition does not keep us from implementing our Circulation Plan. This is one issue that needs more attention. Another such project is what was called the Kanaka Valley project.

66-19

Mr. Marinaccio said he disagrees with Mr. McKibbin about Texas Hill. If you look at the Placerville Periphery Plan, there is a road that was adopted that connects across the north side of Texas Hill to Ray Lawyer Drive to Camino. That route was adopted and is no longer discussed. Ray Lawyer Drive was also to extent to Camino Heights.

66-20

Another road that is disconcerting is Headington Road. If that road is not put in the Circulation Plan as a County road, the commercial development in the area will not occur. At this point, he feels there will be a lot of apartments and multifamily constructed in the area.

66-21

Commissioner Mac Cready asked for further clarification on the connection of Ray Lawyer Drive, Texas Hill, and Camino. Mr. Marinaccio said he should bring in the Placerville Periphery map. He explained where the road would be routed.

66-22

Ms. Tschudin asked Mr. McKibbin to clarify some of the comments made by Art Marinaccio. Mr. McKibbin said Ray Lawyer Drive was never intended to be a Highway 50 bypass road. In the modeling, it was found that there was not enough traffic to build the road. It would be very expensive. It has not been part of the Circulation Element since 1996. There was an east/west road for South County and would go through Latrobe, but that again was a very expensive road to build. That is not in this plan or the 1996 Plan. With these plans, the growth in the rural areas has come down.

66-23

Chair Larsen-Hallock asked that Mr. McKibbin speak about the City roadways. Mr. McKibbin said the road system for the City is not included in the EIR, because they have their own plan. We take them into account in the analysis. Ms. Tschudin said the County does plan for the City's traffic, roadways, and impacts. The impacts have been reported and included. Mr. McKibbin said their modeling was based on the City's General Plan.

66-24

Commissioner Mac Cready spoke about interfacing with surrounding jurisdictions once the plan is adopted. Ms. Tschudin said staff did and has been interfacing with Sacramento, Folsom, Placerville, and South Lake Tahoe. That has been on going. It is a necessary part of the analysis. There are policies to do this in the future.

66-25

Referring to Page 6, concurrency on the Economically Constrained Alternative, Commissioner Mac Cready asked if those are options for the Commission. Ms. Tschudin replied in the affirmative.

66-26

Chair Larsen-Hallock said there have been very few commenters on this element, so that is why she has allowed people more time to speak.

Mrs. Crespo said in the 1996 Plan, there was the Transportation Demand Management (TDM) and Transportation Systems Management (TSM) included in the Plan, Goal 3.9, to reduce vehicle demand. That has been deleted from two of the options, and she wonders why something that important has been deleted (Page 59 on the 1996 Plan). Ms. Tschudin said there was a change in State law. That is why it is not a mandatory element for individual projects. It can be included as a policy if the Commission or Board chooses to do that.

66-27

Harry Mercado, Coloma/Lotus Valley Association, said they have finalized their written comments and that is to endorse Plan 3, the Environmentally Constrained Alternative that they call the Rural Quality of Life Plan. In California, between Highway 99 and the valley and 395 east of the Sierra, there is only one north/south highway, which is Highway 49. He has heard talk at the County and at the State Park about wanting the road rerouted from somewhere just south of Placerville to perhaps Lotus. If there were such a plan, it would have been nice to have something in these documents so as they are commenting on the next twenty years, we might have incorporated some concept of what that was about. Personally, the number of lanes on a road has never corrected the overcrowding problem. The more lanes you build, the more traffic you have.

66-28

There was no one else wishing to give input on the Transportation and Circulation Element.

Peter Maurer gave a brief overview of the Public Services and Utilities Element.

Chair Larsen-Hallock said water quantity is always a big issue. Has there been a review by the Water Agency for calibration of water use? Mr. Maurer said staff has been diligently working with the Water Agency on this information. Chair Larsen-Hallock asked if we really looked at different areas of the County based on past use to see if we are using the correct information. Mr. Maurer said staff relies on the water providers for that information. Ms. Tschudin said, again, it gets down to policies. It is an area the Commission can look at.

66-29

Commissioner Machado referred to Page 9 of the Mr. Maurer's Summary. Alternative 3 requires the County to identify the types of projects that will use reclaimed water. Is the identity ahead of time so the applicant's know? Mr. Maurer said the County would develop a list of types of projects that would have to connect to a reclaimed water system. They would have to look at the area that could be served by reclaimed water. Ms. Tschudin said it would only apply those areas that have it available. Mr. Maurer said the policy requires the County to come up with standards. If development project meets certain criteria where reclaimed water is available, or can be made available, they would have to put in that infrastructure and connect to that system.

66-30

Chair Larsen-Hallock asked to what extent we look at the use of gray water. Mr. Maurer said he does not believe staff looked at that issue very much. Ms. Tschudin said there are policies that pertain to that issue.

66-31

Commissioner Mac Cready asked if the County requires a development project to use reclaimed water and EID does not agree, what do we do? Mr. Maurer said that is a separate program that would need to be worked on with EID.

66-32

Commissioner Welsh said he notices there are two different terms that appear to have the same meaning, direct and require. Mr. Maurer said direct in the General Plan is relating to an activity the County needs to do. Require means the public. When a developer comes in, he is required to do something. The terms are interchangeable.

66-33

Chair Larsen-Hallock said throughout the documents, we have the wording development project(s). What determines what is deemed a development project? Mr. Maurer said the definition is in the glossary in the Land Use Element. Development in general means all development, either discretionary or ministerial. Discretionary development is identified as discretionary development

66-34

Judy Arrigotti, represented herself and individuals on Lomita Way in El Dorado Hills (nine parcels). Each property owner has 10 to 15 acres and has owned the property for approximately 20 years. Their property backs up to New York Creek. They are in favor of the 1996 Plan, which shows their property as Medium Density. Mrs. Arrigotti said she has a postcard from 1976 to attend workshops on preparing the previous plan. She feels they were given an opportunity on the previous plan to have input. They have been waiting for that plan to come to fruition. She does not know where these other plans came from. They have 13 acres they want to divide so their children can build their homes. They have an application to bring water back to their properties. They wanted the water rather than wells so they could have Medium Density. They have low rate wells at the present time and need the public water. The fire chief is very enthusiastic about them bringing water back to the properties, because there would be four fire hydrants that could be used to fight fires. Regarding transportation, Mrs. Arrigotti said she does not see how the Road Constrained Alternative can be effective.

66-35

The Commission took a short break.

Art Marinaccio said there are a couple of policies that are important. One is whether water and other services can be extended outside of Community Regions. One example of where that is important is the property on Lomita. It is on Salmon Falls Road before New York Creek. To take that out of the Community Region would mean that water could not be extended out there. There have been projects proposed in that area that have been stalled for quite some time. They

66-36

need to be in the Community Region in order to receive water that they already have received commitments for.

Mr. Marinaccio said there is a project he is involved with that is proposing an equestrian center that sits behind the new high school and junior high on Green Valley Road between Green Springs Ranch and the new junior high. That land was designated in 1996 Plan as Low Density Residential within a Community Region. Silver Springs and Pioneer Place are bringing a sewer lift station into the area. It is in the Bass Lake Road realignment area. It is an area that is prime for development. There is going to be a large equestrian center, ball fields, etc., and would be a good place for the use of reclaimed water. That cannot happen if the area is not in the Community Region. Green Springs Ranch should also be included in the Community Region. They are having problems with their wells and could not go ahead with public water if they are not in the Community Region. When you are looking at water availability, you are getting down to the kind of details that are appropriate for the zoning map. The General Plan is to direct growth. To direct growth where the water is would be letting EID control growth. You have the Water Agency, Transportation Commission, etc. The plan needs to determine where the growth is going to be.

There was no one else wishing to give input on the Public Services and Utilities Element.

Sue Lee gave a brief description of the Health, Safety, and Noise Element.

Art Marinaccio said it is important to understand the natural occurring asbestos issues that have occurred since the 1996 Plan. There needs to be some responsible mentioning of how that is going to be dealt with. Mr. Marinaccio urged the wording to be both responsible and somewhat guarded as to the long-term affect of making statements that very well are going to turn around in a very short period of time and be non-essential. There needs to be a strong mentioning that the County is going to deal with the issue responsibly. It has not been shown that there is a problem. The idea of people having to put something about this in their legal description is overdoing it.

Don Hartley, realtor and property owner in El Dorado County, said in the EIR, Noise Element, there is discussion about noise from Mather. He does not believe there is any mention in the General Plan about the issue. Any development in El Dorado Hills south of Highway 50 needs to be mentioned with regards to this issue. As uses increase at Mather, it will be come more of a problem to property owners in the western part of the County. Ms. Tschudin read Policy HS-M in the Environmentally Constrained Element, which pertains to this issue.

Art Marinaccio said it might be useful for staff to compile a list of issues that have occurred since 1996 like naturally occurring asbestos and the Mather flight path. Ms. Tschudin said she believe staff has done that. It is the table compiled by

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Peter Maurer. Functionally, the information is there. Staff can provide an abbreviated list. Commissioner Machado asked if Mr. Maurer's summary is on the website. Ms. Tschudin said it is.

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Referring to Mr. Maurer's summary, Page 13 pertaining to fire safety in Alternative 3, Commissioner Machado said this precludes development in areas of high and very high wild land fire hazard unless it can be demonstrated that the hazard can be reduced to a moderate or better level. Is there a standard that tells people what moderate is? Mrs. Lee said it is the fire hazard rating and fueling rating. All the fire districts are familiar with the system.

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Commissioner Machado spoke about prohibiting gated projects. What does gates and Environmentally Constrained have to do with each other? Ms. Tschudin said staff has given the range that could be adopted in the two constrained alternatives. If the Commission were adopting the Environmentally Constrained Alternative and felt the policy was not needed, it could be deleted.

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Referring to Page 16, Highway Safety, Commissioner Machado said in Alternatives 2 and 3 it states "Not addressed." Why Not? Mr. McKibbin said it is not addressed in the Safety Element but in the Circulation Element.

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Commissioner Machado said there are blank squares on Page 19, Special Status Species. Mrs. Lee said it looks like an inadvertent deletion. Ms. Tschudin said staff would report back to the Commission on this item.

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On Page 20, Trees, Commissioner Machado asked if there has been any thought to breaking out commercial and residential. Mrs. Lee said the Road Constrained and Economically Constrained Alternatives do not have that detailed of a policy. Staff recognizes the issue. Commissioner Machado said that would be a mitigation measure. Chair Larsen-Hallock asked if you would also be able to look at agricultural projects under that same oak management plan. Mrs. Lee said there are some State programs through the Wildlife Conservation Board that can provide funding for oak woodland conservation, but you have to have an Oak Woodland Management Plan.

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Commissioner Machado said the policies direct the County to protect access to existing public cemeteries. The cemeteries people have a lot longer list than the County. Mrs. Lee said their list probably includes private cemeteries. The General Services Department has the recognized County list. Ms. Tschudin said staff could find out from the General Services Manager what they maintain and report back to the Commission. Chair Larsen-Hallock said she would be concerned about historical cemeteries that are not public and that people want to access.

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On Page 18, Streams, Lakes, Ponds and Wetlands, Commissioner Mac Cready said the 1996 Plan talked about discretionary development. Why does it talk

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about discretionary in the 1996 Plan and not in the other two alternatives? Mrs. Lee said she believes it goes back to the definition of development. The first bullet under Streams, Lakes, Ponds, and Wetlands in Alternatives 2 and 3 is directing the County to develop standards. When we develop the standards, that would be when we would determine what types of projects would have to create whatever types of evaluations, reports, etc. The second bullet addresses requiring development to fully mitigate for the impacts to wetlands.

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There were no more comments from the public or Commissioners on the Health, Safety, and Noise Element.

Sue Lee gave the Commission a brief overview of the Conservation and Open Space Element.

Under Cultural Resources, Commissioner Mac Cready asked the definition of Certified Local Government. Ms. Tschudin said it is something that is done at the State level and has to do with the opportunity to secure certain funding but also means that certain things that have been done State historic agencies have been given to the local level to implement. It usually has to be with identification of historical resources and sometimes cultural as well. It is basically the delegation of authority from the State level. Chair Larsen-Hallock asked about developing some interim policies until those programs are developed. Ms. Tschudin said that could be done.

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Commissioner Machado, referring to Page 17 of the summary, Soils, said the first bulleted item ranges from no limitation on grading during the rainy season to grading encouraged during the rainy season to grading precluded during the rainy season unless impacts are adequately mitigated to avoid sedimentation, etc. Don't we have a basic standard now for grading? Mrs. Lee said she believes it is not required for all projects. Ms. Tschudin said this would provide the framework for the regulations. Staff has tried to make sure there is a relationship between the framework in the General Plan and the regulations.

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Commissioner Machado asked, assuming we have regulations now, what the potential new mitigation could be? Randy Pesses, Department of Transportation, said what we are doing now with grading in the County is tied to the Grading Ordinance. There is a new fee under water conservation. The Stream Water Management Plan has been sent to the State. Some of our practices in the past have not been totally effective. The new regulations will become more restrictive as time goes on.

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Commissioner Tolhurst said one of the issues he has had is with our road projects and mass pad grading projects. Has there been any thought about having personnel to look at grading and environmental issues? Mr. Pesses said the Department of Transportation is reviewing the way they do business at the present time. He briefly spoke about the new Stormwater II regulation. They have sent

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their Stormwater Management Plan to the State and are in the process of working out the specifics. His department reviews grading associated with subdivision activity. Currently, individual residential grading falls under the Building Department review. Department of Transportation staff reviews commercial and industrial grading. The Best Management Practices are imposed as they have been defined in the past

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David Beauchamp, resident of Rescue, supports Alternative 3 because it allows for more time to make important plan decisions. They encourage the County to keep the open space. They do not want a bedroom community. About twenty years ago, he worked on a tree ordinance for the County. He wonders if it could be brought back out and put into the General Plan. Ms. Tschudin said currently there is no tree ordinance in place. Part of the mitigation measure analysis talks about doing additional mitigation for trees. Commissioner Machado asked Mr. Beauchamp if they looked at the differences between commercial and residential development. Mr. Beauchamp said he would have to look into his files. Commissioner Welsh asked that Mr. Beauchamp provide a copy to staff. Bill Snodgrass, Agricultural Commissioner, said there was work done on a tree ordinance about seven or eight years ago. Sam Miller was on that committee, as was Bill Frost from the U. S. Field Extension. Ms. Tschudin said staff has that information.

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Virginia Crespo, former Chair of the Cultural Resources Preservation Commission, said it is unfortunate we no longer have a Cultural Resources Commission or ordinance. It has been rescinded. It is important at this time in all of the Alternatives that the section that called for a Cultural Resources Commission be put back in. It is in the 1996 Plan, Policy 7.5.1.5. They are supposed to be reconstituting the Cultural Resources Commission, but she does not know how long it is going to take. It needs to be done. Mrs. Crespo said she was also very involved at the time the plans were being developed with some of the changes that the sitting Cultural Resources Commission would like to see. The Planning Commission may want to consider putting those policies in the 1996 Plan if that is what the Commission chooses as its main focus.

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On the public cemeteries, Mrs. Crespo said that is one of the changes they recommended. There are a lot of historical cemeteries that are not public. They would like to preserve their privacy. County Counsel has the final determination on what is public and what is private.

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Mrs. Crespo said the definition of Certified Local Government Status that Ms. Tschudin made is a good one. It would help the County get grants. Without the Certified Local Government Status, you cannot get the grants. The historical districts designation is an important feature to keep within the General Plan, because there are a number of areas within the County that should be within an historical district. There are only two that are outlined at the present time.

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Art Marinaccio reiterated his comments on the mineral mapping for El Dorado County. This mapping is not overwhelmingly different than what we have seen before. There are historical changes that make many of the policies and discussions out of date. This document, by law, must be incorporated into the General Plan. These mineral resources must be protected. There is a significant difference between MRZ 2 a. and b.

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The Vandalia Mine will have to be looked at as to how it is going to be protected. There is also the Pacific Mine. There needs to be a reworking of the verbiage. It is going to take meeting with the mining industry and the property owners. The lack of districts in the two alternatives is unforgivable.

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Harry Mercado, Coloma/Lotus Valley Association, said one of their concerns is the corridor on Plan 3. What kind of mischief will occur down the road since they are under this overlay (important biological corridor)? They wish it were more thoroughly laid out now as to what will occur.

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There was no one else in the audience wishing to comment on the Conservation and Open Space Element.

Peter Maurer gave a brief overview of the Agricultural and Forestry Element. Ms. Tschudin said Bill Snodgrass, Agricultural Commissioner, would be making comments from the Agricultural Commission.

Commissioner Mac Cready said in the General Plan No Project, the County is directed to protect water for agriculture from relocating to residential use. It is not in the other alternatives. This is a problem. He wonders why grazing is broken out from agriculture. Does that mean the other types of agriculture are not important? If you are going to do that, the County should assess the other types of agriculture. Ms. Tschudin said that is certainly where the Commission could recommend a change in wording. Commissioner Machado asked if grazing is broken out because grazing land is more flat. Bill Snodgrass said grazing is a different type of industry. The soils are different. Grazing usually occurs on rocky soils. That industry has a different personality and different needs. If you identify grazing land, you would be identifying what is going on in El Dorado Hills. Chair Larsen-Hallock said grazing also has a different impact relative to forestry than any other agriculture because of the leasing of forest properties for grazing purposes.

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Mr. Snodgrass gave the Commissioners a draft of the comments that the Agricultural Commission is working on. They will be having another meeting next Wednesday to finalize their comments, which will be submitted to staff. Mr. Snodgrass highlighted the comments he presented. Chair Larsen-Hallock asked if there are areas in the County, say Apple Hill, where there may be five-acre parcels? Mr. Snodgrass replied in the affirmative. There are, but those are existing parcels. Chair Larsen-Hallock asked if the Agricultural Commission has

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review on all the administrative relief requests. Mr. Snodgrass said there are requests that go to the Planning Director and those which go to the Agricultural Commission. The majority of the requests have been approved.

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Mr. Snodgrass said every two years the Department of Conservation puts out a map indicating how much agricultural land has been lost. The Planning Department, Agriculture Department, and Assessor's Office submits information for this map.

Water is very important to agriculture. You can set aside as much agricultural land as you want, but it does not mean anything if you do not have water. We need strong water policies for agriculture. Chair Larsen-Hallock asked if the Agricultural Commission has looked at the use of gray water. Mr. Snodgrass said reclaimed and gray water is created mostly at one end of the County, and agriculture uses are at the other end of the County. If you have to pump the water up hill, it becomes very expensive. It becomes prohibitive for agricultural use, but it should be put in the plan so it is kept in mind. Twenty years in the future, it may be less expensive.

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Mr. Snodgrass said agricultural operations are related to the right-to-farm ordinance. The policy is rather long and could be crafted differently. Agricultural tourism is an important part of the agricultural industry. The wine industry is \$165,000,000 per year. The policy on agricultural tourism is an important policy.

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Mr. Snodgrass said the Farm Bureau has some concerns. One is that if you have over 30 percent slope you have to hire an engineer if you do any grading. Most vineyards have some slopes over 30 percent. There was also concern about removing trees over six inches at breast height.

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Referring to A.2.1.1, Commissioner Mac Cready said at the present time, EID has no policy to save new water for agriculture. There is no policy to take it away, but there is none to save it either. He would like to see something put in the County policies that if any new water is developed for the County, part of that water will be saved or put aside for agriculture use. Mr. Snodgrass will talk to Ms. Tschudin regarding this issue. He said there are three different agencies that are involved with water. The General Plan has the County, the Water Agency, EID, and the others.

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Commissioner Machado asked if the Agricultural Commission rewrote a lot of the policies. Mr. Snodgrass said they used the same language. Unless the language is underlined, it is the same as is in the alternatives. They came up with their list of policies they were concerned with and then went to the EIR. The mitigation measures in the plans are almost identical to those the Agricultural Commission recommended. Chair Larsen-Hallock said whatever plan the Commission chooses, the Agricultural Commission would like the policies presented by Mr.

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Snodgrass included in that plan. Mr. Snodgrass concurred. They do not have a preferred base plan.

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Commissioner Tolhurst asked if ranch marketing is included in the EIR, or do we have to do a separate EIR? Mr. Snodgrass said it is not there. He referred to Impact 5.2-2, Page 5.2.63. The Agricultural Commission agrees with the mitigation on 5.1-69.

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Art Marinaccio said he thinks most of these issues have been talked about for fifteen years. The comments he is hearing are the same old issues. Realistically, the Agricultural Commission is going to come up with its wish list. It is the job of the Planning Commission to moderate that and make the General Plan work for the entire community. One example is the Agricultural Districts. They were not only to identify agriculture to be protected but identify residential outside of Agricultural Districts. If you are going to have the same regulations inside and outside of Agricultural Districts, there is no need to have Agricultural Districts. Grazing is a transition use. There are not many operators in El Dorado County that could buy their land for grazing use. Dry land grazing is not the same type of operation as high intensity agricultural use. SMUD is now looking at putting an additional reservoir for pump storage at the north end of Apple Hill. The potential opportunity to bring raw water into Apple Hill from that reservoir is really exciting. That would only be affordable if, in fact, EID could then use the water that is expensively treated for other uses. Mr. Marinaccio said water is a difficult subject, particularly agricultural water.

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Harry Mercado, Coloma/Lotus Valley Association, said he would prefer that the Williamson Act Contract did not show up in any of the plans. He spoke about speculators that enter the Contract, get a shelter from taxes, and later develop the property. They are not agricultural operators. They find the agricultural land use designation and the words in the Environmentally Constrained Alternative to be inspired because they include grazing land, because grazing land is agriculture, particularly if it has been a ranch for 100 years. The look of land that has been grazed is different than chaparral or forestry land. It has a special look. It has a California look. It has high scenic values in a scenic corridor. If he could invent one thing, it would be a way to compensate ranchers for providing this aesthetic in our lives while holding these large ranches at under a less than highly profitable economic system.

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There was no one else in the audience wishing to comments on the Agricultural and Forestry Element.

Commissioner Mac Cready asked Bill Snodgrass to speak about speculator entry into the Williamson Act Contract. Mr. Snodgrass said there is an open space conversion measure and the Williamson Act Contract. The Williamson Act Contract criterion was changed so there is a 50-acre minimum and fencing

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required. If it is under the Williamson Act Contract, they cannot build more than one home on the property until it rolls out in ten years.

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Peter Maurer gave a brief overview of the Parks and Recreation Element. For the most part, the policies are similar, although the language is different. The implementation is the same.

Commissioner Machado, referring to Alternative 2, Page 25 of the summary, asked who thought of the two bulleted items on tourism. Mr. Maurer replied it was staff. Commissioner Machado said he does not disagree, but under the first bullet, in order to have big events in the County, you need to have hotel rooms. Mr. Maurer said this was contained in the 1996 Plan as well.

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Bob Smart, Recreation and Parks Commissioner, spoke as an individual. His comments today are discussed in the 1996 Plan. Policy 9.1.1.7 talks about if you are an entity that can raise money, you stand on your own. He would like the Commission to consider striking the last part of the wording. We are building parks where they already have parks. We need to do a needs assessment. We need to look at who manages these parks in the future. We are building smaller community parks instead of regional parks.

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Regarding the Sacramento-Placerville Transportation Corridor, the corridor is coming online and is extremely important. Parks and Recreation has a piece of the corridor and so does the Department of Transportation. Mr. Smart said he would like to see who is in charge of bringing that trail on line. The Parkway Master Plan needs to be updated.

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Virginia Crespo said there is one thing in the Parks and Recreation Element that does not have a cultural resources nexus. It is in the 1996 Plan. Policy 9.1.4.1, Page 25 of the summary, Policies 9.1.4.2 and 9.1.3.5, Page 266 of the Plan, recognize the historical trails. It is very important to the cultural resources preservation to have interpretive centers. It is an important tourism item that helps maintain our history. She hopes that whatever plan the Commission comes up with, that these policies are not lost.

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Harry Mercado said the 1996 Plan prohibits the County from spending any money for parks as open space. They want parks directed into communities. The Road and Environmentally Constrained Alternatives are mute on this subject. He hopes that provision does not find its way into any of the other plans, if adopted, because a number of the State-wide propositions for preserving opens space, watershed, etc., have earmarked certain funds on a population basis by county. You are going to get money for watersheds and open space if you just apply for it. It would be inconsistent to have something in the General Plan that you could not put to that use. His concern would be not to carry that restriction over into the adopted plan. Commissioner Machado asked Bob Smart his thoughts. Mr. Smart said they would like the most flexibility possible. The Parks and Recreation

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Commission will be meeting next week and he will talk about the possibility of obtaining some of that money.

There was no one else wishing to comments on the Parks and Recreation Element.

Public Testimony on General Plan-related topics.

Staff had nothing to add.

Paul Converse, representing the Federated Church, said they own property in the Diamond Springs area that they plan to development sometime in the future. There is a parcel on Tullis Mine Road (Assessor's Parcel Number 329-301-19-1), which is owned by the church. Review of the property, as shown on the website, shows Alternatives 1 and 4 denoting it as multifamily residential. Alternative shows the property as multifamily residential and includes the parcel size as 17 acres. The Environmentally Constrained Alternative 2 denotes the parcel as high density and 21 acres. The Federated Church would like a multifamily land use designation. When the church purchased the property, the land use designation was multifamily residential. The financial planning for the church has been based on multifamily residential. Mr. Converse read his comments into the record. They will submit their written comments to staff. The infrastructure in the area lends itself more to the high-density development.

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Bob Smart spoke about the Transportation Element as he could not be present this morning. He is concerned about the lack of vision for non-motorized transportation in El Dorado County. The Sacramento-Placerville Transportation Corridor has four percent grade from Camino to Sacramento County. The corridor ties into many of the small communities in the County. He does not believe the Plan so far is responsive to public uses in the corridor. There is also a lack of thinking about people walking. We do not consider how children can walk to schools. We have a wonderful opportunity for people to use this rail corridor. Commissioner Machado asked Mr. Smart if he has a suggestion on which plan best covers this corridor. Mr. Smart said the Bicycle Master Plan needs to be updated with the policies of the General Plan. Art Marinaccio gave the Commission some history on the corridor.

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John Stiltzmilller, resident of Placerville, said he was an inclusionary request on the previous plan (Assessor's Parcel Numbers 093-021-071 and -072). These parcels were zoned ten-acre for 20 or 25 years. He has been defending these properties against the proposed Natural Resource designation. Mr. Stiltzmilller asked that the 1996 Plan be adopted as many, many people spent a long time working on that plan. We are looking at a lack of numbers. There will be many people that do not know about down grading of their property. We are the only county in the State without a General Plan. Many people would like to keep it that way. Without a General Plan, nothing can be done. The 1996 Plan had a tremendous amount of input. The judge just wanted a simple conclusion done on

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the EIR. The plan sat for three years. Mr. Stiltzmler asked that the Commission recommend the 1996 Plan.

There was no one else wishing to give input.

Commissioner Machado rescinded his resignation of May 22, 2003.

Ms. Tschudin recommended the Commission resume the hearing at 7:00 p.m. She gave the Commission the website address for the digital atlas.

Ms. Tschudin suggested meeting dates for August and September (August 27 and 28/September 3, 4, 5, and 8 if necessary). If a sixth day is needed, she suggested August 25. Ms. Tschudin asked if the Commission has any strategy for those meetings. She suggested at least five hearings, taking three or four elements each of the first three days. At the end of the three days, all the testimony should have been received. At the fourth hearing, the Commission would deliberate about where it wants to go, starting with a base plan to create an alternative. The final day, the fifth day, would be when the Commission makes its recommendation. Chair Larsen-Hallock said she likes taking each element one at a time over a three-day period. Commissioner Tolhurst said the Commission needs to get the base at the beginning and have four days on top of that. Commissioner Mac Cready will not be here in August. He would prefer to do the major part of the decision making in September. He did suggest going through the evening for the September meetings. Commissioner Machado said the Commission would choose the base plan on August 27 and take public input on August 27 and 28. At the September hearings, the policies would be recommended. Ms. Tschudin said she needs to have the Commission conclude its deliberations on September 8. Commissioner Machado suggested starting on August 25 and selecting the base at that time. Input from the public would occur on August 27, and perhaps August 28 would not be needed. Chair Larsen-Hallock said she would like to utilize the sixth day. The Commission should start deliberations on August 27 on the base plan and take public comments. August 28 would also be for testimony from the public. Paula Frantz, County Counsel, said the Commission needs to take public comment on the base plan first and then choose the base plan it wants to recommend to the Board. She suggested deliberation, with public input, on August 27 and 28, choosing a base at the end of the day on August 28. Commissioner Tolhurst suggested taking one of the harder elements on each day with two of the easier elements. If there are going to be evening meetings, Commissioner Tolhurst would like them to be on September 4 and August 27. Ms. Tschudin said all meetings would start at 9:00 a.m. and end at 4:00 p.m. The evening portion would start at 7:00 p.m., concluding at 10:00 p.m.

Chair Larsen-Hallock said there is consideration of some new legislation regarding affordable housing. If something is adopted that requires a certain percentage of affordable housing, how is that put in the General Plan? Would there have to be an amendment? Ms. Tschudin said it would be hard to speculate

at the present time, because we do not know what will be in the Housing Element and what the legislation states.

The Commission took a dinner break until 7:00 p.m.

Ms. Tschudin said the Commission has been through all the elements of the General Plan alternatives. Everyone that was present during the day was able to give input. She recommended that people come to the podium and be allowed to speak for the allowed amount of time.

Bill Wright, representing the school districts in the County, spoke on the Public Services and Utilities Element. He thanked the Commission for holding the evening meetings. They are in the process of circulating a letter to the school districts for comments on the EIR. They will be submitting the comments in writing. Mitigation Measure 5.1.3(d) directs schools into the Community Regions or Rural Centers. They suggested the County take a look at this policy. There should be a map indicating the school locations and how that would relate to the existing and planned school facilities. There are a number of schools under construction that are not on the County map. He does not believe the policies would allow the construction of a school in the Gold Trail School District. They would like to see a map that shows the Community Regions and Rural Centers with the location of schools. Schools have a restriction for construction in an agricultural zone. Why don't libraries, etc., also have a prohibition. What does agricultural zone mean? Is it Residential Agricultural, Williamson Act Contract, etc? To avoid conflicts, the prudent thing to do is say we need this many schools, and here is where they are going to go. It is difficult to locate a school after the fact. Without designating the school, how do we know we will have the facilities where they are needed? The infrastructure needs to be available. They will be sending information on school facilities that are approved but not yet built. The site that will be located in Valley View should be shown as well as the one in Carson Creek if that is not going to be a senior citizen development. We should be looking at a yield factor of 7.7. South Lake Tahoe should not be included in the West Slope school figures, because they are losing children, and there is a different situation in that area. Mr. Wright said he does not believe the County should allow changes in the General Plan that cause overcrowding in schools. Chair Larsen-Hallock said it is very important to look ahead and see where we can locate schools. We need to be proactive. Who did staff contact to discuss this issue? Mr. Wright said they could contact him, and he would find a contact person to work with staff. Ms. Tschudin said if there is information that the school district could provide in addition to what staff already has, that information would be welcomed. She will find out the name of the person from the school district that worked with the consultant on the EIR.

Mr. Wright said there is no restriction on siting a school. The problem is obtaining the funding, but they can still place the designation on the site. It is not easy to find a site in this County because it needs to be fairly flat. He believes the

lion's share of planning school sites in this County is almost complete. Chair Larsen-Hallock asked if the schools have already been planned for the projects with development agreements. Mr. Wright said they are in fairly good shape with the larger projects. The more difficult impact to address is the smaller projects, the cumulative affect. Chair Larsen-Hallock asked if Mr. Wright could provide staff with the correct yield numbers. Mr. Wright said he would.

Mr. Wright said he would like to see Policy PS9(c) in the Road and Environmentally Constrained Alternatives. If the policy that states schools will be directed into the Community Regions and Rural Centers were deleted, there would be no need for mapping. Chair Larsen-Hallock said she would like to be collaborative with the school district up front rather than have to do general plan amendments.

Art Marinaccio said the Community Region should go all the way to Green Valley Road and include the schools (high school #5 and the junior high school). There is no technical reason for leaving them outside the Region. All the property along Green Valley Road with the Bass Lake tanks should be in the Community Region.

Speaking about the process, Mr. Marinaccio said one thing that might be helpful would be to look at things that came out after the 1996 Plan, because he feels that plan will be considered as the base plan. In the next set of hearings, he feels the Land Use Element should be done last.

Barry Wasserman, representing the Measure Y Committee, said they would be submitting written comments on the Traffic Element. He has read the EIR and General Plans. The most important thing he thought about is the existing commitments that we have already committed to and the lack of road capacity on Highway 50 to accommodate any new growth other than these existing commitments. The existing commitments will fill the HOV lanes that have been added to the highway. To solve the problem of the over commitment, the 1996 Plan, Road and Environmentally Constrained Alternatives assume there will be eight lanes on Highway 50. The important thing to keep in mind is that widening to eight lanes cannot just be in El Dorado County. It must also be widened to eight lanes on the Sacramento County side. It must be a multi-County regional project. It must be included in the SACOG Metropolitan Transportation Plan (MTP). It is not in the plan partially because of financial and air quality conformity reasons. It is also not there because there is no clear political consensus in the Sacramento region that widening highways solves any problems. There are great political arguments made in that region that widening roads just promotes rural sprawl, and what the Sacramento region should be doing is focusing on is urban in-fill, transit, etc. He is not recommending that, and that is not something the County is going to decide. He just wants to help the Commission understand why the MTP is not planning to widen Highway 50.

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Funding is a big obstacle. Even if the other obstacles did not exist, El Dorado County cannot afford, nor can the TIM fees absorb, this huge added expense.

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Bill Rathbun, 5670 Bassi Road, said he has 20 acres and is surrounded by five-acre parcels. He would like the General Plan to show what is there. There are 35 five-acre parcels surrounding his property. He would like to be considered for five-acre parcels. Mr. Rathbun is submitting his written request. He asked that the Commission consider his request.

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There was no one else wishing to speak.

Chair Larsen-Hallock closed the hearing for comments on the General Plan. The EIR hearing will start on Monday, June 9, at 1:00 p.m., in the Supervisors Meeting Room.

APPROVED BY THE COMMISSION
Authenticated and Certified:


Lorraine Larsen-Hallock, Chair

General Plan Commentary

Received at June 4, 2003
hearing.

El Dorado County Association of Realtors / Government Affairs Committee
(Don Hartley)

Address at Board of Supervisors Meeting June 2, 2003

Introduction

The El Dorado County Association of Realtors, Government Affairs Committee, would like to go on record as an interested party in the development and adoption of the General Plan. Our interest in the General Plan process is vested not only in our Real Estate businesses, but in protecting the interests of our present and future clients, the property owners of El Dorado County.

Concerns

We are concerned that the General Plan process has been hampered over the years by special interest groups that have employed tactics to impede the process, and thereby achieve their goal of stopping growth.

We are concerned that El Dorado County has the dubious distinction of being the ONLY County in the state without an adopted General Plan, and so is the ONLY county in the state that has been stripped of its Land Use Authority. At the very least this is an embarrassment, but on a deeper level it has retarded progress on all development in the county, whether necessary or discretionary.

We are concerned that since the *Writ of Mandate* was imposed in 1999 the county has failed to address those specific issues identified in the *Writ*, and instead pursued the more elaborate route of developing "equal weight alternative plans". Concentrating on a single "preferred" plan that would satisfy the *Writ* would have been more expeditious and less costly.

We are concerned by the encyclopedic volume of information that has been delivered by the Project Manager. We believe it to be too much for anyone to absorb and comprehend. The result may be reliance on summaries or excerpts to make decisions that end up being policy, without complete investigation of ALL relevant facts.

We are concerned that the county has been working on the General Plan for many years, but now that the Alternatives have been released to the public, the public is limited to a 45 day comment period.

We are concerned that the authors of the General Plan Alternatives were paid consultants, special interest groups, and the county planning department, and that public comment is just now being solicited.

We are concerned that the proposed Land Use Maps were created by drawing lines on paper rather than involving those property owners whose lands will be affected.

We are concerned that the property owners whose parcels will be affected, and in most cases re-classified to more restricted use, have not been advised of the financial and utility impacts these new maps will impose.

We are concerned that the designation of Community Regions, Rural Centers, and Rural regions was arbitrary and yet will affect Land Use designations. Who decided the boundaries? How were they drawn?

67-8,9

67-5,6,7

67-1,2,3,4

We are concerned that some new Land Use designations NR (Natural Resources), A (Agricultural), and others were arbitrarily assigned, thereby affecting future value and utility on many parcels. Again this was done without input from the affected landowners.

15

We are concerned that the "Constrained" Alternatives impose prohibitions to infrastructure improvements and project approvals based on "overlay maps" that were developed by consultants and special interest groups. Adoption of these alternatives will constrain our economic growth and perpetuate the belief that El Dorado County has an inhospitable business climate.

16

We are concerned that the analysis provided by the Project Manager implies that *less is better* in that ONLY environmental impacts are addressed, and economic impacts are not. The qualitative and quantitative impacts are NOT "equally weighted" as directed, but are clearly slanted to the Alternatives that minimize growth and development.

17

We are concerned that the Rancheria Casino project will be "slam-dunk" and that the BOS position to allocate several hundred thousand dollars opposing the project would be better spent mitigating the inevitable results.

18

We are concerned that the pre-commitment of Development Agreements in El Dorado Hills will serve to propel additional growth at the Western border of the county. Impending incorporation efforts will have a significant impact on the future complexion of the county.

10

Recommendations

We recommend that the Board ask the Project Manager to develop an abbreviated Plan that addresses the Writ of Mandate. By satisfying the demands of the Writ perhaps the county can regain Land Use Authority.

11

We recommend that the Board ask the Project Manager and Planning Commissioners to recommend a "preferred Alternative" or a hybrid of the four alternatives.

12

We recommend that the BOS schedule Town Hall Meetings in each of the Community Regions, Rural Centers and Rural regions. We believe a high level of public input is needed at this stage.

13

We recommend that the BOS acknowledge the fact that the General Plan process started prior to their tenure and not be pressured to adopt a Plan until all voices are heard.

14

Conclusion

The El Dorado County Association of Realtors in cooperation with the Business Alliance (Business Exchange, Chambers of Commerce, SAGE) intends to be active participants in the General Plan process. We have established specific committees to address the various plan elements. Each committee will offer its own input at the appropriate time and venue.

Together we intend to publicize the Plan progress to our members and the general public.

It is our hope that the General Plan can be adopted and implemented as expeditiously as possible. We also hope that the end result addresses the 7 expressed goals in such a way that the wishes of the county's populace are satisfied without undue prohibitions and restrictions on land use and property rights.

Bulletin Board

The Business Alliance in cooperation with the Shingle Springs/Cameron Park Chamber of Commerce has an on-line bulletin board at sscpchamber.org

We encourage everyone to log on and post their comments.

67-15,16
67-17,18

67-10,11,12
67-13,14



681 Main Street, Suite 220
P.O. Box 1983
Placerville, CA 95667

Phone: 530-626-4872
Fax: 530-626-9308
Email: kfrd@hitechnetworks.net

June 4, 2003

Dear Planning Commission:

KFRD recently had an industrial subdivision approved by the Planning Commission, P-99-13.

This subdivision received conditions of approval that has concerns that need attention when making decisions on the new General Plan.

The main items of concern with regards to industrial zoning are: Oak Tree Canopy, Building Coverage, and Community Design Review Overlay.

03 JUN -4 PM 1:37
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PLANNING DEPARTMENT

Oak Tree Canopy

Currently the county is requiring 85% tree canopy retention. This item needs to be reduced to 25% retention, with replacement or transplanting. Higher tree coverages under current restriction severely limit the use of industrial zoned lands. The tree canopy restrictions need to be reviewed desperately. Agricultural lands do not have to comply with tree regulation, which is discriminatory, and an environmental disaster. The oak tree ordinance needs to apply to all oak trees even if a parcel is not being developed. The removal of oak trees should require a permit.

68-1

Building Coverage

Currently planning is limiting building coverage in industrial zoned lands. The building coverage should be allowed to the maximum. There is a limited amount of industrial zoned lands in El Dorado County. Please make the most of it.

68-2

Community Design Review Overlay on Zoning

This addition to zoning designation is a useless, repetitive, additional expense roadblock that accomplishes absolutely nothing. I believe at one time planner Robert Britzman had prepared a solution to this issue and planning commission should take his recommendations.

68-3

Sincerely,
Kenneth Wilkinson
KFRD Investments, Inc.
Kenneth Wilkinson

To WHOM IT MAY CONCERN,

I WOULD LIKE MY PROPERTY CONSIDERED
FOR INDUSTRIAL PROPERTY

69-1

THANK YOU,

MARK SANDER
5500 JOHN TOWN CREEK RD.
GARDEN VALLEY, GA. 95633

530.333.1626

PROPERTY DESCRIPTION
8.28 PAR 2 P/M 39-76

PARCEL #
088-050-59-1-0

03 JUN -4 PM 1:31
RECEIVED
PLANNING DEPARTMENT

EL DORADO POST 119
AMERICAN LEGION
P.O. BOX 421
PLACERVILLE, CALIFORNIA 95667



June 5, 2003

Supervisor Helen Baumann
Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Re: New American Legion Building in General Plan Jeopardy
APN 319-260-52

03 JUN -6 AM 9:21
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Dear Supervisor Baumann:

The purpose of this letter is to alert you that land recently purchased by the American Legion for its new veteran's center on Greenstone Road is in jeopardy because one of the general plans under consideration would re-designate that property as RE-5 residential instead of its current INDUSTRIAL character.

70-1

The Post purchased the property with the intention of pursuing a use consistent with an industrial designation. The veterans strongly urge your board to except the Legion property from the residential designation. Our property is at the Northeast corner of Greenstone and Old Greenstone cut-off.

Additionally but equally important, there are two development standards which would make nearly impossible the construction of our post building on our property. The on-site tree canopy retention rule is too onerous. We should be allowed to build on our large parcel and either plant additional trees on-site or contribute to tree preservation programs off-site. We also object to the footprint restrictions. We need to improve more than 20% or 25% of the land.

70-2

70-3

These are critical issues for the veterans of our County who have saved money for over 60 years with the sole goal of buying and building our own Post on Post property. Please do not take this honorable goal from thousands of veterans. The Post looked for many years for suitable property it could afford. The proposed rules would cause the Post to

MEETINGS - FIRST & THIRD WEDNESDAYS

suffer a financial loss in the value of the property and they would also drive up the cost of other potential sites beyond our reach.

Thank you for your consideration.

**DICTATED BUT NOT
READ TO AVOID DELAY**

David C. Becker
Executive Committee

Cc: Rusty Dupray
Charlie Paine
David A. Solaro
Conrad Montgomery, Planning Director

C. Boggs, Inc.

4401 Hazel Ave., Suite 275
Fair Oaks, CA 95628
(916) 961-7757

03 JUN -9 PM 1:49
RECEIVED
PLANNING DEPARTMENT

June 5, 2003

Heidi Tschudin, Project Manager
El Dorado County General Plan
County of El Dorado
330 Fair Lane
Placerville, CA 95667

Re: Split Zoning on APN: 051-461-591

Dear Ms. Tschudin:

Last week I attended a "Town Hall Meeting" sponsored by The Shingle Springs-Cameron Park Chamber of Commerce and the Business Alliance regarding the Draft General Plan. Jack Steele and Rick Russell presented an informative update on the General Plan.

Following the meeting I spoke with Rick Russell regarding a parcel in Diamond Springs with split zoning. Rick suggested that I write you with a request to consolidate the zoning.

The subject parcel is owned by C. Boggs, Inc. (APN: 051-461-591). The parcel was sold to John P. Casper on September 17, 1997. Mr. Casper defaulted on the "seller carry-back financing" and C. Boggs, Inc. reacquired the property last year.

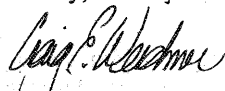
71-1

The parcel currently has split zoning, with approximately 7 acres zoned R2PD, and approximately 3 acres zoned RE5 (see attached map).

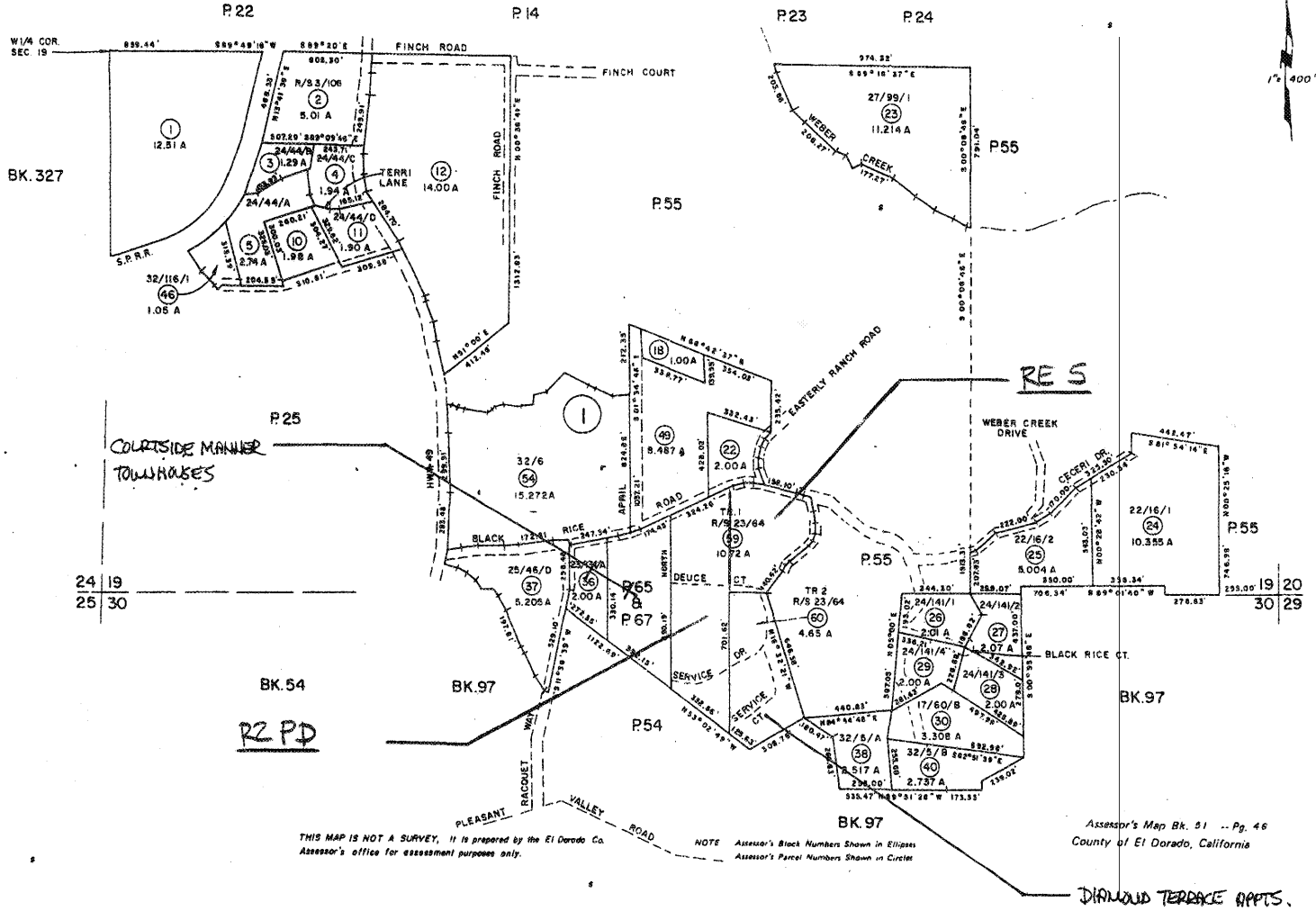
The contiguous property to the east has been developed into an apartment complex, known as Diamond Terrace Apartments. The contiguous property to the west has been developed into townhouses, known as Courtside Manner Townhouses.

We respectfully request that the zoning on the parcel be consolidated into R2PD. Thank you for your attention to this matter.

Sincerely,


Craig E. Weidmer

Acknowledged by: 
C. R. Boggs, Owner



THIS MAP IS NOT A SURVEY, IT IS PREPARED BY THE EL DORADO CO. ASSESSOR'S OFFICE FOR ASSESSMENT PURPOSES ONLY.

NOTE: ASSESSOR'S BLOCK NUMBERS SHOWN IN ELLIPSES. ASSESSOR'S PARCEL NUMBERS SHOWN IN CIRCLES.

ASSESSOR'S MAP BK. 51 -- Pg. 46
COUNTY OF EL DORADO, CALIFORNIA

EL DORADO COUNTY

DEPARTMENT OF MENTAL HEALTH

ADMINISTRATIVE OFFICE

03 JUN -9 PM 2:43

RECEIVED
PLANNING DEPARTMENT

Kathleen M. Burne, LCSW, Director
Kenneth A. Meibert, MS, Deputy Director
344 Placerville Drive, Suite 20
Placerville, CA 95667
Phone: (530) 621-6200
Fax: (530) 622-3278



June 5, 2003

Ms. Sue Lee, Senior Planner
El Dorado County Planning Department
2850 Fair Lane Court
Placerville, CA 95667

Dear Ms. Lee:

At a joint meeting of the South Lake Tahoe and Western Slope Councils of the El Dorado County Mental Health Commission held May 28, 2003 the Commission members voted unanimously to forward the enclosed comments on the Draft Housing Element of the proposed County General Plan.

Housing for mental health clients is a critical issue in the County and we hope that our comments will be given careful consideration.

Thank you.

Sincerely,

Clay Dawson
Clay Dawson, Chair
Western Slope Council, EDC Mental Health Commission

72-1

El Dorado County Mental Health Commission

Comments on - Housing Element Attachment B: Status of Previous Housing Element

Attachment B of the Housing Element reviews and analyzes the results of policies from the previous Housing Element. Based on this review, the current Housing Element proposes to either retain or modify these previous policies, and/or add new policies.

The Mental Health Commission offers the following comments and recommendations on policies within the "GOAL: Housing Opportunities" section, under "OBJECTIVE: To provide safe, comfortable housing for groups with special needs with low to moderate incomes, as follows:

1) Policy: Community care facilities for six or fewer persons shall be allowed by right within all residential land use designations.

Comment on 1): While it is noted in Attachment B that five community care facilities for six or fewer persons were established in the county between 1996-2000, it should be further noted that none of these five served mentally ill adults whose only source of income is SSI disability. Prior to 2000, there were only two adult community care homes in this county; however, one of these two was forced to close because of excessive costs of operation. At present, there is only one such adult home located anywhere in the county, and that one is in South Lake Tahoe (i.e. Tahoe Manor).

There is a significant need to provide housing for mentally ill adults within the county, close to family and friends and close to the county's mental health service providers. Currently the Mental Health Department is serving over 30 mentally ill adults who have been placed in board and care homes in and around the City of Galt, approximately 60 miles from Placerville. Board and care homes accepting adult clients at the SSI rate are more plentiful in this area because of reduced housing costs. The primary disincentive to the creation of such affordable, adult care homes in El Dorado County is the

72-2

higher price of housing. The cost of housing is less of an obstacle for the creation of group homes for children because the reimbursement per child is much higher and housing costs are a smaller percentage of the overall budget in operating such a home.



72-2

Recommendation on 1): The MH Commission recommends that the County revise this policy for the new Housing Element to allow **adult** community care facilities for ~~six~~ **eight** (instead of six) or fewer persons by right within all residential land use designations. This higher number will improve the economics of starting up the operation of such adult homes and will help to promote their establishment in the county.



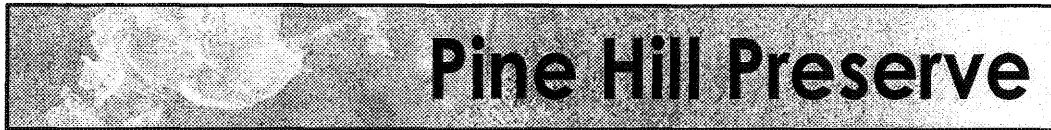
72-3

2) Policy: Community care facilities for more than six persons shall be allowed by special use permit within all residential land use designations and shall be allowed by right in commercial designations.

Comments on 2): Consistent with the recommendation in the policy above, this policy should be revised to state: "Community care facilities for more than ~~six~~ **eight** persons....."



72-4



Peter Maurer, Principal Planner
 El Dorado County Planning Department
 2850 Fairlane Court
 Placerville, CA 95667

Dear Peter:

Thank you for attending the Pine Hill Preserve Management Committee meeting May 19, 2003.

Those present at the meeting were in agreement that the difference between Mitigation Area 0, or rare plant overlay, as it appears on the Draft General Plan maps, and the US Fish and Wildlife Service recovery plan maps, will create a problem if not changed in the final version of the General Plan. Of course the Recovery Plan for the Gabbro Soil Plants of the Central Sierra Foothills produced by U.S. Fish and Wildlife Service in 2002 is the latest and most thorough evaluation of the habitat needs of the species, so it makes conservation sense to incorporate Service's maps. But there are practical considerations as well.

As it stands now, for areas within the County Mitigation area 0 but outside the recovery plan boundary, the County will be having people donate conservation easements in areas that may not count toward recovery plan goals. These conservation easements are likely to be isolated parcels away from fee title Preserve lands which will mostly be purchased in the recovery plan area (federal funds will be targeted toward fulfilling the recovery plan for instance). On the other hand, some important habitat outside the recovery plan boundary may be protected by maintaining the County's present larger overlay. The present overlay, where it exceeds the recovery plan, does allow the opportunity for US Fish and Wildlife Service to revise the recovery plan boundary and count acreage acquired in conservation easements toward their recovery plan targets, in instances where they think this is appropriate.

The big problem is areas within the recovery plan boundary, but outside Mitigation area 0. There landowners will be able to pay their fee and develop land that is needed in preserved status to meet recovery plan acreage targets. There is a finite supply of land that provides habitat for the federally listed species and that is not already developed. Many people who have looked at the present situation believe that it may not be feasible to reach the 5000 acre goal for the Preserve set in the recovery plan, even under the most optimistic assumptions. So the loss of additional acreage to development may foreclose the possibility of coming close to reaching US Fish and Wildlife Service recovery plan targets.

*Pine Hill Preserve - Al Franklin, Preserve Manager
 63 Natoma St., Folsom, CA 95630 (916) 985-4474*

The Pine Hill Preserve is the result of a collaborative effort among the following agencies and organizations : California Department of Fish and Game, California Department of Forestry and Fire Protection, El Dorado County, El Dorado Irrigation District, U.S. Bureau of Land Management, U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service, and the American River Conservancy.

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 JUN - 5 AM 11:52
 2003

73-1

For this reason I urge the planning department to change all the Draft General Plan alternatives to incorporate a rare plant overlay that includes all those lands included in the final USFWS Recovery Plan for the Gabbro Soil Plants of the Central Sierra Foothills. If these additional lands are simply added, it will only slightly increase the size of the private land included in the overlay, mostly in the Salmon Falls and Cameron Park units. (Additional public land that has already been included in the Preserve will also be added to the overlay.) A map showing these additions is attached.

73-1

Also lands already in public ownership and forming portions of the Pine Hill Preserve should be clearly depicted, on the overlay, and on the General Plan maps. It would be much clearer to users if a distinction was made between: (1) lands that are currently in public ownership and being managed for the preservation of rare plant species, and (2) private lands that might have potential to some day be added to those preserves if there are willing sellers and sufficient funds. These lands are mapped together in the overlay, causing potential confusion.

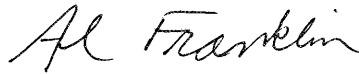
73-2

Some already acquired Preserve lands are not shown as Ecological Preserve and/or Open Space on the General Plan maps. For instance on the Shingle Springs quad, in the Cameron Park Unit of the Preserve, the "No Project/1996 Alternative" map has no indication that either the "Gabbert" parcel north of Meder Road or the "Ponderosa 50" parcel, north of Highway 50, are publicly owned and part of the Preserve. The "Roadway Constrained.....Alternative" map shows the Ponderosa 50 parcel as Open Space, but not within the overlay. And on this same map the Gabbert parcel is not shown as Open Space. Only the "Environmentally Constrained Alternative" map has both parcels shown as Open Space and Ecological Preserves. To assist in making updates for the maps, the attached map also depicts lands currently in Preserve ownership.

73-3

Steve Hust suggested a meeting with you or your staff to discuss these issues. I would be very glad to participate in the meeting. Thank you for providing the opportunity to provide input for the County General Plan.

Sincerely,

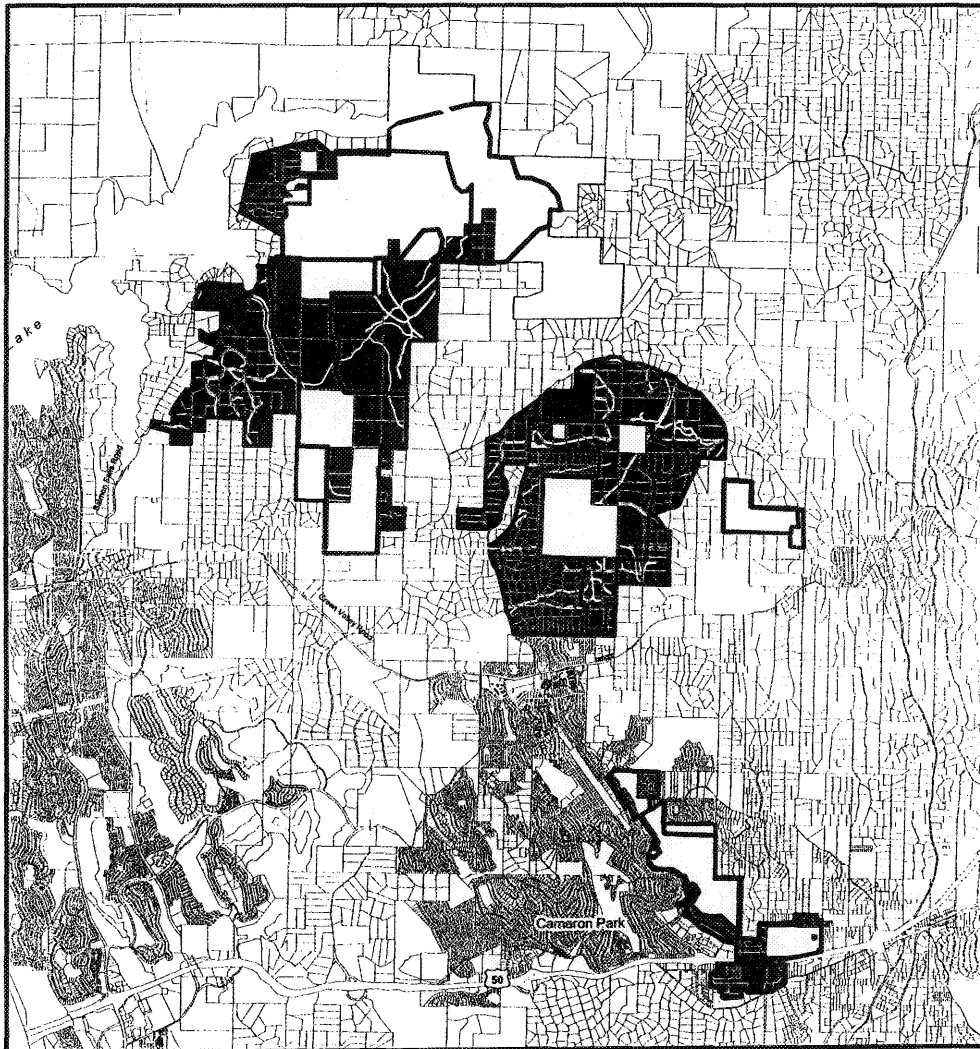







Al Franklin
Pine Hill Preserve Manager

Pine Hill Preserve - Al Franklin, Preserve Manager
63 Natoma St., Folsom, CA 95630 (916) 985-4474

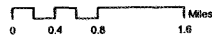
The Pine Hill Preserve is the result of a collaborative effort among the following agencies and organizations: California Department of Fish and Game, California Department of Forestry and Fire Protection, El Dorado County, El Dorado Irrigation District, U.S. Bureau of Land Management, U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service, and the American River Conservancy.

**Parcel Map Showing lands within USFWS Recovery Plan Boundary
not included in El Dorado County Rare Plant Overlay**



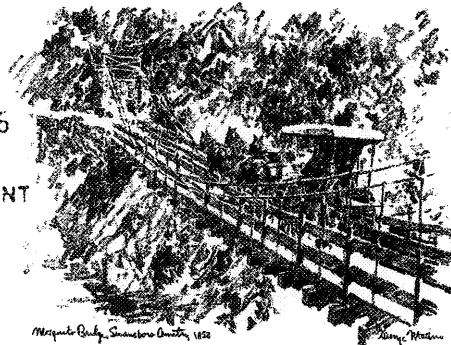
-  Private Lands outside present County overlay but within Recovery Plan
-  El Dorado County Proposal
-  Existing Pine Hill Preserve Lands
-  Fish & Wildlife Service Proposal
-  Private Lands Affected by EL Dorado County Proposal

1:59,000



Swansboro Land & Homes

03 JUN '99 AM 10:46
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Mosquito Valley, Swansboro County, 1982

GATEWAY TO SWANSBORO COUNTRY

August 28, 2002

El Dorado County
Planning Dept.
2850 Fairlane Court
Placerville, CA 95667

Dear General Plan Team,

My name is Debbie Harris and my husband and I own a 2 acre parcel #085-722-061, which is located next to the Mosquito Fire Station in the Mosquito/Swansboro area. I talked with Connie Valenski, assistant to Supervisor Penny Humphreys as well as Pierre Rivas, senior planner last year regarding the potential for a zoning change which would allow for a small grocery store and possibly a restaurant on our property. Connie called me yesterday and suggested the timing to request this change is now.

My family has owned this property since 1968, we were also the developers of Swansboro Country. In 1983 when Unit 8 was developed we decided to put our real estate office on this parcel (has a commercial EID meter on it) and we recorded no CC&R's on it, which would have prevented any commercial. This property is not in the homeowners association and fronts a county maintained road. This was all discussed with County planner Ken Milan, we chose this parcel as a potential store site because of the location next to the fire station, across from the airstrip and central to the Mosquito district and Swansboro Subdivision. We even placed our small office on the far edge of the property with area for expansion, even the location and size of the septic tank and leach lines were considered.

I discovered only last year that El Dorado County designated parcels on the other side of the fire house as potential commercial, but these parcels are all subject to Swansboro CC&R's in Unit 2 which allow for no commercial. As we know from recent history the Placerville school district chose to not pick a site in the subdivision because of the CC&R's and the difficulty in changing them.

Approximately 10 years ago a neighbor, Sherry Aspenleiter did approach the county with plans for a store but she sold the property and these plans were never followed through with. Please consider our request in giving our property the potential to be a much needed asset to our community. My husband Rusty or I can be reached at 622-6822, or by fax at 622-6826, our mailing address is 8781 Rock Creek Rd., Placerville, CA 95667. Please let us know what we would need to do next.

Sincerely,

Debbie Harris

cc: Penny Humphreys, Supervisor, attached 2 maps

copy - resubmitted to planning 6-5-03 PH

SWANSBORO LAND & HOMES • OWNERS AND DEVELOPERS OF SWANSBORO COUNTRY
8781 ROCK CREEK ROAD • PLACERVILLE, CALIFORNIA 95667 • PHONE (916) 622-6822

74-1

1-800-345-7334

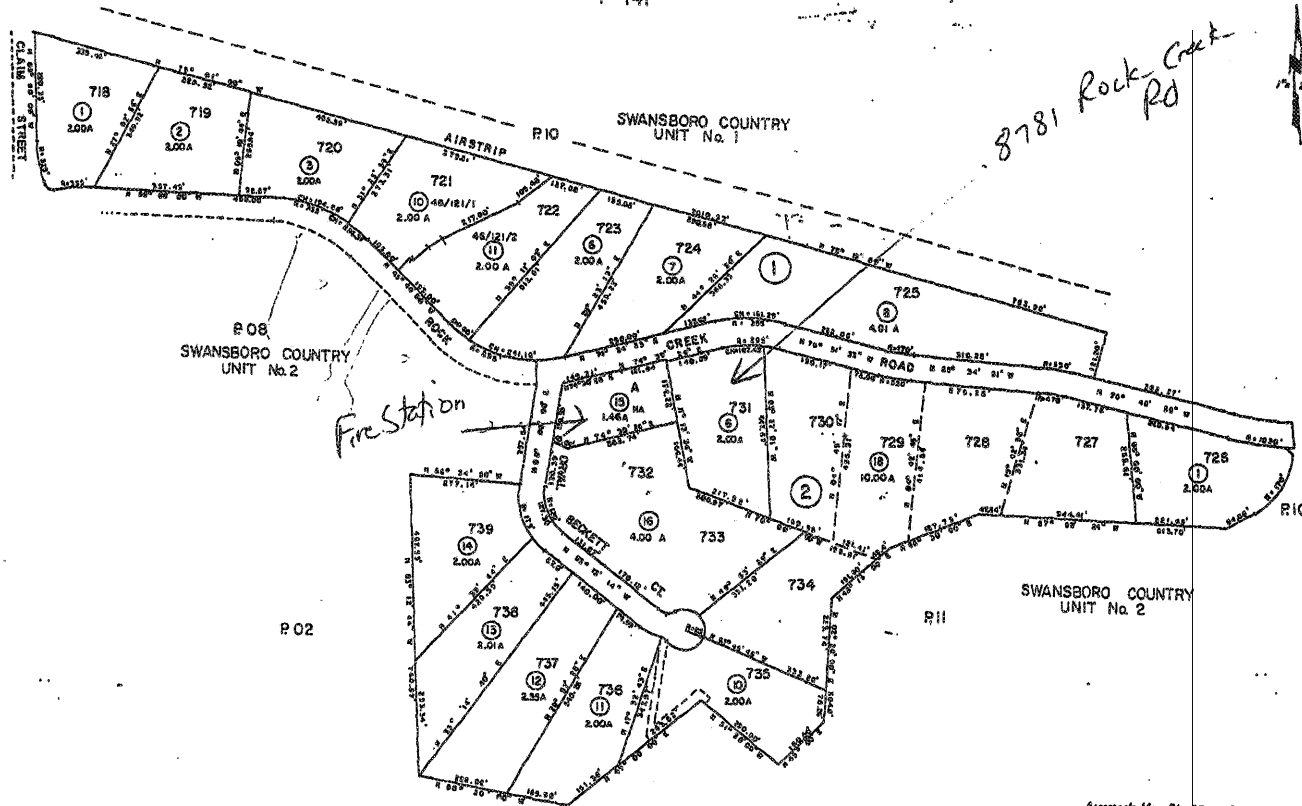


SCALE IN 1/16 OF AN INCH

SWANSBORO COUNTRY UNIT No. 8
POR. SEC. 15 T11N. R11 E. M.D.M. (A RURAL SUBDIVISION)
F-141

Tax Area Code

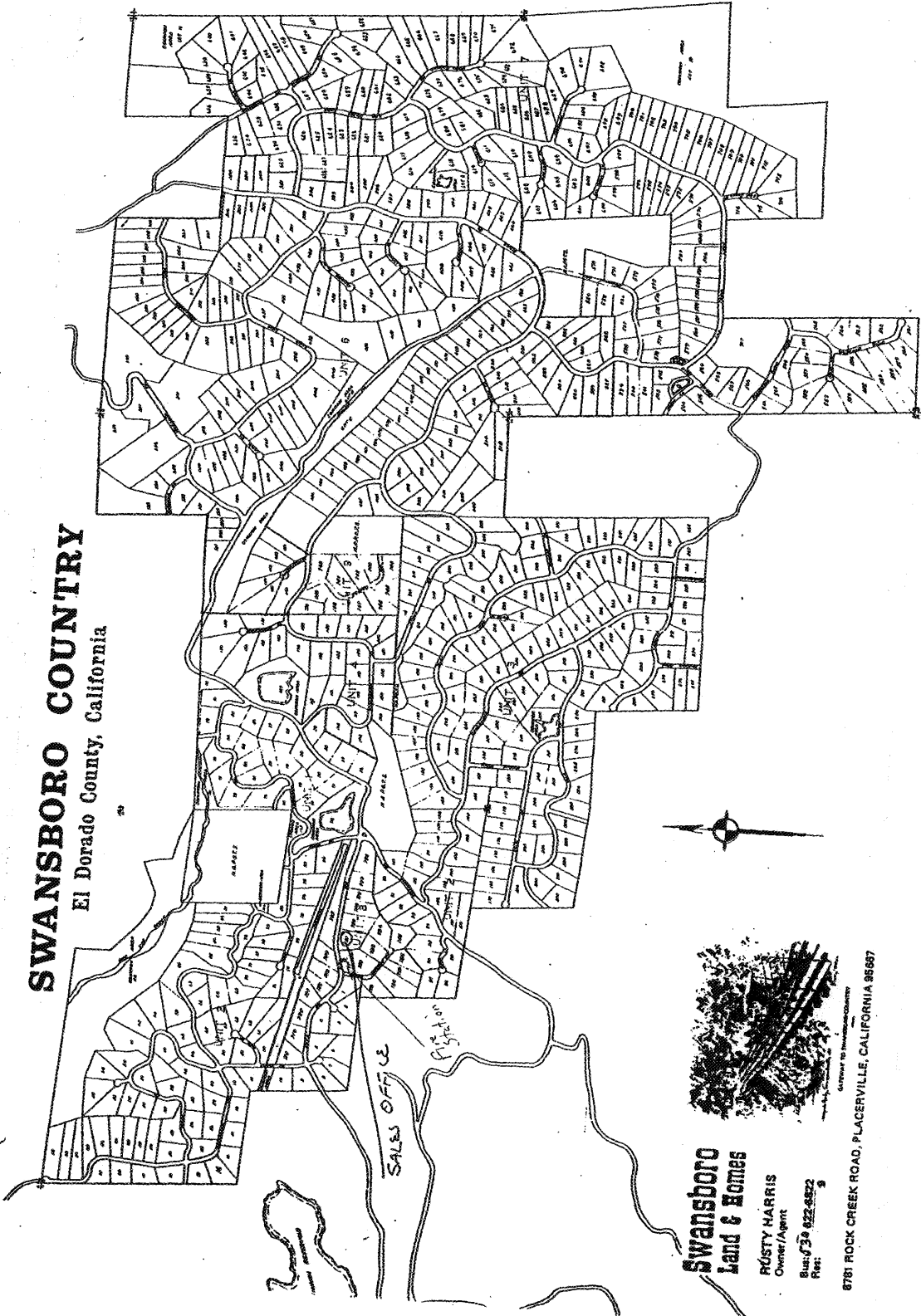
85:72



NOTE - Assessor's Block Number Shown in Ellipse
Assessor's Parcel Number Shown in Circles

Assessor's Map Bl. 43 - Pg. 72
County of El Dorado, California

107 002



SWANSBORO COUNTRY
 El Dorado County, California



Swansboro
 Land & Homes

RUSTY HARRIS
 Owner/Agent

Buyer's 30 622-6822
 Fax:

6781 ROCK CREEK ROAD, PLACERVILLE, CALIFORNIA 95667



TransVest Corporation

Real Estate - Investment
1400 Big Oak Ct Placerville, California 95667
3000

03 JUN -9 PM 2:18
RECEIVED
PLANNING DEPARTMENT

June 5th, 2003

County Planning Department
12850 Fair Lane Court
Placerville, Ca. 95667

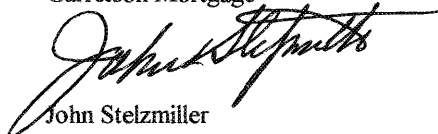
Reference: Parcels 093-021-071 & 093-021-072

- A. Zoning of 10 Acre re-affirmed by Planning Commission and Board of Supervisors on above parcels.
- B. Tentative Parcel Map on 093-021-07 was in process when Judge bonds decision on the E.I.R. of the approved General Plan.

75-1

We expect the 10 acre zoning and the processing of the parcel map to be completed upon adoption of whatever General Plan is determined.

TransVest Inc.
Garretson Mortgage



John Stelzmilller
TransVest Inc.



Transvest Corp
Real Estate *timber

3000 Big Oak Ct.
Placerville, CA 95667
530-622-1358 J. Stelzmilller

Should the Board uphold the recommendation of the Planning Commission and keep the subject properties designated Rural Residential-Platted Lands (RR-PL), the property owner may make application to subdivide each of the two approximately 40-acre parcels into four 10-acre parcels.

2. *If the Board upholds staff's original recommendation.*

Should the Board uphold the recommendation of staff, the properties could not be further subdivided.

5. *If the Board upholds the Planning Commission recommendation, what further action(s) by the property owner are required in order to divide parcels into 10-acre parcels and what conditions would (or may) be attached?*

The property owner would be required to submit a tentative parcel map application. Typical conditions of approval applied to a tentative parcel map are listed on Attachment A.

6. *Additional requirement(s) upon property owner if Planning Commission recommendation is not followed?*

Should the recommendation of the Planning Commission not be followed and the current general plan amendment application (A97-04) continue to be processed as directed by the Board, no additional requirements are anticipated whether or not the general plan amendment is approved.

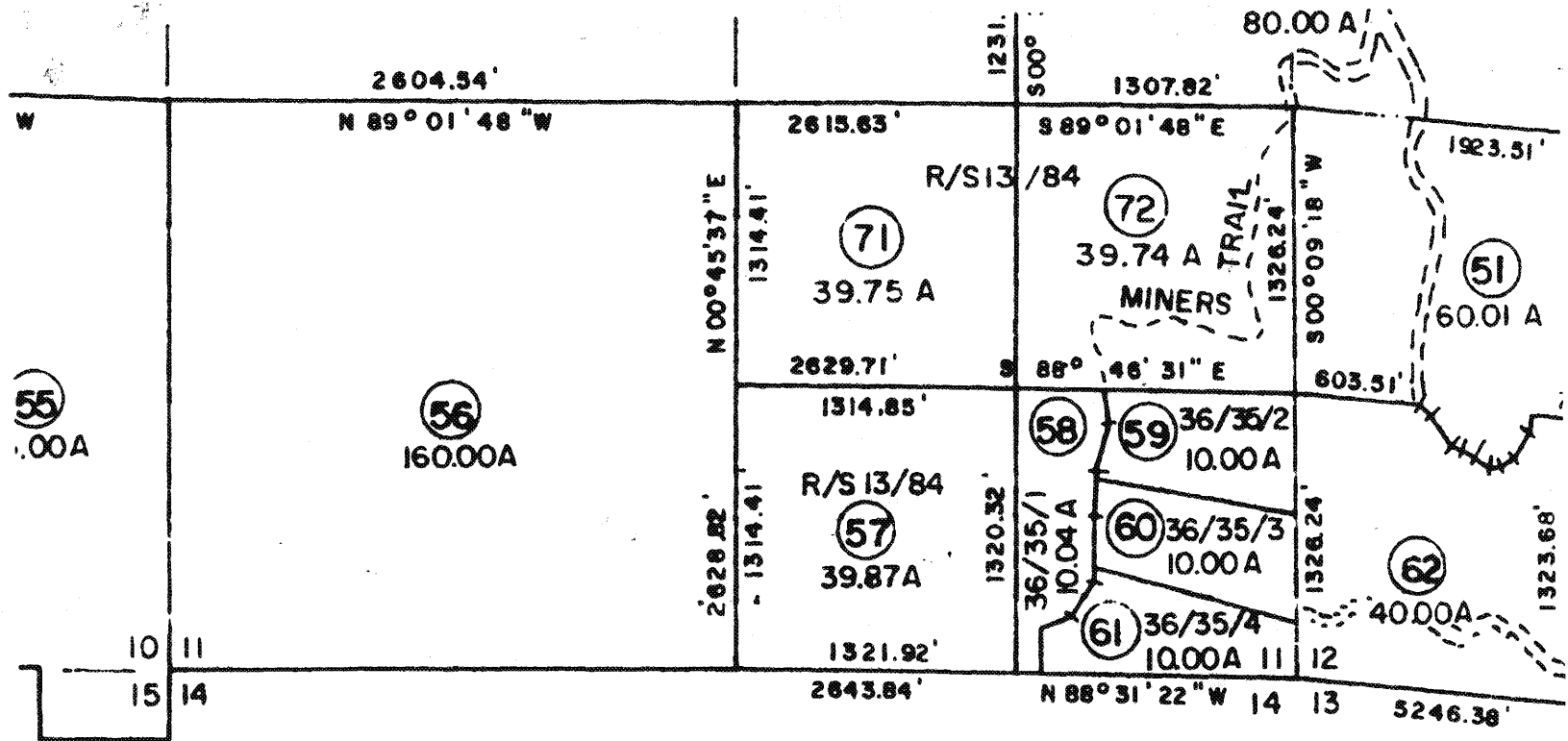
7. *Additional pertinent information that the Board should consider on this issue.*

The principal issue is that the use of the Platted Lands (-PL) land use designation overlay is for the expressed purpose of identifying those lands in the County that have been previously subdivided and would otherwise not be considered consistent with the current adopted General Plan. The -PL land use designation prevents the expansion of the particular land use pattern. Applying the -PL land use designation to these parcels is inconsistent with the policies of the General Plan because the properties are 40-acres in size and are not now subdivided. General Plan Policy 2.2.2.3 states the following:

The purpose of the Platted Lands (-PL) overlay designation is to identify isolated areas consisting of contiguous existing smaller parcels in the Rural Regions where the existing density level of the parcels would be an inappropriate land use designation for the area based on capability constraints and/or based on the existence of important natural resources. The -PL designation shall be combined with a land use designation which is indicative of the typical parcel size located within the Platted Lands boundaries. The existence of the -PL overlay cannot be used as a criteria or precedent to expand or establish new incompatible land uses.

*Not
Included*

The -PL overlay designation may also be applied to lands historically zoned with a commercial zone district combined with the Commercial (C) land use designation.

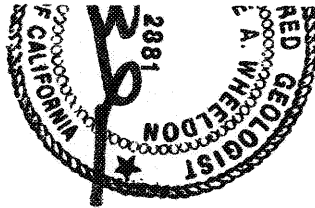


P.04

P.27

THEY, It is prepared by the El Dorado Co. assessment purposes only.

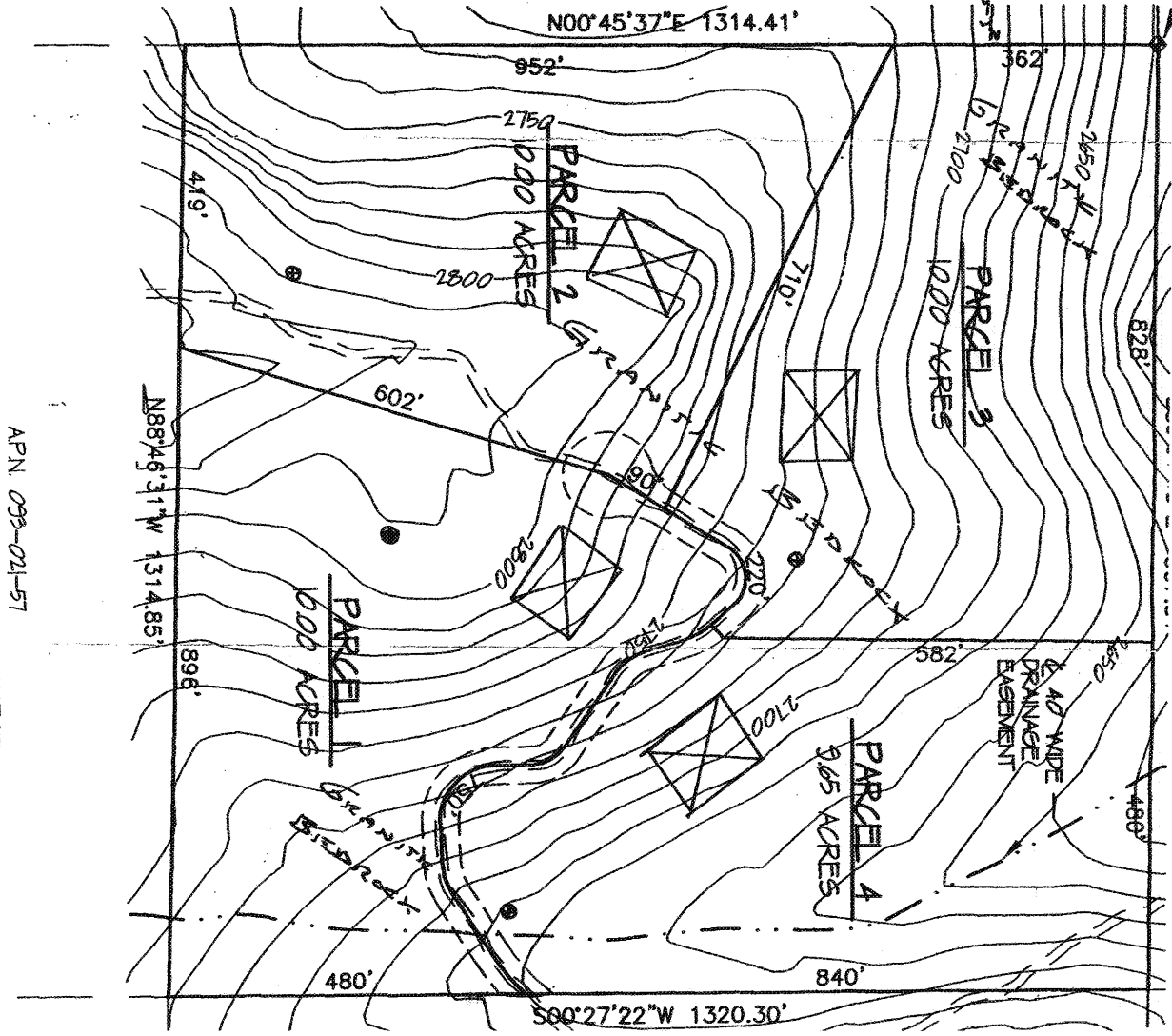
NOTE - Assessor's Block Numbers Shown in Ellipse
Assessor's Parcel Numbers Shown in Circle



APN. 093-021-56
RICHARD D. & MARJORIE N. COSENS, TR.
3733-516 OR.

Proposed Well Location = ⊕

Proposed 1/2 Acre Parcel Area



APN. 093-021-57

Agenda of: March 3, 1999

Item No.: 5.1.
e

Staff: Daniel Uhlar

STAFF REPORT - PARCEL MAP

FILE NUMBER: P98-12 (Transvest Inc.)

APPLICANT: Transvest Inc./Garretson Mortgage

AGENT: Gene Thorne & Associates, Inc.

REQUEST: A tentative parcel map creating four (4) parcels ranging in size from 9.65 to 10 acres on an approximate 40 acre site (Exhibit D). Design waivers have been requested for the following:

- a. Allow a dead-end road longer than the maximum of 500 feet in length.
- b. Allow roadway width of 20 feet in-lieu of the standard 24-foot requirement.

LOCATION: On the west side of Miners Trail, approximately 1/3 of a mile from the intersection with Sweeney Road in the Somerset area. (Exhibit A)

APN: 093-021-71

ACREAGE: 39.65 acres

GENERAL PLAN: Rural Residential - Platted Lands (RR-PL) (Exhibit B)

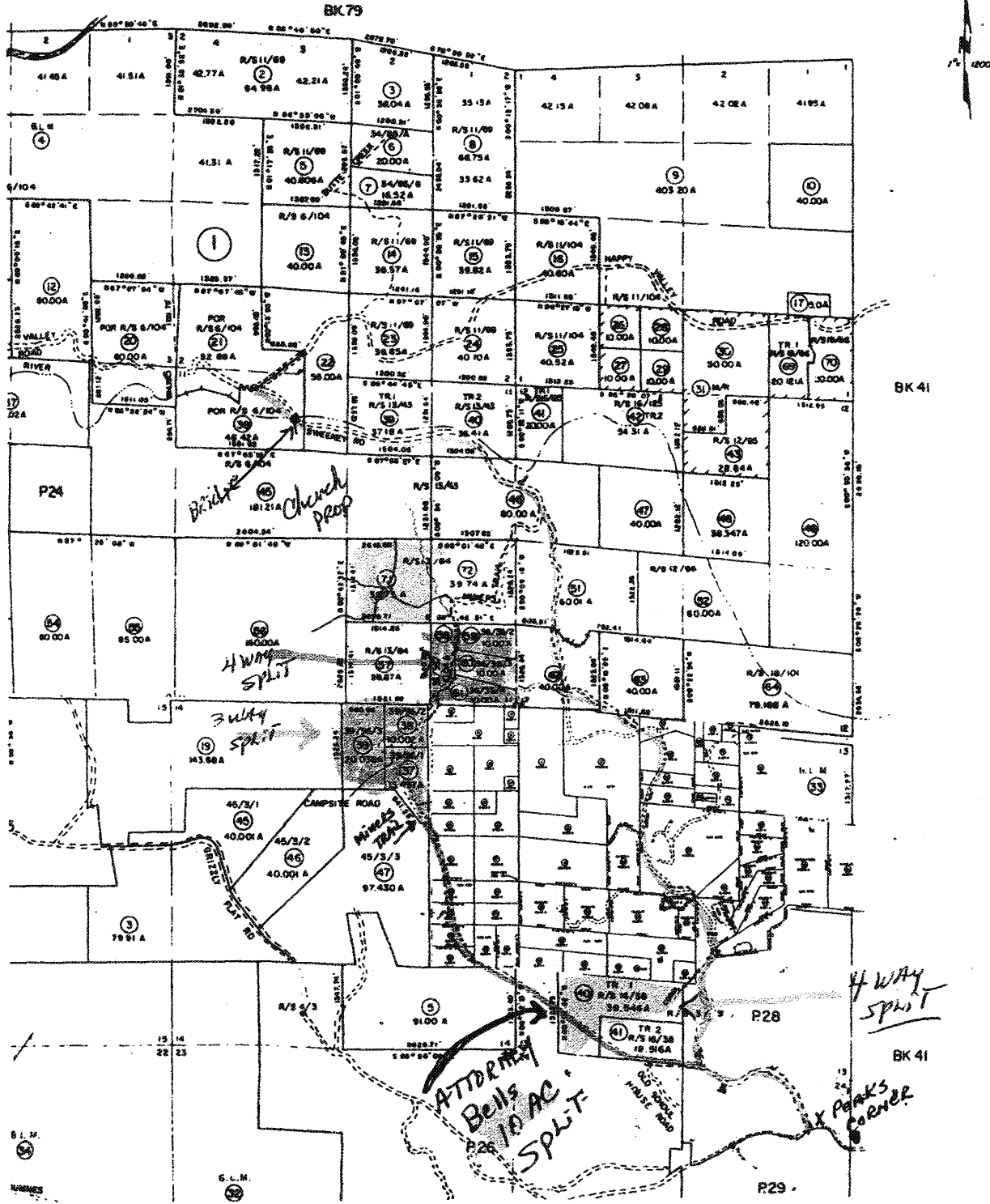
ZONING: Estate Residential Ten-Acre Zone District (RE-10) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration prepared

SUMMARY RECOMMENDATION: Denial

BACKGROUND: The project site was included in a "General Plan Hot Bucket" item request that was approved by the Planning Commission in August 3, 1995, on a 4-0-1 vote to allow a land use designation of Rural Residential. Planning Staff recommended to the Board of Supervisors thereafter that the designation should be Natural Resources, since the property involved 80 acres and did not satisfy the intent of the Platted Lands designation, that was intended for isolated areas consisting of contiguous existing smaller parcels in the Rural Region where such smaller parcels are considered inappropriate.







EL DORADO COUNTY
PLANNING DEPARTMENT

2850 Fairlane Court
Placerville, CA 95667

<http://co.el-dorado.ca.us/planning>

Phone: (530) 621-5355
Fax: (530) 642-0508

MEMORANDUM

DATE: May 28, 1999
TO: Steve Hust, Zoning Administrator
FROM: Daniel Uhlar, Associate Planner *DUH*
SUBJECT: Recommendation for Continuance - P98-12 (Transect Inc. - Garretson Mortgage) -
Zoning Administrator Public Hearing - June 2, 1999

The purpose of this memorandum is to formally request that Item 4d, (P98-12 - Transvest Inc./Garretson Mortgage), scheduled for the June 2 Zoning Administrator Agenda be continued until July 7, 1999. The reasons for the continuance are twofold as provided in the following:

1. The current Interim Court Order from the Sacramento County Court expressly prohibits the County of El Dorado from proceeding with approvals of development applications concerning tentative parcel maps for residential purposes; and
2. The applicant is scheduled to the parcel map request reviewed at June 9 Agricultural Commission meeting for purposes of discussion of efforts to address State Fire Standard access issues with the Pioneer Fire Department.

I am aware that the Sacramento Superior Court Judge Cecily Bond is scheduled to review the County's request for increased flexibility under the writ to process entitlements, such as this parcel map request. The scheduled hearing on June 21, 1999 is the rationale for requesting the continuance until July 7 since there is the potential that this parcel map request might be able to proceed.



EL DORADO COUNTY
PLANNING DEPARTMENT

2850 Fairlane Court
Placerville, CA 95667

Phone: (530) 621-5355
Fax: (530) 642-0508

MEMORANDUM

DATE: December 5, 1997
TO: Supervisor John Upton
FROM: Conrad B. Montgomery, Planning Director
SUBJECT: General Plan Amendment 97-04 ("Hot Bucket" Item No. 5)
Assessor's Parcel Number 093-021-71 and -72

Below are your questions pertaining to the referenced item followed by our response.

1. *Specific past discretionary approvals, if any.*
 - (1) The subject property was rezoned from unclassified (U) to Estate Residential 10-Acres (RE-10) in 1982 as part of the adoption of the South County Area Plan.
 - (2) Two certificate of compliance applications were approved on May 22, 1996 effectively dividing the former approximately 80-acre parcel into two 40-acre parcels (COC 93-0016 and COC 96-0061).
2. *Duration of said approvals.*

No time conditions are associated with the rezone or certificate of compliance approvals.
3. *Any conditions attached to past approvals.*

No conditions of approval were applied to the rezone or certificate of compliance approvals.
4. *Specific effects on the property owner of the Board action either way on Hot Bucket Item No. 5.*

1. *If the Board upholds Planning Commission action.*

The BOARD
upheld Planning
Commission Decision

Thomas P. Winn

2240 Douglas Blvd, Suite 200
Roseville, CA 95661
916-783-3224
916-783-3914 FAX

June 5, 2003

03 JUN -9 AM 9:21
RECEIVED
PLANNING DEPARTMENT

Ms. Heidi Tschudin
General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

Dear Ms. Tschudin:

This letter is the latest in a series of letters written to the County of El Dorado regarding an inappropriate land use on a particular parcel. The site in question is a 6.82-acre parcel located at the Southwest corner of the Green Valley and Francisco intersection in El Dorado Hills. The assessors parcel number is 112-642-08-100.

This letter is specifically directed toward the recently published draft general plan and draft environmental documents. While I appreciate the County's desire to move expeditiously on the General Plan process, I do not agree with the illogical land use conclusions regarding this site. None of the four alternative land uses adequately address the reality of this site. It should be designated a commercial use for the following reasons:

1. The site is located on a heavily traveled, signalized intersection which would certainly support a commercial use.
2. The three other corners of this intersection are existing commercial uses.
3. The existing zoning, R1-PD, is highly inappropriate given the traffic and noise associated with that location.
4. The sound sensitivities associated with R1-PD development would, more than likely, lead to an unattractive soundwall around the site.
5. A commercial use designed to serve the area would lessen the impact on the surrounding roads by providing services in closer proximity to the surrounding neighborhoods.
6. A commercial use on this site would eliminate pressure to zone or develop more inappropriately located sites in this general vicinity.

76-1



Parcel 11278033

June 5, 2003
Ms. Tschudin
Page 2

It seems to me that the General Plan process should consider these factors. Designating this site as a commercial land use would have a negligible effect on the various general plan and environmental documents. In fact, a commercial use on this site would more than likely lessen traffic impacts overall while providing the type of planning needed to meet the goals of the General Plan.

Your attention to this matter is appreciated. Please feel free to contact me if you would like to discuss this further.

Yours truly,



Thomas P. Winn

TPW/lma



76-1

LAW OFFICES
OF
WILLIAM M. WRIGHT
Attorneys at Law

Shirley I.C. Hodgson
sichodgson@sbcglobal.net

2828 Easy Street
Placerville, California 95667

03 JUN -9 PM 2:03
RECEIVED
PLANNING DEPARTMENT

(530) 622-2278
FAX (530) 622-9614
billofwrights@sbcglobal.net

June 5, 2003

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

Re: Comments to General Plan and Draft EIR

Dear General Plan Team:

On behalf of the public school districts in El Dorado County, we have reviewed the draft general plan and the draft EIR for El Dorado County.

We offer the following comments:

1. Mitigation Measure 5.1-3(d) recommends revising the land use element of the general plan (policies LU-3n for the roadway constrained plan and LU-3o for the environmentally constrained alternative) to provide as follows:

"To promote land use compatibility, the County shall consider schools and other public facilities used regularly by local residents appropriate on parcels having any land use designation except Natural Resource, Industrial, Research and Development, and Open Space schools and other public buildings and facilities shall be directed to Community Regions or Rural Centers. The following shall be considered when reviewing capital improvement plans and proposals for new facilities by other agencies:

- A. Schools shall be considered incompatible on land designated Industrial Research and Development, Agriculture, Natural Resources and Open Space;

77-1

- B. Active park land (i.e., playgrounds and ball fields) shall be considered incompatible on land designated Natural Resources and Open Space;
- C. Fire stations, public service buildings, and other similar public facilities shall be considered appropriate in all land use designations except Natural Resources and Open Space."

77-1

The school districts have the following concerns with this policy:

a. Schools and other public buildings are directed toward community regions or rural centers. However, as noted in your map of existing school facilities, a number of existing school facilities lie outside of the community regions or rural centers. We request that you prepare a map that will clearly disclose the impact of this policy to existing and planned public school facilities.

77-2

b. There is no analysis of the impact this policy will have on establishing small school facilities in rural areas that fall outside of the community regions or rural centers. We question why the County would want to restrict rural areas from enjoying a local community asset such as a small school facility. A school located in a rural area may have numerous positive social and environmental effects in the community.

77-3

c. This policy also states that schools shall be considered incompatible on land designated industrial, research and development, agriculture, natural resources and open space. The restrictions on school facilities are greater than the restrictions for public parks, libraries or other public buildings. We fail to see the logic in this distinction. Further, you should define what is meant when you state that schools shall be incompatible with land designated as agriculture. Does this include residential agricultural zoning? Why are school facilities the only public facilities considered incompatible on land zoned for agriculture?

77-4

2. Table 5.7-7 notes the additional acreage that will be needed under the various general plan alternatives to provide new school facilities. However, both the draft general plan and the EIR fail to designate where the school facilities will be located. Due to the restrictions that are placed on the location of school facilities, as outlined above, the plan must designate on a parcel specific basis the location of the school facilities that will be necessary to serve the development contemplated under the general plan alternatives. It is inappropriate for the plan to specify the acreage necessary for new schools without including an analysis to verify that in fact such acreage is available and that the sites will comply with both the general plan restrictions and the requirements of the State. It is our understanding that you have the State

77-5

school siting regulations, but if you need additional information in this regard, please contact our office.

It is absolutely critical for the County to identify the location of the various schools that will be necessary to serve the build-out under the general plan alternatives. Otherwise, it is very possible that due to the above restrictions, restrictions in State regulations, infrastructure limitations and related issues that there may not be sufficient school sites to serve the development identified in the general plan. If so, this should be disclosed in the general plan. The school districts request the general plan address this issue directly by specifically designating the proposed school sites to serve the general plan development. The above land use policy directing the location of the schools could then be used as a guide for designating alternative sites in the event that the sites designated in the general plan need to be relocated. This will also help facilitate the County planning efforts for roadways, water, sewer and other infrastructure to the planned school facilities.

77-5

The map designating the existing school sites should also include the future school sites listed below:

- a) The Pleasant Grove Middle School on Green Valley Road.
- b) High School #5 located adjacent to the Pleasant Grove Middle School.
- c) High School #6 located on Latrobe Road south of the El Dorado Hills Business Park.
- d) The Silver Dove School site located in the Bass Lake Specific Plan.
- e) Oak Meadow School on Silva Valley Parkway.
- f) The school site to serve the Valley View Specific Plan.
- g) The school site necessary to serve the Carson Creek Specific Plan. If a site is not necessary due to this plan changing to an age restricted community, the general plan should so state.

77-6

We also believe that designating the proposed locations of the school sites necessary to serve the various general plan alternatives will limit some of the controversy we have experienced in the past in locating school facilities to serve development that had already been approved by the County.

77-7

3. The EIR also uses a countywide student yield factor of 0.338 students per household. Although the EIR states that this number was provided by the Office of Education, it does not state who provided this information and in what context. This number has never been used in this County as a County average and should not be used in the general plan. This number apparently includes the Lake Tahoe area. It is

77-8

inappropriate to use yield factors in Lake Tahoe to address the school facility needs in El Dorado Hills or Cameron Park. As an example, the Buckeye Union School District has a yield factor of .57 and the Rescue Union School District has a yield factor of .60. The yield factor for the El Dorado Union High School District is .19. This would establish a K-12 yield factor of approximately .77 for the El Dorado Hills/Cameron Park area of the County. These studies have already been sent to you but we can provide you with additional copies if necessary. Under the State School Facility Program, form 50-01, a default statewide K-12 yield factor of .7 has been established. A copy of this form is provided for your information. Part G discusses the statewide average student yield factors.

77-8

The EIR should use the K-12 yield factor of .77 for the El Dorado Hills/Cameron Park area. This is a more accurate factor based upon actual studies of the BUSD, the RUSD and the EDUHSD. This is also the area of the greatest impact. The statewide average of .7 could be used for the other areas of the County. These new figures should be used in calculating the number and location of new schools that will be required under the general plan.

77-9

4. Although Government Code Section 65995(e) preempts the field in regard to fees and other exactions that can be imposed to finance school facilities, we believe the County still retains the ability to discourage changes or amendments to the County general plan that would result in over crowded schools. We believe a policy in this regard would be appropriate.

77-10

Thank you for your consideration.

Very truly yours,

William M Wright

William M. Wright

WMW:ld
cc: Dr. Vicki Barber
District Superintendents

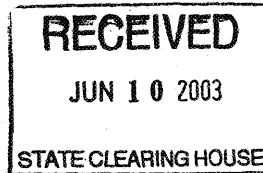
STATE OF CALIFORNIA - THE RESOURCES AGENCY
 DEPARTMENT OF FISH AND GAME
 SACRAMENTO VALLEY AND CENTRAL SIERRA REGION
 1701 NIMBUS ROAD, SUITE A
 RANCHO CORDOVA, CALIFORNIA 95670
 Telephone (916) 358-2900

GRAY DAVIS, Governor



Flex
 YOUR
 POWER

June 6, 2003



Clear
 6.16.03

Board of Supervisors
 El Dorado County
 330 Fair Lane
 Placerville, CA 95667

Dear Board Members:

The Department of Fish and Game has received the Draft General Plan and associated Draft Environmental Impact Report (DEIR) (SCH 2001082030) for El Dorado County. We request an extension of time until June 30, 2003, to provide our comments to the County. Section 15105 of the California Environmental Quality Act (CEQA) Guidelines provides for a review period of not less than 45 days for a DEIR. The additional requested time will help enable my staff to assist the County in properly addressing the many complex planning issues in the six subject General Plan documents.

78-1

Your consideration of this request will be most appreciated. If you have any questions or comments, please call Ms. Terry Roscoe, Habitat Conservation Planning Supervisor, of my staff at (916) 358-2382.

Sincerely,

Frank Gray for

Banky E. Curtis
 Regional Manager

FG: pg

cc: El Dorado County Counsel
 330 Fair Lane
 Placerville, California 95667

State Clearinghouse
 1400 Tenth Street
 Sacramento, California 95814

Ms. Terry Roscoe
 Department of Fish and Game
 1701 Nimbus Road, Suite A1
 Rancho Cordova, California 95670

Received at 6/9/03 hearing

June 6, 2003

Dear General Plan Team,

In 1972, my wife and I purchased a 40 acre parcel in Rescue. We were both 28 years old at the time, a dream come true for both of us.

Rescue has been a beautiful place to raise our daughter. We have lived on this property all these years. All our years of working are invested in this property, and all our hopes and dreams for the future as well. My wife and I will be 60 years old our next birthdays, and with just a couple of years to go before retirement, we don't have time to start all over again.

Our daughter was raised hearing that someday she and her family would live here on the property with us, and as we get older, we will need help caring for the property. It would be a real blessing to have them here with us. If the environmentally constrained plan should go through, that would kill all our dreams for the future. It would greatly reduce the value of our property. We could never split this property and our family could never live here with us. This would be devastating to us all.

We are surrounded by 10 acre parcel, some of these parcels are owned by people who don't even live here and never will. They just bought up land for investment purposes. It's not that way with us, we are very emotionally connected to our property. Please don't take our property rights away from us. Please leave us zoned 10 acre rural lands. This is our home. My wife has worked for the Rescue School District for 23 years. We couldn't imagine living anywhere else. I also noticed on the environmentally constrained plan, that our parcel has lines running through it. This indicates "important biological corridor". I was informed that this means deer and other wildlife live here. There is no water on my property other than our well. Weber Creek does not run through my property and yet the property it does run through, there are no lines running through those parcels indicating an "important biological corridor". I would think there would be a lot of animals living near the creek. Even so, after living in Rescue for 31 years I know that there are deer living all over Rescue, you just need to drive through Deer Valley Road, and you will see wildlife everywhere, not just on the larger parcels of land.

79-1

PARCEL # 102-020-06 (40 ACRE)

The decisions you make will last a long time to come, but we don't have enough time to start all over again. Therefore, we support the El Dorado County "No Project" 1996 Alternative Map.



79-1

Thank You,

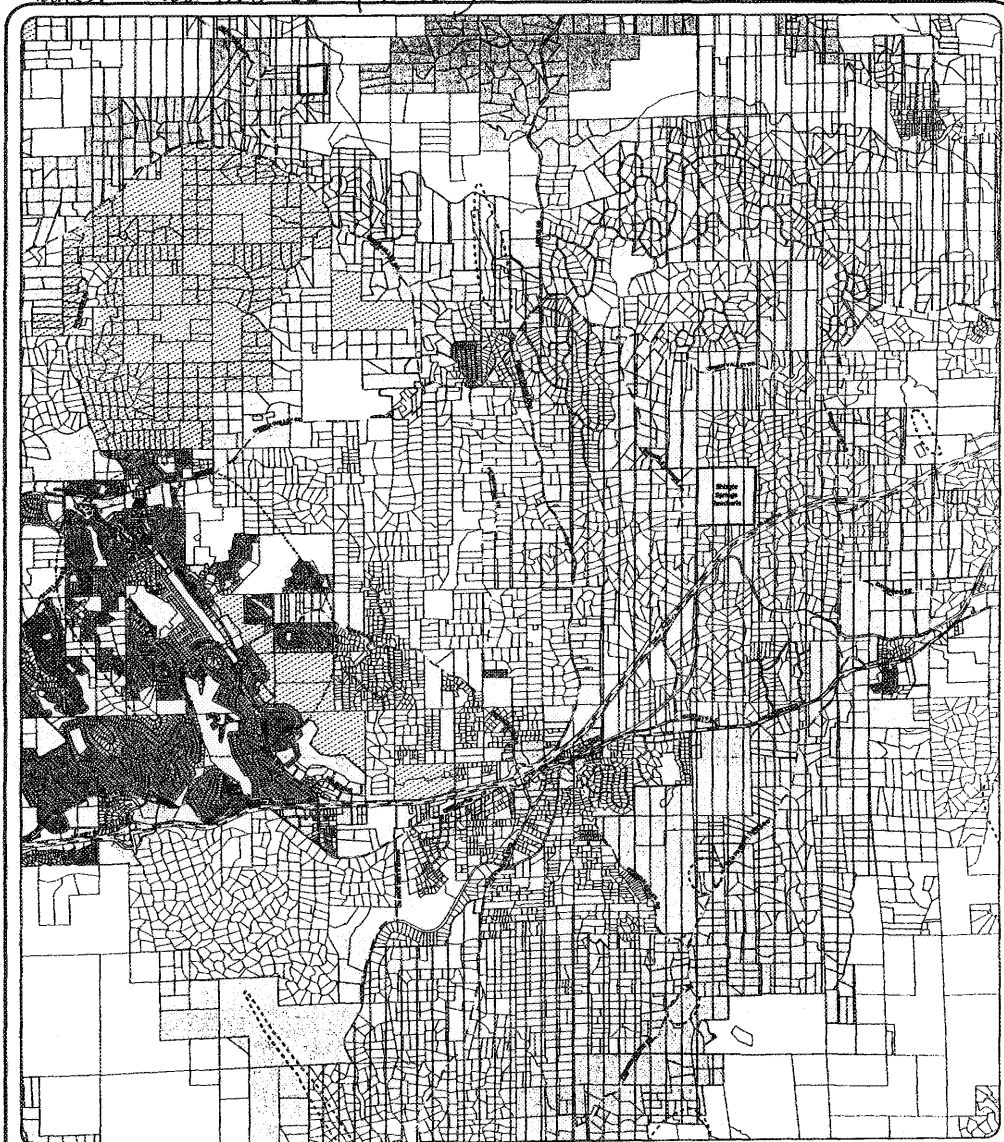
William and Jennie Camicia
P.O. Box 286
Rescue, CA 95672
(530)677-3061

PARCEL # 102-020-06 (40 acre)

cc: Charles Paine

PARCEL # 102-020-06 (40 ACRE)

William & Jennie Carnica
 Parcel # 102-020-06 (40 acre)



LEGEND

	Agriculture		Conceptual Preserve
	Adopted Plan		Special District
	Commercial		Community Region
	High Density Residential		Village Center
	Industrial		Transit Hub/Reserve/Traffic Link
	Low Density Residential		Paved OpenSpace
	Medium Density Residential		Water Right
	Multi-Family Residential		Airport Safety Zone
	Recreational/OpenSpace		Important Designated Corridor
	Open Space		
	Public Facility		
	Research & Development		
	Rural Lands		
	Tourist/Recreational		

NOTES:

The Assessor has compiled this map using aerial photography and other data. The accuracy of this map is not warranted by the County and Assessor. The County Assessor and Assessor's responsibility is to provide the accuracy of this map and, not, to provide any warranty or liability for the use of this map.

This map was developed and published by the El Dorado County Planning Department, 600 Graham, 2nd floor, 2600 Fairview Court, Placerville, CA 95273. The map was prepared under the supervision of the El Dorado County Assessor's Office.

For more information regarding this map, please contact the El Dorado County Planning Department, 600 Graham, 2nd floor, 2600 Fairview Court, Placerville, CA 95273. Telephone: (530) 221-4255. Fax: (530) 221-4256. <http://www.el-dorado.ca.gov/planning>

Map Created By:
 El Dorado County Planning Department
 GIS Division
 2600 Fairview Court
 Placerville, CA 95273
 (530) 221-4255
<http://www.el-dorado.ca.gov/planning>

Shingie Springs

EL DORADO COUNTY "ENVIRONMENTALLY CONSTRAINED ALTERNATIVE" LAND USE MAP

ACT 3

-----Original Message-----

From: RHolmes001@aol.com [mailto:RHolmes001@aol.com]
Sent: Friday, June 06, 2003 12:06 PM
To: bostwo@co.el-dorado.ca.us; bosone@co.el-dorado.ca.us
Cc: cmontgomery@co.el-dorado.ca.us
Subject: General Plan comments

Hi Rusty, Charlie:

Just wanted to share my view on the General Plan, based on my limited reading. Sounds like the Roadway Constrained plan might be best for the area, allowing it to maintain its attraction to visitors and retirees, while allowing modest growth. Is light rail mass-transit in the Plan?

80-1

80-2

I saw that affordable housing is an issue - on that I would reply that when we have jobs requiring significant affordable housing in the county, it might be considered, but the long term economic health of the county is primarily tied to recreation and relocation, and any excessive housing that increases roadway congestion, smog, and affects the "viewshed" along Highway 50 will only drive away the people that this county needs most.

80-3

I should mention that I was in Washington a few weeks ago and had a chance to discuss informally some of the issues in our region with Feinstein and Boxer.

Please forward or file this as you see fit. Thanks for listening

Rich Holmes
3357 Chasen Drive
Cameron Park, CA 95682
530-676-0999

Betty Jean May, Trustee
c/o Guy Gibson, esq.
404 Natoma Street
Folsom CA 95630

03 JUL 14 PM 12: 22

RECEIVED
PLANNING DEPARTMENT

APN 104-010-05 80 Acres+

General Plan Team
El Dorado County Planning Department
2850 Fair Lane Court
Placerville CA 95667

June 7, 2003

My family has owned our 80 acres in the Kanaka Valley area for over 70 years. We would like to divide the property among family members or allow the property to be developed as part of a larger overall plan for the development of the area. The only plan option which would allow proper planning to occur is the 1996 plan and we as well as our neighbors all urge this alternative.

81-1

The other alternatives seem only to be interested in not allowing anyone to use their property in any useful manner. Our area needs to have an overall solution to the problems of access and comprehensive fire planning. Single parcel maps or no maps at all cannot and will not accomplish these worthwhile goals.

The issue of protection of sensitive species needs to be accomplished as part of an overall plan that allows clustering of appropriate density to allow for proper protection of the sensitive soils. These soils should not be designated in a way that precludes the solution to the overall circulation issues.

81-2

The inability to transfer density onto any lands except within the Community Regions will not allow the appropriate development to occur. Only the 1996 plan allows the density from the sensitive soils to be clustered on the non-sensitive soils. We feel it is critical to the understanding of the options to realize that the proposed environmental mitigations and policies as well as the Land Use Designations themselves preclude the types of proper planning principles the more restrictive plans say they prefer.

We urge the retention of the LDR designation with the requirement for comprehensive planning that was adopted in the 1996 plan and also support the retention of this designation on the lands surrounding ours and between ours and Salmon Falls Road.

81-3

These large land holdings include those processed under the "parcel specific request" process as Kanaka Valley Associates now known as Salmon Falls Holdings Ltd, and the

lands of the Roebelen Land Company. My family urges the retention of the LDR-EP designation created in and adopted under the 1996 Plan.



81-3

Any questions you may have may be directed to our attorney Mr. Gibson at 916.985.3366 or Mr. Gibson's consultant Art Marinaccio.

Sincerely,

A handwritten signature in cursive script that reads "Betty May".

Betty May

03 JUN -9 PM 3: 34
RECEIVED
PLANNING DEPARTMENT

APN 009-720-08

June 8, 2003

Att; Peter Maurer
2850 fair Lane Ct.
Placerville, Ca. 95667

Peter Maurer,

I am currently in "Contract" to purchase the above property. Under the new General Plan this property is designated to be changed to 47 % Commercial and 53 % Natural Resources. This would have a very adverse effect on my Goals and Investment. I would hope that you would take my request into consideration to leave the property in its present zoning status. (Commercial).

I would appreciate a reply as to how I could have some input into the final decision. I can be reached at 1-530-647-1410.

82-1

Sincerely,



Dave Corder

El Dorado County
Board of Supervisors.

03 JUN -9 PM 3: 34

RECEIVED
PLANNING DEPARTMENT

June 8, 2003

Sirs;

I am writing because of a concern I have on the workings of the County concerning the General Plan to be adopted soon.

When a property owner purchases property for what ever reason they depend on the zoning allowed for that property, then and in the future. If I purchase a parcel zoned R1A, RM, Com. or what ever, it should remain that zoning at purchase time and in the future. Most investors or land owners in general purchase out of need or future need. If some one purchases property for a retirement home or retirement investment they should be able to rely on the county assuring them what they are purchasing is truthful.

Because we rely on your zoning information the county has been a party to many such purchases and should be held accountable for any losses do to their untruthful part in such purchases.

When the General plan is adopted I hope the Board of Supervisors will keep that in mind. Any parcels created prior to the adoption date should be grand fathered in to the general plan. A general plan should not be a way of taking away a zoning which does not conform.

If a zoning can be forced to conform to the new General plan then in essence the county has helped bilk investors out of their money for a special zoning, what ever they were told. The way the General plan has been used in the past has shown that many parcels are rendered useless for building or planning. If that happens after the adoption of the general plan the land owners would have a right to demand past tax dollars be refunded, plus loss of value do to the loss of zoning.

In Lake Tahoe some years back the General plan was used to rezone existing lots. Where they wanted to reduce building lots around the lake. After the General plan adoption the county required 3 lots to build. Thus making 3 of the lots worth less and requiring more of an investment before you could build.

We need to rely on some information from the county and if that information is not going to be upheld, then a scam has been perpetrated on the public. What makes this any different then Insider trading or any other scam on the purchaser and investor?

Nancy & Walter Ehrlich
4450 Ruffy Lane
El Dorado, Ca. 95623

83-1

03 JUN -9 PM 3: 34

RECEIVED
PLANNING DEPARTMENT

June 8, 2003

Apn 101-210-13-100

Att: Peter Maurer
2850 Fair Lane Ct.
Plaverville, Ca. 95667

Peter Maurer,

I have owned the above property for 14 years. Due to being zoned commercial and the location of this property I have been reluctant to making any improvements. I have been trying to sell it for 10 of the 14 years with not even one offer. The property sits directly behind the bowling alley. Since there is no frontage on a main road I do not believe that this property would ever be developed for commercial use. If this property could be rezoned High Density Multi-Family I would be willing to invest monies and develop it.

I would be interested in building low income or senior citizen housing. I would also like to have the option of installing multiple modulars on this property; there is an existing mobile home park that butts up next to this property.

I would appreciate your input as to how I could accomplish rezoning this property so that it would not only benefit me but the County of El Dorado. Your reply would be appreciated.

Sincerely

Rick Williams

1-530-644-0425

84-1



EL DORADO COUNTY
PLANNING DEPARTMENT

Lorraine Larsen-Hallock..... District I
John MacCready..... District II
Dave Machado..... District III
Ralph Welsh District IV
Alan Tolhurst District V
Jo Ann Brillisour..... Clerk of the Commission

2850 Fairlane Court • Placerville, CA 95667
<http://www.co.el-dorado.ca.us/planning>
Phone: (530) 621-5355
Fax: (530) 642-0508

MINUTES

Special Meeting of the Planning Commission
June 9, 2003 – 1:00 P.M.
SUPERVISORS MEETING ROOM
330 Fair Lane, Placerville, CA

HEARING TO RECEIVE COMMENTS ON THE DRAFT ENVIROINMENTAL
IMPACT REPORT (EIR) FOR THE DRAFT GENERAL PLAN

1. CALL TO ORDER

First Vice Chair Tolhurst called the meeting to order at 1:10 p.m. The following persons were in attendance: Commissioners Mac Cready (evening portion only), Machado, Welsh, Tolhurst, and Larsen-Hallock (evening portion only); Paula F. Frantz, County Counsel; Heidi Tschudin, General Plan Project Manager; Conrad B. Montgomery; Planning Director; Peter N. Maurer, Principal Planner; Sue Lee, Senior Planner; and Jo Ann Brillisour, Clerk to the Planning Commission.

2. ADOPTION OF AGENDA

ON MOTION OF COMMISSIONER MACHADO, SECONDED BY COMMISSIONER WELSH AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE AGENDA.

3. PLEDGE OF ALLEGIANCE

The Commission and those persons in the audience gave a Pledge of Allegiance.

4. PUBLIC FORUM/PUBLIC COMMENT

Adam Smith said he was not able to make the afternoon session. He addressed his property under the Environmentally Constrained Alternative. The parcels are currently designated Commercial and planned for Low Density Residential. These parcels are not really suited for residential development. They have a future commercial use. Having a neighborhood commercial use cuts down on traffic. Housing units actually increase



85-1

travel and public services. Mr. Smith requested that his parcels retain their Commercial designation.

85-1

Rick Williams thanked the Commission for hearing him today, as he could not attend the other meetings. He is currently in the process of purchasing the Fresh Pond property. One piece of property has split land use designations. The property has been commercial since 1910, and he would like to keep the Commercial designation.

85-2

Jim Davies, representing Piedmont Park at Highway 49 and Black Rice Road, said when they purchased the property, it was zoned residential and had one commercial lot. They have had to sit back for several years waiting for the adoption of a new General Plan. Under the proposed plans, they can only have four lots, three residential and one commercial lot, or remain status quo with a 28-acre parcel. They want to keep their development plan. They are willing to amend the plan and do not want their project wiped out. Commissioner Tolhurst asked if the 1996 Plan allows their project. Mr. Davies replied in the affirmative, but with the No Project, he did not think they could go ahead. They represent a transition from High Density to Low Density. There should be some type of economical consideration. Commissioner Tolhurst explained the process, taking input today and making recommendations in August. There will be a base plan that the Commissioners can modify.

85-3

Steve Abel, property on Camp Navoo Road, said in the 1996 Plan his property is designated as Rural Residential. In the Road Constrained Alternative, it is proposed as Natural Resource. He would like to keep the Rural Residential designation.

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Sheri Graf said they have some property in the Luneman area. Their options are incredibly limited because they have not split up the ranch. She understands that if the property is not split up now, they will be more restricted in the future. Ms. Graf agrees there should be more site-specific review. Commissioner Tolhurst said that is the purpose of some of these plans, to restrict growth.

85-5

Nancy Ehrlich, owner of many parcels in the County, said she hopes the plan allows for grandfathering of some parcels. When you purchase property, you go to the County to see how the property is zoned. You base your future plans on what the zoning is when the property is purchased. Mrs. Ehrlich presented her written comments for the record.

85-6

Doug Bahlman said he owns one commercial and one residential parcel over by WalMart. He would like to know what is going to happen with his property when the bypass road is constructed. He would like to have his property zoned Commercial. It is on Old Depot Road. The area contains commercial and industrial properties.

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Tom Mahach, resident of Sly Park, said there are some arbitrary land use decisions in the constrained alternatives. If you cut out development, you lose the ability to have fire-safe infrastructure. The texts are much too detailed for a General Plan. Much of the information should be in the zoning ordinance after a lot of public input. Public

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involvement is very lacking. Full disclosure is very necessary. With the documents and process we have now, it is not easy to understand what is happening.

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There was no one else from the public wishing to comment.

Commissioner Welsh said the main requests have been individual site requests. The other element is people that have special interests. Whatever draft or mixture is finally produced, what procedure would an individual have to go through for a change, and what would be the cost? Ms. Tschudin said up until the point where the Board adopts a plan, if an individual wishes a change to what is proposed on his property, the Commission should be informed of the request as well as the Board of Supervisors. Once the plan is in place, an individual would apply for a General Plan amendment. The County is limited to amending the General Plan four times a year. The application fee is several thousand dollars. There may be additional costs if special studies are required. The Planning Commission and Board of Supervisors would consider the application. Commissioner Welsh said nothing is set in stone or cannot be reversed. Ms. Tschudin said that is correct.

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First Vice Chair Tolhurst said County Counsel stated Measure Y is included in the plan. The Department of Transportation spoke about eight lanes on Highway 50. Barry Wasserman said it is not possible to have eight lanes, so there is only one alternative that is possible. He would like to have input from the State to see if the eight lanes are possible. He would also like that input before consideration of the plans in August.

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Commissioner Machado said he identifies with the frustration of the people speaking today about their property changing from the way it was designated when they purchased their property. Ms. Tschudin said many people are speaking about zoning of their property. The General Plan speaks to land use designation. Based on the General Plan designation, there may be a future change in zoning of some properties.

85-11

5. TESTIMONY ON THE DRAFT EIR

a. Procedures for Conduct of Hearing

First Vice Chair Tolhurst said there are speaker cards for those individuals wishing to speak. Individuals will be given three minutes and anyone representing a group or organization will get five minutes to speak.

b. Introduction by General Plan Project Manager and Report by EIR Consultants

Ms. Tschudin gave a brief staff report. She spoke about the Project Manager's Summary of the draft General Plan and EIR. EDAW is under contract to the County for the preparation of the EIR. Ms. Tschudin turned the meeting over to Gary Jacobs and Holly Keeler who gave a brief explanation of the draft EIR. Staff will not be responding to individual comments today. A separate document will be prepared that responds to the individual comments.

Gary Jacobs gave a brief explanation of the EIR process and brief synopsis of the draft EIR. All comments must be received by June 16 in order to be included in the EIR. Mr. Jacobs explained the purpose of an EIR and mitigation measures. He summarized some of the impacts and mitigation measures in the document. There are a number of impacts that are significant and unavoidable, depending on which mitigation measures are adopted.

c. Public Hearing - Testimony on the Draft EIR

The public hearing was opened. First Vice Chair Tolhurst again asked that speakers fill out a speaker's card. Individuals have three minutes to speak, and individuals representing a group will be given five minutes.

Bob Cribbs, 4001 Lake View Drive, Placerville, has a 300 plus acre ranch. He waited for one and a half hours in the Planning Department today to review the EIR. Referring to Mitigation Measure 5.12-1g. Oak Tree Preservation Ordinance, he has approximately 20,000 oak trees on his property. He loses about 30 trees per year due to weather, etc. If he has to get an application to remove trees, he will not be able to remove any. Mr. Cribbs spoke about fencing that does not prohibit deer migration. He believes people want open lands to remain open no matter how preposterous it is. The Economically Constrained Plan is frightening to him. We need a money impact report. If an application were required to remove an oak tree over six inches, you would use all your money for tree removal.

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Harry Mercado, Coloma/Lotus Valley Community Association, said the dam failure inundation zones need to rely on accurate maps. These maps are not accurate. The environmental corridor seems fair, but we do not know what that will involve. Speaking personally, the EIR should consider mitigation of the impact the environmental corridor would have on the landowners. Mitigation might be to set up these corridors so that the standards are developed and votes are taken within the corridors to accept or reject the restrictions.

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Bill Snodgrass, Secretary for the Agricultural Commission, presented a copy of the impacts as outlined in the Agricultural/Forestry Element. The Agricultural Commission has met several times and gone through the policies and proposals and came up with the same conclusions to mitigate the impacts as outlined in the EIR. Mr. Snodgrass went through the written information he presented.

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First Vice Chair Tolhurst said under the maximum allowable ranch marketing on five acres, do we have an idea of what this would include? Are we talking about the parking, pony rides, etc? Mr. Snodgrass said that is something that would have to be developed. Even if you have a large warehouse and with the visitors, he cannot see that you would exceed the five acres. It was not the intent to build a Disneyland. It is to be kept in proportion to the agricultural use. Anything less

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than ten acres would require a special use permit or site plan review. You have to keep the emphasis on the agricultural use. First Vice Chair Tolhurst said he feels the acreage should be small in order to be a mitigation measure.

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Art Marinaccio, representing the Taxpayers Association, said the proposed EIR is larger than it is supposed to be. It makes it hard for individuals to comment on the document. It appears that staff and the consultant have thrown in many ideas even if the decision makers have rejected them in the past. Mr. Marinaccio read his comments into the record. Unless you have been through a general plan, it is difficult if not impossible to do. It is critical that the Planning Commission be adamant that Measure Y sunsets ten years after adoption unless it is readopted.

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Tom Mahach, speaking as an individual and as a member of the Fire Safe Council, said the complexity of this whole process is full and complete disclosure to the people and agencies about what is going to happen. One thing he sees lacking is a good base line condition report and how it compares to what is proposed. There is a matrix that compares the change in land uses in various categories between the two new alternatives and the 1996 Plan. The zoning that went along with the 1996 Plan land use was never implemented. The County never finished the Title 17. What you have in place now is the zoning that reflects the conditions back in the area plan days. In the Road Constrained Alternative, instead of moving 30,000 acres from residential to some form of open space or natural resource, you are in fact moving 85,000 acres. In the Environmentally Constrained Alternative, you are actually moving 105,000 acres instead of 50,000 acres from residential to an environmental constrained designation.

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You have mitigation measures that take care of your biological resources. Then you get to health and safety, like not building roads on ridgelines and establishing important biological corridors that fly in the face of good fire protection activities. He does not see anything in this process as far as conflict resolution. He sees an inconsistency in the EIR and in the existing policies in some of the alternatives. You are not supposed to have internal inconsistencies. When you sit down to do a plan, you some objective in mind. He does not see an objective or planning for an objective. What he sees is fear of a lawsuit from an environmental constraint perspective, causing you to build mitigations for real, imagined, or whatever impacts. It is not a plan but a reaction. He agrees with Art Marinaccio regarding the need for findings when deleting mitigation measures.

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There was no one else wishing to give input. First Vice Chair Tolhurst continued the hearing to 7:00 p.m. The Commission took a dinner break.

The Commission resumed public testimony. Chair Larsen-Hallock was present for the evening session.

Danny Oliver said he turned in his site-specific request for Assessor's Parcel Number 070-261-81. He has been a resident since 1959 and property owner for 20 years. He would like a multifamily land use designation. His property is located near the Goldorado Shopping Center. The property is designated multifamily in two of the alternatives. Mr. Oliver reiterated his request to maintain the multifamily designation on his property.

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Paula Frantz, County Counsel, said this hearing was noticed for EIR comments. Individual requests should be done during the public comment period. Another public comment period could be opened up tonight.

ON MOTION OF COMMISSIONER WELSH, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO HOLD THE PUBLIC COMMENT SECTION FIRST AND THEN PROCEED WITH EIR COMMENTS. Ms. Tschudin clarified that the Commission would hear comments, close the public comment portion of the meeting, and proceed with the EIR. The Commission concurred.

Steve Farren said his property has been zoned RE-5 for 20 years. He and his family took everything they had and purchased a piece of land. They have 35 acres. They have friends that were going to purchase part of the property. They would like to keep the land use designation they currently have. To the east is medium density, medium density to the south, and low density to the north and west. They are a dot in the middle of these properties. There needs to be more site-specific review. Chair Larsen-Hallock asked that Mr. Farren work with staff and submit his written comments. Mr. Farren recommended adoption of the 1996 Plan.

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Ken Brown, Assessor's Parcel Numbers 070-261-79 and -80, resident of Shingle Springs and resident of El Dorado County since 1960, said they have two parcels in Shingle Springs near Cameron Park and Danny Oliver's property. They had submitted a request with the 1996 Plan to rezone their property to multifamily residential. Alternative 3, the Environmentally Constrained Alternative, has their property listed as Low Density Residential. In the summary, it states that Low Density Residential is not allowed in Rural Centers or Community Regions. The property is close to Goldorado Shopping Center and Marshall Hospital. It is located at Palmer Drive/Loma Drive. On the Road Constrained Alternative, it is designated Multifamily. In the summary, it states parcels cannot be split more than four ways, so you could not split the property for individual ownership. You would have to construct apartments. They would like to see their property designated Multifamily Residential.

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Joy Pimental, Assessor's Parcel Number 070-261-78, said she was born and raised in El Dorado County. They would like their property designated Multifamily Residential. They oppose Low Density Residential. They submitted a request with the 1996 Plan for Multifamily.

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Barry Wasserman, Measure Y Committee, said he understands how hard it is to see people's hopes dashed. The people present today are only part of the public. The individuals that are speaking are representing only their own parcels. There are many people that do not want to change their quality of life. In the 1980's, we had area plans. The area plans were a compilation of what we are hearing today. We are doing a General Plan that looks at all the residents and public and balances out the needs of everyone.

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Don Hartley, speaking as an individual, said the people here this evening are people that have been made aware of the General Plan process. They represent a small minority of those who know what is ahead for other people in this County. Barry Wasserman is representing the Measure Y Committee. Even though the voters adopted Measure Y, it is not what everybody wanted, and we have to respect the minority as well as the majority. He would like to go on record as saying that the people that have the dreams, that have bought the big pieces of property and want to do something with that property should be respected, and they should be listened to even though it may not fit with the General Plan overlays or whatever the constrained policies happen to predict. He is not pushing any agenda other than to listen to the people and to try not to destroy individual property rights in this mission to establish a General Plan.

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There was no more Public Comment input.

Chair Larsen-Hallock opened the hearing on the EIR.

Don Hartley spoke about the casino they opened in Placer County. He believes it is a gross error not to address the proposed casino in El Dorado County in this document. There will be significant impacts on the community. It is not a question of if. It is a question of when. The mechanisms are in place to make this a winning situation for everyone involved. It is going to be a continuous proposition, and he does not want it to be ignored in the EIR. It is a gross oversight to minimize it due the fact it is a federal jurisdiction. Mr. Hartley gave the Commissioners a copy of some articles from the Sacramento Bee regarding the Placer County casino. Commissioner Mac Cready asked for clarification on Mr. Hartley's comments. Mr. Hartley said a couple of cities fought casinos and lost, and they are not getting any revenue from the casinos. The County did not sue, and they are getting some funds from the casino. He believes it is a losing battle when you are fighting the federal government at our level. Ms. Tschudin said the EIR states that, for the purpose of analysis, staff has assumed the reservation as non-jurisdictional land; however, staff has assumed the development of the casino and all the proposed development under that plan in the EIR. On one part Mr. Hartley is correct and incorrect on the other part. The EIR takes a conservative approach of assuming it is not jurisdictional land, therefore, worst case the proposed development could be developed, and therefore it is assumed in our future conditions.

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Kathy Frevert wants to encourage some type of policy on pedestrian safety. There are numerous examples of very unsafe, pedestrian/traffic walkways in the El Dorado Hills/Cameron Park area. One example is the Lake Forest Elementary School. Parents drive their children a block to school, because there are no sidewalks. There should be sidewalks at least to the end of the school safety zones and into the residential areas. Also, along some of the businesses, there are sidewalks that go along an area, stop, and start again down the road. She feels more pedestrian friendly areas would be real asset to the quality of life. Ms. Frevert spoke about parks being close to a highway with freeway pollution. She encouraged finding more suitable locations for parks, away from freeways.

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Barry Wasserman clarified that he has never said, and it is not the position of the Measure Y Committee, that expanding Highway 50 to eight lanes is impossible. It is not impossible but possible. What they are saying is that it is uncertain. Currently in the General Plan and EIR, it is simply taken as a given. The traffic modeling shows you need to have eight lanes, so they plug it into the traffic plan. There is no discussion that states what it would take to do this. It does not discuss that in order to widen the highway in El Dorado County, it also has to be widened on the Sacramento side of the line. You cannot put it in for eight tenths of a mile in El Dorado County and have it funnel down to six lanes on the other side. It has to be in the Metropolitan Transportation Plan. It has to be funded. Without the discussion, the Commission and the Board will eventually be choosing a General Plan alternative when three of the plans, the 1996, the Economically Constrained, and the No Project, all assume they can handle growth with those eight lanes. There is no impact because they just assume the eight lanes will be built. The EIR shows no impact on Highway 50 under those plans. What they are saying is not that it impossible, but that it is a speculative approach. Under those plans, you will continue to approve additional discretionary growth on top of the 21,000 units that have been previously approved. Discretionary growth will continue to be approved under an assumption that those eight lanes could be built. Under the Road Constrained Plan, you would be taking a more conservative approach. You would be saying at this point, those eight lanes remain uncertain. They are not included in the Metropolitan Transportation Plan, so as long as that is the case, a more prudent, a more conservative approach would be to not approve growth on the assumption that it is going to be accommodated by those eight lanes. They feel the EIR should discuss the uncertainties that will make it easier for the Commission and Board to decide which plan should be adopted.

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Chair Larsen-Hallock asked about dealing with the uncertainty aspect. Commissioner Tolhurst informed Chair Larsen-Hallock that he suggested a meeting earlier today with the Department of Transportation, SACOG, and the Transportation Commission, to discuss the reality given the contradictory statements on the road issue. Chair Larsen-Hallock felt this was a good idea. Commissioner Welsh said it is a valid point to address, because we do not want to make major plans based on an assumption, the assumption being there will be

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eight lanes. Ms. Tschudin said staff could bring the Commission additional information on this issue at its next set of hearings. This would be an issue that would be discussed in the mitigation monitoring plan or implementation plan. They anticipated that the how, when, where, who, and why of some of these issues would be further elaborated on in that manner. With respect to the Commission's determination as to the feasibility of a particular measure, that is a decision the Commission can reach and provide input to the Board of Supervisors as to whether the Commission thinks a particular mitigation measure is or is not feasible. The evidence the Commission sends with the determination or recommendation would become part of the Board's Findings of Fact if they in turn decide to make that decision as well. It depends on where in the process you are asking the question, both in terms of the mitigation monitoring plan and which will become implementation actions for a general plan and in terms of the Commission's own determination of the feasibility of individual mitigation measures. You have a couple of different opportunities to discuss items like that.

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There was no one else in the audience wishing to give input. Chair Larsen-Hallock closed the public hearing.

Commissioner Tolhurst asked Ms. Tschudin about the request on the Board's agenda tomorrow requesting an extension on the comment period. Ms. Tschudin said the Board would be discussing an extension tomorrow at 2:00 p.m. Staff is recommending that the Board not extend the date. If the Board does extend the date, it will affect the Commission meetings in August and September. Commissioner Tolhurst asked how long the extension could be. Ms. Tschudin said one party asked for 30 days. Several requests were not specific. If the comment period is extended for even two weeks, we will not be able to meet the August and September meeting dates.

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Commissioner Machado said the EIR takes into account the casino and Measure Y. Why does it not take into account light rail coming into El Dorado Hills that would reduce the level of traffic in cars? Ms. Tschudin said one of the alternatives specifically looks light rail as well as other methods of transportation. Chapter 6 of the EIR looks at the eight alternatives.

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Commissioner Machado said a member of the public spoke about the Executive Summary under Biological Resources, bottom of Page 254. There are many, many studies and fees. Is there something somewhere that lists everything that will need to be done after adoption of the Plan? Ms. Tschudin said her report does reduce the information down somewhat. Chair Larsen-Hallock asked if Commissioner Machado is looking for something that tells what the implementation will be. Commissioner Machado said some of these items would cost major dollars. Commissioner Tolhurst asked if he was talking about economic impacts of the mitigation measures on the County. Commissioner Welsh said it is his understanding these items are not set in stone at the present time. Some of the items could be deleted. Commissioner Machado said we are

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being asked to put together a plan, and we do not know how much it will cost to implement that plan.

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Commissioner Machado said if you are looking at building affordable housing, with all the additional studies and fees, you are not going to get the housing. Waiving the fees has an effect on the existing budget problems.

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Ms. Tschudin said the Commission is struggling with all the right things. This is about competing resources. Staff is going to do its best to provide the Commission with additional information if it can to make those decisions. If there are specific needs the Commission requires, staff will try to prepare that information. This is not going to be an easy decision.

Chair Larsen-Hallock said a priority list needs to be established. Some mitigation measures are not to be completed in the first five years. She asked if staff has looked at the overall implementation to see what is doable. Commissioner Machado said he is having a problem without a dollar amount. There are some good things in the documents, but we do not know the cost. Ms. Tschudin said staff has looked at some of the costs. There has been some higher level of analysis of the transportation improvements. Matt Boyer has given staff some information that is available. With respect to some of the other measures, staff has, particularly in the Environmentally and Roadway Constrained Alternatives, given their first shot at priority by setting priority periods for each of the implementation measures. It is an iterative on-going process. She will go back and talk to the team about what they can provide to help the Commission with this issue now that it has been articulated. Ms. Tschudin said she does not know if staff can give the Commission an individual cost analysis on each individual components, because we do not know which path the Commission is going down, and until that is understood, they will not know if it is part of the process. They will see what they have and report back to the Commission.

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Commissioner Machado said on the oak tree mitigation plan, Page 260, there is nothing specific, but it just broken out by residential versus commercial. Ms. Tschudin said she would have to re-read the information in order to answer the question more specifically. The Commission does have the ability to look at modification of a mitigation measure as long as it is better mitigation. Chair Larsen-Hallock said one thing we might want to look at is not having it prescriptive in the General Plan, and you do a broader policy that says it is a priority to preserve the trees, but then you ask for an implementation that might be a tree ordinance or some kind of plan that would come back before the Commission at which time you would get into the details of how it would apply. Commissioner Tolhurst said it would still have to be addressed in the EIR unless we do another one.

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Referring to Traffic and Circulation, Page 221 under the new implementation measure, Commissioner Machado asked why we only talk about Latrobe Road,

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White Rock Road, and El Dorado Hills Boulevard? We are not looking at Missouri Flat and other roads. Ms. Tschudin said that area is where staff saw the worst traffic impacts under all the alternatives. Hence, there is a lot of focus on that area in the mitigation measures, because that is where they were not able to fully mitigate with the planned roadway improvements, so other things needed to be identified in the EIR.

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Commissioner Mac Cready, referring to Page 213, 5.1-3d, said in the past schools seem to have done the planning for the County by putting schools where they could buy the cheapest land rather than where they would be of most advantage to the County. He asked if the new wording is strong enough so the schools would be put in the districts where they are better for the County. If the language is not strong enough, it needs to be changed. On Parts a., b., and c., he thinks the incompatible uses should be expanded to include agricultural districts and agricultural zoned lands. There have been cases where agricultural operations have had to cease operation because of sensitive receptors.

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Commissioner Mac Cready feels administrative relief for setbacks, Page 215/8.1.3.2, should be reviewed by the Planning Commission. On 5.2-3, Page 216, he feels there should be agricultural districts as in the No Project, Road Constrained, and 1996 Plan. The agricultural overlays should be as in the Environmentally Constrained on all of the projects. It would give more protection to the agricultural industry. Right now, there are some agricultural parcels that are not really zoned agriculture or do not fall under an agricultural overlay, and so they do not have the advantage of their right to farm, etc. Commissioner Mac Cready said he would like to see the agricultural districts and overlays in the final plan.

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On Page 228, 5.5-3, Commissioner Mac Cready said he can understand why the drilling of a well was taken out. It would be extremely difficult for someone that is going to drill a well to determine if that will affect his neighbors. However, if an affordable development was put in a Rural Centers, and they dug four or five wells and adjacent wells went bad, what is the protection for those property owners? There should be some protection for those property owners. He does not know what could be put in about the affect on surrounding parcels. He would like to see some protection put in for people.

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Referring to Page 234, under Parks, Commissioner Machado said the County shall establish a Countywide fee program, etc. Cameron Park and El Dorado Hills have their own community services districts and park fee. Do those properties also pay a park fee that goes to the County that helps on other County parks? He assumes this fee would attach to all parcels, those in Cameron Park and El Dorado Hills also. This would be an affect on affordable housing also. Chair Larsen-Hallock said what she is hearing from Commissioner Machado is that he would like to have more analysis as to how the other areas of mitigation impact our ability to do affordable housing. Commissioner Machado concurred.

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Commissioner Machado said on Page 253, 5.11-2g, within Community Regions and Rural Centers, all development shall include pedestrian and bike paths connected to adjacent development. Given that within those areas there is hodge-podge development that goes from sidewalks to no sidewalks, is this doable? How do you reasonably connect the sidewalks to trails? Ms. Tschudin said there could be off-site mitigation. Commissioner Machado asked if that would mean another fee. Should we add where practical? Commissioner Mac Cready asked if that means if a person builds a home, he has to donate some of his property for a trail? Ms. Tschudin said staff is not prepared to answer questions during these hearings. She would rather give the Commission answers at the next set of hearings than speculate.

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Commissioner Mac Cready said this is a draft document. The next will be the final. Ms. Tschudin said the final document will be out and circulated before the next Commission hearings. They will answer the questions that have been asked. Commissioner Mac Cready asked if there would be an opportunity to make further changes. Ms. Tschudin replied in the affirmative. Once the EIR has been finalized, it will come before the Commission to deliberate whether the Commission feels it adequately discloses the impacts, whether it includes the information the Commission needs to make a decision, and the Commission can also make recommendations to the Board as to changes the Commission feels may be appropriate anywhere in the document as long as you have substantial evidence to support that change or in the case of feasibility issues substantial evidence to support why something may or not be feasible. The Board will go through the same process. It will look at the mitigation measures that have been identified in the EIR and make a decision as to whether they want those to be incorporated into the General Plan or if not what changes they believe are substantiated by evidence in the record or what feasibility determinations they should be making based on evidence in the record.

There were no further comments from the Commission. Chair Larsen-Hallock opened the public hearing again for comments from the public.

Don Hartley said within the land use segments, Chapter 5, in the EIR, there are several impacts that are stated. There is language written into the EIR that would wrongfully influence someone reading it. He will submit the examples later in writing. One thing that does not make sense is community action plans. It dismisses these plans as unimportant. This does not speak well of our government listening to the people. There are misstatements. One in particular is in Chapter 5.1, Page 20; it talks about land near El Dorado County's western boarder designated agricultural uses. This is in the paragraph about the Sacramento County General Plan. It dismisses that portion of land south of Highway 50. Just a few sentences later, it talks about the Folsom General Plan and talks about that same land being under the Sphere of Influence for Folsom County, and there are no development plans available for those properties. The

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current designation in Folsom is 80 acre minimum, and it would create an incompatible land use if we did something different on the El Dorado County side. There is a conflict on the same page and chapter. There is a weakness in both the constrained plans in that neither addresses the coordinated planning with other jurisdictions where the transportation arteries cross the County line. In the constrained plans you are required to have some mitigation involved where in the No Project and 1996 Plan, those things are already included.

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Mr. Hartley said there is something in Chapter 5.1, Page 48, parcel consolidation and transferring development rights. It talks about them as if they are one in the same. They should be two separate issues. One is quite detrimental to the property owner. The other could be quite beneficial.

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Regarding the political bent of the Planning Department writing this document, 5.1-3, Page 51 and 52, it says the five-acre minimum parcel size provides minimum buffer between residential and agriculture or timber uses. On the next page it says experience of the County Planning staff has shown that in general a ten-acre parcel provides adequate space and buffering. In the simple stroke of a pen, you have taken somebody that owns a parcel and cut in half their opportunity to divide that parcel based on a five or ten-acre minimum. It is a recommendation of the Planning Department that is subliminal in the message, but he thinks it has a dramatic impact on the property values of those people that are affected in those apparent buffer zones around agriculture.

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Chair Larsen-Hallock asked that Mr. Hartley submit his comments in writing.

Art Marinaccio said in order to not adopt some of these proposed mitigation measures or change them significantly, you must make findings based on something in the record. He referred to Page 2-23 and read a new policy regarding modifying the circulation diagram, etc. The thought that we are not only going to develop a bus service in El Dorado Hills but develop a roadway system exclusively for use of the busses, he does not know what we are thinking. In order to delete policy, the County needs some justification in the record. It is staff's responsibility to bring that information forward.

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Another thing that relates to El Dorado Hills is that it is critical for this County to understand what is going on and what has gone on. Most of the property has been acquired for speculation. There has been a process where the land owners had the City of Folsom apply to Sacramento LAFCO to bring the land between White Rock Road and Highway 50 into Folsom's Sphere of Influence to eventually annex and develop as part of the City of Folsom. The Taxpayers Association supported that on the basis that if in fact that developed, it should develop under a plan for the City of Folsom. However, there is no infrastructure. There is no water. There is no highway capacity. The City of Folsom has now agreed to a process of completely addressing all of those infrastructure problems as a part of any effort to annex that land for development. The importance is that this is the

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mechanism whereby Sacramento County, the City of Folsom, and El Dorado County are going to cooperate on future road improvements to Highway 50 and other transportation in the corridor to accommodate the needs of the corridor. One of the sticking points is if we cannot construct the Highway 50 improvements, we cannot consider anything but the lowest development alternative.

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Barry Wasserman thanked the Commission for opening the public input section again. He said there is a balance between keeping time and keeping it manageable but also to allow people to participate. He would like to add to an element that is missing from the EIR, and that is a discussion of funding for the road plans and all the alternatives. There is some reason it does not have to be included in the EIR, but common sense tells you that you need to know how much it is going to cost to fund those road programs. There is no discussion of funding the road plans currently. Matt Boyer did write that memo dated April 9. It is not part of the EIR process. He does not know if it is ever going to get discussed. He does not believe it is set up to be discussed. If the goal is to balance the Land Use Element with the Circulation Element, it is not enough to just draw roads on a map. You have to have some sense about how likely you can fund it. When you read Matt Boyer's memo, he begins to lay out some of the complex problems that are involved in getting all the money you need let alone getting it in a timely fashion. That discussion should be included in the EIR.

85-63

There was no one else in the audience wishing to give input.

Chair Larsen-Hallock went over the written comments she had submitted to the Commissioners this morning.

Commissioner Mac Cready said he is curious about the newspaper article and EID's thoughts about providing water demands during drought years. Ms. Tschudin said she has not seen that information. Commissioner Machado said the article said they would also be providing their comments in writing.

Ms. Tschudin said given the attendance at these meetings, it appears the Thursday meeting is not needed and the public has been given ample opportunity to provide input. The Commission agreed.

The public hearing was closed and Chair Larsen-Hallock adjourned the meeting at 8:40 a.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:


Lorraine Larsen-Hallock, Chair


Alan Tolhurst, First Vice Chair

"Forni, Gary" <gary.forni@intel.com>
06/09/2003 12:28 PM

To: "Forni, Gary" <gary.forni@intel.com>, <bosone@co.el-dorado.ca.us>, <bostwo@co.el-dorado.ca.us>, <bosthree@co.el-dorado.ca.us>, <bosfour@co.el-dorado.ca.us>, <bosfive@co.el-dorado.ca.us>
cc:
Subject: EIR and GP plan review

Dear Board of Supervisor,

I have this weekend been made aware of one of the policies (Policy HS-2e) in the General plan proposal affecting the gating of subdivisions and neighborhoods. The policy is umbrella'ed in the context of Wildfire safety.

Green Springs Ranch, as all rural communities, is very concerned with Wildfire Safety. We have spent considerable time negotiating with our neighbor Serrano to have access to their roads in case of emergency, and with EID to eventually have access to water. Through the process of the Road Vacation we have been engaged in for the last three years we have spent considerable time thinking through Wildfire Safety and security gates. Truisms we have come up with are this: security gates do not increase or decrease the amount of water available in a subdivision, security gates do not add to or reduce the number of access points in a subdivision, security gates do not elevate roads up to or decrease roads below County standards. Tying security gates to these type of requirements is neither realistic nor appropriate. Fundamentally, the single most important item a security gate should meet is: Gates must meet local, or lacking them, state fire district standards for electronic override and manual operation. Implicit in having a fire district standard is that the fire district supports it's own standard.

I am writing to add my voice to those requesting an extension in the public comment on the El Dorado County EIR and General Plan review.

Sincerely,

Gary Forni
President, Green Springs Ranch
Board of Directors

86-1

Submitted by Don Hartley at June 9, 2003 Planning Commission hearing

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87-1



This story is taken from [Thunder Valley Casino](http://Thunder Valley Casino at sacbee.com) at sacbee.com.

A winning hand

Thunder Valley's opening offers some jobs and a better life

By Steve Wiegand -- Bee Staff Writer - (*Published June 8, 2003*)

First of two parts

For 86 years, they waited.

Through winters without heat and summers without water, through a flood of broken promises that washed the weak away, they held on to their identities as descendants of California's first human inhabitants.

For 86 years they clung to a rockpile.

Monday they open a gold mine.

Sometime close to 10 a.m., members of the United Auburn Indian Community will open a \$215 million casino complex on 49 acres of unincorporated Placer County land, at Industrial and Athens avenues off Highway 65.

When the finishing touches are completed this fall, the casino will house 1,906 slot and video poker machines, 100 table games, a 500-seat buffet, fast-food outlets, restaurants and seven bars, the main one featuring an impressive, if artificial, waterfall.

Employing 1,800 people, the casino is expected to generate more than \$200 million in annual revenues. Most of the profits will go to the 247-member tribe.

"It's hard to believe," said tribal chairwoman Jessica Tavares, a 54-year-old woman with 15 grandchildren, a droll sense of humor and a tendency toward skepticism. "It's a miracle for us ... and a new set of headaches."

The old set of headaches is still easy to see, starting at the tribe's office, located in a mini-mall just off Interstate 80 in Newcastle, next to Newcastle Pizza and Dinner Co.

Along with notices for an upcoming softball game against the Wilton Rancheria, the office's bulletin board is covered with postings for housing assistance, vaccination and nutritional programs and job training -- "Become an ironworker."

According to Bureau of Indian Affairs statistics, 52 percent of the tribe's employable adults who lived on or near the reservation were unemployed in 2001. Of those who were employed, 96 percent were making less than a poverty-level income.

About 50 tribal members found jobs at the casino construction site.

<http://www.sacbee.com/content/news/projects/casino/v-print/story/6815390p-7765570c.html>

6/9/2003

"They want to take part in something that is going to be theirs," Tavares says, then jokingly adds "so they can pass on stories how they built it all by themselves."

Fliers for addiction treatment programs are a reminder of the drug and alcohol demons that some tribal members battle.

"Most of our members have no health insurance, a lot of them have no jobs, just about all of them have big problems of one kind or other," says Tavares.

A few miles away, up Indian Hill Road, about one-third of the tribe's members live on a rocky 20-acre parcel that was once the reservation. The enclave of trailers, mobile homes and modest houses is surrounded by pricey new subdivisions with names like "Diamond Ridge Estates" and "Dunmore," which is advertising "homes from the low 300s."

On a warm spring afternoon, it's a scene of pastoral poverty, with sweeping vistas of the valley visible past the oak trees -- and few amenities to help buffer against the area's weather extremes.

"You should be here in August," Tavares observes dryly. "Or January."

Tavares lives in Roseville, but grew up on the rancheria, and in her role as tribal chair, spends a great deal of time there.

On a recent visit, she points out the rusting skeletons of abandoned vehicles that dot the landscape.

"When we get the money, a lot of this will be cleaned up," Tavares says. "We'll get rid of a lot of these old cars. People bring their old cars up here and leave 'em here. It's like they think, 'The Indians won't mind.'"

Near the entrance to the rancheria's circular road is a giant garbage container that on this day contains discarded building materials, bags of refuse and a large couch.

"We got the county to put that in," Tavares says, "and they come out and empty it. It really helps out."

On the rancheria's western edge, some of the kids have erected the frame of a giant tepee, which Tavares says is meant to remind the subdivision residents that this is Indian country.

Walking down the road, Tavares notes the carcass of a large alligator lizard. She recalls that her mother used to pour hot water on such reptiles to discourage them from nestling into the family's beds.

One memory triggers another: of cleaning and eating the rabbits and squirrels and blue jays her uncles would kill to supplement the family diet; of hauling water from a drainage canal 75 yards down the hill; of outhouses and hand-me-down clothes and neighbors living in the back seats of cars.

Poverty, no matter how pastoral its setting, is still poverty.

Like many of California's 107 federally recognized tribes, the United Auburn Indian Community was born of desperation.

By the end of the 19th century, the state's American Indian population had been reduced, mainly through disease and murders that were sanctioned by official and unofficial government policies, from about 150,000 in 1848 to fewer than 20,000.

"The savages were in the way," the noted California historian Hubert Howe Bancroft wrote in 1890. "The miners and settlers were arrogant and impatient ... It was one of the last human hunts of

civilization, and the basest and most brutal of them all."

By 1917, 25 survivors of two cultures, the Nisenan Maidu and Sierra Miwok, huddled together on a tract of unfertile land a mile or two southwest of Auburn. The federal government bought 20 acres of the land, which it held in trust for the band, and called it the Auburn Rancheria.

"They are a small hard-working band of good Indians," Special Indian Agent John Terrell reported then to the Bureau of Indian Affairs, "who should receive some of the benefits ... for the homeless Indians of California."

Those benefits apparently did not include a water supply. For the next 29 years, the tribe lobbied the federal government to drill a well. In 1946, a well was drilled. It produced a little water, but it was laced with bitter-tasting minerals and was unfit for drinking. Then the drillers hit granite and quit. It would take another 24 years and a lawsuit before the government finally provided funds for a water supply.

"We live under slum conditions," tribal member Edward Ainsworth told a Bee reporter in 1947. "It's time the government woke up and did something for us."

Garron Cayton is doing something for his 67-year-old Aunt Maxine. He stands outside the 8-by-47-foot trailer he once lived in with his parents and four siblings on the rancheria, and talks about how he's fixing it up so his aunt can move in.

"It's not going to be all that great," he says, "but it's better than what she has now."

Aunt Maxine, who is too shy to talk to a reporter or give her last name, lives in a wooden shack about 25 yards away, with tarps on the roof and one of the sides to keep the weather at bay.

Her water supply consists of a garden hose connected to an outside tap, so she washes dishes on the side of the house. There, she can watch the construction of houses selling for \$380,000 just down the hill. Her electrical supply is an orange extension cord, run from a neighboring house.

It's one of many shelters on the rancheria that was built without building permits or attention to housing codes -- or connections to utilities.

"There's no heat, no insulation, everything is dilapidated," Cayton says. "This got built for her when I was 6 or 7 so she would have a place, because there was no room anywhere else."

Cayton has spent most of his 44 years on "the rez." He moved away briefly when he was a kid, but family problems and a yearning to go home prodded him into buying a bus ticket in Kansas at the age of 13 and returning, alone, to the rancheria.

"I lived here with my grandmother, who was sick and old and couldn't drive," he recalls. "So I drove myself to school ... by the time I was 16, I had 36 tickets for driving without a license."

He graduated from high school, took some classes at local community colleges, worked in the swimming pool business and in construction.

Nowadays, he does odd jobs, works on restoring the trailer for his aunt -- and waits for the casino.

"When I get my money, I want to put it into a center for underprivileged kids, Indians or not," he says. "Someplace where they can grow up and not be scared of everybody ... someplace like we never had."

In 1958, after a century of failing to solve the "Indian problem," Congress gave up. In California, federal recognition of 41 of the state's 100-plus tribes was terminated and the reservation land was given to the families living there or sold as surplus.

The terminated tribes were promised improvements to the land, such as utilities, paved roads and sewage systems to compensate for losing their tribal status, but the promises were generally forgotten.

"We were always waiting for our 'Indian money,' " said Tavares.

"Indian money" was a long-anticipated reparation payment for California Indians, who'd been promised millions of acres in 19th-century treaties that Congress ultimately failed to ratify. After more than a century, the money arrived in 1966.

"It came to \$642 a person," she said with a laugh slightly hard around the edges.

While the land was held in trust, the Indians didn't pay property taxes, and many of them had no idea what they were. They found out when tax bills arrived that they couldn't pay, and some of the land was lost to tax liens.

Even with the tribe officially disbanded, many members clung to the old rancheria.

"A lot of families wanted to stick close together, and a lot of people just didn't have anyplace else to go," Tavares said. "My mom was on welfare with seven kids, my dad was sickly, on disability. This was all we knew."

During the 1960s and '70s, Congress gradually realized that the move to terminate tribes had been another policy failure, but had no new solutions. Some California tribes successfully sued to be reinstated, but the Auburn band remained disorganized and discouraged.

Finally, in 1991, surviving members of the band formally organized as the United Auburn Indian Community, in hopes of regaining access to federal aid programs. Three years later, the group won federal recognition, and with it the right to acquire land in Placer County as a new reservation.

But finding money to buy the land was another thing: Poverty, even with federal recognition, is still poverty.

Thunder Valley is a casino that sprang from a coup.

Once it became federally recognized, the United Auburn tribe faced the vexing combination of opportunity and empty pockets.

Some members, including three of the four people on the tribal council, wanted to find a way other than gambling to bring in revenue. Others, including Tavares, thought otherwise.

"Somebody wanted to build a coffee shop on the old reservation to bring in some income, and I figured that wouldn't be enough to help anybody," she said. "I thought the best way out of the poverty was to build a casino like the other tribes had, so the income would be enough to do things."

Tavares led a recall of the anti-casino council members, and was elected tribal chair in 1995. She has been easily re-elected twice since.

Finding financial backers for something as potentially lucrative as a casino wasn't tough: "The suitors were nonstop for six years," said tribal attorney Howard Dickstein, a Sacramento lawyer and veteran of several casino openings.

The tribe eventually settled on Station Casinos Inc., a company that owns all or part of 10 casinos in and around Las Vegas. Station spent about \$15 million to buy the land for the tribe and provide funds to help the tribe through the development process. Station will operate the casino for seven years in return for 24 percent of the casino's net revenue.

The tribe also secured about \$200 million in construction financing from lenders led by Bank of America and Wells Fargo, even though the tribe's only collateral is the prospect of an operating casino.

Finding the right location and getting the neighbors to go along was a different story. An "exploratory look" at a site near Penryn elicited howls of outrage from area residents.

"I had just been elected," said Placer County Supervisor Robert Weygandt, who early on was a leader of the opposition. "I'd never been in an Indian casino. I didn't know a thing about our options politically or strategically."

What Weygandt and other supervisors soon learned was that in the face of Indian tribal sovereignty and federal law, their options were limited.

"We sort of postured, and we indicated to them we were going to fight them, using federal environmental laws," he said, "and we would make it as tough on them as possible, although in my own mind I always knew that we would lose."

Instead of a fight, the tribe and county worked out an agreement, ratified in early 2000, for a site in the Sunset Industrial Park.

Under the deal, the tribe agreed to pay for millions of dollars in infrastructure improvements, provide the county with \$500,000 per year for extra sheriff's deputies, build a fire station at the casino site, contribute annually to a program for problem gamblers and abide by state and local environmental rules.

"This is one of only three agreements between tribes and local governments in California that is worth anything," Cheryl Schmit, executive director of the anti-Indian casino group Stand Up for California, said with grudging admiration.

But other local governments were unswayed. In April 2002, the cities of Rocklin and Roseville joined a private group called Citizens for Safer Communities in filing a lawsuit. The suit claimed the plan failed to consider the negative impacts the casino might have on surrounding communities.

Last September, a Washington, D.C., federal judge dismissed the case. Rejecting lucrative offerings from the tribe in return for dropping their opposition, the cities appealed. But even some casino opponents are less than optimistic about their chances.

"After this appeal is decided, I don't see the sense in appealing it again. I think we've gone as far as we can go, and there's a time to call it quits," said Roseville Mayor Rocky Rockholm. "I still don't think it's the right fit for this community, but if it comes, it comes, and that's the end of it."

Tribal attorney Dickstein notes that Station and the lending banks are confident enough the appeal will be denied that they have risked millions of dollars on the project.

Still, he acknowledges he will feel a lot better when the legal issues are settled.

"I'll be pleased when it's over, and so will the tribe, because it's the last contingency out there," Dickstein said. "At one point, there were scores of contingencies, and they have been eliminated one by one over a period of eight years."

Tavares never thought it would take so long.

"When we first located the lawyer we thought we would go with, we thought it would be a year," she said, laughing in Dickstein's direction. "He kept telling us 'soon, soon.' Eight years was 'soon' to him, but it seemed a long time to us.

"The attitude we have is, 'We'll believe it when the doors open ... and the money starts coming in.' "

But having money and spending it wisely are two different things.

It has been Howard Dickstein's experience that California Indians are a tough and resourceful people, and Dickstein has a lot of experience.

"They have an enormous capacity for absorbing information and making decisions," he said. "It's not coincidental that Jessica (Tavares) and her family survived, and others didn't. There were qualities there that were never mined or brought out, but they were there."

The tribe will need its good qualities, particularly patience, because it will be awhile before the slot machines pay off.

For one thing, there's a \$200 million debt to whittle down. Then, there are federal rules that require casino profits to be directed first at specific tribal needs, such as health care, education and housing, before stipends to individuals can be handed out.

In mid-May, the tribal council voted on priorities for the money: First, they want a health plan that provides comprehensive medical, dental and vision coverage for all tribal members. Next, all school-age children will have academic evaluations. Then, they will have the opportunity to go to the public or private schools of their choice, from pre-kindergarten to college, with all expenses paid.

Finally, stipends to individual members of the tribe will be paid only after they complete an 18-hour course at American River College on how to manage personal finances. Tavares estimates that 60 percent of the tribe's adult members never have had a checking account.

No one has put a formal estimate on what the stipends might be. But guesses among some tribal members, based on what other tribes have experienced, have ranged from \$3,000 to \$7,500 per month per tribal member.

Some plan to stay on the rancheria and rebuild, Tavares said. Others, she said, will eventually move into homes on a 1,100-acre site near Camp Far West Reservoir in Placer County "as soon as we have money to build houses."

Owning a casino, Dickstein says, "is a life-transforming experience."

At a conference table in a law office in midtown Sacramento, the past and future of the United Auburn Indian Community sit side by side.

Jenny Sturgeon was born in Sacramento in 1934, but moved to "the rez" when she was 6. She remembers working in the pear orchards when she was a child, carrying heavy ladders while her parents picked, camping among the trees -- and thinking it was fun.

"I look back now and I wonder how I did that," she says. "But we were poor, and that was how we made our living."

After graduating from high school, she married a missionary and moved around, doing mission work

among Indians in other states. Eventually she returned to the land off Indian Hill Road, and worked in education and health programs. Through it all, she and her family remained poor.

Still, she had her doubts when the tribe decided to build a casino.

"I didn't think too much of it because I was more worried about getting jobs and health care and things like that," she says. "But I came around to think it was the best thing to do."

Sturgeon speaks without a trace of bitterness about what life was like on the reservation. The only time an edge creeps into her voice is when she talks about how hard it was for community members to find jobs. All the construction jobs go to the sons and friends of contractors, she says. Union membership is required, and that costs \$800. Many tribal members have no transportation to get to job sites.

"The Indians get put down because they don't work," she says. "Well, there are a lot of reasons they don't work."

When the money comes in, she wants to see a health program, and education and housing, and maybe enough for a modest vacation, her first in 15 years. But she is not counting on anything just yet.

"I should be excited," she says, "but we have been let down so many times. It's hard to get excited until I see those doors open."

Kari Adams sits next to Sturgeon and listens with a degree of respect and patience uncommon in a 17-year-old.

"I didn't have it as bad as she did," she explains, adding that she lived in Sacramento rather than on the reservation. She talks about visiting the reservation at age 12.

"I had this picture in my mind of big old tepees," she says, drawing laughter from the other Indians in the room. "But I couldn't believe how horrible it was ... there were people actually living in old cars."

A few minutes later, however, she talks about once living in a car herself for two weeks, about moving whenever the rent was raised, and going without new clothes.

Poverty closes generation gaps.

"I looked at it as a learning process," she says. "I understand the value of money and the importance of putting priorities on what you can get."

She was 12 before she understood what a casino was and how it could help her tribe. Her respect and patience give way to unbridled -- and infectious -- enthusiasm when she talks about it.

Adams, who graduated from high school early, works at the casino in the human resources department. She plans to take a few courses she needs at Sierra College, then transfer to UC Davis and eventually become both a child psychologist and a veterinarian.

"I'm finally going to have an opportunity, and that's all I want," she says.

"An opportunity."

Monday: A closer look at Station Casinos Inc.

About the Writer

<http://www.sacbee.com/content/news/projects/casino/v-print/story/6815390p-7765570c.html>

6/9/2003

The Bee's Steve Wiegand can be reached at (916) 321-1076 or swiegand@sacbee.com.

Thunder Valley Casino at a glance

Some facts and figures on the Thunder Valley Casino, opening Monday in Placer County:

Where it is: Near the intersection of Industrial and Athens avenues, off Highway 65.

Ways to lose wages: The 75,000-square-foot casino will open with 1,906 slot and video poker machines. There will be about 100 tables for blackjack and other card games, a room for Asian games such as pai gow, and a VIP room for high rollers.

Places to eat: A 500-seat buffet and a fast-food court will be ready Monday. A 24-hour cafe and two restaurants, one a steakhouse and the other an Asian food bistro run by the Fat family, will open later this year.

Places to drink: The casino will have seven bars, including three in the high-limit gambling area and a main bar with an impressive waterfall.

Places to park: There should be room for 3,000 vehicles.

Smoke 'em if you got 'em: Because the casino is on sovereign lands and not governed by state laws on the subject, smoking will be allowed in the casino and bars. A decision has not been made yet on the restaurants.

The hosts: The United Auburn Indian Community owns and controls the casino. Daily operations will be handled by Station Casinos Inc., a publicly traded company that owns all or part of 10 casinos in the Las Vegas area.

United Auburn Indian Community through the years

About 1900: Survivors of two Indian cultures band together on a hilly, rocky site two miles southwest of Auburn.

1917: The federal government acquires 20 acres for the Indian community, creating Auburn Rancheria.

1953: The government adds another 20 acres to the site.

1958: The tribe is one of 41 California tribes terminated by the federal government. Except for a two-acre parcel containing a church and community center, the rancheria land is sold or given to individuals in the tribe.

1991: The tribe adopts a constitution and petitions the Bureau of Indian Affairs for recognition.

1994: Congress passes, and President Clinton signs, legislation giving federal recognition to the tribe and authorizing it to acquire tribal land in Placer County.

1999: The tribe and the state of California agree to a compact allowing the tribe to operate a Las Vegas-style casino.

2000: The tribe and Placer County sign a memorandum of understanding in which the county agrees to endorse a casino in return for economic and environmental concessions from the tribe.

April 2002: The cities of Rocklin and Roseville and a group called Citizens for Safer Communities sue to stop the casino.

September 2002: A federal judge dismisses the case. The plaintiffs' appeal is still pending. The U.S. Department of the Interior takes a 49-acre site into trust for the tribe.

October, 2002: Construction begins on the casino.

June 9, 2003: Thunder Valley Casino is set to open.



This story is taken from Thunder Valley Casino at sacbee.com.

Play the odds

Ghosts shadow gambling management

By Steve Wiegand -- Bee Staff Writer - (*Published June 9, 2003*)

Second of two parts.

LAS VEGAS -- There are ghosts in this city, among the pyramids and pirate ships and palaces. Ghosts with names like Bugsy and Moe and Tony the Ant.

They are the spirits of some of Nevada gambling's first generation of entrepreneurs, people who skimmed profits, laundered money and buried their problems in shallow desert graves.

The "wise guys" are gone, most gambling industry experts will tell you, replaced by closely monitored and scrutinized, publicly traded mega-corporations.

"Casinos are the most highly regulated form of business in the world, and yet with a terrible reputation and history in the public mind," said Nelson Rose, a Whittier Law School professor and an expert in gambling law.

"A lot of times the companies quite literally get into trouble just for the company they keep, or kept."

Nearly every big modern casino company has had things go bump in the night, and Station Casinos Inc., the firm that today begins operations of the Thunder Valley Casino for a Placer County Indian tribe, has its own ghosts, with names like Carl, and Lance, and the state of Missouri.

"They (Station executives) are young guys, very energetic, very aggressive," said Bobby Siller, a member of the Nevada Gaming Control Board. "Some of the casinos are pretty cookie-cutter in their approach, but these guys like to take chances and do things different, and sometimes that can create friction."

It can also create profits. From a modest gambling and bingo joint for locals with annual revenues of less than \$3 million, the company has grown in 27 years to a casino giant, with 2002 net revenues of \$792.9 million. Station has a work force of about 10,000 and has full ownership of eight casino-hotels in the Las Vegas area and half ownership of two others.

Under its seven-year contract with the United Auburn Indian Community, Station will receive 24 percent of the casino's annual net revenues, plus 2 percent of the cost of building the casino, in return for its gambling experience and expertise. That could amount to more than \$50 million a year for the company.

While two Nevada gambling companies manage Indian casinos in Southern California, Station will be the first in Northern California.

According to many gambling industry analysts, the United Auburn tribe made a good choice: Station has a reputation for building successful, "friendly" casinos that appeal to local residents and casual

<http://www.sacbee.com/content/news/projects/casino/v-print/story/6820990p-7771286c.html>

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gamblers who might drive 30 minutes to a casino, but not two hours.

"They have a good company for this kind of operation," said William Thompson, professor of public administration at the University of Nevada, Las Vegas, and a leading authority on gambling's economic and social impacts. "I don't buy casino stocks, but if I bought casino stocks, I would buy Station."

But the company also has a reputation for aggressiveness, and that has contributed to a string of controversies:

* Company patriarch Frank Fertitta Jr.'s connection to a 1980s scandal, in which mobsters skimmed millions of dollars from several Las Vegas casinos, raised eyebrows when the company tried to establish itself in the Indiana and Missouri gambling markets.

* After winning licenses to operate casinos in Missouri, Station was fined a total of \$1.9 million between 1997 and 2000 for violations that included dumping fill materials in the Missouri River, allowing a 12-year-old girl to play slot machines and refusing to testify before a state regulatory agency looking into corruption charges. The company surrendered its Missouri licenses and sold its properties there in 2000.

* The company also paid a \$475,000 fine in Nevada in 2000 to settle a complaint the Nevada Gaming Control Board filed against Station for financing an anonymous campaign mailer. The mailer was aimed at a Clark County commissioner who had angered Station executives by voting in favor of a rival firm's development proposal after pledging to vote against it.

"Every major gaming company has stumbled from time to time," Station general counsel and corporate vice president Scott Nielson said during an interview at the company's offices at Palace Station, its first hotel-casino.

"It's a very tightly regulated business, and it would be almost impossible to completely avoid some violations over the years."

Station's modest headquarters belies its success. The offices are above the casino's bingo hall, and the reception area is decorated in "early midtown dentist office" style, with plenty of black-and-white pictures of the old days. Occasionally, the monotonous songs of the slot machines make their way up the stairs.

The company's leadership -- which is topped by Fertitta's sons Frank III, the chairman and CEO, and Lorenzo, the president -- is young (the average age of the top five executives is 43), well compensated (the top five average \$4.3 million a year) and experienced.

It is also flexible.

"We saw there was public support in California for Indian gambling," Nielson said. "So we thought that since it was going to be a reality, rather than turn our back to it, we should check and see if there were some opportunities there for us."

Opportunity was what a 21-year-old Texan named Frank Fertitta Jr. was seeking when he came to Las Vegas in 1960. Starting as a bellman, Fertitta became a blackjack dealer, then worked his way up into management.

Vegas was booming, but Fertitta figured there was still something missing: A casino for the locals, where casino employees could blow off steam after work without bosses looking over their shoulders or having to share space with the tourists.

In 1976, Fertitta scraped together enough to buy a small casino off the Strip with a partner, Carl Thomas. The casino became known as the Bingo Palace and later Palace Station.

Both Thomas and Fertitta had other jobs as well. When Thomas was made chief executive officer of four casinos owned by the Argent Corp., he brought Fertitta in to be general manager at one of them, the Fremont.

But Thomas also had other partners. They were Giuseppe Nicoli "Mr. Nick" Civella and Carl "the Cork" Civella, brothers and bosses of the La Cosa Nostra chapter in Kansas City.

In the 1980s, federal prosecutors charged that Thomas, the Civellas and others conspired to "skim" money from the Argent casinos by taking it from the counting rooms before it was on the casinos' books.

After a 1985 trial in Kansas City, a dozen defendants were convicted. Thomas, who by then was serving a 15-year sentence for a skimming conviction in a related case, testified against his former partners in return for immunity from prosecution.

In his testimony, Thomas did not implicate Fertitta, who had bought out Thomas' interest in the Bingo Palace when the skimming charges first surfaced.

Fertitta has consistently and vociferously denied any involvement, and never was indicted or charged.

But one witness who had been fired by Fertitta, former Fremont security chief Harold McBride, testified Fertitta had been involved in the skimming. Fertitta's name also surfaced in FBI wiretaps of conversations between the Civellas and Thomas.

After a four-year investigation into the allegations, the Nevada Gaming Control Board voted 2 to 1 in 1989 not to initiate disciplinary action against Fertitta.

But the shadow was there.

Fertitta Jr. stepped down as board chairman of the company in favor of his son Frank III in 1993, when the company went public. He is currently on the board of trustees for the University of Nevada, Las Vegas.

The skimming case, however, still came up when Station applied to run riverboat casinos in Indiana and Missouri.

"As far as St. Charles riverboat gambling is concerned, we want to know not only about Frank Fertitta III, but his father and Palace Station as well," St. Charles, Mo., Mayor Grace Nichols told a local newspaper at the time.

The company eventually gave up the idea of an Indiana riverboat, but won Missouri licenses in St. Charles and Kansas City -- with the understanding that Frank Fertitta Jr. would have absolutely no role in the company's operations.

Missouri was generally not a pleasant experience for Station.

Neither casino did as well as expected, and the company ran afoul of the state's regulations.

According to Missouri Gaming Commission records, Station paid a \$250,000 fine in 1997 for allowing a 12-year-old girl to play the slot machines at its St. Charles riverboat casino. In 1999, it paid a \$500,000 fine for illegally dumping rock and soil into the Missouri River while doing work on its St. Charles boat. It also paid a \$75,000 fine for violating water use regulations at its Kansas City site.

But the coup de grace came in 2000, when the commission launched an investigation of dealings between Station and a St. Louis attorney whom Station hired when it first started looking at the Missouri market.

The attorney, Michael Lazaroff, pleaded guilty in federal court to defrauding his law firm by taking \$500,000 in bonuses from Station and not turning it over to the firm. He also pleaded guilty to defrauding clients, including Station, by padding his expenses, and of concealing the source of campaign contributions.

Gambling commission investigators also found Lazaroff had made 205 private phone calls to former commission Chairman Robert Wolfson, which was against Missouri law.

Testifying before the commission in August 2000, Lazaroff said he had used his personal relationship with Wolfson to increase Station's chances of landing a Kansas City gambling license, and that Station officials knew about it.

"They from time to time would ask me to run things by Chairman Wolfson and see what he knew about it," Lazaroff testified.

Station officials denied they knew Lazaroff was doing anything wrong, but refused to testify at the commission's public hearings, despite subpoenas. A Station attorney indignantly told the commission the company objected to the hearing being public and to not being able to cross-examine Lazaroff.

The commission then voted unanimously to strip Station and its top executives of their Missouri licenses. And in November 2000, Station agreed to pay a \$1 million fine, voluntarily surrender its licenses and get out of the state.

In an interview, Station counsel Nielson attributed many of the company's problems in Missouri to cultural differences.

"Some of the things that are common practice or well accepted in Nevada aren't necessarily going to be accepted in another jurisdiction, and I think that's an important lesson to learn," he said.

"And you also had a situation where the regulatory people were ex-highway patrolmen ... and some of them didn't like gaming, and some didn't like people from Las Vegas, period."

But the company also has found trouble closer to home.

In September 2000, Station paid a \$475,000 fine to the Nevada Gaming Control Board for failing to adequately supervise one of its executives.

Board investigators said the executive, Mark Brown, authorized the printing and distribution of an anonymous -- and therefore, under Nevada law, illegal -- campaign mailer against then-Clark County Commissioner Lance Malone.

The mailer featured a cartoon of Malone with his pockets stuffed with cash and a caption reading "You just can't trust Lance Malone," and was cited as a key factor in Malone's defeat.

In testimony before the board, Brown said Malone had voted in favor of a proposed project by a Station rival, after taking \$40,000 in campaign contributions from Station and pledging to vote against the project.

Brown resigned from Station and the company settled a libel suit filed by Malone for an undisclosed amount. (Malone, who became a political consultant after his defeat, is currently the subject of an FBI probe into political corruption in Las Vegas and San Diego.)

In a more recent incident, Station notified the Gaming Control Board in late April that the company had violated state laws that require it to report large cash transactions to the federal government. State investigators are looking into the violations.

And despite its reputation for running "locals' casinos," not everyone in Las Vegas is a Station fan.

The company is the largest non-union casino employer in town. When it took over a union hotel in 2000, Station fired about 1,000 workers and required them to reapply for their jobs. According to union officials, only 150 were rehired.

"This was something new for Las Vegas," said Courtney Alexander, research director for Hotel Employees and Restaurant Employees Local 226, which represents about 50,000 workers in Las Vegas.

"Casinos are bought and sold all the time, and we had no history of mass terminations when a new owner came in. ... I think it marked a turning point in how Station was viewed as an employer in this town."

Station's Nielson said the firings have done little to affect the company's standing with its customers, or employees.

"We've said all along we are not anti-union, we are just pro-employee," he said. "If our employees believe they want to have someone involved to speak to management for them, they can. We've been here for 27 years, they've never felt the need to do that."

At Thunder Valley, Nielson said, the decision on whether to have unions will be made by the tribe.

In fact, while Station will run the casino's day-to-day operations, a five-member Business Council will make policy decisions.

The council consists of three tribal members and two Station officials, including Nielson, and the tribe has already shown it will wield its influence.

"You should have heard the argument we had over what color the felt would be on the card tables," said tribal chairwoman Jessica Tavares.

(For the record, the tribe won, and the felt will alternate from table to table: tan with rust trim next to a table that is rust with tan trim, to match the exterior colors of the building.)

Nielson grinned a bit ruefully when recalling another battle over the cocktail waitresses' uniforms, which tribal members found too immodest.

"There were members of the board that weren't particularly thrilled at the costumes," he said, "but we assured them there was a method to our madness, and so a slightly modified costume was chosen."

More important will be tribal dominance when it comes to regulating the casino. Under federal law and the tribes' compact with the state, each casino tribe must create its own tribal gaming agency, which becomes that casino's regulatory authority. That means the tribe, not Station, will be in charge of enforcing casino rules, compact provisions and federal law.

"If we don't comply with the rules," Nielson said, "it (the tribal gaming agency) is going to have the ability to sanction us, just like in Nevada."

The company also will have to learn to deal with cultural differences that make Missouri look like a Las Vegas suburb.

Station officials, for example, thought they had found a way to win the Auburn tribe's hearts, through their stomachs.

When tribal chairwoman Tavares mentioned she liked crab legs, Station officials provided a mountain of them at an "appreciation picnic" for the tribe last year.

"Most people didn't even know what they were," she said. "They all said, 'ewww, fish -- I'm not going to eat that.' "

The company also gave the tribe's children goody bags full of candy and toys, including colorful rubber king snakes.

"I had to tell them king snakes are about the most bad-luck of omens there are for us," Tavares said.

"We don't want king snakes in our casino."

About the Writer

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Station Casinos at a glance

Founded: 1976, with the opening of a 5,000-square-foot gambling hall called The Casino. It later became the Bingo Palace and finally Palace Station.

Properties: Owns and operates eight casino-hotels and has a half interest in two casino-hotels in the Las Vegas area.

Net revenues: \$792.9 million in 2002

Assets: \$1.6 billion

Work force: About 10,000

52-week stock high (May 20, 2002 -May 20, 2003): \$23.95

52-week stock low: \$11.21.

Sources: Station Casinos 2002 Annual Report, Securities and Exchange Commission filings

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Gambling analysts bet casino will make plenty

By Steve Wiegand -- Bee Staff Writer - (*Published June 9, 2003*)

It's a safe bet that the casino opening today in Placer County will make lots of money for the owners, the United Auburn Indian Community, and the operators, Station Casinos Inc.

But the odds on figuring out exactly how much, whose pockets it will come from and where it will go are somewhat longer.

Since Indian tribes aren't required to make public what they take in at their casinos, comparisons to area tribes with gambling halls are no help.

That leaves educated guesses. Bill Eadington, director of the Study for the Center of Gambling and Commercial Gaming at the University of Nevada, Reno, uses a formula based on the number of adult gamblers in an area divided by the number of available slot machines. Revenues from slot machines generally represent about 75 percent of a casino's take.

Eadington estimates an Indian casino near a population the size of the Sacramento area will average a net of about \$300 per day per slot machine.

Since Thunder Valley will have 1,906 machines, that comes to about \$209 million per year. Add another \$70 million from table games such as blackjack, and it comes to about \$280 million a year.

That may be conservative, according to a study released last month by CIBC World Markets, an international investment bank.

"The Station Thunder Valley property has, by far, the best location and will have the best facility in the market," CIBC analysts said. "We believe that revenue per slot per day estimates of \$300-\$400 ... are easily attainable."

For Station Casinos, which will get 24 percent of the net revenue for handling the casino's day-to-day operations, \$280 million in annual revenues would mean more than \$65 million a year.

Most of that money is expected to come from the casino's back yard: Station Casinos built its reputation as the "locals' casinos" in Las Vegas, and that's one of the reasons the tribe chose the company.

"Our emphasis will be in the Sacramento Valley area," said Scott Nielson, Station's general counsel. "We'd love to have people drive from out-market for two, three, four hours, but that's not going to be our bread and butter."

Using kiosks at area shopping centers, the casino already has signed up thousands of area residents for its "Boarding Pass" program, which rewards players with things like Thunder Valley-themed merchandise and food discounts for logging hours on the slot machines.

Not everyone, however, thinks a "locals' casino" is a good idea for the locals' economy.

<http://www.sacbee.com/content/news/projects/casino/v-print/story/6820991p-7771293c.html>

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"It's a good-news, bad-news thing," said William Thompson, a professor of public administration at the University of Nevada, Las Vegas. "The good is: They (Station) do a fantastic job. The bad is: Whom do they do the job on? The locals."

Thompson asserts the local economy won't benefit significantly because most of the casino's revenues will come from money local gamblers would have spent at other local businesses, such as movie theaters or shoe stores. Now, he says, a big chunk of money will be flowing out of the local economy, to Las Vegas-based Station. He estimates the tribe also will spend 10 to 15 percent of its revenue on out-of-state vendors who provide casino staples such as slot machines.

And, Thompson said, the casino won't attract enough non-local money to make up the difference.

Thompson, who is an outspoken critic of the "social costs" of gambling -- personal bankruptcies, substance abuse, divorce, lost work time -- did an economic impact study in 2000 for a group opposing the Thunder Valley Casino.

He concluded that the annual negative economic impact, including social costs, for the area within a 30-mile radius could be as much as \$200 million.

But other studies have found that casino gambling's impacts on communities, both economic and social, are mixed.

A federal government review of gambling studies in the 1990s, for example, found two studies rated the overall economic impacts of casino gambling "negative," seven found it "neutral to slightly positive" and 10 found it "significantly positive."

A series of studies in 2000 by researchers at the University of Nevada, Reno, and the University of Memphis concluded that except for personal bankruptcies, there was little connection between gambling and most societal ills.

The prospect of a casino in Placer County has not caused much of an economic stir of any sort so far. Prices on surrounding parcels in the Sunset Industrial area, where the casino is located, have remained fairly constant.

But some local officials are hopeful it will spur development in the area.

"The tribe is paying for \$30 million worth of infrastructure improvements in the area," said Placer County Supervisor Robert Weygandt, who represents the area, "so in that regard, it's going to prove to be very positive."

Weygandt also notes the casino's creation of about 1,800 jobs and the prospect of enticing Bay Area residents and people headed for Reno into leaving their gambling money at Thunder Valley instead.

At least one company is betting the casino will inject cash into the area outside the slots.

Station Casinos has purchased 99 acres across the street from the casino. Company counsel Nielson said the company has no specific plans for development, although speculation has ranged from a hotel to an amusement park.

About the Writer

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Placer hits jackpot in gambling agreement

Roseville and Rocklin won't get a dime because they sued to stop Thunder Valley Casino.

By Art Campos -- Bee Staff Writer - (Published June 8, 2003)

The United Auburn Indian Community is giving Placer County \$3.6 million a year to handle the impacts of Thunder Valley Casino, which opens Monday on unincorporated land between Lincoln and Roseville.

Included in that money is \$600,000 the Sheriff's Department is receiving to hire five deputies and buy a patrol car for a new beat established around the casino.

The tribe also built a \$1.5 million fire station on the casino property and is paying Placer County \$900,000 a year to staff it with firefighters full time.

The county is the only local jurisdiction slated for the annual payments because of an agreement signed with the tribe in 1999.

Roseville and Rocklin rejected potential agreements, deciding instead to go to federal court to try to stop the \$200 million casino from being built at Athens and Industrial avenues near Highway 65.

Lincoln signed an agreement with the tribe, but the pact was set aside by a judge after a citizens group filed a lawsuit over environmental issues. It is unknown whether that agreement will be reinstated.

Howard Dickstein, attorney for the United Auburn Indian Community, said the tribe offered to sign agreements with cities and the county to be a "good neighbor."

"The tribe knows that a casino project would have impacts, and it wanted to help mitigate them," Dickstein said. "The tribe recognized that partnerships with other governments are good for other businesses."

Anthony La Bouff, Placer County counsel, said the agreement, known as a memorandum of understanding, wasn't easily reached.

"It took awhile to get there," he said. "But we tried to reach a fair business deal with the tribe. We felt they should pay their way like other businesses do."

For Placer County, the biggest payment from the tribe will be \$2 million annually to make up for an expected loss in property taxes.

The tribe also will pay \$612,144 annually for law enforcement coverage from the sheriff's department. The salaries of five deputies will be paid annually from the mitigation money.

Placer County Undersheriff Steve D'Arcy said a patrol beat is being established near the casino, but deputies won't be based at the facility.

The annual \$900,000 payments for fire coverage allow the county to contract with the California Department of Forestry and Fire Protection for a full-time, three-member station at the casino.

And the California Highway Patrol has a \$62,000 contract to handle anticipated traffic problems around the casino for the next three weeks.

Meanwhile, Roseville and Rocklin will receive no mitigation money.

Roseville Mayor F.C. "Rocky" Rockholm said his city considered a draft agreement but decided against it.

"I wasn't really interested in a deal," he said. "The e-mails and phone calls I got were 100 percent against a casino. And the wheels were already in motion for litigation against the casino. There was no reason to stop it."

Dickstein said Roseville rejected \$380,000 in annual payments from the tribe.

Included was \$200,000 for the Maidu Interpretive Center, the American Indian museum near Maidu Park; a \$150,000 endowment for youth programs; and \$30,000 to the Roseville Chamber of Commerce.

In addition, the tribe proposed a one-time payment of \$300,000 to Roseville for the realignment of Fiddymont Road.

Rocklin City Manager Carlos Urrutia said his city had some preliminary meetings with the tribe but that no agreements were drafted.

"They could have given us some money, but the City Council felt it wouldn't have mitigated the impacts of the casino," Urrutia said. "And the city already had a lawsuit trying to prevent them from opening."

The Lincoln City Council signed an agreement with the tribe that called for Lincoln to receive a one-time payment of \$1 million for allowing the casino to hook up with the city's sewer system.

Lincoln stood to gain another \$1 million from the tribe for the development of the Highway 65 Lincoln bypass project.

The city also would get annual payments of \$37,500 for police impacts, \$30,000 for its Redevelopment Agency, \$125,000 for the promotion of social, cultural and youth activities and \$50,000 for an outdoor learning project concerning American Indian culture. And Lincoln's library was to receive \$15,000 the first year and \$5,000 annually thereafter.

But the agreement was put aside when a neighborhood group sued Lincoln, and a judge required an environmental review for impacts on the sewer system.

If the lawsuit is settled in favor of Lincoln, negotiations for a new agreement would need to be initiated, Dickstein said.

"We're hoping we can get the money back," said Lincoln Councilman Ray Sprague. "We've been impressed with the benevolence and interest shown by the tribe for our youth activities."

In the meantime, the United Auburn Indian Community has built a small wastewater treatment plant on the casino grounds to handle the sewer issue.

About the Writer



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Placer cities negotiate on casino

A settlement with the United Auburn tribe could yield \$15 million.

By Roger Phelps -- Bee Staff Writer - (Published February 15, 2003)

Roseville, Rocklin and the United Auburn Indian Community representatives have been quietly negotiating to end a lawsuit by the cities to block gambling in South Placer County.

Under settlement terms, the cities could gain \$15 million by dropping their suit -- but it's a crapshoot as to whether they will.

City leaders say they are being asked to choose between backing \$15 million in local programs administered by nonprofit organizations and supporting residents bitterly opposed to the casino.

"Yeah, I've heard about the offer of \$15 million," said Roseville City Councilman Richard Roccucci. "We're still evaluating it. ... We all have our limits (of temptation), but we all have our values. I've gotten hundreds of e-mails and letters against a casino."

The casino is under construction while the cities' lawsuit continues, challenging the right of the United Auburn Community to build it near Lincoln. The suit was dismissed in September by a federal judge who threatened to sanction the cities for filing a frivolous lawsuit, but their appeal is pending.

Now, in closed-door negotiations, the tribe has offered millions for nonprofits, money for a key traffic interchange and concessions on the casino's proposed name, said sources close to the tribe who asked not to be identified.

Time is running out because court deadlines are approaching.

The \$15 million would be spread over 17 years. It would not go into general funds, but would be disbursed to nonprofit groups, most likely those with track records of programs in Placer County. That means the money couldn't be used to offset Roseville's recent loss in a court ruling of \$9 million per year from its utility users tax, Roccucci said.

The tribe also would offer \$2 million to the South Placer Regional Transportation Authority to help build a freeway overpass at Highway 65 and Sunset Boulevard, around 1.5 miles from the casino. The joint-powers authority, of which Roseville and Rocklin are members, was formed in the late 1990s to mitigate regional traffic effects from development.

In addition, school officials confirmed they would welcome the tribe dropping the name Thunder Valley Casino, as it has offered in settlement talks, in case confusion might occur with the Rocklin High School sports team mascot, the Thunder.

"I serve on the Rocklin Chamber of Commerce board, and some of the business leaders mentioned the casino name and the high school mascot," said Rocklin Unified School District Superintendent Kevin Brown. "I contacted representatives from the Auburn Indian tribe, and they said they'd failed to realize that was our mascot."

The \$215 million project by Station Casinos of Las Vegas broke ground in October.

"The cities have to make a decision in a matter of weeks," said the tribe's attorney, Howard Dickstein. "I have to file briefs by March 7, but we're going to have to start spending money to prepare the briefs before that."

Outgoing Roseville City Manager Al Johnson declined to comment on the suit before he retired Wednesday. City Manager Craig Robinson also would not discuss the negotiations.

Members of the residents' group Citizens for Safer Communities, which joined the cities in the suit, said the tribe's offer was not a fair one. Celia Nuñez said the group had commissioned a study by a university professor to calculate possible financial effects of a casino in South Placer County. She said the study showed long-term money losses in the area would exceed the \$15 million the tribe offers over 17 years.

A satellite campus of California State University, Sacramento, is planned for land between Roseville and Lincoln, in the same Sunset Industrial Area that will house the casino and would benefit from the interchange.

Rocklin Vice Mayor Brett Storey said Rocklin is concerned about the interchange project.

"The interchange is necessary with or without a casino -- for schools, and for businesses coming into the area," Storey said. "A highway interchange is \$5 million. It's under jurisdiction of a joint-powers association, but the JPA will never pay for the total interchange. State and federal sources are drying up."

Storey and Rocklin City Manager Carlos Urrutia declined to speak specifically about settlement talks, but Urrutia said Rocklin wants a freeway overpass at Highway 65 and Sunset Boulevard no later than 2007.

"If we relied entirely on JPA funds, I don't believe that the interchange could be built in the needed time frame," Urrutia said. "Under the best of circumstances, the Sunset interchange will not start until 2005, because of design logistics and (state) processing requirements. We are trying to put together a financing plan involving JPA funds, city and county contributions, and advance contributions from developers."

But it is the \$15 million to the cities that could put officials on a political hot spot no matter which decision they make, to take or reject the money.

The \$15 million would probably be disbursed to high-profile nonprofits. Child Abuse Council of Placer County and Junior Achievement of Sacramento already run numerous programs in Placer County schools, officials said.

Roccucci said he wants a court ruling on whether the tribe has a right to build a casino.

"We're so close to filing all the briefs, we might as well wait for it," Roccucci said.

About the Writer

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Some tribes open to a revenue deal

By Steve Wiegand -- Bee Staff Writer - (*Published February 12, 2003*)

Several California Indian tribes said Tuesday they want to demonstrate they are "responsible citizens," in part by negotiating deals that would trade some of their casino gambling revenues to the state for the right to operate more slot machines.

In a letter to Gov. Gray Davis, the 21 tribes, calling themselves the "Tribal Compact Coalition," said they recognize that exercising their right to run casinos "triggers responsibilities," including "making fair-share contributions from increased revenues of additional slot machines."

The tribes also said they recognize "the obligation to fairly mitigate off-reservation impacts of future (casino) development" by giving local governments a greater role in the process.

The words were welcomed by the governor, whose proposal to close the state's cavernous budget deficit in part by getting state government a piece of the multi-billion-dollar Indian casino industry has been sharply criticized by some tribal leaders.

"We view it as very positive that these 21 tribes are reaching out their hands to work with the state," said Amber Pasricha, a spokeswoman for Davis, "and we will reciprocate in the negotiations."

The negotiations Pasricha referred to start next month between Davis and many of the 61 tribes that have gambling compacts with the state.

The 20-year compacts, agreed to in 1999, have a one-time renegotiation window this year. Tribes are not required to renegotiate, and some have indicated they will not.

Under federal law, states cannot directly tax Indian tribes. But Davis is hopeful many tribes will be willing to trade gambling revenues for an increase in the 2,000-slot-machine maximum each tribe is allowed under the current compacts.

The loudest reaction to Davis' proposal among gaming tribes has come from tribal leaders opposed to the idea and critical of what they say is the governor's disregard for their status as sovereign nations.

Representatives of the new coalition said they are tired of feeling misrepresented by the critical tribes.

"I want to do this in a business-like manner," said Margaret Dalton, chairwoman of the Jackson Rancheria Band of Miwok Indians, which operates a casino in Amador County. "I will not push against other tribes, but I don't want other tribes speaking for me."

The coalition also includes tribes that operate Cache Creek Casino in Yolo County and the Thunder Valley Station Casino under construction in Placer County. Its members have varying renegotiation goals, including an increase in the number of machines, creation of better traffic access to tribal lands and expansion issues.

Their willingness to negotiate on the issue of a bigger role for local governments in casino development

and expansion follows widespread complaints from local officials that they have been frozen out of the process and end up footing the bill for increased traffic, fire safety and law enforcement needs created by the casinos.

"We want to be good neighbors as well as good Californians," said Paula Lorenzo, chairwoman of the Rumsey Band of Wintun Indians, which operates the Cache Creek Casino, "and we want our neighbors to have their voices heard just as we want ours heard."

Representatives of the group said they were drawn together by common interests, particularly in more sharply defining the language of the compacts, and in not appearing to be arrogant in their dealings with the state and local governments.

"They wanted to drive the message to the state and governor that they are willing to sit down and acknowledge that the governor's issues have validity and the tribes are willing to talk to him," said Rob Rosette, an attorney from one of five legal firms representing tribes in the coalition.

Rosette said he expects several more tribes will join the group before the end of the week. Coalition members said they expect that while some issues may be negotiated as a group, others will be on a tribe-by-tribe basis.

Thus, some tribes could end up with different slot maximums, for varying percentages of their revenues.

That would mark a decided change from current compacts, which were hammered out hastily three years ago and are rife with ambiguous language.

Not all Indian leaders are as sanguine about the impact of the coalition.

Jacob Coin, executive director of the California Nations Indian Gaming Association, a 61-tribe organization that has been critical of both Davis and the state Gambling Control Commission, said the move could be divisive.

Coin said tribes that are willing to give up some of their sovereignty in areas such as revenue sharing and giving local governments a stronger voice in casino expansion could compromise the sovereign authority of other tribes.

"It sets a precedent," he said. "I've read in the newspapers 'here's the good Indians, who are great to do this, here are the not-so-good Indians, who maybe don't need any more machines, and here are the bad Indians, who absolutely won't go along.'"

"So you start creating those classifications of 'good Indian, bad Indian,' and that's not good for any of us."

About the Writer

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High stakes

Placer casino on fast track despite legal challenge

By Art Campos -- Bee Staff Writer - *(Published December 15, 2002)*

It didn't take long for the steel skeleton of a Las Vegas-style casino to go up in an empty field in Placer County.

In just a month and a half, ground was broken, the foundation was poured and the frame of the multistory, 200,000-square-foot Indian casino building was up at the intersection of Industrial and Athens avenues just south of Lincoln. Motorists on Highway 65 near the Twelve Bridges Drive exit can look west and see the steel girders, cranes, construction trailers and heavy equipment.

About 200 workers and 10,000 tons of steel are involved in the project. Cement trucks, dirt-hauling rigs and other large delivery trucks stream in and out of the site at a rate of nearly 100 every 30 minutes.

"It didn't go up by magic," said Howard Dickstein, attorney for the United Auburn Indian Community. "Construction crews are working double and triple shifts. We are trying for at least a partial opening by the end of June."

The tribe is building on unincorporated land between Roseville, Rocklin and Lincoln that the federal government took into trust on its behalf so the tribe could build a casino. While Placer County supervisors in 1999 agreed to support the casino's construction in return for more than \$1 million in "mitigation" money from the tribe, city officials in Roseville and Rocklin rejected similar offers and voted to fight the tribe.

Placer County Counsel Anthony La Bouff, who helped negotiate the county's agreement with the tribe, said construction engineers told him the \$215 million project "has gone faster than anything they have ever seen built."

"The Indian tribe has devoted the resources to get it done," La Bouff said. "Yes, it's going fast, but you have to remember that the United Auburn Indian Community has also been working on getting a casino since 1996.

"They were quite ready to go to work the day after they got authority to do it."

County Supervisor Robert Weygandt said he understands the tribe's haste. "The sooner they open their doors, the sooner they start making millions and millions of dollars," he said.

The planned casino isn't without controversy.

Roseville and Rocklin have opposed it from the start. They filed a lawsuit against gambling being allowed on the property and lost. They are appealing the ruling in a federal court.

Meanwhile, another lawsuit was responsible for the tribe's decision to build its own wastewater

treatment plant on the casino grounds.

The tribe had planned to connect to a regional water and sewer treatment plant being built by the city of Lincoln. But citizens took the matter to court and turned back the plan on the grounds that an environmental impact report was needed.

In addition to the legal entanglements, some residents have argued that a casino would lead to gambling addictions and traffic problems. They also are worried that high school students will find their way to the casino since state law permits gambling at age 18.

Doug Elmets, a spokesman for the tribe, said the casino has offered to raise the admittance age to 21 to allay those fears. Elmets said the tradeoff would be for Roseville and Rocklin to drop their appeal in federal court, but the cities haven't taken action on the offer.

The tribe also has offered to change the casino's name from Thunder Valley to avoid confusion with Rocklin High School's nickname, The Thunder.

Carlos Urrutia, Rocklin city manager, would not confirm or deny Elmets' statements. He said the City Council disclosed a matter involving the casino in closed session Tuesday but no action was taken.

Other revelations involving the casino have surfaced recently.

One is that the tribe is negotiating with restaurants and a coffeehouse for space in the casino. Among prospects are Fatburgers, Frank Fat's restaurant, Sbarro Pizza, Baja Fresh, Panda Express and Starbucks, said Dickstein. A large buffet restaurant and a steakhouse also may be in the mix, he said.

The other news is that Station Casinos, the company that will operate Thunder Valley casino, has purchased an adjacent 98-acre site.

No one is saying what will be built on that land, but speculation is that a hotel would be a good fit.

Dickstein said it's too early to tell.

"A hotel is not on (Station's) mind right now," he said. "The opening of the casino is on its mind."

County officials said another casino couldn't be built unless Station went through the county's land use process. La Bouff noted that only the United Auburn Indian Community has the authority to build a casino -- and that it couldn't expand onto Station's new property.

"That's not in the agreement with the county," La Bouff said. "My best guess is that this is a bit like the Disneyland syndrome. When Disneyland opened in Anaheim in the 1950s, Disney discovered that the land value around them went up.

"The next time they opened a Disneyland in Orlando, they made sure they bought up all the land around them."

Scott Smith, attorney for an opposition group called Citizens for Safer Communities, said the tribe and Station Casinos could be making a grievous mistake by rushing toward a June opening.

"It's a calculated risk on their behalf," Smith said. "The lawsuit by Roseville and Rocklin is still under appeal, and we will likely have a decision well before the June opening.

"What if the Circuit Court of Appeals reverses the District Court's decision? It would effectively mean that all of that construction has gone for naught.

"The tribe and the casino backers are spending an awful lot of money taking a chance that they will

preval."

The city of Lincoln, the Lincoln Chamber of Commerce and Western Placer Unified School District in Lincoln all are neutral on the casino's construction.

The Lincoln City Council originally was opposed but after conceding that the project couldn't be stopped, it decided to enter into an agreement with the tribe that would allow the city to obtain benefits.

Such enticements included \$1 million for the sewer connection, \$1 million for the Lincoln Highway 65 Bypass, \$1,000 for each fire call, \$37,500 annually for law enforcement services and annual monetary donations for cultural, social and youth activities.

The agreement eventually was rescinded after citizens won the lawsuit over the sewer connection.

Lincoln City Manager Jerry Johnson said the environmental review now required should be completed by February. He said preliminary indications are that there are no reasons why the connection with the casino cannot take place. "It says providing service to the casino would not be growth-inducing," Johnson said.

To save time, the tribe obtained a permit to operate a smaller treatment plant on its property, but it eventually hopes to connect its sewer lines to the Lincoln plant.

The Lincoln Chamber of Commerce, though taking no position on the casino, said it nevertheless looks forward to the economic impact.

"We are anticipating 1,700 new jobs will be created," said Harvi Callaham, executive director for the chamber. "The income that will result for our trades and services are positive.

"The fact is, the casino is coming. It's a done deal. So why not try to look at how its presence can help the community?"

Callaham noted that a casino representative spoke at the chamber's Dec. 4 breakfast meeting and the event drew 140 listeners.

"It was a record for attendance," she said. "The general feeling I had from the audience was that (the casino) would be very positive."

Roger Yohe, superintendent of Western Placer Unified, said he is not concerned about the casino's location across Highway 65 from the future elementary, middle and high schools in the Twelve Bridges development.

"By the time the homes are built and the people begin to move in, the casino will have already been across the freeway," Yohe said. "There won't be a surprise to those people who come to buy the homes."

In addition, even if the casino doesn't raise its admittance age, "if the casino is doing its job of screening them, the students won't get in," Yohe said.

About the Writer

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Casino construction in progress despite legal challenge

By Roger Phelps -- Bee Staff Writer - (*Published November 10, 2002*)

Work has started on a \$215 million American Indian casino just off Highway 65, despite a pending legal challenge by neighboring Rocklin and Roseville.

Crews for the Auburn United Indian Community broke ground at the site at Industrial and Athens avenues late last month. Construction trailers are in place, tractors have been grading the land and a foundation is being laid.

"We expect it would open sometime late next year," said Howard Dickstein, the tribe's attorney. "There could be a partial opening before that."

The 200,000-square-foot complex is being called Thunder Valley Station Casino and is expected to have as many as 2,000 slot machines, 100 gaming tables, a showroom, specialty restaurants and parking for 3,000 cars. It could employ as many as 1,700 people when completed.

Because the tribe is a sovereign nation building on its own land, the project doesn't need county planning approval. However, the tribe has agreed to follow local zoning, building and design guidelines.

Last year Roseville, Rocklin and a local group called Citizens for Safer Communities sued the Department of the Interior to stop transfer of the 49-acre site to the tribe. Washington, D.C., District Judge Emmet G. Sullivan dismissed the suit in September, but the cities filed an appeal, which is pending.

Sullivan's dismissal allowed the land transfer, freeing the tribe to start building.

Their property is just outside of Lincoln, Rocklin and Roseville. Casino opponents say a gambling operation doesn't belong in such a populated area.

"I was hoping the legal action would be done (before groundbreaking)," said Rocklin Mayor Ken Yorde.

Still, local officials said they aren't surprised by the preliminary construction work because they realized the tribe cleared a hurdle when the lawsuit was dismissed. Officials say that if they win their appeal, construction could be halted.

Sullivan also ordered the cities to prove their lawsuit wasn't a frivolous use of the courts and said they could be fined if they fail to do so.

Officials have insisted the suit had merit and filed a brief saying the federal planning process is flawed because it took insufficient account of local comments and that the federal taking of land for tribes violates the doctrine of state sovereignty.

The judge hasn't ruled on the brief and has no time limit in which to do so, Dickstein said.

"Federal judges don't have time limits," he said.

Lincoln has declined to join its neighbors in the lawsuit, although it officially does not favor the casino. The city has hedged its bet by agreeing its wastewater treatment plant could treat casino waste in exchange for payments to the city.

Tribal officials have agreed to contribute money toward various city services and projects, including the proposed Highway 65 bypass.

Las Vegas-based Station Casinos Inc. has a management contract to operate the casino under a board of directors controlled by the tribe, Dickstein said. The contract will run for five to seven years, bringing Station Casinos 24 percent of net revenues, he said.

Last June, the company finished a \$262 million casino in Santa Barbara County owned by the Pechanga Band of Luiseno Indians.

About the Writer

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Judge clears way for Placer casino

But foes who sued to stop the project have a chance to appeal.

By Steve Wiegand -- Bee Staff Writer - (Published September 11, 2002)

A Washington, D.C., federal judge has dismissed a lawsuit aimed at stopping construction of a mammoth Indian casino in Placer County, putting the project on track to open late next year.

Casino foes, led by the cities of Roseville and Rocklin, were granted a brief stay Tuesday of the decision to allow federal officials to take 49 acres of undeveloped land between Roseville and Lincoln into trust for the United Auburn Indian Community. The federal designation would make the land part of the tribe's sovereign territory, paving the way for its members to build a casino on the site.

The temporary stay gives the plaintiffs until Thursday to seek a longer stay while they appeal. But casino proponents hailed the suit's dismissal as a major step.

"It's a vindication that the tribe has followed the correct process and abided by all federal laws throughout this long and arduous ordeal," said tribal attorney Howard Dickstein.

"This is a very important step. Assuming the decision is not overturned, and that is unlikely, it means the questions about the casino are now 'when?' and not 'if.' "

The plaintiffs in the case, which along with Roseville and Rocklin include a group called Citizens for Safer Communities, could not be reached for comment Tuesday.

Meanwhile, officials for Las Vegas-based Station Casinos, Inc., which owns and operates several hotels and casinos in southern Nevada, revealed details of the \$215 million, 200,000-square-foot casino the company plans to build and operate for the tribe.

Company spokeswoman Lesley Pittman said the Thunder Valley Station Casino will be home to as many as 2,000 slot machines, 100 table games, a 1,200-seat showroom, a 500-seat buffet, three specialty restaurants, a food court and parking for 3,000 vehicles.

"We anticipate it will be a first-class gaming experience that will equal our Las Vegas properties," Pittman said.

In the suit filed last April, the two cities and Citizens for Safer Communities claimed the U.S. Department of Interior had failed to consider the possible negative impacts of the casino on surrounding communities.

The suit also claimed the federal government lacked the authority to take land in California for the Indians without the state's formal consent.

But federal Judge Emmet Sullivan dismissed the suit Monday, saying it was "without merit" in light of previous congressional actions and rulings in earlier lawsuits.

<http://www.sacbee.com/content/news/projects/casino/v-print/story/6788120p-5372612c.html>

6/9/2003

The decision marks another step in an eight-year odyssey for the 215-member group of Maidu and Miwok Indians who first were thrown together by the federal government as a single entity on a rancheria near Auburn in 1917. After the group was dismantled by Congress in the early 1950s, surviving members and descendants of the rancheria regrouped in 1991 and were granted tribal status in 1994.

In 1996, the tribe proposed and then abandoned plans to build a casino in Penryn. Three years ago, it proposed a new site on

49 acres at the intersection of Athens and Industrial avenues, in an unincorporated area near Highway 65 and not far from Rocklin, Roseville and Lincoln.

Officials in all three cities objected strenuously to the idea, and turned down financial offers by the tribe to help pay for potential impacts caused by the casino.

But Placer County officials, saying it was futile to fight in the courts, signed a deal in 1999 agreeing to support the casino in exchange for more than \$1 million a year from the Indians. The money would go for law enforcement, fire-fighting and traffic mitigation, as well as \$50,000 a year for gambling-disorder treatment programs.

In addition, the tribe agreed to follow county zoning, building and design guidelines. The agreement was believed to be the first of its kind in the nation between an Indian group and a local government and was hailed by federal officials as "a model for the rest of the nation."

The tribe already has signed a compact with Gov. Gray Davis. Last week, the state Gambling Control Commission granted the tribe licenses for 906 slot machines.

Station Casinos' Pittman said that barring legal delays, the company plans to open the casino in the fall of 2003. She said the company has a seven-year operating agreement with the tribe.

About the Writer

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Who Gets The Money?

Needy Native Americans, you'd think. But Indian casinos are making millions for their investors and providing little to the poor

By DONALD L. BARLETT AND JAMES B. STEELE

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Dec. 16, 2002

Anita Hollow Horn, a bright, attractive member of the Oglala Sioux tribe, is a fairly typical beneficiary of Indian gaming. She lives in Pine Ridge, S.D., on her tribe's reservation, with its overcrowded dwellings, 88% unemployment and a school-dropout rate of almost 50%. Hollow Horn, 37, and her four children share a three-bedroom home, opposite a landfill, with her mother and stepfather — and seven other relatives.

Fourteen people live in the one-story house with a single bathroom. Hollow Horn and her daughter, 9, sleep on a bed in a corner of the basement; her other children sleep on the floor upstairs. Her brother Reginald, 35, who has cancer, sleeps in another corner with his two sons, 10 and 15. It's toughest when the basement floods. "Sometimes the sewer backs up," says Hollow Horn, "and it just gets all over down there." Black mold has already consumed one wall underneath the staircase and is eating its way up the other.

So how, exactly, is Hollow Horn prospering from the \$12.7 billion Indian gaming industry? Like most Native Americans, not at all. Last year the Oglala's Prairie Wind Casino, housed in a temporary, white, circus-tent-like structure smaller than a basketball court, turned a profit of \$2.4 million on total revenue of \$9.5 million. Most of the money went to fund general programs, such as services for the elderly and young people, as well as education and economic development. But even if there had been profit sharing instead, the payout would have worked out to a daily stipend of just 16¢ for each of the 41,000 tribe members.

That's not to say that members of a few small tribes near big

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cities aren't doing very well from gaming. In Minnesota, 300 members of the Shakopee Mdewakanton Sioux community reportedly take home more than \$1 million a year. But bands like that are the exception. Only 25% of gaming tribes distribute cash to their members, usually no more than a few thousand dollars each.

So if the overwhelming majority of Native Americans like Hollow Horn aren't benefiting from the Indian casino boom, who is? In many cases, the big winners are non-Indian investors, some of whom pocket more than 40% of an Indian casino's profits. Actually, calling these people investors understates their role. They often serve as master strategists who draw up the plans and then underwrite the total cost of bringing a casino online: ferreting out an amenable tribe, paying a signing bonus, picking up tribal expenses and paying the salaries of the tribe's officials, all of this before a spade of dirt is turned. If an Indian band isn't federally recognized as a tribe and is thus ineligible for a gaming venture, these full-service backers will bankroll genealogists to construct a family tree, then hire lawyers and lobbyists in Washington to help change the band's status. And if a reservation isn't prime real estate for a casino, the investors sometimes purchase a more suitable patch and instruct their lawyers and lobbyists to persuade the government to designate the land as a trust, as reservation property is called. Building the casino is the easiest step.

--THE MONEYMEN There is almost no oversight of the backers. The National Indian Gaming Commission (NIGC), the understaffed, underfunded, underperforming and undersupervised agency that is supposed to police gambling on Indian reservations, knows little about most of the investors. Under its regulations, the agency must approve the management contracts between outside companies and tribes. But a billion-dollar loophole allows tribes to retain companies under consulting agreements without the NIGC's approval. Neither the companies, their investors nor the consulting terms are subject to the commission's review. A Department of the Interior investigation in June 2001 showed that there were 332 Indian gaming operations, from firehouse bingo games to full-scale casinos, but that only 31 were operating under management contracts approved by the NIGC. As the department's Office of the Inspector General later concluded, "Almost all tribes are utilizing consulting agreements to

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circumvent the regulatory and enforcement authority vested in the National Indian Gaming Commission."

As a result, tribes are pretty much free to cut financing deals as they like. Sometimes investors' names surface; sometimes they don't. Tribal leaders don't have to disclose executives' pay or management arrangements, report their profits, issue audited financial statements or divulge self-dealing contracts to the public or their tribe's members. Not all these deals work out for the moneymen, but the ones that do yield spectacular returns. A few of the outside investors have distinctive — some would say controversial — pasts. Here are profiles of three:

THE POKER PLAYER. Say what you will about Lyle Berman — and people have called him a lot of things: a pit bull, an intimidator, a fearsome competitor — but no one has ever accused him of modesty. Of his casino-development company, Lakes Entertainment Inc., Berman once told reporters, "We're the most successful company in Indian gaming." Because of the secrecy surrounding gambling on Indian reservations, it's impossible to know whether that's true. But Berman has clearly done quite nicely since he began developing and managing Indian casinos more than a decade ago. Among his real estate holdings: a ranch in tony Telluride, Colo.; a house in Palm Springs, Calif.; an estate called Casa Berman Palmillia on the Mexican Riviera; a condo in Las Vegas; and a \$5 million estate in Wayzata, Minn. By his account, as of September 2001, he was worth almost \$69 million.

— With reporting by Laura Karmatz/New York and research by Joan Levinstein, Mitch Frank and Nadia Mustafa

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Wheel Of Misfortune

Casinos were supposed to make Indian tribes self-sufficient. So why are the white backers of Indian gambling raking in millions while many tribes continue to struggle in poverty?

By DONALD L. BARLETT AND JAMES B. STEELE

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Dec. 16, 2002

Imagine, if you will, Congress passing a bill to make Indian tribes more self-sufficient that gives billions of dollars to the white backers of Indian businesses [EM] and nothing to hundreds of thousands of Native Americans living in poverty. Or a bill that gives hundreds of millions of dollars to one Indian tribe with a few dozen members [EM] and not a penny to a tribe with hundreds of thousands of members. Or a bill that allows select Indian tribes to create businesses that reap millions of dollars in profits and pay no federal income tax [EM] at the same time that the tribes collect millions in aid from American taxpayers. Can't imagine Congress passing such a bill? It did. Here's how it happened [EM] and what it means

Maryann Martin presides over America's smallest tribe. Raised in Los Angeles in an African-American family, she knew little of her Indian ancestry until 1986, when at age 22 she learned that her mother had been the last surviving member of the Augustine Band of Cahuilla Mission Indians. In 1991, the Bureau of Indian Affairs (BIA) certified Martin and her two younger brothers as members of the tribe. Federal recognition of tribal status opened the door for Martin and her siblings to qualify for certain types of government aid. And with it, a far more lucrative lure beckoned: the right to operate casinos on an Indian reservation.

As Indian casinos popped up like new housing developments across Southern California, Martin moved a trailer onto the long-abandoned Augustine reservation in Coachella, a 500-

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acre desert tract then littered with garbage, discarded household appliances and junk cars, about 25 miles southeast of Palm Springs. There she lived with her three children and African-American husband William Ray Vance. In 1994, membership in the tiny tribe dwindled from three adults to one when Martin's two brothers were killed during separate street shootings in Banning, Calif. Police said both men were involved in drug deals and were members of a violent Los Angeles street gang.

Subsequently, Martin negotiated a deal with Paragon Gaming, a Las Vegas company, to develop and manage a casino. Paragon is headed by Diana Bennett, a gaming executive and daughter of Vegas veteran and co-founder of the Circus Circus Casino William Bennett. Martin's Augustine Casino opened last July. With 349 slot machines and 10 gaming tables, it's the fifth and by far the most modest casino in the Palm Springs area. But it stands to make a lot of non-Indian investors — and one Indian adult — rich.

And get this: Martin still qualifies for federal aid, in amounts far greater than what many needy Native Americans could even dream of getting. In 1999 and 2000 alone, government audit reports show, she pulled in more than \$1 million from Washington--\$476,000 for housing, \$400,000 for tribal government and \$146,000 for environmental programs.

It wasn't supposed to be this way. At the end of the 1980s, in a frenzy of cost cutting and privatization, Washington perceived gaming on reservations as a cheap way to wean tribes from government handouts, encourage economic development and promote tribal self-sufficiency. After policy initiatives by the Reagan Administration and two U.S. Supreme Court rulings that approved gambling on Indian reservations, Congress enacted the Indian Gaming Regulatory Act in 1988. It was so riddled with loopholes, so poorly written, so discriminatory and subject to such conflicting interpretations that 14 years later, armies of high-priced lawyers are still debating the definition of a slot machine.

Instead of regulating Indian gambling, the act has created chaos and a system tailor-made for abuse. It set up a powerless and underfunded watchdog and dispersed oversight responsibilities among a hopelessly conflicting hierarchy of local, state and federal agencies. It created a system so

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skewed — only a few small tribes and their backers are getting rich — that it has changed the face of Indian country. Some long-dispersed tribes, aided by new, non-Indian financial godfathers, are regrouping to benefit from the gaming windfall. Others are seeking new reservations — some in areas where they never lived, occasionally even in other states — solely to build a casino. And leaders of small, newly wealthy tribes now have so much unregulated cash and political clout that they can ride roughshod over neighboring communities, poorer tribes and even their own members.

The amount of money involved is staggering. Last year 290 Indian casinos in 28 states pulled in at least \$12.7 billion in revenue. Of that sum, Time estimates, the casinos kept more than \$5 billion as profit. That would place overall Indian gaming among Fortune magazine's 20 most profitable U.S. corporations, with earnings exceeding those of J.P. Morgan Chase & Co., Merrill Lynch, American Express and Lehman Bros. Holdings combined.


But who, exactly, is benefiting? Certainly Indians in a few tribes have prospered. In California, Christmas came early this year for the 100 members of the Table Mountain Rancheria, who over Thanksgiving picked up bonus checks of \$200,000 each as their share of the Table Mountain Casino's profits. That was in addition to the monthly stipend of \$15,000 each member receives. But even those amounts pale beside the fortunes made by the behind-the-scenes investors who bankroll the gaming palaces. They walk away with up to hundreds of millions of dollars.

Meanwhile, the overwhelming majority of Indians get nothing. Only half of all tribes — which have a total of 1.8 million members — have casinos. Some large tribes like the Navajo oppose gambling for religious reasons. Dozens of casinos do little better than break even because they are too small or located too far from population centers. The upshot is that a small number of gaming operations are making most of the money. Last year just 39 casinos generated \$8.4 billion. In short, 13% of the casinos accounted for 66% of the take. All of which helps explain why Indian gaming has failed to raise most Native Americans out of poverty. What has happened instead is this:

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Letters

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Jan. 13, 2003
Wheel of Misfortune

The investigative article by Donald L. Barlett and James B. Steele on Indian gaming [SPECIAL REPORT, Dec. 16] portrayed "evil" white men getting rich from Indian casinos while the poor Native Americans still live in poverty. As Indians, we already know this. We put up with it, but why? Because \$3 million for a tribe after the backer and the state get their cuts is better than begging from Uncle Sam. Sometimes you have to make a deal with the devil to improve your situation. Indian people are not stupid. We know we're being used and ripped off, but the money the tribe gets is better than none at all.

DONNA DELGADILLO
Lawrenceville, Ga.

There is a basic problem with the idea of allowing Indians to create sovereign nations. It is bad public policy to give them the rights of both U.S. citizens and their individual tribes. Creating sovereign nations within the U.S. is a recipe for disaster; it just won't work. We need to get over our guilt from past injustices and strive to treat all people equally, using one set of rules.

ROBERT KREITLER
Easton, Conn.

Not all Indian casinos deserve a bad rap. I'd like to point out the good that the casinos of Minnesota's Mille Lacs Band of Ojibwa have done. Prior to our casinos, we had nothing. There was no source of clean water, we had tar-paper shacks for housing, and there were only dirt roads. Today, 14 years after passage of the Indian Gaming Regulatory Act and the building of the Mille Lacs' casinos, we have all the amenities of a good community. We have safe drinking water, modern

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housing, good roads and, best of all, jobs for our people and also for members of surrounding communities. We employ more than 3,500 people, most of whom had few options before our casinos existed. Despite the bad news in your report, in the Mille Lacs Band's case, there is another side to the story.

TAMMY MILLER
Onamia, Minn.

Those of us who live near Indian casinos are immensely thankful for the honest and thorough job done by reporters Barlett and Steele. They exposed the facts and figures behind an outrageous scam: gambling tycoons are using a few tribes as poster children for casinos while most Indians remain as impoverished as ever. It is a national disgrace, and it's time for a change.

WILL BAKER
Guinda, Calif.

Although many tribal casinos have had a positive effect on nearby communities, a number of our readers found more to complain about than praise. "At the end of a two-lane county highway, we've got a casino that draws thousands of customers to our small farming valley," wrote a Californian. "As a result, the fatality rate for auto accidents is one of the state's highest." A Connecticut reader declared, "Life has changed for those living in the shadow of casinos — and not for the better. We have more traffic, more crime and higher drunk-driving rates." Said a fellow Nutmeg Stater: "We cannot vote in tribal elections or even attend tribal meetings, yet decisions made at them alter the entire region. A gambling economy has been forced upon us."

Size Could Matter

Some problems of Indian gaming could be solved by tying the size of a tribe's casino to the number of registered members. You could allow one slot machine or gaming table per tribe member. This would remove the financial incentive for a tribe to deny membership to legitimate tribal relatives. And it would prevent absurdities like Maryann Martin's one-woman tribe profiting from a 349-slot-machine casino.

SONYA MEDWID
San Mateo, Calif.

Time for a Fair Shake

Once again American Indians are getting the shaft. This land was theirs from the start. Now casino owners are making money off them. Indian children go hungry while the backers walk around in silk suits. Where is the justice, and when will Indians get what's due them financially?


SOPHIE FINNEGAN
Murrell's Inlet, S.C.

How about the U.S. Government's legal and moral responsibilities to Native Americans? If the U.S. met those long-standing obligations, we Indians would not have to depend on tribal casinos to meet our basic needs. Don't hate us Native Americans for doing what we must do to survive in a system that pushes us toward extinction.

ANDREW CATT-IRON SHELL
Rosebud, S.D.


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The largest voting-rights lawsuit in U.S. history is expected to be filed this week in South Dakota, and it could have an impact on a closely watched Senate race this fall. Four Lakota Indians are...

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The Lost Tribe?

A Connecticut band seeks federal recognition as Indian-- and plans the world's biggest casino

By VIVECA NOVAK AND MARK THOMPSON

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Mar. 6, 2000

He calls himself Chief Quiet Hawk, and true to his name, he usually answers questions by fax. But on this day he is visiting Washington to press the case of his people, and he has agreed to meet at a restaurant favored by lobbyists, just a block from the White House. A solidly built man in a dark business suit, Quiet Hawk--born 55 years ago as Aurelius Piper--picks at a salad and steak as he explains his crusade to win federal recognition as an Indian tribe for himself and his 324 followers, most from the area around Bridgeport, Conn. "I'm trying," he says, "to get the best possible deal for the tribe to live out its culture and heritage."

And what would he and his followers do if they won Washington's seal of approval? They would seek return of some of their ancestral lands, he says, on which they would establish a museum and model village. And that's not all. "We're talking," he adds, "about having the largest casino in the world."

Three times over the past five years, the U.S. Bureau of Indian Affairs has rejected the petitions of Quiet Hawk and his followers, ruling that they failed to demonstrate sufficient links to the Golden Hill Paugussett tribe from which they claim to be descended. The ancestral Paugussetts were hunting and fishing around Bridgeport when the first English settlers arrived in the 1600s, but their numbers had dwindled by the late 1800s. Despite his setbacks, Quiet Hawk, a former social worker who now labors full time on his crusade, has persisted--and has persuaded the BIA to take an unusual fourth look at his group's appeal for recognition.

&u&b&d

Billions of dollars are riding on the decision, expected by midyear. With federal recognition, Quiet Hawk's Paugussetts--factory and government workers, small-business owners and retirees--would become, in many respects, a sovereign nation and could, with the state's approval, open their casino. And not just any casino. Their preferred site would be on the Bridgeport waterfront--only 55 miles from New York City, and even nearer to the city's wealthy northern suburbs.

Profits, gambling experts say, would be at least \$1 million a day. Connecticut's two existing Indian casinos have already proved the potential. The Foxwoods casino, hard by the Rhode Island border and run by the Mashantucket Pequot tribe, is the largest-grossing gambling complex in the world. The Mohegan Sun casino in Uncasville, run by the Mohegan tribe, announced plans earlier this month for an \$800 million expansion, including a 40-story hotel.

"There's a substantial market there, a good market," says Thomas Wilmot, a Rochester, N.Y., real estate developer. He has invested more than \$4 million underwriting the lawyers, genealogists and historians who are helping make the case for federal recognition of the Quiet Hawk group. Wilmot says he will build and manage the casino if the Paugussetts get the go-ahead.

The pride of claiming Native American lineage--as almost 2 million Americans did in the 1990 Census--has been joined by a big practical benefit since passage of the Indian Gaming Act in 1988. Today there are 198 tribes with some sort of gaming on their reservations. Some use the resulting income for community development, education and investment. Others simply make big payouts to their members. The Shakopee, a small Minnesota tribe, writes checks for as much as \$700,000 to each of its adult members every year. This kind of jackpot has attracted a host of non-Indian investors, willing to put up millions of dollars to back would-be Indian tribes in their attempts to win federal recognition.

"Ever since we allowed Indians to have gaming, we have made them into wonderful bets for big-money interests," says Representative Christopher Shays, a Connecticut Republican who opposes the Quiet Hawk group's efforts. His district includes much of the land entangled in what he calls the group's "bogus" land claims, which sweep across much of


western Connecticut, including land occupied by Bridgeport city hall, Trumbull town hall, the headquarters of People's Bank and hundreds of private homes. Quiet Hawk retorts that the casino issue came up long after his group began its quest for recognition and real estate--which by now includes land claims filed on about 1,000 acres of Connecticut.


Quiet Hawk's Paugussetts have long been recognized as a tribe by the state of Connecticut, but that status required scant proof of lineage and carries few benefits. Only 10 of the modern Paugussetts live on the group's two reservations: a quarter-acre lot in the town of Trumbull and 106 acres in Colchester. There a metal gate blocks the gravel drive, and a NO TRESPASSING sign bars the curious from visiting the two mobile homes inside. A mailbox reads GOLDEN HILL RES.

What's at issue is not whether the Golden Hill Paugussetts ever existed as a tribe, but whether Quiet Hawk's group is descended from them as a tribe. Historical documents show that as early as 1639 the Paugussetts asked the Governor of Massachusetts to help them recover "squaws" taken into slavery by English settlers. At that time the tribe numbered about 800 members, who fished the Housatonic and Naugatuck rivers and cultivated corn and other vegetables. Sun worshippers, they prayed to the east every morning. Many Paugussetts died fighting in the 1637 Pequot War against the English. After that war, much of their land was sold or taken away. By 1875 the Paugussetts had only a quarter-acre left, and the tribe had greatly dispersed.

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PART TWO: How Indian casino interests have learned the art of buying influence in

&u&b&d

&w&bPage &p of &P

Washington

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Lobbyists have long profited from ties to people in power. But rarely are those relationships--and the favors they can win--displayed as brazenly as they have been recently at the U.S.

Bureau of...

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ParcelQuest by CD-DATA

Property Detail

6/9/03

El Dorado, CA John Winner, Assessor

Parcel # (APN): 070-261-78-1 Use Description: RURAL.
 Parcel Status: ACTIVE
 Owner Name: PIMENTAL WILLIAM G & JOY LYNN
 Mailing Address: 3981 LOMA DR, SHINGLE SPRINGS, CA 95682
 Situs Address: 3981 LOMA, CA
 Legal Description: PAR 1 P/M 12-93

Request
MFR

88-1

ASSESSMENT

Total Value: \$61,060 Use Code: 22 Zoning: RE10
 Land Value: \$38,409 Tax Rate Area: 054101
 Impr Value: \$22,651 Year Assd: 2001 Improve Type:
 Other Value: Property Tax: Price/SqFt:
 % Improved: 37% Delinquent Yr:
 Exempt Amt: \$7,000 Exempt Codes: HOMEOWNER

SALES HISTORY

	<u>Sale 1</u>	<u>Sale 2</u>	<u>Sale 3</u>	<u>Transfer</u>
Recording Date:	03/12/1985	08/31/1978	11/15/1977	
Recorded Doc #:	2408 685	1669 302	1569 485	
Recorded Doc Type:				
Transfer Amount:				
Sale 1 Seller (Grantor):				
1st Trst Dd Amt:	Code1:	2nd Trst Dd Amt:	Code2:	

PROPERTY CHARACTERISTICS

Lot Acres: 5.020A	Year Built:	Fireplace:
Lot SqFt:	Effective Yr:	A/C:
Bldg/Liv Area:		Heating:
Units: 1	Total Rooms:	Pool:
Buildings:	Bedrooms:	Flooring:
Stories:	Baths (Full):	Park Type:
Style:	Baths (Half):	Spaces:
Construct:	Bsmt SqFt:	Site Infnce: LAKE
Quality:	Garage SqFt:	
Building Class:		Timber Preserve:
Condition:		Ag Preserve:
Other: PUBLIC WATER		
Other Rooms:		

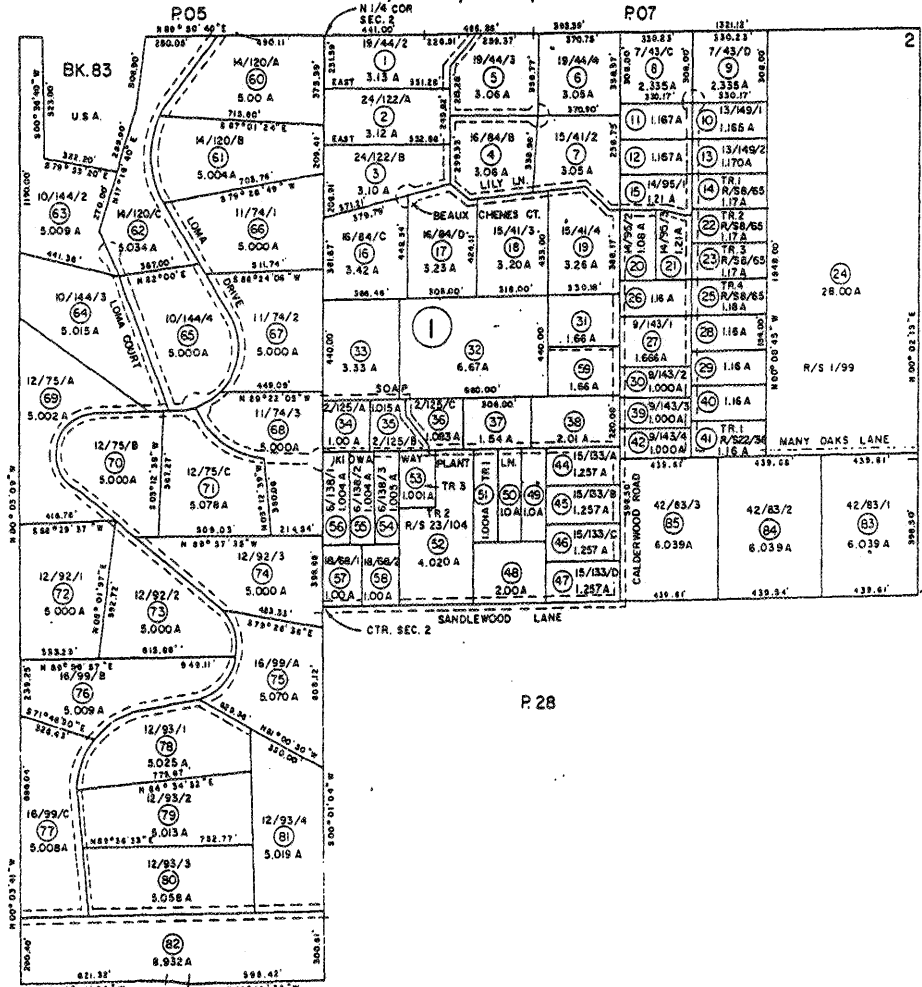
*** The information provided here is deemed reliable, but is not guaranteed.

POR. SEC. 2., T.9N., R.9E., M.D.M.

Tax Area Code

70:26

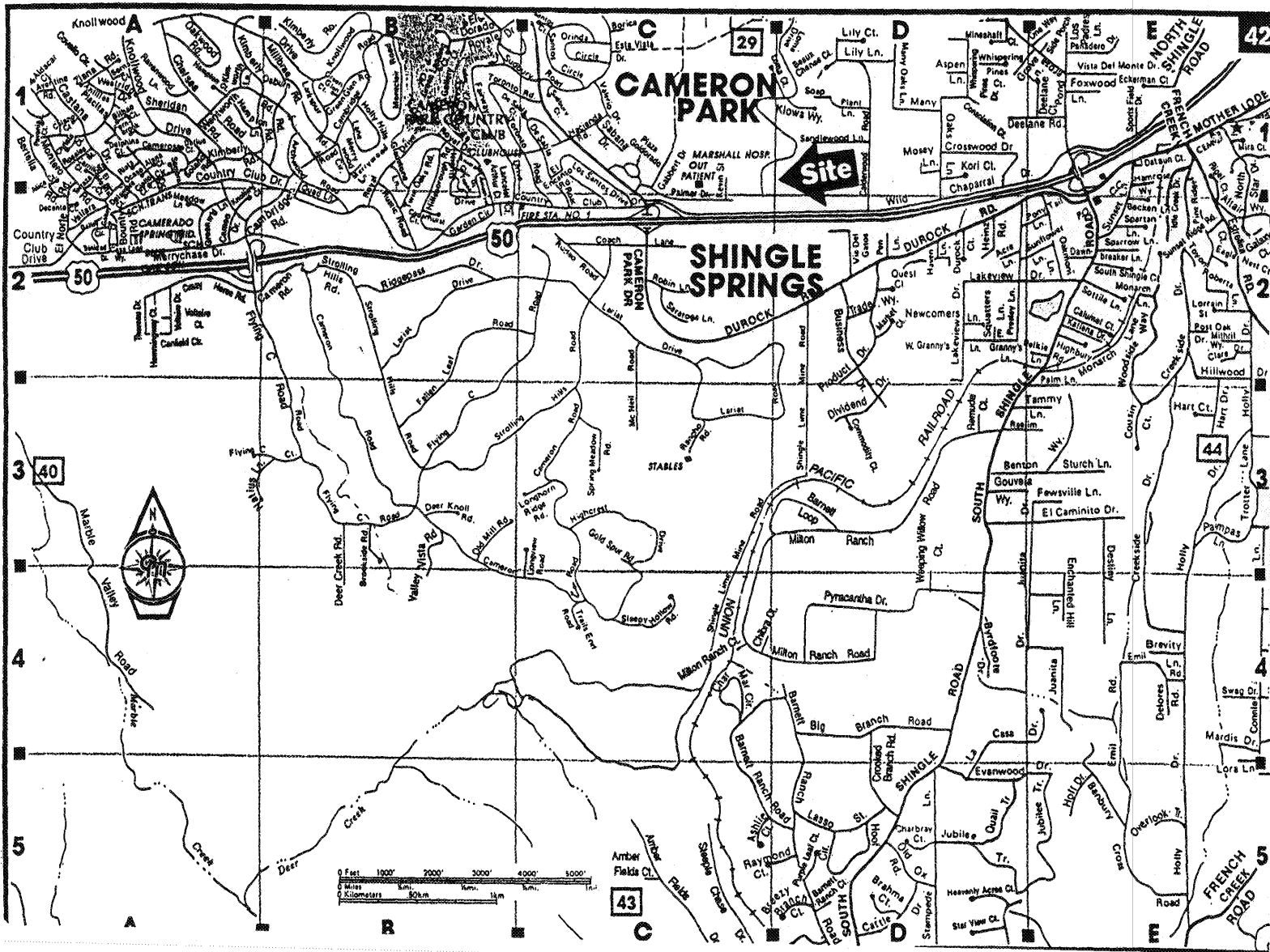
BK 83



THIS MAP IS NOT A SURVEY. It is prepared by the El Dorado Co. Assessor's office for assessment purpose only.

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 70 - Pg. 26
County of El Dorado, California



ParcelQuest by CD-DATA

6/9/03

Property Detail

El Dorado, CA John Winner, Assessor

Parcel # (APN): 070-261-79-1 Use Description: RURAL.
 Parcel Status: ACTIVE
 Owner Name: BROWN KENNETH & HEIDI
 Mailing Address: 5100 BANBURY CROSS, SHINGLE SPRINGS, CA 95682
 Situs Address: 4021 LOMA, CA
 Legal Description: PAR 2 P/M 12-93

Request
MFR

89-1

ASSESSMENT

Total Value: \$51,723 Use Code: 21 Zoning: RE10
 Land Value: \$32,343 Tax Rate Area: 054101
 Impr Value: \$19,380 Year Assd: 2001 Improve Type:
 Other Value: Property Tax: Price/SqFt:
 % Improved: 37% Delinquent Yr:
 Exempt Amt: Exempt Codes:

SALES HISTORY

	Sale 1	Sale 2	Sale 3	Transfer
Recording Date:	01/21/1986	12/30/1977	11/15/1977	
Recorded Doc #:	2526 448	1584 735	1569 487	
Recorded Doc Type:				
Transfer Amount:				
Sale 1 Seller (Grantor):				
1st Trst Dd Amt:	Code1:	2nd Trst Dd Amt:	Code2:	

PROPERTY CHARACTERISTICS

Lot Acres: 5.010A Year Built: 1991 Fireplace:
 Lot SqFt: Effective Yr: 1991 A/C:
 Bldg/Liv Area: 800 Heating:
 Units: 1 Total Rooms: 5 Pool:
 Buildings: Bedrooms: 3 Flooring:
 Stories: 1.00 Baths (Full): 2 Park Type:
 Style: Baths (Half): Spaces:
 Construct: Bsmt SqFt: Site Infnce: LAKE
 Quality: 6.0 Garage SqFt:
 Building Class: Timber Preserve:
 Condition: AVERAGE Ag Preserve:
 Other: PUBLIC WATER
 Other Rooms:

*** The information provided here is deemed reliable, but is not guaranteed.

Property Detail

El Dorado, CA John Winner, Assessor

Parcel # (APN): 070-261-80-1 Use Description: RURAL.
 Parcel Status: ACTIVE
 Owner Name: BROWN KENNETH & HEIDI
 Mailing Address: 5100 BANBURY CROSS, SHINGLE SPRINGS, CA 95682
 Situs Address: 4041 LOMA, CA
 Legal Description: PAR 3 P/M 12-93

ASSESSMENT

Total Value: \$32,343 Use Code: 21 Zoning: RE10
 Land Value: \$32,343 Tax Rate Area: 054101
 Impr Value: Year Assd: 2001 Improve Type:
 Other Value: Property Tax: Price/SqFt:
 % Improved: Delinquent Yr:
 Exempt Amt: Exempt Codes:

SALES HISTORY

	<u>Sale 1</u>	<u>Sale 2</u>	<u>Sale 3</u>	<u>Transfer</u>
Recording Date:	01/21/1986	12/30/1977	11/15/1977	
Recorded Doc #:	2526 450	1584 735	1569 489	
Recorded Doc Type:				
Transfer Amount:				
Sale 1 Seller (Grantor):				
1st Trst Dd Amt:	Code1:	2nd Trst Dd Amt:	Code2:	

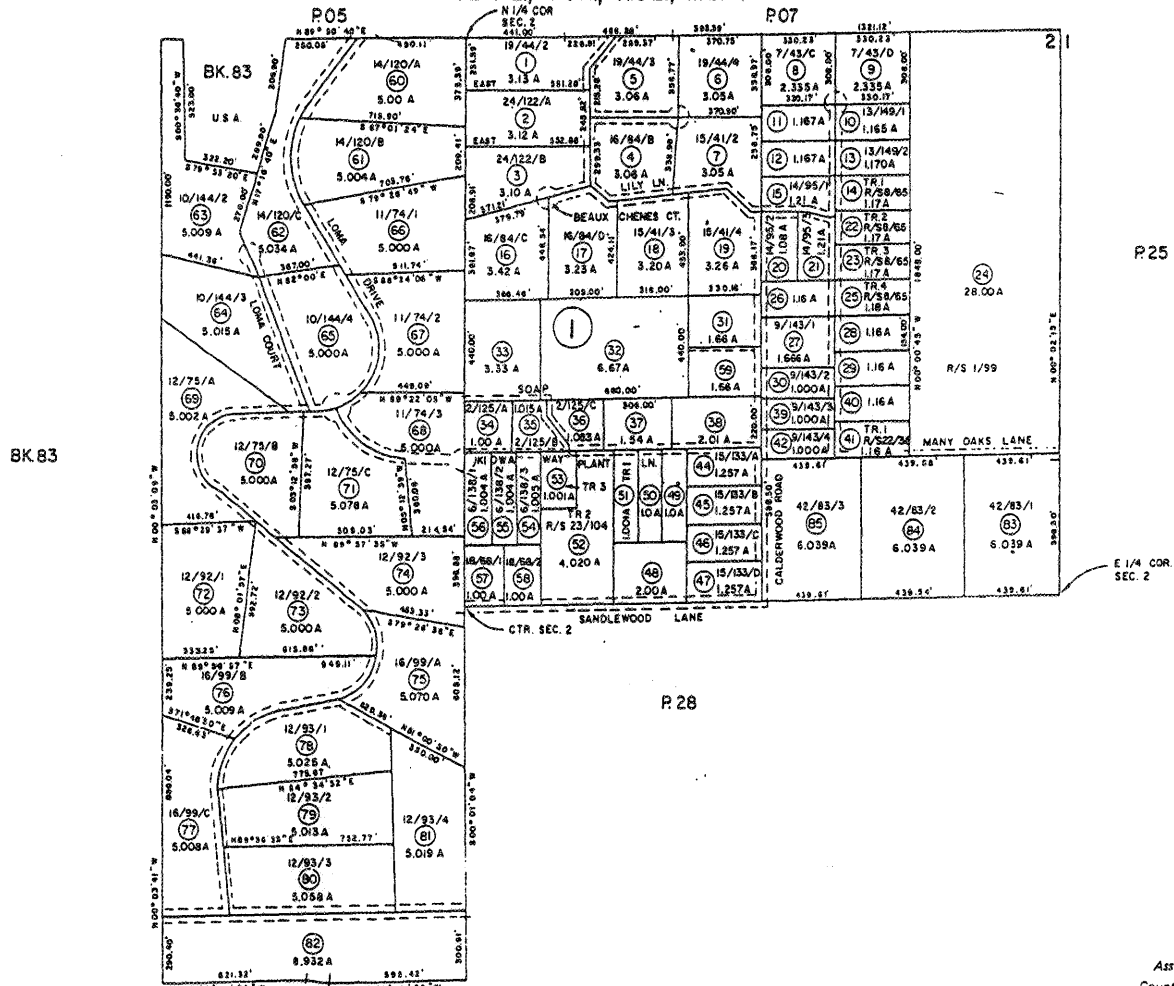
PROPERTY CHARACTERISTICS

Lot Acres:	5.060A	Year Built:	Fireplace:
Lot SqFt:		Effective Yr:	A/C:
Bldg/Liv Area:			Heating:
Units:		Total Rooms:	Pool:
Buildings:		Bedrooms:	Flooring:
Stories:		Baths (Full):	Park Type:
Style:		Baths (Half):	Spaces:
Construct:		Bsmt SqFt:	Site Infince: LAKE
Quality:		Garage SqFt:	
Building Class:			Timber Preserve:
Condition:			Ag Preserve:
Other:	PUBLIC WATER		
Other Rooms:			

POR. SEC. 2., T.9N., R.9E., M.D.M.

Tax Area Code

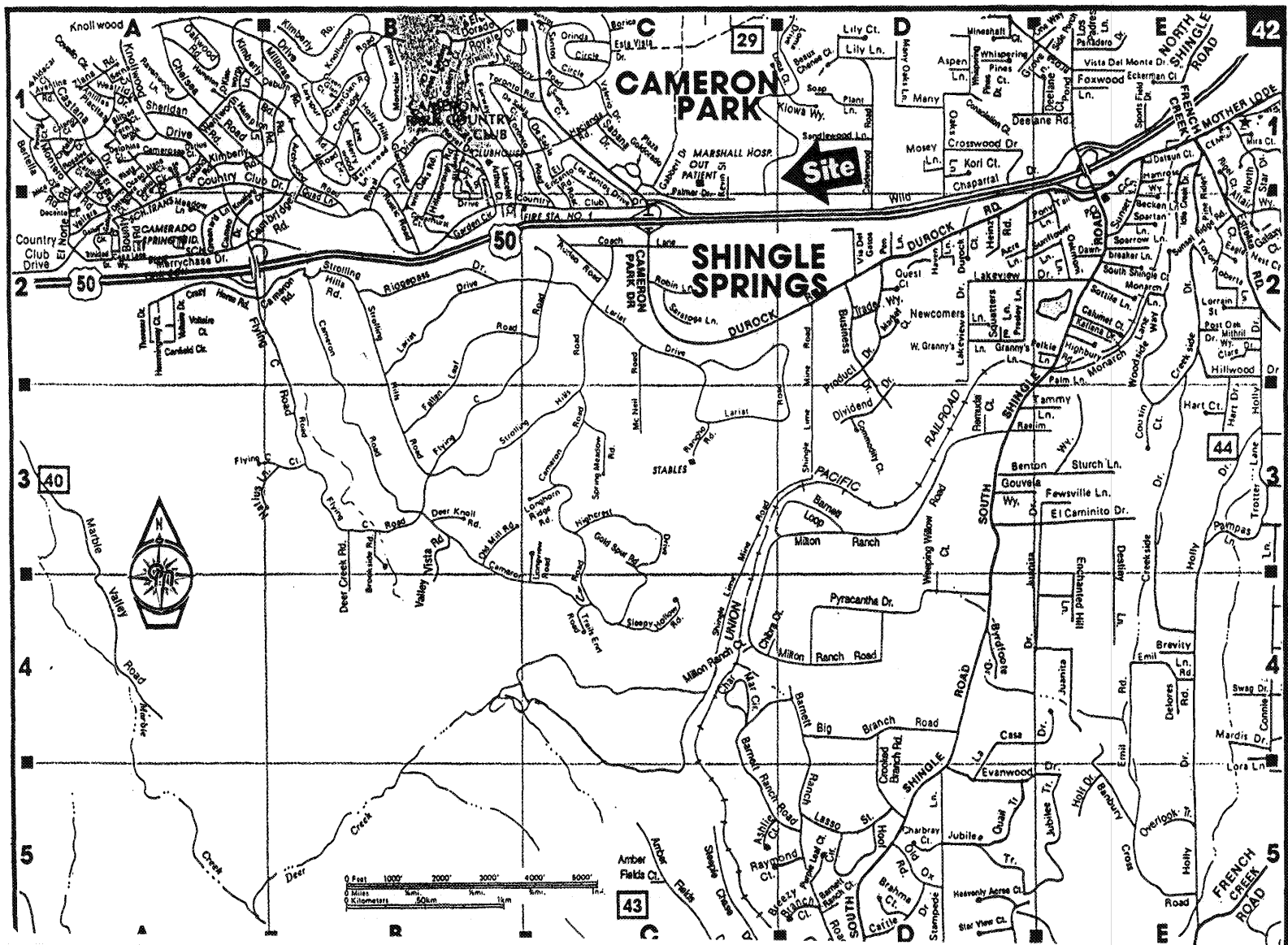
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NOTE - Assessor's Block Numbers Shown in Ellipses Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 70 -- Pg. 26 County of El Dorado, California



6/9/03

ParcelQuest by CD-DATA

Property Detail

El Dorado, CA John Winner, Assessor

Parcel # (APN): 070-261-81-1 Use Description: RURAL.
 Parcel Status: ACTIVE → Ph. H 626-6900 H 626-4413
 Owner Name: OLIVER DANNY E & LAURIE L & BASEL M & ARBLETTA
 Mailing Address: 3300 SUNDANCE TR, PLACERVILLE, CA 95667
 Situs Address:
 Legal Description: PAR 4 P/M 12-93

Request
MFR

90-1

ASSESSMENT

Total Value: \$45,072 Use Code: 21 Zoning: RE10
 Land Value: \$45,072 Tax Rate Area: 054101
 Impr Value: Year Assd: 2001 Improve Type:
 Other Value: Property Tax: Price/SqFt:
 % Improved: Delinquent Yr:
 Exempt Amt: Exempt Codes:

SALES HISTORY

	Sale 1	Sale 2	Sale 3	Transfer
Recording Date:	02/07/1980	11/15/1977	05/27/1976	
Recorded Doc #:	1848 571	1569 491	1399 551	
Recorded Doc Type:				
Transfer Amount:				
Sale 1 Seller (Grantor):				
1st Trst Dd Amt:	Code1:	2nd Trst Dd Amt:	Code2:	

PROPERTY CHARACTERISTICS

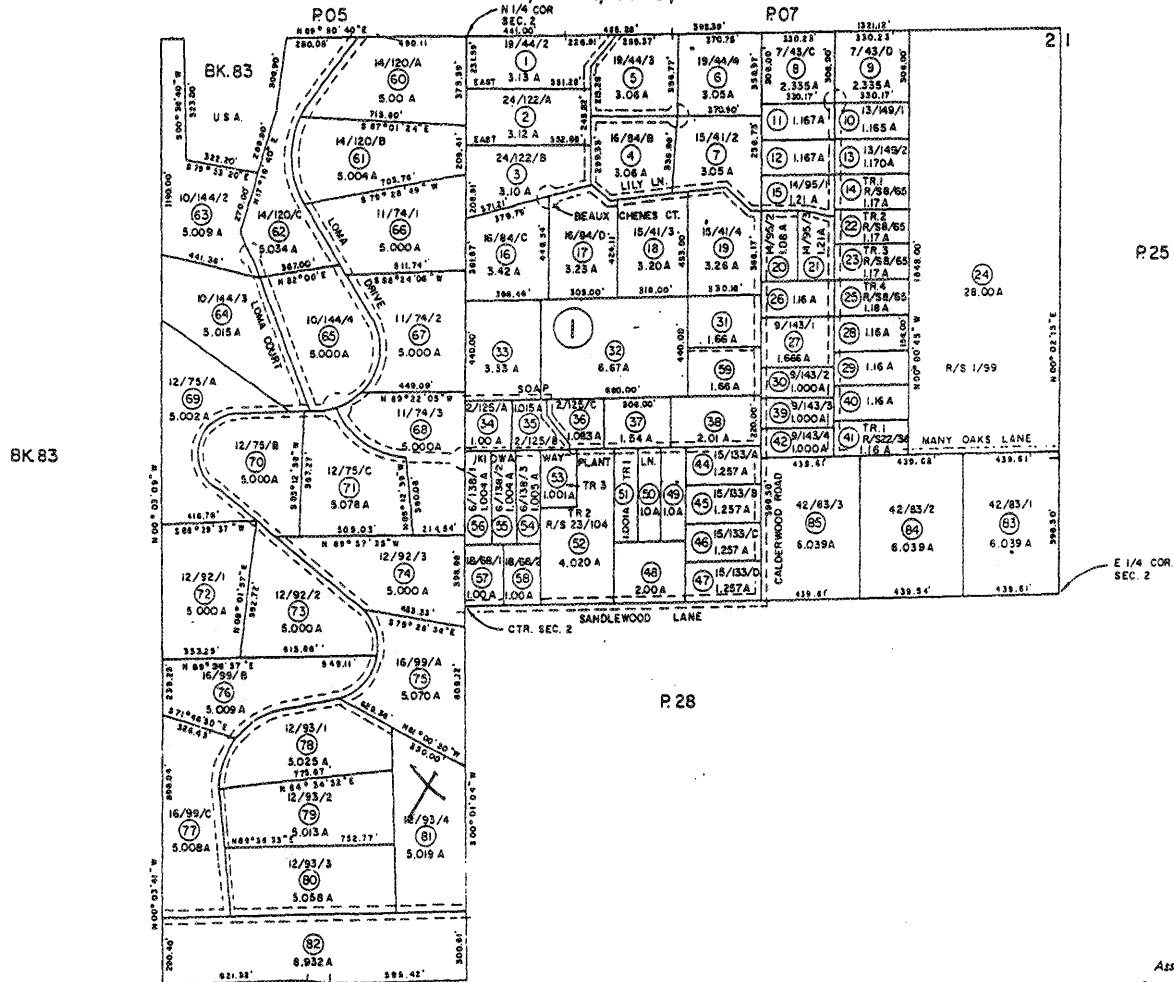
Lot Acres: 5.020A	Year Built:	Fireplace:
Lot SqFt:	Effective Yr:	A/C:
Bldg/Liv Area:		Heating:
Units:	Total Rooms:	Pool:
Buildings:	Bedrooms:	Flooring:
Stories:	Baths (Full):	Park Type:
Style:	Baths (Half):	Spaces:
Construct:	Bsmt SqFt:	Site Infnce: LAKE
Quality:	Garage SqFt:	
Building Class:		Timber Preserve:
Condition:		Ag Preserve:
Other: PUBLIC WATER		
Other Rooms:		

*** The information provided here is deemed reliable, but is not guaranteed.

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Tax Area Code

70:26



P. 25

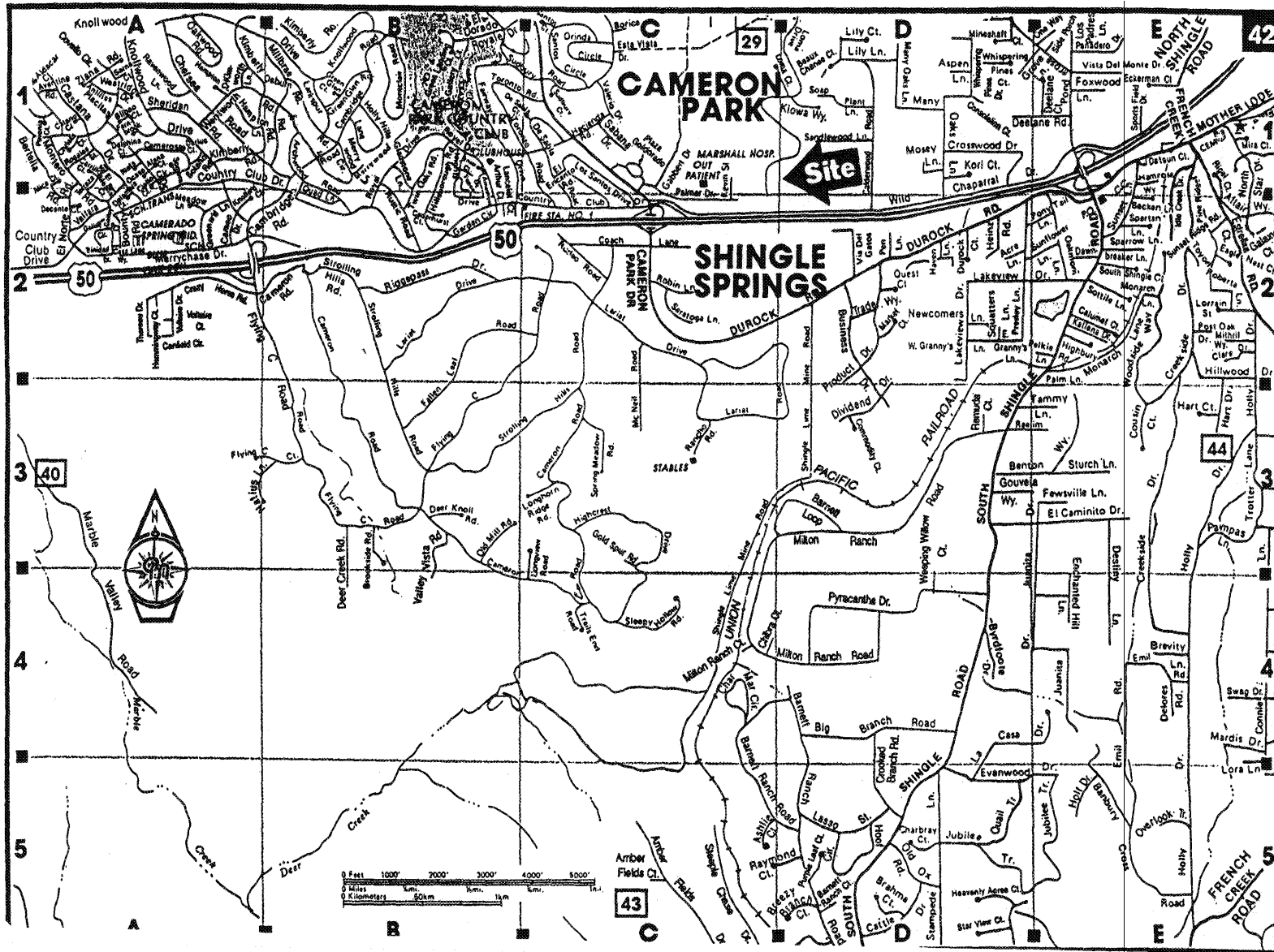
P. 28

E 1/4 COR SEC. 2

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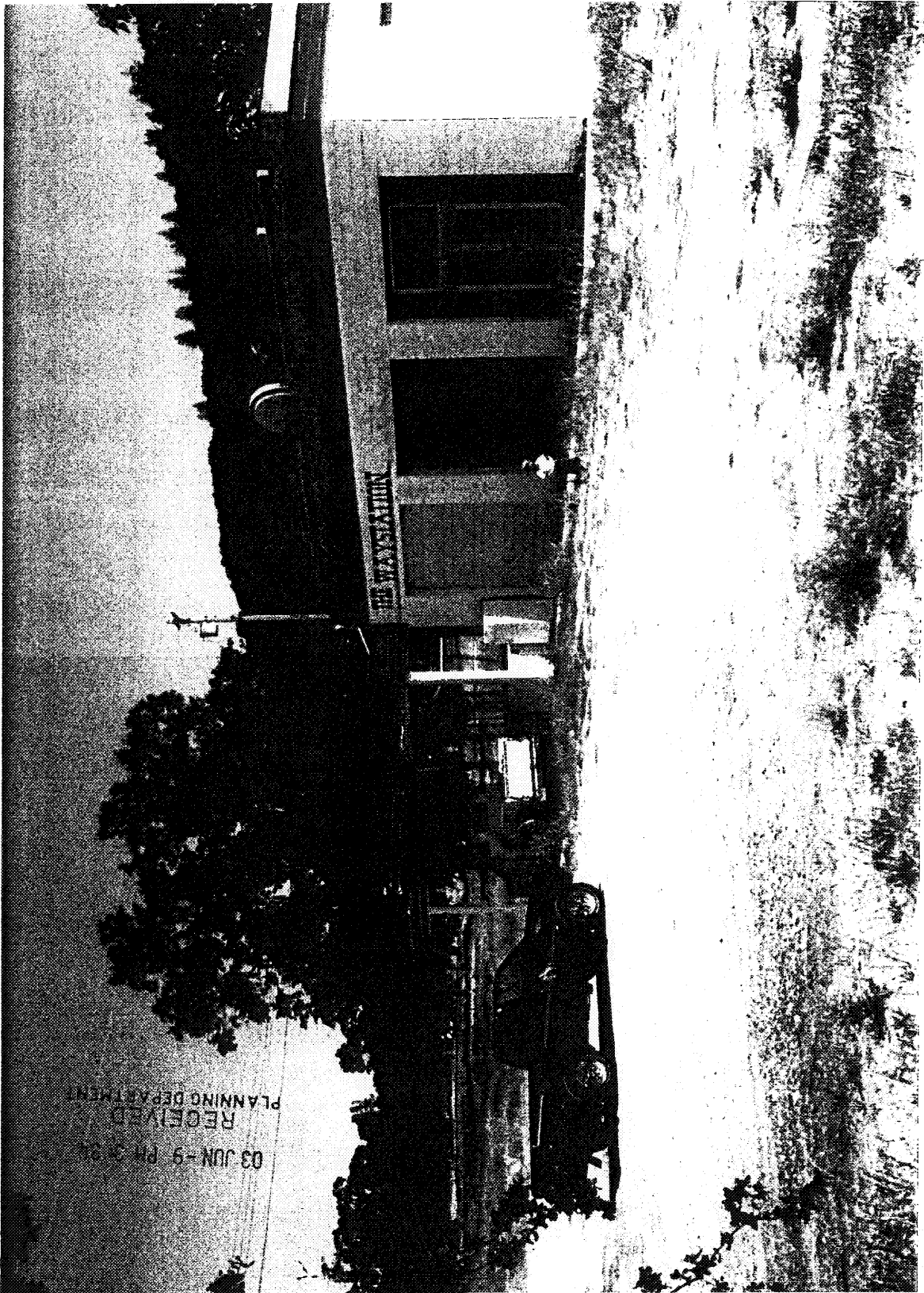
NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 70 -- Pg. 26
County of El Dorado, California

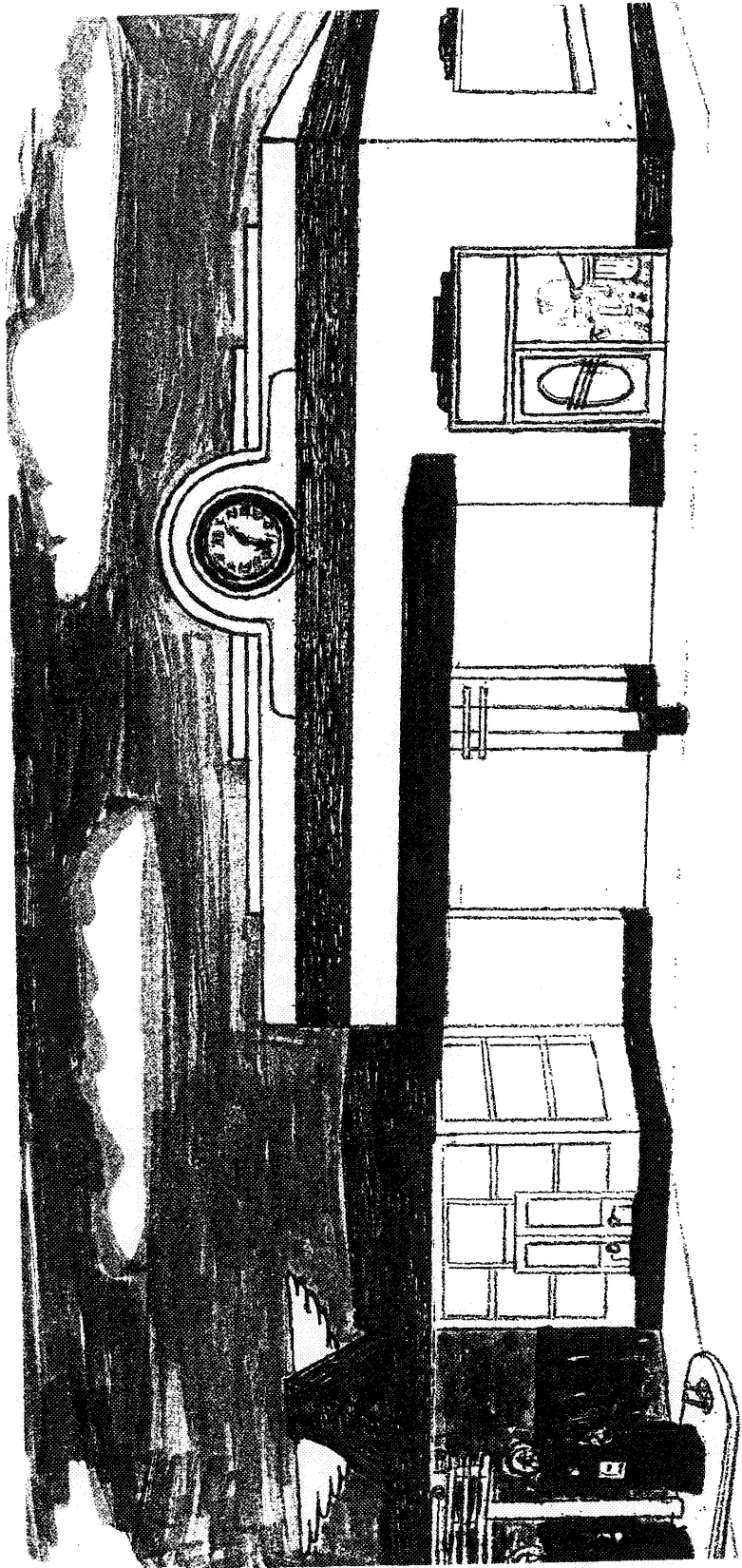


Submitted by Adam Smith at June 9, 2003, Planning Commission hearing

] 91-1



AR 12048



COUNTY OF
EL DORADO

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION



November 13, 1991

MAIN OFFICE:
380 FAIR LANE
PLACERVILLE, CA 95667
(916) 621-5356

SOUTH LAKE TAHOE OFFICE:
1336 JOHNSON BLVD.
P.O. BOX 14908
SOUTH LAKE TAHOE, CA 95702
(916) 573-3145

Adam Carnegy Eric Smith
1231 Manchester Drive
El Dorado Hills, CA 95630

REF: APN(s): 078-030-57, 078-030-58, 078-030-59, 078-030-60, and
078-260-75

Dear Mr. Smith:

The Planning Division is in receipt of your Request for 2010 General Plan Analysis and Designation. Your request will be analyzed by the General Plan staff during the development of the General Plan land use alternatives and a written response provided to you upon completion of that task.

If you have questions, you may contact us at 621-5827.

Sincerely,

A handwritten signature in cursive script that reads "Craven Alcott".

Craven Alcott
Director
Long Range Planning

CA:km

call/91

AR 12050

REQUEST FOR 2010
GENERAL PLAN ANALYSIS
AND DESIGNATION

Applicant: ADAM CARNEY ERIC SMITH
Address: 1231 MANCHESTER DR. EL DORADO HILLS CA 95630
Street No. City State/ZIP
Telephone No.: (916) 933-0228
Agent: Self.
Address: _____
Street No. City State/ZIP
Telephone NO.: (____) _____

Property location:

Address 3760 PLEASANT VALLEY RD. PLACERVILLE CA 95667.
Location PLEASANT VALLEY RD. 1 MILE PAST GOLD OAK
SCHOOL ON RIGHT HEADING EAST, OLD WHITE AND RED BLOCK BUILDING.
APN(s): 078-030-57, 58, 59, 60, AND 078-260-75
Area Plan: PLEASANT VALLEY 7.207 acreage: 9.18 (Ac.)/Block. #181
Land Use Designation: COMMERCIAL
Zoning: C.P.
Requested potential use of property: COMMERCIAL DEVELOPMENT,
RETAIL, OR MULTI PURPOSE MIXED USE, MAY SOME HOUSING UNITS, AND
SOME COMMERCIAL.

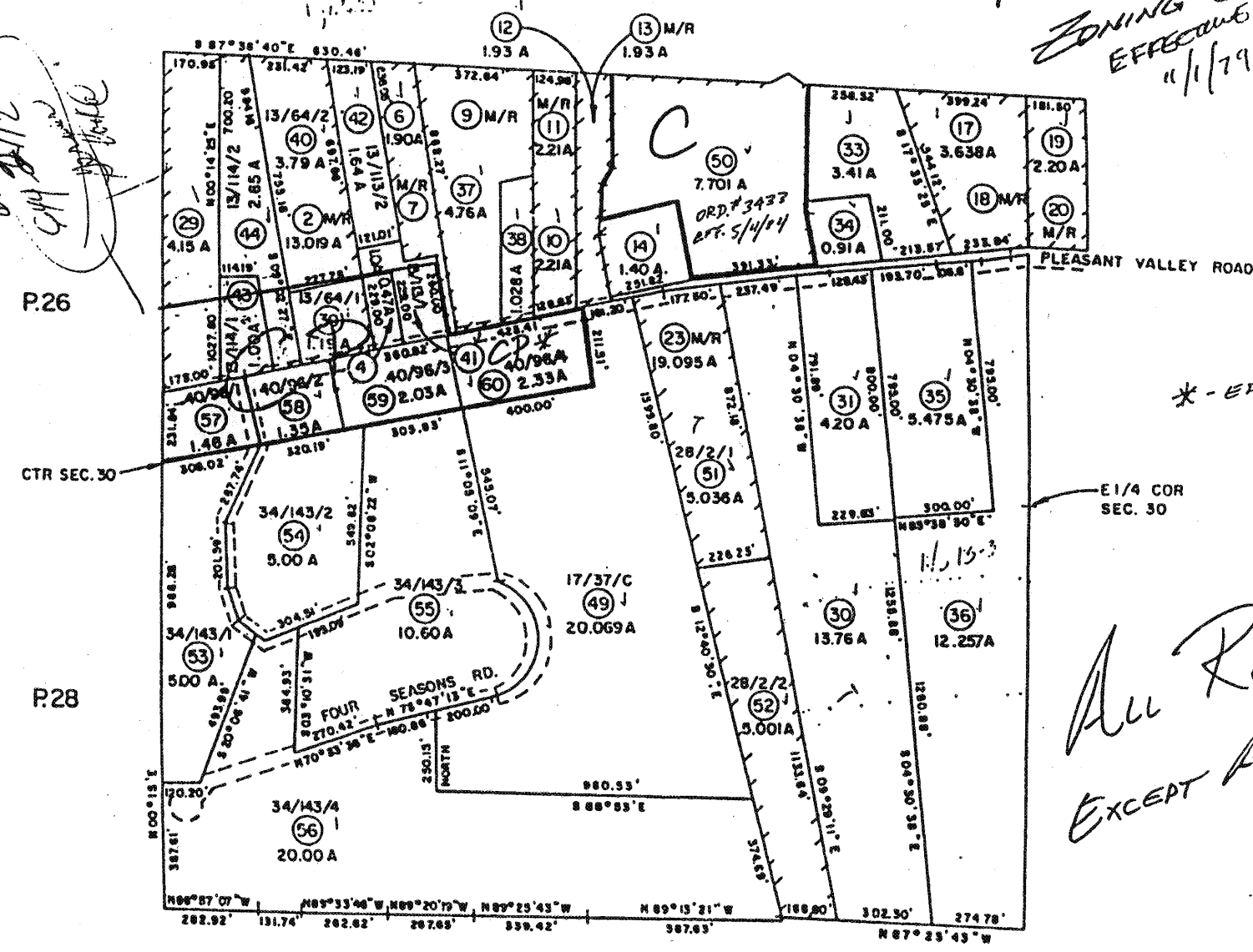
LAND ON LEFT
TDM OF
DRIVE

I hereby request that my proposal for the future use of the above-referenced property be incorporated as a part of the El Dorado County 2010 General Plan Development Program. I understand that the 2010 General Plan is at least a two year program requiring full CEQA review and adoption by the County Board of Supervisors.

Signature: OWNER Adam Smith /Date NOV. 11th 91
AGENT _____ /Date _____

Smith
City
11/12
11/12

ZONING
EFFECTIVE
11/1/79



** - EFT.*

All RE
EXCEPT AS

To. Gregory F. Abramson
Associate Planner
Planning Division.

Nov. 11th '91

Dear Greg,

I was speaking with Stephanie McBrayer on Friday about the progress of the new General Plan, as I feel I should keep up with what is happening. She suggested I express my ideas or comments in the form of an Inclusion Request & gave me this form, and your name & business card.

Basically my situation is this. I own 4 commercial parcels on Pleasant Valley Road designated commercial & zoned C.P. on this land stands the waystation, an old gasstation (repair shop built in 1963). The land has existing services, water, power, & septic. In the future I would like to develop the full potential of the site.

Its one limiting factor is the low percolation rate of the soil. However I own a 2.01 acre parcel across the road from my site which does perc quite well. In discussions with Larry Walrod he felt that to use this as a leachfield (it is also zoned C.P.) would be quite feasible, as the parcels are adjacent. This would remove the limiting factor on building or development on the waystation parcels.

I am quite happy with my existing zoning & land use designation which is the same as when I bought it. However I would not like to lose it in the General Plan Update unless consideration was given to some other equivalent suitable use such as apartments, or mixed retail and multi-family. Hence my application.

Across the street is are cabinet shops, an antique store, and various small businesses. I think the area could become a nice neighborhood facility of local stores and services.

Thank you for considering my request,

yours sincerely,

Adam Smith

A PORTION OF THE EAST HALF OF
SECTION 30, T10N, R12E, M.D.M.
BEING PARCEL A OF P.M. 17-37

COUNTY OF EL DORADO
STATE OF CALIFORNIA
JUNE 1986

OWNER OF RECORD
H&W LIMITED PARTNERSHIP
4510 PLEASANT VALLEY RD.
PLACERVILLE, CA 95667 622-2017

NAME OF APPLICANT
SAME AS ABOVE

MAP PREPARED BY
FRED G. DEBERRY
P.O. BOX 92
GEORGETOWN, CA. 95634

SCALE: 1" = 100'

CONTOUR INTERVAL - NONE

SOURCE OF TOPOGRAPHY - No.

ASSESSOR'S PARCEL No.:

78:030:47

SECTION, TOWNSHIP & RANGE
SEC. 30, T10N, R12E

ZONING - COMMERCIAL

TOTAL No. OF PARCELS - 4

MINIMUM PARCEL AREA - 1.00 AC

WATER SUPPLY - E.I.D.

SEWAGE DISPOSAL - SEPTIC TANK

MAXIMUM ROAD GRADE - 5%

STRUCTURAL FIRE PROTECTION
- PLEASANT VALLEY

TOTAL ACREAGE - 7.173 AC

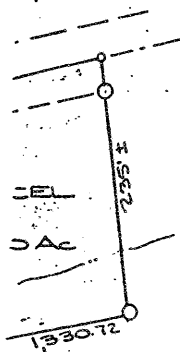
SCHOOL DISTRICT - GOLD OAK

DATE - JUNE 25, 1986

RECEIVED

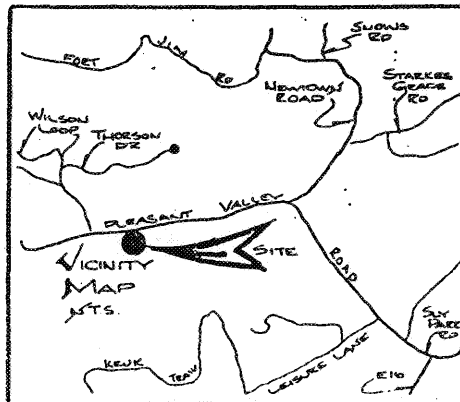
AUG 04 1986

COMMUNITY DEVELOPMENT Dep.



ERSON
-197
7-37-C

N.E.
100'



PLANNING DIRECTOR

APPROVED BY

DATE 10/6/86

PLANNING COMMISSION

APPROVED BY

DATE _____

BOARD OF SUPERVISOR

APPROVED BY

DATE _____

CANYON
1613-612

DRAN INVESTMENTS
2350-655

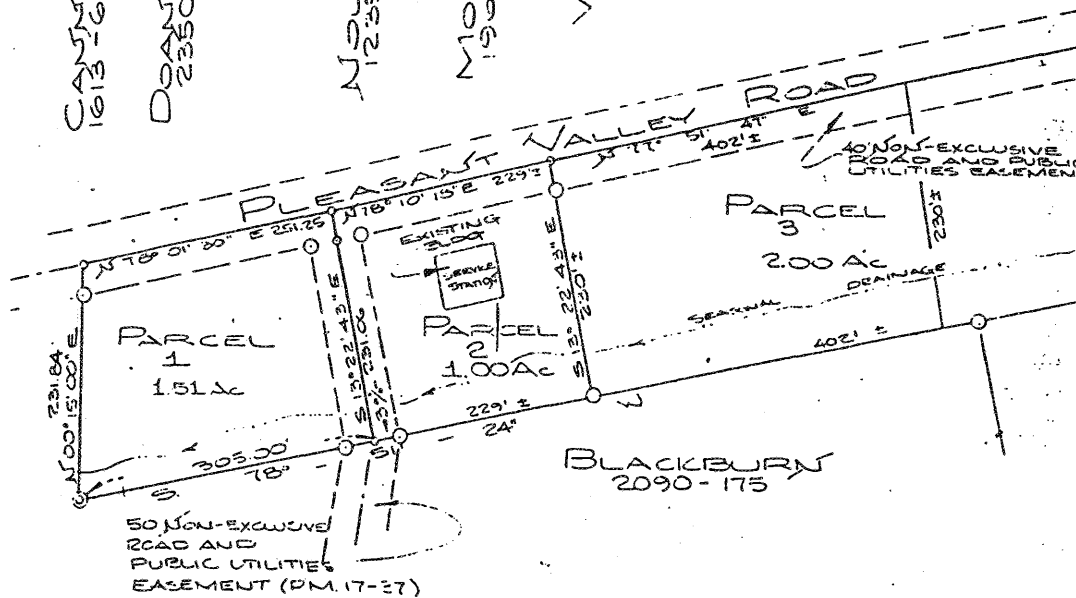
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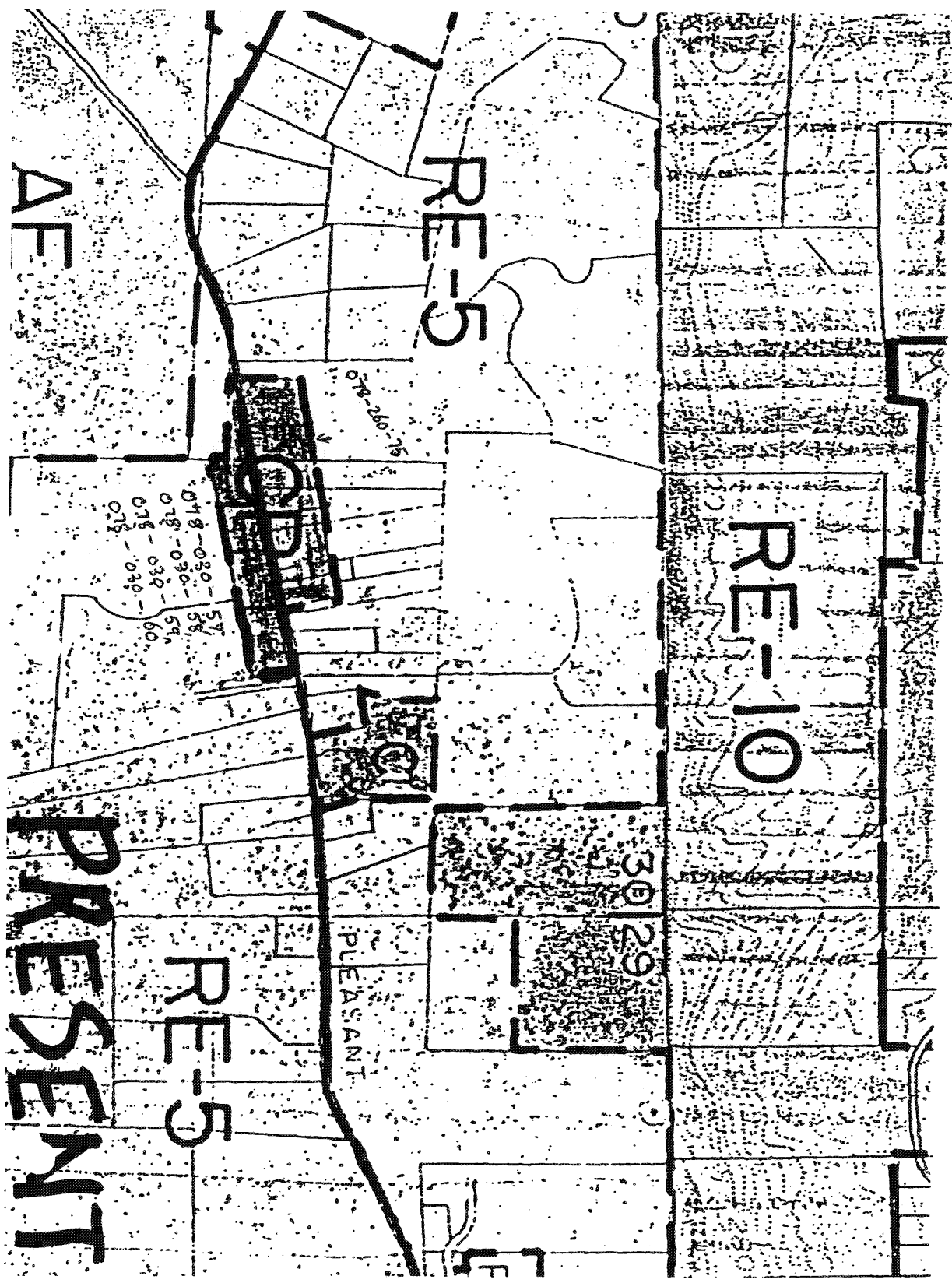
MOIR-BUTTER
1993-414

VON KAENEL
2044-652

COFFMAN
1384-774

BEAVER
422-586





AF

RE-5

RE-10

PRESENT

RE-5

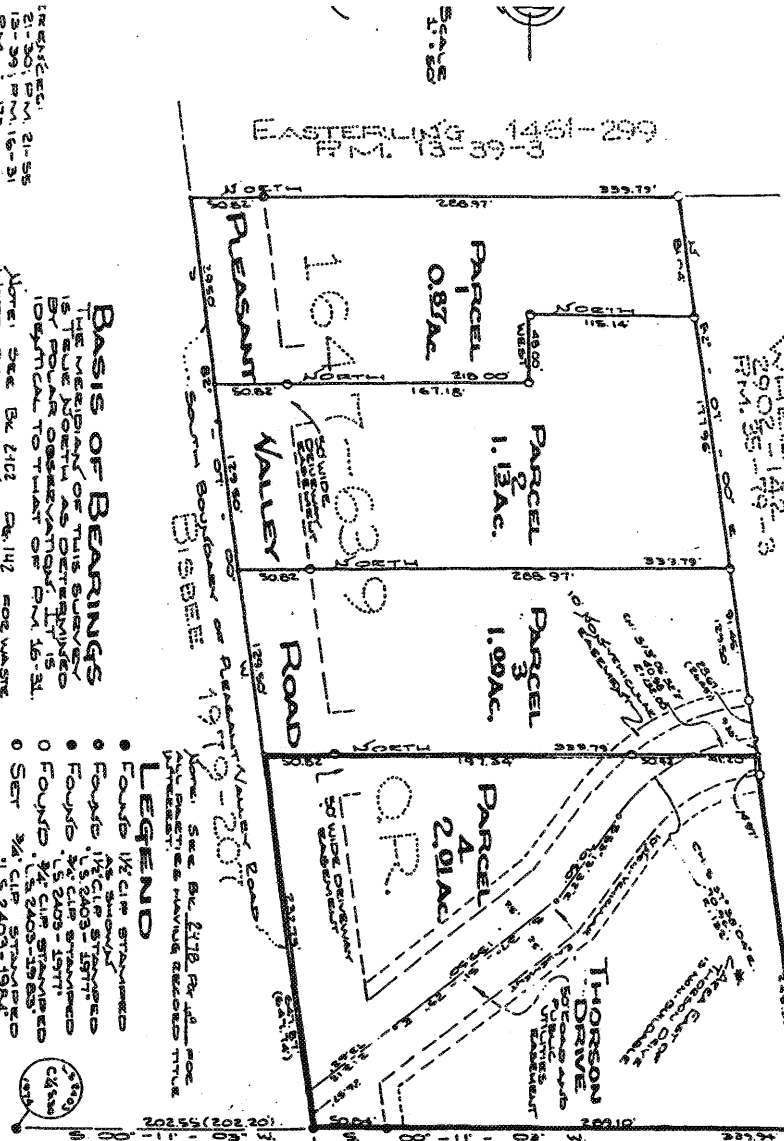
PLEASANT

3029

**PARCEL MAP
PORTION OF THE SOUTHEAST
QUARTER OF THE NORTHWEST QUARTER
OF SECTION 30 T10N, R12E, M.1DM.**

ENGINEERING PARCEL B OF P.M. 32-72
COUNTY OF EL DORADO
STATE OF CALIFORNIA
JULY 1988

CHAPMAN'S PLATS: Parcel 4
P.M. 35-79-4



BASIS OF BEARINGS
THE BEARINGS OF THIS SURVEY
WAS OBTAINED AS DETERMINED
BY FOUR OBSERVATIONS OF
IDENTICAL TO THAT OF P.M. 16-31.
Note: See Bk 412 Pg. 112 FOR WASTE
MATERIAL PLATS AND PRELUDE CASEMENT.

- LEGEND**
- Found 1/2" CLIP STRAPPED
 - Found 1/4" CLIP STRAPPED
 - Found 3/8" CLIP STRAPPED
 - Found 1/2" CLIP STRAPPED
 - Found 3/4" CLIP STRAPPED
 - Found 1" CLIP STRAPPED
 - Found 1 1/2" CLIP STRAPPED
 - Found 2" CLIP STRAPPED
 - Found 3" CLIP STRAPPED
 - Found 4" CLIP STRAPPED
 - Found 6" CLIP STRAPPED
 - Found 8" CLIP STRAPPED
 - Found 10" CLIP STRAPPED
 - Found 12" CLIP STRAPPED
 - Found 14" CLIP STRAPPED
 - Found 16" CLIP STRAPPED
 - Found 18" CLIP STRAPPED
 - Found 20" CLIP STRAPPED
 - Found 24" CLIP STRAPPED
 - Found 28" CLIP STRAPPED
 - Found 32" CLIP STRAPPED
 - Found 36" CLIP STRAPPED
 - Found 40" CLIP STRAPPED
 - Found 44" CLIP STRAPPED
 - Found 48" CLIP STRAPPED
 - Found 52" CLIP STRAPPED
 - Found 56" CLIP STRAPPED
 - Found 60" CLIP STRAPPED
 - Found 64" CLIP STRAPPED
 - Found 68" CLIP STRAPPED
 - Found 72" CLIP STRAPPED
 - Found 76" CLIP STRAPPED
 - Found 80" CLIP STRAPPED
 - Found 84" CLIP STRAPPED
 - Found 88" CLIP STRAPPED
 - Found 92" CLIP STRAPPED
 - Found 96" CLIP STRAPPED
 - Found 100" CLIP STRAPPED

RECORDERS CERTIFICATE
I, Recorder, do hereby certify that the foregoing is a true and correct copy of the original map as filed in my office and that the same has been recorded in accordance with the provisions of the Act of March 27, 1907, and the Act of March 27, 1909, and the Act of March 27, 1911, and the Act of March 27, 1913, and the Act of March 27, 1915, and the Act of March 27, 1917, and the Act of March 27, 1919, and the Act of March 27, 1921, and the Act of March 27, 1923, and the Act of March 27, 1925, and the Act of March 27, 1927, and the Act of March 27, 1929, and the Act of March 27, 1931, and the Act of March 27, 1933, and the Act of March 27, 1935, and the Act of March 27, 1937, and the Act of March 27, 1939, and the Act of March 27, 1941, and the Act of March 27, 1943, and the Act of March 27, 1945, and the Act of March 27, 1947, and the Act of March 27, 1949, and the Act of March 27, 1951, and the Act of March 27, 1953, and the Act of March 27, 1955, and the Act of March 27, 1957, and the Act of March 27, 1959, and the Act of March 27, 1961, and the Act of March 27, 1963, and the Act of March 27, 1965, and the Act of March 27, 1967, and the Act of March 27, 1969, and the Act of March 27, 1971, and the Act of March 27, 1973, and the Act of March 27, 1975, and the Act of March 27, 1977, and the Act of March 27, 1979, and the Act of March 27, 1981, and the Act of March 27, 1983, and the Act of March 27, 1985, and the Act of March 27, 1987, and the Act of March 27, 1989, and the Act of March 27, 1991, and the Act of March 27, 1993, and the Act of March 27, 1995, and the Act of March 27, 1997, and the Act of March 27, 1999, and the Act of March 27, 2001, and the Act of March 27, 2003, and the Act of March 27, 2005, and the Act of March 27, 2007, and the Act of March 27, 2009, and the Act of March 27, 2011, and the Act of March 27, 2013, and the Act of March 27, 2015, and the Act of March 27, 2017, and the Act of March 27, 2019, and the Act of March 27, 2021, and the Act of March 27, 2023, and the Act of March 27, 2025.

COUNTY SURVEYORS STATEMENT
This map conforms with the requirements of the Surveyors Act and local Ordinance. Road and public utility easements are hereby acknowledged. It is the policy of the County of El Dorado to encourage the development of land and to encourage the use of land for the benefit of the community. The Surveyors hereby certify that the map is a true and correct copy of the original map as filed in my office and that the same has been recorded in accordance with the provisions of the Act of March 27, 1907, and the Act of March 27, 1909, and the Act of March 27, 1911, and the Act of March 27, 1913, and the Act of March 27, 1915, and the Act of March 27, 1917, and the Act of March 27, 1919, and the Act of March 27, 1921, and the Act of March 27, 1923, and the Act of March 27, 1925, and the Act of March 27, 1927, and the Act of March 27, 1929, and the Act of March 27, 1931, and the Act of March 27, 1933, and the Act of March 27, 1935, and the Act of March 27, 1937, and the Act of March 27, 1939, and the Act of March 27, 1941, and the Act of March 27, 1943, and the Act of March 27, 1945, and the Act of March 27, 1947, and the Act of March 27, 1949, and the Act of March 27, 1951, and the Act of March 27, 1953, and the Act of March 27, 1955, and the Act of March 27, 1957, and the Act of March 27, 1959, and the Act of March 27, 1961, and the Act of March 27, 1963, and the Act of March 27, 1965, and the Act of March 27, 1967, and the Act of March 27, 1969, and the Act of March 27, 1971, and the Act of March 27, 1973, and the Act of March 27, 1975, and the Act of March 27, 1977, and the Act of March 27, 1979, and the Act of March 27, 1981, and the Act of March 27, 1983, and the Act of March 27, 1985, and the Act of March 27, 1987, and the Act of March 27, 1989, and the Act of March 27, 1991, and the Act of March 27, 1993, and the Act of March 27, 1995, and the Act of March 27, 1997, and the Act of March 27, 1999, and the Act of March 27, 2001, and the Act of March 27, 2003, and the Act of March 27, 2005, and the Act of March 27, 2007, and the Act of March 27, 2009, and the Act of March 27, 2011, and the Act of March 27, 2013, and the Act of March 27, 2015, and the Act of March 27, 2017, and the Act of March 27, 2019, and the Act of March 27, 2021, and the Act of March 27, 2023, and the Act of March 27, 2025.

SURVEYOR'S STATEMENT
This map was prepared by me or under my direct supervision and I am a duly licensed Surveyor in the State of California. I hereby certify that the map is a true and correct copy of the original map as filed in my office and that the same has been recorded in accordance with the provisions of the Act of March 27, 1907, and the Act of March 27, 1909, and the Act of March 27, 1911, and the Act of March 27, 1913, and the Act of March 27, 1915, and the Act of March 27, 1917, and the Act of March 27, 1919, and the Act of March 27, 1921, and the Act of March 27, 1923, and the Act of March 27, 1925, and the Act of March 27, 1927, and the Act of March 27, 1929, and the Act of March 27, 1931, and the Act of March 27, 1933, and the Act of March 27, 1935, and the Act of March 27, 1937, and the Act of March 27, 1939, and the Act of March 27, 1941, and the Act of March 27, 1943, and the Act of March 27, 1945, and the Act of March 27, 1947, and the Act of March 27, 1949, and the Act of March 27, 1951, and the Act of March 27, 1953, and the Act of March 27, 1955, and the Act of March 27, 1957, and the Act of March 27, 1959, and the Act of March 27, 1961, and the Act of March 27, 1963, and the Act of March 27, 1965, and the Act of March 27, 1967, and the Act of March 27, 1969, and the Act of March 27, 1971, and the Act of March 27, 1973, and the Act of March 27, 1975, and the Act of March 27, 1977, and the Act of March 27, 1979, and the Act of March 27, 1981, and the Act of March 27, 1983, and the Act of March 27, 1985, and the Act of March 27, 1987, and the Act of March 27, 1989, and the Act of March 27, 1991, and the Act of March 27, 1993, and the Act of March 27, 1995, and the Act of March 27, 1997, and the Act of March 27, 1999, and the Act of March 27, 2001, and the Act of March 27, 2003, and the Act of March 27, 2005, and the Act of March 27, 2007, and the Act of March 27, 2009, and the Act of March 27, 2011, and the Act of March 27, 2013, and the Act of March 27, 2015, and the Act of March 27, 2017, and the Act of March 27, 2019, and the Act of March 27, 2021, and the Act of March 27, 2023, and the Act of March 27, 2025.



NOTE: THIS PLAT IS INSERTED FOR REFERENCE PURPOSES ONLY AND IS NOT MADE A PART OF THIS TITLE EVIDENCE.
INTER COUNTY TITLE CO

STATE OF CALIFORNIA
MARCH

1989
VALLEY ROAD

WILMER
1968-420

DEAKIN
422-586

COFFMAN
1384-774

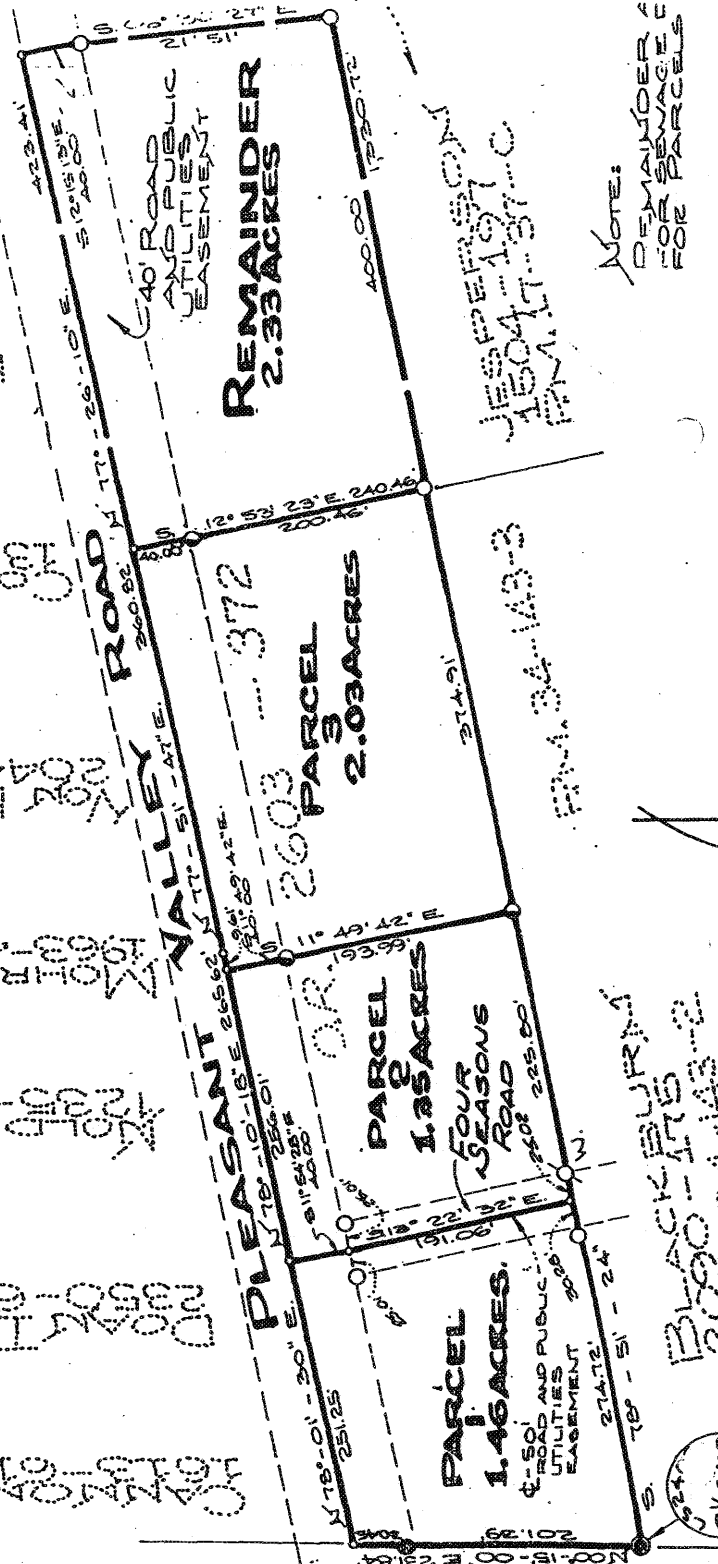
NOV KAENEL
2044-682

MOHRUTTER
1963-714

KOLDFE
235-159

DOAN INVEST
250-058

WILSON
139-02



NOTE:
REMAINDER OF
FOR PARCELS

BLANKETS
2000-175-2

Project Description

means of preserving large areas in their natural state or for agricultural production. Typical uses include single-family residences, agricultural support structures, a full range of agricultural production uses, recreation, and mineral development activities. The allowable density for this designation is 1 dwelling unit per 10 to 40 acres. This designation is considered appropriate only in the Rural Regions.

Natural Resource (NR): The purpose of the Natural Resources (NR) designation is to identify areas that contain economically viable natural resources and to protect the economic viability of those resources and those engaged in harvesting/processing of those resources from interests that are in opposition to the managed conservation and economic, beneficial use of those resources. The important natural resources of the County include forested areas and mineral resources. Land under both public and private ownership that contain these resources are included in this category. This designation shall be applied to those lands which are 40 acres or larger in size and contain one or more important natural resource. The designation shall not be applied to lands which are already surrounded by existing development. Compatible uses may include agriculture, rangeland, forestry, wildlife management, recreation and support single-family dwellings. The maximum allowable density for this designation is 1 dwelling unit per 160 acres or larger. This designation is considered appropriate only in the Rural Regions. Isolated parcels outside the National Forest Service lands and below 3000 feet elevation are exempt from the above policy regarding the maximum allowable density. Isolated parcels shall be reviewed by the Agricultural Commission.

Commercial (C): The purpose of this land use category is to provide a full-range of commercial retail, office and service uses to serve the residents, businesses and visitors of El Dorado County. Mixed use development of commercial lands within Community Regions and Rural Centers which combine commercial and residential uses, shall be permitted provided the commercial activity is the primary and dominant use of the parcel. Developments in which residential usage is the sole or primary use shall be prohibited on commercially-designated lands. Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County. This designation is considered appropriate only within Community Regions and Rural Centers.

Research & Development (R&D): The purpose of this land use designation is to provide areas for the location of high technology, non-polluting manufacturing plants, research and development facilities, corporate/industrial offices, and support service facilities in a rural or campus-like setting which ensures a high quality, aesthetic environment. This designation is highly appropriate for the business park/employment center concept. Lands

Inclusion Request Status Report - District 2

4/15/94

Consistency Review

File #	S U P	Applicant	APN	Acres	Area Plan	Existing Zoning	Requested Land Use Designation	Consistency Review						Status of inconsistent applications (see below) Notes		
								Area Flaw	Project Description		Alternative		Public Review Draft			
									Designation		Designation		Designation			
4-016	2	Muller, S.	078-230-24	5.10	LDR	RE-5	MDR	No	No	LDR	No	LDR	No	LDR	1	Rural region; no MDR near
4-019	2	Spernak, D.	092-480-27	8.75	RRA	RA20	MDR	No	No	LDR-PL	No	LDR-PL	No	LDR-PL	1	No MDR near
4-020	2	Slattery, K.	046-051-81	40.00	RRA	RA80	RR	Yes	Yes		No	RRL	No	RRL		
4-021	2	Stroman, R.	046-051-78	40.00	RRA	RA80	RR	Yes	Yes		No	RRL	No	RRL		
4-025	2	Winterround, R.	096-120-26	4.16	LDR	RE-5	MDR	No	No	LDR	No	LDR	No	LDR	1	No MDR near
4-030	2	Emory, R.	046-400-13	10.00	RRA	RE-10	LDR	No	Yes		Yes		Yes			
4-032	2	Wermes, R&D	046-440-10	12.00	RRA	RE-10	LDR	No	No	LDR-A	No	LDR-A	No	LDR-A	1	In Ag. district
4-033	2	Arnold, W.	043-540-19	10.54	RRA	RE-10	LDR	No	Yes		Yes		Yes			
4-036	2	Carneg/Smith	078-030-60	2.33	C	C	C	Yes	Yes		No	LDR	Yes			
	2	Carneg/Smith	078-260-75	2.01	C	C	C	Yes	Yes		Yes	LDR	Yes			
	2	Carneg/Smith	078-030-59	2.03	C	C	C	Yes	Yes		No	LDR	Yes			
	2	Carneg/Smith	078-030-58	1.35	C	C	C	Yes	Yes		No	LDR	Yes			
	2	Carneg/Smith	078-030-57	1.46	C	C	C	Yes	Yes		No	LDR	Yes			
4-037	2	Lane/Harrison	077-011-36	20.00	RRA	RE-10	LDR	No	No	RR	No	RR	No	RR	1	LDR, quarry adjacent
	2	Lane/Harrison	077-011-35	20.00	RRA	RE-10	LDR	No	No	RR	No	RR	No	RR	1	LDR, quarry adjacent
4-043	2	Bye, P.	099-170-49	40.70	LDR, RRA	RE-10	LDR	Yes	No	RR-A	No	RR-A	No	RR-A	1	In ag. district
4-044	2	Collett, T.	099-120-08	7.62	LDR	RE-5	MDR	No	No	LDR	No	LDR	No	LDR	1	In rural region
4-046	2	Cinnabar	092-030-01	554.00	RRA	RA-80	RR	No	Yes		No	NR	Yes			Z92-25; TM92-1259
	2	Cinnabar	092-030-04	160.00	RRA	RA-40	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259
	2	Cinnabar	091-030-10	151.80	RRA	RA-80	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259
	2	Cinnabar	092-030-75	160.00	RRA	RA-40	RR	No	Yes		No	NR	Yes			Z92-25; TM92-1259
	2	Cinnabar	091-030-15	550.99	RRA	RA-80	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259
	2	Cinnabar	092-030-73	239.65	RRA	RA-40	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259
	2	Cinnabar	091-030-12	75.57	RRA	RA-80	RR	No	Yes		No	NR	Yes			Z92-25; TM92-1259
	2	Cinnabar	091-010-07	600.00	RRA	RA-40	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259
	2	Cinnabar	091-010-09	160.00	RRA	RA-40	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259
	2	Cinnabar	092-040-01	390.49	RRA	RA-40	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259
	2	Cinnabar	091-020-33	560.00	RRA	RA-40	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259
	2	Cinnabar	091-030-14	560.00	RRA	RA-80	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259
	2	Cinnabar	091-030-16	35.42	RRA	RA-80	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259
	2	Cinnabar	092-040-05	116.50	RRA	RA-80	RR	No	Yes		No	NR	Yes			Z92-25; TM92-1259
	2	Cinnabar	091-020-18	40.00	RRA	RA-40	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259
	2	Cinnabar	091-010-12	40.00	RRA	RA-40	RR	No	Yes		No	RRL	Yes			Z92-25; TM92-1259

2-3

1=Fundamentally inconsistent 2=>General

3=Per BoS direction 4=Poss. further cons.

Inclusion Request Status Report--Errata

The following are changes to files listed in the Inclusion Request Status Report:
Supervisor District 2

File #	S U F	Applicant	APN	Acres	Area Plan	Existing Zoning	Requested Land Use Designation	Area Plan	Consistency Review						5/26/94	
									Project Description		Alternative		Public Review Draft		Status of inconsistent applications (see below)	
									Designation	Designation	Designation	Designation	Designation	Designation	Change	
1-003	2	Bourne, C.	319-240-36	5.15	LDR	RE-5	MDR	No	No	LDR	No	LDR	No	LDR	1	Application withdrawn
	2	Bourne, C.	319-240-37	5.45	LDR	RE-5	MDR	No	No	LDR	No	LDR	No	LDR	1	Application withdrawn
	2	Bourne, C.	319-240-39	5.02	LDR	RE-5	MDR	No	No	LDR	No	LDR	No	LDR	1	Application withdrawn
	2	Bourne, C.	319-240-42	5.01	LDR	RE-5	MDR	No	No	LDR	No	LDR	No	LDR	1	Application withdrawn
1-029	2	Foxtail Part.	086-130-42	2.14	MDR	RIA	HDR	No	Yes		Yes		Yes			Application withdrawn
2-039	1	Bass Lake J.V.	103-010-02	120.00	RRA	AE	HDR		Y/N	HDR/LDR	No	LDR	Y/N	HDR/LDR	1	Corrected Consistency Review
	1	Bass Lake J.V.	103-020-01	52.71	RRA	RE-10	HDR		Y/N	HDR/LDR	No	LDR	Y/N	HDR/LDR	1	Corrected Consistency Review
	1	Bass Lake J.V.	103-030-05	72.20	RRA	RE-10	HDR		Yes		No	LDR	Yes			Corrected Consistency Review
4-011	2	Helwig, L.	099-020-49	10.15	RRA	RE-10	LDR	No	Yes		Yes		Yes			Application withdrawn
4-036	2	Carnegy-Smith	078-030-57	1.46	C	C	C	Yes	Yes		No	LDR	No	LDR		Revised consistency review
	2	Carnegy-Smith	078-030-58	1.35	C	C	C	Yes	Yes		No	LDR	No	LDR		Revised consistency review
	2	Carnegy-Smith	078-030-59	2.03	C	C	C	Yes	Yes		No	LDR	No	LDR		Revised consistency review
	2	Carnegy-Smith	078-030-60	2.33	C	C	C	Yes	Yes		No	LDR	No	LDR		Revised consistency review
	2	Carnegy-Smith	078-260-75	2.01	C	C	C	Yes	Yes		No	LDR	No	LDR		Revised consistency review

1=Fundamentally inconsistent 2=>General Plan 3=Per BoS direction 4=Possible further consideration

1231 Manchester Dr.
El Dorado Hills, California 95762
916-933-0228

Feb. 19th 1993

Dear Tom,

Thanks very much for your time on the telephone on Wednesday evening. A group of us went to see Ray Nutting on Wednesday Feb 17th & explained our predicament. The commercial zoning of all of our properties on Pleasant Valley Rd where Thorsen Drive intersects it ~~are~~ is left out of the new General Plan Land use map.

Our desperate plea is that the existing zoning be retained, which should be reflected in the General Plan. The alternative will leave the existing businesses with a nonconforming status & strip the zoning which has been in place for many years, and indeed been added to over the years as the enclosed paperwork shows.

The history of the site shows commercial use as far back as 1963, with zoning being added in 1985/6 with an amendment to the General Plan. Eo Planning Commissioners & Supervisors hearings in '87 & '88 were held over the parcel split into 4 parcels, final approval coming in March 1989.

Met with The Director of Planning Larry Waino on January 25th 1990, after the General Plan Update had begun and he indicated the county wanted to see a commercial use of the land consistent with the zoning. Ray Nutting affirmed this view on Feb 17th 1993 when we met with him saying that he was in favour of the existing commercial zoning remaining in place.

I would very much appreciate your assistance with this and look forward to meeting you on site at your earliest convenience.

yours sincerely,

Adam Smith

NEGATIVE DECLARATION



AREA PLAN: Pleasant Valley FILE NO. 785-50

NAME OF APPLICANT: YESTERDAY FARMS

ASSESSOR'S PARCEL NO. 78-03-47 SECTION: 30 TOWNSHIP: 10 RANGE: 12

NEAREST COUNTY ROAD INTERSECTION: south side of Pleasant Valley Rd., 1 mi west of Snows Rd. intersection

GENERAL PLAN AMENDMENT: FROM: _____ TO: _____

REZONING: FROM: CP & RE-5 TO: CP

TENTATIVE PARCEL MAP SUBDIVISION TO SPLIT _____ ACRES INTO _____ LOTS

SUBDIVISION (NAME) _____

SPECIAL USE PERMIT TO ALLOW: _____

OTHER: _____

REASONS THE PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT:

No significant environmental concerns were identified during the initial Study.

Other: _____

In accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA) State Guidelines, and El Dorado County Guidelines for the Implementation of CEQA, the County Environmental Agent analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Planning Department hereby files this NEGATIVE DECLARATION. A period of thirty (30) days from the date of filing of this negative declaration will be provided to enable public review of the project specifications and this document prior to action on the project by EL DORADO COUNTY. A copy of the project specifications is on file in the El Dorado County Planning Division, 360 Fair Lane, Placerville, CA 95667.

FOR USE BY COUNTY CLERK

FILED

BILLIE MITCHELL, Clerk
By B. Churchill
Deputy 11-21-85

[Signature]
Prepared by

11/21/85
Date of Signature

Copy Distribution: Original-Board/

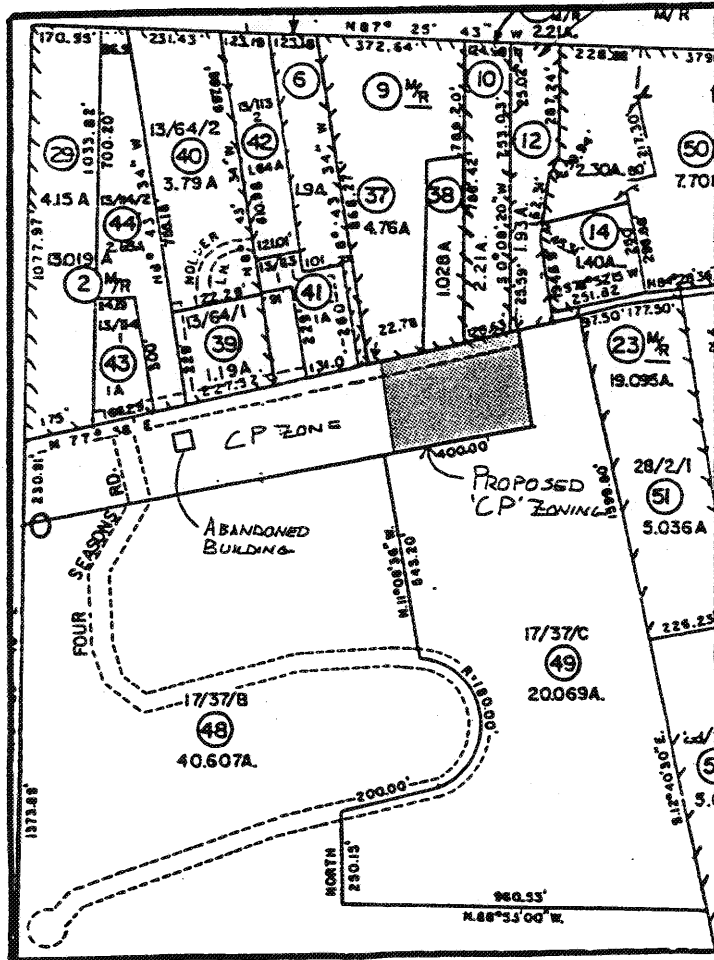
/ Goldenrod-File

Yesterday Farms

EXHIBIT "A"



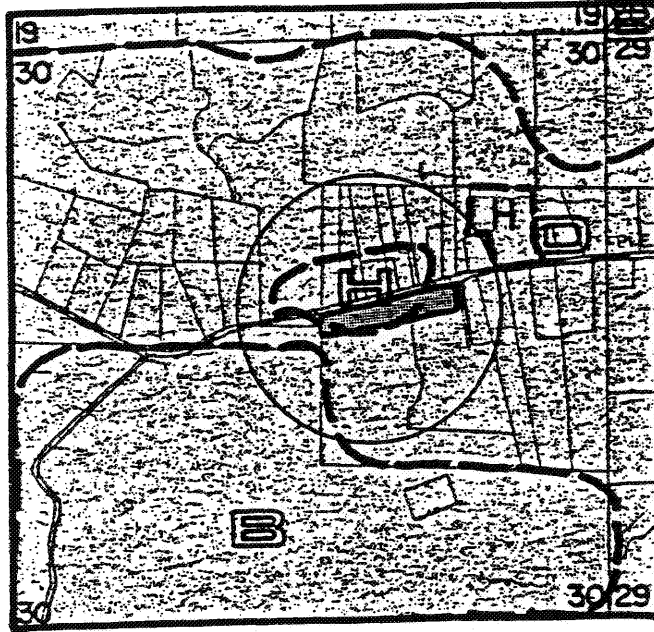
Project Detail



1" = 400'

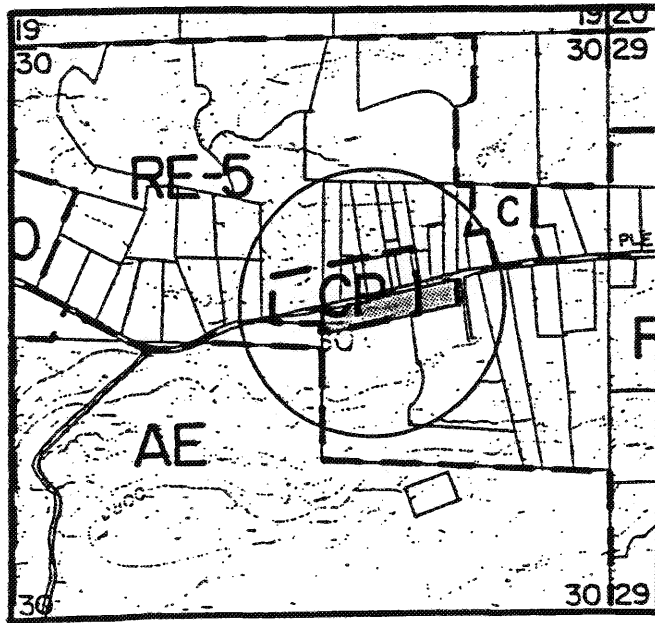
(CARIBBI D)

Surrounding Land Use and Zoning



LEGEND

- B - RURAL RES. AGRICULTURE 1 DU/10-160 AC.
- D - SINGLE FAMILY RES.-LOW DENSITY 1 DU/5 AC. MIN.
- H - COMMERCIAL



Sup's file.

1573

SUPERVISORS

FILE

"Where an amendment to an area plan is proposed, and the Long Range Land Use Plan designates the location where the amendment is proposed as Rural Residential, or as Low Density Residential, then the Rural Residential Policy #8 shall govern the amendment."

Proposed commercial land use exceeds the density allowed by the Rural Residential Areas Long Range Plan designation. However, this policy may be addressed by Rural Residential Development Policy 135 which reads,

"Neighborhood commercial, as displayed in the Community Area Plans, may be designated within the Rural Residential Areas."

Since the proposed amendment is adjacent to an ^{existing} ~~existing~~ neighborhood commercial core area and since commercial land uses are allowed in Rural Residential Areas, there may be a good cause for the additional area.

Rural Residential Policy #8 reads,

"The El Dorado County Planning Commission and Board of Supervisors may favorably consider a higher density and more intensive land use in the Rural Residential and Low Density Residential areas through amending a Community Area Plan where the following conditions are found:

- a) The Area Plan has not been revised or amended within the past two years, except where amendments are initiated by the Planning Commission or Board of Supervisors; and
- b) The proposed amendment is contiguous to the same higher density as displayed in the adopted Area Plan; and
- c) The proposal is consistent with the land capability system; and roads, fire protection, schools and public utilities have sufficient capacity and the ability to support the proposed development; and
- d) Where more than one amendment to a particular Area Plan is proposed that is located in the Rural Residential Area of the Long Range Land Use Plan, the Planning Commission and Board of Supervisors shall cumulatively consider these amendments."

Response:

- a. The Pleasant Valley/Oak Hill Area Plan was adopted in 1978.
- b. The amendment is adjacent to an existing commercial land use designation.
- c. Land capability including road access, fire protection, schools, and water service is adequate. For discussion on septic system capability, see Rezone Analysis.
- d. Cumulative impacts of General Plan Amendments in this area are generally addressed through the General Plan Amendment "window" approval process.



The proposed amendment appears to comply with the master policies and Rural Residential Policies of the Long Range Land Use Plan.

Area Plan: The Pleasant Valley Plan designates the subject property as Single Family Residential-Low Density (1 d.u./5 acre minimum). The proposed plan amendment and rezoning must comply with Development Policies of this plan.

Commercial Policy D1 reads,

"Clustered commercial development in designated areas is favored by the residents in the area. Commercial strip zoning will be strongly discouraged."

Proposed amendment and rezoning is adjacent to an existing clustered, neighborhood commercial area containing various woodworking shops and other commercial service uses. The project is not considered "strip zoning" since the proposed area is adjacent to an area already planned and zoned for commercial and present approximately 350 feet of road frontage.

Commercial Policy D3 reads,

"Commercial developments shall have adequate setbacks, parking facilities, landscaping and architectural conformity effecting a rustic western mode." *yeah dude!*

The site plan design and architectural issues could be addressed through the site plan review required in the CP, Planned Commercial, Zone District.

Other policies in this plan address environmental issues such as pollution control, streams and water quality, roads, sewage disposal, and others. Subsequent development approvals required for this property such as site plan review (Planning), building permit application (Building), and well and septic design (Environmental Health) should address these issues.

REZONE ANALYSIS

Site Characteristics: The project area is located at the bottom drainage of an east/west valley. Topography is essentially flat, rising slightly in the eastern portion. Vegetation is oak/grassland with several very large oaks. Perennial wet areas and the valley's drainage traverses the property.

Surrounding Land Use and Zoning (See Exhibit B): Various woodshop and service commercial uses are located across Pleasant Valley Road. The remaining land use consists of five- to ten-acre single family residential parcels. Homes to the west, south, and east are located away from the project site on higher ground. Surrounding land use and zoning is listed below:

North	C, SFR-LD	CP, RE-5 Zones
East	SFR-LD	RE-5 Zone
South	SFR-LD	RE-5 Zone
West	SFR-LD	RE-5 Zone

Staff Report
A85-13 - YESTERDAY FARMS

Access: The property maintains frontage on a straight portion of Pleasant Valley Road and should provide adequate access. An encroachment permit would be required for any development.

Slopes: All slopes are less than 10% and present no development limitation.

Services: The applicant proposes EID water service and septic system for services. EID has indicated no problems with water service, however, septic system capability is limited. The property contains perennial wet areas and has a known winter-ground water problem in the area near the abandoned gas station. Environmental Health maintains a monitoring well near this property. While there is extensive data for the property currently zoned CP, no septic information has been submitted for the area proposed for commercial. Ground water for the eastern area may be better since topography rises slightly from the remaining property.

While septic system capability may present a development limitation, it is staff's position that septic criteria need not be the sole grounds for denial of the project. A septic system for a small retail commercial facility may be feasible while a 20-unit motel may not. Capability depends in part on what kind of commercial use is proposed. Any development proposal will require septic system approval from Environmental Health which staff sees as an adequate safeguard. It should be noted, however, that the property has known septic system limitations which may place limitations on the scale and type of commercial development on the property.

*perennial wet areas
ground water*

*septic
OK?*

*at what
120ms*

*fill the
pipe*

HOWARD H. HEILMAN

644-1225

Talked to Karen Heitman
1-21-93.



Developer • builder • realtor

January 9, 1993

Vernon Gerwer, Supervisor District Two
330 Fair Lane
El Dorado County
Placerville, California 95667

Re: 2010 Plan

Dear Supervisor Gerwer,

We are owners of A.P.'s 78-260-74 and 78-260-72 on Pleasant Valley Road (map enclosed). We learned on December 7, 1992 that said parcels are being considered with others in the area for down zoning from the present (C.P.) Planned Commercial. Said zoning was assigned our property during the planning and approval of the Pleasant Valley, Oak Hill Area Plan in August 1979. We have been aware of the 2010 Plan taking place, however due to health reasons, including a recent laryngectomy, I have not been active in the hearings. More particularly we had no idea that our property was or could be considered for down zoning.

We are not aware of the present approach, however at the time of preparing the Pleasant Valley, Oak Hill Area Plan, consideration was given to present and past use, as well as logic, such as in our little commercial pocket which included a Shell gas station built in 1962, a cabinet shop established in the late 1960's and prior uses, including a hardware and grocery store. Some of this may not seem like desirable planning now, but existed before the planners.

Needless to say this down zoning consideration comes as a complete surprise and disappointment. We find it difficult to see how the Board even has such authority. We have spent thousands of dollars complying with the various County regulations for commercial including the installation of a fire hydrant and extended geological and soils analysis and tests.

WE HOPE YOU AND THE BOARD WILL LEAVE THE PRESENT ZONING IN PLACE.

We have owned the property in excess of 20 years, beginning with

1510 PLEASANT VALLEY ROAD • PLACERVILLE, CALIFORNIA 95667 • (916) 644-2017

contractors license # 43679

Page two

some 226 acres. The original zoning for it all was "U" unclassified (minimum 1 acre). The first thing we did was have it rezoned to 5 acre minimum. We then divided it into 20 acre parcels (thru the 5 or more parcel map process) which included a State Public Report and C C & R's for all other than the 5 acres that became commercial. Said C C & R's specified 5 acre minimum. Said division was considered a model development by County officials at the time. We divided the commercial into 4 parcels approved in 1988 and have sold two.

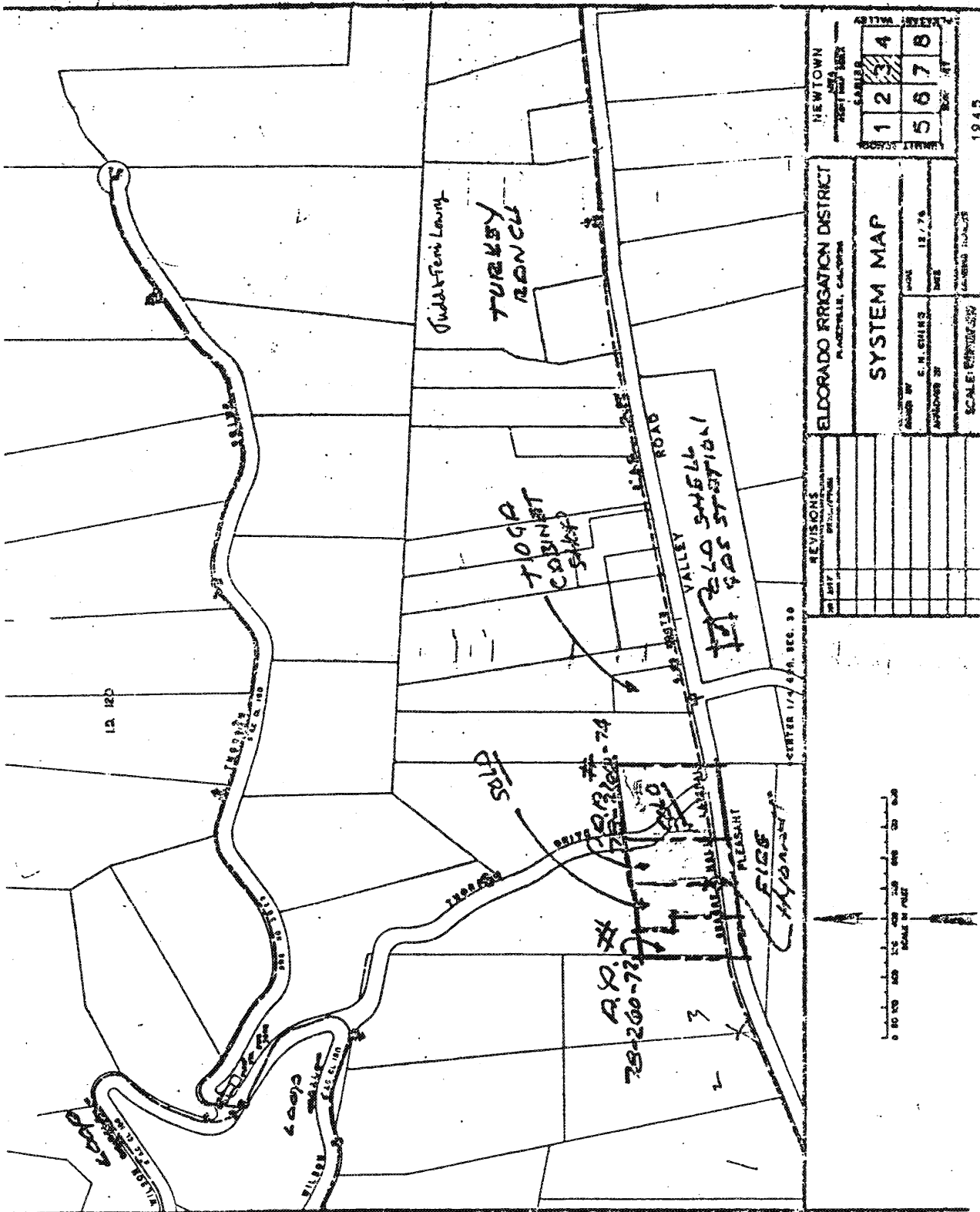
Being a long time active local resident of the community, we tried to use good sense and meet all and more than County requirements. Our long term goal was to create some investment for retirement. Some of the commercial has been sold and I am sure the buyers have similar motives. The two remaining parcels are for sale at prices based on commercial values.

Thank you for your consideration.

Sincerely,


Howard W. Hellman
CHROME RIDGE PROPERTIES

HHH/hh



NEW TOWN		SHEET NO.		SHEET	
1	2	3	4	5	6
ELECT. SYSTEM			SCALE: 1" = 100'		
5	6	7	8	9	10

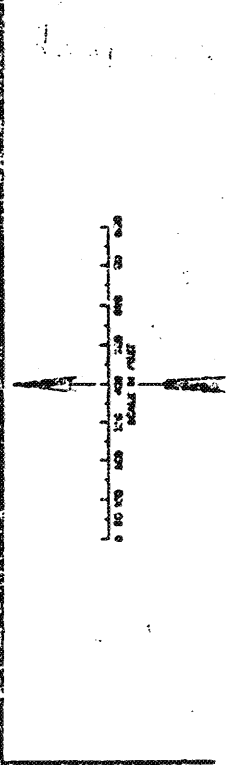
ELDORADO IRRIGATION DISTRICT
 PLACERVILLE, CALIFORNIA

SYSTEM MAP

DESIGNED BY: E. H. CHINE
 APPROVED BY: [Signature]
 DATE: 12/76

SCALE: 1" = 100'

NO.	DATE	REVISIONS



erry Walrod

1-25-90

2:00pm.

- basically retail sales - light industrial is a no-no.
- want to avoid the problems with the belt buckle factory - has other types of retail & wholesale sales on site. worried about groundwater contamination -
- Larry has control over planning of egress & ingress - car parking etc.
- Policy interpretation of CP is that it does include - retail - & offices & restaurant. → he has the say - doesn't have to go to the commissioners - its up to me & the planners - no dance halls, no cabinet & carpentry shops, no lumber yards but can have a home centre where its all enclosed -

CG - is heavy commercial - really tends towards light industrial (to not acceptable) sheet metal, tyre recapping etc. in CP packing & crating

Mission Flat & Pleasant Valley was wetlands, needed a lot of french drains - doesn't think the residents - wd. nec. object to retail chains

- Septic - see Ron Duncan -

- pipe under road - Old Camino Hotel has this - 600 yards away goes under several whole streets.

Arbun Lake Trails - has a similar concept aways from homes.

restaurants & laundromats need more septic. some retail uses need ^{on} low septic demands.

Conditions

Supp file - fire hydrants -

Supervisors hearing

not
we have
44'

1. ~~Subject to improving road easements to Standard Plan #112. Said improvements shall be in the area described from Pleasant Valley Road to the north boundary of the property. Pleasant Valley Road shall be improved to provide a half width of 22 feet from centerline per County Standard Plan 112. Sidewalks are not required. (Waived by Planning Commission 8/27/87).~~

2. Any bonded improvements shall be completed within one year of filing the parcel map.

3. ~~A statement from a civil engineer or the project surveyor that the design of roads and grading activities will or will not require a grading permit must be submitted. If a grading permit is required, then the following shall apply:~~

~~A civil engineer shall prepare a grading and erosion control plan which shall be implemented in accordance with Chapter 70 of the U.B.C. Said grading plan shall include an erosion control plan and all disturbed areas shall be corrected and constructed in accordance with the erosion control plan before October 15. (No longer applicable; Planning Commission action of 8/27/87).~~

4. ~~A drainage plan shall be prepared by a civil engineer and submitted to the Department of Transportation. The plan shall include impact on existing off site drainage facilities as well as on site needs. The required drainage facilities and easements should be shown on the parcel map. (No longer applicable; Planning Commission action of 8/27/87).~~

8' right of way

~~A right of way, half width of 40 feet from centerline, shall be granted to the County along Pleasant Valley Road. (Waived by Planning Commission 8/27/87).~~

20' right of way
Thorson
Side Dept.

6. Fire hydrants shall be installed in a manner and location acceptable to the Pleasant Valley Fire Protection District, per Section 5.9 of the Design Manual.

7. Subject to Environmental Health approval. (See note on Env. Health approval.)

8. ~~A nonvehicular access easement shall be shown on the parcel map along the Pleasant Valley Road frontage of Parcel 5. (No longer applicable; Planning Commission action of 8/27/87).~~

Planning Dept.
Forum. minutes.
1. attempt to
have the abatement
recess. to get it
moved?

9. Commercial access shall be limited to shared driveway access easements between Parcels 1 and 2 and Parcels 3 and 4. Said easements shall be shown on the parcel map.

10. Proposed parcels 4 and 5 shall be merged into one parcel. A five-foot nonvehicular access easement shall be designated on both sides of Thorson Drive. The area east of Thorson Drive shall not be buildable, and a note shall be placed on the Parcel Map to give constructive notice of this restriction. (Added by Planning Commission 8/27/87).

Findings

1. The proposed subdivision is consistent with El Dorado County's General Plan.

the building permit stage unless a notice of restriction is filed against the map.

The Department of Transportation has reviewed the tentative map and recommended that the roads be improved to commercial standards, including the frontage of Pleasant Valley Road. The Department also recommended that drainage plans be prepared that address the impact on existing off-site drainage facilities as well as on-site needs.

Access: All lots front Pleasant Valley Road. Parcels 4 and 5 also have frontage on Thorson Drive. Because of the high speed of traffic along Pleasant Valley Road and the potential conflict with numerous commercial driveways, there should be a nonvehicular-access easement along the Pleasant Valley Road frontage of Parcel ~~4 and 5~~. *Staff further recommends that a note be placed on the map to restrict to shared driveway at the frontage.*

Fire Protection: The Pleasant Valley Fire Protection District stated that water supply was their main concern. The Design Manual and local fire protection ordinance requires a fire hydrant every 250 feet in commercial and industrial areas.

Sewage Disposal: The proposed method of sewage disposal is by septic system. There was considerable concern raised during review of the previous map regarding a potential high water table that may require winter soil testing. The Board of Supervisors determined that the standard wording "subject to Environmental Health Approval" was appropriate. *Staff* This wording is recommended for the map being reviewed today. A note on the map states that Parcel 2, 3 and 4 will utilize an off-site septic area, for which a septic easement must be shown on the parcel map. This apparently meets Environmental Health standards.

off site septic area for 2,3,4.

ENVIRONMENTAL REVIEW

The project site can be developed at the same intensity whether or not it remains one 5-acre parcel or five smaller parcels. Therefore, the proposed land division will not have a significant impact on the environment. A Negative Declaration has been prepared and filed.

RECOMMENDATION

Approve the Negative Declaration, as filed, and further approve P87-56, subject to the following conditions and based on the following findings:

Conditions

1. Subject to improving road easements to Standard Plan #112. Said improvements shall be in the area described from Pleasant Valley Road to the north boundary of the property. Pleasant Valley Road shall be improved to provide a half

the building permit stage unless a notice of restriction is filed against the map.

The Department of Transportation has reviewed the tentative map and recommended that the roads be improved to commercial standards, including the frontage of Pleasant Valley Road. The Department also recommended that drainage plans be prepared that address the impact on existing off-site drainage facilities as well as on-site needs.

Access: All lots front Pleasant Valley Road. Parcels 4 and 5 also have frontage on Thorson Drive. Because of the high speed of traffic along Pleasant Valley Road and the potential conflict with numerous commercial driveways, there should be a nonvehicular-access easement along the Pleasant Valley Road frontage of Parcel 5. Staff further recommends that access along Pleasant Valley Road be restricted to shared driveways at two locations, between Parcels 1 and 2 and between 3 and 4. While there is no reference to such a requirement in the Design Manual, the Board of Supervisors has expressed its concern on similar maps where numerous driveways would encroach onto busy County roads. Limiting the number of driveways would protect the public safety and welfare.

Fire Protection: The Pleasant Valley Fire Protection District stated that water supply was their main concern. The Design Manual and local fire protection ordinance requires a fire hydrant every 250 feet in commercial and industrial areas.

Sewage Disposal: The proposed method of sewage disposal is by septic system. There was considerable concern raised during review of the previous map regarding a potential high water table that may require winter soil testing. The Board of Supervisors determined that the standard wording "subject to Environmental Health Approval" was appropriate. Such wording is recommended for this map being reviewing today. A note on the map states that Parcel 2, 3 and 4 will utilize an off-site septic area. This apparently meets Environmental Health standards.

ENVIRONMENTAL REVIEW

The project site can be developed at the same intensity whether or not it remains one 5-acre parcel or five smaller parcels. Therefore, the proposed land division will not have a significant impact on the environment. A Negative Declaration has been prepared and filed.

RECOMMENDATION

Approve the Negative Declaration, as filed, and further approve P87-56, subject to the following conditions and based on the following findings:

9. SPECIAL USE PERMITS - S87-19 (continued)

Commissioner Renke asked the current zoning across Loma Drive. Mr. Walrod said RE-10. Commissioner Johnson said the land use designation is RA.

10. DISCUSSION

- a. Report on the Draft Georgetown and Placerville Comprehensive Land Use Plans prepared by the Foothill Airport Land Use Commission.

ON MOTION OF COMMISSIONER ANDREWS, SECONDED BY COMMISSIONER GERWER AND FAILING BY THE FOLLOWING VOTE: AYES - COMMISSIONERS GERWER AND ANDREWS; NOES - COMMISSIONER JOHNSON; ABSENT - COMMISSIONERS RENKE AND HARRIS, IT WAS MOVED TO CONTINUE THIS ITEM TO THE MEETING OF AUGUST 13, 1987.

At the end of the agenda and as the above motion failed, Chairman Andrews continued this item to the meeting of August 13, 1987.

11. PARCEL MAPS (Public Hearing)

- a. P87-56; tentative parcel map, proposing to create five (5) commercial parcels on property identified by Assessor's Parcel No. 78-260-56, consisting of five acres, currently zoned CP, Planned Commercial, located on the north side of Pleasant Valley Road, at Thorsen Drive, in the Pleasant Valley/Oak Hill/Sly Park Area. Applicant: CHROME RIDGE PROPERTIES. Surveyor: FRED G. DE BERRY. (neg. Dec. filed)*

Peter Maurer presented this item to the Commission. He went over the staff report.

Howard Heilman further explained their proposal. He said they would like to merge Parcels 4 and 5, with no access from either Thorson Drive or Pleasant Valley Road. This parcel would then be used for a sewage disposal area.

As there was no further public input, Chairman Andrews closed the public hearing and brought the item back to the Commission for discussion and/or action.

Chairman Andrews asked if the County is mandated to follow the Uniform Fire Code. County Counsel said the only portion of the UFC adopted by the County is that portion having to do with structures.

Joe Herrlie, Department of Transportation, said the right-of-way width for minor collectors is 80 feet. He said due to the terrain, 60 feet should be sufficient here. He said there is no need for curb, gutters and sidewalks at the present time but provisions should be made for future development.

Commissioner Renke asked the width of the right-of-way of Pleasant Valley Road at this location. Mr. Herrlie said 50 feet. Commissioner Renke asked for further clarification on Condition #1.

11. PARCEL MAPS - P87-56 (continued)

Commissioner Gerwer asked Howard Heilman if there is a road improvement association up Thorson Drive for road improvements. She asked if he is part of the road improvement association. Mr. Heilman said there is no association; but if one goes through, he will be paying \$750 per parcel for road improvements.

Commissioner Renke asked for clarification on the requested design waiver. Mr. Maurer said there is no request for a design waiver. County Counsel said no design waiver has been advertised for this hearing. The best action would be, if the Commission approves the map, for the applicant to come back in with a specific design waiver request.

ON MOTION OF COMMISSIONER RENKE, SECONDED BY COMMISSIONER GERWER AND UNANIMOUSLY CARRIED, IT WAS MOVED TO APPROVE THE NEGATIVE DECLARATION, AS FILED, AND FURTHER APPROVE THE TENTATIVE PARCEL MAP, SUBJECT TO THE FOLLOWING CONDITIONS AND BASED ON THE FOLLOWING FINDINGS:

Conditions

1. Subject to improving road easements to Standard Plan #112. Said improvements shall be in the area described from Pleasant Valley Road to the north boundary of the property. Pleasant Valley Road shall be improved to provide a half width of 22 feet from centerline per County Standard Plan 112. Sidewalks are not required.
2. Any bonded improvements shall be completed within one year of filing the parcel map.
3. A statement from a civil engineer or the project surveyor that the design of roads and grading activities will or will not require a grading permit must be submitted. If a grading permit is required, then the following shall apply.

A civil engineer shall prepare a grading and erosion control plan which shall be implemented in accordance with Chapter 70 of the U.B.C. Said grading plan shall include an erosion control plan and all disturbed areas shall be corrected and constructed in accordance with the erosion control plan before October 15.

4. A drainage plan shall be prepared by a civil engineer and submitted to the Department of Transportation. The plan shall include impact on existing off-site drainage facilities as well as on-site needs. The required drainage facilities and easements should be shown on the parcel map.

PARCEL MAP NEGATIVE DECLARATION

Site Review of Project

Area Plan, goal and policy review: PLEASANT VALLEY - OAK HILL - SLY PARK - COMM. &
SP RES. LOW DENS. 5 AC. MIN. ZONE CP & RE-5
OUTSIDE URBAN AREA

Is the project compatible with existing zoning and plans? Yes _____ No
Further comments PARCEL 4 IS SUBSTANTIAL IN SIZE (2.2 AC IN RE-5 ZONE)
NOTE ACREAGE DIFFERENCE

ENVIRONMENTAL ASSESSMENT:

Environmental issues raised during early consultation period? Yes No _____
Environmental issues identified:

NONE, OR IMPACT ON PUBLIC SERVICES: ROADS, FIRE PROTECTION; POTENTIAL
IMPACT ON GROUNDWATER QUALITY FROM SEPTIC SYSTEMS

Proposed methods to mitigate significant effects identified MITIGATION & IMPACT FEES;
CONFORMANCE TO DESIGN STANDARDS FOR SEPTIC SYSTEMS

TO BE COMPLETED AFTER EARLY CONSULTATION PERIOD:

Upon review of information submitted by the applicant and comments received during the Early Consultation period, I find that the project will not have a significant impact on the environment and a Negative Declaration will be filed for this project. A period of ten (10) calendar days from the filing of this document with the County Clerk, or longer if required by law, shall be provided for public review and comment prior to action on this negative declaration by El Paso County.

FOR USE BY COUNTY CLERK

Alan H. McLean
Prepared By

15 Sept 1996
Date

P86 161



TENTATIVE PARCEL MAP REVIEW
 ASSESSOR'S PARCEL NUMBER 78-03-47
 NO. OF LOTS PROPOSED 4

ENGINEERING

Tentative Parcel Map No.: P86-161 Date: 9-8-86

Agency: COMMUNITY DEVELOPMENT DEPT.

The following relates to water and sewer capability pursuant to Policy Statement No. 22 for the above described item.

Easements: _____

Services:

- District services are not requested.
- Property is not within the District. No commitment to service.
- ~~Water and/or~~ sewer service not available. ~~See comments.~~
- Existing water and sewer facilities can be applied for at the District office as of this date. This condition is subject to change with changes in District Regulations and Policies and with changes in system conditions.
- Water and/or sewer service is not immediately available. Developer must obtain approval of, finance, and construct an extension of facilities for water and/or sewer. System adequacy will be determined at the time of application.
- No significant environmental impacts are evident with regard to District Facilities.

Comments: 8" MAIN FRONTS ALL PROPOSED
PARCELS

Reviewed by:

Lewis W. Archuletta
 Lewis W. Archuletta
 Planner

EL DORADO COUNTY
 RECEIVED

Distribution:

- Original to Agency
- Copy to Tentative Parcel Map Review File
- Copy to El Dorado County Surveyor's Office

SEP - 9 1986

COMMUNITY DEVELOPMENT
 DEPARTMENT

PLACERVILLE-COUNTY TITLE CO.
 AND WHEN RECORDED MAIL TO
 Name HEWA
 Street 4510 Pleasant Valley Road
 Address Placerville, CA 95667
 City & State

P86 161

The undersigned grantor(s) declare(s):
 Documentary transfer tax is \$33.55
 () computed on full value of property conveyed, or
 (X) computed on full value less value of liens and encumbrances remaining at time of sale.
 A.P. No. 78-030-47 **Grant Deed** ORDER No. 146,876 SF

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

YESTERDAY FARMS, a limited partnership

hereby GRANT(S) to

HEWA, a California limited partnership

the following described real property in the unincorporated area of the
 County of El Dorado, State of California:

PARCEL A, as said Parcel is shown on that certain Parcel Map
 entitled "Portion East 1/2 Section 30, T. 10 N., R. 12 E.,
 M.D.M., filed September 8, 1977 in the office of the County
 Recorder of said County in Book 17 of Parcel Maps, at Page 37.

This deed is made subject to an existing deed of trust dated October
 26, 1977, executed by Wendell Inman and Gertrude Inman, in favor of
 Leslie B. Jespersen & Barbara A. Jespersen, recorded October 31, 1977,
 in Book 1563 Page 493 Official Records.

hereby certify that this is a true and
 correct copy of the original
 in book 3603 322
 of El Dorado Co.

By Debra Strait
 Assessor

Dated May 29, 1986

YESTERDAY FARMS, a limited partnership

By: Dale R. Brogen General Partner

By: James H. Ingram General Partner

By: Michael E. Petersen Conservator for Wendell Inman General Partner
 and estate of Wendell Inman, General Partner

STATE OF CALIFORNIA }
 COUNTY OF _____ } SS.
 On _____ before me, the under-
 signed, a Notary Public in and for said State, personally appeared _____

 personally known to me, or proved to me on the basis of satis-
 factory evidence, to be the person _____ whose name is
 subscribed to the within instrument and acknowledged that _____
 executed the same.
 WITNESS my hand and official seal.
 Signature _____

7. ZONING BOUNDARY AMENDMENT - Z87-11 (continued)

Commissioner Renke said the staff report states public sewer and water must be provided. He said he thought it was one or the other that had to be provided. Mr. Walrod said he believes both are required.

As there was no one in the audience wishing to give public input, Chairman Andrews closed the public hearing and brought the item back to the Commission for discussion and/or action.

The applicant was not present.

ON MOTION OF COMMISSIONER GERWER, SECONDED BY COMMISSIONER RENKE AND CARRIED BY THE FOLLOWING VOTE: AYES - COMMISSIONERS RENKE, GERWER AND ANDREWS; NOES - COMMISSIONERS HARRIS AND JOHNSON, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS APPROVE THE NEGATIVE DECLARATION, AS FILED, AND FURTHER APPROVE THE REQUEST, BASED ON THE REASONS:

1. Public services, including water, sewer and fire protection, are available. Access road improvements and adequate sewage disposal will be conditioned in conjunction with any subsequent subdivision map.
2. The requested RIA Zone is consistent with the Long Range Plan and Placerville Periphery Area Plan.
3. The land capability system appears to be adequate to accommodate RIA zoning.

8. PARCEL MAPS (Public Hearing)

- a. 87-56; CHROME RIDGE PROPERTIES, INC. (Agent: Howard Neilman), revised tentative parcel map to consider design waiver request for the following: 1. waiver of road improvements to Thorson Drive; 2. waiver of half-width road improvements to Pleasant Valley Road; 3. reduction in required 40-foot from centerline road easement to 25 feet; 4. adjustment in fire hydrant installation to possibly exceed the 125-foot minimum distance from each parcel to a hydrant. The property, identified by Assessor's Parcel No. 78-260-56, consists of five acres, is currently zoned CP, Planned Commercial, is located on the north side of Pleasant Valley Road, at Thorson Drive, in the Pleasant Valley/Oak Hill/Sly Park Area. Surveyor: Fred G. DeBerry. (Neg. Dec. filed)*

circulation
amendment,
requires 120'

|||

was him -

Peter Maurer presented this item to the Commission. He went over the staff report.

Commissioner Renke said as he understands it, Parcels 4 and 5 were going to be combined and that is not shown on the tentative parcel map. Mr. Maurer said if that is what is needed for approval, the applicant will combine the parcels; however, he does not want to do that.

8. PARCEL MAPS - 87-56 (continued)

Chairman Andrews asked if a Notice of Restriction was filed, would it apply to all proposed parcels. Mr. Maurer said it would. Chairman Andrews said there is a house on one of the proposed parcels. Is there any way the use could be converted to a commercial use without the Notice of Restriction being effective? Mr. Maurer said he could not think of an instance where the Notice of Restriction would not be effective.

Howard Heilman said there are no changes on the map (combining Lots 4 and 5) because they did not file a new map. He said he thought that would be done based on the results of the meeting today. Mr. Heilman said Parcel 5 had the best perc and would be used mainly for septic system disposal. He said the property has been zoned commercial for approximately ten years (since the Area Plan was adopted). Mr. Heilman said they had a previous map which expired and they are back with a new map. He said there is a fire hydrant within 500 feet of the property. The structure on the property is an old bunk house. Mr. Heilman said he feels curbs, gutters and sidewalks are premature at the present time.

acc. to Mr Heilman

As there was no further public input, Chairman Andrews closed the public hearing and brought the item back to the Commission for discussion and/or action.

As there was no further public input, Chairman Andrews closed the public hearing and brought the item back to the Commission for discussion and/or action.

Joe Herrlie, Department of Transportation, said their department supports staff's recommendation for improvements to be done at this time or as with a Notice of Restriction. Regarding the right-of-way, the terrain is rather flat in this area and the improvements should fit within the right-of-way width; and if this is so, they would have no problem with a reduced right-of-way width.

*So 50' was
K rather than
9 80'*

Commissioner Johnson asked how his department feels about five encroachments within 650 feet. Mr. Maurer said there would be only two access points, between Lots 1 and 2, between Lots 3 and 4, and Lot 5 would get their access from Thorson Drive. Mr. Herrlie said there are requirements for distances between driveways. Mr. Maurer said on the original map, as previously approved, Parcel 5 is restricted to access from Thorson Drive.

Chairman Andrews asked Mr. Herrlie if he was opposed to a Notice of Restriction. Mr. Herrlie said not if it gets the improvements.

8. PARCEL MAPS - 87-56 (continued)

County Counsel was present after this point in the meeting.

Commissioner Renke asked Mr. Maurer the position of the fire department on the fire hydrants. Mr. Maurer read the fire hydrant requirements from the Design Manual.

ON MOTION OF COMMISSIONER RENKE, SECONDED BY COMMISSIONER HARRIS AND CARRIED BY THE FOLLOWING VOTE: AYES - COMMISSIONERS RENKE, HARRIS AND GERWER; NOES - COMMISSIONERS JOHNSON AND ANDREWS, IT WAS MOVED TO GRANT APPEAL #1 (Thorson Drive), SUBJECT TO THE FOLLOWING CONDITIONS AND BASED ON THE FOLLOWING REASONS:

Conditions

1. Lots 4 and 5 shall be combined.
2. Lots 3 and 4 shall take access from Pleasant Valley Road.

Reasons

1. Thorson Drive will serve no commercial use.
2. The design standard would cause extraordinary hardship in developing the property.
3. The granting of the waiver would not be detrimental to the public health, safety or welfare.
4. The granting of the waiver will not have the effect of nullifying other County ordinances.

ON MOTION OF COMMISSIONER RENKE, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY CARRIED, IT WAS MOVED TO GRANT APPEAL #2 (Pleasant Valley Road), BASED ON THE FOLLOWING REASONS:

1. There are special circumstances or conditions applying to the land in that this commercial area is in a country environment and not included in any urban type of commercial development.
2. The design standard would cause extraordinary hardship in developing the property.
3. The granting of the waiver would not be detrimental to the public health, safety or welfare.
4. The granting of the waiver will not have the effect of nullifying other County ordinances.

8. PARCEL MAPS - 87-56 (continued)

ON MOTION OF COMMISSIONER RENKE, SECONDED BY COMMISSIONER GERWER AND UNANIMOUSLY CARRIED, IT WAS MOVED TO GRANT APPEAL #3 (road easement width), BASED ON THE REASONS:

1. The Department of Transportation found that the improvements could be made within the existing easement.
2. The design standard would cause extraordinary hardship in developing the property.
3. The granting of the waiver would not be detrimental to the public health, safety or welfare.
4. The granting of the waiver will not have the effect of nullifying other County ordinances.

ON MOTION OF COMMISSIONER RENKE, SECONDED BY COMMISSIONER GERWER AND UNANIMOUSLY CARRIED, IT WAS MOVED TO DENY THE APPEAL #4 (hydrants), REQUIRING THE HYDRANT LOCATION TO BE A MAXIMUM DISTANCE OF 250 FEET BETWEEN FIRE HYDRANTS, BASED ON THE REASONS:

1. There are no special circumstances or conditions peculiar to the property.
2. The design standard would not cause extraordinary hardship in developing the property.
3. The granting of the design waiver would be detrimental to the public health, safety and welfare.
4. The granting of the design waiver would have the effect of nullifying other County ordinances.

- b. 87-109; application submitted by MARVIN L. OATES (Agent: Mac W. Huss) to modify the lot size and orientation of ten lots within the existing Royal Heights Townhouse Subdivision. The properties, identified by Assessor's Parcel Nos. 82-690-02, -03, -07, -08, -10, -11, -12, -19, -20 and -23, consist of 2.97 acres, are currently zoned R2-PD, Limited Multifamily Residential-Planned Development/Design Control, are located south of Royal Drive and west of Heights Drive, in the Cameron Park Area. Engineer: GENE E. THORNE & ASSOCIATES. (Neg. Dec. filed)*

Larry Walrod presented this item to the Commission. He went over the staff report.

Gene Thorne said 13 lots in this development have already been built on. Basically, all they are doing is shifting the lot lines.

June 9, 2003

03 JUN 13 AM 8:58

RECEIVED
PLANNING DEPARTMENT

Eldorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

Subject: Eldorado County General Plan

I am told that the public may make comments on the Eldorado County General Plan at this time. First, I think Alternative #4 : 1996 General Plan Alternative is the best choice. Second, I would propose that because of the close proximity of the Consumes River College, public transportation available near the site, and the availability of an easement for an 8 inch EID water line and a 10 inch sewer line that parcels # (APN) 317-170-28-1 (76 acres) and 317-250-38-1 (18 acres) be considered for a planned community with perhaps some housing for retired people.

92-1

92-2

Sincerely,



David E Thorburn
2161 Colorado Ave., Suite
Turlock, California 95382

Stephan C. Volker
Heather A. Dagen
Gretchen E. Dent

Law Offices of
STEPHAN C. VOLKER
436 14th Street, Suite 1300
Oakland, California 94612
Tel: 510/496-0600 ♦ Fax: 510/496-1366
email: svolker@volkerlaw.com

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667
FAX: 530-642-0508 PHONE: 530-621-5355

Re: Request for extension of time in which to comment on El Dorado County Draft General Plan (3 volumes) and Draft Environmental Impact Report Thereon (3 Volumes)

Dear Sir or Madam:

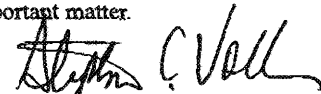
I am writing to request a 45-day extension of time in which to submit comments on the Draft El Dorado County General Plan and Draft EIR thereon. According to your notice dated April 30, 2003, public comments on both of these documents are due on June 16, 2003. I need more time to prepare comments on these documents for three reasons. First, despite my repeated requests, your staff did not forward a copy of the Draft Plan to my office until late last week.

Second, because the Draft Plan and Draft EIR are lengthy, aggregating some six volumes together, I will require at least three, and probably four more weeks in order to review and prepare comments on these documents.

Third, our review of these documents is hindered by the fact that many of my clients lack representation on the El Dorado County Board of Supervisors due to the recent death of former Supervisor Carl Borelli. Until his successor is selected late next month, a large number of my clients will be unable to communicate with their elected representative on the Board of Supervisors with regard to a number of environmental and planning policy questions that have arisen and about which I wish to submit comments.

For the foregoing reasons, I respectfully request that you extend the comment period on both the Draft County General Plan and the Draft EIR thereon for at least thirty days, and preferably forty-five days, to July 31, 2003.

Thank you for considering my comments on this important matter.



Stephan C. Volker,
Attorney for El Dorado County
Taxpayers for Quality Growth
and other concerned conservation
groups and County residents.

cc: Louis B. Green, County Counsel

93-1

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Division of Housing Policy Development

1800 Third Street, Suite 430
P. O. Box 952053
Sacramento, CA 94252-2053
www.hcd.ca.gov
(916) 323-3177 FAX: (916) 327-2643



03 JUN 11 PM 2:35
RECEIVED
PLANNING DEPARTMENT

June 10, 2003

Mr. Conrad B. Montgomery, Planning Director
El Dorado County
2850 Fairland Court
Placerville, California 95667

Dear Mr. Montgomery:

RE: Review of El Dorado County's Draft Housing Element

Thank you for submitting the El Dorado County's draft housing element received for our review April 11, 2003. As you know, the Department is required to review housing elements and report our findings to the locality pursuant to Government Code Section 65585(b). Telephone conversations on May 30, 2003 with Mses. Tschudin, Lee, Aldrich and Mr. Peter Maurer of your staff and Ms. Lisa Weis, the County's consultant facilitated our review.

94-1

The Department has received and considered comments pursuant to Government Code Section 65585(c), from Mr. Thomas Tunny, representing a property owner in El Dorado County.

94-2

The County is commended for the wide array of housing programs planned for the current housing element cycle (through June 2007), including the adoption of universal design standards, promotion of density bonuses, and its initiative to reduce or defer impact fees for housing development affordable to lower-income households. However, revisions will be necessary to comply with State housing element law (Article 10.6, of the Government Code). Among the needed revisions, the element should demonstrate the County's permit processing procedures for multifamily development facilitate and encourage multifamily housing, and how the element is consistent with its general plan. A more in-depth discussion of these and other issues is included in the enclosed Appendix.

94-3

We understand the County's current planning functions are restricted by writ of mandate, and this element update is submitted as the County's General Plan is being revised. Through this General Plan update, four development scenarios are being considered to lift the writ of mandate. As these processes move forward concurrently, it is imperative that the County retain an adequate land inventory to accommodate its regional housing share obligations at a minimum, and provide ample opportunities through zoning, mitigation of governmental constraints and housing programs to facilitate the development of a variety of housing types.

94-4

We hope our comments are useful to the County. We would be pleased to provide any assistance necessary to facilitate the County's effort to bring the element into compliance with housing element law. If you would you like to discuss the County's technical assistance needs or schedule a meeting in either Placerville or Sacramento, please contact Paul Dirksen Jr., of our staff, at (916) 445-5307.

94-5

Mr. Conrad B. Montgomery, Planning Director
Page 2

In accordance with their requests pursuant to the Public Records Act, we are forwarding a copy of this letter to the individuals listed below.

Sincerely,



Cathy E. Creswell
Deputy Director

Enclosure

cc: Heidi Tschudin, General Plan Project Manager, El Dorado County
Sara Lee, Senior Planner, El Dorado County
Joyce Aldrich, Housing Manager, El Dorado County
Peter Maurer, Principal Planner, El Dorado County
Lisa Weis, Consultant, Crawford, Multari & Clark
Thomas Tunny, Allen Matkins, Leck Gamble & Mallory
Mark Stivers, Senate Committee on Housing & Community Development
Suzanne Ambrose, Supervising Deputy Attorney General, AG's Office
Terry Roberts, Governor's Office of Planning and Research
Nick Cammarota, California Building Industry Association
Marcia Salkin, California Association of Realtors
Marc Brown, California Rural Legal Assistance Foundation
Rob Weiner, California Coalition for Rural Housing
John Douglas, AICP, Civic Solutions
Deanna Kitamura, Western Center on Law and Poverty
S. Lynn Martinez, Western Center on Law and Poverty
Alexander Abbe, Law Firm of Richards, Watson & Gershon
Michael G. Colantuono, Colantuono, Levin & Rozell, APC
Ilene J. Jacobs, California Rural Legal Assistance, Inc.
Richard Marc Antonio, Public Advocates
Wendy Anderson, Legal Services of Northern California
Brian Augusta, Legal Services of Northern California
Celestial Cassiman, Legal Services of Northern California
Larry Stenzel, Resources for Independent Living
Dara Schur, Protection & Advocacy, Inc.
Ethan Evans, Sacramento Housing Alliance

**APPENDIX
El Dorado County**

Incorporating the changes below will bring the El Dorado County housing element into compliance with Article 10.6 of the Government Code. The section(s) of the government code is included below with recommendations to assist you in bringing the element into compliance.

94-6

Housing element technical assistance information is available on our website at www.hcd.ca.gov. Refer to the Division of Housing Policy Development and the section pertaining to State Housing Planning. Among other resources, the Housing Element section contains the Department's publication *Housing Element Questions and Answers (Qs & As)* and the Government Code addressing State housing element law.

A. Housing Needs, Resources and Constraints

1. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, and housing characteristics, including overcrowding (Section 65583(a)(2)).*

The County's element provides a general analysis of housing costs and earnings needed to afford rental housing based on a national publication. However, the housing needs section of the element should include an analysis of the extent of overpayment by lower-income households (households earning less than 80 percent of the County median income) and overcrowding by tenure.

94-7

For your information, estimates of overpayment from the 2000 census indicates the following: there were 3,553 renter households earning \$35,000 or less (less than 80 percent of the County median household income (\$40,800)) of which 2,372 paid 30 percent or more of their household income on housing, and 5,629 owner households earning \$35,000 or less of which 2,372 paid 30 percent or more of their household income on housing.

Additionally, 2000 Census data reveal that 3,839 owner-occupied and 765 renter-occupied households reside in overcrowded conditions. This information should be included in the County's housing element and analyzed. Once the analysis is complete, the County should determine whether additional programmatic efforts are needed to ameliorate overpayment and/or overcrowding in the unincorporated county.

94-8

2. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of their relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)).*

While the element appears to have identified sites to accommodate its total share of the regional housing needs allocation, we understand the land inventory is based on current zoning and may change as the County considers a number of land-use alternatives, including two constraint-based alternatives. It is imperative as the County considers the various land-use alternatives that the final land-use alternatives identify adequate sites with appropriate densities and development standards to accommodate its share of the regional housing needs allocation.

94-9

D. Consistency with the General Plan

The housing element shall describe the means by which consistency will be achieved with other general plan elements and community goals (Section 65583(c)).

The housing element should analyze its consistency with other elements of the general plan, including the circulation, land-use, and open space elements, as well as the County's zoning ordinances and capital improvement plans. This is especially important as the County considers a number of alternative land use plans through the general plan update process.

94-32

From: Linda Matthews [mailto:lmattthews3342@sbcglobal.net]
Sent: Tuesday, June 10, 2003 10:54 AM
To: pmaurer@co.el-dorado.ca.us
Subject: general plan

Mr. Maurer,

I was given you name from David Schulze regarding the general plan.

I live on Bridget Brae Road in Shingle Springs, with the 1996 general plan my parcel is zoned 1 acre, and would very much like to see that this is still the way it will be zoned after adoption of a new general plan. I'm very concerned that I will be limited with my ability to split my acreage in the near future if you adopt general plan#3.

I've lived in here for numerous years and would like to know that my parcel can be split to 1 acre as all those parcels around me have done. I would appeal to you to let us individuals have the same opportunity as the developers have in this county. I would like to know that I have the potential to remain in an area that is concerned with the growth, and at the same time provide an opportunity to develop my land as was approved in 1996. Please give consideration to keeping this area zoned as a 1 acre residential.

Thanks for your consideration.

Regards,

Linda matthews

APN 070-072-17

95-1

P.O. Box 934
Carmichael CA 95709
June 10, 2003
530-644-1209

Mr. Peter Maurer
Principal Planner
El Dorado County
2850 Fairlane Court
Placerville CA 95667

RECEIVED
PLANNING DEPARTMENT
08 JUN 11 PM 2:19

RE: Parcel No 076-230-26-100
22.50 acres
Parcel No 076-230-03-100
4.22 acres

Dear Sir:

This is to inform you that the proposed zone change on the above two parcels is totally unsatisfactory.

I am 78 years old (World War II vet) and my wife is 77. We bought our property in 1971. It was zoned one acre at that time. We built our home on the 22.50 acre parcel.

When we bought the property it was a mess. It had just been logged and there was slash and dead trees everywhere. The cabin on the 4.22 acres had been vandalized and the barn doors were gone. Some of the tin on the roof was missing

96-1

Page 2
Mr. Peter N. Maurer

We did extensive repair work on the cabin and repair work on the barn.

We have spent thousands and thousands of dollars on repair work, clearing the brush, slash, blackberries and poison oak. We have even planted young trees on the property.

Our property is in the middle - with homes all around us. All the property around us has been built on. Across from us a new street was put in (Sweet Birch Lane) with one acre zoning. Below us, Bonnie Court was put in with one acre zoning.

96-1

As you come into Alder Drive some of the homes on the left have $1/3$ or $1/2$ acre zoning.

Compared to Cameron Park and El Driedo, Hick very few homes have been built around Cedar Grove.

I believe we should be allowed to keep our one acre zoning because every one around us was allowed to develop their land, and now we

Peter N. Maurer

Page 3

may not be allowed to develop ours.
We hope that you will re-consider
the change that you have proposed
under Truffi Constrained for our
land and leave the two parcels
with the One acre zoning -- the same
as 1996.

96-1

Yours Truly

William D. White

William D. White
Telephone (916) 644-1209

536

Residence Address:
2865 Alder Drive
Camino, CA 95709

Mailing Address:
P.O. Box 934
Camino, CA 95709

DEPARTMENT OF TRANSPORTATION

DISTRICT 3, SACRAMENTO AREA OFFICE

Venture Oaks -MS 15

P.O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 274-0638

FAX (916) 274-0648

TTY (530) 741-4509



*Flex your power!
Be energy efficient!*

03 JUN 13 AM 8:34
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PLANNING DEPARTMENT

June 11, 2003

03ELD0012/15

El Dorado County General Plan Update
and Draft EIR

03ELDALL

Mr. Peter Maurer
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

Dear Mr. Maurer:

Thank you for the opportunity to review and comment on the El Dorado County General Plan Update and Draft Environmental Impact Report. Our comments are as followed:

- Caltrans commends the positive approach El Dorado County has taken in proposing many innovative policies, such as the following:
 - Land Use. Protection and conservation of existing communities and rural centers; creation of sustainable communities; curtailment of urban/suburban sprawl; location and intensity of future development consistent with the availability of adequate infrastructure; and mixed and balanced uses that promote use of alternate transportation systems.
 - Existing Community Identity. Maintain and enhance the character of existing rural and urban communities, emphasizing both the natural setting and built design elements which contribute to the quality of life, economic health, and community pride of County residents.
 - Regional Highway System. Provide a regional highway system which serves as the County-wide roadway component of a balanced transportation system.
 - Safe and Efficient Highway System. Provide for safe, convenient and efficient movement of people and goods through the regional highway system.
 - High Quality Public Transportation. Serve the people of El Dorado County

"Caltrans improves mobility across California"

97-1

by encouraging and supporting high quality public transportation services that are convenient, safe, efficient and effective.

- General Housing Policies. Ensure that projected housing needs can be accommodated, the County shall maintain an adequate supply of suitable sites that are properly located based on environmental constraints, community facilities, and public services.
- The General Plan Alternative #2, Roadway Constrained Six-Lane "Plus," limits any expansion of Highway 50 to six lanes. This is inconsistent with Caltrans System Planning wherein the Transportation Concept Report (TCR) (our plan for the future of Highway 50) indicates a need for an ultimate eight-lane facility, including high occupancy vehicle lanes between Sacramento and Placerville. Therefore, our planning indicates that constraining Highway 50 to six lanes will cause significant traffic congestion and motorist delays in the future.
- Caltrans applauds the County for its emphasis on encouraging development of housing for very low, low, and moderate-income residents. However, we disagree with the recommendation that consideration be given to granting planning staff the ability to ministerially approve multi-family and affordable housing projects (see page 154, Measure HO-V in Housing Element). Caltrans and other governmental agencies have a need and responsibility to review and comment on projects that may affect their resources per the California Environmental Quality Act (CEQA), Presidential Executive Order 123721, and Governor's Executive Order D24-83.
- Housing subdivisions should be evaluated collectively, instead of on a piece-meal basis in order to provide for early identification of cumulative impacts, to identify needed mitigation measures, and to establish a fair-share program for developer fees (if applicable).
- A stronger emphasis should be made in developing housing along with the necessary improvements to the multimodal transportation system within the housing developments (bikes, pedestrians, and transit riders). For example, development of a multimodal system is mentioned often in the *Transportation and Circulation Element*, but not in the *Housing Element*. We believe that consideration of a multimodal system should be mentioned in the *Housing Element*, as part of the goals for developing mixed-use developments.
- On Page 55, Goal TC-1: For six lane and four-lane divided roads, the minimum interchange spacing standards are two miles in rural areas and one mile in urban areas.
- The Transportation and Circulation analysis on pages 3-42, 3-53, 3-61 and 3-62 is based on a list of roadway segments that are approved to operate at LOS F. However, that list is inconsistent with our TCRs for US 50, State Route (SR) 49, and SR 89, which identify additional roadway segments that are expected to operate at "F" within the 20-year planning horizon. Enclosed is a table of the 20-year improved concept plan in regards to TCR LOS levels. The table shows the segments on SR 49, US 50 and SR 89 within El Dorado County that Caltrans expects to fall to Level of Service (LOS) F within twenty

"Caltrans improves mobility across California"

97-1

97-2

97-3

97-4

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97-7

Mr. Peter Maurer
June 11, 2003
Page 3 of 3

years. However, not all of these segments are "allowed" to become LOS F, per the El Dorado County 1996 General Plan. The 1996 General Plan identified a list of roadway segments which are allowed to become LOS F. No additional segments are allowed to become LOS F without voter approval. Therefore, there is a discrepancy between the projected traffic congestion on those highways and the LOS that is allowed by county policy. This discrepancy needs to be addressed in the 2003 General Plan and/or DEIR.

97-7

If you have any questions regarding these comments, please contact Cathy Chapin at (916) 274-0640.

Sincerely,



JEFFREY PULVERMAN, Chief
Office of Regional Planning

Enclosure

"Caltrans improves mobility across California"

Caltrans' Transportation Concept Reports (TCRs) show that even with improvements, these freeway segments will become Level of Service (LOS) F within a 20-year planning horizon.

SR 49 (2020 planning horizon)	US 50 (2018 planning horizon)	SR 89 (2021 planning horizon)
Amador/El Dorado Co. line to Union Mine Road Union Mine Road to Sacramento Street Sacramento Street to the junction of SR 193 and SR 49	El Dorado/Sacramento Co. line to W. Placerville undercrossing Ice House Road to Echo Summit Echo Summit to the junction of US 50 and SR 89 Junction of US 50 and SR 89 to the California/Nevada state line	Alpine Co. to US 50 @ Myers (without improvements)

Only these roads in El Dorado Co. are currently allowed to operate at LOS F, per the 1996 General Plan.

SR 49	US 50	SR 89
Pacific/Sacramento Street to new four-lane section US 50 to SR 193 SR 193 to county line	Canal Street to junction of SR 49 (Spring Street) Junction of SR 49 (Spring St.) to Coloma St. Coloma St. to Bedford Ave. Bedford Ave. to beginning of freeway Beginning of freeway to Washington overhead Ice House Road to Echo Lake	none

June 11, 2003

Dianne Dutra, trustee
953 Cobble Shores Dr.
Sacramento CA 95831

03 JUN 16 AM 9:00

General Plan Team
2850 Fairlane Ct.
Placerville CA 95667

RECEIVED
PLANNING DEPARTMENT

RE: My property 070-072-056 & 57 being two parcels comprising approximately 48 acres. Assessor's plat is attached.

My property is currently designated in the 1996 General Plan as LDR within the Community region. This designation recognizes the fact that this land is very gentle and has EID water and is adjacent to two public roads and a sewer line.

This property is on the Northeast corner of Meder Road and Ponderosa Road. It is the almost level field across the street from Ponderosa High School.

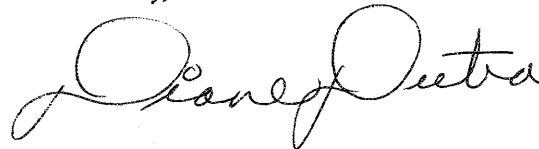
The two lower growth versions proposals have taken my property out of the Community Region and therefore do not allow an appropriate use of this land. There are no environmental constraints to the use of this land that would justify the designations proposed. Should this land develop into larger parcels it would force the development that would occur here onto lands away from infrastructure and result in worse overall effects from that same population.

The designation of LDR in the Community Region would allow the submission for later approval of a zoning proposal and project when it can be established that services are currently available for that level of development. This would seem the most appropriate way to deal with a "general" Plan.

One of the reasons for the further EIR work done by the County as described in the Writ from Judge Bond was to address the impacts of these designations. I have not read the EIR but am sure that the County complied with the request in the writ to completely analyze the effects of the LDR designations. There is simply no appropriate planning purpose now or in the future to designate these prime developable lands as being outside the Community Region.

I fully support the adoption of the 1996 General Plan as the 2025 Plan and urge you not to deviate from that plan except in those instances where you have a definable and substantial reason to do so.

Sincerely,



98-1

98-2

98-3



COUNTY OF EL DORADO

Airports, Parks & Grounds

03 JUN 19 PM 2:57

RECEIVED
PLANNING DEPARTMENT

Michael Gray, Manager
3000 FairLane Ct. Ste 1
Placerville, CA 95667
(530) 621-5864 FAX (530) 295-2538

June 11, 2003

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA. 95667

The El Dorado Trails Advisory Committee is an appointed committee of El Dorado County. We are very interested in the pedestrian, bicycle, hiker, and equestrian issues throughout the County. We are disappointed in how little attention the current drafts of the General Plan give to multimodal transportation options in El Dorado County.

99-1

The El Dorado County Trails Advisory Committee met June 9, 2003 and the following comments are the same for all the alternatives and are for the PARKS AND RECREATION/and or CIRCULATION-TRANSPORTATION ELEMENTS.

The recently adopted Placerville-Sacramento Transportation Corridor (El Dorado Trail) is the key artery for non-motorized transportation along the Highway 50 Corridor. The development of this Trail will provide the west slope of the County with the center piece needed to make non-motorized transportation a reality. Once in place, numerous other trail opportunities will become viable and they will feed into this critical link.

99-2

Currently the Parks and Recreation Department has been given the responsibility for developing the El Dorado Trail corridor, but it has not been given any financing. The County should review the management of this project to see if this critical non-motorized facility should remain with Parks and Recreation or be shifted to the Department of Transportation.

The 1979 Bikeway Master Plan is relied upon for helping shape the non-motorized transportation efforts. Obviously this document is out of date. We believe the General Plan should recognize past efforts by the County and the El Dorado Transportation Commission and include the following documents as references: the El Dorado County Bicycle Master Plan El Dorado County October 6, 1999, as amended, and the Bicycle Transportation Plan, El Dorado County Transportation.

99-3

General Plans are supposed to help shape the vision for the future. Currently little attention has been given to the very important role non-motorized transportation will play in our lives. We ask you to strengthen this section.

99-4

Sincerely,

Eugene Porti

Cc: Members of the El Dorado County Parks and Recreation Commission



El Dorado County Fire Prevention Officer's Association

P.O. Box 807, Camino, California 95709
Bus: 530-644-9630 Fax: 530-644-9636

09 JUN 23 PM 12:58
RECEIVED
PLANNING DEPARTMENT

June 11, 2003

Heidi Tschudin, Contract Planner
El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Dear Ms. Tschudin:

NOTE: TEXT SHOULD BE PARAPHRASED

We strongly support the El Dorado Fire Safe Council proposals and recommendations to the El Dorado County Draft General Plan.

While these comments are formatted to the Draft Roadway Constrained Six-Lane Alternative, comments are intended to be a template for Fire Safe inclusions in whichever alternative is selected and does not endorse any alternative.

100-1

Mike Pott

A handwritten signature in black ink, appearing to read "Mike Pott".

President,
El Dorado County Prevention Officer's Association

Cc: El Dorado County Fire Safe Council

**COMMENTS AND RECOMMENDATIONS ON THE DRAFT
EL DORADO COUNTY GENERAL PLAN TO REDUCE THE
THREAT TO LIFE, PROPERTY, STRUCTURES AND THE
ENVIRONMENT CAUSED BY WILDFIRE**

**A CONSOLIDATED RESPONSE REPRESENTING THE CONCERNS OF
FEDERAL, STATE AND LOCAL AGENCIES HAVING PUBLIC SAFETY
AND ENVIRONMENTAL PROTECTION RESPONSIBILITIES**

**AN ADDENDUM TO TESTIMONY AND WRITTEN RESPONSE GIVEN BY
THE EL DORADO COUNTY FIRE SAFE COUNCIL - AUGUST 29, 2002**

We are pleased that some of the earlier recommendations have been incorporated into the Six-lane "Plus" and Environmentally Constrained Alternatives. The No Project and 1996 General Plan Alternative fail to substantially address wildfire concerns. Our offer to provide a consultant (already funded), to work with the General Plan Development Team, however, has not been accepted. Lacking this expertise, Fire Safety considerations in these two alternatives need augmentation.

100-2

Both alternatives do contain a Vision "to plan for and contend with adverse natural conditions such as high wildfire danger and drought" [pg. 8] and consider the Wildfire Hazard as a Planning Challenge [pg. 9]. Specific fire safe policies should be incorporated into both drafts since a County Wide Fire Safe Plan will soon be required as a prerequisite for future funding under the National Fire Plan.

WILDFIRE HAZARD [pg. 12] should be rewritten to include the following. Fire prevention planning is well developed in the County. Public Resource Code #4291 which requires the clearance of flammable vegetation from around structures has been enforced for 20 + years. Public Resource Code #4290 and Title 14 Regulations for Fire Prevention and for the provision of Fire Support Infrastructure in State Responsibility Areas (SRA) have been enforced since 1982. County Amendments to the SRA Fire Safe Regulations were approved by the state in 1986. A contract has been awarded to the El Dorado County Fire Prevention Officer's Association to provide additional fire prevention information in the County of El Dorado Design and Improvement Standards Manual.

100-3

As stated in the August 2000 submission, the California Uniform Building Code and California Uniform Fire Code govern most aspects of fire safety relating to structures of all types and uses of all kinds and require actions to reduce the loss of life and property. This draft deals with those fire safety elements relating to fires either originating within the urban areas of the county which threaten other structures or wildlands, to fires originating within wildlands which threaten urban developments and to fires originating within the urban / wildland interface zone which may threaten both. Public Resource Codes #4290 and #4291 and Title 14 Fire Safe Regulations for State Responsibility Areas (SRA) are recommended in italics in the following text and should be included in the General Plan Alternatives in the appropriate elements.

100-4

The August 2002 submission is attached as are letters of support from the sponsors of this addendum.

DRAFT ROADWAY CONSTRAINED SIX LANE ALTERNATIVE

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Public Services and Utilities Element	Page 4
Health, Safety and Noise Element	Page 5
Conservation and Open Space Element	Page 7
Agriculture and Forestry Element	Page 7

- Policy HS-2a* Add through revisions to the County of El Dorado Design and Improvements Standards Manual and the enactment of ordinances and regulations which require SRA Fire Safe applications or the SPE to those regulations. 100-25
- Policy HS-2d* Add through the adoption and enforcement of fire protection, prevention and suppression measures so that all structures will meet "Defensible Space" requirements. These standards will be applied during reviews for all permitted activities. 100-26
- Policy HS-2f* Fire Hazard shall be a standard disclosure along with flood, seismic and other hazards to buyers and others planning land uses. 100-27
- Policy HS-2g* A Fire Safe Plan, approved by CDF AHJ is required for approving new developments on lands covered with grass, brush, woodlands or forests. These developments include: 1) New parcels and subdivisions, 2) Building Permits for new construction, 3) Use Permits, 4) The siting of manufactured homes, 5) Road construction, including construction of a road which does not currently exist or the extension, relocation, realignment or improvement of an existing road, 6) Grading for building pads, vehicle turn around sites, driveways or for any other purpose which, in the opinion of the agency(ies) providing fire protection, might affect fire protection activities or which alters or modifies vegetation. Plans must meet the requirements of Title 14 SRA Fire Safe Regulations, El Dorado County Fire Protection Requirements and California Public Resource Codes #4290 and #4291. 100-28
- Certification by a qualified Fire Safe Inspector that all conditions on the Fire Safe Plan have been completed shall be required prior to the issuance of the Certificate of Occupancy or the filing of the Final Map.
- Policy HS-3a* Add and shall consider the allocation of Title III and other funds to facilitate planning and accomplishment of fuel reduction opportunities. 100-29
- Policy HS-3c* Fuel modification activities which include, but are not limited to, clearing, thinning, maceration, physical removal and the use of prescribed fire when performed to reduce fire hazards done for the protection of life and property shall not be encumbered, limited or prohibited by and General Plan land use designation, zoning or overlay. 100-30
- Policy HS-9b* Exemptions to Air Quality Regulations shall be granted where a proposed prescribed fire will reduce fuel hazards, provide defensible space or otherwise benefit fire suppression effectiveness and where a Smoke Management Plan has been prepared which provides smoke management requirements. 100-31



Mac Millan Partners, Inc.

June 11, 2003

03 JUN 16 AM 9:11
RECEIVED
PLANNING DEPARTMENT

General Plan Team
El Dorado County Planning Department
2859 Fairlane Court, Building C
Placerville, CA 95667

Re: Comments to Proposed General Plan Alternatives
El Dorado County

Dear General Plan Team:

The purpose of this letter is to provide my feedback to the proposed General Plan Alternatives issued by the County. My family and I are owners of an existing two story office building within the El Dorado Hills Business Park as well as five parcels of R & D zoned land totaling 15.011 acres. We purchased the vacant land with the intent of developing one and two story office buildings to meet the increasing demand for office product within the El Dorado Hills market. As the land had been entitled for development for nearly twenty years when we purchased it in 2001, we had no indication and in fact relied upon our ability to develop the property without any form of artificial limitation on the FAR which the parcels could accommodate. Had there been any indication that there was potentially an issue which would limit what we could develop on our parcels, we simply would have walked away from these property acquisitions and invested our capital elsewhere.

Our experience in the real estate market leads us to believe that the market demand for office, R & D, light industrial and manufacturing product within the El Dorado Hills Business Park today (and in the foreseeable future) has been largely created by the substantial residential growth in western El Dorado County. We firmly believe that, given a choice, people want to live close to their work. Therefore, the additional residents created by the new residential projects approved by El Dorado County over the last twenty years has increased the market demand for additional industrial, R & D and office product within the El Dorado Hills Business Park.

As you know, the El Dorado Hills Business Park was approved in 1982 as an 811 acre multi-use business park. One of the primary reasons for the County to approve the creation of the El Dorado Hills Business Park was the overwhelming need to create some balance in the jobs/housing ratio within El Dorado County. Up until the approval of this park, El Dorado County largely served as a bedroom community for the Sacramento Region. There has been a substantial amount of

151 Ashridge Court • Granite Bay, CA 95746 • (916) 788-8100 • FAX (916) 788-8181

101-1

residential communities approved by El Dorado County since the El Dorado Hills Business Park was entitled for development, which only increases the need for the El Dorado Hills Business Park to further mitigate the imbalance in the jobs/housing ratio in El Dorado County. As the El Dorado Hills Business Park is clearly the County's primary vehicle in its effort to create a better jobs/housing balance within El Dorado County, the ability to create additional local jobs within the business park should be strongly defended by the County.

As currently proposed, the General Plan Alternatives will create limitations on land within the El Dorado Hills Business Park by imposing artificial hard caps in Floor Area Ratios (FAR) on R & D zoned land. In addition to financially damaging the owners of the R & D zoned land by devaluing the remaining vacant land within the business park, placing any type of artificial FAR cap on land within the business park will reduce the Park's ability to compete for employers by artificially increasing the cost of the buildings and in some cases actually preventing an employer from moving into the business park. It should be noted that many of the existing buildings within the Park, including the significant campus which has been developed by DST Output, would violate the artificial FAR caps attached to the proposed General Plan Alternatives. The reality of the forces that govern a free market tell us that if El Dorado County places artificial restrictions on what can be developed on R & D land in the County, this restriction will cost the County future jobs as users will locate their companies in markets which do not have the burden of these artificial restrictions. Put simply, any FAR limitation will make land within El Dorado County less competitive to alternatives in Sacramento County along the Highway 50 corridor, which will only make the jobs/housing imbalance in El Dorado County worse. Under the four options in the proposed General Plan Alternatives, the FAR limitations are as follows:

	<u>Plan</u>	<u>Maximum FAR</u>
1)	1996 General Plan	25%
2)	No Project	25%
3)	Environmentally Constrained	20%
4)	Roadway Constrained	30%

101-1

It is my experience FAR's this low will limit buildings to single story design and will clearly impact the development of office, R & D, industrial & manufacturing buildings, as the FAR of these types of buildings will typically exceed the artificial caps contained in the proposed General Plan Alternatives. In fact, one of the only building types with this low of an FAR is a call center, which requires substantially more land area due to the higher parking requirements related to this employee intensive use. These FAR limitations will only serve to limit what can be economically developed in the park, which will slow the built out of the park and undermine the County's goal of achieving a better jobs/housing balance.

As a property owner within the El Dorado Hills Business Park, I have learned through research performed on behalf of the El Dorado Hills Business Park Owner's Association the following historical information about the business park. Of the 811 total acres within the park which can be developed, the total land area which has been improved to date is 257 acres (31.69% of the total developable land). There is an existing inventory of 2,582,521 square feet of improved buildings in the El Dorado Hills Business Park, comprised of office, research & development, light industrial and manufacturing buildings. Dividing the square footage of the existing buildings by the total square footage of the developed land area, the average FAR of the existing building inventory is 23.07%. The businesses operating within the El Dorado Hills Business Park currently provide jobs for 4,501 employees, representing an average density of one employee per 574 square feet of building area.

As the business park has a twenty year history from which we can derive real data, the data produced by the business park's actual experience needs to be factored into any modeling to be used to assess the future traffic impacts of the business park when it is fully developed. It is my understanding that there is a substantial difference between the El Dorado Hills Business Park's actual development FAR's and employee densities when compared to the assumptions used in the traffic studies incorporated into the DEIR. It is one thing to project the impacts of growth for a development that has yet to be built - there simply is no historical data. Considering the mixed-use nature of the El Dorado Hills Business Park, with its real data derived from twenty years of history, using the actual data derived from the existing building inventory and employers in the Park is the only way with any reasonable accuracy to predict how the business park will grow. As one of the primary goals of the development of the El Dorado Hills Business Park is to create a better jobs/housing balance in the County, the built out of the Park will reduce the strain to the freeway infrastructure by reducing the cars on the roadway which must commute to Sacramento County for employment.



101-1

Based on the research conducted on behalf of the El Dorado Hills Business Park Owner's Association, it is my understanding that the traffic study that is used as the basis for each of the proposed General Plan Alternatives is flawed based on densities for future growth that are substantially higher than the existing building inventory supports. In addition to other issues we have with the assumptions contained within the traffic study and the draft DEIR, the most significant error has to be the FAR and employee density assumptions used to calculate the stabilized employee counts used to model the future traffic flows. These assumptions overstate the historical data such that the total employee counts when the business park is fully developed are nearly twice the total employee count which would be generated by using the historical data to project the total jobs created. To be specific, the traffic model assumes an average FAR of 30% and an average employee density of 1 employee per 330 square feet of building area. These assumptions are approximately 30% and 72% higher, respectively, than the historical data can support. As a result, the projected negative impact of the traffic generated when the park is fully developed is vastly overstated in the traffic model used for the DEIR. The only choice for the base data assumptions should be the existing inventory of product in the El Dorado Hills Business Park, which when used will produce significantly reduced traffic flows.

I hope this letter has adequately expressed the opinions I have regarding why imposing any type of artificial FAR cap on development within the El Dorado Hills Business Park is wrong. Such action will have a counter-productive effect on El Dorado County's ability to create local employment growth in an effort to address the significant imbalance in the County's jobs/housing ratio. Furthermore, I find that the traffic studies used in the DEIR have significant flaws in the assumptions used to estimate further traffic flows, which ignore the existing historical data and as a result significantly overstate the traffic impacts of the "real world" development of the El Dorado Hills Business Park. As the primary vehicle that County has to create a better jobs/housing balance in El Dorado County, any restriction that will make the business park less competitive in attracting employers is bad policy which will undermine the County's goal and need for a local employment base. Anyone who does not believe that there is a need for additional local employment growth in El Dorado County ought to sit on Highway 50 at the Sacramento County Line in the morning and afternoon and see how many cars cross the County Line daily in their commute to the employment centers in Sacramento County. Based on the opinions expressed in this letter, I hope you will see the light and remove any FAR restrictions in the proposed General Plan Alternatives for any land within the El Dorado Hills Business Park. Should you



101-1

Planning Commission
June 11, 2003
Page 5

have any questions with anything contained in this letter, please feel free to give me a call at (916) 788-8100.



101-1

Very truly yours,

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end.

David L. Mac Millan
President

cc: El Dorado Hills Business Park Owner's Association

From: Patty Taylor [taylormp@yahoo.com]
Sent: Wednesday, June 11, 2003 10:20 PM
To: generalplan@co.el-dorado.ca.us
Subject: general plan

We would like to know how many more apartments would be allowed to be built in Cameron Park? How many in El Dorado Hills? In surrounding area's?

Cameron Park has more than its share of multi-family housing and we don't want to see anymore of it. The low-cost housing should be going in near all the business development in El Dorado Hills. The people would have the convenience living close to where jobs are and shopping and public transportation.

Please, please, please make sure that Cameron Park is not slated for more Multi-family, low-cost housing projects. It is time to spread those projects around the county!!

Thank you,

Michael and Patricia Taylor

102-1

102-2



549 Main Street
Placerville, California 95617
June 11, 2003

03 JUN 18 PM 12:10
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PLANNING DEPARTMENT

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA. 95667

Trails Now feels strongly El Dorado County needs to revise the non-motorized efforts in the drafts of the General Plan to help us complete our mission. Trails Now is a 501-C3 non-profit citizen-based organization dedicated to the planning, acquisition, construction and maintenance of the El Dorado Trail. Our mission is the creation and support of a continuous multi-purpose trail from the Sacramento County line to Lake Tahoe. It is apparent to us that we are currently missing many opportunities to enhance our County by improving our non motorized trail program.

103-1

A major portion to the El Dorado Trail became a reality when by the Board of Supervisors adopted the Placerville-Sacramento Transportation Corridor (El Dorado Trail) this past winter. This is a major step, but significant work remains before it can be the center piece needed to make non-motorized transportation a reality on the west slope. Currently the Parks and Recreation Department has been given the responsibility for developing this corridor, but it has not been given any financing. The County should review the management of this project to see if this critical non-motorized facility should remain with Parks and Recreation or be shifted to the Department of Transportation.

103-2

The 1979 *Bikeway Master Plan* is relied upon for helping shape the non-motorized transportation efforts. This document was very helpful a quarter of a century ago when it was written, but it does not meet our current situation. In particular, the El Dorado Trail segments were not in public ownership at the time the *Bikeway Master Plan* was written. We believe the General Plan should recognize past efforts by the County and the El Dorado Transportation Commission and include the following documents as references: the *El Dorado County Bicycle Master Plan* El Dorado County 2001 revision, and the 1997 *Bicycle Transportation Plan* prepared by the El Dorado County Transportation Commission. The El Dorado Transportation Commission may complete another Bicycle Transportation Plan before the General Plan is completed and we ask you to provide for the inclusion of the most recent planning efforts.

103-3

We want to see the El Dorado Trail become a functioning part on the non-motorized transportation system for the County, and we need your help. Please revise the non-

103-4

motorized sections in the General Plan to emphasize the need to complete the El Dorado Trail.



103-4

Please let us know if we can be of assistance.

Sincerely,

Eileen Crim

Eileen Crim, Chairperson



California Regional Water Quality Control Board
Central Valley Region



Winston H. Hickox
Secretary for
Environmental
Protection

Robert Schneider, Chair

Gray Davis
Governor

Sacramento Main Office
Internet Address: <http://www.swrcb.ca.gov/rwqcb5>
3443 Roubier Road, Suite A, Sacramento, California 95827-3003
Phone (916) 255-3000 • FAX (916) 255-3015

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12 June 2003

Philip Crimmins
State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

COMMENTS TO THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE EL DORADO COUNTY GENERAL PLAN, SCH NO. 2001082030, EL DORADO COUNTY

Staff have reviewed the May 2003 "Draft Environmental Impact Report for the El Dorado County General Plan (SCH No. 2001082030)". This Draft EIR identifies and assesses the anticipated environmental effects of the adoption and implementation of a General Plan for the County of El Dorado. The General Plan is intended to provide a long-term framework with which land use planning decisions will be made.

104-1

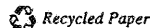
Our agency is delegated the responsibility of protecting the quality of the groundwater and surface waters of the state, and so our comments will only address concerns surrounding those issues.

1. The Development Approval Process Section on page 5.1-12 provides a discussion on the differences between permits by right ("ministerial") and discretionary permits. The document states that "Uses permitted by right are, by definition, those uses and permits, such as building permits, that the County (through the General Plan and/or Zoning Ordinance) has exempted from discretionary action. As ministerial projects, these permits are generally exempt from CEQA review." Please keep in mind that Section 13260 of the California Water Code (CWC) requires that any project for which waste is proposed to be discharged to either surface waters or land must submit a Report of Waste Discharge to the Regional Water Quality Control Board (Regional Board). The Regional Board is not able to adopt Waste Discharge Requirements (WDRs), or a waiver of WDRs, unless a CEQA document has been prepared for the project.
2. Section 5.2 discusses, among other items, the El Dorado regulatory programs related to agriculture and forest resources in El Dorado County. The Wineries Ordinance discussion states that wineries are permitted by right within certain agricultural zone districts. However, wastewater discharges from wineries are regulated by the Regional Board, and as stated above, the Board must comply with the requirements of CEQA in adopting permits. The "by right" permitting of wineries probably does not provide the necessary CEQA documents, and therefore either the County or the winery's consultant would be required to prepare a CEQA document for each winery to be permitted by the Board.

104-2

104-3

California Environmental Protection Agency



The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov/rwqcb5>

any facility, including industrial facilities, that discharge waste to land and/or surface waters must submit a RWD to the Regional Board prior to the initiation of any discharge of wastewater. If such facilities are discharging wastewater and are not regulated by WDRs, then the discharge is in violation of the California Water Code.

104-8

8. Page 5.5-94, the Onsite Wastewater Treatment System section, states that onsite sewage systems are used for single-family residences, multifamily residences, trailer parks, public facilities, campgrounds, and commercial or industrial establishments, including wineries. As stated above, the Regional Board has waived WDRs for individual on-site septic system discharges from single-family residences in those counties enforcing an ordinance that complies with the Board's "Guidelines". The waived WDRs only apply to single-family residences or the equivalent, discharging domestic wastewater. Regional Board counsel has determined that "or equivalent" corresponds to flows of less than 5,000 gpd. This waiver does not apply to the discharge of winery process wastewater, or the discharge of other industrial wastewater.

104-9

9. Page 5.5-105 of the document states that "County regulations for the proper design and installation of onsite systems have been adopted by the County Board of supervisors and have been reviewed and accepted by the RWQCB." However, Regional Board staff has no record that we have reviewed or accepted the County's regulations for design and installation of onsite septic tanks/leachfield systems. As directed by Assembly Bill 885, the State Board is in the process of developing updated regulations for onsite septic systems, and the Regional Board will be required to implement these updated regulations with each County within our region.

104-10

10. The section on page 5.5-103 discussing the Regional Board's permitting of wineries is in error. Winery wastewater can contain extremely low pH levels, but this is not the cause of nitrate in the groundwater. Winery wastewater also contains high concentrations of nitrogen and salt. Groundwater monitoring at wineries throughout the Central Valley has shown that the application of winery wastewater to land can cause the underlying groundwater to be degraded by salts (measured as total dissolved solids) and nitrogen. The document states that the permitting of wineries is completed at the local level. It should be noted that the County has no authority under the California Water Code to permit the discharge of industrial wastewater, including the process wastewater from wineries. The Regional Board is in the process of adopting a regulatory scheme for wineries, including a General Order for Onsite Storage/Offsite Disposal (adopted in March 2003), a waiver for small food processors, including wineries (to be considered for adoption in July 2003), a General Order for Land Disposal of Winery Wastewater (projected to be considered in December 2003), and individual WDRs for wineries that do not meet the conditions of either General Order or the waiver.

104-11

3. Section 5.5.2 addresses potential impacts related to wastewater flows and system infrastructure that could result from population and employment growth, and provides a description of how wastewater is treated and disposed of within the county. The subsection that discusses "*Wastewater Treated by Wastewater Treatment Plants*" fails to describe the El Dorado Irrigation District's Camino Heights wastewater treatment plant. 104-4

4. Page 5.5-77 discusses the Union Mine Septage Treatment and Disposal Facility, and states that "Within the next two years, and to accommodate growth and acceptance of winery waste, the County plans to almost double the capacity of the treatment facility to a maximum capacity of approximately 30,000 gallons per day." In addition, the document states that County staff plan to expand the sprayfield by two acres to accommodate growth. The Union Mine Septage Treatment and Storage Facility is currently regulated by WDRs Order No.98-238, which allows a current flow of 30,000 gallons per day. Please keep in mind that if the septage treatment and disposal facility is expanded handle flows greater than what is allowed by WDRs Order No. 98-238, or the sprayfields are expanded to greater than the four acres allowed by the WDRs, then the County will need to apply for updated WDRs. 104-5

5. Pages 5.5-78 and 5.5-79 provide a description of the regulatory roles provided by the El Dorado County Environmental Health Department, the State Water Resources Control Board (State Board), and the Regional Board regarding wastewater treatment and disposal systems. The document states that the State Board and Regional Board issue and enforce permits (i.e., WDRs) for WWTPs. In addition to issuing permits for WWTPs, the Regional Board requires that a RWD be submitted for individual onsite septic systems for any residential subdivision of over 100 homes, and for any development where septic tank effluent is disposed to a community leachfield (common disposal systems). In addition, the Regional Board relies on each county to implement an on-site sewage disposal system program consistent with our Basin Plan which includes septic tank "Guidelines". The Regional Board has waived WDRs for individual on-site septic system discharges from single-family residences in those counties enforcing an ordinance that complies with the Board's "Guidelines". The "Guidelines" provide that land developments consisting of less than 100 lots will be processed by the county while tentative maps containing 100 lots or more shall be transmitted to the Board accompanied by a RWD. Our Board does not have resources for a formal program to monitor individual sewage disposal practices for the 38 counties within the Central Valley Region. Therefore, it is important for El Dorado County to ensure compliance with all of the criteria within the "Guidelines". 104-6

6. Page 5.5-81 provides a discussion on projected wastewater flows and treatment plant capacities for the El Dorado Irrigation District's El Dorado Hills and Deer Creek WWTPs. Based on the projected flows and current capacities, the Draft EIR indicates that the current treatment capacity would be reached at the El Dorado Hills WWTP around 2015, and at the Deer Creek WWTP around 2025. If the WWTP's are expanded to treat, store, and dispose of flows greater than what each plant is permitted for, then the WDRs will need to be updated. 104-7

7. Page 5.5-93 provides a very brief discussion on the potential impacts of water quality from industrial sources. Specifically, it states that "Industrial land uses such as sand and gravel operations, and lumber mills can result in stream turbidity and toxic substances". As stated above, 104-8

Philip Crimmins
State Clearinghouse

- 4 -

12 June 2003

Thank you for the opportunity to offer comments. If you have any questions regarding this matter, please telephone me at (916) 255-3389.



SCOTT KRANHOLD
Waste Discharge to Land Unit

cc: John Morgan, El Dorado County Environmental Health Department, Placerville
Conrad Montgomery, El Dorado County Planning Department, Placerville
Bill Carey, El Dorado County Building Department, Placerville
Dan Hinrichs, DJH Engineering, Placerville
Steven Proe, Greenwood

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

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PLANNING DEPARTMENT

June 12, 2003

Mr. Peter Maurer
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

Dear Mr. Maurer:

Re: *Draft Environmental Impact Report (DEIR) for El Dorado County General Plan;*
SCH# 2001082030

The California Department of Transportation, Division of Aeronautics ("Department"), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The following comments are offered for your consideration.

105-1

1. The proposal is for the adoption of the new El Dorado County General Plan. As discussed in the DEIR, several public-use airports are located within El Dorado County. These include Placerville Airport, Georgetown Airport, Cameron Airpark and South Lake Tahoe Airport.

2. In accordance with Public Utilities Code (PUC) Section 21676, local general plans and any amendments must be consistent with the adopted airport land use compatibility plans developed by the Foothill Airport Land Use Commission (ALUC). For South Lake Tahoe Airport, the General Plan should be consistent with the plan developed by the City of South Lake Tahoe ALUC. This requirement is necessary to ensure that General Plan policies and recommendations for noise impact assessment and land use densities are appropriate, given the nature of airport operations. In addition to submitting the proposal to the Foothill ALUC and the City of South Lake Tahoe ALUC, the General Plan should also be coordinated with airport staff.

105-2

3. In the Executive Summary Table, the DEIR states that Policy 6.5.2.3 will require airport master plans and airport comprehensive or compatibility land use plans be updated to reflect aircraft operations noise level contours for the year 2025.

105-3

"Caltrans improves mobility across California"

4. According to the DEIR Table 5.1-5, with the exception of South Lake Tahoe Airport, which is in the Lake Tahoe Basin under the jurisdiction of the Tahoe Regional Planning Agency (TRPA), all project alternatives include a policy (Policy 2.2.5.13 for NP/1996 GP, LU-7e for RC/EC) requiring the County comply with land use restrictions established in an adopted Foothill ALUC CLUPs. We concur with this requirement. We also strongly encourage the General Plan include the ALUC designated Airport Influence Area maps as well as the airport noise contour maps for each airport. A map of the adopted Airport Influence Area will promote public awareness of ALUC jurisdiction and the airport noise and safety impact area. 105-4

5. As briefly discussed in the DEIR, portions of El Dorado County are within the approach/departure flight paths for Sacramento Mather Airport. Although outside the 60 dB Community Noise Equivalent Level (CNEL) for Sacramento Mather Airport, the county has received "numerous noise-related complaints" due to overflight noise. We recommend that future homeowners and tenants be advised of the proximity of the aircraft approach/departure flight tracks and the likelihood of aircraft-related noise impacts. We also suggest the County work with airport staff and the Sacramento County ALUC c/o SACOG (Sacramento Area Council of Governments). 105-5

6. The Division of Aeronautics has technical expertise in the areas of airport-related noise, safety and compatible land use issues. The Division has permit authority for public use airports and heliports and we are a funding agency for airport projects. In accordance with CEQA, Public Resources Code 21096, the California Airport Land Use Planning Handbook (Handbook) published by Division of Aeronautics, must be utilized as a resource in the preparation of environmental documents for projects within airport comprehensive land use plan boundaries or if such a plan has not been adopted, within two nautical miles of an airport. The Handbook is a resource that should be applied to all public use airports. The Handbook can be accessed at <http://www.dot.ca.gov/hq/planning/aeronaut/htmlfile/landuse.html>. 105-6

7. The enclosed Federal Aviation Administration (FAA) Advisory Circular (AC150/5200-33) entitled "Hazardous Wildlife Attractants on or Near Airports" states that land use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife-aircraft collisions. The FAA recommends that landfills, wastewater treatment facilities, surface mining, wetlands and other uses that have the potential to attract wildlife, be restricted in the vicinity of an airport. Also enclosed is a copy of AC 150/5200-34 entitled "Construction or Establishment of Landfills Near Public Airports." For additional information concerning wildlife damage management, you may wish to contact Patrick L. Smith, United States Department of Agriculture, Wildlife Services, at (916) 979-2675. 105-7

Mr. Peter Maurer
June 12, 2003
Page 3

8. The need for compatible and safe land uses near airports in California is both a local and a state issue. Along with protecting individuals who reside or work near an airport, the Division of Aeronautics views each of the 250 public use airports in California as part of the statewide transportation system, which is vital to the state's continued prosperity. This role will no doubt increase as California's population continues to grow and the need for efficient mobility becomes more crucial. We strongly feel that the protection of airports from incompatible land use encroachment is vital to California's economic future. Airport land use commissions and airport land use compatibility plans, however, are key to protecting an airport and the people residing and working in the vicinity of an airport.

105-8

These comments reflect the areas of concern to the Department's Division of Aeronautics with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our district office concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314.

Sincerely,


SANDY HESNARD
Aviation Environmental Planner

Enclosures

c: State Clearinghouse
Foothill ALUC
City of South Lake Tahoe ALUC
SACOG
TRPA
Cameron Airpark
Georgetown Airport
Placerville Airport
South Lake Tahoe Airport
Mather Airport

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AR 12120



U.S. Department
of Transportation
Federal Aviation
Administration

Advisory Circular

Subject: CONSTRUCTION OR ESTABLISHMENT OF LANDFILLS NEAR PUBLIC AIRPORTS **Date:** August 26, 2000 **AC No:** 150/5200-34
Initiated by: AAS-300 **Change:**

1. Purpose. This advisory circular (AC) contains guidance on complying with new Federal statutory requirements regarding the construction or establishment of landfills near public airports.

2. Application. The guidance contained in the AC is provided by the Federal Aviation Administration (FAA) for use by persons considering the construction or establishment of a municipal solid waste landfill (MSWLF) near a public airport. Guidance contained herein should be used to comply with recently enacted MSWLF site limitations contained in 49 U.S.C. § 44718(d), as amended by section 503 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, Pub. L. No. 106-181 (April 5, 2000), "Structures interfering with air commerce." In accordance with § 44718(d), as amended, these site limitations are not applicable in the State of Alaska.

In addition, this AC provides guidance for a state aviation agency desiring to petition the FAA for an exemption from the requirements of § 44718(d), as amended.

3. Related Reading Materials.

- a. AC - 150/5200-33, Hazardous Wildlife Attractions On or Near Airports, May 1, 1997.
- b. Wildlife Strikes to Civil Aircraft in the United States 1990-1998, FAA Wildlife Aircraft Strike Database Serial Report Number 5, November 1998.
- c. Report to Congress: Potential Hazards to Aircraft by Locating Waste Disposal Sites in the Vicinity of Airports, April 1996, DOT/FAA/AS/96-1.
- d. Title 14, Code of Federal Regulation, Part 139, Certification and Operations: Land Airports Serving Certain Air Carriers.
- e. Title 40, Code of Federal Regulation, Part 258, Municipal Solid Waste Landfill Criteria.

Some of these documents and additional information on wildlife management, including guidance on landfills, are available on the FAA's Airports web site at www.faa.gov/arp/arphome.htm.

4. **Definitions.** Definitions for the specific purpose of this AC are found in Appendix 1.

5. **Background.** The FAA has the broad authority to regulate and develop civil aviation under the Federal Aviation Act of 1958, 49 U.S.C. § 40101, et. seq., and other Federal law. In section 1220 of the Federal Aviation Reauthorization Act of 1996, Pub. L. No. 104-264 (October 9, 1996), the Congress added a new provision, section (d), to 49 U.S.C. § 44718 to be enforced by the FAA and placing limitations on the construction or establishment of landfills near public airports for the purposes of enhancing aviation safety. Section 503 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21), Pub. L. No. 106-181 (April 5, 2000) has replaced section 1220 of the 1996 Reauthorization Act, 49 U.S.C. § 44718 (d), with new language. Specifically, the new provision, § 44718(d), as amended, was enacted to further limit the construction or establishment of a MSWLF near certain smaller public airports.

In enacting this legislation, Congress expressed concern that a MSWLF sited near an airport poses a potential hazard to aircraft operations because such a waste facility attracts birds. Statistics support the fact that bird strikes pose a real danger to aircraft. An estimated 87 percent of the collisions between wildlife and civil aircraft occurred on or near airports when aircraft are below 2,000 feet above ground level (AGL). Collisions with wildlife at these altitudes are especially dangerous as aircraft pilots have minimal time to recover from such emergencies.

Databases managed by FAA and the United States Air Force show that more than 54,000 civil and military aircraft sustained reported strikes with wildlife from 1990 to 1999 (28,150 civil strikes and 25,853 military strikes). Between 1990-1999, aircraft-wildlife strikes involving U. S. civil aircraft result in over \$350 million/year worth of aircraft damage and associated losses and over 460,000 hours/year of aircraft down time.

From 1990 to 1999, waterfowl, gulls and raptors were involved in 77% of the 2,119 reported damaging aircraft-wildlife strikes where the bird was identified. Populations of Canada geese and many species of gulls and raptors have increased markedly over the last several years. Further, gulls and Canada geese have adapted to urban and suburban environments and, along with raptors and turkey vultures, are commonly found feeding or loafing on or near landfills.

In light of increasing bird populations and aircraft operations, the FAA believes locating landfills in proximity to airports increases the risk of collisions between birds and aircraft. To address this concern, the FAA issued AC 150/5200-33, *Hazardous Wildlife Attractions On or Near Airports*, to provide airport operators and aviation planners with guidance on minimizing wildlife attractant. AC 150/5200-33 recommends against locating municipal solid waste landfills within five statute miles of an airport if the landfill may cause hazardous wildlife to move into or through the airport's approach or departure airspace.

6. General. Using guidance provided in the following sections, persons considering construction or establishment of a landfill should first determine if the proposed facility meets the definition of a new MSWLF (see Appendix 1). Section 44718(d), as amended, applies only to a new MSWLF. It does not apply to the expansion or modification of an existing MSWLF, and does not apply in the State of Alaska. If the proposed landfill meets the definition of a new MSWLF, its proximity to certain public airports (meeting the criteria specified in Paragraph 8 below) should be determined. If it is determined that a new MSWLF would be located within six miles of such a public airport, then either the MSWLF should be planned for an alternate location more than 6 miles from the airport, or the MSWLF proponent should request the appropriate State aviation agency to file a petition for an exemption from the statutory restriction.

In addition to the requirements of § 44718(d), existing landfill restrictions contained in AC 150/5200-33, *Hazardous Wildlife Attractions On or Near Airports* (see Paragraph 5, Background) also may be applicable. Airport operators that have accepted Federal funds have obligations under Federal grant assurances to operate their facilities in safe manner and must comply with standards prescribed in advisory circulars, including landfill site limitations contained in AC 150/5200-33.

7. Landfills Covered by the Statute. The limitations of § 44718(d), as amended, only apply to a new MSWLF (constructed or established after April 5, 2000). The statutory limitations are not applicable where construction or establishment of a MSWLF began on or before April 5, 2000, or to an existing MSWLF (received putrescible waste on or before April 5, 2000). Further, an existing MSWLF that is expanded or modified after April 5, 2000, would not be held to the limitations of § 44718(d), as amended.

8. Airports Covered by the Statute. The statutory limitations restricting the location of a new MSWLF near an airport apply to only those airports that are recipients of Federal grants (under the Airport and Airway Improvement Act of 1982, as amended, 49 U.S.C. § 47101, *et seq.*) and to those that primarily serve general aviation aircraft and scheduled air carrier operations using aircraft with less than 60 passenger seats.

While the FAA does not classify airports precisely in this manner, the FAA does categorize airports by the type of aircraft operations served and number of annual passenger enplanements. In particular, the FAA categorizes public airports that serve air carrier operations. These airports are known as commercial service airports, and receive scheduled passenger service and have 2,500 or more enplaned passengers per year.

One sub-category of commercial service airports, nonhub primary airports, closely matches the statute requirement. Nonhub primary airports are defined as commercial service airports that enplane less than 0.05 percent of all commercial passenger enplanements (0.05 percent equated to 328,344 enplanements in 1998) but more than 10,000 annual enplanements. While these enplanements consist of both large and small air carrier operations, most are conducted in aircraft with less than 60 seats. These airports also are heavily used by general aviation aircraft, with an average of 81 based aircraft per nonhub primary airport.

In addition, the FAA categorizes airports that enplane 2,500 to 10,000 passengers annually as non-primary commercial service airports, and those airports that enplane 2,500 or less passengers annually as general aviation airports. Both types of airports are mainly used by general aviation but in some instances, they have annual enplanements that consist of scheduled air carrier operations conducted in aircraft with less than 60 seats. Of the non-primary commercial service airports and general aviation airports, only those that have scheduled air carrier operations conducted in aircraft with less than 60 seats would be covered by the statute. The statute does not apply to those airports that serve only general aviation aircraft operations.

To comply with the intent of the statute, the FAA has identified those airports classified as nonhub primary, non-primary commercial service and general aviation airports that:

1. Are recipients of Federal grant under 49 U.S.C. § 47101, et. seq.;
2. Are under control of a public agency;
3. Serve some scheduled air carrier operations conducted in aircraft with less than 60 seats; and
4. Have total annual enplanements consisting of at least 51% of scheduled air carrier enplanements conducted in aircraft with less than 60 passenger seats.

Persons considering construction or establishment of a new MSWLF should contact the FAA to determine if an airport within six statute miles of the new MSWLF meets these criteria (see paragraph 11 below for information on contacting the FAA). If the FAA determines the airport does meet these criteria, then § 44718(d), as amended, is applicable.

An in-depth explanation of how the FAA collects and categorizes airport data is available in the FAA's National Plan of Integrated Airport Systems (NPIAS). This report and a list of airports classified as nonhub primary, non-primary commercial service and general aviation airports (and associated enplanement data) are available on the FAA's Airports web site at <http://www.faa.gov/arp/410home.htm>.

9. Separation distance measurements. Section 44718(d), as amended, requires a minimum separation distance of six statute miles between a new MSWLF and a public airport. In determining this distance separation, measurements should be made from the closest point of the airport property boundary to the closest point of the MSWLF property boundary. Measurements can be made from a perimeter fence if the fence is co-located, or within close proximity to, property boundaries. It is the responsibility of the new MSWLF proponent to determine the separation distance.

10. Exemption Process. Under § 44718(d), as amended, the FAA Administrator may approve an exemption from the statute's landfill location limitations. Section 44718(d), as amended, permits the aviation agency of the state in which the airport is located to request such an exemption from the FAA Administrator. Any person desiring

such an exemption should contact the aviation agency in the state in which the affected airport is located. A list of state aviation agencies and contact information is available at the National Association of State Aviation Officials (NASAO) web site at www.nasao.org or by calling NASAO at (301) 588-1286.

A state aviation agency that desires to petition the FAA for an exemption should notify the Regional Airports Division Manager, in writing, at least 60 days prior to the establishment or construction of a MSWLF. The petition should explain the nature and extent of relief sought, and contain information, documentation, views, or arguments that demonstrate that an exemption from the statute would not have an adverse impact on aviation safety. Information on contacting FAA Regional Airports Division Managers can be found on the FAA's web site at www.faa.gov.

After considering all relevant material presented, the Regional Airports Division Manager will notify the state agency within 30 days whether the request for exemption has been approved or denied. The FAA may approve a request for an exemption if it is determined that such an exemption would have no adverse impact on aviation safety.

11. Information. For further information, please contact the FAA's Office of Airport Safety and Standards, Airport Safety and Certification Branch, at (800) 842-8736, Ext. 73085 or via email at WebmasterARP@faa.gov. Any information, documents and reports that are available on the FAA web site also can be obtained by calling the toll-free telephone number listed above.



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APPENDIX 1. DEFINITIONS.

The following are definitions for the specific purpose of this advisory circular.

- a. Construct a municipal solid waste landfill means excavate or grade land, or raise structures, to prepare a municipal solid waste landfill as permitted by the appropriate regulatory or permitting authority.
- b. Establish a municipal solid waste landfill (MSWLF) means receive the first load of putrescible waste on site for placement in a prepared municipal solid waste landfill.
- c. Existing municipal solid waste landfill (MSWLF) means a municipal solid waste landfill that received putrescible waste on or before April 5, 2000.
- d. General aviation aircraft means any civil aviation aircraft not operating under 14 C.F.R. Part 119, Certification: Air carriers and commercial operators.
- e. Municipal solid waste landfill (MSWLF) means publicly or privately owned discrete area of land or an excavation that receives household waste, and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under 40 C.F.R. § 257.2. A MSWLF may receive other types of RCRA subtitle D wastes, such as commercial solid waste, nonhazardous sludge, small quantity generator waste and industrial solid waste, as defined under 40 C.F.R. § 258.2. A MSWLF may consist of either a standalone unit or several cells that receive household waste.
- f. New municipal solid waste landfill (MSWLF) means a municipal solid waste landfill that was established or constructed after April 5, 2000.
- g. Person(s) means an individual, firm, partnership, corporation, company, association, joint-stock association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them (14 C.F.R. Part 1).
- h. Public agency means a State or political subdivision of a State; a tax-supported organization; or an Indian tribe or pueblo (49 U.S.C. § 47102(15)).
- i. Public airport means an airport used or intended to be used for public purposes that is under the control of a public agency; and of which the area used or intended to be used for landing, taking off, or surface maneuvering of aircraft is publicly owned (49 U.S.C. § 47102(16)).
- j. Putrescible waste means solid waste which contains organic matter capable of being decomposed by micro-organisms and of such a character and proportion as to be capable of attracting or providing food for birds (40 C.F.R. § 257.3-8).
- k. Scheduled air carrier operation means any common carriage passenger-carrying operation for compensation or hire conducted by an air carrier or commercial operator for

which the air carrier, commercial operator, or their representatives offers in advance the departure location, departure time, and arrival location. It does not include any operation that is conducted as a supplemental operation under 14 C.F.R. Part 119, or is conducted as a public charter operation under 14 C.F.R. Part 380 (14 C.F.R. § 119.3).

l. Solid waste means any garbage, or refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. § 1342, or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923) (40 C.F.R. § 258.2).



U.S. Department
of Transportation

Federal Aviation
Administration

Advisory Circular

Subject: HAZARDOUS WILDLIFE ATTRACTANTS ON
OR NEAR AIRPORTS

Date: 5/1/97

AC No: 150/5200-33

Initiated by:

Change:

AAS-310 and APP-600

1. PURPOSE. This advisory circular (AC) provides guidance on locating certain land uses having the potential to attract hazardous wildlife to or in the vicinity of public-use airports. It also provides guidance concerning the placement of new airport development projects (including airport construction, expansion, and renovation) pertaining to aircraft movement in the vicinity of hazardous wildlife attractants. Appendix 1 provides definitions of terms used in this AC.

2. APPLICATION. The standards, practices, and suggestions contained in this AC are recommended by the Federal Aviation Administration (FAA) for use by the operators and sponsors of all public-use airports. In addition, the standards, practices, and suggestions contained in this AC are recommended by the FAA as guidance for land use planners, operators, and developers of projects, facilities, and activities on or near airports.

3. BACKGROUND. Populations of many species of wildlife have increased markedly in the

last few years. Some of these species are able to adapt to human-made environments, such as exist on and around airports. The increase in wildlife populations, the use of larger turbine engines, the increased use of twin-engine aircraft, and the increase in air-traffic, all combine to increase the risk, frequency, and potential severity of wildlife-aircraft collisions.

Most public-use airports have large tracts of open, unimproved land that are desirable for added margins of safety and noise mitigation. These areas can present potential hazards to aviation because they often attract hazardous wildlife. During the past century, wildlife-aircraft strikes have resulted in the loss of hundreds of lives world-wide, as well as billions of dollars worth of aircraft damage. Hazardous wildlife attractants near airports could jeopardize future airport expansion because of safety considerations.

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SECTION 1. HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR AIRPORTS.

1-1. TYPES OF HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR AIRPORTS.

Human-made or natural areas, such as poorly-drained areas, retention ponds, roosting habitats on buildings, landscaping, putrescible-waste disposal operations, wastewater treatment plants, agricultural or aquacultural activities, surface mining, or wetlands, may be used by wildlife for escape, feeding, loafing, or reproduction. Wildlife use of areas within an airport's approach or departure airspace, aircraft movement areas, loading ramps, or aircraft parking areas may cause conditions hazardous to aircraft safety.

All species of wildlife can pose a threat to aircraft safety. However, some species are more commonly involved in aircraft strikes than others. Table 1 lists the wildlife groups commonly reported as being involved in damaging strikes to U.S. aircraft from 1993 to 1995.

Table 1. Wildlife Groups Involved in Damaging Strikes to Civilian Aircraft, USA, 1993-1995.

Wildlife Groups	Percent involvement in reported damaging strikes
Gulls	28
Waterfowl	28
Raptors	11
Doves	6
Vultures	5
Blackbirds-	5
Starlings	
Corvids	3
Wading birds	3
Deer	11
Canids	1

1-2. LAND USE PRACTICES.

Land use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife-aircraft collisions. FAA recommends against land use practices, within the siting criteria stated in 1-3, that attract or sustain populations of hazardous wildlife within the vicinity of airports or cause movement of hazardous wildlife onto, into, or across the approach or departure airspace, aircraft movement area, loading ramps, or aircraft parking area of airports.

Airport operators, sponsors, planners, and land use developers should consider whether proposed land uses, including new airport development projects, would increase the wildlife hazard. Caution should be exercised to ensure that land use practices on or near airports do not enhance the attractiveness of the area to hazardous wildlife.

1-3. SITING CRITERIA.

FAA recommends separations when siting any of the wildlife attractants mentioned in Section 2 or when planning new airport development projects to accommodate aircraft movement. The distance between an airport's aircraft movement areas, loading ramps, or aircraft parking areas and the wildlife attractant should be as follows:

a. Airports serving piston-powered aircraft. A distance of 5,000 feet is recommended.

b. Airports serving turbine-powered aircraft. A distance of 10,000 feet is recommended.

c. Approach or Departure airspace. A distance of 5 statute miles is recommended, if the wildlife attractant may cause hazardous wildlife movement into or across the approach or departure airspace.

SECTION 2. LAND USES THAT ARE INCOMPATIBLE WITH SAFE AIRPORT OPERATIONS.

2-1. GENERAL. The wildlife species and the size of the populations attracted to the airport environment are highly variable and may depend on several factors, including land-use practices on or near the airport. It is important to identify those land use practices in the airport area that attract hazardous wildlife. This section discusses land use practices known to threaten aviation safety.

2-2. PUTRESCIBLE-WASTE DISPOSAL OPERATIONS. Putrescible-waste disposal operations are known to attract large numbers of wildlife that are hazardous to aircraft. Because of this, these operations, when located within the separations identified in the siting criteria in 1-3 are considered incompatible with safe airport operations.

FAA recommends against locating putrescible-waste disposal operations inside the separations identified in the siting criteria mentioned above. FAA also recommends against new airport development projects that would increase the number of aircraft operations or that would accommodate larger or faster aircraft, near putrescible-waste disposal operations located within the separations identified in the siting criteria in 1-3.

2-3. WASTEWATER TREATMENT FACILITIES. Wastewater treatment facilities and associated settling ponds often attract large numbers of wildlife that can pose a threat to aircraft safety when they are located on or near an airport.

a. New wastewater treatment facilities. FAA recommends against the construction of new wastewater treatment facilities or associated settling ponds within the separations identified in the siting criteria in 1-3. During the siting analysis for wastewater treatment facilities, the potential to attract hazardous wildlife should be considered if an airport is in the vicinity of a proposed site. Airport operators should voice their opposition to such sitings. In addition, they should consider the existence of wastewater treatment facilities when evaluating proposed sites for new airport development projects and avoid such sites when practicable.

b. Existing wastewater treatment facilities. FAA recommends correcting any wildlife hazards arising from existing wastewater treatment facilities located on or near airports without delay, using appropriate wildlife hazard mitigation techniques. Accordingly, measures to minimize hazardous wildlife attraction should be developed in consultation with a wildlife damage management biologist. FAA recommends that wastewater treatment facility operators incorporate appropriate wildlife hazard mitigation techniques into their operating practices. Airport operators also should encourage those operators to incorporate these mitigation techniques in their operating practices.

c. Artificial marshes. Waste-water treatment facilities may create artificial marshes and use submergent and emergent aquatic vegetation as natural filters. These artificial marshes may be used by some species of flocking birds, such as blackbirds and waterfowl, for breeding or roosting activities. FAA recommends against establishing artificial marshes within the separations identified in the siting criteria stated in 1-3.

d. Wastewater discharge and sludge disposal. FAA recommends against the discharge of wastewater or sludge on airport property. Regular spraying of wastewater or sludge disposal on unpaved areas may improve soil moisture and quality. The resultant turf growth requires more frequent mowing, which in turn may mutilate or flush insects or small animals and produce straw. The maimed or flushed organisms and the straw can attract hazardous wildlife and jeopardize aviation safety. In addition, the improved turf may attract grazing wildlife such as deer and geese.

Problems may also occur when discharges saturate unpaved airport areas. The resultant soft, muddy conditions can severely restrict or prevent emergency vehicles from reaching accident sites in a timely manner.

e. Underwater waste discharges. The underwater discharge of any food waste, e.g., fish processing offal, that could attract scavenging wildlife is not recommended within the separations identified in the siting criteria in 1-3.

2-4. WETLANDS.**a. Wetlands on or near Airports.**

(1) **Existing Airports.** Normally, wetlands are attractive to many wildlife species. Airport operators with wetlands located on or nearby airport property should be alert to any wildlife use or habitat changes in these areas that could affect safe aircraft operations.

(2) **Airport Development.** When practicable, the FAA recommends siting new airports using the separations identified in the siting criteria in 1-3. Where alternative sites are not practicable or when expanding existing airports in or near wetlands, the wildlife hazards should be evaluated and minimized through a wildlife management plan prepared by a wildlife damage management biologist, in consultation with the U.S. Fish and Wildlife Service (USFWS) and the U.S. Army Corps of Engineers (COE).

NOTE: If questions exist as to whether or not an area would qualify as a wetland, contact the U.S. Army COE, the Natural Resource Conservation Service, or a wetland consultant certified to delineate wetlands.

b. Wetland mitigation. Mitigation may be necessary when unavoidable wetland disturbances result from new airport development projects. Wetland mitigation should be designed so it does not create a wildlife hazard.

(1) FAA recommends that wetland mitigation projects that may attract hazardous wildlife be sited outside of the separations

identified in the siting criteria in 1-3. Wetland mitigation banks meeting these siting criteria offer an ecologically sound approach to mitigation in these situations.

(2) Exceptions to locating mitigation activities outside the separations identified in the siting criteria in 1-3 may be considered if the affected wetlands provide unique ecological functions, such as critical habitat for threatened or endangered species or ground water recharge. Such mitigation must be compatible with safe airport operations. Enhancing such mitigation areas to attract hazardous wildlife should be avoided. On-site mitigation plans may be reviewed by the FAA to determine compatibility with safe airport operations.

(3) Wetland mitigation projects that are needed to protect unique wetland functions (see 2-4.b.(2)), and that must be located in the siting criteria in 1-3 should be identified and evaluated by a wildlife damage management biologist before implementing the mitigation. A wildlife damage management plan should be developed to reduce the wildlife hazards.

NOTE: AC 150/5000-3, *Address List for Regional Airports Division and Airports District/Field Offices*, provides information on the location of these offices.

2-5. DREDGE SPOIL CONTAINMENT AREAS. FAA recommends against locating dredge spoil containment areas within the separations identified in the siting criteria in 1-3, if the spoil contains material that would attract hazardous wildlife.

SECTION 3. LAND USES THAT MAY BE COMPATIBLE WITH SAFE AIRPORT OPERATIONS.

3-1. GENERAL. Even though they may, under certain circumstances, attract hazardous wildlife, the land use practices discussed in this section have flexibility regarding their location or operation and may even be under the airport operator's or sponsor's control. In general, the FAA does not consider the activities discussed below as hazardous to aviation if there is no apparent attraction to hazardous wildlife, or wildlife hazard mitigation techniques are implemented to deal effectively with any wildlife hazard that may arise.

3-2. ENCLOSED WASTE FACILITIES. Enclosed trash transfer stations or enclosed waste handling facilities that receive garbage indoors; process it via compaction, incineration, or similar manner; and remove all residue by enclosed vehicles, generally would be compatible, from a wildlife perspective, with safe airport operations, provided they are not located on airport property or within the runway protection zone (RPZ). No putrescible-waste should be handled or stored outside at any time, for any reason, or in a partially enclosed structure accessible to hazardous wildlife.

Partially enclosed operations that accept putrescible-waste are considered to be incompatible with safe airport operations. FAA recommends these operations occur outside the separations identified in the siting criteria in 1-3.

3-3. RECYCLING CENTERS. Recycling centers that accept previously sorted, non-food items such as glass, newspaper, cardboard, or aluminum are, in most cases, not attractive to hazardous wildlife.

3-4. COMPOSTING OPERATIONS ON AIRPORTS. FAA recommends against locating composting operations on airports. However, when they are located on an airport, composting operations should not be located closer than the greater of the following distances: 1,200 feet from any aircraft movement area, loading ramp, or aircraft parking space; or the distance called for by airport design requirements. This spacing is intended to prevent material, personnel, or equipment from penetrating any Obstacle Free Area (OFA), Obstacle Free Zone (OFZ), Threshold Siting Surface (TSS), or Clearway (see AC 150/5300-13, *Airport Design*). On-airport disposal of compost by-products is not recommended for the reasons stated in 2-3.d.

a. Composition of material handled.

Components of the compost should never include any municipal solid waste. Non-food waste such as leaves, lawn clippings, branches, and twigs generally are not considered a wildlife attractant. Sewage sludge, wood-chips, and similar material are not municipal solid wastes and may be used as compost bulking agents.

b. Monitoring on-airport composting operations. If composting operations are to be located on airport property, FAA recommends that the airport operator monitor composting operations to ensure that steam or thermal rise does not affect air traffic in any way. Discarded leaf disposal bags or other debris must not be allowed to blow onto any active airport area. Also, the airport operator should reserve the right to stop any operation that creates unsafe, undesirable, or incompatible conditions at the airport.

3-5. ASH DISPOSAL. Fly ash from resource recovery facilities that are fired by municipal solid waste, coal, or wood, is generally considered not to be a wildlife attractant because it contains no putrescible matter. FAA generally does not consider landfills accepting only fly ash to be wildlife attractants, if those landfills: are maintained in an orderly manner; admit no putrescible-waste of any kind; and are not co-located with other disposal operations.

Since varying degrees of waste consumption are associated with general incineration, FAA classifies the ash from general incinerators as a regular waste disposal by-product and, therefore, a hazardous wildlife attractant.

3-6. CONSTRUCTION AND DEMOLITION (C&D) DEBRIS LANDFILLS. C&D debris (Class IV) landfills have visual and operational characteristics similar to putrescible-waste disposal sites. When co-located with putrescible-waste disposal operations, the probability of hazardous wildlife attraction to C&D landfills increases because of the similarities between these disposal activities.

FAA generally does not consider C&D landfills to be hazardous wildlife attractants, if those landfills: are maintained in an orderly manner; admit no putrescible-waste of any kind; and are not co-located with other disposal operations.

3-7. WATER DETENTION OR RETENTION PONDS. The movement of storm water away from runways, taxiways, and aprons is a normal function on most airports and is necessary for safe aircraft operations. Detention ponds hold storm water for short periods, while retention ponds hold water indefinitely. Both types of ponds control runoff, protect water quality, and can attract hazardous wildlife. Retention ponds are more attractive to hazardous wildlife than detention ponds because they provide a more reliable water source.

To facilitate hazardous wildlife control, FAA recommends using steep-sided, narrow, linearly-shaped, rip-rap lined, water detention basins rather than retention basins. When possible, these ponds should be placed away from aircraft movement areas to minimize aircraft-wildlife interactions. All vegetation in or around detention or retention basins that provide food or cover for hazardous wildlife should be eliminated.

If soil conditions and other requirements allow, FAA encourages the use of underground storm water infiltration systems, such as French drains or buried rock fields, because they are less attractive to wildlife.

3-8. LANDSCAPING. Wildlife attraction to landscaping may vary by geographic location. FAA recommends that airport operators approach landscaping with caution and confine it to airport areas not associated with aircraft movements. All landscaping plans should be reviewed by a wildlife damage management biologist. Landscaped areas should be monitored on a continuing basis for the presence of hazardous wildlife. If hazardous wildlife is detected, corrective actions should be implemented immediately.

3-9. GOLF COURSES. Golf courses may be beneficial to airports because they provide open space that can be used for noise mitigation or by aircraft during an emergency. On-airport golf courses may also be a concurrent use that provides income to the airport.

Because of operational and monetary benefits, golf courses are often deemed compatible land uses on or near airports. However, waterfowl (especially Canada geese) and some species of gulls are attracted to the large, grassy areas and open water found on most golf courses. Because waterfowl and gulls occur throughout the U.S., FAA recommends that airport operators exercise caution and consult with a wildlife damage management biologist when considering proposals for golf

course construction or expansion on or near airports. Golf courses should be monitored on a continuing basis for the presence of hazardous wildlife. If hazardous wildlife is detected, corrective actions should be implemented immediately.

3-10. AGRICULTURAL CROPS. As noted above, airport operators often promote revenue-generating activities to supplement an airport's financial viability. A common concurrent use is agricultural crop production. Such use may create potential hazards to aircraft by attracting wildlife. Any proposed on-airport agricultural operations should be reviewed by a wildlife damage management biologist. FAA generally does not object to agricultural crop production on airports when: wildlife hazards are not predicted; the guidelines for the airport areas specified in 3-10.a-f. are observed; and the agricultural operation is closely monitored by the airport operator or sponsor to ensure that hazardous wildlife are not attracted.

NOTE: If wildlife becomes a problem due to on-airport agricultural operations, FAA recommends undertaking the remedial actions described in 3-10.f.

a. Agricultural activities adjacent to runways. To ensure safe, efficient aircraft operations, FAA recommends that no agricultural activities be conducted in the Runway Safety Area (RSA), OFA, and the OFZ (see AC 150/5300-13).

b. Agricultural activities in areas requiring minimum object clearances. Restricting agricultural operations to areas outside the RSA, OFA, OFZ, and Runway Visibility Zone (RVZ) (see AC 150/5300-13) will normally provide the minimum object clearances required by FAA's airport design standards. FAA recommends that farming operations not be permitted within areas critical to the proper operation of localizers, glide slope indicators, or other visual or electronic navigational aids. Determinations of minimal areas that must be kept free of farming operations should be made on a case-by-case basis. If navigational aids are present, farm leases for on-airport agricultural activities should be coordinated with FAA's Airway Facilities Division, in accordance with FAA Order 6750.16, *Siting Criteria for Instrument Landing Systems*.

NOTE: Crop restriction lines conforming to the dimensions set forth in Table 2 will normally provide the minimum object clearance required by

FAA airport design standards. The presence of navigational aids may require expansion of the restricted area.

c. **Agricultural activities within an airport's approach areas.** The RSA, OFA, and OFZ all extend beyond the runway shoulder and into the approach area by varying distances. The OFA normally extends the farthest and is usually the controlling surface. However, for some runways, the TSS (see AC 150/5300-13, Appendix 2) may be more controlling than the OFA. The TSS may not be penetrated by any object. The minimum distances shown in Table 2 are intended to prevent penetration of the OFA, OFZ, or TSS by crops or farm machinery.

NOTE: Threshold Siting standards should not be confused with the approach areas described in Title 14, Code of Federal Regulations, Part 77, (14 CFR 77), *Objects Affecting Navigable Airspace*.

d. **Agricultural activities between intersecting runways.** FAA recommends that no agricultural activities be permitted within the RVZ. If the terrain is sufficiently below the runway elevation, some types of crops and equipment may be acceptable. Specific determinations of what is permissible in this area requires topographical data. For example, if the terrain within the RVZ is level with the runway ends, farm machinery or crops may interfere with a pilot's line-of-sight in the RVZ.

e. **Agricultural activities in areas adjacent to taxiways and aprons.** Farming activities should not be permitted within a taxiway's OFA. The outer portions of aprons are frequently used as a taxilane and farming operations should not be permitted within the OFA. Farming operations should not be permitted between runways and parallel taxiways.

f. **Remedial actions for problematic agricultural activities.** If a problem with hazardous wildlife develops, FAA recommends that a professional wildlife damage management biologist be contacted and an on-site inspection be conducted. The biologist should be requested to determine the source of the hazardous wildlife attraction and suggest remedial action. Regardless of the source of the attraction, prompt remedial actions to protect aviation safety are recommended. The remedial actions may range from choosing another crop or farming technique to complete termination of the agricultural operation.

Whenever on-airport agricultural operations are stopped due to wildlife hazards or annual harvest, FAA recommends plowing under all crop residue and harrowing the surface area smooth. This will reduce or eliminate the area's attractiveness to foraging wildlife. FAA recommends that this requirement be written into all on-airport farm use contracts and clearly understood by the lessee.

Table 2. Minimum Distances Between Certain Airport Features And Any On-Airport Agriculture Crops.

Aircraft Approach Category And Design Group ¹	Distance In Feet From Runway Centerline To Crop		Distance In Feet From Runway End To Crop		Distance In Feet From Centerline Of Taxiway To Crop	Distance In Feet From Edge Of Apron To Crop
	Visual & $\geq \frac{3}{4}$ mile	$< \frac{3}{4}$ mile	Visual & $\geq \frac{3}{4}$ mile	$< \frac{3}{4}$ mile		
Category A & B Aircraft						
Group I	200 ²	400	300 ³	600	45	40
Group II	250	400	400 ³	600	66	58
Group III	400	400	600	800	93	81
Group IV	400	400	1,000	1,000	130	113
Category C, D & E Aircraft						
Group I	530 ³	575 ³	1,000	1,000	45	40
Group II	530 ³	575 ³	1,000	1,000	66	58
Group III	530 ³	575 ³	1,000	1,000	93	81
Group IV	530 ³	575 ³	1,000	1,000	130	113
Group V	530 ³	575 ³	1,000	1,000	160	138
Group VI	530 ³	575 ³	1,000	1,000	193	167

1. Design Groups are based on wing span, and Category depends on approach speed of the aircraft.

Group I: Wing span up to 49 ft.

Group II: Wing span 49 ft. up to 78 ft.

Group III: Wing span 79 ft. up to 117 ft.

Group IV: Wing span 118 ft. up to 170 ft.

Group V: Wing span 171 ft. up to 213 ft.

Group VI: Wing span 214 ft. up to 261 ft.

Category A: Speed less than 91 knots

Category B: Speed 91 knots up to 120 knots

Category C: Speed 121 knots up to 140 knots

Category D: Speed 141 knots up to 165 knots

Category E: Speed 166 knots or more

2. If the runway will only serve small airplanes (12,500 lb. and under) in Design Group I, this dimension may be reduced to 125 feet; however, this dimension should be increased where necessary to accommodate visual navigational aids that may be installed. For example farming operations should not be allowed within 25 feet of a Precision Approach Path Indicator (PAPI) light box.

3. These dimensions reflect the TSS as defined in AC 150/5300-13, Appendix 2. The TSS cannot be penetrated by any object. Under these conditions, the TSS is more restrictive than the OFA, and the dimensions shown here are to prevent penetration of the TSS by crops and farm machinery.

SECTION 4. NOTIFICATION OF FAA ABOUT HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR AN AIRPORT.

4-1. GENERAL. Airport operators, land developers, and owners should notify the FAA in writing of known or reasonably foreseeable land use practices on or near airports that either attract or may attract hazardous wildlife. This section discusses those notification procedures.

4-2. NOTIFICATION REQUIREMENTS FOR WASTE DISPOSAL SITE OPERATIONS. The Environmental Protection Agency (EPA) requires any operator proposing a new or expanded waste disposal operation within 5 statute miles of a runway end to notify the appropriate FAA Regional Airports Division Office and the airport operator of the proposal (40 CFR 258, *Criteria for Municipal Solid Waste Landfills*, section 258.10, *Airport Safety*). The EPA also requires owners or operators of new municipal solid waste landfill (MSWLF) units, or lateral expansions of existing MSWLF units that are located within 10,000 feet of any airport runway end used by turbojet aircraft or within 5,000 feet of any airport runway end used only by piston-type aircraft, to demonstrate successfully that such units are not hazards to aircraft.

a. Timing of Notification. When new or expanded MSWLFs are being proposed near airports, MSWLF operators should notify the airport operator and the FAA of this as early as possible pursuant to 40 CFR Part 258. Airport operators should encourage the MSWLF operators to provide notification as early as possible.

NOTE: AC 150/5000-3 provides information on these FAA offices.

b. Putrescible-Waste Facilities. In their effort to satisfy the EPA requirement, some putrescible-waste facility proponents may offer to undertake experimental measures to demonstrate that their proposed facility will not be a hazard to aircraft. To date, the ability to sustain a reduction in the numbers of hazardous wildlife to levels that existed before a putrescible-waste landfill began operating has not been successfully demonstrated. For this reason, demonstrations of experimental wildlife control measures should not be conducted in active aircraft operations areas.

c. Other Waste Facilities. To claim successfully that a waste handling facility sited within the separations identified in the siting criteria in 1-3

does not attract hazardous wildlife and does not threaten aviation, the developer must establish convincingly that the facility will not handle putrescible material other than that as outlined in 3-2. FAA requests that waste site developers provide a copy of an official permit request verifying that the facility will not handle putrescible material other than that as outlined in 3-2. FAA will use this information to determine if the facility will be a hazard to aviation.

4-3. NOTIFYING FAA ABOUT OTHER WILDLIFE ATTRACTANTS. While U. S. EPA regulations require landfill owners to provide notification, no similar regulations require notifying FAA about changes in other land use practices that can create hazardous wildlife attractants. Although it is not required by regulation, FAA requests those proposing land use changes such as those discussed in 2-3, 2-4, and 2-5 to provide similar notice to the FAA as early in the development process as possible. Airport operators that become aware of such proposed development in the vicinity of their airports should also notify the FAA. The notification process gives the FAA an opportunity to evaluate the effect of a particular land use change on aviation safety.

The land use operator or project proponent may use FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, or other suitable documents to notify the appropriate FAA Regional Airports Division Office.

It is helpful if the notification includes a 15-minute quadrangle map of the area identifying the location of the proposed activity. The land use operator or project proponent should also forward specific details of the proposed land use change or operational change or expansion. In the case of solid waste landfills, the information should include the type of waste to be handled, how the waste will be processed, and final disposal methods.

4-5. FAA REVIEW OF PROPOSED LAND USE CHANGES.

a. The FAA discourages the development of facilities discussed in section 2 that will be located within the 5,000/10,000-foot criteria in 1-3.

b. For projects which are located outside the 5,000/10,000-foot criteria, but within 5 statute miles of the airport's aircraft movement areas, loading ramps, or aircraft parking areas, FAA may review development plans, proposed land use changes, operational changes, or wetland mitigation plans to determine if such changes present potential wildlife hazards to aircraft operations. Sensitive airport areas will be identified as those that lie under or next to approach or departure airspace. This brief examination should be sufficient to determine if further investigation is warranted.

c. Where further study has been conducted by a wildlife damage management biologist to evaluate a site's compatibility with airport operations, the FAA will use the study results to make its determination.

d. FAA will discourage the development of any excepted sites (see Section 3) within the criteria specified in 1-3 if a study shows that the area supports hazardous wildlife species.

4-6. AIRPORT OPERATORS. Airport operators should be aware of proposed land use changes, or modification of existing land uses, that could create hazardous wildlife attractants within the separations identified in the siting criteria in 1-3. Particular attention should be given to proposed land uses involving creation or expansion of waste water treatment facilities, development of wetland mitigation sites, or development or expansion of dredge spoil containment areas.

a. **AIP-funded airports.** FAA recommends that operators of AIP-funded airports, to the extent practicable, oppose off-airport land use changes or practices (within the separations identified in the siting criteria in 1-3) that may attract hazardous wildlife. Failure to do so could place the airport operator or sponsor in noncompliance with applicable grant assurances.

FAA recommends against the placement of airport development projects pertaining to aircraft movement in the vicinity of hazardous wildlife attractants. Airport operators, sponsors, and planners should identify wildlife attractants and any associated wildlife hazards during any planning process for new airport development projects.

b. **Additional coordination.** If, after the initial review by FAA, questions remain about the existence of a wildlife hazard near an airport, the airport operator or sponsor should consult a wildlife damage management biologist. Such questions may be triggered by a history of wildlife strikes at the airport or the proximity of the airport to a wildlife refuge, body of water, or similar feature known to attract wildlife.

c. **Specialized assistance.** If the services of a wildlife damage management biologist are required, FAA recommends that land use developers or the airport operator contact the appropriate state director of the United States Department of Agriculture/Animal Damage Control (USDA/ADC), or a consultant specializing in wildlife damage management. Telephone numbers for the respective USDA/ADC state offices may be obtained by contacting USDA/ADC's Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD, 20737-1234, Telephone (301) 734-7921, Fax (301) 734-5157. The ADC biologist or consultant should be requested to identify and quantify wildlife common to the area and evaluate the potential wildlife hazards.

d. **Notifying airmen.** If an existing land use practice creates a wildlife hazard, and the land use practice or wildlife hazard cannot be immediately eliminated, the airport operator should issue a Notice to Airmen (NOTAM) and encourage the land owner or manager to take steps to control the wildlife hazard and minimize further attraction.

APPENDIX 1. DEFINITIONS OF TERMS USED IN THIS ADVISORY CIRCULAR.

1. GENERAL. This appendix provides definitions of terms used throughout this AC.

a. Aircraft movement area. The runways, taxiways, and other areas of an airport which are used for taxiing or hover taxiing, air taxiing, takeoff, and landing of aircraft exclusive of loading ramps and aircraft parking areas.

b. Airport operator. The operator (private or public) or sponsor of a public use airport.

c. Approach or departure airspace. The airspace, within 5 statute miles of an airport, through which aircraft move during landing or takeoff.

d. Concurrent use. Aeronautical property used for compatible non-aviation purposes while at the same time serving the primary purpose for which it was acquired; and the use is clearly beneficial to the airport. The concurrent use should generate revenue to be used for airport purposes (see Order 5190.6A, *Airport Compliance Requirements*, sect. 5h).

e. Fly ash. The fine, sand-like residue resulting from the complete incineration of an organic fuel source. Fly ash typically results from the combustion of coal or waste used to operate a power generating plant.

f. Hazardous wildlife. Wildlife species that are commonly associated with wildlife-aircraft strike problems, are capable of causing structural damage to airport facilities, or act as attractants to other wildlife that pose a wildlife-aircraft strike hazard.

g. Piston-use airport. Any airport that would primarily serve FIXED-WING, piston-powered aircraft. Incidental use of the airport by turbine-powered, FIXED-WING aircraft would not affect this designation. However, such aircraft should not be based at the airport.

h. Public-use airport. Any publicly owned airport or a privately-owned airport used or intended to be used for public purposes.

i. Putrescible material. Rotting organic material.

j. Putrescible-waste disposal operation. Landfills, garbage dumps, underwater waste discharges, or similar facilities where activities include processing, burying, storing, or otherwise disposing of putrescible material, trash, and refuse.

k. Runway protection zone (RPZ). An area off the runway end to enhance the protection of people and property on the ground (see AC 150/5300-13). The dimensions of this zone vary with the design aircraft, type of operation, and visibility minimum.

l. Sewage sludge. The de-watered effluent resulting from secondary or tertiary treatment of municipal sewage and/or industrial wastes, including sewage sludge as referenced in U.S. EPA's *Effluent Guidelines and Standards*, 40 C.F.R. Part 401.

m. Shoulder. An area adjacent to the edge of paved runways, taxiways, or aprons providing a transition between the pavement and the adjacent surface, support for aircraft running off the pavement, enhanced drainage, and blast protection (see AC 150/5300-13).

n. Turbine-powered aircraft. Aircraft powered by turbine engines including turbojets and turboprops but excluding turbo-shaft rotary-wing aircraft.

o. Turbine-use airport. Any airport that ROUTINELY serves FIXED-WING turbine-powered aircraft.

p. Wastewater treatment facility. Any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes, including Publicly Owned Treatment Works (POTW), as defined by Section 212 of the Federal Water Pollution Control Act (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L. 95-576) and the Water Quality Act of 1987 (P.L. 100-4). This definition includes any pretreatment involving the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. (See 40 C.F. R. Section 403.3 (o), (p), & (q)).

q. **Wildlife.** Any wild animal, including without limitation any wild mammal, bird, reptile, fish, amphibian, mollusk, crustacean, arthropod, coelenterate, or other invertebrate, including any part, product, egg, or offspring there of (50 CFR 10.12, *Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, and Importation of Wildlife and Plants*): As used in this AC, WILDLIFE includes feral animals and domestic animals while out of the control of their owners (14 CFR 139.3, *Certification and Operations: Land Airports Serving CAB-Certificated Scheduled Air Carriers Operating Large Aircraft (Other Than Helicopters)*).

r. **Wildlife attractants.** Any human-made structure, land use practice, or human-made or natural geographic feature, that can attract or sustain hazardous wildlife within the landing or departure airspace, aircraft movement area, loading ramps, or aircraft parking areas of an airport. These attractants can include but are not limited to architectural features, landscaping, waste disposal sites, wastewater treatment facilities, agricultural or aquacultural activities, surface mining, or wetlands.

s. **Wildlife hazard.** A potential for a damaging aircraft collision with wildlife on or near an airport (14 CFR 139.3).

2. **RESERVED.**



U.S. Department
of Transportation
**Federal Aviation
Administration**

Advisory Circular

Subject: HAZARDOUS WILDLIFE ATTRACTANTS ON
OR NEAR AIRPORTS

Date: 5/1/97

AC No: 150/5200-33

Initiated by:

Change:

AAS-310 and APP-600

1. PURPOSE. This advisory circular (AC) provides guidance on locating certain land uses having the potential to attract hazardous wildlife to or in the vicinity of public-use airports. It also provides guidance concerning the placement of new airport development projects (including airport construction, expansion, and renovation) pertaining to aircraft movement in the vicinity of hazardous wildlife attractants. Appendix 1 provides definitions of terms used in this AC.

2. APPLICATION. The standards, practices, and suggestions contained in this AC are recommended by the Federal Aviation Administration (FAA) for use by the operators and sponsors of all public-use airports. In addition, the standards, practices, and suggestions contained in this AC are recommended by the FAA as guidance for land use planners, operators, and developers of projects, facilities, and activities on or near airports.

3. BACKGROUND. Populations of many species of wildlife have increased markedly in the

last few years. Some of these species are able to adapt to human-made environments, such as exist on and around airports. The increase in wildlife populations, the use of larger turbine engines, the increased use of twin-engine aircraft, and the increase in air-traffic, all combine to increase the risk, frequency, and potential severity of wildlife-aircraft collisions.

Most public-use airports have large tracts of open, unimproved land that are desirable for added margins of safety and noise mitigation. These areas can present potential hazards to aviation because they often attract hazardous wildlife. During the past century, wildlife-aircraft strikes have resulted in the loss of hundreds of lives world-wide, as well as billions of dollars worth of aircraft damage. Hazardous wildlife attractants near airports could jeopardize future airport expansion because of safety considerations.

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Director, Office of Airport Safety and Standards

SECTION 1. HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR AIRPORTS.

1-1. TYPES OF HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR AIRPORTS.

Human-made or natural areas, such as poorly-drained areas, retention ponds, roosting habitats on buildings, landscaping, putrescible-waste disposal operations, wastewater treatment plants, agricultural or aquacultural activities, surface mining, or wetlands, may be used by wildlife for escape, feeding, loafing, or reproduction. Wildlife use of areas within an airport's approach or departure airspace, aircraft movement areas, loading ramps, or aircraft parking areas may cause conditions hazardous to aircraft safety.

All species of wildlife can pose a threat to aircraft safety. However, some species are more commonly involved in aircraft strikes than others. Table 1 lists the wildlife groups commonly reported as being involved in damaging strikes to U.S. aircraft from 1993 to 1995.

Table 1. Wildlife Groups Involved in Damaging Strikes to Civilian Aircraft, USA, 1993-1995.

Wildlife Groups	Percent involvement in reported damaging strikes
Gulls	28
Waterfowl	28
Raptors	11
Doves	6
Vultures	5
Blackbirds-	5
Starlings	
Corvids	3
Wading birds	3
Deer	11
Canids	1

1-2. LAND USE PRACTICES.

Land use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife-aircraft collisions. FAA recommends against land use practices, within the siting criteria stated in 1-3, that attract or sustain populations of hazardous wildlife within the vicinity of airports or cause movement of hazardous wildlife onto, into, or across the approach or departure airspace, aircraft movement area, loading ramps, or aircraft parking area of airports.

Airport operators, sponsors, planners, and land use developers should consider whether proposed land uses, including new airport development projects, would increase the wildlife hazard. Caution should be exercised to ensure that land use practices on or near airports do not enhance the attractiveness of the area to hazardous wildlife.

1-3. SITING CRITERIA.

FAA recommends separations when siting any of the wildlife attractants mentioned in Section 2 or when planning new airport development projects to accommodate aircraft movement. The distance between an airport's aircraft movement areas, loading ramps, or aircraft parking areas and the wildlife attractant should be as follows:

a. Airports serving piston-powered aircraft. A distance of 5,000 feet is recommended.

b. Airports serving turbine-powered aircraft. A distance of 10,000 feet is recommended.

c. Approach or Departure airspace. A distance of 5 statute miles is recommended, if the wildlife attractant may cause hazardous wildlife movement into or across the approach or departure airspace.

SECTION 2. LAND USES THAT ARE INCOMPATIBLE WITH SAFE AIRPORT OPERATIONS.

2-1. GENERAL. The wildlife species and the size of the populations attracted to the airport environment are highly variable and may depend on several factors, including land-use practices on or near the airport. It is important to identify those land use practices in the airport area that attract hazardous wildlife. This section discusses land use practices known to threaten aviation safety.

2-2. PUTRESCIBLE-WASTE DISPOSAL OPERATIONS. Putrescible-waste disposal operations are known to attract large numbers of wildlife that are hazardous to aircraft. Because of this, these operations, when located within the separations identified in the siting criteria in 1-3 are considered incompatible with safe airport operations.

FAA recommends against locating putrescible-waste disposal operations inside the separations identified in the siting criteria mentioned above. FAA also recommends against new airport development projects that would increase the number of aircraft operations or that would accommodate larger or faster aircraft, near putrescible-waste disposal operations located within the separations identified in the siting criteria in 1-3.

2-3. WASTEWATER TREATMENT FACILITIES. Wastewater treatment facilities and associated settling ponds often attract large numbers of wildlife that can pose a threat to aircraft safety when they are located on or near an airport.

a. New wastewater treatment facilities. FAA recommends against the construction of new wastewater treatment facilities or associated settling ponds within the separations identified in the siting criteria in 1-3. During the siting analysis for wastewater treatment facilities, the potential to attract hazardous wildlife should be considered if an airport is in the vicinity of a proposed site. Airport operators should voice their opposition to such sitings. In addition, they should consider the existence of wastewater treatment facilities when evaluating proposed sites for new airport development projects and avoid such sites when practicable.

b. Existing wastewater treatment facilities. FAA recommends correcting any wildlife hazards arising from existing wastewater treatment facilities located on or near airports without delay, using appropriate wildlife hazard mitigation techniques. Accordingly, measures to minimize hazardous wildlife attraction should be developed in consultation with a wildlife damage management biologist. FAA recommends that wastewater treatment facility operators incorporate appropriate wildlife hazard mitigation techniques into their operating practices. Airport operators also should encourage those operators to incorporate these mitigation techniques in their operating practices.

c. Artificial marshes. Waste-water treatment facilities may create artificial marshes and use submergent and emergent aquatic vegetation as natural filters. These artificial marshes may be used by some species of flocking birds, such as blackbirds and waterfowl, for breeding or roosting activities. FAA recommends against establishing artificial marshes within the separations identified in the siting criteria stated in 1-3.

d. Wastewater discharge and sludge disposal. FAA recommends against the discharge of wastewater or sludge on airport property. Regular spraying of wastewater or sludge disposal on unpaved areas may improve soil moisture and quality. The resultant turf growth requires more frequent mowing, which in turn may mutilate or flush insects or small animals and produce straw. The maimed or flushed organisms and the straw can attract hazardous wildlife and jeopardize aviation safety. In addition, the improved turf may attract grazing wildlife such as deer and geese.

Problems may also occur when discharges saturate unpaved airport areas. The resultant soft, muddy conditions can severely restrict or prevent emergency vehicles from reaching accident sites in a timely manner.

e. Underwater waste discharges. The underwater discharge of any food waste, e.g., fish processing offal, that could attract scavenging wildlife is not recommended within the separations identified in the siting criteria in 1-3.

2-4. WETLANDS.**a. Wetlands on or near Airports.**

(1) **Existing Airports.** Normally, wetlands are attractive to many wildlife species. Airport operators with wetlands located on or nearby airport property should be alert to any wildlife use or habitat changes in these areas that could affect safe aircraft operations.

(2) **Airport Development.** When practicable, the FAA recommends siting new airports using the separations identified in the siting criteria in 1-3. Where alternative sites are not practicable or when expanding existing airports in or near wetlands, the wildlife hazards should be evaluated and minimized through a wildlife management plan prepared by a wildlife damage management biologist, in consultation with the U.S. Fish and Wildlife Service (USFWS) and the U.S. Army Corps of Engineers (COE).

NOTE: If questions exist as to whether or not an area would qualify as a wetland, contact the U.S. Army COE, the Natural Resource Conservation Service, or a wetland consultant certified to delineate wetlands.

b. Wetland mitigation. Mitigation may be necessary when unavoidable wetland disturbances result from new airport development projects. Wetland mitigation should be designed so it does not create a wildlife hazard.

(1) FAA recommends that wetland mitigation projects that may attract hazardous wildlife be sited outside of the separations

identified in the siting criteria in 1-3. Wetland mitigation banks meeting these siting criteria offer an ecologically sound approach to mitigation in these situations.

(2) Exceptions to locating mitigation activities outside the separations identified in the siting criteria in 1-3 may be considered if the affected wetlands provide unique ecological functions, such as critical habitat for threatened or endangered species or ground water recharge. Such mitigation must be compatible with safe airport operations. Enhancing such mitigation areas to attract hazardous wildlife should be avoided. On-site mitigation plans may be reviewed by the FAA to determine compatibility with safe airport operations.

(3) Wetland mitigation projects that are needed to protect unique wetland functions (see 2-4.b.(2)), and that must be located in the siting criteria in 1-3 should be identified and evaluated by a wildlife damage management biologist before implementing the mitigation. A wildlife damage management plan should be developed to reduce the wildlife hazards.

NOTE: AC 150/5000-3, *Address List for Regional Airports Division and Airports District/Field Offices*, provides information on the location of these offices.

2-5. DREDGE SPOIL CONTAINMENT AREAS. FAA recommends against locating dredge spoil containment areas within the separations identified in the siting criteria in 1-3, if the spoil contains material that would attract hazardous wildlife.

SECTION 3. LAND USES THAT MAY BE COMPATIBLE WITH SAFE AIRPORT OPERATIONS.

3-1. GENERAL. Even though they may, under certain circumstances, attract hazardous wildlife, the land use practices discussed in this section have flexibility regarding their location or operation and may even be under the airport operator's or sponsor's control. In general, the FAA does not consider the activities discussed below as hazardous to aviation if there is no apparent attraction to hazardous wildlife, or wildlife hazard mitigation techniques are implemented to deal effectively with any wildlife hazard that may arise.

3-2. ENCLOSED WASTE FACILITIES. Enclosed trash transfer stations or enclosed waste handling facilities that receive garbage indoors; process it via compaction, incineration, or similar manner; and remove all residue by enclosed vehicles, generally would be compatible, from a wildlife perspective, with safe airport operations, provided they are not located on airport property or within the runway protection zone (RPZ). No putrescible-waste should be handled or stored outside at any time, for any reason, or in a partially enclosed structure accessible to hazardous wildlife.

Partially enclosed operations that accept putrescible-waste are considered to be incompatible with safe airport operations. FAA recommends these operations occur outside the separations identified in the siting criteria in 1-3.

3-3. RECYCLING CENTERS. Recycling centers that accept previously sorted, non-food items such as glass, newspaper, cardboard, or aluminum are, in most cases, not attractive to hazardous wildlife.

3-4. COMPOSTING OPERATIONS ON AIRPORTS. FAA recommends against locating composting operations on airports. However, when they are located on an airport, composting operations should not be located closer than the greater of the following distances: 1,200 feet from any aircraft movement area, loading ramp, or aircraft parking space; or the distance called for by airport design requirements. This spacing is intended to prevent material, personnel, or equipment from penetrating any Obstacle Free Area (OFA), Obstacle Free Zone (OFZ), Threshold Siting Surface (TSS), or Clearway (see AC 150/5300-13, *Airport Design*). On-airport disposal of compost by-products is not recommended for the reasons stated in 2-3.d.

a. Composition of material handled. Components of the compost should never include any municipal solid waste. Non-food waste such as leaves, lawn clippings, branches, and twigs generally are not considered a wildlife attractant. Sewage sludge, wood-chips, and similar material are not municipal solid wastes and may be used as compost bulking agents.

b. Monitoring on-airport composting operations. If composting operations are to be located on airport property, FAA recommends that the airport operator monitor composting operations to ensure that steam or thermal rise does not affect air traffic in any way. Discarded leaf disposal bags or other debris must not be allowed to blow onto any active airport area. Also, the airport operator should reserve the right to stop any operation that creates unsafe, undesirable, or incompatible conditions at the airport.

3-5. ASH DISPOSAL. Fly ash from resource recovery facilities that are fired by municipal solid waste, coal, or wood, is generally considered not to be a wildlife attractant because it contains no putrescible matter. FAA generally does not consider landfills accepting only fly ash to be wildlife attractants, if those landfills: are maintained in an orderly manner; admit no putrescible-waste of any kind; and are not co-located with other disposal operations.

Since varying degrees of waste consumption are associated with general incineration, FAA classifies the ash from general incinerators as a regular waste disposal by-product and, therefore, a hazardous wildlife attractant.

3-6. CONSTRUCTION AND DEMOLITION (C&D) DEBRIS LANDFILLS. C&D debris (Class IV) landfills have visual and operational characteristics similar to putrescible-waste disposal sites. When co-located with putrescible-waste disposal operations, the probability of hazardous wildlife attraction to C&D landfills increases because of the similarities between these disposal activities.

FAA generally does not consider C&D landfills to be hazardous wildlife attractants, if those landfills: are maintained in an orderly manner; admit no putrescible-waste of any kind; and are not co-located with other disposal operations.

3-7. WATER DETENTION OR RETENTION PONDS. The movement of storm water away from runways, taxiways, and aprons is a normal function on most airports and is necessary for safe aircraft operations. Detention ponds hold storm water for short periods, while retention ponds hold water indefinitely. Both types of ponds control runoff, protect water quality, and can attract hazardous wildlife. Retention ponds are more attractive to hazardous wildlife than detention ponds because they provide a more reliable water source.

To facilitate hazardous wildlife control, FAA recommends using steep-sided, narrow, linearly-shaped, rip-rap lined, water detention basins rather than retention basins. When possible, these ponds should be placed away from aircraft movement areas to minimize aircraft-wildlife interactions. All vegetation in or around detention or retention basins that provide food or cover for hazardous wildlife should be eliminated.

If soil conditions and other requirements allow, FAA encourages the use of underground storm water infiltration systems, such as French drains or buried rock fields, because they are less attractive to wildlife.

3-8. LANDSCAPING. Wildlife attraction to landscaping may vary by geographic location. FAA recommends that airport operators approach landscaping with caution and confine it to airport areas not associated with aircraft movements. All landscaping plans should be reviewed by a wildlife damage management biologist. Landscaped areas should be monitored on a continuing basis for the presence of hazardous wildlife. If hazardous wildlife is detected, corrective actions should be implemented immediately.

3-9. GOLF COURSES. Golf courses may be beneficial to airports because they provide open space that can be used for noise mitigation or by aircraft during an emergency. On-airport golf courses may also be a concurrent use that provides income to the airport.

Because of operational and monetary benefits, golf courses are often deemed compatible land uses on or near airports. However, waterfowl (especially Canada geese) and some species of gulls are attracted to the large, grassy areas and open water found on most golf courses. Because waterfowl and gulls occur throughout the U.S., FAA recommends that airport operators exercise caution and consult with a wildlife damage management biologist when considering proposals for golf

course construction or expansion on or near airports. Golf courses should be monitored on a continuing basis for the presence of hazardous wildlife. If hazardous wildlife is detected, corrective actions should be implemented immediately.

3-10. AGRICULTURAL CROPS. As noted above, airport operators often promote revenue-generating activities to supplement an airport's financial viability. A common concurrent use is agricultural crop production. Such use may create potential hazards to aircraft by attracting wildlife. Any proposed on-airport agricultural operations should be reviewed by a wildlife damage management biologist. FAA generally does not object to agricultural crop production on airports when: wildlife hazards are not predicted; the guidelines for the airport areas specified in 3-10.a-f. are observed; and the agricultural operation is closely monitored by the airport operator or sponsor to ensure that hazardous wildlife are not attracted.

NOTE: If wildlife becomes a problem due to on-airport agricultural operations, FAA recommends undertaking the remedial actions described in 3-10.f.

a. Agricultural activities adjacent to runways. To ensure safe, efficient aircraft operations, FAA recommends that no agricultural activities be conducted in the Runway Safety Area (RSA), OFA, and the OFZ (see AC 150/5300-13).

b. Agricultural activities in areas requiring minimum object clearances. Restricting agricultural operations to areas outside the RSA, OFA, OFZ, and Runway Visibility Zone (RVZ) (see AC 150/5300-13) will normally provide the minimum object clearances required by FAA's airport design standards. FAA recommends that farming operations not be permitted within areas critical to the proper operation of localizers, glide slope indicators, or other visual or electronic navigational aids. Determinations of minimal areas that must be kept free of farming operations should be made on a case-by-case basis. If navigational aids are present, farm leases for on-airport agricultural activities should be coordinated with FAA's Airway Facilities Division, in accordance with FAA Order 6750.16, *Siting Criteria for Instrument Landing Systems*.

NOTE: Crop restriction lines conforming to the dimensions set forth in Table 2 will normally provide the minimum object clearance required by

FAA airport design standards. The presence of navigational aids may require expansion of the restricted area.

c. **Agricultural activities within an airport's approach areas.** The RSA, OFA, and OFZ all extend beyond the runway shoulder and into the approach area by varying distances. The OFA normally extends the farthest and is usually the controlling surface. However, for some runways, the TSS (see AC 150/5300-13, Appendix 2) may be more controlling than the OFA. The TSS may not be penetrated by any object. The minimum distances shown in Table 2 are intended to prevent penetration of the OFA, OFZ, or TSS by crops or farm machinery.

NOTE: Threshold Siting standards should not be confused with the approach areas described in Title 14, Code of Federal Regulations, Part 77, (14 CFR 77), *Objects Affecting Navigable Airspace*.

d. **Agricultural activities between intersecting runways.** FAA recommends that no agricultural activities be permitted within the RVZ. If the terrain is sufficiently below the runway elevation, some types of crops and equipment may be acceptable. Specific determinations of what is permissible in this area requires topographical data. For example, if the terrain within the RVZ is level with the runway ends, farm machinery or crops may interfere with a pilot's line-of-sight in the RVZ.

e. **Agricultural activities in areas adjacent to taxiways and aprons.** Farming activities should not be permitted within a taxiway's OFA. The outer portions of aprons are frequently used as a taxiway and farming operations should not be permitted within the OFA. Farming operations should not be permitted between runways and parallel taxiways.

f. **Remedial actions for problematic agricultural activities.** If a problem with hazardous wildlife develops, FAA recommends that a professional wildlife damage management biologist be contacted and an on-site inspection be conducted. The biologist should be requested to determine the source of the hazardous wildlife attraction and suggest remedial action. Regardless of the source of the attraction, prompt remedial actions to protect aviation safety are recommended. The remedial actions may range from choosing another crop or farming technique to complete termination of the agricultural operation.

Whenever on-airport agricultural operations are stopped due to wildlife hazards or annual harvest, FAA recommends plowing under all crop residue and harrowing the surface area smooth. This will reduce or eliminate the area's attractiveness to foraging wildlife. FAA recommends that this requirement be written into all on-airport farm use contracts and clearly understood by the lessee.

Table 2. Minimum Distances Between Certain Airport Features And Any On-Airport Agriculture Crops.

Aircraft Approach Category And Design Group ¹	Distance In Feet From Runway Centerline To Crop		Distance In Feet From Runway End To Crop		Distance In Feet From Centerline Of Taxiway To Crop	Distance In Feet From Edge Of Apron To Crop
	Visual & ≥ ¼ mile	< ¼ mile	Visual & ≥ ¼ mile	< ¼ mile		
Category A & B Aircraft						
Group I	200 ²	400	300 ³	600	45	40
Group II	250	400	400 ³	600	66	58
Group III	400	400	600	800	93	81
Group IV	400	400	1,000	1,000	130	113
Category C, D & E Aircraft						
Group I	530 ³	575 ³	1,000	1,000	45	40
Group II	530 ³	575 ³	1,000	1,000	66	58
Group III	530 ³	575 ³	1,000	1,000	93	81
Group IV	530 ³	575 ³	1,000	1,000	130	113
Group V	530 ³	575 ³	1,000	1,000	160	138
Group VI	530 ³	575 ³	1,000	1,000	193	167

1. Design Groups are based on wing span, and Category depends on approach speed of the aircraft.

Group I: Wing span up to 49 ft.

Group II: Wing span 49ft. up to 78 ft.

Group III: Wing span 79 ft. up to 117 ft.

Group IV: Wing span 118 ft. up to 170 ft.

Group V: Wing span 171 ft. up to 213 ft.

Group VI: Wing span 214 ft. up to 261 ft.

Category A: Speed less than 91 knots

Category B: Speed 91 knots up to 120 knots

Category C: Speed 121 knots up to 140 knots

Category D: Speed 141 knots up to 165 knots

Category E: Speed 166 knots or more

2. If the runway will only serve small airplanes (12,500 lb. and under) in Design Group I, this dimension may be reduced to 125 feet; however, this dimension should be increased where necessary to accommodate visual navigational aids that may be installed. For example farming operations should not be allowed within 25 feet of a Precision Approach Path Indicator (PAPI) light box.

3. These dimensions reflect the TSS as defined in AC 150/5300-13, Appendix 2. The TSS cannot be penetrated by any object. Under these conditions, the TSS is more restrictive than the OFA, and the dimensions shown here are to prevent penetration of the TSS by crops and farm machinery.

SECTION 4. NOTIFICATION OF FAA ABOUT HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR AN AIRPORT.

4-1. GENERAL. Airport operators, land developers, and owners should notify the FAA in writing of known or reasonably foreseeable land use practices on or near airports that either attract or may attract hazardous wildlife. This section discusses those notification procedures.

4-2. NOTIFICATION REQUIREMENTS FOR WASTE DISPOSAL SITE OPERATIONS. The Environmental Protection Agency (EPA) requires any operator proposing a new or expanded waste disposal operation within 5 statute miles of a runway end to notify the appropriate FAA Regional Airports Division Office and the airport operator of the proposal (40 CFR 258, *Criteria for Municipal Solid Waste Landfills*, section 258.10, *Airport Safety*). The EPA also requires owners or operators of new municipal solid waste landfill (MSWLF) units, or lateral expansions of existing MSWLF units that are located within 10,000 feet of any airport runway end used by turbojet aircraft or within 5,000 feet of any airport runway end used only by piston-type aircraft, to demonstrate successfully that such units are not hazards to aircraft.

a. **Timing of Notification.** When new or expanded MSWLFs are being proposed near airports, MSWLF operators should notify the airport operator and the FAA of this as early as possible pursuant to 40 CFR Part 258. Airport operators should encourage the MSWLF operators to provide notification as early as possible.

NOTE: AC 150/5000-3 provides information on these FAA offices.

b. **Putrescible-Waste Facilities.** In their effort to satisfy the EPA requirement, some putrescible-waste facility proponents may offer to undertake experimental measures to demonstrate that their proposed facility will not be a hazard to aircraft. To date, the ability to sustain a reduction in the numbers of hazardous wildlife to levels that existed before a putrescible-waste landfill began operating has not been successfully demonstrated. For this reason, demonstrations of experimental wildlife control measures should not be conducted in active aircraft operations areas.

c. **Other Waste Facilities.** To claim successfully that a waste handling facility sited within the separations identified in the siting criteria in 1-3

does not attract hazardous wildlife and does not threaten aviation, the developer must establish convincingly that the facility will not handle putrescible material other than that as outlined in 3-2. FAA requests that waste site developers provide a copy of an official permit request verifying that the facility will not handle putrescible material other than that as outlined in 3-2. FAA will use this information to determine if the facility will be a hazard to aviation.

4-3. NOTIFYING FAA ABOUT OTHER WILDLIFE ATTRACTANTS. While U. S. EPA regulations require landfill owners to provide notification, no similar regulations require notifying FAA about changes in other land use practices that can create hazardous wildlife attractants. Although it is not required by regulation, FAA requests those proposing land use changes such as those discussed in 2-3, 2-4, and 2-5 to provide similar notice to the FAA as early in the development process as possible. Airport operators that become aware of such proposed development in the vicinity of their airports should also notify the FAA. The notification process gives the FAA an opportunity to evaluate the effect of a particular land use change on aviation safety.

The land use operator or project proponent may use FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, or other suitable documents to notify the appropriate FAA Regional Airports Division Office.

It is helpful if the notification includes a 15-minute quadrangle map of the area identifying the location of the proposed activity. The land use operator or project proponent should also forward specific details of the proposed land use change or operational change or expansion. In the case of solid waste landfills, the information should include the type of waste to be handled, how the waste will be processed, and final disposal methods.

4-5. FAA REVIEW OF PROPOSED LAND USE CHANGES.

a. The FAA discourages the development of facilities discussed in section 2 that will be located within the 5,000/10,000-foot criteria in 1-3.

b. For projects which are located outside the 5,000/10,000-foot criteria, but within 5 statute miles of the airport's aircraft movement areas, loading ramps, or aircraft parking areas, FAA may review development plans, proposed land use changes, operational changes, or wetland mitigation plans to determine if such changes present potential wildlife hazards to aircraft operations. Sensitive airport areas will be identified as those that lie under or next to approach or departure airspace. This brief examination should be sufficient to determine if further investigation is warranted.

c. Where further study has been conducted by a wildlife damage management biologist to evaluate a site's compatibility with airport operations, the FAA will use the study results to make its determination.

d. FAA will discourage the development of any excepted sites (see Section 3) within the criteria specified in 1-3 if a study shows that the area supports hazardous wildlife species.

4-6. AIRPORT OPERATORS. Airport operators should be aware of proposed land use changes, or modification of existing land uses, that could create hazardous wildlife attractants within the separations identified in the siting criteria in 1-3. Particular attention should be given to proposed land uses involving creation or expansion of waste water treatment facilities, development of wetland mitigation sites, or development or expansion of dredge spoil containment areas.

a. **AIP-funded airports.** FAA recommends that operators of AIP-funded airports, to the extent practicable, oppose off-airport land use changes or practices (within the separations identified in the siting criteria in 1-3) that may attract hazardous wildlife. Failure to do so could place the airport operator or sponsor in noncompliance with applicable grant assurances.

FAA recommends against the placement of airport development projects pertaining to aircraft movement in the vicinity of hazardous wildlife attractants. Airport operators, sponsors, and planners should identify wildlife attractants and any associated wildlife hazards during any planning process for new airport development projects.

b. **Additional coordination.** If, after the initial review by FAA, questions remain about the existence of a wildlife hazard near an airport, the airport operator or sponsor should consult a wildlife damage management biologist. Such questions may be triggered by a history of wildlife strikes at the airport or the proximity of the airport to a wildlife refuge, body of water, or similar feature known to attract wildlife.

c. **Specialized assistance.** If the services of a wildlife damage management biologist are required, FAA recommends that land use developers or the airport operator contact the appropriate state director of the United States Department of Agriculture/Animal Damage Control (USDA/ADC), or a consultant specializing in wildlife damage management. Telephone numbers for the respective USDA/ADC state offices may be obtained by contacting USDA/ADC's Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD, 20737-1234, Telephone (301) 734-7921, Fax (301) 734-5157. The ADC biologist or consultant should be requested to identify and quantify wildlife common to the area and evaluate the potential wildlife hazards.

d. **Notifying airmen.** If an existing land use practice creates a wildlife hazard, and the land use practice or wildlife hazard cannot be immediately eliminated, the airport operator should issue a Notice to Airmen (NOTAM) and encourage the land owner or manager to take steps to control the wildlife hazard and minimize further attraction.

APPENDIX 1. DEFINITIONS OF TERMS USED IN THIS ADVISORY CIRCULAR.

1. GENERAL. This appendix provides definitions of terms used throughout this AC.

a. Aircraft movement area. The runways, taxiways, and other areas of an airport which are used for taxiing or hover taxiing, air taxiing, takeoff, and landing of aircraft exclusive of loading ramps and aircraft parking areas.

b. Airport operator. The operator (private or public) or sponsor of a public use airport.

c. Approach or departure airspace. The airspace, within 5 statute miles of an airport, through which aircraft move during landing or takeoff.

d. Concurrent use. Aeronautical property used for compatible non-aviation purposes while at the same time serving the primary purpose for which it was acquired; and the use is clearly beneficial to the airport. The concurrent use should generate revenue to be used for airport purposes (see Order 5190.6A, *Airport Compliance Requirements*, sect. 5h).

e. Fly ash. The fine, sand-like residue resulting from the complete incineration of an organic fuel source. Fly ash typically results from the combustion of coal or waste used to operate a power generating plant.

f. Hazardous wildlife. Wildlife species that are commonly associated with wildlife-aircraft strike problems, are capable of causing structural damage to airport facilities, or act as attractants to other wildlife that pose a wildlife-aircraft strike hazard.

g. Piston-use airport. Any airport that would primarily serve FIXED-WING, piston-powered aircraft. Incidental use of the airport by turbine-powered, FIXED-WING aircraft would not affect this designation. However, such aircraft should not be based at the airport.

h. Public-use airport. Any publicly owned airport or a privately-owned airport used or intended to be used for public purposes.

i. Putrescible material. Rotting organic material.

j. Putrescible-waste disposal operation. Landfills, garbage dumps, underwater waste discharges, or similar facilities where activities include processing, burying, storing, or otherwise disposing of putrescible material, trash, and refuse.

k. Runway protection zone (RPZ). An area off the runway end to enhance the protection of people and property on the ground (see AC 150/5300-13). The dimensions of this zone vary with the design aircraft, type of operation, and visibility minimum.

l. Sewage sludge. The de-watered effluent resulting from secondary or tertiary treatment of municipal sewage and/or industrial wastes, including sewage sludge as referenced in U.S. EPA's *Effluent Guidelines and Standards*, 40 C.F.R. Part 401.

m. Shoulder. An area adjacent to the edge of paved runways, taxiways, or aprons providing a transition between the pavement and the adjacent surface, support for aircraft running off the pavement, enhanced drainage, and blast protection (see AC 150/5300-13).

n. Turbine-powered aircraft. Aircraft powered by turbine engines including turbojets and turboprops but excluding turbo-shaft rotary-wing aircraft.

o. Turbine-use airport. Any airport that ROUTINELY serves FIXED-WING turbine-powered aircraft.

p. Wastewater treatment facility. Any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes, including Publicly Owned Treatment Works (POTW), as defined by Section 212 of the Federal Water Pollution Control Act (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L. 95-576) and the Water Quality Act of 1987 (P.L. 100-4). This definition includes any pretreatment involving the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. (See 40 C.F. R. Section 403.3 (o), (p), & (q)).

q. **Wildlife.** Any wild animal, including without limitation any wild mammal, bird, reptile, fish, amphibian, mollusk, crustacean, arthropod, coelenterate, or other invertebrate, including any part, product, egg, or offspring there of (50 CFR 10.12, *Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, and Importation of Wildlife and Plants*). As used in this AC, WILDLIFE includes feral animals and domestic animals while out of the control of their owners (14 CFR 139.3, *Certification and Operations: Land Airports Serving CAB-Certificated Scheduled Air Carriers Operating Large Aircraft (Other Than Helicopters)*).

r. **Wildlife attractants.** Any human-made structure, land use practice, or human-made or natural geographic feature, that can attract or sustain hazardous wildlife within the landing or departure airspace, aircraft movement area, loading ramps, or aircraft parking areas of an airport. These attractants can include but are not limited to architectural features, landscaping, waste disposal sites, wastewater treatment facilities, agricultural or aquacultural activities, surface mining, or wetlands.

s. **Wildlife hazard.** A potential for a damaging aircraft collision with wildlife on or near an airport (14 CFR 139.3).

2. **RESERVED.**

P.O.Box 1544
Shingle Springs, CA
95682

(530) 676-9107

03 JUN 16 AM 9:00 June 12, 2003

RECEIVED
PLANNING DEPARTMENT

Mr. Peter Maurer
El Dorado Co. Planning Dept.
2850 Fairlane Ct. Bldg. C
Placerville, CA 95667
Subject: County General Plan

The 1996 El Dorado County General Plan was adopted after, many years of study. It was a good document. Unfortunately the environmentalists and "low-growth" elements developed enough support to force more years of controversy and legal action. I am opposed to all of this. I am sure that you will do what is necessary to overcome the legal objections of these obstructionists.

As a home owner (APN 070—180-45) in Shingle Springs I would like to make known my objections to the Environmentally Constrained option. My home is at 3201 Sierrama Drive. Sierrama Dr. and all of the nearby lands are shown as "Low density" on the proposed Environmentally Constrained maps. This is completely ridiculous since Sierrama Dr and its feeder roads consist of 60 parcels of land where 96% of them are in the size range of 1 to 2 acres. Most of them have had existing homes for many years. They are serviced with EID water. These parcels should all be zoned R-1A or R-2A. Much of the nearby land is also occupied with homes on land that should be "medium density" not "low density".

I purchased my land in 1967 as R1-A. Environmentalists then got the land rezoned to RE-5 about 1977 by deceitful procedures. In 1998 I had to spend over \$22,000 to get it rezoned back to R1-A. I do want my land use to be medium density and my zoning to be R1A. I also want all of the Sierrama Dr. and Dos Vistas areas to be medium density land use with appropriate zoning to suit the parcel size.

Sincerely,

John J. Fleischmann
John J. Fleischmann

cc: Mr. Charlie Paine
330 Fair Ln.
Placerville, CA 95667

106-1



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Folsom Field Office 03 JUN 12 PM 4:45
 63 Natoma Street
 Folsom, California 95630
 www.ca.blm.gov/folsom

RECEIVED
 PLANNING DEPARTMENT 1610
 CA180-18

General Plan Team
 El Dorado County Planning Dept.
 2850 Fairlane Court
 Placerville, CA 95667

JUN 12 2003

Dear Sirs:

Thank you for the opportunity to comment on the most recent draft of the county wide general planning document.

The Folsom Field Office of the Bureau of Land Management (BLM) administers approximately 16,000 acres of BLM managed public lands within El Dorado County. Federal mandates requires BLM to manage the public lands on a basis of multiple use and sustained yield, unless otherwise specified by law. Our mission statement is *"To sustain the health, diversity, and productively of the public lands for the use and enjoyment of present and future generations"*. Under this guidance the public lands within El Dorado County have been made available for a number of uses. Listed below are a few of the uses the public lands are presently providing:

- 163 Active Right-of-ways
- 1 Recreation and Public Purposes Act Lease
- 1 Pending Recreation and Public Purposes Act Lease
- 2 Active - Land Use Permits
- 2 Active - Land Use Leases
- 20 Active Commercial Recreation Permits
- 177 Active Mining Claims (+ 475 located on Forest Service Lands)
- 4 Active Grazing Leases
- 2 Special biological management areas, Pine Hill Preserve & Spivey Pond

In addition thousands of recreation visitors utilize BLM managed hiking trails, nature areas, plant preserves, river put-ins and take-outs, toilet facilities, parking areas, camping sites, backcountry drives, South Fork American River access points, and picnic areas.

Because of the significant public land holdings, in El Dorado County, County planning activities play an important part in both of our agencies efforts in serving public needs and protecting, conserving, and managing public resources. Our review of the County plan reflects an opportunity for both of our agencies to work together in meeting these goals.

Land Use Designations Comments

The approximately 16,000 acres of public lands administered by the Bureau of Land Management within the County are composed of dozens of multi sized parcels.

While County governments lack jurisdiction to categorize or designate land uses upon Federal lands, the identification of potential land uses on all lands within the County can be beneficial in identifying future goals and objectives for community and regional planning.

The Bureau of Land Management has specific Federal mandates to complete it's own land use planning on Federal lands under it's jurisdiction. These mandates must take into consideration Federal statutes, evaluation of planning issues, natural resource utilization, designations, and public needs not only from a regional standpoint but also from a national perspective.

The Bureau of Land Management (BLM) has specific mandates, statues, and a management mission which are not represented in any of the County's draft planning alternative land use designations and in some cases County designations would directly conflict with Federal land management objectives. An example of this is depicted in the "No Project" and "1996 Plan" Alternatives land use map for the Shingle Springs area.

Under this alternative a single BLM managed parcel has been assigned four different land use designations. The area also has an "Ecological Preserve" overlay placed on the parcel to identify habitat of both Federal and California rare and or endangered plants. This parcel is managed by BLM to protect listed rare and endangered species and their habitat. Management goals of the county have identified lands uses, on this parcel, for Multifamily Residential (MFR), High-Density Residential (HDR), Commercial (C), and Public Facilities (PF). Development on public lands, under any of these designations, is highly likely to destroy listed species habitat and violate State and/or Federal statutes.

All three plan alternatives also designate the majority of BLM managed public lands in the county as "Open Space". The No Project Alternative defines "Open Space" as, "designate(s) public lands under government titlewhere no development other than that specifically needed for government-related open space uses is desired." "...this includes public lands acquired specifically for open space uses." This definition does not appear to apply to BLM managed lands because BLM does not acquire lands for "open space", it acquires lands with special resource values or those that serve a public purpose. We also have no mandates to manage public lands as open space. The term "Open Space" used in land use designations, or zoning, in urban and rural planning is quite different than the concept of managing natural resource lands such as our National Parks, National Forest, or BLM managed public wildlands. Applying an urban planning phrase such as an "Open Space" designation on these lands, just because they are not developed, does not take into consideration the fact that they are not being managed for urban or rural development, but rather that they are being held in public trust for their natural resource values.

107-1

107-2

The definition for "Open Space" in the Environmentally Constrained and Six-Lane Plus Alternatives "identifies lands dedicated to natural resource protection or recreational uses", "Residential uses are not allowed". This could be interpreted to mean that structures and development will not take place in these "Open Spaces". The use and application of this designation is confusing and somewhat misleading when applied to BLM lands. While public lands are managed and developed to protect and conserve certain natural and cultural resources, others are managed to provide grazing lands, make sand and gravel resources available, allow for powerlines-road-telephone-pipeline rights-of-ways, leased for developed commercial campgrounds, set aside as nature areas, provide timber, fuel wood, and are available for valuable mineral resource development. BLM managed lands are also made available to state and local governments for such uses as State and County parks, landfills, fire stations, schools, refuge transfer sites, cemeteries, and other public facilities. It is foreseeable that BLM managed multiple use lands could be developed in a manner, which would not meet the planning definition of "Open Space". And frequently the County request uses of these lands which are inconsistent with the planning definition of "Open Space".

107-3

In addition, residential development generally does not take place on public lands. Wildland based recreational use does take place on public lands, usually with BLM developing areas to accommodate and manage existing uses not to commercialize or attract new users. This is compared to recreation uses on private lands which market and highly develop areas provide urban based specialized "recreation" opportunities. Lumping such diverse land uses such as urban recreation use and natural resource protection together and trying to fit this into the public perception of open space negates the effectiveness or usefulness of "Open Space" designation.

107-4

As another example, within the Cameron Park area there are two large parcels both identified as "Open Space". One is the Cameron Park Country Club golf course, with 17,000 square foot clubhouse, tennis courts, putting and driving ranges, swimming pool, and large paved parking lots. This parcel has been totally re-contoured, graded into a golf course, and developed to provide a very specialized urban recreational facility. A few blocks away another "Open Space" parcel is managed by the BLM as part of the Pine Hill Preserve. This area is devoid of any developments and remains in a relatively natural condition providing native habitat for several Threatened and Endangered plants species. The management objective for this parcel is to preserve the natural condition of the area and protect the area from man's impacts and future development. There is no management objective or intent to manage this area as open space for the surrounding urban neighborhoods. Land uses and management objectives for these two parcels are distinctly dissimilar yet both parcels are classified for an "Open Space" land use designation. Neither of the two areas are being managed as open space, nor do they really fit into the public perception of "open space". This designation is so vague and broad that by looking at a planning map one could not tell if the land use in an open space with a 17,000 square foot golf course club house, with dinning rooms, bar and pro-shop, or if the open space consisted of a undeveloped wildland plant preserve.

107-5

Recommendations and Suggested Changes

Lumping in and comparing BLM managed public lands with private land activities and

107-6

commercial developments creates designations whose actual uses and management objectives are so diverse, and at times contrary, that the designation in it self conveys a bewildering range of meanings. Clearly the varied activities and management goals of public wildland management do not fit well with private land use/development designations. The most logical planning aid would be to develop a public lands *Non-Jurisdictional Natural Resource Management Designation* that would pertain to Bureau of Land Management, and possibly National Forest Service, and Bureau of Reclamation lands and could conceivably be also used on state lands managed by California State Department of Fish and Game and California Department of Forestry, where the planning objective is to manage agency lands for natural resource values, and multiple use. Present designations are more commodity extraction, development potential, or "Open Space" driven and do not convey the different agencies management objectives for these parcels.

107-6

Some other topics we would like to see addressed are briefly discussed below.

107-7

- BLM managed land status appears to be dated, parcels (Greenwood Creek) acquired as far back as 1997 are not reflected on planning maps.

107-8

- The Ecological Preserve overlay has not been updated to reflect the USFWS revised preserve recommendation for the Pine Hill Formation, as depicted in the USFWS *Recovery Plan for Gabbro Soil Plants of the Central Sierra Nevada Foothills*. It is very important that lands, which may aid in the recovery of these listed species, be addressed in this document and identified for possible future inclusion into the preserve or efforts taken to assist in the recovery of these species located on private lands through agreements with the private land owners.

107-9

- The Natural Resources Designation was developed to meet Government Code 65302(a), a requirement to designate a land use category that provides for timber production. The *No Project and 1996 General Plan Alternative* essentially used this designation on all National Forest lands including Congressionally Designated Wilderness Areas. It does not appear that this alternative takes into consideration natural resource values, which are not market commodities. BLM parcels with this designation can also be developed for residential use. The boundaries of this designation should be refined to areas where management objectives on federal lands would allow for commodity uses and on BLM managed lands remove the residential use. The name of the designation should reflect the fact that this alternative identifies lands with economic natural resources, which can be harvested or processed. This alternative needs a designation to reflect natural resource values which are not commodities, such as scenic values, wilderness areas, recreation values, watersheds, archeological/historical values, endangered species habitat, etc.

107-10

- County "Open Space" land use designations are affecting appraisal values of BLM managed lands being evaluated for disposal to private ownership. Landowners who have acquired these public lands are having difficulties in obtaining land use designations changed to match surrounding properties. BLM and the County should work together to have these disposal parcels reclassified to match adjacent parcel zoning prior to appraisals and land sales.

107-11

- Some of the designations seem to be arbitrary the Cameron Park golf course should be designated tourist recreational, the National Forest wilderness areas "Open Space" not timber lands. The Serrano Country Club and the Cameron Park Country clubs have different land use designations.

- A land use designation for lands which are being managed to protect, conserve, and preserve natural resource needs to be developed. The present use of "Open Space" and "Natural Resources" misrepresents land uses actually taking place on these parcels.

107-12

As already discussed the land use designations within the three draft plan alternatives could and do conflict with BLM's management objectives for public lands. These designations directly influence public land appraisal values of parcels being disposed of into private ownership. It has placed hardships on private landowners seeking to change land use designations (zoning) on newly acquired public lands. Land use designations also indirectly have an effect on public lands, and could hamper BLM's efforts to provide for public needs. These needs are associated with accommodating State and County request for "Open Space" BLM parcels needed for community and County needs, for uses such as land fills, school sites, parks, etc. Other needs may require the construction and the development of parking areas, toilet facilities, hiking trails in these undeveloped "Open Spaces" by BLM.

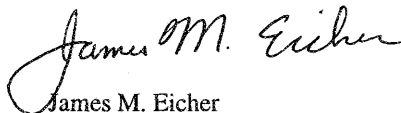
107-13

Public lands with an "Open Space" designation are perceived by the public and adjacent landowners as lands where future development will not take place. This causes conflicts when BLM conducts activities such as timber sales, fuel reduction projects, disposes of property, develops sites to support public use, or allow different types of right-of-way use of the property. A land use designation which identifies lands as non-jurisdictional, with a natural resource management theme, is needed to more clearly convey the true land uses which are taking place on public lands and clarify to the public what land uses may take place on these lands.

107-14

Please take these comments and recommendations into consideration when developing the final El Dorado County General Plan.

Sincerely,



James M. Eicher
Acting Field Manager

June 13, 2003

03 JUN 16 PM 1:04

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court, Placerville, CA 95667
generalplan@co.el-dorado.ca.us

RECEIVED
PLANNING DEPARTMENT

Re: Comments on General Plan and EIR

Dear General Plan Team:

Overall Comments

There is considerable effort that went into the planning documents before us and your efforts are much appreciated. Additionally, I appreciate that you had evening meetings in recognition that many of us are employed in the daytime and unable to participate in daytime meetings.

108-1

It is important that the plan selected reflects what is best for the community at large and the cumulative impact of many small projects. Our country is based on a premise that all law bidding citizens have equal rights. The fact that ones great-grandparents lived in the area doesn't mean an individual has unique rights. Those that buy and sell land will likely be making a large profit anyway, if they have held it for any length of time, and the question becomes one of how big is the profit. Decisions should benefit those who remain in the communities, who live, travel and raise their families here, many who are not able to attend planning meeting and prepare comments, but yet must deal with the decisions you make.

108-2

There was a comment made at the meeting I attended about having to make decisions without fiscal information. Many times a vision or goal needs to be stated in an official plan in order to request funds from foundations, state and federal grant programs, etc. The planning department should focus on what is the best plan to meet the needs of the citizens, rather than implementation, which is impossible to know over such a long time horizon.

108-3

Policy on pedestrian safety needed

I am continually amazed by the very poor design of walkways for pedestrians in this county. New, multi-family and high density housing too often goes in with out sidewalks, or if there are sidewalks at the development site, they don't lead to nearby businesses (see Cameron Glen Estates in Cameron Park, apartments in El Dorado Hills that are across from the shopping Center on NW corner of Green Valley Road and Francisco Drive,). There are no sidewalks for pedestrians to walk from one store or restaurant to the one next door without climbing over landscaping (see Cameron Park Drive by the Sizzler, Bel Aire shopping center in Cameron Park the side walk in not continuous from Hollywood Video to the Pet Store). And next to schools are there no side walks to the edge of school safety zone, let alone the residential streets (e.g., Lake Forest in El Dorado Hills); this is extremely unsafe by schools because small children are on the street with parked cars, moving cars, and the only place to walk is over landscaping or between moving and parked cars!) This simply should not be allowed. There should be safe

108-4

pedestrian walkways from residential areas to schools and nearby businesses. This also will encourage people to drive less. As is, we often have no safe choice except to drive!

108-4

Pleasant pedestrian walkways do exist in the county and serve as a popular recreation activity. Silva Valley Parkway, in EDH, is a fine example and is well used by runners and walkers. This should be emulated elsewhere.

Location of Parks and Schools

According to the maps of existing parks, 6 are located very close to the Highway 50 in the El Dorado Hill and Cameron Park communities. These locations have high noise and greater air pollution and are not well-suited for outdoor recreational activities. Park land should be designated with a buffer from noise and air pollution. Furthermore, as a public resource, park land should be highly desirable with some natural feature – a lake, a vista, areas suited for games, etc. The citizen of El Dorado County deserve better.

108-5

For example, locating a community center with an outdoor pool immediately along the freeway is not desirable (currently being considered in Cameron Park). It means children will spend hours exposed to more air pollution. Likewise, schools should not be located immediately next to freeways and major roadways.

Maps

The maps showing roads do not all appear to include all projects, that from newspaper accounts, sound as if they are approved and will occur. For example, isn't it already approved that Silva Valley Parkway will connect to Highway 50?

108-6

The maps do not show Pleasant Grove Middle School and a new high school that will be located along Green Valley Road. This limits our ability to review the maps and comment on road expansion. As mentioned above, planning efforts should not allow the incompatible combination of roads with noise and extra air pollution and outdoor recreation and sports.

108-7

It also struck me that the maps seem to describe status quo in many respects. For example, these planning documents could be suggesting logical places to site needed community assets such as schools and parks, rather than letting the cheapest land prices determine their location.

108-8

Overall as a county El Dorado has outstanding recreational assets, however, they are mostly located far away. More parks are needed to serve day to day needs of citizens.

108-9

Comments on EIR (page numbers are from the executive summary document)

Policy 5.1-3(a), page 2-10 and 2-11

Add that the review shall consider the effects of the project on surface and ground water resources (assume maximum demand, combined impact of other projects, and will demand be sufficient when there are consecutive drought years). This is especially important when a significant water user is sited (e.g., the golf course near Bass Lake Rd and Green Valley Road).

108-10

Revised policy LU-3n, page 2-13

As mentioned before, the maps show 6 parks located very close or adjacent to the Highway 50 in the El Dorado Hill and Cameron Park communities. These locations have high noise and greater air pollution and are not well-suited for outdoor recreational activities (just look at the parks located next of Hwy 50 in Sacramento and you will notice they are typically empty). The same can be said for schools where student play outside. Park and schools should be located so they are buffered from noise and air pollution from freeways or major roads. Furthermore, as a public resources, park land should be highly desirable with some natural feature – a lake, a visit, areas suited for games, etc.

108-11

- A. add sentence, "Schools shall not be located adjacent to existing or projected freeways and major highways, or other activities that generate excess noise and air pollution."
- B. add sentence, "Parks shall not be located adjacent to existing or projected freeways and major highways, or other activities that generate excess noise and air pollution. Parks shall offer the public some outstanding natural feature such as a visit, landmark, unique vegetation, waterway, or flat area suitable for play activities."

Revised policy 2.6.1.1: Scenic Corridors, page 2-17

Some of the policies should apply all over the county, not just on scenic corridors. For example, public utility distribution and transmission facilities and wireless communication structures should be discrete, throughout the county.

108-12

The map of scenic corridors should include Deer Valley Road and you may want to extend this to the common bike route. Deer Valley Road draws bikers from the Sacramento Region along with other back road. The County could consider improving and marketing this attribute of the region. One could envision various Bed and Breakfasts with nearby bike/hiking trails as being an attractive get-away. In New Hampshire this has been done this for cross country skiers and a series of inns and connecting trails draws in many tourists.

108-13

Policy 5.3-2, page 2-19, new policy

It should be stated that "...pedestrian safety is deemed consistent with a rural character and paths shall be incorporated into the community design. Pedestrians shall have walkways separate from automobiles." (Making pedestrians walk in the roadway is not safe.)

New implementation measure: add, "Sidewalks or paths, separate from automobiles, shall be incorporated into the project to allow safe pedestrian walkways to schools, businesses, and other attributes in the community."

108-14

By keeping the people separate from the cars, I am referring to a curb, and ideally with a bit of space between the curb and the sidewalk. Having pedestrians walk on the same surface as cars is not safe, not comfortable, and discourages many from walking (e.g., Cameron Park Drive). All great cities and towns that attract visitors, have nice places to walk. This is very much lacking in Cameron Park and Shingle Springs. El Dorado Hills has some very nice walkways, but in other areas, there aren't even sidewalks to the end of the school safety zone (e.g., Lake Forest), nor from apartments to businesses across the street (e.g. near Green Valley Road and Francisco

Drive). Sidewalks are a wonderful asset to a community and developers should be required to put them in. If you think about their cost over the life of the community, they are very inexpensive given the increase in safety, pleasure, and improved health as people walk more and drive less. Furthermore, if sidewalks are not put in when the site is developed, their cost goes up considerably.

108-14

Revised policy 2.8.1.1 nighttime lighting, page 2-20

“consideration will be given” is very weak language. The website, www.skykeepers.org/califord.htm has a list of cities and links to ordinances on this topic. Also check with the Illuminating Engineering Society of North America for the latest foot-candle requirements and recommended practices.

108-15

State a goal that zero direct-beam illumination leaves the building site.

Revised policy 3.5.1.1, page 2-23

Allowing construction to occur so we have roads operating at level E is not acceptable. Construction should not outpace the infrastructure. There could be a policy to slow down construction to match the infrastructure expansion.

108-16

Revised policy 3.2.2.5, and TC-1b, page 2-24

The citizen of El Dorado County voted to have development pay for new roads needed to support the increase in population brought in by these projects. That is a fair approach. These policies appear to attempt to undermine that vote. Keep these policies as they were.

108-17

Policy 5.5.4, page 2-25

Include that the location of new park and ride facilities must be convenient for buses to quickly exit major roadways, pick up passengers, and resume travel, with minimum traffic lights. (For example, the El Dorado Hills park and lot is located far enough from the freeway that with significant traffic and stop lights, a once quick stop, takes much longer and time is wasted. In contrast, the location of the Cambridge road and Ponderosa Park and ride Lots are ideal). Commuters are more likely to use mass transit when it is convenient – it can even save time given the bus and use the car pool lane.

108-18

Policy 5.5-1, (b), page 2-26

It is good to look at the impact of several dry years, but what about the multiple impacts from not just one project, but all the approved projects. How is that considered?

108-19

Policy 5.2.3.4, page 2-28

Add, “The analysis of water demand shall include the impacts of multiple projects drawing on the same water sources. Water recharge zones shall be determined and activities that are likely to pollute ground water shall not be permitted, without proper mitigation.”

108-20

Policy PS-2d, page 2-28

Page 4 of 6

108-21

I do not support the modifications to this policy. Drafting groundwater, impacts neighbors. With the change in text, one company or person could move in, draft water to meet their highest demand (and what is the demand – a bottling plant, a golf course, a water park?) and if that entity took a lot of water from a deep well and the neighbors wells went dry, the neighbors either have to spend more and more to go deeper or have land that is near worthless.

108-21

This appears to be a provision that could cause hardship to existing households, and someone so motivated, could do much harm while making a bundle of money.

Do not change this policy.

Policy 5.2.3.4, page 2-29

Also include that the groundwater can meet highest level of demand, but can do so for sustained periods of time. Very high water users (golf courses) should demonstrate a back up plan so in years of drought they have alternative water. Overall, we know droughts will occur and we should have some cushion to carry us over.

108-22

Policy 5.6-1, page 2-31

Some projects have successfully been designed to manage stormwater on site by encouraging infiltration. Water is a valuable resource. The more we encourage infiltration, the more water that remains in El Dorado County. Add a policy to encourage infiltration of stormwater. There are pavements that allow water to filter through, bioswales (See the Franchise Board's new parking lot) and other methods for achieving this.

108-23

Policy 5.6-3, page 2-31

The policy for 50% division of waste materials is good, but 75% is better and doable in the more urban parts of the County. Projects in Sacramento are achieving 90% or better. Definitely add this policy and encourage a higher rate of diversion.

108-24

Policy 5.6-6, page 2-32

The county could encourage on-site generation of renewable energy. Marin County has a policy whereby homes above a certain size, must not exceed the energy requirements of a smaller home. This encourages highly energy efficient homes (when they are very large) or on-site generation of energy (by those best able to afford it). The more energy produced on-site, the less that has to go over transmission lines, and the better we are off in the long run as a society.

108-25

Policy 5.8-1 & 2, page 2-34

Providing educational materials seems like a simple mitigation measure, and these can be easily obtained at existing websites from reliable sources. Letting citizens know about how to safely manage HHW will help them avoid illegal dumping.

108-26

Policy 5.11-2, page 2-52

Include hybrid vehicles and ultra low emission vehicles to the list of alternative or fuel efficient vehicles. This is a good policy.

108-27

Policy 5.11-2, page 2-53

This is a new policy I strongly support. Please strengthen it so "common facilities" is defined: "schools, businesses, parks, and other common facilities"

108-28

Add a statement about the quality of the paths – having people and cars on the same surface is not safe: "pedestrians and bike paths shall be separated from automobiles and not share the same road surface."

108-29

Policy 5.11-3, page 2-53

Add "parks" to the list in the new policy.

108-30

Finally, (I am not sure where this goes) landowners located near projects coming before the Planning Commission receive notification, but this distance should be extended or there should be a better way for citizens to know about development in their community. For example, I live near Green Valley Road and Starbuck and would like to know and be able to comment on the development in that area. Perhaps you let citizens wanting notification to sign up for automatic e-mail notices.

108-31

Thank you for considering these comments and best wishes – you have a difficult and important job.

Respectfully,

K. Frevert
1590 Velvet Horn Lane
Rescue, CA 95672

JOEL M. KOROTKIN
Attorney at Law

Telephone 916.922.1333

Facsimile 916.922.1362

707 Commons Drive, Suite 103
Sacramento, California 95825

Licensed in Nevada and California

June 13, 2003

El Dorado County Planning Department
Peter Maurer, Principal Planner
2850 Fair Lane Court
Placerville, CA 95667

03 JUN 16 AM 11:35
RECEIVED
PLANNING DEPARTMENT

Re: General Plan Update
APN 067-051-02

Dear Peter:

I am an attorney, and I represent the owner of the above referenced property. I am submitting this comment and request in connection with the El Dorado County General Plan update.

The present land use designation of APN 067-051-02 is Low-Density Residential. That is also the designation proposed for the No Project and the 1996 Alternatives (Alternatives #1 and #4). We believe that this designation is an appropriate one under the circumstances. There is property in the area developed at densities of one unit per five acres, and there is development in the area with densities of one unit per ten acres. Nearby there is even more intense development. There is infrastructure in place that would support the densities consistent with the LDR designation.

The proposed designation under Alternative #2, the Roadway Constrained Six Lane "Plus" Alternative, is for Natural Resource (NR). This designation would render the property largely undevelopable. That does not make good planning or environmental sense given the state of development in the surrounding area. In addition, the infrastructure already exists in the area, and the additional potential residential

109-1

JOEL M. KOROTKIN
ATTORNEY AT LAW


Letter to Peter Maurer
June 13, 2003
Page 2 of 2.

development represented by the 81 acres of this property would not jeopardize the goals of this planning alternative. For this reason, we are requesting that the Land Use Designation under this alternative be changed to Low-Density Residential.

The proposed designation under Alternative #3, the Environmentally Constrained Alternative, is for Rural Lands (RL). This designation represents a reduction in the development potential of the property. As with Alternative #2, the change proposed does not make good planning or environmental sense given the state of development in the surrounding area. As a practical matter, even with an allowed density of one unit per five acres, based on the topography and other natural limitations, it is not likely that the actual density of the property would reach one unit per five acres, but it is quite possible that it could exceed one unit per ten acres. For this reason, we are requesting that the Land Use Designation under this alternative be changed to Low-Density Residential. As stated above, the infrastructure already exists in the area, and the additional potential residential development represented by the 81 acres of this property would not jeopardize the goals of this planning alternative.

Please review this request, and call me if you have any questions, or if any additional information would be helpful. We would happy to meet with you and provide you with any information you might need.

Sincerely,



Joel M. Korotkin

Copy to client

109-1



FREDA D. PECHNER
ATTORNEY AT LAW
P.O. BOX 700
GARDEN VALLEY, CALIFORNIA 95633
—
(530) 333-1644 VOICE OR TTY

03 JUN 16 AM 11:58
RECEIVED
PLANNING DEPARTMENT
FACSIMILE
(530) 333-1578
email: mylawyer@earthlink.net

June 13, 2003

General Plan Team
2850 Fairlane Ct.
Placerville CA 95667

RE: My client: Boyd Sears, dba Bear Creek Quarry
APN 60-480-31 ARA 4

As you may or may not be aware, my client's property, described above, is currently being mined. The requirements of the Surface Mine and Reclamation Act, as it relates to the protection of lands designated on approved mineral resource mapping as MRZ-2a lands, do not appear to be incorporated into any of the proposed drafts of the General Plan or the Environmental Impact Report (EIR).

My client's property is important to protect, as El Dorado County is currently not able to serve more than approximately one-third of its current needs, as set forth in OFR-2000-03. My client's mine is a designated Aggregate Resource Area, and thus entitled to protection. We are looking forward to the opportunity to meet with your staff, along with my consultant, to discuss the manner in which applicable state law will be more fully implemented in the final EIR and Plan.

Thank you for your attention in this matter. Please feel free to contact me if you have any questions regarding this matter, or if you wish to discuss it in further detail.

Very truly yours,

FREDA D. PECHNER

FDP:ss

c: Boyd Sears

**SIGNED IN DICTATOR'S
ABSENCE TO AVOID DELAY**

110-1



OFFICE LOCATION: 4661 MARSHALL ROAD, GARDEN VALLEY, CALIFORNIA

THE PROUTY RANCH
7000 GREEN VALLEY ROAD, PLACERVILLE, CA 95667
530-622-3972

03 JUN 16 PM 12:17

RECEIVED
PLANNING DEPARTMENT

El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

June 13, 2003

RE: Parcel # 325-070-11-100 7.79 acres
Request to change designation to Medium Density Residential (1-5 ac/du)

This parcel is currently designated as Low Density Residential (5-10ac/du) on the General Plan maps. I am requesting that the designation be changed to Medium Density Residential (1-5 ac/du) in the new General Plan.

At present we are nearly circled by Medium Density Residential development, schools, Church facilities and High Density Residential.

Of the entire properties situated between Green Valley Road, Missouri Flat Road and El Dorado Road, our three family parcels are the only remaining properties currently designated Low Density Residential, rather than the prevalent Medium Density Residential that surrounds us.

The density designation that I am requesting is consistent in keeping with the surrounding properties, the well-defined boundaries created by the roads and the prevailing direction of the General Plan.

Thank you for considering my request.

Jo Ellen Parlin

111-1

THE PROUTY RANCH
7000 GREEN VALLEY ROAD, PLACERVILLE, CA 95667
530-622-3972

03 JUN 16 PM 12: 17

RECEIVED
PLANNING DEPARTMENT

El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

June 13, 2003

RE: Parcel # 325-080-17-100 2.67 acres
Request to confirm designation of our property

We are requesting that the designation for our property be listed as Medium Density Residential (1-5 ac/du) in the new General Plan. If our property is already listed as Medium Residential (1-5 ac/du), then this letter confirms our approval.

Of the entire properties situated between Green Valley Road, Missouri Flat Road and El Dorado Road, our three family parcels are the only remaining properties currently designated Low Density Residential, rather than the prevalent Medium Density Residential that surrounds us.

The density designation that we are requesting is consistent in keeping with the surrounding properties, the well-defined boundaries created by the roads and the prevailing direction of the General Plan.

Thank you for considering my request.

Daryl and Theresa Prouty

112-1

THE PROUTY RANCH
7000 GREEN VALLEY ROAD, PLACERVILLE, CA 95667
530-622-3972

03 JUN 16 PM 12: 17

RECEIVED
PLANNING DEPARTMENT

El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

June 13, 2003

RE: Parcel # 325-080-01-100 14.73 acres
Request to change designation to Medium Density Residential (1-5 ac/du)

This parcel is currently designated as Low Density Residential (5-10ac/du) on the General Plan maps. I am requesting that the designation be changed to Medium Density Residential (1-5 ac/du) in the new General Plan.

At present we are nearly circled by Medium Density Residential development, schools, Church facilities and High Density Residential.

Of the entire properties situated between Green Valley Road , Missouri Flat Road and El Dorado Road, our three family parcels are the only remaining properties currently designated Low Density Residential, rather than the prevalent Medium Density Residential that surrounds us.

The density designation that I am requesting is consistent in keeping with the surrounding properties, the well defined boundaries created by the roads and the prevailing direction of the General Plan.

Thank you for considering my request.

Isabel C. Prouty

113-1

THE PROUTY RANCH
7000 GREEN VALLEY ROAD, PLACERVILLE, CA 95667
530-622-3972

03 JUN 16 PM 12: 17

RECEIVED
PLANNING DEPARTMENT

El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

June 13, 2003

RE: Parcel # 325-080-16-100 24.6 acres
Request to change designation to Medium Density Residential (1-5 ac/du)

This parcel is currently designated as Low Density Residential (5-10ac/du) on the General Plan maps. I am requesting that the designation be changed to Medium Density Residential (1-5 ac/du) in the new General Plan.

At present we are nearly circled by Medium Density Residential development, schools, Church facilities and High Density Residential.

Of the entire properties situated between Green Valley Road , Missouri Flat Road and El Dorado Road, our three family parcels are the only remaining properties currently designated Low Density Residential, rather than the prevalent Medium Density Residential that surrounds us.

The density designation that I am requesting is consistent in keeping with the surrounding properties, the well defined boundaries created by the roads and the prevailing direction of the General Plan.

Thank you for considering my request.

Isabel C. Prouty

114-1

LEAH WARREN

PO Box 57
Rescue, Ca 95672
(530) 672-1343

03 JUN 13 PM 3:08
RECEIVED
PLANNING DEPARTMENT

June 13, 2003

To The El Dorado General Plan Committee:

This letter is to inform you of the fear and concern I have after learning about the environmentally constrained alternative proposed for the general plan. An alternative that I feel takes away land owners rights and devalues large pieces of property. Being a young resident of El Dorado County the decision you will soon make regarding the land use map will affect my life for years to come, until 2025 to be exact. My fiance and I are currently in the process of buying a larger piece of property in the Rescue area. The property consist of 38.25 acres of beauty, with tons of wildlife, and the trickle of a year round stream. My fiance and I are choosing to buy this property for these reasons, the same reason those around us have bought in this area. Neighbors who's land was once larger but was subdivided and is now around 10 acres. However, the subdivision of land has not affected the habitat in this area noticeable. A statement I can make because my fiance lived on this property as a child and remembers it being the same as it is now. The point I am making is that the environmentally constrained alternative would classify our soon to be land as natural resource, in turn restricting our right to subdivide if we wished in the future. A restriction that is in place to help preserve large areas for animals. However, the animals will be around even if the parcels continue to be zoned 10. Animals cannot see property lines. Also, the environmentally constrained alternative will devalue large pieces of property because a potential buyer would have to be interested in a large piece of land.

115-1

In addition, the environmentally constrained alternative places the above property in the Important Biological Corridor. When I inquired about this classification the answer I received from the Planning Department was that the Important Biological Corridor had not yet been defined and would not be defined until after the land use map was decided on. This is concerning to me because it is kind of like playing blind poker. You're betting that your hand will be the best without knowing what you have.

115-2

Lastly, after attending a meeting on June 9, 2003 another concern arose with the EIR. There seems to be a lot of good ideas in this document. However, as somebody pointed out there are no dollar signs next to these ideas. I hope you will take this into consideration when you finalize the EIR.

115-3

I would like to thank you for your time and I hope you will take into consideration the concerns I have emphasized in this letter. I know my neighbors also feel similarly about this land use map and I feel their would be other land owners speaking up if they were aware of the changes that could soon occur.

115-4

Sincerely,

Leah Warren

APN: 102-020-03

Dr. Lanny H. Fisk, PhD, RG
PaleoResource Consultants

5325 Elkhorn Boulevard, #294, Sacramento, CA 95842
Office Phone: 916-339-9594; Mobile/Cell Phone: 916-947-9594
E-mail: Lanny@PaleoResource.com

14 June 2003

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

General Plan Team:

I have reviewed the Draft Environmental Impact Report on the El Dorado County General Plan (hereinafter DEIR) and offer the following comments dealing specifically with paleontological resources (fossils -- the prehistoric remains of plants and animals), which are included within Section 5.13 -- Cultural Resources.

Overall, I find the Cultural Resources section of the DEIR starting on page 5.13-1 to be quite comprehensive and well written, **EXCEPT** for the single paragraph on paleontological resources in which **the discussion of the potential adverse impacts to paleontological resources is grossly inaccurate and inadequate**. Perhaps this results from the lack of a professional paleontologist on the team that prepared the DEIR. At least, the list of Report Preparers on pages 9-1 and 9-2 does not identify a paleontologist as part of the General Plan Team. As a result, the single paragraph in the DEIR addressing potential impacts to paleontological resources contains some grossly inaccurate information and draws a seriously erroneous conclusion.

116-1

Let me address a few specific items:

1) The statement found in the third paragraph on page 5.13-1, that "*El Dorado County's geology is predominantly igneous (volcanic) in nature...*", is both incorrect and inconsistent with the discussion on Regional Geology on page 5.9-1. As a registered professional geologist and certified paleontologist, I am appalled that such a blatantly false statement could have made it into what is supposed to be a professionally prepared document. A simple look at a geologic map of El Dorado County would have illustrated the absurdity of this statement. It's clear that the person or persons who wrote this false statement and those that reviewed and approved it did not do their homework. Apparently, no one took the time to consult with a professional geologist either. The geology of El Dorado County is primarily metamorphic and plutonic in nature. However, even the metamorphic rocks of El Dorado County have produced some very significant paleontological resources, important to reconstructing the geologic history of the Sierra Nevada. The geology of El Dorado County also includes both Tertiary and Quaternary volcaniclastic and sedimentary rocks, which have also produced very significant fossils.

116-2

2) The statement in the third paragraph on page 5.13-1 "*...the type of sedimentary deposits where such remains [fossils] might be present are virtually nonexistent*" is a gross misstatement. Contrary to being "*virtually nonexistent*", the types of sedimentary deposits where fossil remains might be present are existent in El Dorado County. These sedimentary deposits in El Dorado County have produced paleontological resources in the past and many have a high potential to produce additional significant paleontological resources in the future. These El Dorado County fossils include plants, microfossils, fish, amphibians, reptiles, birds, rodents, rabbits, carnivores, horses, deer, bison,

116-3

ground sloths, mammoths, etc., many of them extinct species. The University of California Museum of Paleontology at Berkeley alone has over 356 significant fossil specimens from eight (8) separate major localities in El Dorado County. In addition, to this total must be added fossils at other museums, college and university collections, and the fossils listed from a dozen or so additional fossil localities mentioned in reports from the California Geological Survey, U. S. Geological Survey, and other state and government agencies. **El Dorado County has a rich fossil record which needs to be protected and preserved for future generations to study and enjoy.**

116-3

3) While the statement on p. 5.13-1, that “*No comprehensive paleontological studies have been conducted within the county and, as a result, no information is available regarding the sensitivity of certain areas in El Dorado County to contain such resource*”, is probably true, it certainly does not follow logically to conclude: “*Consequently, paleontology is an area of research and concern generally not applicable to the county.*” To the contrary, paleontology is very applicable to the county. CEQA requires that potential impacts to paleontological resources be addressed. It is unacceptable to conclude that, since no studies have been made, this DEIR finds paleontological resources irrelevant. Why not simply conclude the same for archaeological resources, endangered species, and every other resource that might be impacted? Instead, CEQA requires the county to undertake the studies needed to determine the sensitivity of rock units and their potential for being adversely impacted. Comprehensive archaeological and historical resource studies were conducted for this DEIR. **Why was a comprehensive paleontological resource study not also done?**

116-4

4) The statement “*While paleontological finds could occur in river and stream gravel deposits within the county, this possibility would not be expected and is remote*” is also blatantly untrue. What professional paleontologist or qualified geologist concluded this falsehood? Pleistocene and Holocene stream deposits are exactly where I would expect to find paleontological resources. Rather than being a remote possibility, this is exactly the deposits from which most of the fossils specimens from El Dorado County have been found!

116-5

5) **DEIR section entitled Regulatory/Planning Environment on page 5.13-7 does not address regulations pertaining to paleontological resources**, only those pertaining to historical and archaeological resources. To be complete, laws protecting fossils should also be reviewed in this section. CEQA provides for the protection of paleontological resources, as well as historical and archaeological resources. CEQA’s Appendix G (Guidelines for the Implementation of CEQA, Public Resources Code Sections 15000 *et seq.*) includes as one of the questions to be answered in the Environmental Checklist (Section 15023, Appendix G, Section XIV, Part a) the following: “*Would the project directly or indirectly destroy a unique paleontological resource or site...?*” To be in compliance with CEQA, environmental impact reports must answer this question. Other State requirements for protecting paleontological resources are found in California Public Resources Code (PRC) Chapter 1.7, Section 5097.5 entitled **Archaeological, Paleontological, and Historical Sites** (Stats. 1965, c. 1136, p. 2792). PRC Section 5097.5 specifically mandates that “*No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any . . . vertebrate paleontological site, including fossilized footprints . . . or any other paleontological . . . feature, situated on public lands...*” and defines any unauthorized disturbance of a fossil site on public land or removal of fossil specimens from public lands in the State of California as a misdemeanor punishable by both fines and imprisonment. In writing this legislation and giving it a title, the California Legislature sent a message that paleontological resources are just as important as archaeological and historical resources. The El Dorado County General Plan DEIR certainly does not reflect the intent of this legislation.

116-6

6) **Cumulative impacts to paleontological resources were also not addressed in the DEIR.** Many ground-disturbing projects undertaken in El Dorado County in the past have had and many projects in the future will have adverse impacts on paleontological resources IF not mitigated properly. **The cumulative impact of this destruction of the County's fossil record is considerable (as defined by CEQA).** These adverse impacts can and should be mitigated to an insignificant level as required by CEQA.

I strongly recommend that the standard guidelines developed by the Society of Vertebrate Paleontology (SVP) for the mitigation of construction-related adverse impacts on paleontological resources be referenced and adopted in the El Dorado County General Plan. The SVP standard guidelines represent a consensus of professional paleontologists in the United States. They have been widely accepted by both federal (USFS, BLM, NPS, FERC, etc.) and California state agencies (CEC, CPUC, Caltrans, etc.) with responsibility to protect paleontological resources. They are the standard against which all paleontological mitigation is judged. Copies of the SVP standard guidelines are included with this letter.

116-7

Briefly, SVP guidelines require that each project have a paleontological resource impact assessment, including literature and museum archival reviews and a field survey before a project begins. Then, if the assessment concludes that there is a high potential for disturbing significant fossils during project construction, a mitigation monitoring plan is prepared that includes monitoring by a qualified paleontologist to salvage fossils encountered, identification of any salvaged fossils, determination of their significance, and placement of curated fossil specimens into a permanent public museum collection (such as the University of California Museum of Paleontology at Berkeley). These mitigation measures ensure that adverse impacts to paleontological resources will be less than significant. Without an impact assessment by a professional paleontologist before a project begins and appropriate mitigation measures during construction, adverse impacts to significant paleontological resources are NOT reduced to a less than significant level as required by CEQA. Therefore, I strongly recommend that, before the Final EIR for the El Dorado General Plan is adopted, the SVP standard guidelines be studied and included.

I thank you for the opportunity to participate in the environmental review process for the El Dorado County General Plan. If you have questions regarding my comments, please feel free to contact me via either e-mail (Lanny@PaleoResource.com) or phone (916-339-9594 or 916-947-9594). I am concerned that the record of the prehistoric past be protected and preserved for future generations of El Dorado citizens to study and enjoy. **As El Dorado County becomes covered with more and more asphalt and concrete, the county's fossil record is being either destroyed or rendered inaccessible.** Thank you for listening and responding to my concerns.

116-8

Respectfully,

Dr. Lanny H. Fisk, PhD RG
Senior Paleontologist

LHF/tbm

Attachments

ASSESSMENT AND MITIGATION OF ADVERSE IMPACTS TO NONRENEWABLE PALEONTOLOGIC RESOURCES: STANDARD GUIDELINES

Society of Vertebrate Paleontology
Conformable Impact Mitigation Guidelines Committee
Robert E. Reynolds, Chairman

Society of Vertebrate Paleontology News Bulletin Number 163, pages 22-27

February 1995

INTRODUCTION

Vertebrate fossils are significant nonrenewable paleontological resources that are afforded protection by federal, state, and local environmental laws and guidelines. The potential for destruction or degradation by construction impacts to paleontologic resources on public lands (federal, state, county, or municipal) and land selected for development under the jurisdiction of various governmental planning agencies is recognized. Protection of paleontologic resources includes: (a) assessment of the potential for property to contain significant nonrenewable paleontologic resources which might be directly or indirectly impacted, damaged, or destroyed by development, and (b) formulation and implementation of measures to mitigate adverse impacts, including permanent preservation of the site and/or permanent preservation of salvaged materials in established institutions. Decisions regarding the intensity of the Paleontological Resource Impact Mitigation Program (PRIMP) will be made by the Project Paleontologist on the basis of the paleontologic resources, not on the ability of an applicant to fund the project.

ASSESSMENT OF THE PALEONTOLOGICAL POTENTIAL OF ROCK UNITS

Sedimentary rock units may be described as having (a) high (or unknown) potential for containing significant nonrenewable paleontologic resources, (b) low potential for containing nonrenewable paleontologic resources or (c) undetermined potential.

It is extremely important to distinguish between archaeological and paleontological (fossil) resource sites when defining the sensitivity of rock units. The boundaries of archaeological sites define the areal extent of the resource. Paleontologic sites, however, indicate that the containing sedimentary rock unit or formation is fossiliferous. The limits of the entire rock formation, both areal and stratigraphic, therefore define the scope of the paleontologic potential in each case. Paleontologists can thus develop maps which suggest sensitive areas and units that are likely to contain paleontological resources. These maps form the bases for preliminary planning decisions. Lead agency evaluation of a project relative to paleontologic sensitivity maps should trigger a "request for opinion" from a state paleontologic clearing house or an accredited institution with an established paleontological repository.

The determination of a site's (or rock unit's) degree of paleontological potential is first founded on a review of pertinent geological and paleontological literature and on locality records of specimens deposited in institutions. This preliminary review may suggest particular areas of known high potential. If an area of high potential cannot be delimited from the literature search and specimen records, a surface survey will determine the fossiliferous potential and extent of the sedimentary units within a specific project. The field survey may extend outside the defined project to areas where rock units are better exposed. If an area is determined to have a high potential for containing paleontologic resources, a program to mitigate impacts is developed. In areas of high sensitivity, a pre-excavation survey prior to excavation is recommended to locate surface concentrations of fossils which might need special salvage methods.

The sensitivity of rock units in which fossils occur may be divided into three operational categories.

A. HIGH POTENTIAL

Rock units from which vertebrate or significant invertebrate fossils or significant suites of plant fossils have been recovered are considered to have a high potential for containing significant non-renewable fossiliferous resources. These units include, but are not limited to, sedimentary formations and some volcanic formations which contain significant nonrenewable paleontologic resources anywhere within their geographical extent, and sedimentary rock units temporally or lithologically suitable for the preservation of fossils. Sensitivity comprises both (a) the potential for yielding abundant or significant vertebrate fossils or for yielding a few significant fossils, large or small, vertebrate, invertebrate, or botanical, and (b) the importance of recovered evidence for new and significant taxonomic, phylogenetic, ecologic, or stratigraphic data. Areas which contain potentially datable organic remains older than Recent, including deposits associated with nests or middens, and areas which may contain new vertebrate deposits, traces, or trackways are also classified as significant.

B. UNDETERMINED POTENTIAL

Specific areas underlain by sedimentary rock units for which little information is available are considered to have undetermined fossiliferous potentials. Field surveys by a qualified vertebrate paleontologist to specifically determine the potentials of the rock units are required before programs of impact mitigation for such areas may be developed.

C. LOW POTENTIAL

Reports in the paleontological literature or field surveys by a qualified vertebrate paleontologist may allow determination that some areas or units have low potentials for yielding significant fossils. Such units will be poorly represented by specimens in institutional collections. These deposits generally will not require protection or salvage operations.

MEASURES TO MITIGATE ADVERSE IMPACTS RESULTING FROM DEVELOPMENT

Measures for adequate protection or salvage of significant nonrenewable paleontologic resources are applied to areas determined to have a high potential for containing significant fossils. Specific mitigation measures generally need not be developed for areas of low paleontological potential. Developers and contractors should be made aware, however, that it is necessary to contact a qualified paleontologist if fossils are unearthed in the course of excavation. The paleontologist will then salvage the fossils and assess the necessity for further mitigation measures, if applicable.

A. AREAS OF HIGH POTENTIAL

In areas determined to have a high potential for significant paleontologic resources, an adequate program for mitigating the impact of development should include:

1. a preliminary survey and surface salvage prior to construction;
2. monitoring and salvage during excavation;
3. preparation, including screen washing to recover small specimens (if applicable), and specimen preparation to a point of stabilization and identification;
4. identification, cataloging, curation, and storage; and
5. a final report of the finds and their significance, after all operations are complete.

All phases of mitigation are supervised by a professional paleontologist who maintains the necessary paleontologic collecting permits and repository agreements. The Lead Agency assures compliance with the measures developed to mitigate impacts of excavation during the initial assessment. To assure compliance with the start of the project, a statement that confirms the site's potential sensitivity, confirms the repository agreement with an established institution, and describes the program for impact mitigation, should be deposited with the Lead

Agency and contractors before work begins. The program will be reviewed and accepted by the Lead Agency's designated vertebrate paleontologist. If a mitigation program is initiated early during the course of project planning, construction delays due to paleontologic salvage activities can be minimized or avoided.

RECOMMENDED GENERAL GUIDELINES

These guidelines are designed to apply to areas of high paleontologic potential.

A. ASSESSMENT BEFORE CONSTRUCTION STARTS

Preconstruction assessment will develop an adequate program of mitigation. This may include a field survey to delimit the specific boundaries of sensitive areas and pre-excavation meetings with contractors and developers. In some cases it may be necessary to conduct field surveys and/or a salvage program prior to grading to prevent damage to known resources and to avoid delays to construction schedules. Such a program may involve surface collection and/or quarry excavations. A review of the initial assessment and proposed mitigation program by the Lead Agency before operations begin will confirm the adequacy of the proposed program.

B. ADEQUATE MONITORING

An excavation project will retain a qualified project paleontologist. In areas of known high potential, the project paleontologist may designate a paleontologic monitor to be present during 100% of the earth-moving activities. If, after 50% of the grading is completed, it can be demonstrated that the level of monitoring should be reduced, the project paleontologist may so amend the mitigation program.

Paleontologists who monitor excavations must be qualified and experienced in salvaging fossils and authorized to divert equipment temporarily while removing fossils. They should be properly equipped with tools and supplies to allow rapid removal of specimens.

Provision should be made for additional assistants to monitor or help in removing large or abundant fossils to reduce potential delays to excavation schedules. If many pieces of heavy equipment are in use simultaneously but at diverse locations, each location may be individually monitored.

C. MACROFOSSIL SALVAGE

Many specimens recovered from paleontological excavations are easily visible to the eye and large enough to be easily recognized and removed. Some may be fragile and require hardening before moving. Others may require encasing within a plaster jacket for later preparation and conservation in a laboratory. Occasionally specimens encompass all or much of a skeleton and will require moving either as a whole or in blocks for eventual preparation. Such specimens require time to excavate and strengthen before removal and the patience and understanding of the contractor to recover the specimens properly. It is thus important that the contractors and developers are fully aware of the importance and fragility of fossils for their recovery to be undertaken with the optimum chances of successful extraction. The monitor must be empowered to temporarily halt or redirect the excavation equipment away from the fossils to be salvaged.

D. MICROFOSSIL SALVAGE

Many significant vertebrate fossils (e.g., small mammal, bird, reptile, or fish remains) are too small to be visible within the sedimentary matrix. Fine-grained sedimentary horizons and paleosols most often contain such fossils. They are recovered through concentration by screen washing. If the sediments are fossiliferous, bulk samples are taken for later processing to recover any fossils. An adequate sample comprises 12 cubic meters (6,000 lbs or 2,500 kg) of matrix for each site horizon or paleosol, or as determined by the supervising paleontologist. The uniqueness of the recovered fossils may dictate salvage of larger amounts. To avoid construction delays, samples of matrix should be removed from the site and processed elsewhere.

E. PRESERVATION OF SAMPLES

Oriented samples must be preserved for paleomagnetic analysis. Samples of fine matrices should be obtained and stored for pollen analysis. Other matrix samples may be retained with the samples for potential analysis by later workers, for clast source analysis, as a witness to the source rock unit and possibly for procedures that are not yet envisioned.

F. PREPARATION

Recovered specimens are prepared for identification (not exhibition) and stabilized. Sedimentary matrix with microfossils is screen washed and sorted to identify the contained fossils. Removal of excess matrix during the preparation process reduces storage space.

G. IDENTIFICATION

Specimens are identified by competent qualified specialists to a point of maximum specificity. Ideally, identification is of individual specimens to element, genus, and species. Batch identification and batch numbering (e.g., "mammals, 75 specimens") should be avoided.

H. ANALYSIS

Specimens may be analyzed by stratigraphic occurrence, and by size, taxa, or taphonomic conditions. This results in a faunal list, a stratigraphic distribution of taxa, or evolutionary, ecological, or depositional deductions.

I. STORAGE

Adequate storage in a recognized repository institution for the recovered specimens is an essential goal of the program. Specimens will be cataloged and a complete list will be prepared of specimens introduced into the collections of a repository by the curator of the museum or university. Adequate storage includes curation of individual specimens into the collections of a recognized, nonprofit paleontologic specimen repository with a permanent curator, such as a museum or a university. A complete set of field notes, geologic maps, and stratigraphic sections accompany the fossil collections. Specimens are stored in a fashion that allows retrieval of specific, individual specimens by researchers in the future.

J. SITE PROTECTION

In exceptional instances the process of construction may reveal a fossil occurrence of such importance that salvage or removal is unacceptable to all concerned parties. In such cases, the design concept may be modified to protect and exhibit the occurrence with the project's design, e.g., as an exhibit in a basement mall. Under such circumstances, the site may be declared and dedicated as a protected resource of public value. Associated fragments recovered from such a site will be placed in an approved institutional repository.

K. FINAL REPORT

A report is prepared by the project paleontologist including a summary of the field and laboratory methods, site geology and stratigraphy, faunal list, and a brief statement of the significance and relationship of the site to similar fossil localities. A complete set of field notes, geological maps, stratigraphic sections, and a list of identified

specimens accompany the report. The report is finalized only after all aspects of the program are completed. The Final Report together with its accompanying documents constitute the goals of a mitigation project. Full copies of the Final Report are deposited with the Lead Agency and the repository institution.

L. COMPLIANCE

The Lead Agency assures compliance with measures to protect fossil resources from the beginning of the project by:

1. requesting an assessment and program for impact mitigation which includes salvage and protection during the initial planning phases;
2. by arranging for recovered specimens to be housed in an institutional paleontologic repository; and
3. by requiring the Final Report.

The supervising paleontologist is responsible for:

1. assessment and development of the program for impact mitigation during initial planning phases;
2. the repository agreement;
3. the adequacy and execution of the mitigation measures; and
4. the Final Report.

Acceptance of the Final Report for the project by the Lead Agency signifies completion of the program of mitigation for the project. Review of the Final Report by a vertebrate paleontologist designated by the Lead Agency will establish the effectiveness of the program and adequacy of the report. Inadequate performances in either field comprise noncompliance, and may result in the Lead Agency removing the paleontologist from its list of qualified consultants.

DEFINITIONS

A QUALIFIED VERTEBRATE PALEONTOLOGIST is a practicing scientist who is recognized in the paleontologic community and is proficient in vertebrate paleontology, as demonstrated by:

1. institutional affiliations or appropriate credentials;
2. ability to recognize and recover vertebrate fossils in the field;
3. local geological and biostratigraphic expertise;
4. proficiency in identifying vertebrate fossils; and
5. publications in scientific journals.

A PALEONTOLOGICAL REPOSITORY is a publicly supported, not-for-profit museum or university employing a permanent curator responsible for paleontological records and materials. Such an institution assigns accession and catalog numbers to individual specimens which are stored and conserved to ensure their preservation under adequate security and climate control. The repository will also retain site lists of recovered specimens, and any associated field notes, maps, diagrams, or associated data. It makes its collections of cataloged specimens available to researchers.

SIGNIFICANT NONRENEWABLE PALEONTOLOGIC RESOURCES are fossils and fossiliferous deposits here restricted to vertebrate fossils and their taphonomic and associated environmental indicators. This definition excludes invertebrate or botanical fossils except when present within a given vertebrate assemblage. Certain plant and invertebrate fossils or assemblages may be defined as significant by a project paleontologist, local paleontologist, specialists, or special interest groups, or by Lead Agencies or local governments.

A SIGNIFICANT FOSSILIFEROUS DEPOSIT is a rock unit or formation which contains significant nonrenewable paleontologic resources, here defined as comprising one or more identifiable vertebrate fossils, large or small, and any associated invertebrate and plant fossils, traces and other data that provide taphonomic, taxonomic, phylogenetic, ecologic, and stratigraphic information (ichnites and trace fossils generated by vertebrate animals, e.g., trackways, or nests and middens which provide datable material and climatic information). Paleontologic resources are considered to be older than recorded history and/or older than 5,000 years BP.

A LEAD AGENCY is the agency responsible for addressing impacts to nonrenewable resources that a specific project might generate.

PALEONTOLOGIC POTENTIAL is the potential for the presence of significant nonrenewable paleontological resources. All sedimentary rocks, some volcanic rocks, and some metamorphic rocks have potential for the presence of significant nonrenewable paleontologic resources. Review of available literature may further refine the potential of each rock unit, formation, or facies.

PALEONTOLOGIC SENSITIVITY is determined only after a field survey of the rock unit in conjunction with a review of available literature and paleontologic locality records. In cases where no subsurface data are available, sensitivity may be determined by subsurface excavations.

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CONDITIONS OF RECEIVERSHIP FOR PALEONTOLOGIC SALVAGE COLLECTIONS

Society of Vertebrate Paleontology
Conformable Impact Mitigation Guidelines Committee
Robert E. Reynolds, Chairman

Society of Vertebrate Paleontology News Bulletin Number 166, pages 31-32

February 1996

1. The repository museum and its curator maintain the right to accept or refuse the materials.
2. The materials received must fit with the repository museum's mission and policy statements.
3. All repository arrangements must be made with the curator in advance of receipt. All arrangements for inventory numbers and locality numbers must be made in advance. "Museums are not a dumping ground."
4. The museum will act as the trustee for the specimens. A deed of gift from the land owner or agent must be provided. A loan form or M.O.U. must be prepared for specimens from government lands.
5. Specimens must receive discrete locality numbers. Locality data must be to the maximum specificity available and plotted on 7.5 minute topographic maps, and as specific as allowed by stratigraphic collecting and field mapping. The repository may require the repositior to bear the cost of entering locality data into computerized data files.
6. All reports prepared to meet mitigation requirements, field notes, and photographs must be provided at the time of transfer to the repository museum.
7. Specimens must be delivered to the repository fully prepared and stabilized. Standards of stabilization and modern conservation techniques must be established prior to preparation and must be acceptable to the repository institution. Details of stabilizing materials and chemicals must be provided by the repositior. For microvertebrates, this means sorting and mounting. For large specimens, including whales, this means removal of all unnecessary materials and full stabilization. Fossiliferous matrix must be washed and processed. Earthquake-proofing includes inventory numbers on corks and in vials. In storage, specimens must be insulated or cushioned to protect each from contact or abrasion. Oversized specimens must be stored on shelves or on racks developed to fit existing constraints of the repository museum. The repositior must provide for all nonstandard materials for storage.
8. Specimens must be individually inventoried in accordance with the established system at the repository museum. The specimen inventory must be acceptable to and meet the requirements of the lead agency. Specimens must be identified to element and to maximum reasonable taxonomic specificity. Batch or bulk cataloging must be avoided.
9. Specimens must be cataloged in accord with the repository system so that specimens are retrievable to curators and to researchers. The repository museum may require that the repositior bear the cost of having repository staff catalog specimens into computerized data bases.

10. The repository may require the depositor to bear the cost for completing preparation and stabilization, completing inventory, and completing cataloging.

11. There will be a one-time fee charged by the repository for permanent storage of specimens. This fee will be utilized to compensate the repository for storage space, cabinets or shelves, access or aisle space, a retrievable catalog system, additional preparation, specimen filing, and labor involved in the above. The repository reserves the right to charge the depositor for unpacking and placement of specimens in approved storage cabinets.

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George and Sue Megee
3749 El Dorado Rd
Placerville, CA 95667

June 14, 2003

El Dorado County Planning Commission
2850 Fair Lane Court
Placerville, CA 95667

Dear Commissioners,

Just plotting our way to the county library to take a look at the proposals for the new General Plan, hoping to read some encouraging information that would answer the current problems we face, proved to be the usual transportation nightmare. After having looked through the Draft EIR with its alternatives, We believe that any genuine understanding of this, larger than life, document will take longer than the time that's been allowed for public assimilation. It is not an easy read.

117-1

We are very concerned about the peak-hour-traffic slated for El Dorado Road, as well as the preservation of the existing, designated wetlands connected to Mound Springs Creek between Missouri Flat and El Dorado Roads and the documented, historical pioneer Missouri Flat Cemetery. This area needs to be preserved, and the adopted plan and alternative should reflect that.

117-2

Also, please be aware that any new development that exits onto El Dorado Road, will severely further impact the existing homes and traffic flow on this small, rural road. The enlargement of El Dorado Road will succeed only in causing more accidents and hazards. This narrow road was never intended to support commercial development. It is far too chopped-up to handle fast moving, heavy traffic.

117-3

Alternative 12 encourages density while allowing for mixed use of affordable housing and supports the least environmental impact. Strict limits placed on the number of houses would lessen the density impact and produce a more favorable environment.

117-4

Limited natural resources, and finances, as well as having developed to near transportation capacity, has brought El Dorado County into the moderate, well-planned-growth stage in order to protect the quality of life that this county offers. We urge you to consider a plan and alternative that will lessen the impact of over development. Please, consider a sensible, moderate growth plane and alternative that does not allow rampant, ill thought out projects which will destroy the environment and our quality of life.

117-5

Thank you.

George & Sue Megee
Your Constituents

RECEIVED
PLANNING DEPARTMENT
03 JUN 16 PM 3:18

cc Supervisor for Dist. # 3

<no subject>From: Mary Nugent [tmnugent@internet49.com]
Sent: Sunday, June 15, 2003 5:19 PM
To: generalplan@co.el-dorado.ca.us
Subject: <no subject>
June 15, 2003

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667
Email: generalplan@co.el-dorado.ca.us

To Whom It May Concern,

Enclosed is the following letter that we have previously sent to the El Dorado County Agricultural Commission, the El Dorado County Wine Grape Growers, and the El Dorado County Farm Bureau.

It is our hope our situation will be reviewed and considered to help other farmers and ranchers be protected within the new General Plan.

Thank you,

Mary H. Nugent
2405 Patton Ct.
Placerville, CA 95667
email: tmnugent@internet49.com

118-1

June 1, 2003

To All Agricultural Commissioners of El Dorado County:

My father, Albert Harris, was a member of your governing body for many years. He had great pride in the fact that the Ag. Commission took a strong stand in the protection of Agricultural Land in our County. He passed away unexpectedly on Christmas Day, and now my family is also unexpectedly burdened with many land issues in which we have many concerns.

Our family has farmed and ranched in this county for over 120 years. Presently we continue to actively farm at our two family ranches, one in Pollock Pines (a tree farm), and one in Placerville (fruit). We have been trying to settle my Uncle John Harris' estate/trust (he died in a house fire in Feb. 2000) which involves the ranch in Placerville. We find we cannot attempt to settle Albert's estate/trust due to the fact that the El Dorado County is stalling the process, and the Title Company is continuing to backtrack searching for findings that El Dorado County is demanding.

Our problem is that the Placerville ranch (not in the city, but in the sphere of influence) was created by my great grandfather (the first agricultural advisor in El Dorado County) and grandfather, who bought many pieces of adjoining land. Inter Title Company has told us the County does not have all the original documents that prove the acquisition of these parcels, due to the fact the land was purchased so many years ago...my question is why were these documents lost by the county...? The family cannot locate many original deeds, perhaps because the family home burned to the ground when my Uncle passed away. One deed has been found which goes back to the days when the land was Mexican Territory.

According to Jim Hill at Inter County Title Co. the ranch now shows it contains three parcels. Our family has paid taxes for these three parcels for many years. It is our family's intention to retain the ranch in three parcels and to continue to utilize the land for strictly agricultural purposes. We were hoping our lawyers could file a certificate of compliance, which would clear the title for us to settle our family's estates. As our lawyer was looking over documents at Inter-County Title Co. it became apparent that our property originally consisted of ten or more separate parcels. Since the ranch is honeycombed with mine shafts and tunnels, it is understandable that most of these parcels show mining rights, which go to many mining companies that are now no longer in existence.

When Inter County Title pursued this issue, representatives from the County (we believe at the Surveyors Office) stated that the family had to prove acquisition and original documentation for all the original parcels which were acquired over 120 years ago. From what my family understands, people at our County Office stated:

1. The ranch appeared to be originally of many parcels, not just three.
2. That our intention of applying for a certificate of compliance to maintain the three parcels as they now are, could be perhaps invalid, and be definitely non revocable in the future.
3. The ranch had to be parceled out to the original number of parcels which were originally acquired, and that the original acquisition of the parcels must be pursued, even if documents were created in the 1800's.

118-2

The process has been very costly to our family over these past three years, and we still have not been able to begin processing my father's estate. I have concerns that El Dorado County does not recognize the fact that our land has been of three parcels for many decades, and the fact that we have diligently paid taxes for the three parcels all this time. Why should demands be made to change the number of parcels? The new general plan is not in place yet, and with past practices of having three parcels, why would they now be invalid? It seems as though the county is making up rules, depending on whom our lawyers or title people talk to and no one knows what direction to go. Time passes, checks are paid out for this process, and still no end is seen in sight.

My main concern is that El Dorado County no longer respects agricultural land, or the right to protect agricultural land, and is only interested in it as open space with the potential for development.

I understand other ranches in the county maybe experiencing this same problem. Does the Ag. Commission recognizes this as a zoning problem, and will farmers have any protection in the New General Plan? Having a ranch split out into multi parcels could have a real impact on the freedom to utilize most of the ranch for strictly agricultural purposes. The value of the land does increase dramatically, but so do taxes on the parcels. At some point landowners are "forced" to subdivide due to restrictions and costs made by El Dorado County. Since many ranches are historical in El Dorado County, how can their integrity be preserved? Why should heirs of agricultural land be required to be responsible for investigating land documentation which goes so far back in history, that it is impossible to investigate? At what point will El Dorado County recognize a farm that has existed as a viable agricultural preserve for over a century? Is this not a value to the heritage of our County?

As the El Dorado Farm Bureau, El Dorado Wine Grape Growers Assn., and Agricultural Commission are meeting to maintain "The Right to Farm Ordinances", which will hopefully protect us all within the General Plan, please consider my family's dilemma.

We are hopeful that our situation will be recognized within the alternative versions of the Draft General Plan which will be submitted to the Planning Commission prior to June 16.

Sincerely,

Mary Harris Nugent
2405 Patton Ct.
Placerville , Ca 95667

cc. El Dorado County Farm Bureau
El Dorado County Grape Growers Assn.

118-2



**GENE E.
THORNE**
& Associates, Inc.

Engineering • Planning • Surveying

15 June 2003

03 JUL 15 PM 2:05

RECEIVED
PLANNING DEPARTMENT

Mr. Conrad B. Montgomery, Director
El Dorado County Planning Department
2850 Fairlane Court
Placerville, California 95667

SUBJECT: Request for consideration of a change in the land use designations for the Environmentally Constrained (EC) and the Roadway Constrained (RC) Alternatives for APN 087-190-21.

Dear Mr. Montgomery:

This letter represents a request to change the designation of the subject parcel from a Natural Resources designation in both of the above Alternatives to a Rural Lands designation in both Alternatives. The designation for the 1996 General Plan Alternative is acceptable.

This parcel, along with three others in the rural development known as Rainbow Meadows, are the only parcels within the twenty-eight parcel Rainbow Meadows development that were designated as Natural Resources. All of the others are designated as Rural Lands. Please see attached copies of the Assessor's Map and the recorded Parcel Map.

My client, Mr. John Euer, who is purchasing the subject parcel, wishes to divide that piece into two twenty acre parcels so that he can move two of the old ranch houses from the Euer Ranch development adjacent to the El Dorado Hills Business Park to these proposed parcels.

He is doing this so that he can preserve a portion of the history of his family in the Latrobe area.

I believe, in addition to the above, the designation of these four parcels as Natural Resources was an oversight and should be corrected for the following reasons:

The Natural Resource (NR) designations for both the EC and RC Constrained alternatives are essentially the same. Both speak to allowing for natural resource management activities, resource-based industries, protection of important habitat, and protection of river canyons. Not a single one of these reasons for the NR designation applies to this piece of property.

Please contact me should you have any questions or require additional information. Thank you.

Sincerely,

Gene E. Thorne
RCE 20462

j
cc: John Euer
Attachments

3025 Alhambra Drive, Suite A, Cameron Park, California 95682-7999
530-677-1747 • 916-985-7745 • FAX: 530-676-4205 • www.thornecivil.com

119-1

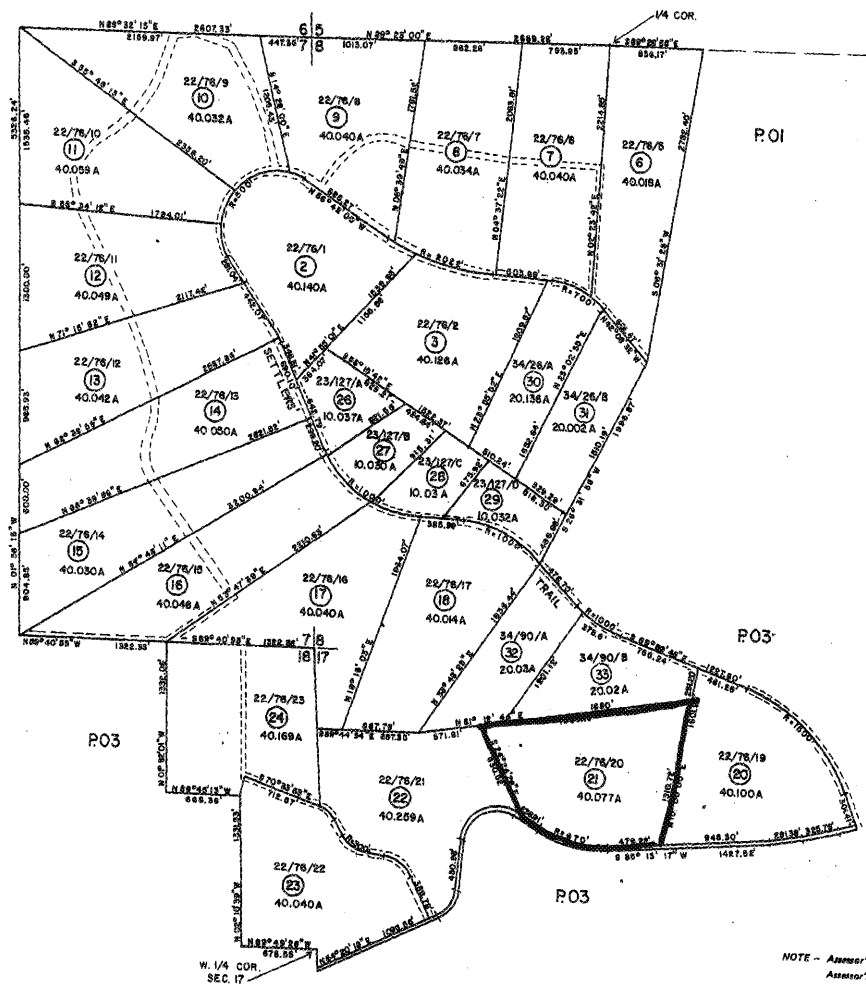
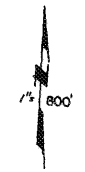
POR. SEC'S 7, 8, 17 & 18, T.8N., R.9E., M.D.M.

Tax Area Code

87:19

POI

POI



NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 87 - Pg. 19
County of El Dorado, California

7/1/78

9/4/78

NOTE: ROAD EASEMENTS DEPOSITED TO PUBLIC SERVICE USE AND PUBLIC UTILITIES SERVICE ONLY RECORDED IN BOOK 1709 AS MADE AND OFFICIAL RECORDS, COUNTY OF EL DORADO

NOTE: PARCELS 1-13 SHALL HEREAFTER BE REFERRED TO AS RANDOM NUMBERS.

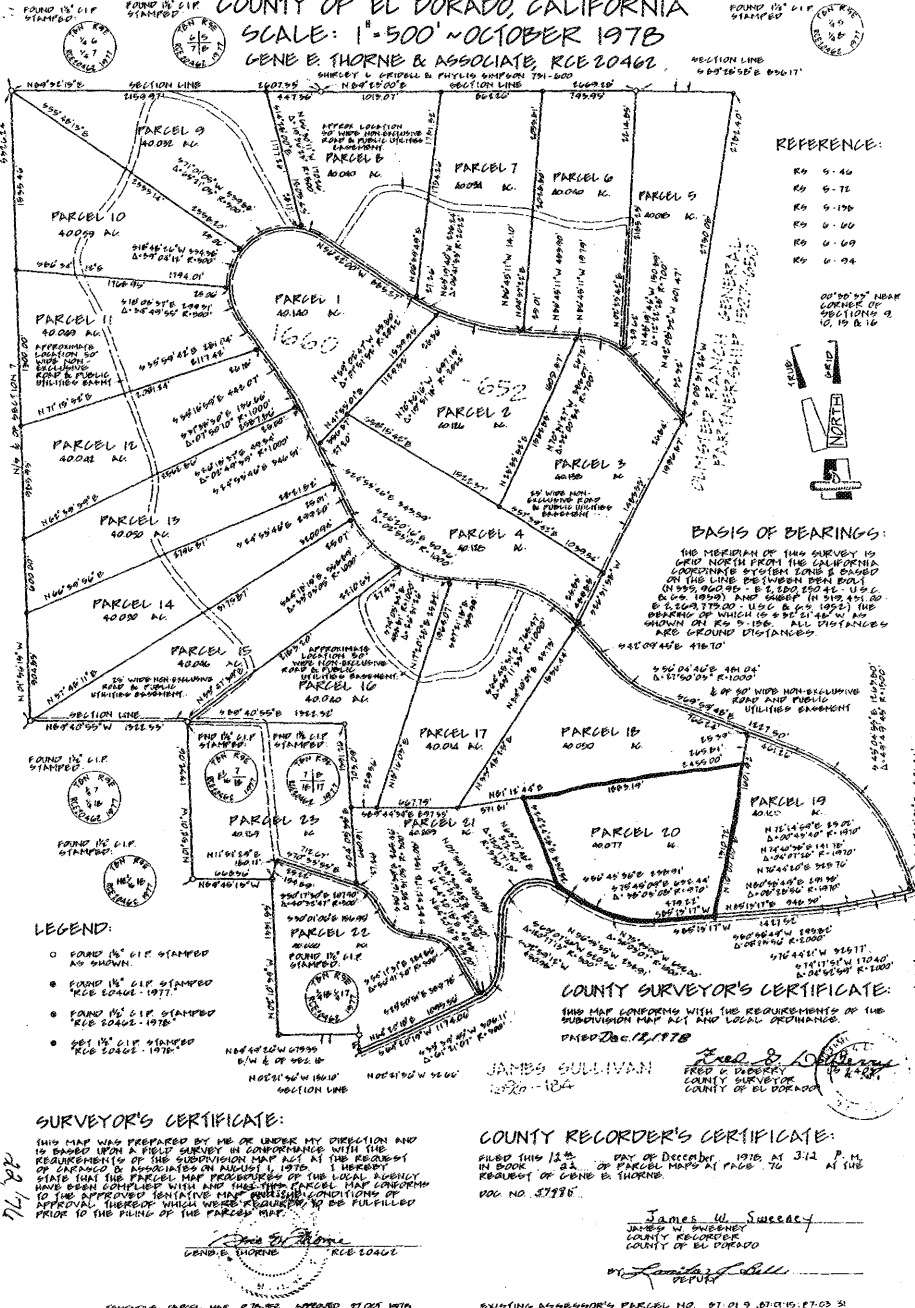
PARCEL MAP

PORTIONS OF SECTIONS 7, 8, 17 & 18, T.8N, R.9E, M.D.M.

COUNTY OF EL DORADO, CALIFORNIA

SCALE: 1" = 500' ~ OCTOBER 1978

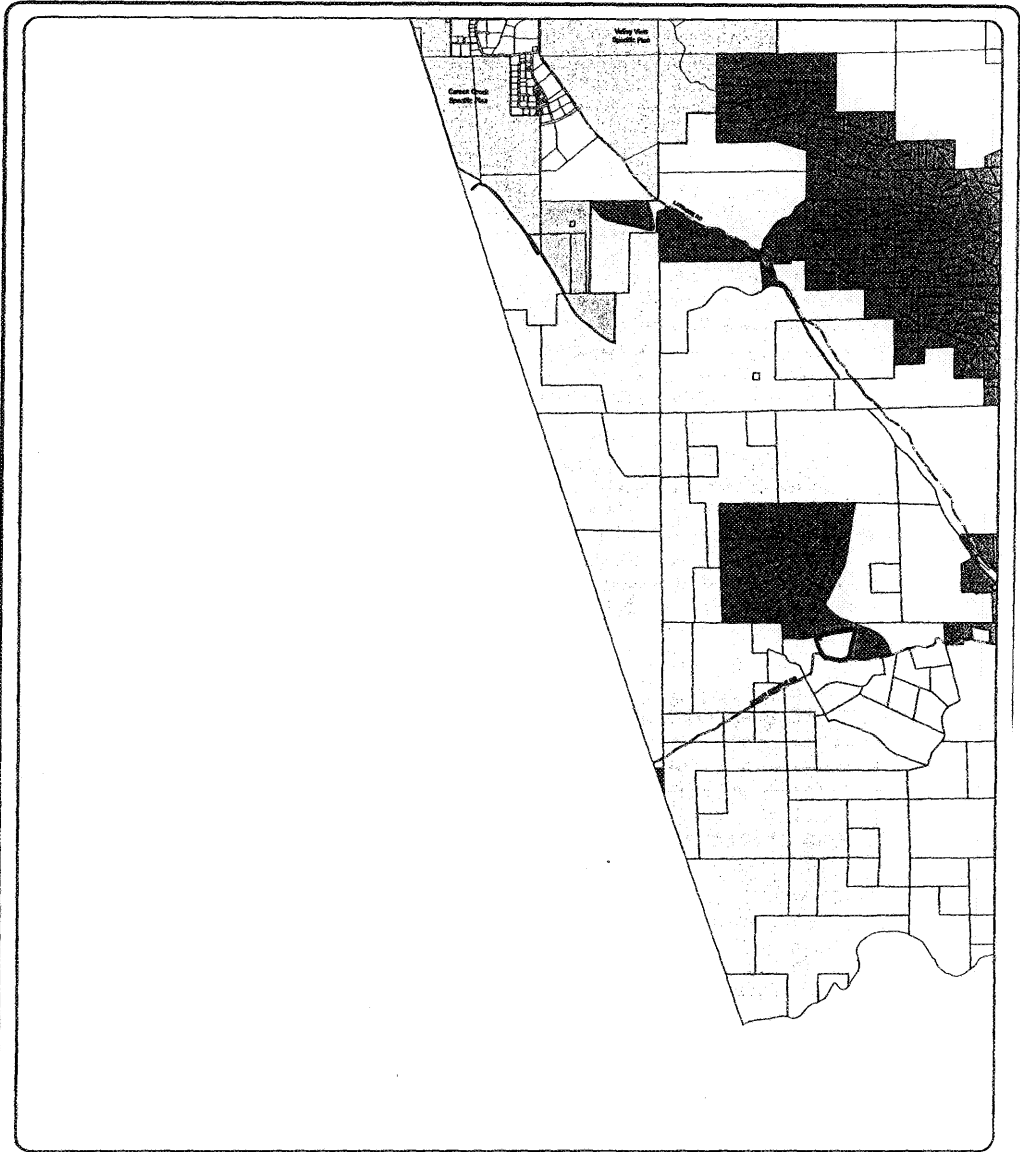
GENE B. THORNE & ASSOCIATE, RCB 20462



Sub. Part Bk. 1709 page 66

22/76

22/76



LEGEND

	Allowed Plan		Agricultural District
	Commercial		Corridor Preference
	High Density Residential		Mineral Resources
	Industrial		Specific Plans
	Low Density Residential		Community Regions
	Medium Density Residential		Rural Context
	High Density Residential		Town Hill Resource Tolerant Land
	Natural Resources		Planned Standalone
	Open Space		Major Road
	Public Facilities		Transit Corridor Zone
	Research & Development		
	Rural Lands		
	Truck Transportation		

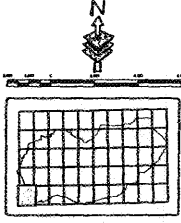
NOTES:

This document was compiled from many sources - public and private - the accuracy of which was not verified by the County of El Dorado. The County does not warrant, represent or guarantee the accuracy or validity of any information contained in this document. Users' reliance on the contents of this document, and any damages resulting therefrom, shall be limited to the extent of the user's own negligence.

Land use labels developed and maintained by the El Dorado County Planning Department - GIS Division. The map data is derived from the parcel base data provided by the County Assessor and land use information provided by the El Dorado County Surveyor's Office - GIS Division.

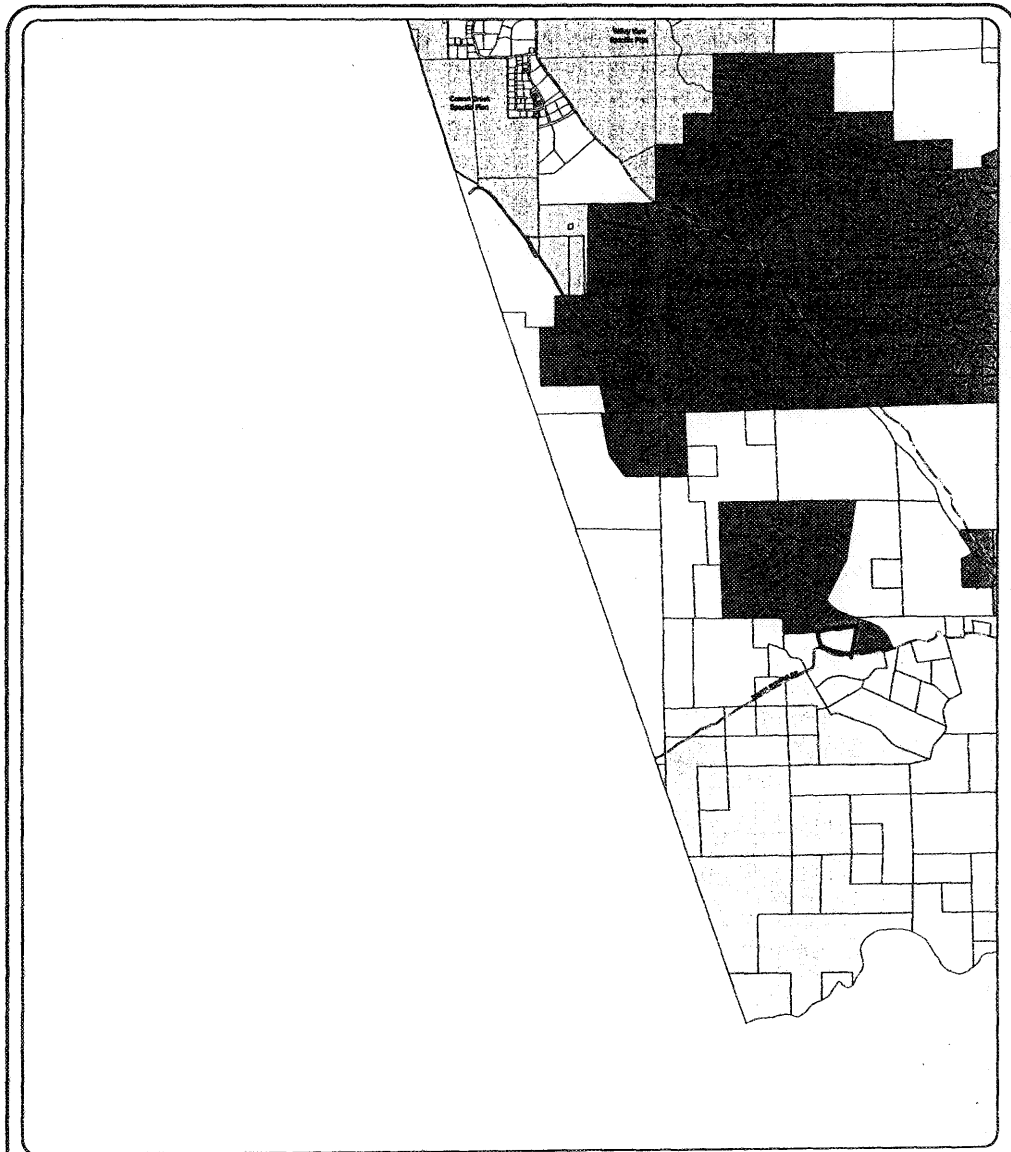
For more information regarding the latest GIS/MapServer data the boundary, contact the GIS/MapServer Division.

Map version: 03/05/03



Map Created By:
 El Dorado County Planning Department
 GIS Division
 2015 Folsom Court
 Folsom, CA 95637
 (916) 921-6222
 Map Area of Interest: 03/05/03

**EL DORADO COUNTY "ROADWAY CONSTRAINED SIX-LANE PLUS ALTERNATIVE"
 LAND USE MAP**



LEGEND

	Agriculture		Geological Preserve
	Advanced Plan		Mineral Resources
	Commercial		Specific Plans
	High Density Residential		Community Planning
	Industrial		Rural Centers
	Low Density Residential		Special Use Reserve Table Line
	Medium Density Residential		Paved Roadway
	Multi-Family Residential		High Slope
	Neighborhood		Airport Safety Zone
	Open Space		Impaired Designated Center
	Public Facilities		
	Research & Development		
	Rural Lands		
	Tourist Residential		

NOTES:

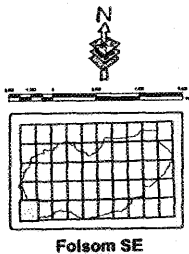
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Land use data is developed and maintained by the El Dorado County Planning Department, 2550 Highway 99, El Dorado, CA 95627. The map data is provided as a courtesy of the Planning Department.

For more information regarding the Special Use Reserve Table Line, contact the Planning Department.

For more information regarding the Airport Safety Zone, contact the El Dorado County Sheriff's Office.

Map Number: 020500



Map Created By:
 El Dorado County Planning Department
 GIS Division
 2550 Highway 99
 Folsom, CA 95627
 (916) 421-4255
 Map Date: 01/20/05

EL DORADO COUNTY "ENVIRONMENTALLY CONSTRAINED ALTERNATIVE" LAND USE MAP

State of California

THE RESOURCES AGENCY OF CALIFORNIA

Memorandum

To: Project Coordinator Resources Agency Date: June 16, 2003

Peter Maurer, Principal Planner
Attn: General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

From: Erik Vink, Assistant Director Department of Conservation - Division of Land Resource Protection

Subject: Draft Environmental Impact Report (DEIR) for the El Dorado County General Plan SCH# 2001082030

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We have reviewed the above DEIR addressing adoption and implementation of the El Dorado County General Plan and offer the following comments.

- The DEIR notes that the minimum Williamson Act contract size is 20 acres with consideration of smaller parcels if they meet additional criteria. Mitigation Measure 5.2-2 provides a revision to the Agriculture and Forestry Element to limit ranch marketing, activities, wineries and other agricultural promotional uses to 5 acres or 50 percent of the parcel.
The Division recommends that the County's compatibility review also consider the principle compatibility requirements for contracted lands as specified in the Williamson Act (Government Code Section 51238.1).

Thank you for the opportunity to comment on the DEIR. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 13-71, Sacramento, California 95814; or, phone (916) 324-0850.

cc: El Dorado County RCD
100 Forni Road, Suite A,
Placerville, CA 95667

03 JUN 18 PM 12: 21
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PLANNING DEPARTMENT

120-1

120-2



California Regional Water Quality Control Board
Lahontan Region



Winston H. Hickox
Secretary for
Environmental
Protection

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
Phone (530) 542-5460 • FAX (530) 544-2271
Internet: <http://www.swrcb.ca.gov/rwqcb6>

Gray Davis
Governor

June 16, 2003

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667
(530) 621-5355
(530) 642-0508 fax

 **FAXED**
6-16-03

COMMENTS ON THE DRAFT EL DORADO COUNTY GENERAL PLAN AND THE DRAFT EIR

Thank you for the opportunity to provide comments on the draft. We offer the following general comments at this time.

Maintaining high water quality and ensuring the protection of beneficial uses depends largely on land use decisions directed by General Plan policies. Many of the 509 water bodies currently on the State's list of impaired water bodies are affected by watersheds conditions, the protection of which is within the purview of local planning. The relationship between land use and water quality will become increasingly critical given that California's projected population growth and urbanization.

121-1

General Plans and their associated Environmental Impact Reports should recognize and address the potential impacts of General Plan provisions on water quality, especially in regard to how the General Plan directs the location and pattern urban development. The primary adverse impacts of poorly planned urbanization on waters are:

- The direct physical impacts to aquatic, wetland, and riparian habitat;
- Generation of construction-related and urban pollutants; and
- Alterations of flow regimens and groundwater recharge as a result of impervious surfaces and storm drain collector systems.

121-2

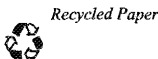
These factors have historically resulted in a cycle of destabilized stream, poor water quality, and engineered solutions to disrupted flow pattern, culminating in loss of natural functions and societal values in the effected basins.

Attempted management of these impacts forms a large part of the workload of the Lahontan Regional Water Quality Control Board (RWQCB) and our nonpoint source, stormwater, and water, and water quality certification programs, as well as our efforts to establish total maximum

121-3

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>



daily loads (TMDLs) for impaired water bodies. However, after-the-fact regulatory control is a best partial substitute for resources-sensitive planning which avoids environmental degradation.

121-3

Nonpoint sources, which are best managed through appropriate land use practices, are the leading cause of water quality impairments in California. They are the major contributors of pollution to streams, lakes, wetlands, estuaries, marine waters, and groundwater basins in California and are important polluters of harbors and bays. RWQCB's Nonpoint Source Plan includes 61 management measures addressing different land uses and nonpoint source categories (e.g., urban area, agriculture, forestry, and marinas). We recommend that these management measures be reflected in the Guidelines.

121-4

The foremost method of reducing impacts to watersheds from urban development is "Low Impact Development" (LID), the goals of which are maintaining a landscape functionally equivalent to predevelopment hydrologic conditions and minimal generation of nonpoint source pollutants. LID results in less surface runoff and less pollution routed to receiving waters. Principles of LID include:

- Maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge,
- Reducing the impervious cover created by development and the associated transportation network, and
- Managing runoff as close to the source as possible.

121-5

We understand that LID development practices that would maintain aquatic could also reduce local infrastructure requirements and could benefit energy conservation, air quality, open space, and habitat. Many planning tools exist to implement the above principles, and a number of recent reports and manuals provide specific guidance regarding LID. RWQCB staff can provide more specific information on the potential effects of land use development on water quality and on mitigating planning approaches if desired.

Again, thank you for inviting us to comment on the Draft Plan and Draft EIR. Mitigating the water quality impacts of future growth through skillful planning will play a critical role in maintaining California's environmental quality.

If you have any questions regarding the above comments, please contact me at (530) 542-5453.

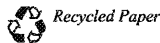
Sincerely,

Douglas F. Smith
Senior Engineer Geologist
Chief, Lake Tahoe Unit

SS/dcc T:\Comments on El Dorado General Plan.doc
[Comments on El Dorado General Plan]

California Environmental Protection Agency

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STATE OF CALIFORNIA

GRAY DAVIS, Governor

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



PAUL D. THAYER, Executive Officer
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone 1-800-735-2922
from Voice Phone 1-800-735-2929

Contact Phone: (916) 574-1883
Contact FAX: (916) 574-1835

June 16, 2003

Mr. Peter Maurer
Principal Planner
El Dorado County
2850 Fairlane Court
Placerville, Ca 95667

Dear Mr. Maurer:

Subject: El Dorado County General Plan Alternatives and Draft
Environmental Impact Report

Staff of the California State Lands Commission (CSLC) has received from El Dorado County the General Plan Alternatives and Draft Environmental Impact Report. The CSLC has jurisdiction over all State owned filled and unfilled tidelands, submerged lands and beds of navigable waterways. The State acquired ownership of all such lands within its boundaries upon its admission to the United States in 1850. The State holds these lands for the benefit of all its people for the public trust purposes of water related commerce, navigation, fisheries, water oriented recreation, and open space.

Due to budget constraints, we are currently unable to determine the existence, nature, extent or location of any sovereign ownership interests of the State under the jurisdiction of this agency in the project area. We therefore are not submitting substantive comments in response to the subject document at this time. The CSLC should be consulted regarding any specific uses proposed for or which may impact such lands. Inquiries may be submitted to the State Lands Commission, Division of Land Management, 100 Howe Avenue, Suite 100 South, Sacramento, California 95825, or contact may be made by phone to Barbara Dugal, Public Land Manager, at (916) 574-1833.

Sincerely,

Dwight E. Sanders, Chief
Division of Environmental
Planning & Management

cc: Barbara Dugal

03 JUN 18 PM 12:18
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122-1

122-2



Federated Church

United Methodist Church and Presbyterian Church
 1031 Thompson Way, Placerville, CA 95667
 (530) 622-0273 ~ Fax (530) 622-4684

03 JUN 20 PM 1:31
 RECEIVED
 PLANNING DEPARTMENT

June 16, 2003

General Plan Team
 El Dorado County Planning Commission
 2850 Fairlane Court
 Placerville, CA 95667

Re: Assessor's Parcel # 329-301-191
 17.77 Acres in Diamond Springs, located just south of the Pleasant Valley Road and
 Tullis Mine Road intersection

EDC Federated Church is owner of the above referenced parcel, consisting of some 17.77 acres of unimproved land. We wish to inform the El Dorado County Planning Commission of the impact the Draft General Plan may have upon the Church's property. Attached are the following documents, mostly pulled from the EDC General Plan Web Site:

Assessor's Property Detail and Map of Property, plus marked roadway map
 Description of Land Use Designations for the 4 alternative General Plans
 Land Use Designation Summary Tables
 El Dorado County Zoning Ordinance pages relating to R1, R2 and RM zonings
 Summary of Differences Between the Equal Weight General Plan Alternatives; portions of pages 1 - 5 highlighted

123-1

Our representative, Paul Converse, spoke on behalf of the Church at your hearing on June 4, 2003. At that time he provided the planning staff the Assessor's Parcel records and the roadway map identifying the property and its location, for them to take note of the parcel of concern. What follows are points that were made during that presentation:

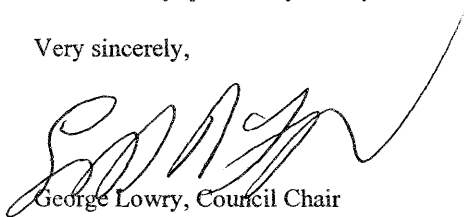
- 1) The identity of EDC Federated Church, the Assessor's Parcel Number, and the community it is located within (i.e. Diamond Springs).
- 2) Our review of the Land Use Designations outlined in the EDC General Plan Web Site, and our observation that the information seems confusing. General Plan Alternatives 1 (No Project) and 4 (1996 General Plan) denote the land use as "MFR" Multi-Family Residential, but does not reflect the parcel size. Alternative 2 (Roadway Constrained) also denotes the land use as "MFR" but includes the lots size of 17 acres. However, Alternative # 3 (Environmentally Constrained) identifies the property as "HDR" High Density Residential" and reflects the parcels size is 21 acres.

- 3) It does not concern the Church that the parcels size is not accurate in the General Plan web site, but the Church is greatly concerned about the Land Use Designation that will be adopted with the new General Plan. The El Dorado County Federated Church wishes to go on record in support of the Multi-Family Residential Land Use Designation for its property, and opposes any down zoning to Single Family. The Church's rationale is as follows:
- A. When the Church obtained Title to the property the Land Use Designation was "MFR" Multi-Family Residential, and the Zoning is split; about 15 acres is already zoned Multi-Family and the other 2 is High Density Residential. Much of the Church's planning for its financial future is based upon the property's value, and it is worth more as Multi-Family than Single-Family.
 - B. The Multi-Family Residential Land Use Designation would fit the Church's facility needs should it develop the site. While Multi-Family and Single Family Designations allow for a Church and school with a Special Use Permit, only the MFR designation allows a community care facility, senior day care, and other such uses.
 - C. The Single Family Residential designation calls for a density of from 1 to 5 dwelling units per acre, whereas the Multi-Family designation allows from 5 to 20 or 24 units per acre. Given the density's and land uses of the immediate surrounding property, that being the Westwood Mobile Home Park, Deer Park Residential Subdivisions, other Multi-Family zoned land and the commercial buildings in Diamond Springs, the construction of housing to the HDR designation would probably not be economically feasible. A purely residential subdivision would need a density greater than 5 dwelling units per acre to warrant anyone constructing a project.
 - D. General Plan Alternative # 2, Roadway Constrained, contains conditions that will negatively impact the Church. Within the Land Use Designation Summary Table it states the MFR may have a Residential Density of 5-24 units/acre (consistent with the other Alternative Plans), however within the document titled Summary of Differences Between the Equal Weight General Plan Alternatives, under the "Subdivision" category it states "no more than 4 parcels" may be created, thereby greatly complicating or hindering any development.

123-1

We hereby submit this letter to El Dorado County for your consideration. In summary, the EDC Federated Church wants to retain its Multi-Family Residential Land Use Designation, as it is described in the 1996 General Plan, Alternative # 4. Perhaps the MFR designation under the Environmentally Constrained Plan, Alternative # 3, would be acceptable too. We thank you for your time and are ready to answer any questions you may have.

Very sincerely,



George Lowry, Council Chair

cc: Kimberly Beal, Real Estate Broker

Property Detail

El Dorado, CA John Winner, Assessor

Parcel # (APN): 329-301-19-1 Use Description: RURAL.
 Parcel Status: ACTIVE
 Owner Name: EL DORADO CO FEDERATED CHU
 Mailing Address: 1031 THOMPSON WY, PLACERVILLE, CA 95667
 Situs Address:
 Legal Description: POR R/S 16-115

ASSESSMENT

Total Value:	\$150,960	Use Code:	21	Zoning:	U
Land Value:	\$150,960	Tax Rate Area:	078079		
Impr Value:		Year Assd:	2001	Improve Type:	
Other Value:		Property Tax:		Price/SqFt:	
% Improved:		Delinquent Yr:			
Exempt Amt:		Exempt Codes:			

SALES HISTORY

	<u>Sale 1</u>	<u>Sale 2</u>	<u>Sale 3</u>	<u>Transfer</u>
Recording Date:	09/26/2000	08/08/2000		
Recorded Doc #:	0048 077	0039 498	0000 000	
Recorded Doc Type:				
Transfer Amount:				
Sale 1 Seller (Grantor):				
1st Trst Dd Amt:	Code1:	2nd Trst Dd Amt:	Code2:	

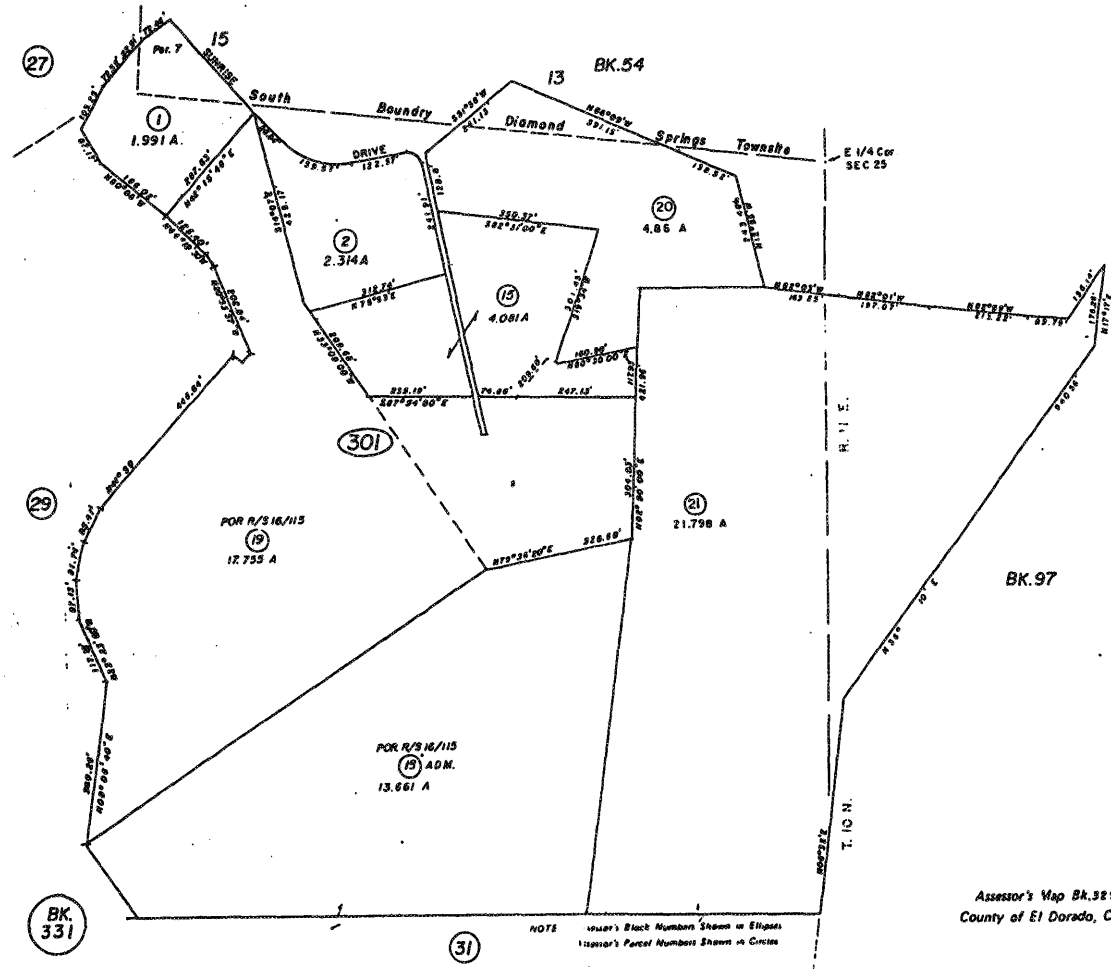
PROPERTY CHARACTERISTICS

Lot Acres:	17.770A	Year Built:	Fireplace:
Lot SqFt:		Effective Yr:	A/C:
Bldg/Liv Area:			Heating:
Units:		Total Rooms:	Pool:
Buildings:		Bedrooms:	Flooring:
Stories:		Baths (Full):	Park Type:
Style:		Baths (Half):	Spaces:
Construct:		Bsmt SqFt:	Site Infnce:
Quality:		Garage SqFt:	Timber Preserve:
Building Class:			Ag Preserve:
Condition:			
Other:			
Other Rooms:			

POR'S SEC. 25, T. 10 N., R. 10 E. & SEC. 30, T. 10 N., R. 11 E. M.D.M.
 POR. DIAMOND SPRINGS TOWNSITE, BLOCKS 13 & 15.

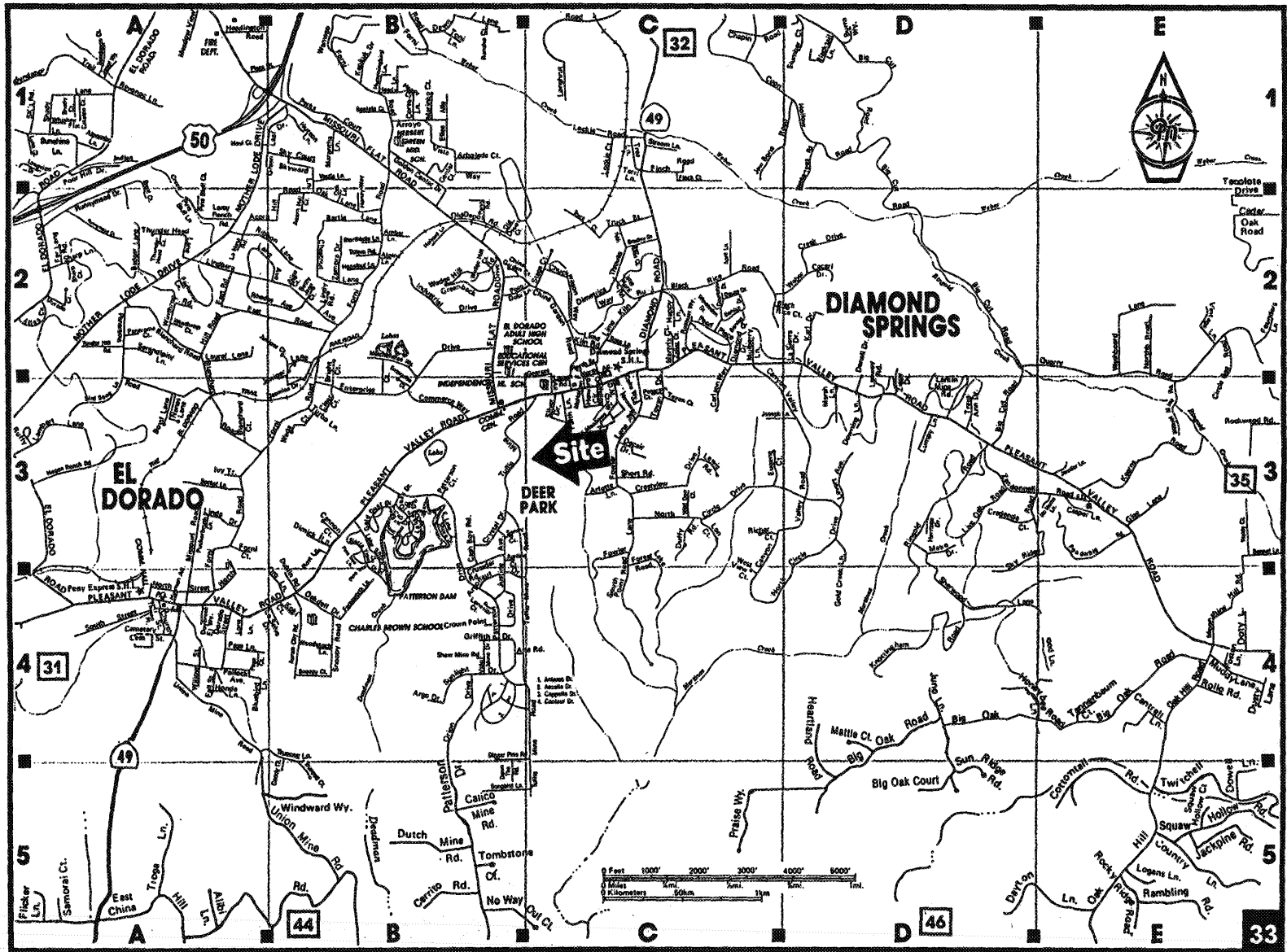
Tax Area Code

329:30



Assessor's Map Bk. 329 - Pg. 30.
 County of El Dorado, California





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Records Found = 2


Records Found = 2

Records Found = 1

No Project and 1996 Alternatives #1 and #4 [Quad Map No.: 34]		Roadway Constrained Six-Lane "Plus" Alternative #2 [Quad Map No.: 34]		Environmentally Constrained Alternative #3 [Quad Map No.: 34]	
Assessor's Parcel Number	32930119	Assessor's Parcel Number	32930119	Assessor's Parcel Number	32930119
Acreage*	0	Acreage*	16.841	Acreage*	21.869
Land Use Designation	MFR	Land Use Designation	MFR	Land Use Designation	HDR
Non-Jurisdictional		Non-Jurisdictional	N/A	Non-Jurisdictional	N/A
Agricultural District		Agricultural District		Agricultural District	N/A
Platted Lands		Platted Lands	N/A	Platted Lands	N/A
Mineral Resources		Mineral Resources		Mineral Resources	
Ecological Preserve		Ecological Preserve		Ecological Preserve	
Planned Communities		Planned Communities	N/A	Important Biological Corridors	
Community Regions	EDDS	Community Regions	EDDS	Community Regions	EDDS
Rural Centers		Rural Centers		Rural Centers	
Specific Plans		Specific Plans		Specific Plans	
Special Districts		Special Districts	N/A	Special Districts	N/A

 No Project and 1996 Alternatives #1 and #4 [Quad Map No.: 34]		 Roadway Constrained Six-Lane "Plus" Alternative #2 [Quad Map No.: 34]	
Assessor's Parcel Number	32930119	Assessor's Parcel Number	32930119
Acreage*	0	Acreage*	5.028
 Land Use Designation	HDR	 Land Use Designation	LDR
Non-Jurisdictional		Non-Jurisdictional	N/A
Agricultural District		Agricultural District	
Platted Lands		Platted Lands	N/A
Mineral Resources		Mineral Resources	
Ecological Preserve		Ecological Preserve	
 Planned Communities		Planned Communities	N/A
 Community Regions	EDDS	 Community Regions	EDDS
 Rural Centers		 Rural Centers	
 Specific Plans		 Specific Plans	
 Special Districts		Special Districts	N/A

***Acreage Note:** The parcel acreage shown in this database may not match the County's Official Records and should be used for reference only. To view the official records, please visit the Assessor's Office [Property Information](#).

Can't find your APN? ... [Find again?](#) or try our [APN Tips & Tricks](#)  . Questions can be directed to the County Planning Department at (530) 621-5355 or Email: generalplan@co.el-dorado.ca.us.

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APN Number Found

Page 3 of 3

Page last updated Wednesday, May 28, 2003 8:47 AM

<http://www.co.el-dorado.ca.us/generalplan/tables.asp?apn=32930119&Submit=Submit>

6/3/2003

AR 12203



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Land Use Designation Summary Tables

[No Project and 1996 General Plan Alternatives](#)
[Roadway Constrained Six-Lane "Plus" Alternative](#)
[Environmentally Constrained Alternative](#)

No Project and 1996 General Plan Alternatives top			
	Residential Density	Typical Uses	Distribution
Multifamily Residential (MFR)	5-24 units/acre	High density, multifamily structures; mobilehome parks	Community Regions and Rural Centers (Conditionally in Rural Regions)
High-Density Residential (HDR)	1-2 units/acre for standard subdivisions 1-5 units/acre for planned developments	Intensive single-family residential development	Community Regions and Rural Centers (Conditionally in Rural Regions)
Medium-Density Residential (MDR)	1 unit/1-5 acres	Detached single-family residences with larger lot sizes that enables limited agricultural land management activities	Community Regions and Rural Centers (Conditionally in Rural Regions)
Low-Density Residential (LDR)	1 unit/5-10 acres	Single-family residential development in a rural setting where infrastructure is generally not available	Community Regions and Rural Centers (Conditionally in Rural Regions)
Rural Residential	1 unit/10-160 acres	Residential and agricultural development in areas of limited infrastructure and public services; appropriate for lands that are characterized by steeper	Rural Regions

(RR)		topography, high fire hazards, and limited or substandard access as well as choice agricultural soils	
Natural Resource (NR)	At or below 3,000' elevation: 1 unit/40 acres Above 3,000' elevation: 1 unit/160 acres	Areas that contain economically viable natural resources	Rural Regions
Commercial (C)	For mixed-use: 10 units/acre in Community Regions and 4 units/acre in Rural Centers	Commercial retail, office, and service uses; some mixed residential and commercial uses	Community Regions and Rural Centers
Research & Development (R&D)	For mixed-use: 10 units/acre in Community Regions and 4 units/acre in Rural Centers	High technology, non-polluting manufacturing plants, research and development facilities, corporate/industrial offices, and support service facilities	Community Regions and Rural Centers
Industrial (I)	(Residential use not allowed)	Light and heavy industrial uses including manufacturing, processing, distribution, and storage	Anywhere
Open Space (OS)	(Residential use not allowed)	Public lands under governmental title; natural features on private lands	Anywhere
Public Facilities (PF)	(Residential use not allowed)	Public lands used for public facilities	Anywhere
Adopted Plan (AP)	Varies with Adopted Plan	Areas for which specific land use plans have been prepared and adopted	Community Regions and Rural Centers
Tourist Recreational (TR)	Project Dependent	Tourist and resident-serving recreational uses, transit and seasonal lodging facilities, and supporting commercial activities	Anywhere
Roadway Constrained Six-Lane "Plus" Alternative top			
	Residential Density	Typical Uses	Distribution
		High density, multifamily	

Multifamily Residential (MFR)	5-24 units/acre	development; mobilehome parks; mixed residential and nonresidential use as long as residential use is primary	Community Regions and Rural Centers
High-Density Residential (HDR)	1-5 units/acre	Higher density residential dwellings	Community Regions and Rural Centers
Medium-Density Residential (MDR)	1 unit/acre	Residential dwellings and accessory structures; limited agricultural activities accessory to the residential use	Community Regions and Rural Centers
Low-Density Residential (LDR)	1 unit/5 acres	Residential dwellings and accessory structures; small-scale agricultural operations	Rural Regions (Conditionally in Community Regions and Rural Centers)
Rural Lands (RL)	1 unit/10 acres	Dispersed residential development on lands characterized by steeper topography, higher fire hazard, and limited/substandard access	Rural Regions (Conditionally in Community Regions and Rural Centers)
Natural Resource (NR)	At or below 2,500' elevation: 1 unit/40 acres Above 2,500' elevation: 1 unit/160 acres	Natural resource management activities; resource-based industry; protection of important habitat and of river canyons	Rural Regions (Conditionally in Community Regions and Rural Centers)
Commercial (C)	For mixed-use: 15 units/acre in Community Regions 8 units/acre in Rural Centers	Retail, office, service and light manufacturing; mixed use allowed as long as the commercial use is primary	Community Regions
Research & Development (R&D)	(Residential use not allowed)	High technology; light manufacturing; research and development facilities; corporate/industrial offices; support service facilities	Community Regions and Rural Centers
Industrial (I)	(Residential use not allowed)	Light and heavy manufacturing, processing, distribution, and storage	Anywhere
Open Space (OS)	(Residential use not allowed)	Public or privately owned land dedicated to natural resource protection or recreational uses	Anywhere

Public Facilities (PF)	(Residential use not allowed)	Public lands currently used for public facilities	Anywhere
Adopted Plan (AP)	Varies with Adopted Plan	Areas for which Specific Plans have been prepared and adopted	Community Regions and entire Lake Tahoe Basin
Tourist Recreational (TR)	Project Dependent	Tourist and resident-serving recreational uses; transient and seasonal lodging facilities; supporting commercial activities	Anywhere
Environmentally Constrained Alternative <small>top</small>			
	Residential Density	Typical Uses	Distribution
Multifamily Residential (MFR)	5-24 units/acre	High density, multifamily development; mobilehome parks; mixed residential and nonresidential use as long as residential use is primary	Community Regions and Rural Centers
High-Density Residential (HDR)	1-5 units/acre	Higher density residential dwellings	Community Regions and Rural Centers
Medium-Density Residential (MDR)	1 unit/acre	Residential dwellings and accessory structures; limited agricultural activities accessory to the residential use	Community Regions and Rural Centers
Low-Density Residential (LDR)	1 unit/5 acres	Residential dwellings and accessory structures; small-scale agricultural operations	Rural Regions
Rural Lands (RL)	1 unit/10 acres	Dispersed residential development on lands characterized by steeper topography, higher fire hazard, and limited/substandard access	Rural Regions
Agricultural Lands (A)	1 unit/20 acres	Lands currently under agricultural production or having at least 50% choice agricultural soils; residential use that supports agricultural production allowed	Rural Regions
Natural Resource (NR)	At or below 2,500' elevation: 1 unit/40 acres Above 2,500'	Natural resource management activities; resource-based industry; protection of important habitat and	Rural Regions

	elevation: 1 unit/160 acres	of river canyons	
Commercial (C)	For mixed-use: 15 units/acre in Community Regions 8 units/acre in Rural Centers	Retail, office, service and light manufacturing; mixed use allowed as long as the commercial use is primary	Community Regions and Rural Centers
Research & Development (R&D)	(Residential use not allowed)	High technology; light manufacturing; research and development facilities; corporate/industrial offices; support service facilities	Community Regions
Industrial (I)	(Residential use not allowed)	Light and heavy manufacturing, processing, distribution, and storage	Community Regions and Rural Centers
Open Space (OS)	(Residential use not allowed)	Public or privately owned lands dedicated to natural resource protection or recreational uses	Anywhere
Public Facilities (PF)	(Residential use not allowed)	Public lands currently used for public facilities	Anywhere
Adopted Plan (AP)	Varies with Adopted Plan	Areas for which Specific Plans have been prepared and adopted	Community Regions and entire Lake Tahoe Basin
Tourist Recreational (TR)	Project Dependent	Tourist and resident-serving recreational uses; transient and seasonal lodging facilities; supporting commercial activities	Anywhere

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Data Definitions

General Plan Alternatives

- NP No Project Alternative
- 96 1996 General Plan Alternative
- RC Roadway Constrained Six-Lane "Plus" Alternative
- EC Environmentally Constrained Alternative

Land Use Designations [Descriptions](#)

- A Agricultural Lands (EC only)
- AP Adopted Plan
- C Commercial
- HDR High Density Residential
- I Industrial
- LDR Low Density Residential
- MDR Medium Density Residential
- MFR Multi-Family Residential
- NR Natural Resources
- OS Open Space
- PF Public Facilities
- RD Research and Development
- RL Rural Lands (RC and EC only)
- RR Rural Residential (NP and 96 only)
- TR Tourist Recreational

General Plan Overlays

- A Agricultural District (NP, 96, and RC only)
- EP Ecological Preserve
- IBC Important Biological Corridors (EC only)
- MR Mineral Resources
- NJ Non-Jurisdictional (NP and 96 only)
- PL Platted Lands (NP and 96 only)

Planned Communities – NP and 96 only

- CC Carson Creek
- MF Missouri Flat
- PH Pilot Hill
- PR The Promontory

Community Regions and Rural Centers

- CA Camino
- CHR Chrome Ridge

CL	Coloma
CO	Cool
CP	Cameron Park
CPP	Camino/Pollock Pines (as one)
CRS	Camp Richardson
EDDS	El Dorado/Diamond Springs
EDH	El Dorado Hills
FP	Fairplay
GC	Grey's Corner
GF	Grizzly Flat
GT	Georgetown
GV	Garden Valley
GW	Greenwood
KE	Kelsey
KSF	Kyburz/Silver Fork
LA	Latrobe
LN	Little Norway
LO	Lotus
MA	Mount Aukum
MB	Meeks Bay
MO	Mosquito
MR	Mount Raiston
MYRS	Meyers
NV	Nashville
OH	Oak Hill
OR	Omo Ranch
PHLP	Phillips
PL	Placerville
PLTH	Pilot Hill
PP	Pollock Pines
PV	Pleasant Valley
QU	Quintette
RES	Rescue
SLT	South Lake Tahoe
SOM	Somerset
SS	Shingle Springs
SSP	Sierra Springs
STR	Strawberry
TA	Tahoma
Specific Plans	
BLH	Bass Lake Hills
NEDH	Northwest El Dorado Hills
SEDH	Serrano El Dorado Hills
Special Districts - NP and 96 only	
HSR	Heavenly Ski Resort
TH	Texas Hill Reservoir

SUMMARY OF DIFFERENCES BETWEEN THE EQUAL WEIGHT GENERAL PLAN ALTERNATIVES

Notes:

- *This document was prepared by staff as a guide to assist readers with the draft General Plan alternatives. It is not an exhaustive review of the differences but, rather, a summary of the more notable variations.*
- *This summary does not include mapping differences except as they relate to policy/implementation.*
- *For EC and RC, the summary includes detail provided in implementation programs (Alternatives #1 and #4 do not include implementation programs as part of the elements).*

Subject/Item	Alternatives #1 and #4: No Project and 1996 General Plan (NP and 96 GP)	Alternative 2: Roadway Constrained Six-Lane "Plus" (RC)	Alternative 3: Environmentally Constrained (EC)
GENERAL			
Plan Assumptions, Strategies, Concepts, & Objectives	Included	Not included (objectives enveloped in vision)	Not included (objectives enveloped in vision)
Vision	Included	Included but slightly different than NP/96 GP; serve as plan objectives as well	Same as RC.
Principles	Included	Not included	Not included
Objectives	Included	Not included	Not included
Implementation Program	Not included	Included	Included
Supporting Text	Not included in policy document	Included in policy document	Included in policy document
Housing Element	Same for all alternatives		
Tahoe Basin	<ul style="list-style-type: none"> • Includes Tahoe Element. • Directs County to achieve and maintain conformance with the goals and policies of TRPA by revising the Zoning Ordinance. • Land use designations assigned to all parcels in the Basin. 	<ul style="list-style-type: none"> • Tahoe Element not included. • General approach is to pursue consistency with TRPA regulations by adopting those regulations as County land use/zoning. • All lands in Basin show as AP (Adopted Plan). 	Same as RC.
LAND USE			
Community Regions	13 Community Regions: Camino/Pollock Pines, El Dorado Hills, Cameron Park, El Dorado, Diamond Springs, Shingle Springs, Georgetown, the City of Placerville and immediate surroundings, the City of South Lake Tahoe and immediate surroundings, Meyers, Camp Richardson, Meeks Bay, and Tahoma. (Policy 2.1.1.1)	7 Community Regions: Cameron Park, Camino/Pollock Pines, El Dorado/Diamond Springs, El Dorado Hills, Georgetown, City of Placerville and immediate surroundings, Shingle Springs Community Regions are reduced in size from NP/96 GP based on changes in land use (which are a result of the subdivision restriction) and to provide	5 Community Regions: Cameron Park, El Dorado/Diamond Springs, El Dorado Hills, Placerville, Shingle Springs Community Regions are reduced in size from NP/96 GP to provide separation between communities and based on changes in land use (reducing intensities of development). Reduced in number to reduce intensity of

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Page last updated Wednesday, May 28, 2003 8:47 AM

SUMMARY OF DIFFERENCES BETWEEN THE EQUAL WEIGHT GENERAL PLAN ALTERNATIVES, continued

Subject/Item	Alternatives #1 and #4: No Project and 1996 General Plan (NP and 96 GP)	Alternative 2: Roadway Constrained Six-Lane "Plus" (RC)	Alternative 3: Environmentally Constrained (EC)
		some separation between communities. Does not include any communities in the Tahoe Basin.	development. Only alternative that does not include Georgetown, Camino, and Pollock Pines as Community Regions. Does not include any communities in the Tahoe Basin.
Rural Centers	25 Rural Centers: Coloma, Cool, Fairplay, Garden Valley, Greenwood, Grey's Corner, Grizzly Flat, Kelsey, Kyburz, Latrobe, Little Norway, Lotus, Mosquito, Mount Ralston, Mt. Aukum, Nashville, Oak Hill, Phillips, Pilot Hill, Pleasant Valley, Quintette, Rescue, Somerset, Strawberry, and Chrome Ridge. (Policy 2.1.2.1)	<p>27 Rural Centers: Camino Heights, Chrome Ridge, Coloma, Cool, Fairplay, Garden Valley, Greenwood, Grey's Corner, Grizzly Flat, Kelsey, Kyburz, Latrobe, Little Norway, Lotus, Mosquito, Mt. Ralston, Mt. Aukum, Oak Hill, Omo Ranch, Phillips, Pilot Hill, Pleasant Valley, Quintette, Rescue, Sierra Springs, Somerset, Strawberry</p> <p>Rural Centers of Camino Heights and Sierra Springs added to address development intensity variation in the rural areas near Pollock Pines and Camino (after application of the subdivision restriction, the NP/96 GP Camino/Pollock Pines Community Region had many blocks of land not suitable for inclusion in a Community Region or Rural Center. These areas were cut out, resulting in the creation of 2 new smaller communities suitable for Rural Centers).</p>	<p>19 Rural Centers: Camino, Coloma, Cool, Fairplay, Garden Valley, Georgetown, Greenwood, Grizzly Flat, Kyburz, Lotus, Mosquito, Mt. Aukum, Oak Hill, Phillips, Pilot Hill, Pleasant Valley, Pollock Pines, Rescue, Strawberry</p> <p>Rural Centers reduced in size and number to reduce intensity of development. Georgetown, Camino, and Pollock Pines identified as Rural Centers because of lack of services to support more extensive development.</p>

SUMMARY OF DIFFERENCES BETWEEN THE EQUAL WEIGHT GENERAL PLAN ALTERNATIVES, continued

Subject/Item	Alternatives #1 and #4: No Project and 1996 General Plan (NP and 96 GP)	Alternative 2: Roadway Constrained Six-Lane "Plus" (RC)	Alternative 3: Environmentally Constrained (EC)
Land Use Designations	<ul style="list-style-type: none"> • HDR and MDR include specifications for dwelling types (e.g., attached versus detached) and different allowable densities for planned development subdivisions. (• MDR allows agricultural activities but does not identify them as accessory to the residential use. • MDR identifies a minimum and maximum parcel size (1 to 5 acres). • LDR identifies a minimum and maximum parcel size (5 to 10 acres). • LDR allowed in Community Regions and Rural Centers. • Includes RR designation. • C only appropriate in Community Regions and Rural Centers except in areas also having the -PL overlay. • Mixed use allowed in C and RD. • I allowed anywhere in county. • Specifies Floor Area Ratios for C, RD, and I only. <p>(Policy 2.2.1.2)</p>	<ul style="list-style-type: none"> • MFR includes specification for mixed use. • No specification for dwelling types in HDR and MDR. • MDR identifies agricultural activities as accessory to the residential use. • MDR identifies a residential density based on 1 DU/acre. • LDR identifies a residential density based on 1 DU/5 acres. • Density ranges the same as NP/96 GP except for HDR, as outlined under NP/96 GP. • Limited LDR allowed in Community Regions and Rural Centers (where surrounded by higher density designations). • RL designation addresses rural development (instead of RR). • Limited RL allowed in Community Regions and Rural Centers (where surrounded by higher density designations). • Limited NR allowed Community Regions and Rural Centers (where surrounded by higher density designations). • C appropriate in Community Regions and Rural Centers; limited C allowed in Rural Regions where such development already exists (no new C allowed). • Mixed use allowed in C and MFR. • Specifies Floor Area Ratios for MFR, A, NR, C, RD, I, TR, OS, and PF. • I allowed anywhere in county. 	<p>Same as RC except:</p> <ul style="list-style-type: none"> • LDR not allowed in Community Regions and Rural Centers. • RL and NR allowed only in Rural Regions. • I allowed only in Community Regions and Rural Centers. <p>And:</p> <ul style="list-style-type: none"> • Only alternative that includes a base land use designation for Agricultural Lands (A).

SUMMARY OF DIFFERENCES BETWEEN THE EQUAL WEIGHT GENERAL PLAN ALTERNATIVES, continued

Subject/Item	Alternatives #1 and #4: No Project and 1996 General Plan (NP and 96 GP)	Alternative 2: Roadway Constrained Six-Lane "Plus" (RC)	Alternative 3: Environmentally Constrained (EC)
Land Use Overlays	Include Planned Community (-PC), Agricultural Districts (-A), Platted Lands (-PL), Ecological Preserve (-EP), Non-Jurisdictional Lands (-NJ), and Mineral Resource (-MR). (Policy 2.2.2.1)	Includes Agricultural District (-A), Ecological Preserve (-EP), and Mineral Resource (-MR). -PC eliminated because areas with adopted plans either identified with the -AP land use designation or are otherwise adequately identified on the land use map. -PL eliminated and the issue of higher density development in Rural Regions addressed through policy. -NJ eliminated because not necessary to add additional layer to identify nonjurisdictional lands; they are nonjurisdictional regardless of the designation applied.	Includes Ecological Preserve (-EP), Mineral Resource (-MR), and Important Biological Corridor (-IBC). As with the RC Alternative, -PC, -PL, and -MR eliminated. Additionally, -A eliminated because Agricultural Lands are now identified through a base land use designation.
Mixed Use	Mixed use allowed on C and RD lands; encouraged but not required. (Table 2-2 and Policies 2.1.1.3 and 2.2.2.5)	Allowed on C, RD, and MFR. Encouraged but not required. (Policy LU-3h and Implementation Measure LU-A)	Allowed on C, RD, and MFR. Required for C some projects (standards to be developed). (Policies LU-3h and LU-3i and Implementation Measure LU-A)
Subdivision	No Project: Not allowed; constrained by Writ. 1996 GP: Allowed consistent with state law.	Allowed such that no more than 4 parcels are created. (Policies LU-1b and LU-4b)	Allowed consistent with state law.
Planned Developments	Policies include requirements and detail regarding Planned Developments. (Objectives 2.2.3 and 2.2.4)	Planned Developments addressed very generally. Implementation program addresses revisions to PD combining zone district. (Policies LU-3a, LU-3b, LU-3c and Implementation Measure LU-A)	Same as RC. (Policies LU-3a, LU-3b, and LU-3c and Implementation Measure LU-A)
Miscellaneous Land Use	<ul style="list-style-type: none"> • Includes specifications for rezone evaluations. (Policy 2.2.5.3) • Includes direction to create a Neighborhood Service zone district. (Policy 2.2.5.8) • Specifies that Use Permit required for nonresidential support services in areas having the MFR, HDR, MDR, LDR, and RR designation. (Policy 2.2.5.9) 	<ul style="list-style-type: none"> • Includes statement that housing will be fairly distributed throughout county. Also requires provision of affordable housing as part of residential development projects. (Policies LU-3k and LU-8b) • Includes direction on school compatibility. (Policy LU-3n) 	Same as RC except: <ul style="list-style-type: none"> • Requires removal of off-premise signs that are visible from county roadways and state highways; requires on-premise signs in scenic corridors to be of size and scale that does not affect quality of corridor.

SUMMARY OF DIFFERENCES BETWEEN THE EQUAL WEIGHT GENERAL PLAN ALTERNATIVES, continued

Subject/Item	Alternatives #1 and #4: No Project and 1996 General Plan (NP and 96 GP)	Alternative 2: Roadway Constrained Six-Lane "Plus" (RC)	Alternative 3: Environmentally Constrained (EC)
	<p>(Policy 2.2.5.9)</p> <ul style="list-style-type: none"> • Includes requirement for application of the Planned Development combining zone district in Airport Safety Zone 3. (Policy 2.2.5.13) • Identification of any Wild & Scenic River or National Recreation Area inconsistent with GP. (Policy 2.2.5.15) • Includes site-specific policies (Villages P, Q, and V of EDH SP, parcel 111-110-01 [which now has a new parcel number], Fallen Leaf Lake, and Texas Hill Reservoir take area, Clarksville). (Objective 2.2.6 and Policy 2.4.1.4) • Includes specification on contents of a Scenic Corridor Ordinance. (Objective 2.6.1) • Discretionary development on ridgelines is to be <i>limited</i> within scenic corridors. (Policy 2.6.1.5) • Requires removal or relocation of billboards in Scenic Corridors. (Policy 2.7.1.2) • Encourages new subdivisions to include design components that take advantage of passive or natural summer cooling and/or winter solar access (from Public Services and Utilities element). (Policy 5.6.2.2) 	<ul style="list-style-type: none"> • Specifies that residential uses are allowed in Rural Regions but that their primary purpose is to accommodate resource-based land use activities. (Policy LU-4a) • Includes section on Tahoe Basin. Approach is to simplify regulating environment in the Basin (see the "General" section above). (Goal LU-5) • <i>Prohibits</i> development on ridgelines where such development would break the skyline or be visible from public spaces. (Policy LU-6b) • Encourages removal of off-premise signs from scenic corridors; requires on-premise signs in scenic corridors to be of size and scale that does not affect quality of corridor. (Policies LU-6c and LU-6d) • Includes statement that every parcel allowed one primary and second unit. (Policy LU-7h) • Addresses developing siting standards for energy conservation. (Policy LU-7g) 	<p>(Policies LU-3i, LU-3n, LU-4a, LU-6b, LU-6c, LU-6d, LU-7h, LU-7g, and LU-8b and Goal LU-5)</p>
TRANSPORTATION AND CIRCULATION			
Highway 50 Size	8 lanes on Circulation Diagram. Not limited to size in the future.	6 lanes on Circulation Map (Figure TC-1). Encourage Caltrans to keep at a maximum of 6 lanes. (Goal TC-0)	8 lanes on Circulation Map (Figure TC-1). Not limited to size in the future.

El Dorado County Planning Commission
2850 Fair Lane Court
Placerville, CA 95667

Dear Commissioners

Thank you for the opportunity to comment on the El Dorado County General Plan and Draft EIR. The size and scope of the General Plan documents make it very difficult for average members of the public to comment in a concise and coherent manner. None the less, it seems evident that of the twelve alternatives considered, some have considerably less impact to the environment than others.

124-1

Alternative #3, the Environmentally Constrained Alternative has a land use map and policies that protect agriculture, wildlife corridors, and rural landscape to a greater degree than the other three alternatives. However, the projected growth for this alternative over the next 20 years is the same as the 1996 General Plan, which is unacceptable. The proposed 8 lanes for Highway 50 in particular are extremely unlikely to be built without California State funding and CALTRANS has indicated that it has no intention of expanding the Highway to 8 lanes.

124-2

In the Draft EIR, Alternative #12, the Compact Development Alternative would develop policies and land use designations to encourage density and design that would support walking, bicycling and transit, allow for mixed use and affordable housing. Increased density with limits on housing numbers would reduce the impacts caused by density. This alternative has the least environmental impact of all the alternatives considered, and is designated the Environmentally Superior Alternative in the Draft EIR. Alternative #9 which would re-plan the Business Park, the Carson Creek subdivision and the Valley View subdivision to coordinate housing with jobs and improve connectivity with pedestrian and bicycle paths to reduce traffic congestion in the area would also greatly reduce impacts in that area.

124-3

An alternative which included these planning tools could reduce traffic impacts, while still allowing moderate growth and protection of rural lands and wildlife habitat. Although such an alternative was not proposed, it would prevent the quality of life in El Dorado County from deteriorating, while protecting the natural amenities which attracted the current citizens and support the increasingly important tourism trade.

124-4

While development generates substantial revenue for County government, El Dorado County citizens will continue to pay for the maintenance of government services through taxes. Quality schools, adequate water, livable traffic, and attractive landscapes are some of the amenities that are sacrificed to poorly planned growth. Moderate, well-planned growth with protection of our quality of life is both economically feasible, and, is the only alternative that is sustainable into the future.

124-5

Sincerely,

Your Constituent

RECEIVED
PLANNING DEPARTMENT



Elna Norman
6201 Bird Song Ln.
Placerville, CA 95667

03 JUN 16 PM 12:11

From: Rorden, Sterling A [Sterling.Rorden@Aerojet.com]
Sent: Monday, June 16, 2003 3:40 PM
To: 'generalplan@co.el-dorado.ca.us'
Cc: 'rorden@cwnet.com'
Subject: Comments on General Plan

I have a 25 acre parcel in Garden Valley (#060-710-08-100). It is zoned RE5 and bordered by 5 and 10 acre parcels. The various plan drafts have a RR or RL land use designation with drafts 1, 2, and 4 calling for agricultural district A designation. It is my understanding that this would make it difficult to subdivide my parcel into 5 acre parcels in the future. I am requesting that my parcel be put in the LDR designation without the agricultural district A designation. This would be consistent with my zoning and the use of the bordering parcels.

125-1

- > Sterling Rorden
- > M/S 5610
- > PO Box 13222
- > Sacramento CA 95813-6000
- > Phone: (916) 355-2173
- > Pager: (916) 855-2767
- > Fax: (916) 355-6543
- >
- >
- >
- >
- >
- >

-----Original Message-----

From: Eric Straatsma [mailto:straats@msn.com]
 Sent: Monday, June 16, 2003 6:30 PM
 To: planning@co.el-dorado.ca.us
 Subject: Fw: public comment on general plan and sustainable future

Please use this version.

Public Comment Regarding General Plan:

Regarding the general plan and land use, I am here in behalf of seven future generations of children and as a representative and director of A Better Future World (not for profit). I noticed that the general plan only covers the years 2003 to 2025. This leaves out all future generations beyond that, so I am speaking not only for this generation, but also for them, especially since no one else is representing them and they cannot represent themselves.

What seven future generations want you to hear is; keep them in mind before making any decision that affects them. Use the guiding thought of; what impact will this decision have on seven future generations? Think about your children, their children and five future generations of their children's children. Where will they live? How will they live? What quality of life will they have if billions of people copy what we are doing now? This is just the general idea. Now let us look at a few specifics.

I think we would all agree that none of us or future generations want another Los Angeles. They do not deserve to pay off debts or to clean up messes created by this or any other generations. Further, they want a county that offers all of the riches that were provided to this generation for free, such as relatively clean air, clean water and abundant resources of all kinds, such as unspoiled forests. They want you to know that all of us living now are but stewards of what we have been given, and we need to pass on these gifts to future generations. There are some very specific ways to do this, without causing future generations or the environment harm, while at the same time, using resources wisely for the inevitable growth process that all areas are experiencing.

Future generations would argue that present day building codes and laws impede a sustainable solution to present day problems. They impede the quality of life that may be sustainable for seven future generations. One issue posed by building codes is that they constrain building decisions into artificial boxes that have nothing to do with what is good for the environment or for in the direction of what is sustainable. It is illegal to build using locally gathered resources that are completely recyclable or renewable. Why is it that people are required to build homes that will end up as toxic material in a landfill in thirty years? Why can't laws encourage the building of homes that could end up enriching the soil instead, like fertilizer, mimicking the forest floor?

The present sewage disposal rules, laws and systems are dangerous, antiquated and obsolete. They are based on the theory of what is out of mind, is out of thought and cannot cause a problem. No one thinks twice about what happens when something is flushed down the drain. Drawbacks are very numerous. Leaks, floods, spills, and toxic chlorine which poses a terrorist chemical weapons threat and is a very real public health hazard are just a few of the very real weaknesses of the present sewage system design.

126-1

126-2

Sustainable, closed loop, or self-contained sewage treatment answers which enrich the soil exist but are not possible according to present day building codes and laws. Clivus Multrum composting toilets, Earthship sewage treatment systems, and completely closed loop community based artificial marsh systems (developed by NASA) are not only possible, but well documented as being safe, sanitary, and efficient, as well as clean. These systems are being used TODAY in communities nationwide and globally. Why are they not legal or being used here in this county? Why make illegal what future generations need to solve the problems posed by growth today?

It is illegal to build sustainable closed loop Earthship style of housing. It is illegal to build adobe or rammed earth type of housing. It is illegal to build straw bale type of housing, without a standard 2X4 frame, (which quadruples the cost). It is illegal to reinforce adobe walls or concrete with bamboo that can be grown locally, even though it has proven to be just as strong as or stronger than steel reinforcing according to Chinese studies. These are just a few of the mountains of red tape that decades of laws on the books put in the way of future generations and sustainable progress, as well draining away any real chance of truly affordable housing. Affordable housing is not realistic under the oppressive weight of present day building codes that force costs out of the reach of the average middle income wage earner and make life expensive and unsustainable as well. Are there any real life examples of affordable housing that is also sustainable?

It just so happens that a community ten years ago initiated a pilot project to test and see if low cost, sustainable housing could be built. The county donated some land that the county owned and decided to issue a public challenge. They created a county wide public competition using all of the media. The county announced that they had created twelve lots on which anyone could build for free, without any permit costs. They did impose limits. The houses could not be larger than 1200 square feet, and they could not exceed \$10,000 in construction materials costs. The county also agreed to suspend standard building codes so that participants could utilize creativity and innovation when building these low cost houses. (The houses did have to be safe to live in). The county also agreed to turn over ownership of the land to the individual builders for one dollar at the end of a two year publicity cycle where they could take tours or pictures of the houses, without paying anything to the home owners. This competition turned out to be a win-win-win-win project.

All 12 of the building sites were built on successfully utilizing high labor, low cost, sustainable local building materials that were available in the area. The houses turned out to be beautiful, affordable and sustainable, even though they did not meet the local codes. People did want to live in them and they were worth much more than the \$10,000 each that was allocated when they were all completed. The lesson to this story is that sustainable answers are possible, but one has to think outside the box of present day laws and regulations, which actually impede progress. What can each of us do to make the process of innovation and sustainable living possible? I am doing my part, and my desire is that everyone else living in the global village (and this county) do their part.

I also have another personal story to share. I moved to this county in the late 1980's with my family. I came to the county and asked the planning department for permission to build a straw bale house. The planning officials in the permit office laughed at me. I did not give up. I came back and asked for an experimental permit to build a demonstration project in the form of a straw bale house. I was laughed at again, and told that the county does not issue

126-2

"experimental" housing permits. They did not even want to hear what I had in mind. I gave up at that point. The lesson in this story is that not only I suffered, but the environment suffered as well, and future generations will suffer because of the lack of foresight, flexibility and the loss of innovation in terms of what is allowed to be built in this county. My examples illustrate very clearly that laws and in the box types of thinking stand in the way of sustainable answers in all areas.

Since that time, others have fought the same battle I did against the red tape that entangles and ensnares good ideas, and the county eventually decided that straw bale houses were OK, but only if a standard frame was built along with the straw bale wall. This half way solution also does not work, because it completely negates the reason for a straw bale house in the first place. Adding more unnecessary material raises the cost of building such a sustainable structure to the point where it is prohibitive, when compared to standard building costs. The original idea was to build affordable housing, but the laws and regulations trying to make innovative housing fit the standard model, make the innovative housing unaffordable again.

A straw bale house can be a low cost form of housing that is not only affordable, but also well insulated, sound proof, fire proof, and safe. A straw bale house does not need a frame inside or outside of it, as many engineering studies have proven. Fire studies have proven that straw bale houses smeared with adobe and or cement are 100 times more fire resistant than standard homes built to code. I could go on and on with each of the other sustainable housing styles, and their strengths as well as benefits, but I hope you get the idea.

Overall, in this county, innovation is squelched. In this county, innovators have been mostly laughed at, resisted and made to pay dues that are unaffordable, even though they offer solutions that will benefit not only the present generation, but many future generations as well. Why is this? Please think about it, for the sake of future generations of our children.

In Arizona, there are whole housing tracts that are made up of Earthships, which are completely self contained houses, that have their own sewage systems, water systems and power generations systems. They need no input from utilities and emit no noxious fumes, odors or wastes as all standard, code built homes do in this county. The codes in those areas have been written specifically for those houses, and they are not forced to try to fit into standard housing codes.

Why are Earthships illegal here in this county? These sustainable houses solve many more problems than any small tweaking of present day codes can ever hope to accomplish, but the code does not allow innovation, so they are deemed unworthy of being built. Why is this? Please think about it, for the sake of future generations of our children.

When a society turns its back on solutions and pursues a path that leads to destruction, who is to blame? Noah came and built an Ark. Everyone laughed at him and ridiculed him. Yet, when the floods came, he was ready, and he saved the whole planet, or so the story goes. We have an equivalent situation here. The "Ark" has been built and is available. Why are the powers that be so resistant to it? Why is the "Ark" ridiculed, when it offers sustainable answers? Please think about it, for the sake of future generations of our children.

So far, the county is moving in the opposite direction of where it needs to go. Sustainable solutions are discarded like dirty trash or tweaked until they are completely unworkable. Meanwhile, \$300,000 to One Million dollar homes

126-2

waste materials, resources and destroy the environment. These monsters are encouraged and rewarded with building permits and speedy approvals on a scale that only speeds the ultimate destruction of the planet and all life on it. Money can be the only reason for this. But money has no meaning to future generations, not yet born. They will judge what you and I do. What judgment do you want to bear? Will you and I be guilty of only pursuing the easy path to riches and ignoring all else?

I hope that the general plan makes room for sustainable projects, and for future generations. My vision is that the general plan makes room and welcomes innovation that is sustainable in all areas. I propose that the county at the very least issue experimental permits for sustainable projects, whether they consist of one home, commercial property, or multiple units. We need to encourage innovation, not destroy it. We need to nurture the best and brightest hope for our future, not drown it in red tape, ridicule and harassment.

If the county has the capacity for a bold and bright vision for the future, I would even propose a similar pilot project that includes the whole county as was illustrated earlier, so that these types of projects can be given the public exposure and publicity they need. I would love to be a part of this type of project and I applaud any movement in this direction by the public servants who have been provided with the sacred trust of ensuring that the best and brightest ideas see the light of day, for the benefit of not only the public good today, but also for seven future generations to come.

Let me know if I can be of any service. I trust that you will give this matter your very deliberate thought and meditation.

In Sustainable Health,

A Better Future World
E. R. Straatsma
PO Box 51
El Dorado, CA 95623
530-306-7498

www.abetterfutureworld.homestead.com
Teaching The Science Of Sustainable Health

126-2

Supervisor Rusty Dupray
 El Dorado County Board of Supervisors
 360 Fair Lane
 Placerville, CA. 95867

03 JUN 23 PM 12: 43
 RECEIVED
 PLANNING DEPARTMENT

June 16, 2003

Dear Supervisor Dupray:

I am writing to you concerning the two proposals in the current land use drafts which would change our properties from the historic MDR to LDR in (Alternative 2 and Alternative 3) currently under consideration.

I am a co-signer on two previous letters submitted to you this year one letter requesting MDR zoning. The last letter protesting our arbitrary removal from the El Dorado Hills Service district.

I am enclosing a map of our area. On it you will see that South Point subdivision is located on my back fence line. My parcel number is 067-090-171. I see this as an example of the poor planning that has been practiced in this particular area for the last ten years. There is nothing that separates upscale 1 acre estate parcels from a horse ranch but a single fence. Incompatible zoning is an issue that I have brought up before this board during the planning commission public hearings in 1996. And here we are again. I understand Measure Y's lobbyist's position on the environmental issues. But there is an environmental advantage to using a logical dividing margin between properties of drastically different zoning. I am requesting that you and the Board look at this problem now when there is an opportunity to affect a solution that would maintain our MDR zoning.

127-1

Sincerely,

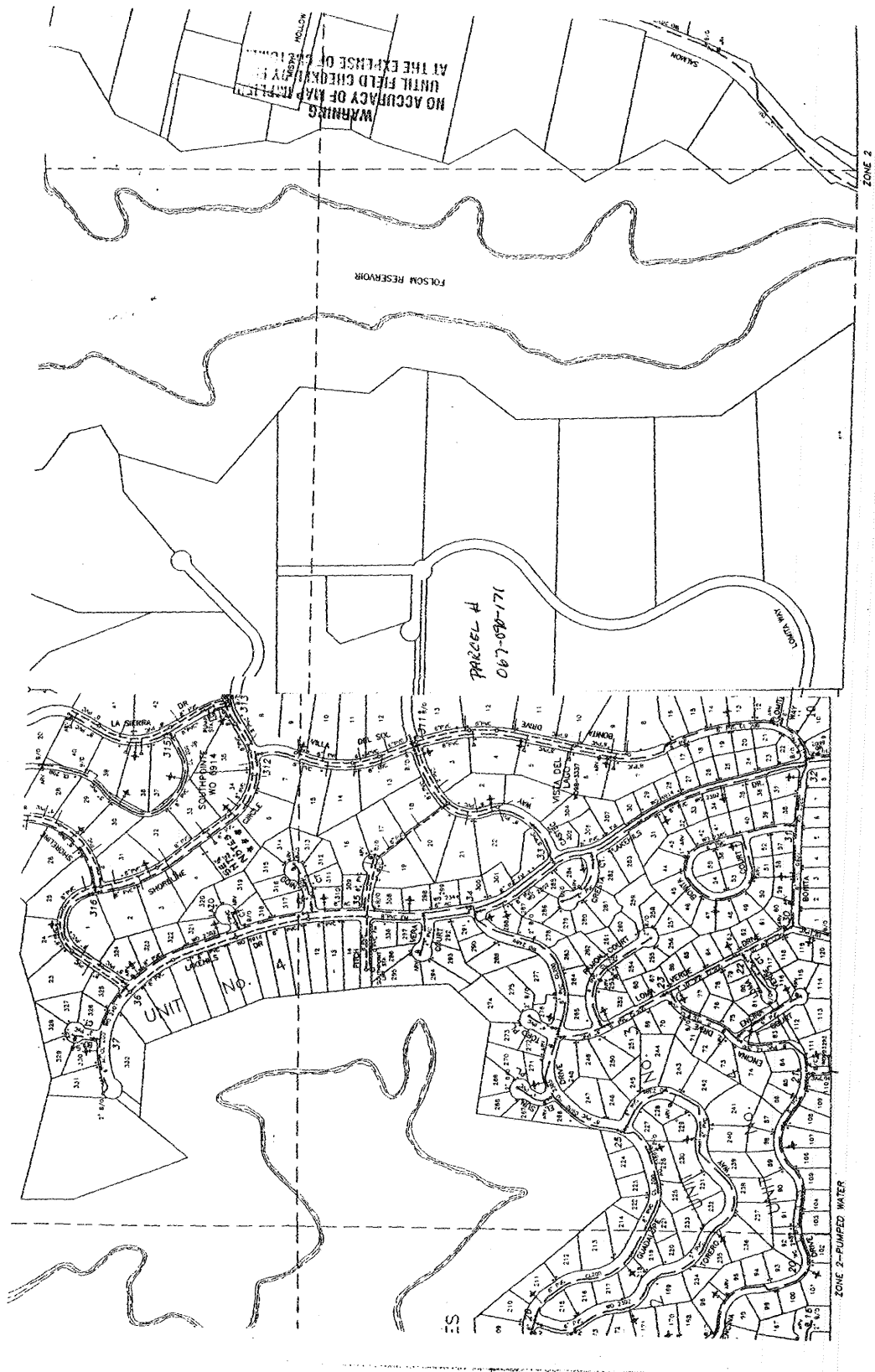
Sandra Winters

Sandra Winters
 1480 Lomita way
 El Dorado Hills, Ca. 95762

933-4466

067-090-171

CC: Helen Baumann, County Supervisor District 2
 Carl Borelli, County Supervisor District 3
 Allan Tolhurst, county supervisor District 5
 Planning Commissioners
 Peter Maurer, Principal Planner
 Heidi Tschudin, General Plan Project Manager





Gray Davis
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse



Tal Finney
Interim Director

June 17, 2003

Peter Maurer
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

Subject: El Dorado County General Plan
SCH#: 2001082030

Dear Peter Maurer:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 16, 2003, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely, .

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

RECEIVED
PLANNING DEPARTMENT
03 JUN 18 PM 12:11

128-1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2001082030
Project Title El Dorado County General Plan
Lead Agency El Dorado County Planning Department

Type EIR Draft EIR
Description Adoption of new general plan.

Lead Agency Contact

Name Peter Maurer
Agency El Dorado County Planning Department
Phone 530-621-5355 **Fax**
email
Address 2850 Fairlane Court
City Placerville **State** CA **Zip** 95667

Project Location

County El Dorado
City Placerville
Region

Cross Streets

Parcel No.

Township

Range

Section

Base

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Forest Land/Fire Hazard; Flood Plain/Flooding; Drainage/Absorption; Geologic/Seismic; Minerals; Noise; Public Services; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 2; Department of Forestry and Fire Protection; Office of Historic Preservation; Department of Parks and Recreation; Reclamation Board; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 3; Department of Housing and Community Development; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission; Tahoe Regional Planning Agency

Date Received 05/01/2003 **Start of Review** 05/01/2003 **End of Review** 06/16/2003

Note: Blanks in data fields result from insufficient information provided by lead agency.

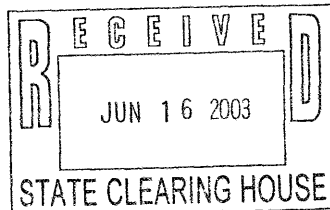
State of California

THE RESOURCES AGENCY OF CALIFORNIA

Memorandum

To: Project Coordinator
Resources Agency **Date:** June 16, 2003

Peter Maurer, Principal Planner
Attn: General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667



From: Erik Vink, Assistant Director *lv*
Department of Conservation – Division of Land Resource Protection

Subject: Draft Environmental Impact Report (DEIR) for the El Dorado County General Plan **SCH# 2001082030**

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We have reviewed the above DEIR addressing adoption and implementation of the El Dorado County General Plan and offer the following comments.

- The DEIR notes that the minimum Williamson Act contract size is 20 acres with consideration of smaller parcels if they meet additional criteria. Mitigation Measure 5.2-2 provides a revision to the Agriculture and Forestry Element to limit ranch marketing, activities, wineries and other agricultural promotional uses to 5 acres or 50 percent of the parcel.
- The Division recommends that the County's compatibility review also consider the principle compatibility requirements for contracted lands as specified in the Williamson Act (Government Code Section 51238.1).

Thank you for the opportunity to comment on the DEIR. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 13-71, Sacramento, California 95814; or, phone (916) 324-0850.

cc: El Dorado County RCD
100 Forni Road, Suite A,
Placerville, CA 95667

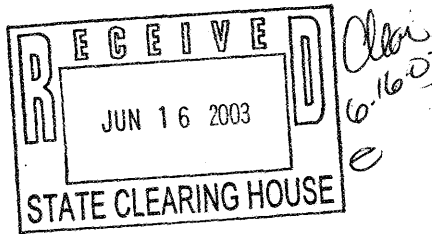
128-2

STATE OF CALIFORNIA—BUSINESS TRANSPORTATION AND HOUSING AGENCY

DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS – M.S.#40
1120 N STREET
P. O. BOX 942878
SACRAMENTO, CA 94273-0001
PHONE (916) 654-4959
FAX (916) 653-9531



*Flex your power!
Be energy efficient!*



June 12, 2003

Mr. Peter Maurer
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

Dear Mr. Maurer:

Re: *Draft Environmental Impact Report (DEIR) for El Dorado County General Plan;
SCH# 2001082030*

The California Department of Transportation, Division of Aeronautics ("Department"), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The following comments are offered for your consideration.

1. The proposal is for the adoption of the new El Dorado County General Plan. As discussed in the DEIR, several public-use airports are located within El Dorado County. These include Placerville Airport, Georgetown Airport, Cameron Airpark and South Lake Tahoe Airport.
2. In accordance with Public Utilities Code (PUC) Section 21676, local general plans and any amendments must be consistent with the adopted airport land use compatibility plans developed by the Foothill Airport Land Use Commission (ALUC). For South Lake Tahoe Airport, the General Plan should be consistent with the plan developed by the City of South Lake Tahoe ALUC. This requirement is necessary to ensure that General Plan policies and recommendations for noise impact assessment and land use densities are appropriate, given the nature of airport operations. In addition to submitting the proposal to the Foothill ALUC and the City of South Lake Tahoe ALUC, the General Plan should also be coordinated with airport staff.
3. In the Executive Summary Table, the DEIR states that Policy 6.5.2.3 will require airport master plans and airport comprehensive or compatibility land use plans be updated to reflect aircraft operations noise level contours for the year 2025.

128-3

"Caltrans improves mobility across California"

Mr. Peter Maurer
June 12, 2003
Page 2

4. According to the DEIR Table 5.1-5, with the exception of South Lake Tahoe Airport, which is in the Lake Tahoe Basin under the jurisdiction of the Tahoe Regional Planning Agency (TRPA), all project alternatives include a policy (Policy 2.2.5.13 for NP/1996 GP, LU-7e for RC/EC) requiring the County comply with land use restrictions established in an adopted Foothill ALUC CLUPs. We concur with this requirement. We also strongly encourage the General Plan include the ALUC designated Airport Influence Area maps as well as the airport noise contour maps for each airport. A map of the adopted Airport Influence Area will promote public awareness of ALUC jurisdiction and the airport noise and safety impact area.
5. As briefly discussed in the DEIR, portions of El Dorado County are within the approach/departure flight paths for Sacramento Mather Airport. Although outside the 60 dB Community Noise Equivalent Level (CNEL) for Sacramento Mather Airport, the county has received "numerous noise-related complaints" due to overflight noise. We recommend that future homeowners and tenants be advised of the proximity of the aircraft approach/departure flight tracks and the likelihood of aircraft-related noise impacts. We also suggest the County work with airport staff and the Sacramento County ALUC c/o SACOG (Sacramento Area Council of Governments).
6. The Division of Aeronautics has technical expertise in the areas of airport-related noise, safety and compatible land use issues. The Division has permit authority for public use airports and heliports and we are a funding agency for airport projects. In accordance with CEQA, Public Resources Code 21096, the California Airport Land Use Planning Handbook (Handbook) published by Division of Aeronautics, must be utilized as a resource in the preparation of environmental documents for projects within airport comprehensive land use plan boundaries or if such a plan has not been adopted, within two nautical miles of an airport. The Handbook is a resource that should be applied to all public use airports. The Handbook can be accessed at <http://www.dot.ca.gov/hq/planning/aeronaut/htmlfile/landuse.html>.
7. The enclosed Federal Aviation Administration (FAA) Advisory Circular (AC150/5200-33) entitled "Hazardous Wildlife Attractants on or Near Airports" states that land use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife-aircraft collisions. The FAA recommends that landfills, wastewater treatment facilities, surface mining, wetlands and other uses that have the potential to attract wildlife, be restricted in the vicinity of an airport. Also enclosed is a copy of AC 150/5200-34 entitled "Construction or Establishment of Landfills Near Public Airports." For additional information concerning wildlife damage management, you may wish to contact Patrick L. Smith, United States Department of Agriculture, Wildlife Services, at (916) 979-2675.

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Mr. Peter Maurer
June 12, 2003
Page 3

8. The need for compatible and safe land uses near airports in California is both a local and a state issue. Along with protecting individuals who reside or work near an airport, the Division of Aeronautics views each of the 250 public use airports in California as part of the statewide transportation system, which is vital to the state's continued prosperity. This role will no doubt increase as California's population continues to grow and the need for efficient mobility becomes more crucial. We strongly feel that the protection of airports from incompatible land use encroachment is vital to California's economic future. Airport land use commissions and airport land use compatibility plans, however, are key to protecting an airport and the people residing and working in the vicinity of an airport.

These comments reflect the areas of concern to the Department's Division of Aeronautics with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our district office concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314.

Sincerely,

Original Signed by

SANDY HESNARD
Aviation Environmental Planner

Enclosures

- c: State Clearinghouse
- Foothill ALUC
- City of South Lake Tahoe ALUC
- SACOG
- TRPA
- Cameron Airpark
- Georgetown Airport
- Placerville Airport
- South Lake Tahoe Airport
- Mather Airport

"Caltrans improves mobility across California"

128-3

STATE OF CALIFORNIA

GRAY DAVIS, Governor

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



PAUL D. THAYER, Executive Officer
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone 1-800-735-2922
from Voice Phone 1-800-735-2929

Contact Phone: (916) 574-1883
Contact FAX: (916) 574-1835

June 16, 2003

Mr. Peter Maurer
Principal Planner
El Dorado County
2850 Fairlane Court
Placerville, Ca 95667

Dear Mr. Maurer:

Subject: El Dorado County General Plan Alternatives and Draft
Environmental Impact Report

Staff of the California State Lands Commission (CSLC) has received from El Dorado County the General Plan Alternatives and Draft Environmental Impact Report. The CSLC has jurisdiction over all State owned filled and unfilled tidelands, submerged lands and beds of navigable waterways. The State acquired ownership of all such lands within its boundaries upon its admission to the United States in 1850. The State holds these lands for the benefit of all its people for the public trust purposes of water related commerce, navigation, fisheries, water oriented recreation, and open space.

Due to budget constraints, we are currently unable to determine the existence, nature, extent or location of any sovereign ownership interests of the State under the jurisdiction of this agency in the project area. We therefore are not submitting substantive comments in response to the subject document at this time. The CSLC should be consulted regarding any specific uses proposed for or which may impact such lands. Inquiries may be submitted to the State Lands Commission, Division of Land Management, 100 Howe Avenue, Suite 100 South, Sacramento, California 95825, or contact may be made by phone to Barbara Dugal, Public Land Manager, at (916) 574-1833.

128-4

Sincerely,

Dwight E. Sanders, Chief
Division of Environmental
Planning & Management

cc: Barbara Dugal



California Regional Water Quality Control Board Central Valley Region

Robert Schneider, Chair



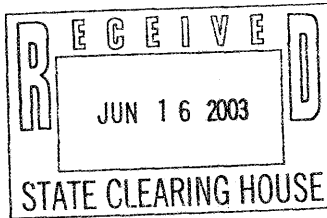
Winston H. Hickox
Secretary for
Environmental
Protection

Gray Davis
Governor

Sacramento Main Office
Internet Address: <http://www.swrcb.ca.gov/rwqcb5>
3443 Routier Road, Suite A, Sacramento, California 95827-3003
Phone (916) 255-3000 • FAX (916) 255-3015

12 June 2003

Philip Crimmins
State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814



Clear
6-16-03
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COMMENTS TO THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE EL DORADO COUNTY GENERAL PLAN, SCH NO. 2001082030, EL DORADO COUNTY

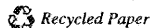
Staff have reviewed the May 2003 "Draft Environmental Impact Report for the El Dorado County General Plan (SCH No. 2001082030)". This Draft EIR identifies and assesses the anticipated environmental effects of the adoption and implementation of a General Plan for the County of El Dorado. The General Plan is intended to provide a long-term framework with which land use planning decisions will be made.

Our agency is delegated the responsibility of protecting the quality of the groundwater and surface waters of the state, and so our comments will only address concerns surrounding those issues.

1. The Development Approval Process Section on page 5.1-12 provides a discussion on the differences between permits by right ("ministerial") and discretionary permits. The document states that "Uses permitted by right are, by definition, those uses and permits, such as building permits, that the County (through the General Plan and/or Zoning Ordinance) has exempted from discretionary action. As ministerial projects, these permits are generally exempt from CEQA review." Please keep in mind that Section 13260 of the California Water Code (CWC) requires that any project for which waste is proposed to be discharged to either surface waters or land must submit a Report of Waste Discharge to the Regional Water Quality Control Board (Regional Board). The Regional Board is not able to adopt Waste Discharge Requirements (WDRs), or a waiver of WDRs, unless a CEQA document has been prepared for the project.
2. Section 5.2 discusses, among other items, the El Dorado regulatory programs related to agriculture and forest resources in El Dorado County. The Wineries Ordinance discussion states that wineries are permitted by right within certain agricultural zone districts. However, wastewater discharges from wineries are regulated by the Regional Board, and as stated above, the Board must comply with the requirements of CEQA in adopting permits. The "by right" permitting of wineries probably does not provide the necessary CEQA documents, and therefore either the County or the winery's consultant would be required to prepare a CEQA document for each winery to be permitted by the Board.

128-5

California Environmental Protection Agency



The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov/rwqcb5>

3. Section 5.5.2 addresses potential impacts related to wastewater flows and system infrastructure that could result from population and employment growth, and provides a description of how wastewater is treated and disposed of within the county. The subsection that discusses "*Wastewater Treated by Wastewater Treatment Plants*" fails to describe the El Dorado Irrigation District's Camino Heights wastewater treatment plant.
4. Page 5.5-77 discusses the Union Mine Septage Treatment and Disposal Facility, and states that "Within the next two years, and to accommodate growth and acceptance of winery waste, the County plans to almost double the capacity of the treatment facility to a maximum capacity of approximately 30,000 gallons per day." In addition, the document states that County staff plan to expand the sprayfield by two acres to accommodate growth. The Union Mine Septage Treatment and Storage Facility is currently regulated by WDRs Order No.98-238, which allows a current flow of 30,000 gallons per day. Please keep in mind that if the septage treatment and disposal facility is expanded handle flows greater than what is allowed by WDRs Order No. 98-238, or the sprayfields are expanded to greater than the four acres allowed by the WDRs, then the County will need to apply for updated WDRs.
5. Pages 5.5-78 and 5.5-79 provide a description of the regulatory roles provided by the El Dorado County Environmental Health Department, the State Water Resources Control Board (State Board), and the Regional Board regarding wastewater treatment and disposal systems. The document states that the State Board and Regional Board issue and enforce permits (i.e., WDRs) for WWTPs. In addition to issuing permits for WWTPs, the Regional Board requires that a RWD be submitted for individual onsite septic systems for any residential subdivision of over 100 homes, and for any development where septic tank effluent is disposed to a community leachfield (common disposal systems). In addition, the Regional Board relies on each county to implement an on-site sewage disposal system program consistent with our Basin Plan which includes septic tank "Guidelines". The Regional Board has waived WDRs for individual on-site septic system discharges from single-family residences in those counties enforcing an ordinance that complies with the Board's "Guidelines". The "Guidelines" provide that land developments consisting of less than 100 lots will be processed by the county while tentative maps containing 100 lots or more shall be transmitted to the Board accompanied by a RWD. Our Board does not have resources for a formal program to monitor individual sewage disposal practices for the 38 counties within the Central Valley Region. Therefore, it is important for El Dorado County to ensure compliance with all of the criteria within the "Guidelines".
6. Page 5.5-81 provides a discussion on projected wastewater flows and treatment plant capacities for the El Dorado Irrigation District's El Dorado Hills and Deer Creek WWTPs. Based on the projected flows and current capacities, the Draft EIR indicates that the current treatment capacity would be reached at the El Dorado Hills WWTP around 2015, and at the Deer Creek WWTP around 2025. If the WWTP's are expanded to treat, store, and dispose of flows greater than what each plant is permitted for, then the WDRs will need to be updated.
7. Page 5.5-93 provides a very brief discussion on the potential impacts of water quality from industrial sources. Specifically, it states that "Industrial land uses such as sand and gravel operations, and lumber mills can result in stream turbidity and toxic substances". As stated above,

128-5

any facility, including industrial facilities, that discharge waste to land and/or surface waters must submit a RWD to the Regional Board prior to the initiation of any discharge of wastewater. If such facilities are discharging wastewater and are not regulated by WDRs, then the discharge is in violation of the California Water Code.

8. Page 5.5-94, the Onsite Wastewater Treatment System section, states that onsite sewage systems are used for single-family residences, multifamily residences, trailer parks, public facilities, campgrounds, and commercial or industrial establishments, including wineries. As stated above, the Regional Board has waived WDRs for individual on-site septic system discharges from single-family residences in those counties enforcing an ordinance that complies with the Board's "Guidelines". The waived WDRs only apply to single-family residences or the equivalent, discharging domestic wastewater. Regional Board counsel has determined that "or equivalent" corresponds to flows of less than 5,000 gpd. This waiver does not apply to the discharge of winery process wastewater, or the discharge of other industrial wastewater.
9. Page 5.5-105 of the document states that "County regulations for the proper design and installation of onsite systems have been adopted by the County Board of supervisors and have been reviewed and accepted by the RWQCB." However, Regional Board staff has no record that we have reviewed or accepted the County's regulations for design and installation of onsite septic tanks/leachfield systems. As directed by Assembly Bill 885, the State Board is in the process of developing updated regulations for onsite septic systems, and the Regional Board will be required to implement these updated regulations with each County within our region.
10. The section on page 5.5-103 discussing the Regional Board's permitting of wineries is in error. Winery wastewater can contain extremely low pH levels, but this is not the cause of nitrate in the groundwater. Winery wastewater also contains high concentrations of nitrogen and salt. Groundwater monitoring at wineries throughout the Central Valley has shown that the application of winery wastewater to land can cause the underlying groundwater to be degraded by salts (measured as total dissolved solids) and nitrogen. The document states that the permitting of wineries is completed at the local level. It should be noted that the County has no authority under the California Water Code to permit the discharge of industrial wastewater, including the process wastewater from wineries. The Regional Board is in the process of adopting a regulatory scheme for wineries, including a General Order for Onsite Storage/Offsite Disposal (adopted in March 2003), a waiver for small food processors, including wineries (to be considered for adoption in July 2003), a General Order for Land Disposal of Winery Wastewater (projected to be considered in December 2003), and individual WDRs for wineries that do not meet the conditions of either General Order or the waiver.

128-5

Philip Crimmins
State Clearinghouse

- 4 -

12 June 2003

Thank you for the opportunity to offer comments. If you have any questions regarding this matter, please telephone me at (916) 255-3389.



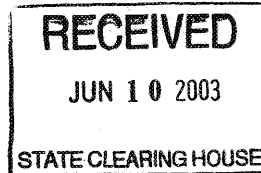
128-5

SCOTT KRANHOLD
Waste Discharge to Land Unit

cc: John Morgan, El Dorado County Environmental Health Department, Placerville
Conrad Montgomery, El Dorado County Planning Department, Placerville
Bill Carey, El Dorado County Building Department, Placerville
Dan Hinrichs, DJH Engineering, Placerville
Steven Proe, Greenwood



June 6, 2003



*Clear
6-16-03*

Board of Supervisors
El Dorado County
330 Fair Lane
Placerville, CA 95667

Dear Board Members:

The Department of Fish and Game has received the Draft General Plan and associated Draft Environmental Impact Report (DEIR) (SCH 2001082030) for El Dorado County. We request an extension of time until June 30, 2003, to provide our comments to the County. Section 15105 of the California Environmental Quality Act (CEQA) Guidelines provides for a review period of not less than 45 days for a DEIR. The additional requested time will help enable my staff to assist the County in properly addressing the many complex planning issues in the six subject General Plan documents.

Your consideration of this request will be most appreciated. If you have any questions or comments, please call Ms. Terry Roscoe, Habitat Conservation Planning Supervisor, of my staff at (916) 358-2382.

Sincerely,

Banky E. Curtis
Regional Manager

FG: pg

cc: El Dorado County Counsel
330 Fair Lane
Placerville, California 95667

State Clearinghouse
1400 Tenth Street
Sacramento, California 95814

Ms. Terry Roscoe
Department of Fish and Game
1701 Nimbus Road, Suite A1
Rancho Cordova, California 95670

128-6



City of Placerville

487 Main Street
Placerville, California 95667

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RECEIVED
PLANNING DEPARTMENT

June 17, 2003

Mr. Conrad B. Montgomery
Planning Director
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

SUBJECT: El Dorado County General Plan Alternatives and Draft Environmental Impact Report (DEIR)

Dear Mr. Montgomery:

The City Council thanks you for the opportunity to respond to the General Plan and DEIR. The task that the County has undertaken to revise the General Plan is substantial. Although there are many concerns that we have identified, in the spirit of working together, the City wishes to try to cooperate with the County toward achieving solutions to these concerns. If solutions are not incorporated into the DEIR as mitigation measures or into the new General Plan as policy, the citizens of the City of Placerville and El Dorado County will continue to see a decline in their quality of life. By working together, our goal is to help ensure that problems are identified and that mitigations are realistic and achievable.

129-1

The following is intended to be a brief discussion of the primary issues or concerns of the General Plan and DEIR to consider:

DEIR Comments

The prime areas of concern to the City relate to:

- The impact of growth projected for the Community Region (Placerville's).
- The impact upon the City's Sphere of Influence.

129-2

Mr. Conrad B. Montgomery
Planning Director
June 17, 2003
Page 2

- The desire to maintain separation of community between Placerville and the surrounding communities.
- Traffic impacts.
- Impacts upon the City's Recreation and Parks programs.
- Maintain scenic, biological and recreational resources.

It should be noted that the various sections of the DEIR paint a confusing picture relative to Placerville. For example, some sections of the document include Placerville in the "Placerville/Camino" Market Area, which is an ambiguously defined area, thus making it difficult to analyze the impacts of the various Alternatives. Other sections, such as Traffic and Circulation conclude discussion and mapping at the City limits as if that's where the traffic impacts cease to exist. In other words, in some areas of the document, Placerville is a part of a larger "Market Area" and in other areas of the document Placerville is a "donut hole".

129-3

Traffic and Circulation

The DEIR falls short disclosing the traffic impacts of the various Alternatives on the City of Placerville. For example, the document appropriately concludes that Placerville is located at the confluence of Highway 50 and Highway 49, two major travel routes through the community, but it fails to consider that other County roads, such as Mallard Lane, Green Valley Road, Mosquito Road, Newtown Road/Broadway, Cedar Ravine, Forni Road, Placerville Drive and the like, are not incorporated into any analysis. In fact, the environmental document ignores traffic impacts upon the City's major collectors and arterials from the various Alternatives, thus making it impossible to analyze the impacts of all the Alternatives. Furthermore, the various tables and charts, which list the various impacts on Highway 49 and Highway 50, specifically exclude the segments within Placerville. While the Highway 50 Operational Improvements Study did make projections relative to increased traffic volumes on both Highway 49 and Highway 50, these were done without the benefit of the growth projections of the four various General Plan Alternatives. Therefore, it is the City's position that the environmental document is deficient in regard to not only Highway 49 and Highway 50, but deficient in disclosing the impacts and identifying reasonable mitigation measures for the major collector and arterial roadways within the community. Potential mitigation measures that may be considered include: sharing of maintenance costs and T.I.M. fees; identification of roadway alternatives such as by-pass routes; and the creation of an integrated traffic and circulation plan for the "Community Region".

129-4

Mr. Conrad B. Montgomery
Planning Director
June 17, 2003
Page 3

Land Use and Housing

A substantial portion of the Land Use and Housing discussion in the DEIR deals with inconsistency with applicable plans and policies of other agencies, and concludes that all four Alternatives are consistent with the City's General Plan. The basis for this conclusion is, at best, vague. It appears that simply because similar land uses are proposed within the City's Sphere of Influence, that the County General Plan Alternatives are automatically consistent. This should not be a "paint brush" conclusion. The DEIR concludes that there is a "potentially significant impact or substantial alteration or degradation of land use character in the County or sub-areas" as a result of the various land use alternatives. However, Policy 2.2.2.5 in the 1996 *General Plan* speaks to this concern and encourages cooperation and coordination between the City and County regarding land use. The City's support of Policy 2.2.2.5 is discussed in further detail below. Without strong policies such as those incorporated into the 1996 *General Plan* (2.2.2.5), these impacts will be significant and remain unmitigated, however such policies as incorporated into the 1996 *General Plan* would mitigate development pressures within the City's Sphere of Influence and maintain a separation of communities between Placerville and surrounding communities.

129-5

Recreation and Parks

Historically, County residents have relied heavily and benefited from the use of City parks facilities and recreation programs, financed and maintained by residents of the City. The DEIR concludes that existing parks and recreation facilities and the need for new facilities is a significant impact upon the County's parks and recreation facilities. The mitigation to reduce the impact on existing parks and recreation facilities and the need for new facilities is to "provide funding mechanisms for new park development". This is interesting. Inasmuch as the DEIR vaguely references the mere existence of City parks and recreation facilities, it would be reasonable and logical to draw the conclusion that County growth set forth in the four Alternatives, would result in the "deterioration of existing parks and recreation facilities and the need for new facilities" upon the City of Placerville. The DEIR contains no discussion of, impact to, or mitigation for impacts to the City of Placerville's parks and recreation facilities and programs, but instead indirectly assumes that the City will continue to absorb the impacts of the County. The DEIR appropriately concludes that there is a deficiency with respect to County parks and recreation programs, however fails to recognize that City park lands will absorb impacts not only from its own market area but from adjacent market areas such as Coloma, Gold Hill, Pollock Pines, Camino, Diamond Springs/El Dorado and Pleasant Valley. Since the County market areas will contribute larger numbers of people to the areas' growth, the use of the City's facilities will

129-6

Mr. Conrad B. Montgomery
Planning Director
June 17, 2003
Page 4

continue at a higher rate than the growth of the City itself. The DEIR should address these additional impacts upon the City and propose mitigations that reduce these impacts on City facilities from County development.

129-6

General Plan Alternatives Comments

The 1996 *General Plan* contains a policy (Policy 2.2.2.5) that provides clear direction on coordination, compatibility and contiguity of development proposed both adjacent to the City boundaries and the City's Sphere of Influence. There are also policies which strongly encourage a proposed development be annexed into the City when appropriate or if located within the Sphere of Influence. The *Roadway Constrained Six-Lane "Plus"* and *Environmentally Constrained Alternatives* depart from this policy. The two Alternatives each have a policy (Policy LU-2b) which states, "Expansion of city Spheres of Influence and the annexation by cities of unincorporated lands lying within a Community Region shall be considered consistent with the General Plan if such areas are adjacent to incorporated city limits. Cities Sphere expansions and city annexations of undeveloped land lying outside the Community Region boundaries shall be considered inconsistent unless the Community Region boundary is amended consistent with Policy LU-2a." This appears to be a substantial departure from the coordinated and cooperative direction provided in the 1996 *General Plan* that not only encourages annexation where appropriate, but is proactive by maintaining development intensity and density to minimum levels in the County to promote annexations and calls for the creation of a joint task force to develop complementary land use patterns. Policies LU-2a and LU-2b policy place too much emphasis on the County's General Plan as to whether an annexation is to be found consistent. There is also a lack of coordination between the City's General Plan and the County's General Plan, which addresses land uses within the Sphere. It appears that the language in LU-2a would allow development to occur within the Sphere or abutting without encouraging annexation. Inasmuch as a great deal of negotiation was involved between the County and the City in 1995 to develop policies contained in the 1996 *General Plan*, it is disappointing why such policy is not extended to the *Roadway Constrained Six-Lane "Plus"* and *Environmentally Constrained Alternatives*.

129-7

Without a policy such as Policy 2.2.2.5 it is difficult to conclude what the effect of the Roadway and Environmentally Constrained Alternatives are.

Natural Resources

The protection of our Region's natural and aesthetic resources is important to maintain tourist interests and a thriving economic future. In this regard the City strongly

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Mr. Conrad B. Montgomery
Planning Director
June 17, 2003
Page 5

encourages the final General Plan to incorporate Policies calling for: the creation of a Weber Creek "Overlay" to protect its scenic and biotic resources; maintaining the Texas Hill area as a reserve, reservoir, or recreation area; and strong policies which protect Highway's 49/50 Historic and Scenic Corridors as well as primary ridgeline throughout our region. Without policies emphasizing these areas, there will be unmitigated impact on both the City and the County.

Thank you for extending the comments period and affording the City the opportunity to comment on the DEIR and General Plan Alternatives.

Sincerely,



Robert Salazar
Mayor

RS:ljv



129-8

Allen Matkins Leck Gamble & Mallory LLP
attorneys at law

Allen Matkins

333 Bush Street 17th Floor San Francisco California 94104-2806
telephone. 415 837 1515 facsimile. 415 837 1516 www.allenmatkins.com

writer. Michael Patrick Durkee t. 415 273 7455
file number. L5131-005/SF591947.01 e. mdurkee@allenmatkins.com

RECEIVED
PLANNING DEPARTMENT
03 JUN 19 AM 11:32

June 17, 2003

VIA FAX (530.642.0508) AND U.S. MAIL

Mr. Conrad B. Montgomery
Planning Director, El Dorado County
2850 Fairlane Court
Placerville, CA 95667

Re: *Assessor's Parcel No. 109-250-12-100*
El Dorado County Draft Housing Element and General Plan

Dear Mr. Montgomery:

As you are aware, we submitted to the Department of Housing and Community Development ("HCD") the attached letter concerning El Dorado County's draft Housing Element. Also attached is HCD's letter to you dated June 10, 2003 containing HCD's comments on the draft Housing Element. For the reasons described in greater detail in both of the attached letters, we respectfully request that the County not reduce the density of the above-referenced "Property."

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We note that the County's current draft Land Use Element of the General Plan proposes to re-designate the Property as Low Density Residential with a density of only 1 unit per 5 to 10 acres, whereas existing regulations for the Property would allow multifamily housing with up to 21 units per acre. This reduction in density is proposed even though the County has not adequately identified sufficient sites for meeting the County's multifamily housing needs. HCD agrees that the Housing Element generally does not comply with State law as to the provision of multifamily housing.

Moreover, as demonstrated more fully in our letter to HCD, the State has a statutorily mandated interest in the provision of multifamily housing, the County did not meet its multifamily housing needs under its previous Housing Element, the Property is ideally located for multifamily housing, and the Property owners are willing and able to so develop the Property. We suspect that local politics may be behind the proposed reduction in density. However, local politics should not prevail over these compelling reasons to maintain the Property's current multi-family density.

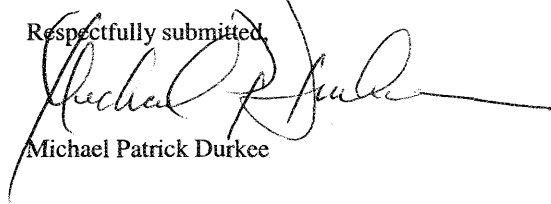
130-2

Allen Matkins Leck Gamble & Mallory LLP
attorneys at law

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Page 2

Accordingly, we respectfully request that the County maintain the current density on the Property and revise its proposed Land Use Element (and Map) accordingly. We would be pleased to discuss these issues with you further. Thank you for your attention to this matter.

Respectfully submitted,



Michael Patrick Durkee

TPT/MPD:lf

Enclosures

cc: HCD
Omer Long

130-3

Allen Matkins

Allen Matkins Leck Gamble & Mallory LLP
attorneys at law

333 Bush Street 17th Floor San Francisco California 94104-2806
telephone. 415 837 1515 facsimile. 415 837 1516 www.allenmatkins.com

writer. Michael Patrick Durkee t. 415 273 7455
file number. L5131-005/SF590887.02 e. mdurkee@allenmatkins.com

June 4, 2003

VIA FAX (916.327.2638)

Ms. Cathy Creswell
Deputy Director of Housing Policy Development
Department of Housing and Community Development
1800 Third Street
P.O. Box 952050
Sacramento, CA 94252-2050

*Re: Comments on El Dorado County Draft Housing Element
Assessor's Parcel No. 109-250-12-100*

Dear Ms. Creswell:

On behalf of the owners of the above-referenced "Property" located in the unincorporated territory in El Dorado County, and pursuant to Government Code § 65585(c), we provide the following comments on the County's draft Housing Element. It is our understanding that the Department of Housing and Community Development ("HCD") currently is reviewing the draft Housing Element for determination of legal compliance. *See*, Gov. Code § 65585.

For the reasons set forth below, we assert that the draft Housing Element does not substantially comply with the law and that the County's intention to reduce further the density currently allowed on the Property will only exacerbate an already dire situation.

A. Background.

The County is revising its Housing Element. *See*, Gov. Code § 65588(b). This revision process coincides with the County's revision of its entire General Plan as required by a court order issued in 1999. The court struck down the County's previous General Plan and environmental impact report. The County has been operating under the court's order since the judgment.

The Property consists of 18.73 acres of currently vacant land. The Property has full access to County water, sewage and local street systems. The Property is located at the intersection of Coach Lane and Rodeo Road, which is approximately three blocks southwest of the State Highway 50 interchange at Cameron Park Drive. The Property is approximately 30 miles east of Sacramento and approximately 10 miles west of Placerville on Highway 50.

| San Francisco Century City Los Angeles Orange County San Diego

Allen Matkins Leck Gamble & Mallory LLP
attorneys at law

Ms. Cathy Creswell
June 4, 2003
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Sacramento and Placerville are the two nearest employment centers. The Property's location provides ideal transportation access for commuters to these communities. The Property also is located directly adjacent to an existing shopping center. Directly across Highway 50 from the Property, the draft General Plan designates the entire area as high density and multi-family residential and commercial.

The Property is currently zoned R2-PD, which authorizes up to 21 units per acre. This zoning makes sense and reflects the adjacency of this Property to higher intensity uses. As you know, affordability tends to follow density. Such multi-family housing tends to be much more affordable than low-density, single family, detached housing. However, despite multiple efforts to develop the Property with up to 275 dwelling units in a multi-family planned development, due to political opposition from nearby residents (who live primarily on very low density residential properties), no proposal for multi-family development has been able to secure approval. Perhaps due to such pressure from nearby residents, the County now proposes to designate the Property "Low Density Residential," which authorizes only one dwelling unit per five to ten acres. Such action is the antithesis of good planning and the death knell to affordability.

B. Maintaining the multi-family zoning of the Property will improve what is a fundamentally flawed draft Housing Element.

The draft Housing Element correctly states that higher density, multi-family housing is frequently the vehicle for the provision of affordable housing (the term "affordable housing" as used here includes what the State defines as "Very Low Income," "Lower Income," and "Moderate Income" housing). The draft is flawed, however, in several ways relevant to the provision of multi-family and affordable housing. State law requires the Housing Element to conduct an inventory of all land suitable for residential development and to identify specific sites adequate for the development of affordable housing. Gov. Code §§ 65583(a)(3), (c)(1)(A). The Housing Element must contain a program setting forth a five-year schedule of actions for the provision of affordable housing. Gov. Code § 65583(c).

The primary flaw in the draft Housing Element is that the analysis of whether the County has zoned adequate acreage for affordable housing is based on *current zoning*, not the zoning that will be mandated under the revised Land Use Element and Map. (The County asserts that the Land Use Map designates sufficient acreage for affordable housing, yet provides no analysis in support of its conclusion. *General Plan Draft No Project and 1996 General Plan Alternatives* at 179.) The County acknowledges the current zoning will be updated for consistency with the General Plan once the General Plan is adopted. Yet, the draft Housing Element contains no analysis of the *proposed* land inventory and available sites under the Land Use Map. The draft

Allen Matkins Leck Gamble & Mallory LLP
attorneys at law

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Page 3

does not project the number of dwelling units that will be provided in the multi-family zoned areas on the Land Use Map. In other words, the draft does not adequately identify sufficient sites for the development of affordable housing under the Land Use Map. The Attorney General has opined that local governments must consider and evaluate future zoning changes, not just existing zoning, when defining suitable housing sites. 70 Ops. Cal. Atty. Gen. 231 (1987). The proposed "down zoning" of the Property cannot be justified without any analysis of whether other adequate multi-family sites are designated in the Land Use Map.

Another flaw in the draft Housing Element is that it proposes to reduce significantly the total acreage zoned for multi-family housing under the existing Housing Element even though the County did not meet its affordable housing needs under the existing Housing Element. The existing acreage is 1,320. The proposed acreage in the County's draft Land Use Maps, of which there are four alternatives, is 810.4 acres in two of the drafts, 580.8 in the third draft, and 517.8 in the fourth draft. These are reductions of 39 percent, 56 percent, and 61 percent respectively. The County's housing needs under the existing Housing Element (covering years 1990-1997) for new construction of "Very Low Income" housing was 3,670 units; for new construction of "Lower Income" housing it was 3,234 units; and for "Moderate Income" housing it was 4,043 units. *General Plan Draft No Project and 1996 General Plan Alternatives* at 103. The total number of needed units for these three groups was 10,947; however, only 7,812 new units were constructed, and this was from 1990 to 2000, a three year-longer period than the need projections. *General Plan Draft No Project and 1996 General Plan Alternatives* at 171. If the County is going to meet its affordable housing needs, the very first step is to provide enough appropriately zoned acreage.

C. *The County should not reduce the Property's density.*

The County provides no justification in the draft Housing Element or elsewhere in the draft General Plan for such a radical density reduction on the Property. To the contrary, the existing higher density is preferable for several reasons.

First, maintaining the current multi-family zoning would be consistent with the state's statutory policies urging the provision of multi-family housing. The Legislature has found and declared that the "availability of housing is of vital statewide importance" (Gov. Code § 65580(a)), that "[t]he provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government" (Gov. Code § 65580(c)), and that "[l]ocal and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community." Gov. Code § 65580(d); *see also Committee for Responsible Planning v. City of Indian Wells*, 209 Cal.App.3d 1005, 1013 (1989). As to

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attorneys at law

Ms. Cathy Creswell
June 4, 2003
Page 4

affordable housing, the Legislature has declared that the "excessive cost of the state's housing supply is partially caused by activities and policies of many local governments that limit the approval of housing" and "increase the cost of land for housing." Gov. Code § 65589.5(a)(2).

The California Budget Project has documented a housing crisis in California. *Locked Out: California's Affordable Housing Crisis* (May 2000) and *Still Locked Out: California's Affordable Housing Crisis* (March 2001). These reports found that high housing costs pushed home ownership out of reach for many families and that as housing costs rose, overcrowding worsened, families struggled to leave welfare for work, and households across a broad demographic range faced significant cost burdens. HCD itself has concluded that if these trends continue, "California will build less than 60 percent of the new housing units needed to accommodate projected 1997-2020 population and household growth." *Raising the Roof: California Housing Development Projections and Constraints 1997-2020, Statewide Housing Plan* (2000).

In El Dorado County, the story is the same. As demonstrated above, the County did not meet its projected needs for affordable housing during the period of its previous Housing Element. The County faces the same statewide affordable housing shortage as the rest of the State. Down zoning the Property will only worsen the County's housing shortage.

Second, the current owners of the Property strongly desire to develop the Property as multi-family housing. Yet, such attempts have been stymied by political opposition. Many people hold strong but misinformed feelings about the effects of multi-family and affordable housing development on the greater community. The reality is that both public and private sector experts have concluded that affordable housing does not lower neighboring property values and oftentimes increases them. *Habitat for Humanity South Ranch 2 Community Impact Study* (Coopers & Lybrand, 1994), *The Effects of Subsidized and Affordable Housing on Property Values: A Survey of Research* (HCD, 1988). To the extent that local politics is behind the density reduction, HCD should make it clear that the state's statutorily mandated interest in the provision of affordable housing trumps these unfounded fears.

Third, the location of the Property makes it ideally suited for higher density residential development. Locating multi-family housing convenient to a transportation corridor is widely shown by traffic studies to be good planning. *Definition of Livable Communities* (California Department of Transportation, 2001). Also, higher density land use designation allows for proper land use transition from the Property to adjacent uses. And, as stated above, the Property's location gives it the access to water, sewage and local streets necessary for multi-family housing.

Allen Matkins Leck Gamble & Mallory LLP
attorneys at law

Ms. Cathy Creswell
June 4, 2003
Page 5

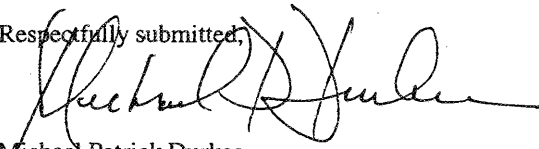
Fourth and finally, the Property is directly adjacent to one of the County's designated "Community Regions." The draft General Plan policies provide that higher density housing is to be concentrated in Community Regions. *General Plan Draft No Project and 1996 General Plan Alternatives* at 9-10. Although the Property is ideally suited for multi-family housing and inclusion in a Community Region, the nearest Community Region boundary is awkwardly drawn to exclude the Property, and in fact borders the Property. Again, politics may be at work. The County's unique geography and existing development patterns make the appropriate areas for Community Regions relatively small, as indicated by the attached maps. Because the area available for Community Regions is so small, the County should maximize opportunities to include multi-family zoned property in Community Regions.

D. Conclusion.

For all of the foregoing reasons, the County's draft Housing Element does not substantially comply with the law. The County should not exacerbate its affordable housing shortcomings by reducing the allowable density on the Property.

Thank you for your consideration of these comments.

Respectfully submitted,

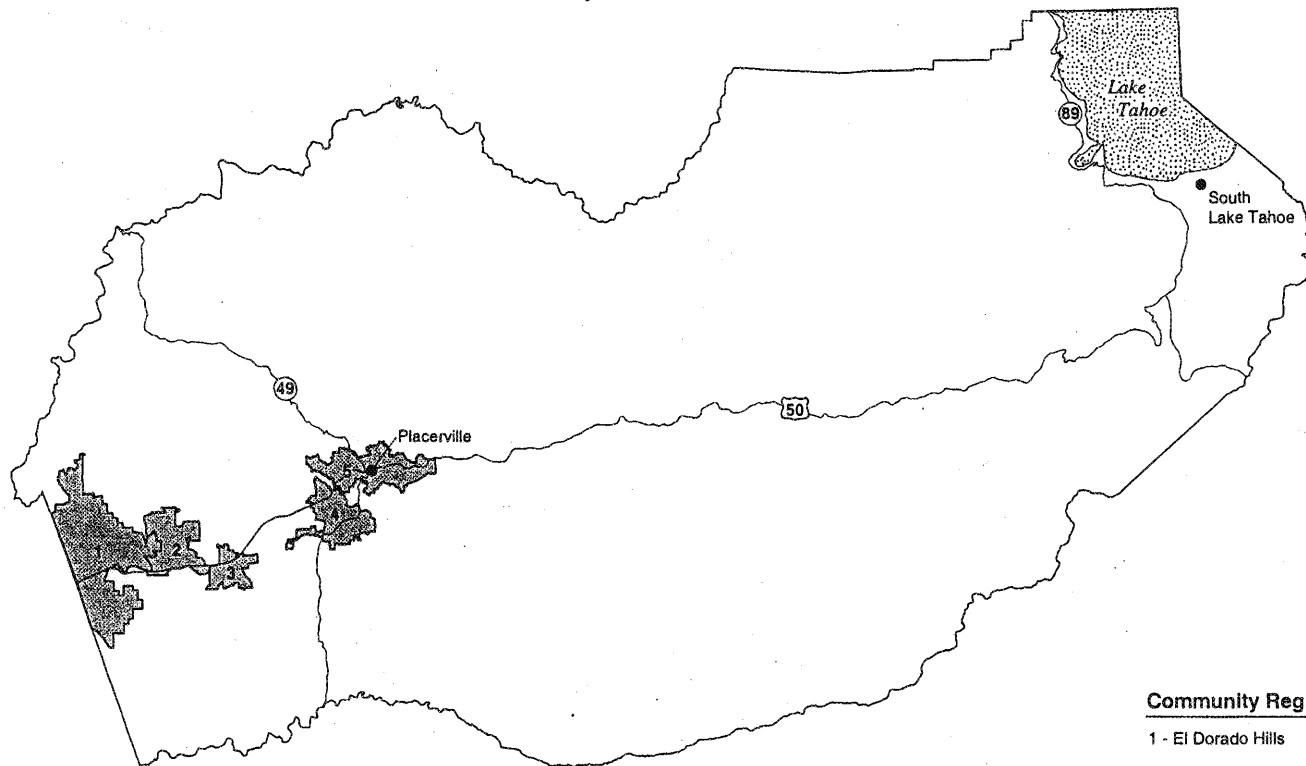


Michael Patrick Durkee

TPT/lf

cc: Conrad B. Montgomery, Planning Director, El Dorado County

Figure LU-2
Community Regions in El Dorado County:
Environmentally Constrained Alternative



Community Regions

- 1 - El Dorado Hills
- 2 - Cameron Park
- 3 - Shingle Springs
- 4 - El Dorado/Diamond Springs
- 5 - Placerville

Source: El Dorado County (2003)
Not to Scale

From: BRUCE F STALLINGS [stallings@d-web.com]
Sent: Wednesday, June 18, 2003 6:45 PM
To: generalplan@co.el-dorado.ca.us
Subject: The Writ

Hello,

I would like to voice my opinion. If the current Board Of Superviors would address the Writ, forget about the past, and answer the issues raised there, they would have a GENERAL PLAN.

We have 4 choices plus 8 alternatives, the Writ would provide the answers that this county needs to grow, in a constructive manner and not allow excessive growth.

LET REASON BE THOUGHT PROCESS!!!

Sincerely,

Bruce Stallings

131-1



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

REPLY TO
ATTENTION OF

June 19, 2003

Regulatory Branch (200300372)

03 JUN 23 PM 1:34
RECEIVED
PLANNING DEPARTMENT

Peter Maurer
El Dorado County Planning Department
Principal Planner
2850 Fairlane Court
Placerville, California 95667-4100

Dear Mr. Maurer:

I am responding to the Draft Environmental Impact Report for El Dorado County General Plan.

The Corps of Engineers' jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, vernal pools, marshes, wet meadows, and seeps. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

132-1

The range of alternatives considered in an EIR should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

132-2

-2-

Please reference identification number 200300372 in any future correspondence concerning this project. If you have any questions, please write to Mr. Paul Maniccia at the letterhead address, or email Paul.M.Maniccia@usace.army.mil, or telephone 916-557-6704.

Sincerely,

A handwritten signature in cursive script that reads "Nancy A. Haley".

Nancy Haley
Chief, San Joaquin Valley Office

JAMES J. DIDION

June 20, 2003

General Plan Team
 El Dorado County Planning Department
 2850 Fairlane Court
 Placerville, California 95667

03 JUN 23 PM 1:51
 RECEIVED
 PLANNING DEPARTMENT

Subject: General Plan Comment
 Assessor's Parcel Nos. 042-01-25 & 076-31-49

This letter is written in response to our review of the proposed general plans being circulated by your department. We're concerned and somewhat confused about the process of reviewing different general plans and how to appropriately comment on our concerns. However, these comments are made with respect to the above referenced parcels owned by us on Stark's Grade Road in the Jenkinson Lake area.

We have owned these parcels since the 1950s, and we have watched as virtually the entire surrounding area has been developed into parcels for single family homes. It was our intent to develop our property in a similar style. In recent years, we have explored an approach to development of the property, based on the current land uses for the property, providing for a clustering of homes in the area immediately adjacent to the County roads. This approach would allow for the preservation of a significant portion of the property, approximately 250 acres, as open space. We felt this approach would allow us to receive value for the property and at the same time provide a benefit to the public. We have not been able to move forward with such a proposal due to the moratorium resulting from the challenge to the County's existing General Plan.

133-1

Our review of the draft general plans reveals that our plans could be feasibly entertained with the adoption of the 1996 General Plan Alternative; however, the other alternatives would prevent any meaningful division of the property. Accordingly, we encourage the County to adopt the 1996 General Plan Alternative. Alternatively, we request that should any of the other alternatives be adopted that they be amended to provide that our property be retained in the existing land use category, or at a minimum, be allowed for development of one unit per ten acres.

We believe this request is justified, as it would be patently unfair to restrict our 289 acres to an agricultural use designation when the surrounding properties are already developed as single family parcels. The property has no agricultural value, but even if such uses were attempted, they would be incompatible with the surrounding uses. The result would be our property becoming privately owned open space. If the County is truly concerned about the preservation of open spaces, it can best be achieved by preserving our ability to develop the property in a meaningful way, consistent with surrounding properties, and obtain the preserved open space from us on a voluntary basis.

Thank you for your consideration of our request.

Very truly yours,

J. J. D. Properties, Ltd.

James J. Didion
 Managing General Partner

JJD/bd

James J. Didion
 P.O. Box 1150
 Carmel, CA 93921

Parcel 042-011-25

June 20, 2003

03 JUN 23 PM 2:01
RECEIVED
PLANNING DEPARTMENT

Peter Maurer
Principal Planner
EDC Planning Dept
2850 Fairlane Court
Placerville, CA 95667

Re: General Plan and APN 110-020-35-100

Dear Mr. Maurer:

We have been residents of El Dorado Hills since 1986. In November 2002, we purchased a home and five acres on Lakehills Drive, APN 110-020-35-100. The motivation for this move was to enjoy a more rural setting, engage our children in 4H (horses and other animals), and to be a part of preserving the rural character of El Dorado Hills that has and is quickly vanishing.

This particular area that we live in is sandwiched between Salmon Falls Road and Lakehills Dr. and serves as a buffer between the high density housing in Waterford and the natural beauty and wildlife of New York Creek and an arm of Folsom Lake. We are home to migrating geese, deer fox, etc. There are many oak trees, horses and nice homes on these parcels. The roadways are two lane and are already very busy.

When we purchased the property, we were under the belief that 5 acre parcels were the minimum size and that our CC&Rs stated that the minimum lot size is 3 acres (Exhibit 1). We believed that one acre parcels were not a possibility for this area. However, we have found that the aforementioned balance of this area is in jeopardy due to a possible inclusion of our property into the 1996 General Plan. Furthermore, we have learned that a neighbor on APN 110-20-321 & 301, Shan Nejatian, has represented us/our parcel number and others in this area without permission when presenting particular development objectives (Exhibit 2). His memo to you received September 9, 2002, requests MDR, and we are in favor of LDR. We are in favor of the roadway constrained LDR. Please be informed that Shan

134-1

Nejatian has never been given permission to represent us or our interests. Moreover, we have never talked to or met this individual.

In our view, there currently exists a balance between the high density housing of Waterford and the existing rural area we are a part of in El Dorado Hills. We would hope that the community and county would respect this balance. Conversely, we would never advocate that Waterford be rezoned to rural or LDR.

Your help is needed in clarifying some of the issues at stake:

1. The 1996 General Plan alternative shows a boundary line moving from Lakehills-through our property area to Salmon Falls Road (exhibit 3). If we were brought under this plan, does this mean that we would automatically be classed MDR? If so, what can we do to prevent this?
2. If our property were zoned MDR, does this mean that our acreage and the acreage around us could be rezoned 1 acre or would our CC&Rs override and protect the minimum lot size of 3 acres. What risks would we face that eventually 1 acre lots could be created?
3. If this area were MDR, does this mean over a period of time and rezoning that one acre lots could be subdivided further?
4. Are we known as "El Dorado Equestrian Village" as stated in Shan's memo to you (exhibit 2)? If so, what does this mean in terms of land use and acreage size.

I appreciate your efforts and look forward to your response.

Very truly yours,

Fletcher

Gary and Nancy Fletcher
1781 Lakehills Drive
El Dorado Hills, CA 95762 ()
(916) 933-2595; email: nwfletcher@inc.com

cc: Rusty Dupray, Supervisor

134-1

134-2

134-3

134-4

134-5