

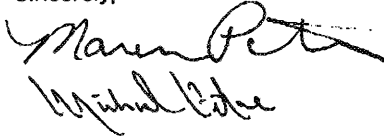
Sunday, July 13, 2003 9:51 AM

p.04

so. The use of multiple and conflicting/confusing land use designations is short-sighted and needs to be corrected. Please call us for any clarification needed.

↑
203-2

Sincerely,



Maren Petre
Michael Petre
P.O. Box 606
6600 Rattlesnake Bar Road- street address- no mail delivery
Pilot Hill, CA 95664
(530) 889-1469
(530) 885-9864 FAX

cc: Charlie Paine
Supervisor District 4
El Dorado County
bosfour@co.el-dorado.ca.us/start
FAX (530) 622-3645

AR 12787

July 13, 2003

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

03 JUL 14 AM 8:07

RECEIVED
PLANNING DEPARTMENT

Re: Draft General Plan Alternatives and General Plan EIR

Dear Ms. Tschudin,

I support the amended **1996 GP Alternative** with information added to satisfy the Writ resulting from the GP lawsuit.

- Policy 7.4.4.4. Oak tree retention or replacement. If replacement is retained in this policy, there should be limits as to what percentage of trees can be replaced. Replacement can be used as an excuse to remove all oaks – as was done with a commercial project in Green Valley Center [north of Green Valley Road at the County border].

If significant replacement is required for a project, it is highly possible the land use designation is incorrect. Significant replacement is a detriment to the aesthetics of the county.

The following are a few comments on the other Draft Alternatives:

Draft Roadway Constrained Six Lane "Plus" Alternative

- P. 7. Vision Statement "Urban and suburban development is located in distinct and diverse communities, separated by rural land and open space."

The goal was achievable between Cameron Park and El Dorado Hills [EDH] about 20 years ago. Having received no support from Cameron Park, EDH's efforts for a significant open space or low-density buffer were defeated. This euphemistic statement should be deleted if it has to be enforced.

Summary Description ...

- P8. Para 1. "...policy direction discouraging the expansion of U.S. Highway 50 to more than six ... lanes..."

The Board of Supervisors [BOS] has already adopted this 'draft' principle with their recommendation on 'how many Hwy 50 lanes in the SACOG Metro Circulation Environmental analysis-so is this statement really a 'draft' one?

- "To ensure that traffic remains at an acceptable level of service, this General Plan also limits subdivision of residential lands to a maximum of four new parcels."

This drastically cuts the potential new parcels. The problem is will the new number of parcels 'pay the bills'? Measure Y requires capital road improvements. County is behind in needed improvements now. This parcel cutback will cut back significant funding for road improvements. Likewise, will

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water providers' infrastructure costs will be paid by future development or current ratepayers if new development is not adequate.

It is good we have Development Agreements that ensure higher densities than this 'max 4 parcels' so capital improvements can be funded for the segments of major County commute routes located in our community. I presume the Draft EIR has a fiscal analysis of this alternative's impacts to roads and various public services.

- P 12, **WILDFIRE HAZARD** /Figure LU-1. This hazard can be minimized by transitional residential densities – including between the Salmon Fall's low density and EDH 'high density areas east of Lakehills Drive, north of Green Valley Road and other EDH parcels down-zoned from the 1996 residential designation. The Fire Protection agencies need to input on other County areas where higher land use density can enhance fire protection for the area.

- Figure LU-2 "**Community Regions**". Where 'community regions' are truly physically separated, naming them may be acceptable. Where they are immediately adjacent to each other, being in one or the other 'community region' gives the appearance that it would be included in that 'community'. For the remaining Rescue Plan area south of Green Valley, the Local Agency Formation Commission will decide with community has the best ability to serve the area. Bottom Line: Just naming these areas 'Community Region' is more correct and less confusing to most residents.

- P 20. **Low Density Residential (LDR)**. [in all 4 Alternatives differing pages] This should also be used in Community Region areas where public infrastructure will be extended in the future. [Similar to the 1996 GP definition]

- P 21. **Research and Development (RD)**[aka R&D] / [in all 4 Alternatives differing pages] "...and support service facilities." This should be better-defined – private non-trade schools and churches, while convenient for employers/employees, appear to not be 'support services'. If the BOS truly wish the EDH Business Park to be an office park north of Golden Foothill Parkway [south], then more appropriate zoning should be considered for the area.

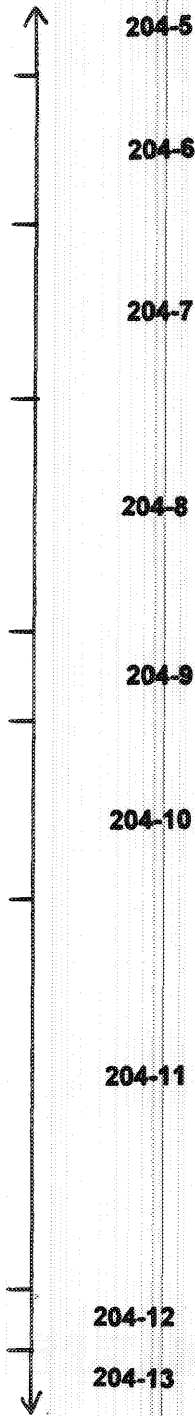
- P 22. **Table LU-1** / [in all 4 Alternatives differing pages]. The Floor Area Ratio [FAR] for Research & Development [and other land uses]. With more uses being allowed in R&D, a mechanism must be adopted to give applicants the ability to actually develop the land use the Board of Supervisors felt appropriate in the EDH Business Park.

Recently two self-storage projects in the EDH Business Park were denied due to excessive floor space. To have the project 'pencil' out, the added floor space was required. A variance mechanism – a special use permit [?] – is needed to enable this land use.

Since the FAR standards proposed in the Alternatives differ, I presume there is a discussion as to the pros and cons of each proposed standard so a more educated decision can be made. This and other design standards are more appropriate in a design manual than a general plan.

- P 27. **Policy LU-3n**. I support this policy to keep public facilities in more appropriate areas than business zones.

- P 30. **Policy LU-6b**. Considering the County topography [many ridgelines]



and the significant amount of public land this County has, this policy is unrealistic. Project design can mitigate these impacts.

Draft Environmentally Constrained Alternative:

- P 52 [Impact Fees] Para 2. The EDH/SF Road Impact Fee Program was created in 1984. In 1987 and 1988, the program was updated significantly with the NW EDH Specific Plan and the EDH Specific Plan and periodically thereafter.
- P 59. Policy TC-1g. Along with the Measure Y wording, emphasis needs to be placed on a program to pay for the remaining funds owed by the West Slope TIM residents for the capital road improvements in the West Slope TIM District.
- P 106. Table HO-22. EDH's affordable units should be included also.
- P 141. Policy HO-3g. The time for non-conversion of apartments to condominiums should be more than 5 years.

Draft Roadway Constrained Six Lane "Plus" Alternative and Draft Environmentally Constrained Alternative Maps:

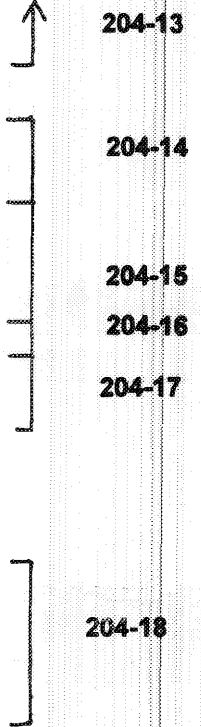
For the El Dorado Hills Area, many of the down-designated parcels are covered by Covenants, Codes and Restrictions which require higher density and would place the owners in potential legal problems. These infill parcels should be utilized for various higher density uses and minimize 'suburban sprawl' to some extent. Rural lands are totally inappropriate in an urban/suburban area.

Thank you for the time extension and this opportunity to comment.

Sincerely,

[signed by]

Harriett B. Segel



DEIR COMMENTS AND SUGGESTION
From Planning Commissioner Ralph Welsh, Jr.

July 13, 2003

03 JUL 15 AM 10: 23

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PLANNING DEPARTMENT

Since the Board of Supervisors directed staff to include Measure Y policies in ALL General Plan alternatives, their directions must be followed and must be a first consideration. Following this implementation, the DEIR would need to readdress this issue. I failed to locate Measure Y in all of the General Plan alternatives, to say nothing of the DEIR. Therefore, Measure Y issues must be addressed in all Plans AND any failure to adhere to Measure Y issues needs be deleted.

- (2) In each of the Plans, staff needs to indicate what is possible, not what is desired. This means growth should be related to the real facts of what is funded and planned for Hyw 50 in the real MTP.
- (3) Staff needs to use the Road Constrained Plan definition of concurrency in all the plans for simple understanding of the term. This would be in line with the Board of Supervisors' previous actions.
- (4) In order to remain politically neutral, any reference to Measure Y in a negative manner or without complete explanation should be avoided.
- (5) Transportation, with cumulative traffic impacts, and FUNDING are missing as listed in each General Plan alternative and the DEIR. There is no mention of where additional funding is forth coming, no analysis of possible impacts without funds, and what is present in the traffic modeling and DEIR analysis is based on "projects" or "assumptions" which could effect major circulation collapses if not addressed realistically. All of Director Matt Boyer's Department of Transportation memo to the Board should be addressed. Most of them were ignored, or inserted in one Plan or another, and not really addressed with any substance.
- (6) The DEIR obscures the traffic impacts of the 96, NP, and EC Plans by not being honest concerning the facts on the possibility (not likely) of construction of 8 lanes on Hwy 50. Full discussion of this issue is only fair, honest, and correct.
- (7) Implementation Measures off in the future by 5 or more years is not realistic, practical or desirable. We need Interim standards used for Implementation Measures that the Planning Commission can review and recommend to the Board of Supervisors for consideration to be interim policy. These could be written on different time lines according to issues of importance—i.e. permits for building, grading, parcels, subdivisions etc.
- (8) The traffic mitigation requires adoption of land use mitigation. This should also be applied to the real, major cause of the past, current, and future traffic problems, namely the Development Agreements. We should use time/phase of issuance of Development Agreements building permits, resulting in slowing traffic conditions. Also, Mitigation 5.1.3 (a) should be addressed in the same

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- way concerning Development Agreements. Why should only the small developer be hurt or restricted?
- (9) Mitigation 5.4-3 is contrary to Measure Y. Concurrency is NOT 5 years later. Changing the "shall not be used" to "may be used" is completely opposite to the Measure's intent. This one really needs changing. Besides, I do not believe that any governmental agency can override a voters Measure or that would defeat the purpose of an election.
 - (10) Mitigation 5.3-2 "New Policy" needs to include sidewalks. I would delete the "New Implementation Measure" because it is lowering standards, not making for better standards.
 - (11) Mitigation 5.4-1 (a-d) appears to be in conflict with Measure Y. Again, the Board of Supervisors' direction and the law indicate this may be in violation of both.
 - (12) Mitigation 5.5-2 needs to include California State Standards to make it simple, direct, and enforceable.
 - (13) To address the issue of low and medium cost housing staff needs to address the issue of TIM fees. According to square foot instead of the present system of "per dwelling" which has equal cost to the small home and the large house. By adjusting the TIM fees according to square footage, small, low and medium cost homes would be attractive to developers (builders).
 - (14) Staff needs to consider some of the proposals made by the City of Davis and others in their addressing of the issue of low and medium cost housing.

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] 205-14

BIG CANYON MINING & CATTLE INC.
436 Mc GEE AVENUE Jackson, California 95642

July 14, 2003

General Plan Team
2850 Fairlane Ct.
Placerville, CA 95667

03 JUL 15 PM 2:42
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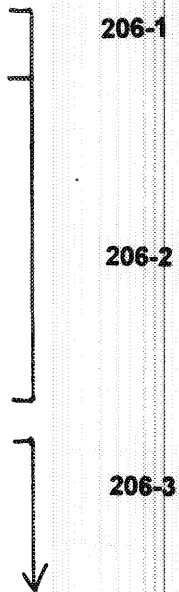
RE: El Dorado County General Plan

Parcel # 091-010-14

I strongly support the re-approval of the 1996 General Plan that we feel best protects the current uses and future possibilities for our properties. And, include the details of the recently released study on the Mineral Land Classification of El Dorado County.

These lands in the Big Canyon area have been designated in recently released mine mapping by the State Mining and Geology Board as MRZ2a. As you are aware this is the highest level of designation available under the Surface Mining and Reclamation Act and requires any future General Plan to recognize this designation and protect these lands for future mining opportunities. We feel confident that this will be recognized in the final plan and these lands will be adequately protected from encroaching incompatible uses that would preclude future mining.

This property is under a long-term lease to Scheiber Ranch for its ranching operations. There own properties have experienced the encroachment of urbanization, the loss of Federal and private land grazing permits, noxious weed infestations and rising production costs of a small operator in a commodity marketplace.



While we expect these parcels to remain within the Williamson Act lands and continue to remain in grazing for the term of this plan. One factor that may decide this is our ability to sell our unsuitable grazing land for sufficient value to enable us to acquire replacement property elsewhere that can be grazed.



206-3

Thank you for your consideration.

Respectively,

A handwritten signature in cursive script, appearing to read "William K. Scheiber", is written over the typed name.

William K. Scheiber
President and CEO

03 JUL 15 PM 2:07
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PLANNING DEPARTMENT

Ken and Heidi Brown
5100 Banbury Cross
Shingle Springs, CA 95682
530-677-2462

Dan and Laurie Oliver
Basel and Arbletta Oliver
3300 Sundance Trail
Placerville, CA 95667
530-676-6900

Bill and Joy Pimental
3981 Loma Drive
Shingle Springs, CA 95682
530-677-0470

July 14, 2003

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

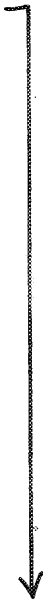
Re: Assessor's Parcel Number 070-261-78, Pimental
Assessor's Parcel Number 070-261-79 and 80, Brown
Assessor's Parcel Number 070-261-81, Oliver

We are the owners of the above referenced 4 contiguous parcels, each being 5 acres in size for a total of 20 acres, in Shingle Springs (BOS District 4). We wish to inform you of the impact the Draft General Plan and DEIR may have upon our property, and offer comments on those documents.

Attached are the following, some pulled from the EDC General Plan Web Site:

- Assessor's Property Detail(s) and Assessor's Parcel Map of properties
- Roadway map identifying the location of the properties
- Description of Land Use Designations for the 4 Alternative General Plans
- Land Use Designation Summary Tables
- El Dorado County Zoning Ordinance pages relating to R2, RM & LDR zonings
- Summary of Differences Between the Equal Weight General Plan Alternatives, a few select pages

We, as a group, provided oral testimony before the EDC Planning Commission during the public hearing on the evening of June 9, 2003, but wish to reinforce that testimony with the following points.



207-1

- 1) The parcels are located in Shingle Springs, defined as a Community Region in all four General Plan Alternatives.
- 2) We have reviewed the Land Use Designations outlined in the EDC General Plan Web Site, and other General Plan information. The General Plan Alternatives 1 (No Project) and 4 (1996 General Plan) denote our properties Land Use as "MFR" Multi-Family Residential, as does Alternative 2 (Roadway Constrained). However, Alternative # 3 (Environmentally Constrained) identifies the property as "LDR" Low Density Residential."
- 3) We wish to go on record in support of the Multi-Family Residential Land Use Designation for the property, and we oppose any down zoning to Single Family, Low Density. Our rationale is as follows:
 - A. When we obtained Title to each property the Land Use Designation was "MFR" Multi-Family Residential. None of us are a developer or builder by trade, but rather long time local residents that have invested in El Dorado County, and each of us put much thought into the property we selected. Much of our planning for our financial future is based upon the property's value, and it is worth more as Multi-Family than Single-Family. Should the newly adopted General Plan not retain the Multi-Family designation, there will be a negative economic impact upon us.
 - B. After the 1996 General Plan was adopted we submitted a rezone application (Z97-15) from RE-5 to R2, Multi-Family, and public hearings were held but not concluded before the Board of Supervisors. Due to the Writ imposed against the General Plan, that pursuit has been placed on hold and our escrow with developers of multi-family projects was cancelled.
 - C. Two of the 4 Alternative General Plans contain conflicts when specifically addressing the subject property(s). The Summary of Differences document reflects that Shingle Springs is one of the "Community Regions" in all 4 alternatives. But, while the Alternative 2 Roadway Constrained proposal shows the property would maintain its MFR designation, under the "Subdivision" category it states "Allowed such that no more than 4 parcels are created", which is less than the minimum of 5 units per acre density MFR mandates, should the ultimate development need a map. Then within the Alternative 4 Environmentally Constrained proposal it states under the "Land Use Designations" category it states "LDR (is) not allowed in Community Regions." These two conflicts alone, and there are more, may mean that no use or improvements may ever be allowed.
 - D. There is the proposal within the General Plan and EIR documents to make all building permits discretionary, requiring a CEQA application, even for

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a single family home. Recognizing we are adjacent to a Rare Plant Preserve (aka Ponderosa 50 property) and near another Rare Plant Preserve (aka Smith & Gabbert property), it is possible that our property would not receive an approval for any development, though an Impact Mitigation Fee Program has been established for the Preserve upon the approval of certain permits. In other words, there would be a "taking" of our property.


E. The properties are located at the intersection of Palmer Drive and Loma Drive, just east of the Goldorado and Bel Air Shopping Center and Marshall Medical Professional Center (northeast quadrant of Cameron Park Drive and US Highway 50 intersection). New commercial, medical and multi-family development is slated along Palmer Drive, and the county plans (one day) to have Palmer Drive extended to meet Chaparral Drive to serve as a frontage road to US Highway 50. The LDR designation typically found in rural environments is not suitable to the property's location, whereas the Multi-Family designation is perfectly suited. The MFR allows from 5 to 20 or 24 units per acre, and we have been told it is an ideal location for housing to meet the needs of the low to moderately-low income households, whether a rental and/or for sale project. It is also ideal for senior housing due to its proximity to services and medical facilities. The development of our parcels as Multi-Family would extend the existing Palmer Drive roadway, extend infrastructure planned for this area, and provide road fees for the further expansion of Palmer Drive to connect with Chaparral Drive. Otherwise, the roadway expansion will be wholly a county expense.

F. Eliminating the Multi-Family Residential designation on our property, and we suspect other sites have similar circumstances, may place our county in jeopardy of obtaining approval of a General Plan and Housing Element.

We hereby submit this letter to El Dorado County for your consideration. In summary we, the owners of 20 acres of land defined as four separate parcels in the Shingle Springs area, want to retain the Multi-Family Residential Land Use Designation, as it is described in the Alternative # 4, 1996 General Plan. We thank you for your time and are ready to answer any questions you may have.

Sincerely,


Ken and Heidi Brown



Dan and Laurie Oliver, etal



Bill and Joy Pimental



California Native Plant Society

03 JUL 15 AM 10:16

RECEIVED
PLANNING DEPARTMENT

PO Box 377
Coloma, CA 95613

14 July 2003

Heidi Tschudin, General Plan Manager
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

Dear Ms. Tschudin:

The El Dorado Chapter of the California Native Plant Society appreciates the opportunity to comment on the General Plan Alternatives and the Draft Environmental Impact Report (DEIR) for the El Dorado County General Plan. We submit the following for the record.

208-1

I. General Comments

A. Structure of the alternatives

The planning outlines for the four equal weight alternatives are not the same and make comparison somewhat difficult. In general, the planning structure for the Environmentally Constrained (EC) and Road Constrained (RC) alternatives is easier to follow and less complicated than the No Project/1996 alternatives. For each element, the EC and RC alternatives clearly identify goals and related policies. Then in a subsequent section for that element, an implementation program is described.

208-2

The goals allow the reader to understand the overall intent of the land management and the policies set the performance standards that guide implementation. The implementation program makes it clear the steps that will be taken to turn the intent into action, the department responsible for implementation and the timeline for completion. The implementation program establishes a schedule for creating the necessary planning tools (e.g. zoning ordinances) that allows the public and decision makers to follow the county's progress to implementing the plan. Whatever substantive policies are ultimately selected, we strongly recommend that the structure of the planning document be based on the structure used in the EC and RC alternatives. Lastly,

208-3

208-4



Dedicated to the preservation of California native flora



the vision statement in the EC and RC alternatives is most closely aligned with our vision of the county.

208-4

B. Preferred alternative

The best alternative for the county is a blend of the EC alternative with the compact development alternative (#12). Modifications to this blend would include:

1. Scheduling expansion of infrastructure (e.g. road capacity, sewer treatment, development of water supply) to be in step with development. This would include:
 - a) schedule, to be included in the general plan, which identifies the funding source and timeline for completion of the infrastructure needed to meet the plan goals;
 - b) policies that limit development when funding sources and necessary plans for infrastructure are not assured.
2. Limiting the development in the county to that which can be served by Highway 50 at 6 lanes (and still comply with the LOS limits contained in Measure Y) until such time as:
 - a. the regional transportation entity has firmly committed to this road expansion; and
 - b. funding to support the Highway 50 expansion is assured.

208-5

Until it is clear that additional road capacity will be available, the land use policies need to be effective in directing development in ways that meet the LOS levels established in Measure Y.

3. Policies and mitigation measures that should be added to the preferred alternative (i.e a hybrid between alternatives EC and #12) are identified in Appendix A attached to these comments. This appendix is a photocopy of the "Executive Summary Table" in which specific policies and mitigation measures for inclusion have been circled.

In a very few cases and for emphasis only, policies were circled that should be included in the general plan if No Project/1996 was selected as the final plan. The notations in the left margins note this intent. The selection of additional measures to improve the No Project/1996

was not comprehensive in this example and in no way should the very few highlighted additions be interpreted as adequate to “fix” the No Project/1996 alternatives. Selection of the No Project or 1996 alternatives is strongly discouraged.



208-5

II. Comments on Biological Resources in the DEIR

A. The effects on riparian habitats are not adequately disclosed.

The analysis of land use intensity by habitat presented in Table 5.12-4 (DEIR, p. 5-12-36) is fairly effective in disclosing how the effects of each alternative affect the differently plant communities in the county. However, little information is presented on riparian or stream course habitat and how the alternatives may have a differential effect across the landscape on these important and sensitive habitats. An analysis similar to the one completed for vegetation communities could have been completed. For example, a rough estimate of impacts could have been inferred from an analysis of the land use allocation (ranked as high-medium-low) within a buffer distance of 300 feet of the stream. This data could have been summarized by sub-basins with the result allowing one to evaluate the differences between the alternatives as one moved across the county. Such information would allow one to evaluate where development might occur with respect to potentially sensitive stream zones and to assess which alternatives were the least disruptive. In the absence of this information, we can only guess at the effects that the alternatives might have on the stream network.



208-6

B. The consequences of the lengthy time to complete implementation actions on biological resources are not evaluated.

Several elements of the implementation program for the Conservation and Open Space Element have timeframes for implementation that extend 3 to 5 years. Until the measures are implemented, there are no standards in place to guide application of the policies. This difficulty has been noted in other elements as well. The Land Use and Housing section identifies a new policy to manage this absence (DEIR, p. 5.1-66) that relies upon the 1996 general plan policies. In many cases, the existing zoning ordinances or 1996 general plan are inferior policies. Instead



208-7

of relying on old measures, the new general plan should establish interim standards to be in effect until the zoning ordinances and other implementation measures have been adopted.

This is especially the case in situations where the 1996 plan deferred the development of standards to the creation of zoning ordinances that was never completed. In particular, details in the oak woodland policy (Policy 7.4.4.4) and stream course setbacks (Policy 7.4.2.5) are each deferred to the creation of a zoning ordinance. Since no such ordinances were ever created, upon approval of the general plan, there will be little information to guide development when these biological resources are affected. Thus, the consequences of up to 5 years of development without the guidance provided in the zoning ordinances must be disclosed.

The following mitigation measures addresses this omission. In these cases where zoning ordinances from the 1996 plan have not been adopted, the following could be applied:

Setbacks from streams, lakes, ponds and other waterways

Setbacks shall be a minimum of 200 feet from the center line of perennial streams and 100 feet from the center line of intermittent streams, lakes, ponds and other sensitive aquatic habitats (e.g. seeps, wetlands). Uses permitted within the setbacks shall be guided by policies CO-3d and CO-3e. Mitigation measures designed to address impacts to these sensitive areas shall be guided by policy CO-3f in the EC alternative.

Oak woodland conservation

Modify the language of the canopy retention policy to eliminate the ability to replace oak woodland canopy until such time as a zoning ordinance establishes guidance for replacement and mitigation of oak woodland losses. The project's environmental analysis shall address the potential for the project to adversely affect oak woodland resources. The evaluation shall also include measures to avoid, minimize, and mitigate project effects on such resources.



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C. Differences between the boundaries of the Pine Hill ecological preserve compared to the Recovery Plan Area result in effects that are not disclosed.

The No Project/1996 Plan alternatives include a preserve area for the Pine Hill plants that is not the same as the Recovery Plan. Some areas in the No Project/1996 preserve area are not included in the Recovery Plan area and vice versa. This lack of consistency may lead to situations where areas important to recovery of these species are degraded. These differences may also lead to a situation where mitigation measures have been required for a property outside of the Recovery Plan, but within the No Project/1996 Plan preserve boundaries, will not count toward the recovery goals for these species. Thus, mitigation measures provided by a property owner (and at some cost to that owner) may not count toward the protection of these species that is ultimately needed to gain federally permitted water from Folsom Lake. These effects of adopting a preserve boundary that is not equal to the Recovery Plan need to be disclosed in the EIR.

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D. Important Biological Corridor Overlay (IBC)

This is an important planning tool that should be included in any alternative. The current formation of the layer seems to emphasize areas important to habitat connectivity that would lose integrity if subdivided and developed to the maximum allowed by the underlying land use. From a review of the landscape, areas not in the IBC might still be important for connectivity, but their underlying land use (e.g. natural resource, rural residential, open space) is not in conflict with maintaining the habitat integrity. The overlay points to places on the landscape where we should think a bit differently about development in order to protect important resources. Ultimately, maintaining habitat connections across the landscape depends on both the areas in the IBC and the adjacent natural resource and open space land use designations. This point is not made well in the DEIR. Confusion on this point could lead to the public expecting that the only lands important to connectivity lie within the IBC and this is not the case.

208-11

E. It should be disclosed that opportunities for conservation funding from the State of California depend on the county adopting an oak woodland management plan.

In 2002, an amendment to the Wildlife Conservation Law of 1947 called the Oak Woodland Conservation Act became effective. The Act establishes a program in California for investing in the conservation of oak woodlands through conservation easement purchase, annual payments and restoration. To be eligible for this funding, a county must adopt an oak woodland management plan that addresses oak mitigation measures, tree inventory, canopy retention and monitoring. The Act is contained in Appendix B of these comments.

If the County does not adopt an oak management plan that includes measures that satisfies the State's requirements, we can not gain access to these state funds for oak woodland conservation. This lost opportunity should be disclosed in the EIR.

208-12

F. The California Endangered Species Act, as it relates to protection of listed plants, is not properly described.

The DEIR does not provide an adequate or full discussion of the application of California Endangered Species Act (CESA) to listed plants. A description of the application of CESA to listed plants that is posted on the California Department of Fish and Game's website is in Appendix C of these comments.

208-13

Thank you for your consideration of our comments.

Sincerely,


Susan Britting
Conservation Chair

APPENDIX A

Policies and mitigation measures that should be included in the El Dorado County General Plan

INP4

EXECUTIVE SUMMARY TABLE

Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
5.1 LAND USE					
5.1-1: Inconsistency with Applicable Plans and Policies of Other Agencies	NP 96	RC EC	<p>5.1-1: Pursue Land Use Coordination between the County and Adjacent Jurisdictions (RC, EC)</p> <p>New Policy: The County shall explore establishing a Joint Powers Agreement, or similar working relationship with the incorporated cities within the county, and adjacent jurisdictions, to facilitate a coordinated approach to land use decisions that may affect the County and its neighboring cities and counties.</p>	NP RC EC 96	
5.1-2: Substantial Alteration or Degradation of Land Use Character in the County or Subareas	NP (25) RC (25) EC (25)	NP (BO) RC (BO) EC (BO) 96	<p>5.1-2: Create Distinct Community Separators (NP, RC, EC, 96)</p> <p>New Policy. The County shall develop a program that allows the maintenance of distinct separators between developed areas (Community Regions and Rural Centers). This program shall include the following elements:</p>	NP (25) RC (25) EC (25)	NP (BO) RC (BO) EC (BO) 96
5.1-3: Creation of Substantial Land Use Incompatibility		NP RC EC 96	<p>5.1-3(a): Establish a General Plan Conformity Review Process for All Development Projects (NP, RC, EC, 96)</p> <p>New Policy: Development involving any structure greater than 120 square feet in size requiring a grading permit shall be permitted only upon a finding that the development is consistent with this General Plan and the requirements of all applicable County ordinances, policies, and regulations. For projects that do not require approval of the Planning Commission or Board of Supervisors, this finding shall be made by the Planning Director, subject to review by the Planning Commission on appeal.</p> <p>New Implementation Measure: Establish a program for the prompt</p>	NP RC EC 96	

NP = No Project Alternative
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Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
			<p>independent review by the County of development applications for General Plan consistency and compliance with applicable County ordinances, policies, and regulations. The review shall include, but not be limited to: (1) the effects of the proposed project on biological resources, cultural resources, geology and soils, agriculture, visual, noise, and air quality; (2) the project's compliance with the concurrency requirements of the General Plan pertaining to traffic infrastructure and the availability of water and other services; (3) risks of exposure to hazardous materials and conditions as a result of site development; and (4) a determination as to whether the project is exempt from review under the California Environmental Quality Act. In lieu of requiring detailed resource assessments as part of initial applications, the County shall establish a program of preliminary site inspections by qualified professionals employed or retained by the County to determine the need (if any) for specific resource evaluations required to complete this review.</p> <p style="text-align: center;">- OR -</p> <p>Alternative New Policy: Development involving any structure greater than 120 square feet in size or requiring a grading permit shall be permitted only upon a finding that the development is consistent with this General Plan and the requirements of all applicable County ordinances, policies, and regulations. For projects that do not require the approval of the Planning Commission or Board of Supervisors this requirement shall be satisfied by information supplied by the applicant demonstrating compliance.</p>		

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Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
			<p>Alternative New Implementation Measure: Establish performance standards to be included in the Zoning Ordinance to allow applicants for ministerial projects to demonstrate compliance with General Plan policies and with other applicable County ordinances, policies, and regulations. Until such time as these standards are developed, the Planning Director shall review information submitted by the applicant to ascertain compliance. The review shall include, but not be limited to: (1) the effects of the proposed project on biological resources, cultural resources, geology and soils, agriculture, visual, noise, and air quality; (2) the project's compliance with the concurrency requirements of the General Plan pertaining to traffic infrastructure and the availability of water and other services; (3) risks of exposure to hazardous materials and conditions as a result of site development; and (4) a determination as to whether the project is exempt from review under the California Environmental Quality Act. In lieu of requiring detailed resource assessments as part of initial applications, the Planning Director may establish a program for preliminary site inspections by qualified professionals employed or retained by the County to determine the need (if any) for specific resource evaluations required to complete this review.</p> <p>5.1-3(b): Require Development Projects to Be Located and Designed in a Manner That Avoids Adjacent Incompatible Land Uses (NP, RC, EC, 96)</p> <p>New Policy: Development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development</p>		

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EXECUTIVE SUMMARY TABLE

Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
			<p>project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.</p> <p>New Implementation Measure: Revise the Zoning Ordinance to ensure that all uses permitted by right in any zoning district are compatible. Allow potentially incompatible uses subject to a discretionary review process with performance standards designed to ensure appropriate separation of incompatible uses. Include in the Zoning Ordinance a requirement that any project located adjacent to an existing sensitive land use shall be required to avoid impacts on the existing use.</p> <p>5.1-3(c): Establish an Interim Conformity Review Process to Be Applied Until Such Time as All General Plan Implementation Programs Are in Place (RC, EC)</p> <p>New Policy: In evaluating the consistency of any proposed development project with the policies of this General Plan, the reviewing authority shall consider the specific standards established herein. Where such standards are to be developed pursuant to an implementation program established by the General Plan, the reviewing authority shall, until such time as those standards have been established, apply the standards established by Zoning Ordinance or, in the absence of Zoning Ordinance standards, the standards in the 1996 General Plan.</p>		

Note: must also include interim standards where none are provided in 1996 plan or those that are different in intent from the related policy in the selected general plan

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EXECUTIVE SUMMARY TABLE					
Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
			<p>New Policy: Prior to granting any discretionary or ministerial land use approval in an area served by a public water purveyor or an approved private water system, the applicant must demonstrate and County must confirm, that the surface water supply from existing water supply facilities is adequate and physically available to meet the highest demand that could be permitted by the approval on the lands in question. "Adequate and physically available" means existing supply sources, for which the applicable water supplier has a present legal entitlement, with sufficient capacity to serve new development at the time the approval takes place, and where there are no impediments to the utilization of those existing supply sources. A water supply is "sufficient" if the total water supplies available during normal, single dry, and multiple dry years within a 20-year projection will meet the highest projected demand associated with the proposed project, in addition to existing and planned future uses within the area served by the water supplier, including, but not limited to, agricultural and industrial uses. An applicant must obtain a will-serve letter from the applicable water supplier demonstrating that the supplier has an adequate and physically available water supply and can and will serve the proposed project from that supply.</p> <p>5.5-1(c): Support Development of Water Conservation and Recycling Projects that Can Help Reduce Water Demand and Projected Shortages</p> <p>New Policy: The County shall support water conservation and recycling programs and projects that can reduce future water demand consistent with the policies of this General Plan. The</p>		

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Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
			<p>County will develop and implement a water use efficiency program for existing and new residential, commercial/industrial, and agricultural uses. The County will also work with each of the county's water purveyors to develop a list of the types of uses that must utilize reclaimed water if feasible. The feasibility of using reclaimed water will be defined with specific criteria developed with public input and with the assistance of EID, and will be coordinated with their ongoing reclaimed water (also referred to as recycled water) planning and implementation process. The County shall encourage all water purveyors to implement the water conservation-related Best Management Practices already implemented by EID and in compliance with the related criteria established by USBR. (NP, RC, 96)</p> <p>New Policy: The County shall support water conservation programs and projects that can reduce future water demand consistent with the policies of this General Plan. The County will develop and implement a water use efficiency program for existing and new residential, commercial/industrial, and agricultural uses. The County shall encourage all water purveyors to implement the water conservation Best Management Practices already being implemented by EID and in compliance with the related criteria established by USBR. (EC)</p>		
5.5-2: Potential Environmental Impacts Associated with the Development of New Surface Water Supplies and Related Infrastructure.		NP RC EC 96	5.5-2: Encourage Mitigation of the Environmental Impacts of Future Water Supply and Infrastructure Projects (NP, RC, EC, 96)		NP RC EC 96

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EXECUTIVE SUMMARY TABLE					
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	LS	S		LS	SU
			<p>New Implementation Measure: The County will encourage water purveyors to design water supply and infrastructure projects in a manner that avoids or reduces significant environmental effects to the maximum extent feasible in light of the water supply objectives of a given project.</p>		
5.5-3: Increase in Groundwater Demand and Related Impacts.		NP RC EC 96	<p>5.5-3: Increase the Likelihood that Groundwater Supplies are Conserved and Physically Available to Meet the Needs of Future Development (NP, RC, EC, 96)</p> <p>Revised Policy 5.2.3.4: Applications All applications for divisions of land and other discretionary or ministerial land uses which rely on groundwater for domestic use, or any other type of use, shall demonstrate that groundwater is adequate as part of the review and approval process. The County shall not approve any discretionary or ministerial projects unless the County finds, based on evidence provided by the applicant, or other evidence that may be provided, that the groundwater demand of the project in question is adequate to meet the highest demand of the proposed development. (NP, 96)</p> <p>New Policy: The County shall direct new development to areas where public water service already exists. In Community Regions, all new development shall connect to a public water system. In Rural Centers, all new development shall connect either to a public water system or to an approved private water system. (NP, 96)</p> <p>Revised Policy PS-2d: The County shall not approve any discretionary or ministerial projects that will be served by groundwater unless the County finds, based on evidence provided by</p>		NP RC EC 96

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	LS	S		LS	SU
			the applicant, and or other evidence that may be provided, that the water supply is adequate to meet the highest demand of the proposed development that could be permitted on the land in question; and B. Drafting of groundwater will not adversely affect the operation of wells on lands in the vicinity of the proposed project (RC, EC)		
5.5-4: Increase in Wastewater Flows and Related Infrastructure Impacts.		NP RC EC 96	5.5-4: Encourage Mitigation of the Environmental Impacts Related to Future Expansion of Wastewater Treatment Capacity (NP, RC, EC, 96) New Policy: The County shall encourage EID to design and implement future wastewater treatment capacity expansions in a manner that avoids or minimizes associated environmental impacts to the extent feasible.		NP RC Ec 96
5.5-5: Increase in Water Pollutants from Construction-Related Activities.	NP RC EC 96		No mitigation measures are necessary.	NP RC EC 96	
5.5-6: Increase in Water Pollutants from New Impervious Surfaces and New Urban and Agricultural Uses	NP RC EC 96		No mitigation measures are necessary.	NP RC EC 96	
5.5-7: Increase in Surface Water Pollutants from Additional Wastewater Treatment Plant		NP RC EC	5.5-7: Encourage Use of Recycled Water in New Development Served by Public Wastewater Systems (NP, RC, EC, 96)		NP RC EC

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	LS	S		LS	SU
Discharges		96	<p>New Policy: The County shall work with EID to support the continued and expanded use of recycled water, including wet-season use and storage, in new subdivisions served by the Deer Creek and El Dorado Hills Wastewater Treatment Plants. To avoid construction impacts of installing recycled water facilities, the County shall encourage the construction of distribution lines at the same time as other utilities are installed. Facilities to consider are recycled water lines for all front yards, parks, schools, and other irrigation needs, and if feasible, wet-irrigation-season storage facilities.</p>		96
5.5-8: Increase in Groundwater Pollutants from Onsite Wastewater Treatment Systems (OWTS) (Septic Systems)		NP RC EC 96	<p>5.5-8: Monitor Performance of Septic Systems Annually (NP, RC, EC, 96)</p> <p>New Policy: EMD shall conduct an annual monitoring program of all septic systems installed since implementation of Ordinance 4542, Chapter 15.32. The program shall include visual inspection of the port/riser facility on each leach field. If the inspection program detects operational problems, an order shall be issued to the system owner to fix the problem within a reasonable time to protect ground and surface water resources, as determined by the Director of EMD.</p>	NP RC EC 96	
5.5-9: Increase in Surface Water Pollutants from Additional Recreational Activities	NP RC EC 96		No mitigation measures are necessary.	NP RC EC 96	

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	LS	S		LS	SU
5.6 UTILITIES					
5.6-1: Localized Flooding Hazards Caused by Increased Runoff from New Development	NP RC EC 96		No mitigation measures are necessary	NP RC EC 96	
5.6-2: Potential for Inadequate Landfill Capacity	NP RC EC 96		No mitigation measures are necessary.	NP RC EC 96	
5.6-3: Potential Noncompliance with State-Mandated Diversion Rate		NP RC EC 96	5.6-3: Adopt a Construction and Demolition Debris Diversion Ordinance (NP, RC, EC, 96) New Policy: The County shall adopt a Construction and Demolition Debris Diversion Ordinance requiring that a minimum of 50% of the debris from construction and demolition projects be reused or recycled.		NP RC EC 96
5.6-4: Potential for Insufficient Facilities/Mechanisms to Dispose of Hazardous Waste	NP RC EC, 96		No mitigation measures are necessary.	NP RC EC 96	
5.6-5: Potential for Land Use Incompatibility and Other Impacts of New and Expanded Solid Waste and Hazardous-Waste Facilities.		NP RC EC 96	5.6-5(a): Implement Mitigation Measure 5.1-3(b) (NP, RC, EC, 96) 5.6-5(b): Implement Mitigation Measure 5.1-3(d) (NP, RC, EC, 96)		NP RC EC 96

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			<p>New Policy: The County shall establish a countywide development fee program applicable to all new development to fund park and recreation improvements such that minimum neighborhood, community, and regional park standards are achieved. This fee is in addition to Quimby Act requirements that address parkland acquisition only. The fee will be adjusted periodically to fully fund the improvements identified in the Parks and Capitol Improvement Program concurrent with development over a five year period. (EC, RC)</p> <p>New Policy: The County shall establish a development fee program to fund the acquisition of parkland for projects that are not subject to Quimby Act requirements. (EC, RC)</p>		
5.7-6: Potential Land Use Incompatibility Associated with Development of Park and Recreation Facilities		NP RC EC 96	5.7-6(a): Implement Mitigation Measure 5.1-3(b) (NP, RC, EC, 96) 5.7-6(b): Implement Mitigation Measure 5.1-3(d) (NP, RC, EC, 96)	NP RC EC 96	
5.8 HUMAN HEALTH AND SAFETY					
5.8-1: Increased Risk of Exposure Resulting from Routine Use of Hazardous Materials	NP RC EC 96		No mitigation measures are necessary.	NP RC EC 96	
5.8-2: Increased Incidents of Illegal Dumping of Household Hazardous Wastes		NP RC EC 96	No mitigation measures are available.		NP RC EC 96

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Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
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			<p><u>failure inundation areas as delineated in dam failure emergency response plans maintained by the County shall be prohibited. (NP, 96)</u></p> <p>Revised Policy 6.4.1.5: New parcels which are partially within the 100-year floodplain or dam failure inundation areas as delineated in dam failure emergency response plans maintained by the County must have sufficient land available outside the FEMA or County designated 100-year floodplain or dam inundation areas for construction of dwelling units, accessory structures, and septic systems. Discretionary applications shall be required to determine the location of the designated 100-year floodplain and identified dam failure inundation areas on the subject property. (NP, 96)</p> <p>The County shall revise Policies HS-5c, HS-5d, and HS-5e as follows:</p> <p>Revised Policy HS-5c: The creation of new parcels that lie entirely within the 100-year floodplain <u>or dam failure inundation areas as delineated in dam failure emergency response plans maintained by the County shall be prohibited. (RC, EC)</u></p> <p>Revised Policy HS-5d: New parcels that are partially within the 100-year floodplain <u>or dam failure inundation areas</u> must have sufficient land available outside the 100-year floodplain <u>or dam failure inundation areas</u> for construction of dwelling units, accessory structures, and septic systems. (RC, EC)</p> <p>Revised Policy HS-5e: Applications for discretionary development</p>		

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	LS	S		LS	SU
			proposed in an area within or adjacent to a designated 100-year floodplain or dam failure inundation area shall include a map showing the location of the floodplain and the dam failure inundation area relative to the proposed development. (RC, EC)		
5.8-7: Exposure to Electromagnetic Fields Generated by New Electric Energy Facilities at School Locations		NP RC EC 96	Mitigation Measure 5.8-7: Encourage Coordination between Utilities and School Districts (NP, RC, EC, 96) New Policy. The County shall encourage coordination between utilities constructing powerlines and school districts to avoid placement of powerlines in close proximity to schools.		NP RC EC 96
5.8-8: Exposure to Electromagnetic Fields Generated by Wireless Phone Facilities	NP RC EC 96		No mitigation measures are necessary.	NP RC EC 96	
5.8-9: Public Exposure to Asbestos		NP RC EC 96	5.8-9(a): Implement Mitigation Measure 5.1-3(a) (NP, RC, EC, 96) 5.8-9(b): Strengthen Naturally Occurring Asbestos and Dust Protection Standards (NP, RC, EC, 96) New Policy: The County shall require that all projects requiring a building or grading permit that are located in areas likely to contain naturally occurring asbestos (based on mapping developed by the DOC) have a California-registered geologist knowledgeable about asbestos-containing formations inspect the project area for the presence of asbestos using appropriate test methods. New Implementation Measure: Amend prescriptive standard for	NP RC EC 96	

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			<p><u>Replacement or repair of existing structures would occur in substantially the same footprint.</u></p> <p>Access corridors on slopes 25% and greater shall have a site specific review of soil type, vegetation, drainage contour, and site placement to encourage proper site selection and mitigation. Septic systems may only be located on slopes under 25%. Roads needed to complete circulation access and for emergency access may be constructed on such cross slopes if all other standards are met.</p> <p><i>(NP, 96)</i></p> <p>Revised Policy CO-1d. To minimize the potential for erosion and sediment discharge, disturbance of slopes 30-25 percent or greater shall be prohibited unless it is demonstrated by a California-registered civil engineer or an engineering geologist that hazards to public safety can be reduced to acceptable levels. <i>(96)</i></p> <p>Revised Policy CO-1d. To minimize the potential for erosion and sediment discharge, disturbance of slopes 30-25 percent or greater outside of Important Biological Corridor overlay areas shall be prohibited unless it is demonstrated by a California-registered civil engineer or an engineering geologist that hazards can be reduced to acceptable levels. <i>(EC)</i></p> <p>5.9-4(c): Apply Erosion Control Measures to Agricultural Grading <i>(NP, RC, EC, 96)</i></p> <p>New Policy: The County shall require agricultural grading activities</p>		

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			<p>that turn over one acre or more of soil to obtain a grading permit. All erosion control measures included in the grading permit would be implemented.</p> <p>New Implementation Measure: The County shall amend the Grading Ordinance to incorporate the provisions of this mitigation measure.</p>		
5.9-5: Reduction in the Accessibility of Mineral Resources		NP RC EC 96	<p>5.9-6(a): Restrict Land Use Designations in Areas that May Contain Important Mineral Resources (NP, RC, EC, 96)</p> <p>Revised Policy 2.2.2.7: The purpose of the Mineral Resource (-MR) overlay designation is to identify those areas that are designated as Mineral Resource Zone 2 (MRZ 2xx) on the State Classification Reports. Only the following land use designations shall be appropriate in areas designated MRZ-2xx in the State Classification Reports. The -MR overlay shall only be considered appropriate with the following base land use designations:</p> <ul style="list-style-type: none"> Natural Resource (NR) Open Space (OS) Industrial (I) Commercial (C) Public Facilities (PF) Rural Residential (RR) Low Density Residential (LDR) <p>If appropriate, said properties shall also be similarly zoned with Mineral Resource (-MR) combining zone district in conformance with</p>	NP RC EC 96	

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			<p>New Policy: The County shall investigate the replacement of its fleet vehicles with more fuel-efficient or alternative fuel vehicles (e.g., liquid natural gas, fuel cell vehicles).</p> <p>5.11-2(d): Prohibit Wood-Burning Open-Masonry Fireplaces in New Development (<i>NP, RC, EC, 96</i>) (Mitigation Measure 5.11-2(b) for RC, EC.)</p> <p>New Policy: The County shall prohibit wood-burning open masonry fireplaces in all new development. Fireplaces with EPA-approved inserts, EPA-approved stoves, and fireplaces burning natural gas are allowed.</p> <p>5.11-2(e): Develop Incentive Program to Encourage Use of Newer Cleaner-Burning EPA-Certified Wood Stoves (<i>NP, RC, EC, 96</i>)</p> <p>New Policy: The County shall develop an incentive program to encourage homeowners to replace high-pollution emitting non-EPA-certified wood stoves that were installed before the effective date of the applicable EPA regulation with newer cleaner-burning EPA-certified wood stoves.</p> <p>5.11-2(f): Synchronize Signalized Intersections (<i>RC, EC</i>)</p> <p>New Policy: Signalized intersections shall be synchronized where possible as a means to reduce congestion, conserve energy, and improve air quality.</p>		

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			<p>5.11-2(g): Include Pedestrian/Bike Paths Connecting to Adjacent Development (RC, EC)</p> <p>New Policy: Within Community Regions and Rural Centers, all development shall include pedestrian/bike paths connecting to adjacent development and to common facilities. In Rural Regions, pedestrian/bike paths shall be considered as appropriate.</p>		
5.11-3: Toxic Air Emissions		NP RC EC 96	<p>5.11-3(a): Implement Mitigation Measure 5.1-3(a) (NP, RC, EC, 96)</p> <p>5.11-3(b): Implement Mitigation Measure 5.1-3(b) (NP, RC, EC, 96)</p> <p>5.11-3(c): Implement Mitigation Measure 5.11-1 (NP, RC, EC, 96)</p> <p>5.11-3(d): Adopt New Policy for Facilities Housing Sensitive Receptors (NP, RC, 96)</p> <p>New Policy: New facilities in which sensitive receptors are located (e.g. residential subdivisions, schools, childcare centers, playgrounds, retirement homes, and hospitals) shall be sited away from significant sources of air pollution.</p>		NP RC EC 96
5.11-4: Local Mobile-Source Emissions of Carbon Monoxide (CO)		NP RC EC 96	5.11-4: Implement Mitigation Measure 5.11-2(c) for the Roadway Constrained 6-Lane "Plus" Alternative (NP, RC, EC, 96)		NP RC EC 96
5.11-5: Odorous Emissions		NP RC EC 96	5.11-5: Implement Mitigation Measure 5.1-3(b) (NP, RC, EC, 96)		NP RC EC 96

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5.12 BIOLOGICAL RESOURCES					
5.12-1: Loss and Fragmentation of Wildlife Habitat		NP RC EC 96	5.12-1(a): Implement Mitigation Measure 5.9-4(b) (NP, RC, 96) 5.12-1(b): Minimize Erosion and Maximize Retention of Natural Vegetation (NP, 96) The County shall modify Policy 7.1.2.2 as follows to minimize soil erosion and maximize retention of natural vegetation. Revised Policy 7.1.2.2: Discretionary and ministerial projects that require earthwork and grading, including cut and fill for roads, shall be required to minimize erosion and sedimentation, conform to natural contours, maintain natural drainage patterns, minimize impervious surfaces, and maximize the retention of natural vegetation. Specific standards for minimizing erosion and sedimentation shall be incorporated into the Zoning Ordinance. (NP, 96)		NP RC EC 96
	Adopt if EC or RC not selected		5.12-1(c): Implement Mitigation Measure 5.9-6(a) of the No Project Alternative (NP, 96) 5.12-1(d): Develop and Implement an Integrated Natural Resources Management Plan (NP, 96) Replace Policy 7.4.2.8 with the following : New Policy 7.4.2.8: Develop and implement an Integrated Natural Resources Management Plan (INRMP) that identifies important habitat in the County and establishes a program for effective habitat		
	Adopt if EC or RC not selected				

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			<p>preservation and management. The INRMP shall include the following components:</p> <p>A. Habitat Inventory. This part of the INRMP shall inventory and map the following important habitats in El Dorado County:</p> <ol style="list-style-type: none"> 1. Habitats that support special-status species; 2. Aquatic environments including stream, river, and lake; 3. Wetland and riparian habitat; 4. Important habitat for migratory deer herds; and 5. Large expanses of native vegetation. <p>The County should update the inventory every three years to identify the amount of important habitat protected, by habitat type, through County programs and the amount of important habitat removed because of new development during that period. The inventory and mapping effort shall be developed with the assistance of the Plant and Wildlife Technical Advisory Committee, CDFG, and USFWS. The inventory shall be maintained and updated by the County Planning Department and shall be publicly accessible.</p> <p>B. Habitat Protection Strategy. This component shall describe a strategy for protecting important habitats based on coordinated land acquisitions (see item D below) and management of acquired land. The goal of the strategy shall be to conserve and restore contiguous blocks of important habitat to offset the effects of increased habitat loss and fragmentation elsewhere in the county. The Habitat Protection Strategy should be updated at least once every five years based on the results of the habitat monitoring program (item F below).</p>		

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25 = 2025
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EXECUTIVE SUMMARY TABLE

Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
			<p>C. Mitigation Assistance. This part of the INRMP shall establish a program to facilitate mitigation of impacts to biological resources due to projects approved by the County that are unable to avoid impacts to important habitats. The program may include development of mitigation banks, maintaining lists of potential mitigation options, and incentives for developers and landowner participation in the habitat acquisition and management components of the INRMP.</p> <p>D. Habitat Acquisition. Based on the Habitat Protection Strategy and in coordination with the Mitigation Assistance program, the INRMP shall include a program for identifying habitat acquisition opportunities involving willing sellers. Acquisition may be by state or federal land management agencies, private land trusts or mitigation banks, the County, or other public or private organizations. Lands may be acquired in fee or protected through acquisition of a conservation easement designed to protect the core habitat values of the land while allowing other uses by the fee owner. The program should identify opportunities for partnerships between the County and other organizations for habitat acquisition and management. In evaluating proposed acquisitions, consideration will be given to site-specific features (e.g., condition and threats to habitat, presence of special-status species), transaction-related features (e.g., level of protection gained, time frame for purchase completion, relative costs), and regional considerations (e.g., connectivity with adjacent protected lands and important habitat, achieves multiple agency and community benefits). Parcels that include important habitat and are located generally to the west of</p>		

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			<p>the Eldorado National Forest should be given priority for acquisition. All land acquired shall be added to the Ecological Preserve overlay area.</p> <p>E. Habitat Management. Each property or easement acquired through the INRMP should be evaluated to determine if the biological resources would benefit from restoration or management actions. Examples of the many types of restoration or management actions that could be undertaken to improve current habitat conditions include: removal of non-native plant species, planting native species, repair and rehabilitation of severely grazed riparian and upland habitats, removal of culverts and other structures that impede movement by native fishes, construction of roadway under and overcrossing that would facilitate movement by terrestrial wildlife, and installation of erosion control measures on land adjacent to sensitive wetland and riparian habitat.</p> <p>F. Monitoring. The INRMP shall include a habitat monitoring program that covers all areas under the Ecological Preserve overlay together with all lands acquired as part of the INRMP. Monitoring results shall be incorporated into future County planning efforts so as to more effectively conserve and restore important habitats. The results of all special-status species monitoring shall be reported to the CNDDDB. Monitoring results shall be compiled into an annual report to be presented to the Board of Supervisors.</p>		

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			<p>G. Public Participation. The INRMP shall be developed with and include provisions for public participation and informal consultation with local, state, and federal agencies having jurisdiction over natural resources within the county.</p> <p>H. Funding. The County will develop a conservation fund to ensure the INRMP is adequately funded, including habitat maintenance and restoration. Funding may be provided from grants, mitigation fees, and the County general fund. The INRMP annual report described under item F above shall include information on current funding levels and shall project anticipated funding needs and anticipated and potential funding sources for the following 5 years.</p> <p>5.12-1(e): Adopt a No-Net-Loss Policy and Mitigation Program for Important Habitat (NP, 96)</p> <p>Replace Policy 7.4.1.6 with the following:</p> <p>New Policy 7.4.1.6: All development projects involving discretionary review shall be designed to avoid disturbance or fragmentation of important habitats to the extent reasonably feasible. Where avoidance is not possible, the development shall be required to fully mitigate the effects of important habitat loss and fragmentation. Mitigation shall include providing sufficient funding to the County's conservation fund to acquire and protect important habitat at a minimum 2:1 ratio. The costs associated with acquisition, restoration, and management of the habitat protected shall be included in the mitigation fee. For larger development projects (i.e.,</p>		

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			<p>those that exceed a total of 10 acres), in addition contributing to the conservation fund at a minimum 2:1 ratio, onsite preservation and/or restoration of important habitat shall be required at a 1:1 ratio. Impacts to important habitat and mitigation requirements shall be addressed in a Biological Resources Study and an Important Habitat Mitigation Program (described below).</p> <p>A. Biological Resources Study. The County shall adopt biological resource assessment standards that apply to all discretionary projects that would result in disturbance of soil and native vegetation in areas that include important habitat as defined in the INRMP. The assessment of the project site must be in the form of an independent Biological Resources Study, and must be completed by a qualified biologist. The evaluation shall quantify the amount of important habitat, by habitat type, as defined in General Plan and delineating on maps included in the INRMP. The Biological Resources Study shall also address the potential for the project to adversely affect important habitat through conversion or fragmentation. This requirement shall not apply to projects that are on lands that either (1) have already been the subject of a study and for which all mitigation requirements are being implemented or (2) have been evaluated by the County and found to not possess any important habitat resources.</p> <p>B. Important Habitat Mitigation Program. The Biological Resource Study shall include an Important Habitat Mitigation Program that identifies options that would avoid, minimize, or compensate for impacts on important habitats in compliance with the standards of the INRMP and the General Plan. All</p>		

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			<p>mitigation programs shall include a monitoring and reporting component requiring reports to the County not less than once each year for a period of not less than 10 years. The report will include a description of the lands included in the mitigation program (including location and size), a summary of the evaluation criteria established at the time the mitigation program was approved, an evaluation of the mitigation program based on those criteria, and recommendations for action during the following year. The County shall adopt standards for evaluating mitigation programs proposed as part of the Biological Resources Study described above. The standards shall ensure that the mitigation reduces direct and cumulative impacts of proposed development on important habitats to less than significant levels in accordance with CEQA thresholds. (NP</p> <p>5.12-1(f): Require Mitigation for Loss of Woodland Habitat (NP, 96)</p> <p>Replace Policy 7.4.4.4 with the following:</p> <p>New Policy 7.4.4.4: For discretionary projects that would result in soil disturbance on parcels that have at least 10% total canopy cover by woodlands habitats as defined in this General Plan and determined from base line aerial photography or by site survey performed by a qualified biologist or licensed arborist, the County shall require one of two mitigation options: (1) the project applicant shall adhere to the tree canopy retention and replacement standards described below; or (2) the project applicant shall contribute to the</p>		

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			<p>County's INRMP conservation fund described in Mitigation Measure 5.12-1(d).</p> <p><u>Option A</u> The County shall apply the following tree canopy retention standards:</p> <table border="0"> <tr> <td>Percent Existing Canopy Cover</td> <td>Canopy Cover to be Retained</td> </tr> <tr> <td>80-100</td> <td>60% of existing canopy</td> </tr> <tr> <td>60-79</td> <td>70% of existing canopy</td> </tr> <tr> <td>40-59</td> <td>80% of existing canopy</td> </tr> <tr> <td>20-39</td> <td>85% of existing canopy</td> </tr> <tr> <td>10-19</td> <td>90% of existing canopy</td> </tr> </table> <p>Under Option A, the project applicant shall also replace woodland habitat removed at 1:1 ratio. Impacts to woodland habitat and mitigation requirements shall be addressed in a Biological Resources Study and Important Habitat Mitigation Plan as described in Mitigation Measure 5.12-1(d). Woodland replacement shall be based on a formula, developed by the County, that accounts for the number of trees and acreage affected.</p> <p><u>Option B</u> The project applicant shall provide sufficient funding to the County's INRMP's conservation fund, described in Mitigation Measures 5.12-1(d), to fully compensate for the impact to woodland habitat. To compensate for fragmentation and as well as habitat loss, the replacement mitigation ratio shall be 2:1 and based on the total woodland acreage onsite (not just the area affected). The costs associated with acquisition, restoration, and management of the</p>	Percent Existing Canopy Cover	Canopy Cover to be Retained	80-100	60% of existing canopy	60-79	70% of existing canopy	40-59	80% of existing canopy	20-39	85% of existing canopy	10-19	90% of existing canopy		
Percent Existing Canopy Cover	Canopy Cover to be Retained																
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			<p>habitat protected shall be included in the mitigation fee. Impacts to woodland habitat and mitigation requirements shall be addressed in a Biological Resources Study and Important Habitat Mitigation Plan as described in Mitigation Measure 5.12-1(d).</p> <p>5.12-1(g): Develop and Implement an Oak Tree Preservation Ordinance (NP, 96)</p> <p>Replace Policy 7.4.5.2 with the following:</p> <p>New Policy 7.4.5.2: It shall be the policy of the County to preserve native oaks wherever feasible, through the review of all proposed development activities where such trees are present on either public or private property while at the same time recognizing individual rights to develop private property in a reasonable manner. To ensure that oak tree loss is reduced to reasonable acceptable levels the County shall develop and implement an Oak Tree Preservation Ordinance that includes the following components:</p> <p>A. Oak Tree Removal Permit Process. Except under special exemptions, a tree removal permit shall be required by the County for removal of any native oak tree with a single main trunk of at least 6" diameter at breast height (dbh), or a multiple trunk with an aggregate of at least 10" dbh. Special exemptions when a tree removal permit is not needed shall include tree removal on all single family residential lots that cannot be further subdivided and when written approval has been received from the County Planning Department. In passing judgement upon tree removal permit applications, the County may impose such reasonable conditions of approval as are necessary to protect the</p>		

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APPENDIX B

Oak Woodland Conservation Act

BILL NUMBER: AB 242 CHAPTERED
BILL TEXT

CHAPTER 588
FILED WITH SECRETARY OF STATE OCTOBER 9, 2001
APPROVED BY GOVERNOR OCTOBER 7, 2001
PASSED THE SENATE SEPTEMBER 14, 2001
PASSED THE ASSEMBLY SEPTEMBER 14, 2001
AMENDED IN SENATE SEPTEMBER 13, 2001
AMENDED IN SENATE SEPTEMBER 10, 2001
AMENDED IN SENATE AUGUST 30, 2001
AMENDED IN SENATE JULY 12, 2001
AMENDED IN SENATE JUNE 25, 2001
AMENDED IN ASSEMBLY APRIL 16, 2001

INTRODUCED BY Assembly Member Thomson
 (Coauthors: Assembly Members Alquist, Jackson, and Wayne)
 (Coauthor: Senator Oller)

FEBRUARY 14, 2001

An act to add Article 3.5 (commencing with Section 1360) to Chapter 4 of Division 2 of and to add and repeal Section 1363.5 of, the Fish and Game Code, relating to oak woodlands conservation.

LEGISLATIVE COUNSEL'S DIGEST

AB 242, Thomson. Wildlife conservation: oak woodlands.

The existing Wildlife Conservation Law of 1947 establishes the Wildlife Conservation Board, and requires the board, among other things, to determine the areas in the state that are most essential and suitable for wildlife production and preservation, as prescribed.

This bill would enact the Oak Woodlands Conservation Act to provide funding for the conservation and protection of California's oak woodlands. The bill would create the Oak Woodlands Conservation Fund in the State Treasury, and would authorize the expenditure of moneys in the fund, upon appropriation by the Legislature, for purposes of the act. The bill would require the board to administer the fund, as prescribed, and would provide that moneys in the fund shall be available to local government entities, park and open-space districts, resource conservation districts, private landowners, and nonprofit organizations for implementation and administration of the act, as provided.

The bill would require each city or county planning department that receives a grant for the purposes of the act to report to the city council or board of supervisors of the county, as appropriate, on the uses of those funds within one year from the date the grant is received.

The existing Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley Act) provides that not less than \$5,000,000 of the proceeds of bonds issued under that act be allocated, upon appropriation by the Legislature, for the preservation of oak woodlands.

This bill would provide for the transfer of not less than

\$5,000,000 and not more than \$8,000,000, as determined by the Wildlife Conservation Board, to the Oak Woodlands Conservation Fund to be used for the purposes of the bill.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) The conservation of oak woodlands enhances the natural scenic beauty for residents and visitors, increases real property values, promotes ecological balance, provides habitat for over 300 wildlife species, moderates temperature extremes, reduces soil erosion, sustains water quality, and aids with nutrient cycling, all of which affect and improve the health, safety, and general welfare of the residents of the state.

(b) Widespread changes in land use patterns across the landscape are fragmenting the oak woodlands wildland character over extensive areas.

(c) The future viability of California's oak woodlands resources are dependent, to a large extent, on the maintenance of large scale land holdings or on smaller multiple holdings that are not divided into fragmented, nonfunctioning biological units.

(d) The growing population and expanding economy of the state have had a profound impact on the ability of the public and private sectors to conserve the biological values of oak woodlands. Many of the privately owned oak woodlands stands are in areas of rapid urban and suburban expansion.

(e) A program to encourage and make possible the long-term conservation of oak woodlands is a necessary part of the state's wildlands protection policies and programs, and it is appropriate to expend money for that purpose. An incentive program of this nature will only be effective when used in concert with local planning and zoning strategies to conserve oak woodlands.

(f) Funding is necessary to sufficiently address the needs of conserving oak woodlands resources for future generations of Californians.

(g) California voters recognized the importance of funding that is needed to sufficiently protect the state's oak woodlands by passing Proposition 12, the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley Act), which included not less than five million dollars (\$5,000,000) for oak woodlands conservation.

SEC. 2. Article 3.5 (commencing with Section 1360) is added to Chapter 4 of Division 2 of the Fish and Game Code, to read:

Article 3.5. Oak Woodlands Conservation Act

1360. This article shall be known, and may be cited, as the Oak Woodlands Conservation Act.

1361. For purposes of this article, the following terms have the following meanings:

(a) "Board" means the Wildlife Conservation Board established pursuant to Section 1320.

(b) "Conservation easement" means a conservation easement, as defined in Section 815.1 of the Civil Code.

(c) "Fund" means the Oak Woodlands Conservation Fund.

(d) "Land improvement" means restoration or enhancement of biologically functional oak woodlands habitat.

(e) "Local government entity" means any city, county, city and county, district, or other local government entity, if the entity is otherwise authorized to acquire and hold title to real property.

(f) "Nonprofit organization" means a tax-exempt nonprofit organization that meets the requirements of subdivision (a) of Section 815.3 of the Civil Code.

(g) "Oak" means any species in the genus *Quercus*.

(h) "Oak woodlands" means an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover.

(i) "Oak woodlands management plan" means a plan that provides protection for oak woodlands over time and compensates private landowners for conserving oak woodlands.

(j) "Special oak woodlands habitat elements" means multi- and single-layered canopy, riparian zones, cavity trees, snags, and downed woody debris.

1362. It is the intent of the Legislature that this article accomplish all of the following:

(a) Support and encourage voluntary, long-term private stewardship and conservation of California's oak woodlands by offering landowners financial incentives to protect and promote biologically functional oak woodlands over time.

(b) Provide incentives to protect and encourage farming and ranching operations that are operated in a manner that protects and promotes healthy oak woodlands.

(c) Provide incentives for the protection of oak trees providing superior wildlife values on private lands.

(d) Encourage local land use planning that is consistent with the preservation of oak woodlands, particularly special oak woodlands habitat elements.

(e) Provide guidelines for spending the funds allocated for oak woodlands pursuant to the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley Act (Chapter 1.692 (commencing with Section 5096.300) of Division 5 of the Public Resources Code)).

(f) Establish a fund for oak woodlands conservation, to which future appropriations for oak woodlands protection may be made, and specify grant making guidelines.

1363. (a) The Oak Woodlands Conservation Fund is hereby created in the State Treasury. The fund shall be administered by the board. Moneys in the fund may be expended, upon appropriation by the Legislature, for the purposes of this article.

(b) Money may be deposited into the fund from gifts, donations, funds appropriated by the Legislature for the purposes of this article, or from federal grants or loans or other sources, and shall be used for the purpose of implementing this article, including administrative costs. Funds from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley Act (Chapter 1.692 (commencing with Section 5096.300) of Division 5 of the Public Resources Code)), but not including funds dedicated as matching funds for the federal Forest Legacy Program, shall be deposited in the fund.

(c) To the extent consistent with the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (the

Villaraigosa-Keeley Act (Chapter 1.692 (commencing with Section 5096.300) of Division 5 of the Public Resources Code)), the board may use money designated for the preservation and restoration of oak woodlands in the Oak Woodlands Conservation Fund for projects in conjunction with the California Forest Legacy Program (Div. 10.5 (commencing with Sec. 12200) of the P.R.C.)), but only for the purposes specified in this article and only if the following requirements are met:

(1) The Department of Forestry and Fire Protection shall make an initial recommendation to the board.

(2) The board may deny any initial recommendation to the Department of Forestry and Fire Protection. Subsequently, if the department alters an initial proposal, in a manner that the board determines to be significant, the board may withdraw its initial approval of the recommendation at any time during the process.

(d) The purposes for which moneys in the fund may be used include all of the following:

(1) Grants for the purchase of oak woodlands conservation easements. Any entity authorized to hold a conservation easement under Section 815.3 of the Civil Code may hold a conservation easement pursuant to this article. The holder of the conservation easement shall ensure, on an annual basis, that the conservation easement conditions have been met for that year.

(2) Grants for land improvement.

(3) Cost-sharing incentive payments to private landowners who enter into long-term conservation agreements. An agreement shall include management practices that benefit oak woodlands and promote the economic sustainability of farming and ranching operations.

(4) Public education and outreach by local government entities, park and open-space districts, resource conservation districts, and nonprofit organizations. The public education and outreach shall identify and communicate the social, economic, agricultural, and biological benefits of strategies to conserve oak woodlands habitat values, including watershed protection benefits that reduce soil erosion, increase streamflows, and increase water retention and sustainable agricultural operations.

(5) Assistance to local government entities, park and open-space districts, resource conservation districts, and nonprofit organizations for the development and implementation of oak conservation elements in local general plans.

(6) Technical assistance consistent with the purpose of preserving oak woodlands.

(e) Not more than 20 percent of all grants made by the board pursuant to this article may be used for the purposes described in paragraphs (4), (5), and (6) of subdivision (d). Not less than 80 percent of funds available for grants pursuant to this article shall be expended for the purposes described in paragraphs (1), (2), and (3) of subdivision (d).

(f) Notwithstanding any other provision of law, this article governs the expenditure of funds for the preservation of oak woodlands pursuant to paragraph (4) of subdivision (a) of Section 5096.350 of the Public Resources Code.

1363.5. (a) Commencing on June 30, 2003, and annually thereafter, the board shall report to the Legislature and the Governor concerning the activities and expenditures of the fund.

(b) (1) In the first report to the Legislature, the board shall provide its best estimate of the total amount, in terms of acreage,

species, and coverage, of oak woodlands habitat purchased with funds from the Habitat Conservation Fund and other funds pursuant to the California Wildlife Protection Act of 1990 (Chapter 9 (commencing with Section 2780) of Division 3.

(2) In each subsequent annual report, the board shall update the information required by paragraph (1) to reflect additional oak woodlands habitat purchased with funds from the Habitat Conservation Fund pursuant to Chapter 9 (commencing with Section 2780) of Division 3, and any purchases made with moneys deposited in the Oak Woodlands Conservation Fund.

(c) The board shall annually provide its best estimate in the report, the acreage, cover, and species of oak woodlands habitat purchased with all moneys from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.

(d) The board shall make all information available online at its Web site.

(e) This section shall become inoperative on July 1, 2020, and, as of January 1, 2021, is repealed, unless a later enacted statute that is enacted before January 1, 2021, deletes or extends the dates on which it becomes inoperative and is repealed.

1364. Moneys in the fund shall be available to local government entities, park and open-space districts, resource conservation districts, private landowners, and nonprofit organizations for the purposes set forth in subdivision (d) of Section 1363.

1365. The board shall develop and adopt guidelines and criteria for awarding grants that achieve the greatest lasting conservation of oak woodlands. The board shall develop these guidelines in consultation with the Department of Forestry and Fire Protection, the Department of Food and Agriculture, the University of California's Integrated Hardwood Range Management Program, conservation groups, and farming and ranching associations. As it applies to the award of grants for the implementation of this article, the board criteria shall specify that easement acquisitions that are the most cost-effective in comparison to the actual resource value of the easement shall be given priority.

1366. (a) To qualify for a grant pursuant to this article, the county or city in which the grant money would be spent shall prepare, or demonstrate that it has already prepared, an oak woodlands management plan that includes a description of all native oak species located within the county's or city's jurisdiction.

(b) To qualify for a grant pursuant to this article, the board shall certify that any proposed easement was not, and is not, required to satisfy a condition imposed upon the landowner by any lease, permit, license, certificate, or other entitlement for use issued by one or more public agencies, including, but not limited to, the mitigation of significant effects on the environment of a project pursuant to an approved environmental impact report or to mitigate a negative declaration required pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000)) of the Public Resources Code.

(c) To qualify for a grant under this article, the applicant shall demonstrate that its proposal provides protection of oak woodlands that is more protective than the applicable provisions of law in existence on the date of the proposal.

(d) A county or city may develop an oak woodlands management plan. A nonprofit corporation, park and open-space district, resource conservation district, or other local government entity may apply to

the board for funds to develop an oak woodlands management plan for a county or city, but the county or city shall maintain ultimate authority to approve the oak woodlands management plan.

(e) The process for developing an initial oak woodlands management plan, and the adoption of significant amendments to a plan, as determined by the county or city, are subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

(f) A proposal by a local government entity, nonprofit corporation, park and open-space district, private landowner, or resource conservation district for a grant to be expended for the purposes of this article shall be certified by the county or city as being consistent with the oak woodlands management plan of the county or city. If the land covered by the proposal is in the jurisdiction of more than one county or city, each county or city shall certify that the proposal is consistent with the oak woodlands management plan of each county or city.

(g) If two or more entities seek grant funding from the board pursuant to this article for the same jurisdiction, the county or city shall designate which entity shall lead the efforts to manage oak woodlands habitat in the area.

1367. On or before April 1, 2002, the board and the Department of Forestry and Fire Protection shall develop a memorandum of understanding regarding the protection of oak woodlands that does all of the following:

(a) If necessary, creates a specific process for working together to use money from the fund in conjunction with the California Forest Legacy Program Act of 2000 (Division 10.5 (commencing with Section 12200) of the Public Resources Code).

(b) Lists elements a county or city shall include in its oak woodlands management plan. Items included in the plan shall assist a county or a city to specify conservation priorities and prevent oak woodlands habitat fragmentation while minimizing the cost and administrative burden associated with developing the plan. The elements may include any or all of the following:

- (1) Tree inventory mapping.
- (2) Oak canopy retention standards.
- (3) Oak habitat mitigation measures.
- (4) A procedure to monitor the effectiveness of the plan and to modify the plan as necessary.

(c) Designates an online repository for oak woodlands management plans that will be easily accessible to the public and any other state agency involved in oak woodlands conservation efforts.

(d) Discusses the relationship between oak woodlands conservation efforts under this article and efforts by other state agencies to protect oak woodlands, including efforts to combat sudden oak death, and outlines a plan, as necessary, for coordinating with these agencies.

1368. The board may not approve a grant to a local government entity, park and open-space district, resource conservation district, or nonprofit organization if the entity requesting the grant has acquired, or proposes to acquire, an oak woodlands conservation easement through the use of eminent domain, unless the owner of the affected lands requests the owner to do so.

1369. A city or county planning department may utilize a grant awarded for the purposes of this article to consult with a citizen advisory committee and appropriate natural resource specialists in

order to report publicly to the city council or the board of supervisors on the status of the city's or county's oak woodlands. Each city or county planning department that receives a grant for the purposes of this article shall report to the city council or to the board of supervisors of the county, as appropriate, on the use of those grant funds within one year from the date the grant is received.

1370. No money may be expended from the fund to adopt guidelines or to administer the fund until at least one million dollars (\$1,000,000) is deposited in the fund.

1372. Nothing in this article grants any new authority to the board or any other agency, office, or department to affect local policy or land use decisionmaking.

SEC. 3. An amount not less than five million dollars (\$5,000,000) and not more than eight million dollars (\$8,000,000), as determined by the Wildlife Conservation Board, from moneys in the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund available for oak woodlands conservation pursuant to paragraph (4) of subdivision (a) of Section 5096.350 of the Public Resources Code shall be transferred to the Oak Woodlands Conservation Fund created pursuant to Section 1363 of the Fish and Game Code, to be used for the purposes of Article 3.5 (commencing with Section 1360) of Chapter 4 of Division 2 of the Fish and Game Code.

APPENDIX C

California Endangered Species Act And Listed plants

**California Department of Fish and Game
Habitat Conservation Planning Branch**

http://www.dfg.ca.gov/hcpb/species/t_e_spp/nat_plnt_consv.shtml

NATIVE PLANT CONSERVATION

The legal framework for conserving plants merits clarification due to the existence of an early state law protecting plants. The Native Plant Protection Act (NPPA) of 1977 (Fish and Game Code Section 1900-1913) directed the Department of Fish and Game (DFG) to carry out the Legislature's intent to "preserve, protect and enhance rare and endangered plants in this State." The NPPA gave the California Fish and Game Commission the power to designate native plants as "endangered" or "rare" and protected endangered and rare plants from take.

The California Endangered Species Act of 1984 (Fish and Game Code Section 2050-2116) expanded upon the original NPPA and enhanced legal protection for plants, but the NPPA remains part of the Fish and Game Code. To align with Federal regulations, California Endangered Species Act (CESA) created the categories of "threatened" and "endangered" species. It converted all "rare" animals into the Act as threatened species, but did not do so for rare plants. Thus, there are three listing categories for plants in California: rare, threatened, and endangered.

The Department requires a CESA Section 2081 (a) permit for take of candidate or listed threatened and endangered plants for scientific, educational, or management purposes, and a CESA Section 2081 (b) permit for incidental take of listed threatened and endangered plants from all activities, except those specifically authorized by the NPPA [see the specific list of exceptions in 1913 (a) and (b)]. The Department considers the term "building site" in Section 1913(b) to mean work (e.g., landscaping or fire prevention measures) around an existing building.

Since rare plants are not included in CESA, mitigation measures for impacts to rare plants are specified in a formal agreement between the Department and the project proponent.

The Department's Wildlife and Habitat Data Analysis Branch maintains a "special plants" list consisting of approximately 2000 native plant species, subspecies, or varieties that are tracked by the Department's Natural Diversity Database (NDDDB). These plant taxa are either officially State or federally listed, proposed, or candidate species, or other species, subspecies, or varieties that are of concern due to reasons such as rarity, threats, or the species' close association with declining habitats, or for which more information is needed. Status and threat rankings are assigned to the plant taxa on the Special Plants List, which is available on the Department's web page.

The California Native Plant Society (CNPS) publishes and maintains an Inventory of Rare and Endangered Vascular Plants of California in both hard copy and electronic versions

(www.cnps.org/rareplants/inventory/6thEdition.htm). The Inventory assigns plants to the following categories:

- 1A Presumed extinct in California
- 1B Rare or endangered in California and elsewhere
- 2 Rare or endangered in California, more common elsewhere
- 3 Plants for which more information is needed
- 4 Plants of limited distribution.

Additional rarity, endangerment, and distribution codes are assigned to each taxa.

Plants on Lists 1A, 1B, and 2 of the CNPS Inventory consist of plants that may qualify for listing, and the Department recommends they be addressed in CEQA projects (CEQA Guidelines Section 15380). However, a plant need not be in the Inventory to be considered a rare, threatened, or endangered species under CEQA. In addition, the DFG recommends, and local governments may require, protection of plants which are regionally significant, such as locally rare species, disjunct populations of more common plants, or plants on the CNPS Lists 3 and 4.

To guide documentation of potential impacts to plants, the DFG has adopted Guidelines for Assessing the Effects of Proposed Projects on Rare and Endangered Plants and Natural Communities. These guidelines are available on the Department's web page, and are provided to all project proponents, lead agencies, and the interested public when they request Department participation or information.

Clint and Kathleen Donovan
2261 Donovan Ranch Road
Placerville CA 95667

General Plan Team
2580 Fair Lane Ct.
Placerville CA 95667

03 JUL 14 PM 12: 22
RECEIVED
PLANNING DEPARTMENT

RE: 51-430-04,08, &16 137 Acres north of the proposed Texas Hill Reservoir

Our property is historic mining property that we purchased in 1988 from an individual who mined the property when he first owned it. It was sold to us as mining property and we have always held the property with the intent that this was the value of the property.

The property sits to the north of a potential reservoir site known as the proposed Texas Hill Reservoir. Some of the land that EID now owns for that project was purchased from our predecessor and us. To the north is the Harris Ranch, an agricultural operation. To the west are the holdings of an investment company who intends to mine their property. Legacy Land Company is the holder of the property designated MRZ-2a on the recently released mappings for their hydrothermal deposits of gold, namely the Henrietta and Faraday, and the Mammoth. These are the properties that were drilled by the Texas Company in the early 1980's and permitted for operation as a mine but never actually opened.

We requested in the 1992 parcel specific request process an -MRZ overlay designation. The reasons for this are the fact of the large reserves of aggregate left from the hydraulic mining and the potential for additional gold recovery from the further mining. In addition to this there is the fact that our properties have been identified as potential borrow sites for the construction of the Texas Hill Reservoir. Drilling was done and engineered testing of the quality of that material yielded sufficient quality to justify designation.

Further proprietary material testing done by potential developers of the mining resource indicates that a profitable venture could be developed. Unfortunately this information was not forwarded to the State division of Mines and Geology in a timely manner to allow them to designate the property as an ARA, however it is anticipated that this will be done at some time in the near future.

My property is designated MRZ2b within the plan and is suitable for designation in a -MR combining district. We request again that this be done. We further request that the 1996 General Plan be the basis of the 2025 Plan and that our property be reviewed to assure that whatever the underlying designation is that it not be inconsistent with the goal of eventually being operational as a mining operation.

All references within the Plan and EIR referring to Measure A should be qualified in terms of the likelihood that it will eventually be thrown out by the courts when

209-1

209-2

challenged as inconsistent with State Law. Our property can and will be mined in a responsible manner which will not be injurious to the neighborhood or the community and should be full recognized as such. This becomes even more reasonable a request when it is acknowledged that we are immediately adjacent to lands designated MRZ2a.



209-2

Thank you,

Cliff Danner
Kathleen Jane Danner



El Dorado Irrigation District

In Reply Refer To: M0703-105

July 14, 2003

Heidi Tschudin, Project Manager
El Dorado County
330 Fair Lane
Placerville, CA 95667

HPND - DEUSTER
EL DORADO COUNTY COUNSEL
2003 JUL 15 AM 9:13

Subject: Comments on El Dorado County General Plan Draft Alternatives

Dear Ms. Tschudin:


El Dorado Irrigation District appreciates this opportunity to provide comments on the Draft Alternatives for El Dorado County's General Plan. We also appreciate the County's willingness to extend the comment period, which has enabled the District to improve the accuracy and completeness of our comments. We hope they will prove useful to the County as it moves toward the long-awaited adoption of a new General Plan.

Our comments focus primarily upon portions of Draft Alternatives that address matters directly relevant to the District's functions of providing water, wastewater, recycled water, recreation, and hydroelectric power. In addition, we provide comments upon the land-use maps in our capacity as a major landowner within the County.

We would like to preface our specific comments with the general observation that the timely adoption of a General Plan is a matter of great and continuing importance to the District. It is an essential step in the District's efforts to complete its own master planning process, and to perfect its rights to new and needed water supplies for our customers. We wish the County speedy success in bringing the General Plan adoption process to its conclusion.

Our specific comments follow.

If you have any questions, please contact me at (530) 642-4103.

Sincerely,

Ane Deuster
General Manager

DW:dlm

210-1

EID's COMMENTS ON
EL DORADO COUNTY DRAFT GENERAL PLAN
July 14, 2003

ENVIRONMENTALLY CONSTRAINED AND ROADWAY CONSTRAINED
ALTERNATIVE

Public Services and Utilities Element

Water Supply - Surface Water Resources, Page 210(RC)

Comment: In talking about new water supply projects, it states that "none of these have been approved". It should be noted that SWRCB has issued permit #21112 for 17,000 acre-feet, issued in October 2001. Although some conditions need to be met, the permit is valid. Additionally, Public Law 101-514 was passed in 1991 that requires the USBR to issue new water service contracts to El Dorado County in the amount of 15,000 acre-feet. The only hold-up is completion of the County General Plan.

210-2

Water Supply - Reclaimed Water Resources, Page 211 (RC)

Comment: This section gives no information on EID's recycled water programs, that has been in existence since 1979. EID has been one of the leaders in Northern California in recycled water and has just recently completed its Recycled Water Master Plan. Acknowledgement of our program is appropriate.

210-3

Water Supply - Water Use Efficiency, Page 212 (RC)

Comment: This section also provides no clue to the readers that EID has a full Urban and Agriculture BMP Water Efficiency Program since 1995. An acknowledgement of EID's program is recommended.

210-4

Missing Section

The Land Use Element for the Roadway Constrained Alternative was missing from the document and could not be reviewed.

210-5

NO PROJECT AND 1996 GENERAL PLAN ALTERNATIVE

Agriculture and Forestry Element

Policy 8.2.1.2. Allocation of Agricultural Water

Comment: EID does not allocate water for specific uses, like agriculture. All EID's current users have equal access to water supplies. EID uses its Water

210-6

Supply and Demand Report process to ensure adequate water for all current customers, and not to over-sell its available water supply. Agriculture demands are calculated along with all other demands and accounted for. Allocation to specific water users removes the flexibility in EID's integrated water system. EID's water efficiency program benefits all water users.

210-6

Policy 8.2.1.3 Acquisition of Agricultural Water Supplies

Comment: EID pursues new water supplies to benefit all customers and their varied uses, not just one customer segment.

210-7

DRAFT ROADWAY CONSTRAINED SIX-LANE "PLUS" ALTERNATIVE

Land Use Element

Land Use Map - Environmentally Constrained - Figure LU-1

Comment: Texas Hill Reservoir site is shown as open space, with a dashed line. The dashed line is not defined. Natural Resources is the appropriate designation.

210-8

Visual Quality and Scenic Values, Policy LU-6(b), Page 32 (EC), Page 30 (RC)

Comment: This policy would prohibit structure on or along ridgelines. The location of water storage tanks needs to be on high ground for maximum efficiency. EID goes to great efforts to camouflage tanks, but prohibiting their location on ridgelines is too restrictive and costly. This policy should be modified to allow public utility structures, taking into account the best effort to reduce their visual impact. Although California Government Code Section 53091 exempts water facilities from County zoning and building regulations, it is important that the General Plan be consistent with this activity.

210-9

Public Services and Utilities Element

Water Supply Policies Pg. 211 (RC), Pg. 213 (EC), Policy PS-2(d)

Comment: Although EID does not use groundwater in its main system, an observation is that a strict enforcement of these two policy statements could essentially stop any new well development in the County.

210-10

COMMENTS APPLICABLE TO ALL ALTERNATIVES

Use of Recycled Water

The adopted General Plan should include a policy that provides strong incentives for the incorporation of recycled water in new development, particularly residential subdivisions, in areas capable of being served by the District's recycled water system. Reference may

210-11

be made to the District's completed Recycled Water Master Plan, already on file with the County, to establish the regions capable of service.

The District has made a major financial and policy commitment to expanding the use of recycled water from its Deer Creek and El Dorado Hills Wastewater Treatment Plants. Recycled water use provides a buffer against drought, conserves existing water supplies by diminishing demands for potable water, and is a proven success in the Serrano development, other residential subdivisions, and commercial developments.

Although the Recycled Water Master Plan shows short-term mismatches between available recycled water supplies and projected demands, the future construction of seasonal storage and other facilities will make sufficient supplies of recycled water available. In the short term, the District utilizes available potable supplies to cover periodic shortfalls in recycled water availability.

The County can further the District's goals and provide progressive water management leadership by adopting a General Plan policy that mandates the installation of dual-plumbing systems in new developments located in the appropriate areas, and provides direction or incentives for landowners to obtain recycled water service if available.

Land Use Designations

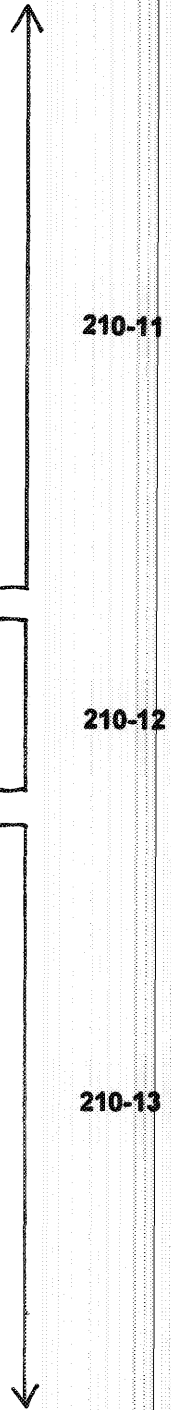
The District appreciates the convenient feature on the General Plan website that enables landowners to determine what land-use designations are applied to specific parcels under the various General Plan Alternatives. After utilizing this feature to review the District's many property holdings, we have the following comments.

"Natural Resources" is a More Appropriate Designation for the Texas Hill Reservoir Properties

The District owns more than 700 acres of land in the Placerville/Diamond Springs area that have been painstakingly assembled for many decades, primarily by the El Dorado County Water Agency, to enable the future construction of a Texas Hill Reservoir. Since the 1960's, the County has consistently exercised its land-use authority to preserve this water resource development option. (See *Metro Realty v. County of El Dorado* (1963) 222 Cal.App.2d 508.)

Most of the lands are unimproved; a few have single-family dwellings on them. The District acquired these lands in 1996 and has made minor additions to its holdings since then. For the most part, these parcels are designated as OS "Open Space" in all Plan Alternatives.

Given the primary purpose for which these lands are held, OS is not the most appropriate designation. Although the OS designation is described more thoroughly in the No Project and 1996 General Plan Alternatives, it appears that under all alternatives, the OS designation should be applied only to lands on which no development will be allowed,



210-11

210-12

210-13

other than as specifically needed to support open space uses. Essentially, it appears that OS should be reserved for parklands, ecological preserves, and passive recreation. Development of a reservoir (inundation) is arguably incompatible with the OS designation. Also, the OS designation does not allow residential development, yet some of the parcels in question already host such development.

As to the undeveloped lands, clearly the NR "Natural Resources" designation is more appropriate. Natural resource management activities and resource-based industries are expressly allowed on NR land under all Plan Alternatives. The description of the NR designation in the No Project and 1996 General Plan Alternatives, in fact, expressly lists water resources development as a contemplated use. It appears that one to two residences can exist on any NR-designated parcel under all Plan Alternatives, also, making this designation compatible with the limited existing development on these parcels.

Therefore, the District requests that all Texas Hill Reservoir lands be designated NR in the General Plan that the County ultimately adopts. The assessor's parcel numbers of the lands this request encompasses are as follow: 051-011-09, -10, -11, -12, -13, -14, -15, -19, -21, -23, -27; 051-420-02, -03, -06, -08, -10, -11, -12, -14, -15, -16; 051-430-17; 051-450-11, -12, -14, -17, -19, -20, -21, -22, -24, -27, -28, -29; 051-481-06, -07, -12, -13, -37, -63, -64, -72, -75; 051-490-01, -02, -03; 051-550-24, -28; 096-090-09; -11; 098-010-04, -05, -07, -10, -15, -16, -17, -19, -22, -23, -26; 098-021-33, -35, -36, -37; 098-030-19, -30; and 098-050-01.

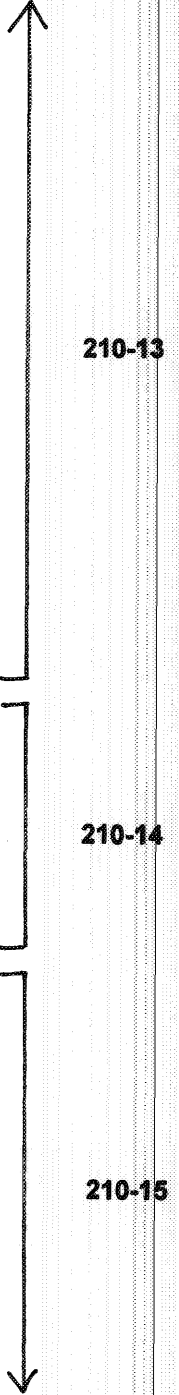
Certain Project 184 Properties May Not Be Appropriately Designated Under One or More Plan Alternatives

Time constraints have precluded the District from completing a similar parcel-by-parcel analysis of the designations of Project 184 properties acquired from Pacific Gas & Electric. Our initial analyses indicate that certain properties may not be appropriately designated under one or more plan alternatives. We plan to forward additional comments on this point when our analysis is complete.

District Properties in the Missouri Flat Corridor Are Not Appropriately Designated

The District owns a number of parcels east of Missouri Flat Road that are informally known as the "Bray" or "Bray Reservoir" properties. For the most part, the Plan Alternatives apply the PF "Public Facilities" designation to these parcels. The Environmentally Constrained Alternative, however, applies designations of RL "Rural Lands," MDR "Medium Density Residential," and OS "Open Space" to these lands. One small parcel is designated I "Industrial" under three Plan Alternatives, and MDR under the Environmentally Constrained Alternative.

As the District previously informed the County, in a February 25, 2003 letter from General Counsel Tom Cumpston to Project Manager Heidi Tschudin (copy attached), none of the above designations is appropriate for these properties. While it is true that at



one time, the District planned to locate its headquarters and certain proposed drinking water facilities on these properties, these plans have changed. The headquarters building was constructed elsewhere, and the other facilities no longer appear in the District's Capital Improvement Plan. The District has no active facilities on these properties.

Because the District has not yet charted a new course for these parcels, the General Plan should assign them a designation compatible with surrounding properties. Because this general area seems destined for future commercial development, the designation should probably be C "Commercial." Alternatively, if immediately surrounding properties are so designated, the I "Industrial" designation might be appropriate. Under no circumstances, however, are the PF and other designations contained in the current Plan Alternatives appropriate.

The assessor's parcel numbers of the lands encompassed by this request are as follow: 327-230-03; 327-250-14, -15, -16, and -35.

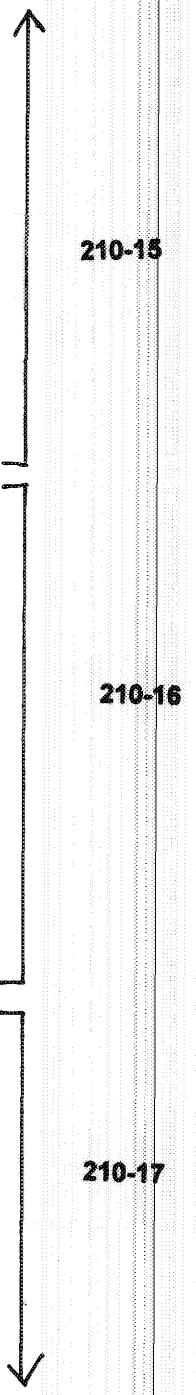
Certain Other District Properties Are Not Appropriately Designated

Certain other District properties are not appropriately designated. A District corporate yard in the Camino area should be designated PF. The assessor's parcel number of this property is: 048-192-01. The Camino Heights Sewer Plant and associated lands should also be designated PF. The assessor's parcel numbers of these lands are: 048-420-28, -29, -42; 048-471-11 and -12. The Dolomite Reservoir site should also be PF; its assessor's parcel number is 092-161-03. Assessor's parcel numbers 067-070-19 and 076-180-23 are designated PF but, because no active District facilities exist or are planned these sites, should be designated consistent with surrounding properties. Two parcels of the El Dorado Hills Wastewater Treatment Plant are designated AP "Adopted Plan" in the Environmentally Constrained and Roadway Constrained Alternatives, rather than the PF designation it appropriately receives in the other two Plan Alternatives. The assessor's parcel numbers of these properties are 107-020-15 and -20. Finally, the District's Bass Lake properties are also designated AP; PF would seem to be the appropriate designation. The assessor's parcel numbers of these properties are 115-010-19, -20, and -21.

Lands Nearby District Properties Should be Designated to Avoid Incompatible Uses

Within the time allotted for comment, the District has not had the resources to review the maps of all Plan Alternatives to search for incompatible land-use designations on parcels nearby the District's properties. Incompatibilities can arise from noise, light, and odors associated with around-the-clock operations at District facilities, as well as from safety and security risks arising from their industrial character, the large volumes of water and wastewater involved, and the storage and use of essential, but potentially hazardous, chemicals used in those operations.

No doubt the General Plan Team took care to avoid such problems in drawing the maps. Particularly in light of the many instances of inappropriate land use designations detailed



above, however, the District urges the County to review nearby property designations, particularly in the vicinity of District sewer lift stations, wastewater treatment plants, and water treatment plants.



210-17



El Dorado Irrigation District

In Reply Refer To: M0703-106

July 14, 2003

Heidi Tschudin, Project Manager
El Dorado County
330 Fair Lane
Placerville, CA 95667

2003 JUL 15 AM 9:13
EL DORADO COUNTY COUNSEL
HMM-DEISTER

Subject: Comments on El Dorado County General Plan Draft Environmental Impact Report

Dear Ms. Tschudin:

El Dorado Irrigation District appreciates this opportunity to provide comments on the Draft EIR for El Dorado County's General Plan. We also appreciate the County's willingness to extend the comment period, which has enabled the District to improve the accuracy and completeness of our comments. We hope they will prove useful to the County as it prepares a Final EIR and moves toward the long-awaited adoption of a new General Plan.

Our comments focus primarily upon Chapter 5, and in particular upon the portions of that Chapter that address matters directly relevant to the District's functions of providing water, wastewater, recycled water, recreation, and hydroelectric power. We would like to preface our specific comments with the general observation that the County appears to have performed a conscientious and comprehensive analysis of the potential impacts of the various General Plan alternatives under consideration. Although the specific comments that follow may at times seem critical, they should be read in the context of our overall conclusion that the Draft EIR represents a good-faith effort at full environmental disclosure and analysis. Though no EIR is perfect, the suggestions for improvement that follow should not be misunderstood as indications that the document fails to meet the standards of the California Environmental Quality Act.

Our specific comments follow.

If you have any questions, please contact me at (530) 642-4041.

Sincerely,

Ane Deister
General Manager

DW:dlm

2890 Mosquito Road, Placerville, California 95667 • (530) 622-4513

211-1

EID's COMMENTS ON
DRAFT EIR FOR THE EL DORADO COUNTY
DRAFT GENERAL PLAN
June 2, 2003

SECTION 5 ENVIRONMENTAL IMPACT ANALYSIS

5.1 Land Use and Housing

Page 5.1-67 Mitigation Measure 5.2-3(d) Establish Compatibility Criteria for Siting of Public Facilities

Comment: The siting of public facilities definition needs to include public facilities such as water and wastewater treatment plants and future water storage facility sites. Protection of sites as well as compatibility with adjacent land uses needs to take place and be acknowledged in the General Plan. Residential development next to wastewater treatment plant is problematic, for example.

211-2

5.5 Water Resources

Impact 5.5-1: Increased Water Demand and Likelihood of Surface Water Shortages Resulting from Expected Development

The Draft EIR's analysis of this impact assumes full development of projected growth through both year 2025 and buildout for each of the four equal-weight alternatives. It then measures the demand associated with this growth against *existing* water supplies. By assuming no increase in current supplies, the analysis presents a "worst case scenario." While no doubt taken to ensure CEQA compliance, this approach tends to overstate the severity of this impact. As a consequence, one mitigation measure prescribed for this impact is neither warranted nor capable of being implemented as a practical matter.

211-3

Timely Increases in EID Water Supplies are Foreseeable in the Near Term

The EIR could take a less pessimistic view of future water supplies. It is reasonable to project that certain water supplies, disclosed elsewhere in the Draft EIR, will be attained in the near term, in a timely fashion to serve future growth. The two most significant such supplies are Water Rights Permit 21112 and additional Central Valley Project contract supplies.

Although the matter is in litigation, it remains a fact that the State Water Resources Control Board has issued a final approval of Water Rights Permit 21112, granting 17,000 acre-feet annually of additional water supplies to EID. If the litigation by EID and the County Water Agency invalidates the imposition of Term 91 on Permit 21112, the full

measure of that 17,000 acre-feet will be available in every year. If Term 91 remains a part of Permit 21112, the increase to EID's system firm yield will be lessened, but not eliminated. Preliminary internal studies indicate that the flexibility of EID's system is sufficient for this new supply to increase the system firm yield very substantially, even with Term 91 in effect. Compliance with various other terms and conditions of Permit 21112, including Warren Act contract with the United States Bureau of Reclamation, will also be necessary to access this water supply.

Further, the P.L. 101-514 or "Fazio water" supply from Folsom Reservoir will follow on the heels of the County's final adoption of a General Plan. No new water rights or regulatory approvals are required for EDCWA to secure this supply, nor does the United States Bureau of Reclamation have discretion to withhold this supply. Rather, P.L. 101-514 directs the Bureau to enter into the necessary contract for this supply, with the only prerequisite being the completion of an EIS/EIR analyzing the environmental impacts of the action. The County's General Plan process has delayed the release and adoption of the environmental document, but a substantially complete administrative draft document is ready and waiting.

Although it has been assumed for planning purposes that EID would obtain 7,500 acre-feet annually of this supply, the actual split between EID and Georgetown Divide Public Utility District will be determined by the agencies' relative needs and abilities to use the water. Therefore, EID's share could be greater. This water supply is subject to the USBR's shortage criteria, which for municipal and industrial customers limits reductions in delivery to 25%.

The District is also actively pursuing the transfer of certain water rights to Folsom Reservoir. In 2003, the District obtained a temporary, one-year approval to transfer and utilize 1,574 acre-feet of water rights associated with the Summerfield, Gold Hill, and Farmer's Free ditches. Discussions with the United States Bureau of Reclamation regarding a permanent transfer of the latter two rights, as well as licensed water rights associated with EID's Weber Dam, are underway. Depending upon the outcome of discussions with interested parties in the Mosquito area, the Summerfield Ditch rights, in whole or part, might be included in that proposal.

Finally, EID has made a firm commitment to expanding its supply of recycled water. Utilizing recycled water has the dual effect of increasing available water supplies and dampening potable water demand. By altering both the supply and demand sides of the equation, the expanded use of recycled water will significantly improve the "water balance" within EID's service area. Elsewhere in our comments on the General Plan and Draft EIR, EID has suggested that the County place greater emphasis on encouraging maximum use of recycled water by new development.

Mitigation Measure 5.5-1(b) is Unnecessary and Impractical

Perhaps because of the Draft EIR's "worst-case" approach, one mitigation measure it prescribes for the potential impact of water shortages is unduly onerous. As written, the

211-3

mitigation measure is also impossible to implement, both for practical and legal reasons. The mitigation measure in question, 5.5-1(b), is a proposed new General Plan policy:

Prior to granting any discretionary or ministerial land use approval in an area served by a public water purveyor or an approved private water system, the applicant must demonstrate and County must confirm, that the surface water supply from existing water supply facilities is adequate and physically available to meet the highest demand that could be permitted by the approval on the lands in question. "Adequate and physically available" means existing supply sources, for which the applicable water supplier has a present legal entitlement, with sufficient capacity to serve new development at the time the approval takes place, and where there are no impediments to the utilization of those existing supply sources. A water supply is "sufficient" if the total water supplies available during normal, single dry, and multiple dry years within a 20-year projection will meet the highest projected demand associated with the proposed project, in addition to existing and planned future uses within the area served by the water supplier, including, but not limited to, agricultural and industrial uses. An applicant must obtain a will-serve letter from the applicable water supplier demonstrating that the supplier has an adequate and physically available water supply and can and will serve the proposed project from that supply.

The Mitigation Measure is Unnecessary

This proposed policy is unnecessary because existing law already provides sufficient safeguards against the prospect of "dry" development. First, a trio of state legislation, SB 901, SB 221, and SB 610, requires that analysis and adequacy of water supplies be an integral part of the environmental review and approval of large, primarily residential developments. Second, since 1994, the County's own Ordinance No. 4325, coupled with EID's regulations and policies, has guaranteed that no new "dry" lots can be created.

Under SB 901, the District must provide a Water Supply Assessment for a project it would serve whenever the County processes an application for approval of a large residential, commercial, office, industrial, hotel, or mixed-use project meeting specific criteria, and requiring either a specific plan or a general plan amendment and an EIR. The purveyor's Water Supply Assessment must indicate whether total projected water supplies available during normal, single-dry, and multiple-dry water years (as stated in the 20-year projection contained in the purveyor's Urban Water Management Plan) will meet the proposed project's projected water demand, in addition to all other existing and planned future demands.

If the Water Supply Assessment concludes that existing supplies do not meet this test, the purveyor must go on to detail its plans for obtaining additional water supplies, including estimated costs and a financing plan, all permits and approvals required to acquire and develop the supplies, and the timetable for accomplishing these tasks. The County then

211-4

must include the Water Supply Assessment information in its EIR for the project, and must also make its own independent determination of whether or not projected water supplies will in fact meet SB 901's test of sufficiency.

Enacted a few years later, SB 610 expands upon SB 901's requirements. Under SB 610, the District must provide a Water Supply Assessment for a project it would serve whenever the County processes an application for approval of a large project, as described above, that is subject to CEQA – whether or not it requires an EIR. Further, SB 610 also eliminates the requirement that the County's approval involve a specific plan or general plan amendment. To aid in the preparation of the Water Supply Assessment, SB 610 also greatly expands the information that must be included in a water purveyor's Urban Water Management Plan, which will typically act as the foundation document for the Water Supply Assessment.

In addition, SB 610 expands the required contents of the Water Supply Assessment. Besides the matters detailed above in the discussion of SB 901, the Water Supply Assessment must identify all existing water supply entitlements, water rights, or water service contracts relevant to serving the project, including the quantities of water received in prior years from these sources. This information must be backed up with written contracts or other proofs of entitlement; copies of an adopted capital outlay program for financing the delivery of the water; federal, state and local permits for the construction of any infrastructure necessary to water delivery; and information on any regulatory approvals necessary to convey or deliver the necessary water. If no water has been received from an identified supply source in past years, the Water Supply Assessment must also identify all other users or right holders to the same supply source. Even if the project, or a larger project of which it is a part, has previously been the subject of a Water Supply Assessment, a new Water Supply Assessment must be provided if the water supply or demand picture has changed, or if other significant new information has come to light.

Like SB 901, SB 610 requires the County to include the Water Supply Assessment information in its CEQA documentation for the project, and requires the County to make its own independent determination of whether or not projected water supplies will in fact meet SB 610's test of sufficiency.

The "companion" legislation to SB 610, SB221, requires EID to supply written verification of a sufficient water supply as a condition of County approval of a tentative map, parcel map, or development agreement for a residential development of 500 or more units that EID would serve. Urban redevelopment, infill development, and low-income housing developments are the only exceptions to this rule. A "sufficient water supply" is defined consistently with the methodologies of SB 901 and SB 610: total water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the project's demands along with other existing and planned uses, including agriculture and industry.



211-4

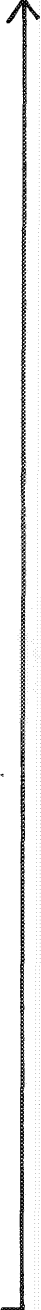
In determining the sufficiency of a water supply, SB 221 requires EID to consider all of the following: the availability of water supplies over a historical period of at least 20 years; the applicability of the urban water shortage contingency analysis contained in EID's most current Urban Water Management Plan (which by law is updated every five years); any water supply reductions allocated to specific categories of water users by official action of EID; and the amount of water EID can reasonably rely on receiving from other water supply projects such as recycled water, water conservation, and water transfers. If EID determines that it cannot supply the development, SB 221 gives the County the authority to override that determination.

Together, these three state laws require close coordination of water and land-use planning for all large projects that could raise significant issues of water supply adequacy. In El Dorado County, moreover, they are supplemented by unique provisions of local law. Specifically, Ordinance No. 4325 creates another layer of water and land-use planning coordination by requiring the County to adopt an annual evaluation of twenty-year water availability that compares existing and planned supplies to existing demands and all potential future demands, both speculative (based on estimates of future growth and development in all user categories) and probable (based on inventories of both existing unserved parcels, and projects and parcels in process).

Ordinance No. 4325 also imposes an absolute ban on "dry lots" that is, to our knowledge, unique in the state of California. Section 1 of the ordinance reads, "Upon passage of this ordinance, the County shall make purchase of a water meter mandatory for approval of all new final parcel or subdivision maps or development projects which require public water service." EID regulations preclude the award of a meter unless it is first established that sufficient water supplies exist to serve pursuant to EID's firm yield policy (100% deliveries in 95% of all years, with no more than 20% deficiencies in the remaining years), and that appropriate conveyance and delivery infrastructure is in place, or will be prior to service. Absent a meter award, EID does not issue "will serve" letters or otherwise guarantee service.

Together, Ordinance No. 4325 and EID's regulations and policies assure that water demands from new development cannot and will not outstrip available supplies. They provide a definitive answer to the argument that County development approvals preliminary to the creation of buildable lots create expectations or "pressure" to outstrip available supplies. Even if these local laws did not exist, the trio of state laws described above give the County the necessary tools to ensure that water and land-use planning are appropriately integrated during the early approval stages of all large development projects that could significantly impact available water supplies.

In summary, the new policy proposed in Mitigation Measure 5.5-1(b) is unnecessary because the County's future water supply situation differs significantly from the Draft EIR's pessimistic portrayal, and because of the procedures and protections of state law and local law and regulation described above.



211-4

The Mitigation Measure is Impractical

If the County nonetheless determines that a new policy is necessary or desirable, substantial revisions are necessary to make the policy proposed in the Draft EIR effective and workable. As written, the proposed policy is impractical and incapable of implementation. It will have unintended consequences.

Superficially, the proposed policy might seem to resemble the provisions of state law discussed above. A closer look contradicts that first impression. The Water Supply Assessments and written verifications of sufficient supply required by state law take both existing *and potential* supplies into account – provided sufficient evidence exists of the attainability and timeliness of any future supplies, and of plans to have the necessary infrastructure in place in a timely fashion. In contrast, the proposed policy requires that a project's demands be measured solely against "existing water supply facilities" that are "adequate and physically available." To be "adequate and physically available," the supplies must come from "existing supply sources, for which the applicable water supplier has a present legal entitlement, with sufficient capacity to serve new development at the time the approval takes place, and where there are no impediments to the utilization of those existing supply sources."

Because the proposed policy applies to "any discretionary or ministerial land use approval," the policy presumes that EID would have (and reserve) unused existing water supplies available for numerous projects that might not generate actual demands for many years, if at all. General plan amendments and rezonings are discretionary land use approvals that often precede actual development by many years. Even when the discretionary approval in question is a tentative map, various state laws allow tentative maps to exist for years and even decades without becoming final. In El Dorado County, numerous examples exist of tentative maps that were approved more than 10 years ago, without ever being finalized or resulting in physical development that would demand water. Yet this policy would require these and future, similar approvals, to be treated as present water demands for purposes of determining the adequacy of supplies and for purposes of obtaining and maintaining existing supplies.

This approach is neither practical, wise, nor consistent with California law. It is impractical because it requires water purveyors to bear costs of obtaining and retaining water supplies for future, contingent development, which the purveyors might otherwise choose not to do. In the meantime until that future development materializes, existing ratepayers must bear these extra costs, and if the expected demand never arises, these costs can never be recovered. It is unwise because it discards the fair approach of "first-come, first-served" in favor of an approach where a would-be developer can lock up water supplies for future development to the exclusion of projects that could and would develop immediately if the unused, reserved water was not deemed unavailable for present use. It therefore may encourage speculation and strategic land use approval strategies intended to freeze out competitors by denying them available water supplies.

211-5

It is inconsistent with California law because California water law requires water rights to be put to beneficial use. If a rights holder is not diligent in placing water rights to beneficial use, and continuing that use, the rights are subject to forfeiture. Reserving water for possible future uses is not a recognized beneficial use. Therefore, even if the assurances required by this proposed policy could be made, they would not be durable; the reserved water could be lost before a development progressed to the point of generating actual demand for the water. Further, the policy would place purveyors in the position of attempting to secure water supplies in advance, for unapproved development. Such efforts could well run afoul of the ruling in *County of Amador v. El Dorado County Water Agency*, in which the appellate court held that it was a *per se* violation of CEQA to seek water supplies for growth in excess of what is approved in a finally adopted County General Plan.

Similarly, because the proposed policy requires that both the water supplies *and the necessary infrastructure to convey and deliver them* be existing “at the time the approval takes place,” the policy would require that EID build water supply infrastructure that may not be used for years, if at all, and carry that expense until such time, if ever, as the potential development materializes and generates a request for service. This approach would require existing ratepayers to bear the expenses of accommodating future growth, either until the future growth arrives, or permanently, if the future growth never arises.

Also troubling is the vagueness of the proposed policy’s requirement that “there are no impediments to the utilization of those existing supply sources.” The policy gives no clue as to what would or would not constitute an “impediment[] to the utilization.” Would the prospect or reality of temporary delivery constraints, be they physical or regulatory, violate this criterion? Would terms and conditions governing the utilization of the supply violate this criterion? By imposing such a requirement and failing to define specifically what it means, the policy invites disputes and legal actions over whether the policy has been met.

Another area in which the proposed policy departs from the state laws it superficially resembles is in its definition of a “sufficient” water supply. (Parenthetically, the use of the term “sufficient” in this portion of the policy appears to be a drafting error, since the policy elsewhere requires “adequate” supplies.) The proposed policy states that to be sufficient, “the total water supplies available during normal, single dry, and multiple dry years within a 20-year projections will meet *the highest projected demand* associated with the proposed project, in addition to existing and planned future uses. . .” (emphasis added)

In contrast, the trio of state laws discussed above set a standard of meeting a project’s “projected demand,” thereby recognizing that in California’s semi-arid climate, it is neither practical nor affordable to attempt to immunize a user against supply deficiencies in dry years. In fact, the Legislature made a finding, when enacting SB 610, that “it is not possible to guarantee a permanent water supply for all water users in California in the amounts requested.” The proposed policy contradicts this legal, fiscal, and hydrological reality by requiring a guarantee that 100% of a project’s maximum water demands be met

211-5

in all years, even during a multi-year drought. No water purveyor in the state can or would make such a commitment. Even if it did, it is doubtful that it could sustain the commitment given the “use-it-or-lose-it” character of California water law.

The proposed policy also requires that the applicant for County land-use approval obtain a “will-serve” letter “demonstrating that the supplier has an adequate and physically available water supply and can and will serve the proposed project from that supply. As explained above, EID does not issue “will-serve” letters. EID allocates its available supplies on a first-come, first-served basis and makes no guarantee of service short of a meter award. Therefore, it will be impossible for an applicant to comply with this portion of the proposed policy.

Each of the foregoing considerations makes the policy unworkable as written. In fact, the policy would have unintended consequences. For example, it could force existing residents to bear the infrastructure costs of future development, contrary to both EID’s and the County’s policy of requiring new development to “pay its own way.” If EID could not or would not build infrastructure and seek additional water supplies in advance of uncertain future development, or if EID maintains its present policy of not issuing “will-serve” letters, compliance with the policy becomes impossible, effectively imposing a total moratorium on all new development that requires public water supplies. If EID attempts to reserve water for future uses that do not materialize in a timely fashion or at all, it could forfeit its rights to that water. That outcome would intensify, not mitigate, any environmental impact resulting from inadequate water supplies to serve new development.

Alternative Policy Language

In light of these concerns, the District again recommends that this proposed policy be discarded, and that the County instead rely upon state law and the unique requirements imposed by local law to address the identified impact. If the County believes that some form of new policy is necessary, however, we would propose the following alternative:

Prior to granting any discretionary [or ministerial] land use approval in an area served by a public water purveyor or an approved private water system, the applicant must provide and County must accept a Water Supply Assessment that meets the criteria of Water Code section 10910 and demonstrates that projected water supplies determined by the County to be available during normal, single dry, and multiple dry years within a 20-year projection will meet the projected demand associated with the proposed project, in addition to existing and planned future uses within the area served by the water supplier, including, but not limited to, agricultural and industrial uses.

This language makes the water availability standards of the proposed policy consistent with state law, and converts the policy into a true “concurrency” policy rather than one

211-5

211-6

that requires a guarantee of 100% water supplies as a *prerequisite* to even preliminary development approvals.

This alternative policy extends state law, however, by imposing this requirement on every land-use approval, and not just those associated with large projects as defined in the state statutes. To the extent that it expands upon state law, it appropriately imposes the burden of compliance in the applicant and the County, rather than shifting that burden to EID, which neither seeks nor has the resources to bear this responsibility. The phrase “[or ministerial]” is enclosed in brackets because we believe the County may wish to consider whether applying the policy to each and every building permit or other ministerial approval is desirable, administratively feasible, or legally permissible.

Page 5.5-11, Public Water Purveyors

Comment: EID serves about 97,000 people.

Page 5.5-16, Federal Agencies

Comment: It should be mentioned that EID will be purchasing the Sly Park Unit in 2003, under federal authorization.

Page 5.5-18, Project 184 (FERC Project 184-065)

Comment: The narrative assumes that the EDCWA Water Plan will determine if EID will use any of its permitted 17,000 acre-feet. The EDCWA Water Plan shows full use of the 17,000 acre-feet.

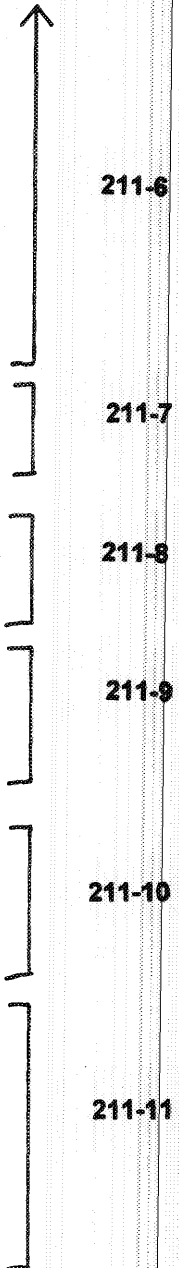
Page 5.5-22, Existing Water Demand and Supply – Drought Response Strategy

Comment: It should be noted that EID will be preparing a Drought Management Plan starting in 2003. A component of any drought strategy should be the development of drought water storage facilities, either ground water basins or reservoirs.

Page 5.5-25, Paragraph 1, sentence that reads:

“Because EID’s customers use less water in dry years, less treated water is available for recycling” should read....

“Supply available in dry years is lower than in normal years due to lower infiltration and inflow rates into the wastewater collection system. Supply available in wet years is greater than normal years due to higher rates of infiltration and inflow into the collection system”.



Page 5.5-47, Mitigation Measure 5.5-1(c) Support Development of Water Conservation and Recycling Projects that Can Help Reduce Water Demand and Projected Shortages

Comment: This new policy states that the County will develop and implement a water use efficiency program for existing and new uses. This should be clarified to mean a County program for those areas not covered by a water efficiency program. EID already has a full urban and agriculture BMP program.

211-12

BMP's developed to USBR criteria are only required when an area receives USBR water, although they do represent a good model to follow.

Page 5.5-51, Mitigation Measure 5.5-1(c)

Comment: A list of future water supply projects for EID should include the redirection of Weber Dam licensed storage water rights to Folsom Lake. The 1,000 acre-feet would be used in the El Dorado Hills Service Area.

211-13

Page 5.5-72, EID's Wastewater Collection System and Treatment Plants

Comment: There are 7538 not 5662 active sewer accounts served by the Deer Creek WWTP.

211-14

Page 5.5-75, Deer Creek Wastewater Treatment Plant
Paragraph 4 should read....

"The Deer Creek WWTP service area encompasses 47 square miles. Wastewater generated by 7538 active accounts is conveyed by 148 miles of pipeline to the Deer Creek WWTP, which is located 2 miles south of US 50 in the Cameron Park area. The Deer Creek WWTP was expanded in 1996 to an ADWF capacity of 3.6 mgd. During construction, the Regional Water Quality Control Board added new requirements for additional tertiary filtration. Because the new requirements were contested, the filtration capacity was not constructed at the time.

211-15

The District received a new 3.6 mgd permit on December 6, 2002, allowing capacity for a total of 15,000 equivalent dwelling units. The permit requires the earlier contested tertiary filtration to realize the full 3.6 mgd capacity. Filtration equipment has been purchased and will be installed in the summer of 2003. Based on historic growth rates, an additional plant expansion will not be required until 2025. The Deer Creek WWTP has primary....."

Page 5.5-79-80, Impact 5.5-4 Increase in Wastewater Flows and Related Infrastructure Impacts

The statement "Within the service areas for EID's wastewater collection system, all four equal weight alternatives would generate similar amount of wastewater" is not correct. While the boundaries of the existing commitments coincide with the collection system

211-16

service area in the El Dorado Hills area, they do not in the Cameron Park, Shingle Springs, El Dorado and Diamond Springs area.

Additionally, the District typically provides wastewater service to only high density, and in some instances, medium density residential parcels. Parcels larger than one acre typically utilize septic systems for wastewater disposal. Within the El Dorado/Diamond Springs area, EID currently provides and plans to provide wastewater service to pockets of high density residential and commercial and industrial area only. Therefore, although the entire Market area will generate adequate housing units to fully utilize the Deer Creek WWTP capacity, the number of parcels that will actually receive wastewater service is less.

The El Dorado Irrigation District relies on the best County General Plan information available at the time when planning for new facilities. The last expansion of the Deer Creek WWTP in 1996 in particular, was sized and funded based on timely land use assumptions. The No Project (Writ Constrained) and the Roadway Constrained Six Lane alternatives and the Environmentally Constrained alternative to a lesser degree, reduce densities within the Deer Creek WWTP service area. Large blocks of land in Cameron Park, El Dorado and Diamond Springs will not be developed and infill within the service area will be limited. Because pipeline and treatment plant facilities were sized based on the assumption that these large blocks of land would be developed and infill would occur, the District's ability to repay the associated debt will be hindered as "new development" revenues will be reduced considerably. The Deer Creek WWTP expansion was funded with a bond issue with the expectation that a certain percentage of the bond issue was to be repaid by "new development" revenues, or Facility Capacity Charges (FCC's). Absent adequate new development, existing and future EID ratepayers will be burdened with the debt repayment for capacity they will not use.

Two overriding goals of the General Plan process are: 1) to direct growth to areas where infrastructure already exists to accommodate it; and 2) to ensure an adequate supply of higher-density, affordable housing in a variety of areas throughout the County. Besides constituting good planning policy, these goals mitigate the adverse environmental impacts of growth. For all of these reasons, both the County's and the District's interests are best served by adopting residential land-use densities in the Cameron Park, Shingle Springs, El Dorado, and Diamond Springs areas that will utilize the available capacity of the Deer Creek WWTP.

Additional analysis should be conducted to determine actual impacts to EID's ability to fully utilize facility capacity for each alternative. Traffic analysis zones should be compared to areas currently served and areas planned to be served. To assist in this analysis, please see the attached map depicting the service area tributary to the Deer Creek WWTP.

Page 5.5-92, Sewage and Other Wastewater from Treatment Plants, Paragraph 2 should read....



211-16

211-17

“The cease and desist order requires compliance with pH, temperature and turbidity standards by December 2003. As explained below, EID has obtained site-specific Basin Plan approvals in order to comply. The permitted capacity at the plant is 2.5 mgd (compared to the plant’s 3.6 mgd design capacity) pending construction of expanded filtration facilities that are currently out to bid. Once the new filtration is operational the permitted capacity automatically adjusts to 3.6 mgd. A number of studies..... For instance, one of the plant reliability concerns was the potential for discharge of chlorine, which is toxic to fish. New facilities were installed to eliminate the possibility for chlorine discharges, among other fixes.



211-17

Page 5.5-127, Mitigation Measure 5.5.7 No Project Alternative

Comment: The new policy to support recycled water should include backyards in the definition of places where recycled is used.



211-18

Page 5.5-155, Table 5.5-14. – Add footnote 3...

“3 Projected flows have not been reconciled with EPS traffic analysis zones”. See previous comment for explanation.



211-19

1. Customer and account data used in the EIR is not current. It appears that year 2000 data was used. The comments contained herein do not update the 2000 data.

SECTION 7 OTHER CEQA CONSIDERATIONS

7.2.2 Summary of Growth-Inducing Impacts

Elimination of Obstacles to Growth

Comment: We agree that the sizing of infrastructure to accommodate already approved and expected growth based on population projects of the General Plan would not result in growth inducement. However, the availability of one type of infrastructure, such as water distribution facilities, may not necessarily induce growth in an area if other requirements for development in that area are not available.



211-20

7.3 Significant Irreversible Environmental Changes

Comment: The Draft EIR recognizes that a significant environmental change could result from the commitment of municipal resources to provision of services for future suburban development. Significant and costly water and sewer infrastructure has been constructed in the Deer Creek wastewater service area in anticipation of development in accordance with the General Plan. Where land use densities are reduced by any of the alternatives other than the 1996 Alternative, a significant irreversible change will result from the abandonment of capacity already developed. Without the hookup and service revenues



211-21

anticipated from the development that would have otherwise occurred, the costs of developing this un-used capacity could be paid by all El Dorado County residents within EID in the form of higher sewer rates.

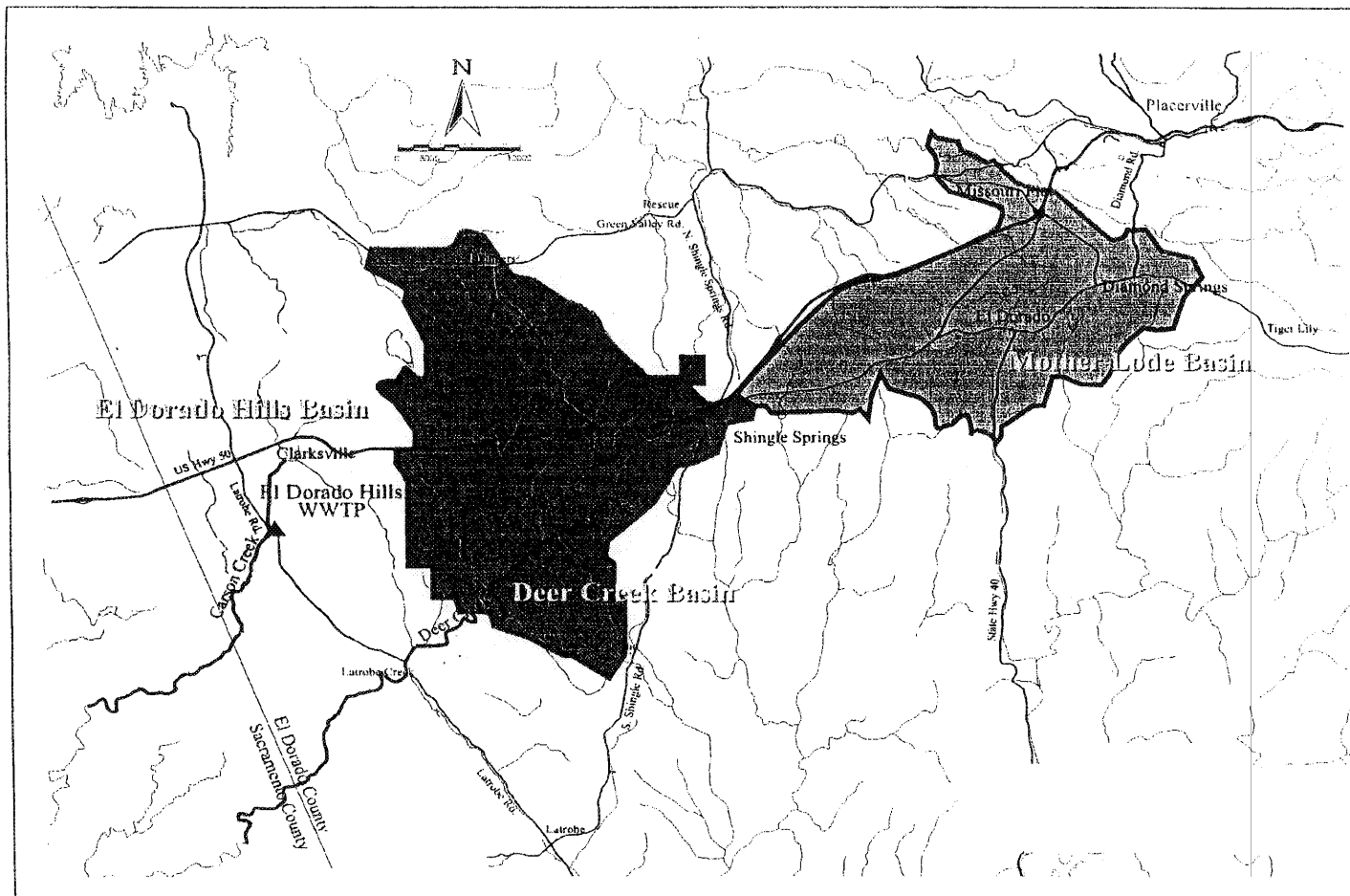
7.4 Significant and Unavoidable Environmental Effects

Comment: Under Section 7.4.1, Water Resources, the Draft EIR should recognize the impact of *decreased* water and wastewater demands in areas in which costly infrastructure has already been constructed, but would not be fully utilized due to reduced land use densities. This wasted capacity would have to be paid for by residents of the District at large.



211-21

211-22



SOURCE: Carollo Engineers

Deer Creek Wastewater Treatment Plant Expansion Project EIR ■

Figure 3-2

El Dorado Irrigation District's Service Area for the
Deer Creek Wastewater Treatment Plant

RECEIVED

Supervisor Rusty Dupray
El Dorado County Board of Supervisors
360 Fair Lane
Placerville, CA 95667

JUL 15 11 09 AM '03
BOARD OF SUPERVISORS
EL DORADO COUNTY

July 14, 2003

Dear Supervisor Dupray:

I have written you a letter (the receipt of which you acknowledged on May 30th, 2003) in which I expressed my strong objections to the proposed Alternatives to 1996 General plan pushed by some activists in the county (mostly the proponents of Measure Y), as well as to the deeply flawed process through which alternatives 2 & 3 statuses were elevated to equal that of the 1996 General Plan. I have also faxed you my article published in El Dorado Hills Telegraph on June 11, 2003 in which I analyzed the implications of these alternatives.

I have lived in the El Dorado Hills since 1991. In 1993 I purchased a 10 acre property in the Equestrian Village located to East and North of the Specific Plan between Salmon Falls and Lake Hills Drive in El Dorado Hills. This area is covered by the resident requested CC&R (recorded January 1977), with a minimum lot size of 3 acres. The village has had a historic designation of MDR (medium density) since 1970s with the zoning of RE-10. Faced with a prospect of high density development planned for the adjacent area (the Waterford Village), the owners of the village placed a minimum 3 acre lot size to create a more acceptable transition between the high density area west of Lake Hills (Waterford Village) and larger low density parcels to the East of Salmon Falls Road.

Since the 1977 recording of the CC&Rs, there have been two attempts to lower the CC&Rs' limit of 3 acres. The first attempt was made by NBI Investments in January of 1988. They had requested a zone change from RE-10 to R1A. The request was in fact approved by the Planning Department, and was forward by no other than Mr. Peter Maurer of the planning staff, to the Board of Supervisors with the recommendation to approve the Negative Declaration as filed, and to approve the requested rezoning from RE-10 to R1A. However, the project was ultimately rejected by the Planning Commission due to the fact that the 1977 CC&Rs prohibit subdividing lots of less than 3 acres.

The second attempt to lower the CC&R's 3 acre limit was initiated by Mr. Lewis E. Hackett in May, 1995 (see attached documents). Mr. Hackett, in his capacity as an Equestrian Village property owner drafted a proposal to modify the Village lot size to a minimum of 2 acres. To this end, he hired Mr. Richard Flock to prepare a preliminary study and cost estimate for his 10 acre property. In the face of strong opposition from the majority of residents in Equestrian Village, Mr. Hackett apparently gave up this proposal

Given the above history, it should be clear that the key to the success and vitality of the Equestrian Village as an El Dordao Hills community has been the retention of its

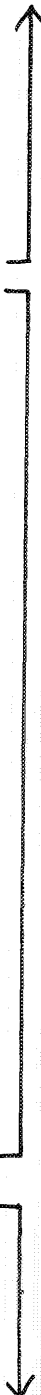
COPIES SENT TO BOARD MEMBERS
FOR THEIR INFORMATION
DATE 7-15-03

212-1

historic medium density, and the enforcement of its CC&Rs blanket by the El Dorado Hill Architectural Committee. The optimal solution has been to give all property owners the choice of subdividing their properties to any size, down to the 3 acre limit. Those properties with access to EID main waterline along the Lake Hills court have subdivided their properties into 3 acre lots. Some whose properties are far away from the EID waterline on Lake Hills Court have subdivided their property into 5 or 10 acre lots. And still some, who are not in EID district are unable to subdivide their property into less than 5 acres.

This brings me to the General Plan Alternatives 2 and 3, which will have devastating economic impact on the property owners of the Village, without any tangible environmental gains or impact on the preservation of the semi-rural character of the Village. Should either Alternatives 2 or 3 prevail, the historic medium density of the Equestrian Village will change to low density. But given the existing CC&Rs limitation of 3 acres lots, this change would hardly make any meaningful difference. The difference in the number lots between the existing MDR and proposed LDR is a maximum of eight (8) lots for the undeveloped part of the village during the next twenty five years! Prey tell, what is the environmental impact of a maximum of eight homes in 160 acres area? What would be the justification for eliminating the enforcement of our CC&Rs which has served our village so well over the years? What is the justification for throwing out our Village from the El Dorado Hills Community Region and potential future incorporation of El Dorado Hills, thereby denying us the services we have been enjoying for the past 30 years? Can you, or anyone else explain to us the rational for moving our boundaries? No one to date has been able to explain to us the rational behind such arbitrary and radical proposals. Some of the residents of village have contacted the General Plan staff members in search of answers, but the staff members have been unable to offer a single bona fide reasons for these drastic and arbitrary measures. Indeed some of the Planning staff privately have conceded that politics and special interests, rather than sound planning principles have been the primary driving force behind appearance of Alternatives 2 and 3. The appalling lack of information and communication by the Planning Department together with their secretive modus operandi have been instrumental in creating an environment where local demagogues of questionable mental status, such Mr. Paul Reveling (a Waterford Village Resident) have had a field day in local newspapers distorting truths, misrepresenting facts, and attacking some Equestrian Village property owners as "active" real-estate speculators. Many of these alleged "speculators" have owned their properties for over 15 years. In this atmosphere of confusion, distortion, and demagoguery even a trained lawyer fell victim to these lies and became so confused that he felt compelled to change his mind three times in three weeks! (See attached letters.)

Let me conclude, by pointing out that ,I bought my ten acre property in the Equestrian Village a decade ago because I was assured by its CC&R that I would be able to subdivided the land into three 3 acre parcels, one for each of my three daughters. Alternatives 2 & 3 would arbitrary and unfairly usurp one of these parcels, and will throw the two remaining out of their historic Community Region. As my district supervisor, please explain to me how will you protect my property rights against such



212-1

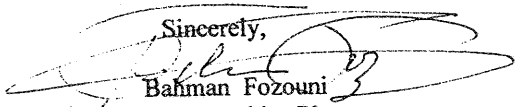
212-2

212-3

arbitrary and unilateral usurpation in a country the prides itself in its private enterprise system? I strongly urge you to read and head the El Dorado Hills Planning Advisory Committee (APAC) Comments on the General Plan Alternatives, especially the section under the Land Use Element, where they recommend (1) referring the Community Region boundary back to its historical boundary and, (2) retaining the MDR designation adopted in the 1996 General Plan as a transitional land use for the Equestrian Village in Alternatives 2 & 3. Had the General Plan team had consulted with APAC they would have realized that changing the Village's density from MDR to LDR would not make any environmental sense and thus, they could have avoided creating so much confusion and distortions regarding the land use designation in the Equestrian Village

212-3

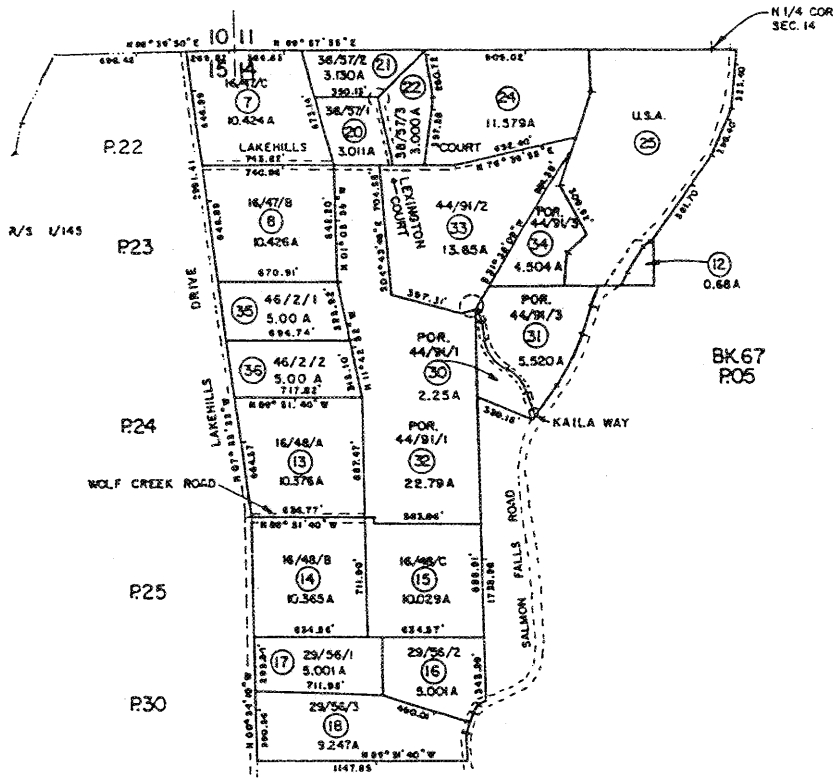
CC. Heken Baumann, Supervisor Dist. 2
Allan Tohurst, Supervisor Dist. 5
All Planning Commissioners
Heidi Tschudin, General Plan Project
Mangaer

Sincerely,

Bahman Fozouni
3115 Hopkins Place
El Dorado Hills, CA 95762
(916) 933-2221

DN., R8E., M.D.M.

Tax Area Code

110:02



BK.67
P.31

"Important: This plat is not a survey. It is merely furnished as a convenience to locate the land in relation to adjoining streets and other lands and not to guarantee any dimensions, distances, bearings, or acreage."

12-10-96

Assessor's Map Bk. 1.0 - Pg. 02
County of El Dorado, California

NOTE - Assessor's Block Number Shown in Ellipse

LEWIS E. HACKETT
1881 LAKEHILLS DRIVE
EL DORADO HILLS, CA 95762
933-1682

May 1, 1995

Dear Neighbor

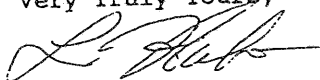
Re: Equestrian Village

Enclosed please find a draft of a modification of the CCR's for our area. Please review these carefully and contact me regarding any suggested changes that you may have. This is not a final document and now is the time to open discussions regarding conditions that you feel are necessary for any development of the area.

You may contact me at home at 933-1682 or at the office at 448-8808. My fax at home is 933-1406 and the office fax is 448-8536.

Your prompt comments would be appreciated.

Very Truly Yours,



Lewis E. Hackett

enclosure

Recording Requested By
and when Recorded Mail to:

DRAFT DATED 5-14-95

MODIFICATION OF GRANT DEED RESTRICTIONS

This MODIFICATION OF RESTRICTION, made this _____ day of _____, 1995, by the undersigned,

RECITALS

WHEREAS JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY, a Massachusetts corporation, did on January 13, 1977, cause to be recorded in the office of the County Recorder of El Dorado County, State of California, in Book 1463, beginning at page 426, a Grant Deed Subject To Restrictions, applicable to that real property in the County of El Dorado, State of California, that is described in Exhibit "A" attached hereto, and

WHEREAS there exists a block of properties with development potential located between Lakehills Drive and Salmon Falls Road, and designated for these purposes as EQUESTRIAN VILLAGE, and

WHEREAS property owners within the above mentioned area wish to establish criteria for the development of the properties in the area, and

WHEREAS there exists certain restrictions and covenants on the subject properties which the property owners do not feel provide sufficient protection, and

WHEREAS the majority of the property owners in the area designated Equestrian Village are in support of the modification of the Restrictions, and

WHEREAS paragraph 20 of said Restrictions state that said Restrictions and Covenants may be modified at any time by the Agreement of the Owners of a majority of all acreage in El Dorado Hills, and

WHEREAS the undersigned owners of a majority of all acreage in El Dorado Hills now desire to modify and amend said Restrictions with respect to the real property described in Exhibit "A" attached hereto,

NOW THEREFORE, the Restrictions contained in the above described Grant Deed and recorded by John Hancock Mutual Life

000004

Insurance company on the date and at the place as aforesaid are modified and amended to delete Paragraphs 3, 4(a) and 6 in their entirety and substitute thereto the following paragraphs:

3. Lot Size

No dwelling shall be placed or erected on any lot which has an area of less than two (2) acres, except that lots created in whole or in part on the southern most portion of the project, identified as Assessor's Parcel Numbers 67:310:09, 110:020:16, 17 and 18, shall be permitted at one (1) acre in size. Remaining properties using planned development concept may be subdivided applying an average lot size concept which may result in some lots smaller or larger than the minimum two acres lot size; provided, however that the density allowed for the entire subdivision does not exceed the two acre per lot average.

3(a). Parcel Size

No lots shall be created on the North or West boundaries of the existing "Naef property", parcels 10 and 11 of the attached map, which are less than two and one half (2 1/2) acres in size.

4(a). Size

All dwellings must have a total floor area of not less than 3000 square feet exclusive of open porches, garages and other outbuildings, except that dwellings on one (1) acre parcels (identified in 3, above) may be constructed with a minimum floor area of 2,500 square feet. Any dwelling now existing which does not meet this criteria is exempt from this paragraph.

4(k). Equestrian Trails

Any division of any of the properties within the subject area shall contain provisions for equestrian trails from any newly created parcel to the Folsom Lake Park Property trail heads. Said trails shall be designed to provide direct access to the Folsom Lake trails from any parcel within the subject area.

4 (l). Roads

No roads or vehicular access shall be created in the subject area which allows or would allow any connection between Lakehills Drive and Salmon Falls Road.

6. Set-Back lines

No portion of any structure shall be nearer than 60 feet from the front lot line, 50 feet from the side lot line

000065

or 150 feet from the rear lot line, except that setbacks on one (1) acre parcels shall conform to setbacks identified in the El Dorado County Zoning Ordinances for R-1A zone districts. Any structure now existing which does not meet this criteria is exempt form this paragraph.

Dated:

By _____

000000

May 26, 1995

Mr. Lewis Hackett
1881 Lakehills Drive
El Dorado Hills, CA 95762

RE: Proposed Equestrian Village

Dear Mr. Hackett:

This letter is written in response to your correspondence dated May 18, 1995. Rather than provide you with several letters from individual neighbors which reiterate similar points, we have decided to send one document which represents a consensus of our concerns regarding the above referenced project.

To preface our comments, we would like you to know that even though several of us were unable to attend your meeting of March 29, 1995, we have met as a group and discussed your project in depth.

In general, we are disturbed to see a site proposal with lots less than 3 acres in size. Per the County records, the acreage represented in your project is zoned RE 10 (10 acre residential estates). We are aware that the existing CCR's which apply to the subject property allow for a 3 acre minimum parcel size and we would not object to a design which adhered to this standard.

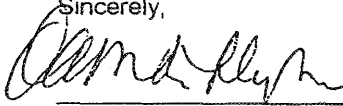
Per Mr. Peter Mower of the El Dorado County Planning Department, any down-zoning or reduction in lot size would require a modification of the CCR's which subsequently requires agreement of the owners of a majority of all acreage in El Dorado Hills.

We have also reviewed access onto Lakehills Court. It is our understanding that such access was given up as a condition for a parcel map approved in 1992. Accordingly, we cannot support any design layout which allows additional access onto Lakehills Court.

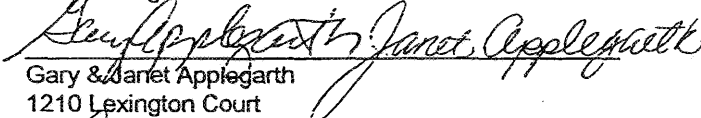
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Lastly, we would like you to know that as a group, we are not against the development of your land or project. However we will oppose any proposed project which attempts to deviate from the requirements outlined in the existing CCR's OR which allows access onto Lakehills Court.

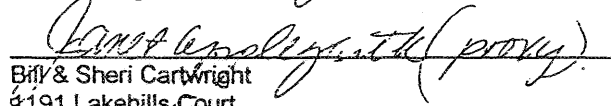
Sincerely,

 Jill E. Albada-Jelgersma

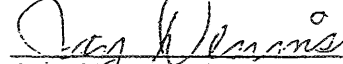
Frits & Jill Albada/Jelgersma
1221 Lexington Court

 Janet Applegarth

Gary & Janet Applegarth
1210 Lexington Court

 Sheri Cartwright (proxy)

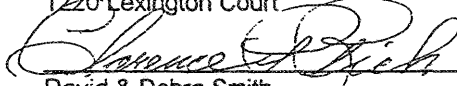
Bill & Sheri Cartwright
4191 Lakehills Court

 Linda Dennis

Jay & Linda Dennis
1691 Lakehills Drive

 Ron & Terry Higgins

Ron & Terry Higgins
1220 Lexington Court

 David & Debra Smith

David & Debra Smith
Lakehills Drive

 Mrs. Carla Schumann

Mrs. Schumann
Lakehills Drive

CC: El Dorado County Planning Department
El Dorado Hills Community Service District
Architectural Control Committee
Salmon Falls Advisory
Mr. Naef

000002

LEWIS HACKETT
1881 Lakehills Drive
EL DORADO HILLS, CA 95762
(916) 933-1682
FAX (916) 933-1406

June 24, 2003

Community Service District
1021 Harvard Way
El Dorado Hills, CA 95762

Attn: Wayne Lowery

Re: General Plan Comments

Dear Mr. Lowery,

Though a misunderstanding, I requested that the APAC in El Dorado Hills include us in the high density area. I now ask that my prior request be rejected and the line between high density and low or medium density be drawn at Lakehills Drive, not Salmon Falls. I would appreciate your advising the proper parties regarding our position.

Please also be advised that Shan Nejatian does not speak for us.

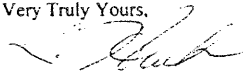
My wife and I moved to El Dorado Hills in 1987 and have watched with concern the changes taking place in the area. We live in the area between Salmon Falls Road and Lakehills Drive. The bulk of these properties are ten plus acres with a few five acre parcels and a few three acre parcels. A large portion of this area is under a set of CC&R's that were adopted in 1967 and limit the minimum size of a property to three acres. To rezone this area to high density one acre parcels would be the first step in defeating our interests in maintaining our CC&R's.

Our moderate size properties make a natural barrier/division between the high density of Waterford and the low density on the Salmon Falls Road.

We want to retain the pastoral setting and have our horses and pets. We do not want to have restrictions, other than those we agreed to in the CC&R's.

We therefore request that either alternative 2 or 3 be adopted or, in the alternative, our area be limited to low or medium density.

Very Truly Yours,



Lewis Hackett

July 14, 2003

03 JUL 15 AM 8:10

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, California 95667
Fax: 530-642-0508

RECEIVED
PLANNING DEPARTMENT

Re: General Plan Draft EIR

Dear General Plan Team:

My family and I have been residents of El Dorado Hills (EDH) from 1994 to the present, and have enjoyed the bedroom community atmosphere of the area. Recently, our attention has been drawn to the County's efforts to draft an acceptable General Plan to establish the parameters under which growth and development within the County will be directed. We have identified several areas of concern with the adequacy of the General Plan Draft Environmental Impact Report (DEIR) for the purposes of guiding the County's planning efforts as they comply with the California Environmental Quality Act (CEQA). Following are our main areas of concern:

213-1

1. **EDH/Folsom Buffer** – The sprawl of the teeming Folsom area has only been limited by the Sacramento/El Dorado County line, with precious little open space separating El Dorado Hills from the Folsom growth. Section 7.1.3 of the DEIR identifies this merging as significant and unavoidable due to the previous approval of Folsom's Russell Ranch Project and the Promontory in El Dorado Hills (DEIR at page 7-6). Writing-off this impact as unmitigable fails to recognize that the parcel(s) separating the Promontory from the existing Crescent Ridge subdivision is not subject to any existing or approved development plans. In addition, the "Roadway Constrained 6-Lane 'Plus' Alternative" designates this undeveloped land between the Promontory and Crescent Ridge for Natural Resources use, which would serve to mitigate the supposedly unmitigable by maintaining this buffer in a relatively undeveloped state. Because the County is required to mitigate this impact to the maximum extent feasible under CEQA, no alternative should be adopted that does similarly maintain the undeveloped character of this critical buffer.

213-2

2. **Wildlife Corridor** – The buffer discussed above should also be preserved for the purposes of providing habitat and a migratory path for the numerous species currently being displaced by the rapid growth of the Folsom communities. According to Exhibit 5.12-7, this area is designated by the U.S. Fish and Wildlife Service as a Recovery Plan Core Area for the California Red-legged frog, which provides yet another reason for maintaining the undeveloped nature of this area. A small stream courses beneath Highway 50 to provide water and year-round habitat for the many species of wildlife and plants native to the region.

213-3

3. **Saratoga Way Extension** – All of the County’s alternatives assume that Saratoga Way will be extended from El Dorado Hills Boulevard to the County line. This extension will increase traffic in the Highway 50 connector area, which will only add to the already burgeoning infrastructure as identified on pages 5.4-3 and 5.4-7 of the DEIR. The County’s existing alternatives provide no alternative to this extension. The County must consider an alternative that does not include this extension of Saratoga Way, and conduct appropriate traffic studies to evaluate roadway conditions without the extension.

213-4

4. **Too Many Options** – The General Plan/DEIR scheme lacks clear direction due to the many, varied, options presented therein. CEQA’s chief purpose is to inform decision making by the public and the County by mandating a clear, comprehensible EIR. Unfortunately, the County’s “buffet-style” presentation of alternatives, policies, and mitigation measures thwarts the informational goal of CEQA and obscures a clear path to measured growth and development within the County. For example, on pages 5.4-38 to 5.4-51 of the DEIR, the County identifies and proposes to mitigate impact 5.4-1, Potential Inconsistencies with LOS Policies. The problem identified is that the General Plan, in policies 3.5.1.1, 3.5.1.6, and 3.5.1.6.2, expresses a goal of minimize the number of roadways that can operate at Caltrans LOS F, while all four equal-weight alternatives will result in numerous other road segments being congested to LOS F by 2025. To correct this problem, rather than specifying which mitigation measure will be implemented, the County lists four possibilities, and promises to do one of them. (DEIR at p. 5.4-43.) Which one? The public, and presumably the decision-making bodies, have no idea. The DEIR admits that none of these mitigation measures is ideal, and further, one of the possibilities isn’t even a mitigation measure, but rather, a promise to amend the offending General Plan policy to conform with the unacceptable traffic situation! This kind of bait and switch does not constitute adequate environmental review under CEQA, and certainly doesn’t inspire public confidence that the County decision-makers can make a choice supported by substantial evidence. How can the public meaningfully comment on an EIR when the proposed course is unclear?

213-5

I appreciate that this process has taken many years to reach its current stage, but feel that additional consideration is necessary to ensure a General Plan that will serve our County’s needs and an EIR that will withstand legal challenge. Therefore, I respectfully request that the DEIR be revised and recirculated to allow meaningful public comment on a well-defined plan of action, and look forward to a timely response to my comments.

213-6

Thank you for your consideration,

Brian G. Habersack
393 Platt Circle
El Dorado Hills, California 95762

07/15/2003 12:53 1

PAGE 02/08



989 Governor Drive, Suite 101 • El Dorado Hills, CA 95762
 (916) 941-1411 • (916) 941-1474 fax

VIA FAX: 530-642-0508

July 14, 2003

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

Re: Comments to General Plan and Environmental Impact Report

Dear General Plan Team:

We appreciate the opportunity your team has provided the public with the extensive time allocation to review the General Plan alternatives and Environment Impact Report (EIR).

We provide these comments on behalf of Village P of the El Dorado Hills Specific Plan, or commonly known as the "black hole". Village P of the El Dorado Hills Specific Plan property is located at the planned intersection of the Silva Valley Parkway Interchange and US Highway 50 in El Dorado Hills. We provided similar comments to the comment period for the 2001 General Plan Project Description and still find them applicable here; therefore, they are incorporated as an attachment to this letter.

When the El Dorado Hills Specific Plan was adopted, Village P was not designated with a particular land use because of the unknown design of the Silva Valley Parkway interchange. It was determined that the appropriate land uses would be designated, through a Specific Plan Amendment process to the El Dorado Hills Specific Plan, after the interchange EIR was adopted and the affects of the interchange would be better known. Thus, the undesignated Village became known as the "black hole".

In 1989, the Silva Valley Parkway interchange EIR and Project Study Report were adopted by the County and Cal-Trans. Since then the County has allocated 30% of every RIF dollar towards the funding of the interchange, and to date, approximately \$11.5 million has been accrued.

The policies of the El Dorado Hills Specific Plan outlined a process by which the Village P would be redesignated through a Specific Plan Amendment. As such, in the early 1990's, a Specific Plan Amendment was initiated, but since the first General Plan was underway, County planning staff, with the owner's agreement, stopped the Specific Plan Amendment process and allowed the General Plan to complete the land use designation

214-1

process. Consequently, the Village P property was designated commercial in the 1996 General Plan.

The Roadway Constrained and the 1996 General Plan alternatives appropriately designate the site commercial; however, the Environmental Constrained alternative designates the site "Adopted Plan". We assume that the Adopted Plan designation is in error, since it is not a designation at all for unapproved properties. Moreover, we were unable to determine from reading this alternative why the Adopted Plan designation was placed on Village P, unless it was simply a mapping error. The Adopted Plan would mean for us to pursue the Specific Plan Amendment process all over again, which I don't believe was the intent.

If in fact this was not a mapping error, then we would request a clarification as to the intent of the designating the property Adopted Plan and respectfully request that staff, the Planning Commission and the Board of Supervisors consider designating Village P commercial.


Thank you for your time and consideration in this matter.

If you have any questions or comments, please feel free to contact me.

Very Truly yours,

Village P Project Developer:

MJM Properties, LLC
A California limited liability company

By: 
Michael J. McDougall
President

Attachment



214-1



989 Governor Drive, Suite 101 • El Dorado Hills, CA 95762
(916) 941-1411 • (916) 941-1474 fax

August 29, 2002

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

**RE: Comments to the 2001 Project Description General Plan
and consideration of request for parcel redesignation
Parcel Number: 108-030-10**

To Whom It May Concern:

On behalf of the EDH 52 Partnership owning the property referred to in General Plan Policy LU-4a as Village P of the El Dorado Hills Specific Plan, we would like to offer our comments. First, however, we would like to take this opportunity to express our support for the General Plan process your team is undertaking. Further, we appreciate that the team has provided the public an opportunity to comment on the draft policies and land use maps.

Policy LU-4a pertains to future discretionary actions for Village P and appears to be outdated (see attachment A for your reference). A bit of history may be helpful. Village P of the El Dorado Hills Specific Plan (EDHSP) is located at the intersection of U.S. Highway 50 and the future Silva Valley Parkway interchange. While Village P was included in the EDHSP by name, actual designation of the land and rezoning was intentionally delayed until the Silva Valley Interchange Environmental Impact Report was completed in 1990. The purpose being that until the EIR was completed, the appropriateness of land uses would be uncertain (see attachment B which depicts that the property had no zoning or designation pending adoption of the EIR).

The EIR demonstrated that because of the noise contours emanating from U.S. Highway 50 and Silva Valley Parkway, Village P would best be served as commercial and office uses (see attachment C depicting the adoption of the Silva Valley Parkway interchange alignment and appropriate proposed land uses). Therefore, a specific plan amendment application and design guidelines were prepared and submitted to the county in 1994. However, the Planning Department determined that since the General Plan was underway, the Planning Department abandoned the specific Plan amendment and design

guideline process and designated the property as commercial, which reflected the most appropriate uses for the property.

The presently drafted Policy LU-4a appears to revert to a process that is already outdated, and therefore, should be either stricken or rewritten to reflect the history leading up to the 1996 General Plan commercial designation.

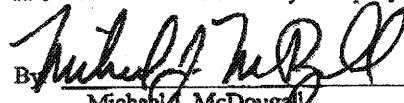
Regarding the land use maps, the 2001 Project Description map depicts the Village P as part of an adopted plan. As mentioned above, the Village P designation in the EDHSP was that of no designation. You may have heard of the "black hole", which is Village P. It was so named because of the lack of zoning or designation with the adoption of the EDHSP. We respectfully request that the land use map be revised to depict Village P as commercial and revise Policy LU-4a to be consistent with the land use map.

We sincerely thank you for considering our request.

If you have any questions or comments, please feel free to contact me.

Very truly yours,

MJM Properties, LLC
A California Limited Liability Company

By 
Michael J. McDougal
President

attachments

ATTACHMENT A

Policy LU-2d No new strip commercial development shall be approved. Instead, nonresidential development shall incorporate pedestrian-friendly elements and integrate with surrounding uses. Existing strip commercial areas shall be maintained with common and continuous landscaping along the street frontage, shall utilize common driveways, and accommodate parcel-to-parcel internal automobile and non-automobile circulation.

Policy LU-2e Neighborhood commercial centers shall be oriented to serve the needs of the surrounding area, and grouped as a clustered, contiguous center.

Policy LU-2f The parking standards of the Zoning Ordinance shall be amended to permit on-street parking where available to reduce the amount of off-street parking area required.

Objective LU-3: To provide for the visual and physical separation of communities.

Policy LU-3a Low intensity land uses such as parks and natural open space areas, special setbacks, parkways, landscaped roadway buffers, natural landscape features, and transitional development densities shall be incorporated into new development projects to provide for the physical and visual separation of communities

Policy LU-3b New development shall provide greenbelts such as preserved open space, parks, agricultural districts, wildlife habitat, rare plant preserves, riparian corridors, and designated Natural Resource areas or other means of community separation where that development would link existing communities.

Policy LU-3c In order to maintain separation of communities between Diamond Springs and El Dorado, zoning between these two communities shall be maintained at the lowest density range of Medium-Density Residential (MDR) or Low-Density Residential (LDR) and design standards shall be utilized that encourage clustering and greenbelts.



Objective LU-4: To establish site-specific policies to provide additional, specific direction for the development of land where circumstances apply to areas of special interest.

Policy LU-4a Those lands within the El Dorado Hills Specific Plan identified as Villages P, Q, and V shall be rezoned to include the Planned Development Overlay (-PD) as part of any development application and shall be subject to the applicable provisions of the El Dorado Hills Specific Plan Design Criteria, the most recent draft or adopted Village P Design Guidelines, and the most recent draft or adopted Scenic Highway Corridor Ordinance as part of any discretionary design review.

ATTACHMENT B

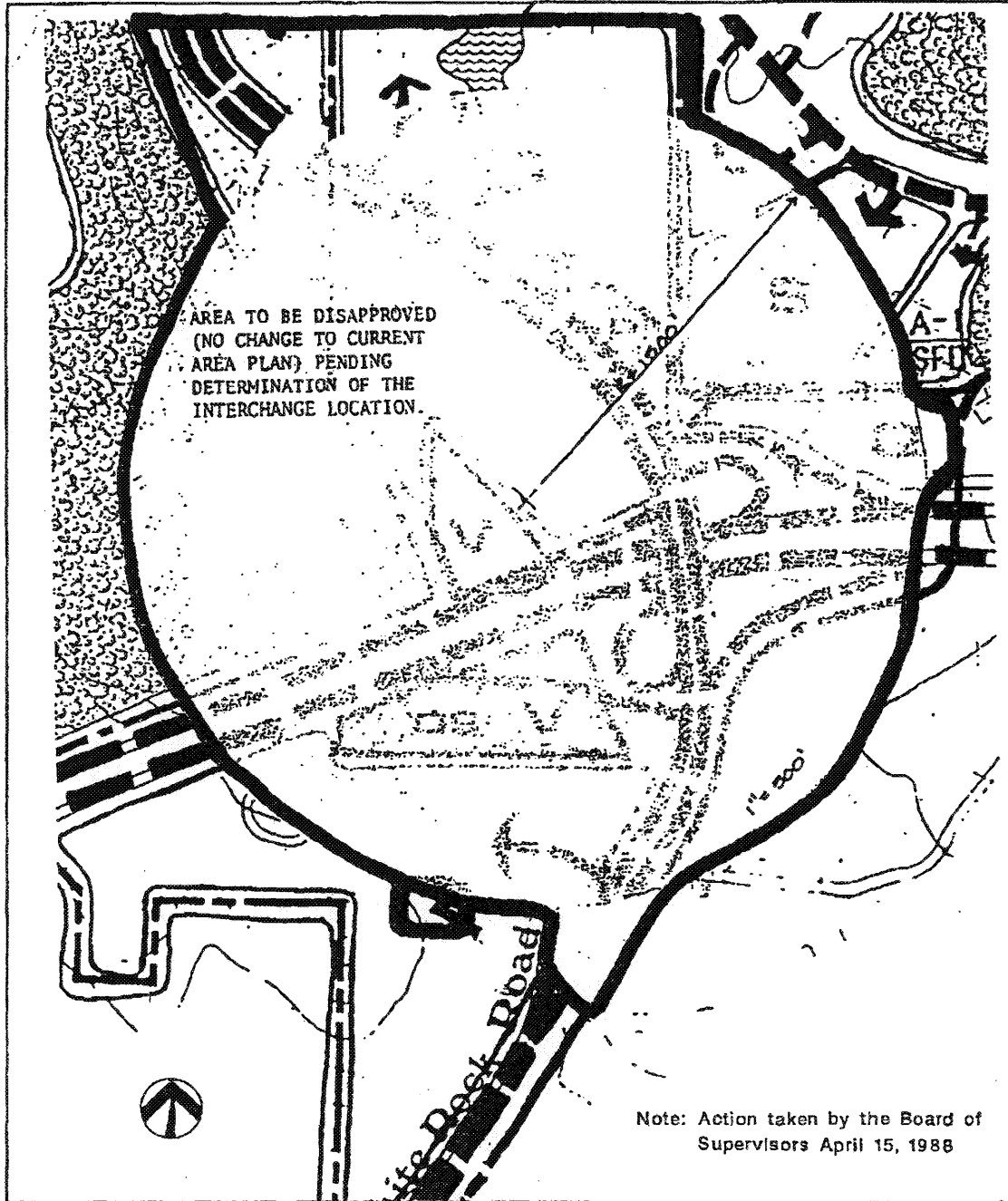
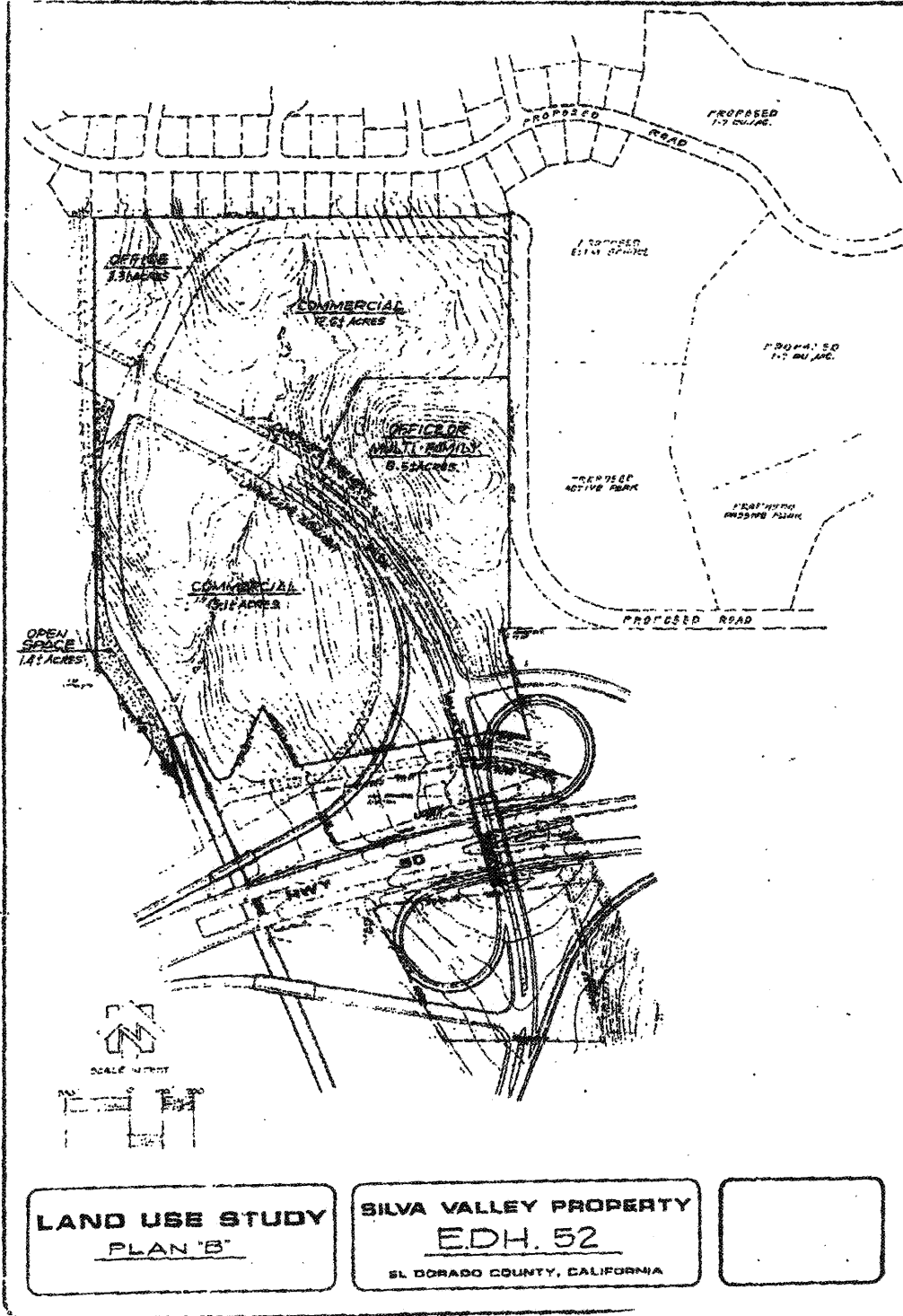


FIGURE 4-4. AREA DISAPPROVED FROM THE EL DORADO HILLS SPECIFIC PLAN

Source: Final Environmental Impact Report El Dorado Hills Specific Plan (Jones & Stokes Associates 1988)

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ATTACHMENT C



Submitted by John MacCready, El Dorado County Planning Commissioner, District 2

General Comments:

- Identify what the open space on the all alternatives. Is it private, government and what is it scheduled for?
- It looks like large sections of rural lands and natural resources are divided into parcels smaller than desirable for the intended rural or agricultural use. Modify this!
- On the Roadway alternative Georgetown is listed and shown on the map as a community region while in the environmentally constrained Georgetown is listed as a Rural Center. On both maps it is shown as a community Region. Since Georgetown does not have public water and sewer it should be classified as a rural center.
- The final General Plan Document should have ag districts and an ag overlay designation.
- It would be very helpful for review if the maps named the Community centers and Rural Centers.
- It seems that the growth forecast is based on past growth and resulting future growth projections. However it seems that the growth forecast should also be tied to water supply. If this is done and then growth in community centers is extremely limited because of the requirement for public water and sewers. This being the case most of the growth will have to be in rural regions and will definitely encroach on Ag land and open space. How is open space and Ag land to be preserved under this case?
- To avoid parcel splitting in Rural regions it seems logical to have the final general plan be developed so that the major growth will be encouraged in the central-western portion of the county. This means that the county will require more water. When this water is acquired some must be set aside to encourage Ag growth as well as residential growth.
- In the EIR there is discussion about the time between 2025 and buildout. Define the projected growth between 2025 and buildout. Does that mean that after "buildout" occurs there will be no more growth?
- The genera plan is focusing high-density residential development in community regions and rural centers. However, the density in rural centers should be limited in the general plan to that which can be accommodated with out public utilities such as water and sewer. The density allowed and specified should be consistent also with the LOS impact on roadway infrastructure.
- When construction of the Texas Hill Reservoir is completed the LOS on Pleasant Valley road and Newtown Road will decrease substantially because of the loss of Cedar Ravine and Quarry Road and Big Cut Road access to Placerville. What is being done or planned to prevent this?
- Because the county would like to preserve open space and see rural lands be allocated to agriculture where possible it sees that the goal of a general plan should discourage distribution of residential growth to areas requiring ground water and septic systems. Because the county does not have ground water near the surface and many times neighbors have to compete for water by alternately digging deeper wells distribution of residential growth to rural lands will ultimately take away water required by agriculture making agriculture non viable. Thus growth should be encouraged in and around community regions where public water and sewer can be extended more cost effectively.

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- In the EID profile it is stated "(EID) is an irrigation special district duly organized in 1925 and existing since under the Irrigation District Act (Water Code §§ 20500 et seq.) and authorizing statutes (Water Code §§ 22975 et seq.). Its purpose was to provide domestic water to the City of Placerville and irrigation water to local farmers." My understanding that the major emphasis for establishment of EID's major water supply was, by the USBR for the Central Valley Project, for agriculture. The American River Division of the Bureau of Reclamation completed the Sly Park reservoir in 1955. The EIR is erroneous in its emphasis on the establishment of EID and Jenkinson's Lake. See page 5.5-11 of the EIR.
- I disagree with Wood Rodgers (page 5.5-30 in EIR) that agricultural growth will slow down. Vineyard growth is seeing a geometric rise as individuals learn of the quality of wine grapes grown in El Dorado County. There are many vineyard developers who view El Dorado as the last place in which to buy land for premium grapes economically. When the "wine press" opens it's eyes and admits what many in the industry already know there will be an even greater rise in growth of agriculture in El Dorado County. This should be anticipated and prepared for by additional growth projections in the EIR and the final general plan.
- According to 17.14.190 and 200 wineries in Ag districts must be on 20 acres to qualify for tasting room and accessory uses. However those on commercial parcels do not have to meet the 20-acre requirement. This refers to the winery ordinance on page 5.2-22.
- The EIR paragraph 5.1-3, page 2-9 of the summary. Explain the implication of this paragraph in depth with respect to LU-6b, page 30. It appears that this may require excessive review of all building permits and will result in excessive costs, time delays and usurpation of individual rights.

216-12

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216-15

The following comments are referring to the roadway constrained book with respect to page and paragraph numbers. They are intended to be incorporated in the final general plan version.

Page	Measure or goal #/policy#	Comments
General	Comment	The final general plan should contain an agricultural land use designation and ag overlays
8		If land splits will not be allowed below the area zoning it should be spelled out to prevent later confusion. If that is not the intent it should be.
12		According to this county residents will not have a say in measures required for their own safety. Many times fire protection districts and the CDF do not consider the economic impact of their decisions. Thus the decision-making committee should be composed of non-professionals as well as fire professionals.
12 bottom Paragraph		A projection of future ag land use should be included in this ag us discussion. Grazing may be on the decline while other agricultural commodities are increasing and can be implemented on land suitable for grazing as well as on land not suitable for grazing.
13		Is the whole county still defined as a red-legged frog habitat or just the Cosumnes River? Is it just the combined north and south fork only or does it extend up the north and south forks? Should specify.
24		R&D zoning is not appropriate in Rural centers.
25	LU-2c	What constraints will be implemented in writing to prevent expansion of rural centers and after enough expansion when does a rural center become a community center with it negative effect on agriculture.
28	LU-4a	What criteria will be implemented to prevent future conversion of rural ag land to residential? Right to farm regulations should be extended to other industries, ie mining and timber.
28	LU-4b	Does this mean that a 20-acre parcel can be divided into two 10-acre parcels per Table LU-1 or into 4 five-acre parcels? This should be made clear to all. In addition allowing all parcels to split into 4 parcels would imply that all zoning would have to be divided by 4. This will disperse development into rural regions instead of keeping it in the community centers. Not acceptable to for preserving open space and ag land. How do rural lands of Table LU-1 equate to rural regions. For the final version the land use with respect to this subject should use the environmentally constrained version.
30	LU-6b	This appears to be usurping the individuals right to put his building in the most scenic part of his parcel for the benefit of transients in the area. This is not acceptable and should be revised. This should be applicable only to defined scenic corridors, if at all, and not to the whole county. Comment and discuss alternatives to this goal and the implementation paragraph.. See last bullet of the general comments above

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Page	Measure or goal #/policy#	Comments	
	HO-DD	Some of these add costs to houses, which probably won't be needed and may not be wanted by some. Why penalize everyone? Explain that this will not be a permit requirement.	216-28
211	PS-2g	Add this here and in the implementation section: Any new water acquired by public water agencies especially with the help of the County Water Agency will have 30% reserved for agricultural expansion. It will not be distributed on a first come first served basis to any other than commercial agriculture.	216-29
222	PS-F	This measure should include a statement of rezoning to 10 acres or larger in any areas found to be lacking in groundwater supply per PS-2e	216-30
231	HS-2e	The county should not interfere with the establishment of gated communities. If people are aware that it may take a few minutes longer for a fire truck to arrive but they still feel safer in a gated community they should be allowed to live in one. It may even cost more for insurance but that is an economic decision, which should be left up to the individual. Delete references to gated communities in the final plan.	216-31
256	CO-2e	Any new development project within 10,000 feet of an existing mining operation shall sign a document acknowledging the right to mine of the mining operation without legal or other interference by the development project. Right to mine	216-32
260	CO-6a	This should include a statement to the effect "if not detrimental to county interests.	216-33
266	CO-E	The ag commission or ag commissioner should be involved in this. Modify this measure to include one or both.	216-34
267	CO-F	Include the ag commissioner in this responsibility	216-35
268	CO-J, F	Substitution of other faster growing trees especially where scrub oaks are involved. Also include the ag commissioner as part of the responsible department	216-36

Page	Measure or goal #/policy#	Comments	
269	CO-M	What is the implication of this?	216-37
	Fig. AF-1	It is difficult to distinguish between unique farmland and urban land not yet developed. There should be some policy and measure pertaining to this.	216-38
278	AF-1a C	A parcel should not need to be under cultivation to be included in an AG district	216-39
		Insert a chart here for ag which is similar to Table AF-3	216-40
	AF-2b	Add the following: Develop a policy and a measure, which will prevent water presently allocated to agriculture from being diverted to other uses. This would put a restriction on the public water purveyors.	216-41
283	Implementat ion program	In all cases the time frame allocated to generate the various procedures is too long. It looks like ag and forestry is being put on the back burner. Most of the measures are more applicable to the Ag department so it should be the responsible agency with the help of the Ag commission. I request that these measures be revised to allow the Ag department assign an appropriate time frame and prioritize the development of the various measures.	216-42
283	AF-A, bullet 5	Public facilities should not be placed in ag districts. There are enough areas outside ag districts but generally adjacent that the ag districts should be preserved. This should part of the final plan arrived at after the public hearing.	216-43
293	TOURISM	In the last sentence after Fairplay add "as well as Pleasant Valley, Gold Hill and many other areas of the county " to experience -----	216-44
294	PR-b3	For reasons of public health and safety as well as right to farm ordinances trails should not be directed through ag land whether developed or undeveloped.	216-45
295	PR-6a	This should only be encouraged if the level of service is not degraded and should not be used a stepping-stone to bring in undesirable events. We are already having problems with some tourist drawing events.	216-46
301	BACKGRO UND	This section should contain a paragraph giving recognition to the increase of Tourism related to the wine grape development. For instance from 2-4 people served on a weekend by two wineries 26 years ago to more than 100 people served by 30 wineries per weekend day at present. At present this appears to be a geometric expansion.	216-47
303	ED-1a	Who will make up this advisory body?	216-48
304	ED-A, F	The charter of this corporation should be directed toward building the economy from the inside out.	216-49

Conrad Montgomery, Planning Director
& General Plan Staff
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

July 14, 2003
03 JUL 15 PM 2:25
RECEIVED
PLANNING DEPARTMENT

Subject: Comments on General Plan Alternatives and Draft EIR

1. The Manner Potential Zoning is depicted in both of the Constrained Alternatives Land Use Standards Tables is misleading to the Public and County Supervisors. By not defining a potential zoning range in Land Use categories and depicting only maximum density such as MDR-1DU/ac and LDR-1DU/5 acres development entitlements and the perceptions or projections of density, potential growth and land availability throughout the County or in a given area are distorted. Why is the allowable range and the potential that the County will rezone and/or down zone to the minimum density not disclosed?

217-1

2. The potential down zoning (to, by law, make zoning consistent with revised Land Uses) that will occur, by Supervisorial District, in terms of acres, parcels and number of land owners affected by for each alternative has never been disclosed to the Public or County Supervisors. Why?

217-2

3. The NOP for the EIR states "El Dorado County is proposing to adopt a new General Plan and the proposed General Plan is based in large part on the 1994 Plan and measure Y". The source and justification for the Land Use and policy changes that go beyond the 1994 Plan and Measure Y has never been disclosed to the Public. In addition, the 1994 Plan morphed into the 2001 Plan which was dropped after the August 2002 workshops to be replaced by the two Constrained Alternatives without a NOP or additional public workshops. Why?

217-3

4. The General Plan Workshops held in August 2002 without the Draft Housing Element and the two Constrained Alternatives available appear to have only filled a processing "square" with little to none of the public comments and parcel specific requests reflected in the new alternatives now on the table. This brings into question the County's compliance with the intent and/or letter of Section 65033 (Public Participation) of the State Planning and Zoning Statutes. Why did the new alternatives ignore the parcel specific requests and the County then proceed to final EIR draft without additional workshops to consider comments and additional parcel specific requests?

217-4

5. Section 65033 is also brought into question when many new concepts, policies, and mitigations have been included in the Constrained Alternatives without public review, comment or debate and with no identification as to their source, potential cost or scientific justification. What was the source of new concepts such as Important Biological Corridors and the four parcel split maximum policy that were not in the 1994 Plan but now are in the Constrained Alternatives?

217-5

6. The '96 Plan Alternative is incomplete in that Judge Bond's directions to County have not been complied with either by changes in the text and/or supporting documentation in Volume II

217-6

of the '96 Plan, or an attachment to the '96 Plan delineating the Court required text changes and supporting data. To bury a discussion of the cures for the Judge's findings in Part 3 Appendix G of the EIR does make for an adoptable Plan or legitimate Equal Weight Alternative. In addition, to respond to the Court's direction by saying the cure is a "new general plan" is inappropriate and not what the Public anticipated.

217-6

7. The 16 page Writ document containing the Courts directions to County and the interim restrictions placed on development was included at the end of the No Project/'96 Plan Alternative. The '96 Plan is also incomplete in that the entire Court ruling of some 142 pages was not made available to the Public either for purchase or on the County web site. This document was, and is, central to the issue of spending two to four million dollars to develop a new plan. The document reveals that Judge Bond denied the Petitioners First major Cause of Action and assertion that the '96 Plan violated the Planning and Zoning Law and therefore did not invalidate or "throw out" the '96 Plan. The Judge also denied the Petitioners Third major Cause of Action and assertion that the County violated the Public Trust Doctrine relative to development and water rights and therefore did not invalidate or "throw out" the '96 Plan. The Judge did acknowledge a portion of the Petitioners Second major Cause of Action in that the County did violate CEQA in some, but not all, of the respects alleged. The result was the "Directions to County" and interim development restrictions. Again, the Judge did not invalidate the '96 Plan and only found issue with a portion of the CEQA environmental review process and the data used to support the County's actions. Why was the complete Court ruling document not made available to the Public during the current General Plan development and decision process?

217-7

8. The '96 Plan Alternative is also incomplete as are the other Alternatives by omitting the voter approved Measure Y ten year sunset clause.

217-8

9. The issue of an "adequate range of alternatives" is also questionable. The text of both Constrained Alternatives is, with few exceptions, identical. The Land Use Maps of the Constrained Alternatives, while differing in specific parcel Land Use Designations, both reflect the identical County overall Pattern of Development - i.e.: The majority of the County projected growth accommodation, traffic congestion and service demands are directed to the West End of the County with little to no development or opportunity to utilize less costly land for affordable land projected for the rest of the County.

217-9

10. The constrained alternatives are internally inconsistent by promoting fire safety in the Health and Safety element while promoting fire hazard concepts like contiguous tree canopy, important biological corridors, no roads along ridge lines, large blocks of land within or adjacent to existing communities with no mitigation mechanism for fire fuels buildup etc. in other Plan elements.

217-10

11. The General Plan EIR Executive Summary states, "No cumulatively significant impacts related to human health and safety were identified." The many environmental based concepts and constraints scattered throughout the Constrained Alternatives along with their development restrictive Land Use Maps are in direct opposition to fire prevention/suppression activities and are in fact significant impacts to human health and safety.

217-11

12. CEQA provides for alternatives to mitigations and the ability to make statements of overriding considerations based on economic and other factors. No data has been provided to the Public or the County Supervisors to project policy implementation and enforcement costs, county staff growth, impact on affordable housing, fees, etc. for any of the alternatives. CEQA requires only that the decision makers (Board of Supervisors) be provided with a comprehensive and clear disclosure of actual or potential environmental impacts. CEQA does not require all impacts to be mitigated and provides for the ability to craft statements of overriding considerations that recognize other factors. Where is the projected cost, staff growth, facility growth, impact to property rights and alternative course of action data found in the current process and documentation to fully disclose to the Public and Supervisors all factors affecting their decisions?

217-12

13. No analysis has been done of potential County revenue loss through property reappraisal as a result of down zoning or loss of entitlements such as eliminating ridge line view building sites.

217-13

14. The Land Use Maps of the Constrained Alternatives reflect projected lower density land uses and Community Region and Rural Center boundary modifications with little or no consideration of existing infrastructure, past development patterns, current conditions, infill potential or wildland fire fuels build up. While slow or no growth objectives may be met through down zoning, and development constraints, the existing occupied surrounding or adjacent parcels lose the increased safety gained through development driven County imposed firesafe plans, fire fuels modifications, improved roads and circulation etc. The proposed Plans offer no County funded or other alternatives to the fire safety enhancements normally brought to an area through infill and adjacent development. Have "alternative to development" wildland fire hazards or fire fuel mitigations been considered when designing the Land Use Maps or has the computer and GIS been directed to place upon any parcel that has not been split a land use designation that will down zone and preclude splitting and development? If so, under whose authority?

217-14

15. Before adopting a Plan based on major down zoning and the restriction or loss of development entitlements the County may be well advised to review the 2001 U.S. Supreme Court findings in the Palazzolo vs. Rhode Island Case. The Court recognized that a taking under the Fifth Amendment may have occurred, depending on a complex of factors including the regulation's economic effect on the landowner, the extent to which the regulation interferes with reasonable investment - backed expectations, and the character of the "Government Action." My property, Parcel No. 042-500-34-100, consisting of 10 acres in the Sly Park area, may provide an example common to many County property owners. The property was, when purchased in 1975, and still is, Zoned R3A. Over the years I have made significant investments in the property and furthered my investment backed expectations by establishing road easements, site planning, buying multiple EID hookups and constructing public water system improvements in anticipation of a three parcel property split. Both Constrained Alternatives will result in a property down zone and prohibit the realization of my investment backed expectations.

217-15

16. What will be the impact on existing and future agriculture water, if there is a shift in water

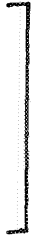
217-16

allocations to accommodate a General Plan major shift of development potential and entitlements to the County's West End.?



217-16

17. The Constrained Alternatives provide for the increased establishment of Habitat Preserves and Conservation Easements. While development is expected and required to mitigate fire danger through firesafe plans, fire roads, fire breaks and secondary access roads, the Plans do not reflect the same requirement or economic burden on those entities, agencies, conservancies etc. that remove land from the tax roles and create open space areas where fire fuels and fire ladders can build up and put existing communities at risk that are in proximity to the protected lands. Is there any plan to require agencies, entities or organizations who create protected lands to bear the responsibility and cost to protect adjacent or near by lives and property?



217-17

18. Make copies of the entire Judge Bond findings and directions to County Document available to the Public, the Planning Commissioners and County Supervisors and educate same to the fact that the Court did not void the '96 Plan and the "Directions to County" were directed at the CEQA process along with the need for additional supporting data and not the '96 Plan itself.



217-18

19. Some County residents have been pacified by being told that we can adopt a Plan and "fix it later". What is the plan to "fix it later", the process, the legal and CEQA requirements, the time involved and the costs?



217-19

20. The '96 Plan has been through Public, Legal and CEQA review. The Zoning Code that implements the '96 Plan is available in draft. As we face growing deficits why not stop spending money on new Plans that will cost the County and Taxpayers more money to implement and litigate? Follow Judge Bond's simple and lowest cost option directions, adopt the '96 Plan as the preferred Alternative and establish a Public involved Major Review two years after adoption to "Fix it Later". If the '96 Plan is rejected by the Planning Commission and Board of Supervisors in favor of a Constrained Alternative a combination of the Constrained Alternatives or a Constrained Alternative Land Use Map, I request that, before the 2004 Primary and General Elections, a comprehensive disclosure to the residents of El Dorado County of: 1. The cost to fix the '96 Plan versus the cost to litigate and implement a new Plan. 2. The science and justification behind new General Plan policies and/or policies that are not now in the '96 Plan. 3. The source of any new concepts and/or policies. and 4. The anticipated fees, staff increases and facility expansions needed to implement and enforce the new concepts, policies and restrictions.



217-20

Sincerely,

Thomas G. Mahach,
Director, El Dorado County Fire Protection District Board
6830 Aerie Road
Pollock Pines, CA 95726
(530) 644-4384

cc: County Supervisors and Planning Commissioners

Art Marinaccio
4024 Jackpine Rd.
Shingle Springs CA. 95682

03 JUL 14 PM 12: 22
RECEIVED
PLANNING DEPARTMENT

General Plan Team
2850 Fairlane Ct.
Placerville, CA 95667

RE: Diamond Springs Quarry

This quarry is owned by Loring and Thelma Brunius and is designated on the recently released mapping of "Mineral Resources of El Dorado County" as an Aggregate Resource Area. This property is also designated MRZ2a. These designations create a requirement that the resource be protected within the General Plan.

In addition, this property is currently zoned Industrial and has an approved Reclamation Plan approved by the County of El Dorado, and upheld by the courts, which relies upon the Industrial designation. To remove this designation would be to damage the operation in a number of important ways.

First, residential, which is the proposed alternative, is inherently incompatible with mining. This would appear to directly violate the mandate to protect the identified resource. Second, substantial dollars have been spent in an ongoing effort to reclaim this historic property from past mining abuse. This reclamation has been done in a manner consistent with the Industrial zoning. Reclamation to residential would be a different plan and require different practices. Our current approved plan was approved after the General Plan was adopted in January of 1996 and the adoption of the Writ. The Writ accepted those entitlements approved in reliance of the 1996 plan.

We respectfully request that the Industrial General Plan designation and the Industrial zoning remain in place on this quarry. To do anything else would be a direct violation your responsibility to protect this important resource.

We also believe that the 1996 plan as adopted by the board of Supervisors is the only acceptable plan to use as a baseline for review. Changes should not be made to the plan as adopted in January of 1996 should not be altered without substantial reasons.

Thank you,



218-1

218-2

Art Marinaccio
4024 Jackpine Rd.
Shingle Springs CA 95682

03 JUL 14 PM 1:24

RECEIVED
PLANNING DEPARTMENT

General Plan Team
2850 Fairlane Ct.
Placerville CA 95667

RE: Decomposed Granite deposit 93-190-01 36 Acres
93-150-12&21&22 8Ac & U

This request includes property owned by Eric Brunius that is directly South of the quarry owned and operated by the County of El Dorado. The county owned portion of the deposit is being mined for road sand by the county. The mineable portion of the deposit extends to the south and is significant.

These properties need to be in a designation that recognizes their value as a current and future material source.

These minerals should be protected from encroaching residential uses that may limit their development in the future.

Thank you,



219-1

Art Marinaccio
4024 Jackpine Rd
Shingle Springs CA 85682

03 JUL 14 PM 12: 22
RECEIVED
PLANNING DEPARTMENT

General Plan Team
2580 Fairlane Ct.
Placerville CA 95667

RE: ARA-7

This property APN 95-011-49&50 that is owned by Sierra Terra plus surrounding property

Aggregate Resource Area 7 as identified in the recently released Open file Report 2000-03 consists primarily of property formerly owned by Cosumnes River Associates. This property was permitted about 1980 as the "Big Hole" project. That project primarily was extracting in stream placer gold from the Cosumnes River.

The potential identified in the report and that resource recognized by El Dorado County when it approved a rezone to Mineral Resource in the 1980's was, and is, the high quality limestone. This deposit has been mined historically on both sides of the river and is recognized as such in the mapping. This property must be in a designation, which is compatible with the Mineral Resource Zoning. The Mineral Resource zoning should be retained, both in the zoning ordinance and on this property.

220-1

The adjacent historically mined property should also be accommodated in this identification. To designate this land with any designation not compatible with mining would violate the provisions of the state designation.

The 1996 General Plan alternative clearly is the only alternative that recognizes the importance of our important economic resources. As Judge Bond stated in her decision in February of 1999 the government code section 65560b2 lands for the managed production of resources are included within even within open space areas. Reading from page 22 of the decision it is pointed out that one of the contentions of the petitioners in the suit against the General Plan in 1996 was their belief that the plan did not "discuss areas to be targeted for conservation of future mineral extraction". They lost on that issue, but it shows there is a wide consensus that important economic resources are to be designated for protection. This limestone deposit is one of those resources.

220-2

Thank you,



Art Marinaccio
4024 Jackpine Rd
Shingle Springs CA 95682

03 JUL 14 PM 12: 22

General Plan Team
2850 Fair Lane Ct.
Placerville CA 95667

RECEIVED
PLANNING DEPARTMENT

RE: Draft General Plan and EIR 2025 General Plan

Subject Property 115-010-30 owned by Double D Springs, Inc.
Attachment: assessor's map of area for reference

The property consists of approximately 150 Acres being the remainder from the development of the Green Springs Ranch Rural Subdivision in the 1970's and the sale of approximately 40 Acres of the property to Rescue School District for the new Middle School now under construction and land for portion of the next High School to be built.

Dennis Graham, the owner of Double D Springs has purchased this property from Ed Greenhalgh for the purpose of developing a first class Equestrian facility. The property is designated in the 1996 General Plan as LDR within the Community Region.

This designation would allow the project to annex to EID and take advantage of the Sewer line and Sewer Lift Station which have been constructed immediately adjacent to the property to serve the new schools and the surrounding property. Water lines have been expanded in the area to provide adequate fire flows to the school sites. Green Springs Ranch Association has applied for and been approved to bring EID water into that development. We have had some discussion with the schools about the prospect of bringing reclaimed water into the area for our equestrian facility and the school grounds use. All these possibilities become much more difficult or impossible if these properties are not included within the Community Region.

The two lower growth alternatives have excluded the school sites and our project from the Community Region. This would seem to directly violate the policy that schools be within /Community Regions. The schools have had to negotiate with LAFCO and EID to get water and sewer service by Out-of-district contracts. Bringing The Community Region boundary to Green Valley Road and to New Bass Lake Road would allow for the appropriate planning for the future infrastructure needs. All of this property is identified as being within the service area for the new Bass Lake Tank.

Due to the lack of a completed set of new zoning codes it is difficult to know what zoning should be actually applied to this land to allow our proposed project. The LDR within the Community Region envisions that the zoning will remain as it is today until an appropriate level of planning can be performed on a project specific basis to justify a development plan.

221-1

221-2


An approved EIR exists for this property that was approved by the Board of Supervisors as part of the processing of the Green Springs Ranch project. Further EIR approvals exist for the building of the Middle School, which is slated to open for business before this General Plan is adopted, amend for the future construction of a High School. We have conducted traffic studies and other site-specific studies, which indicate that a quality project can be built in a responsible manner. We have cooperated with the Green Springs Ranch Owners Association in a mutually acceptable use of the road system and will work in the future to make the system function appropriately.

221-3

I urge the adoption of the 1996 plan as the basis for your deliberations and urge its final adoption as our 2025 Plan. The reduction of designation to Natural Resource as proposed has no factual basis. It would appear to foster none of the policies in the lower growth plans other than not allowing this property to be used. It would further no other purpose.

221-4

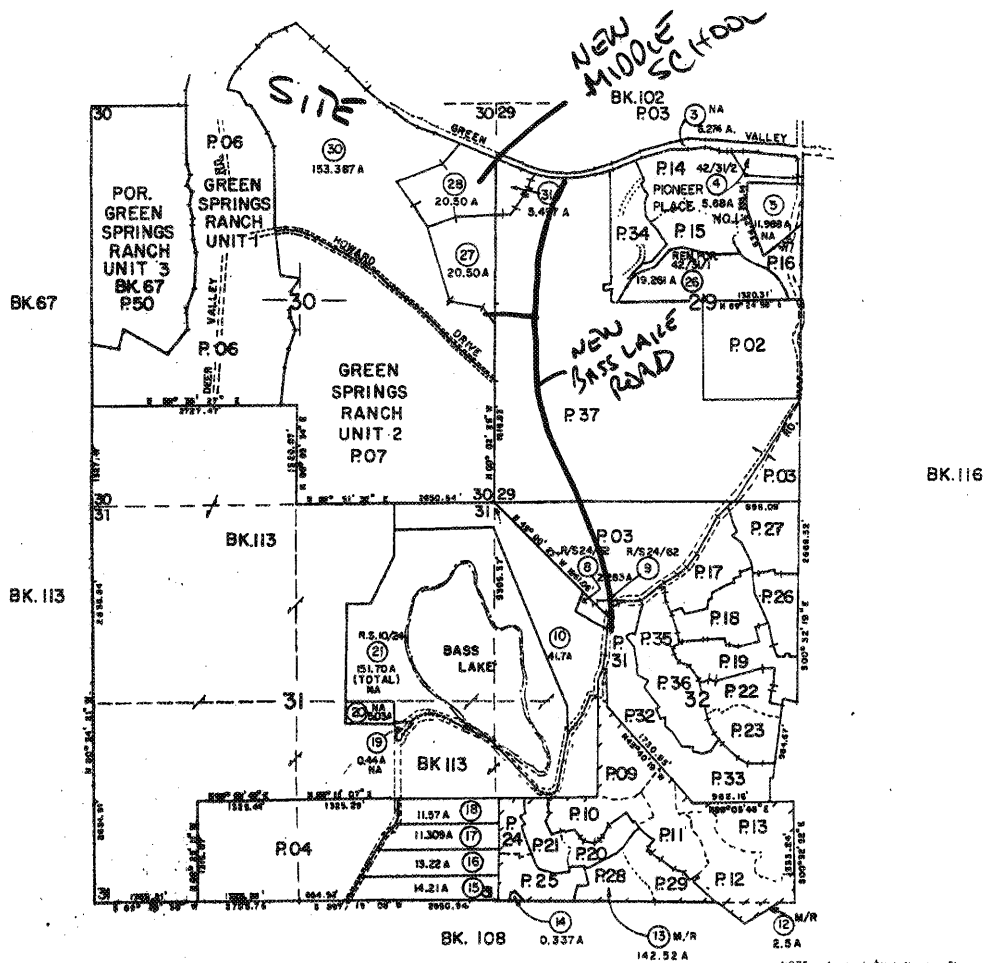
Thank you for your consideration of my request.


Art Marinaccio, for Dennis Graham

SECS. 28 to 33 T.10N. R.9E. M.D.M.

Tax Area Code

115:01



Assessor's Map Bk. 115 -- Pg. 01
County of El Dorado, California

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

Art Marinaccio
4024 Jackpine Road
Shingle Springs CA 95682

03 JUL 14 PM 12: 22
RECEIVED
PLANNING DEPARTMENT

General Plan Team
2850 Fairlane Ct.
Placerville CA 95667

RE: 317-12-08;102-15-16;102-15-28Weber Creek quarry operated by Loring and
Thelma Brunius, 102-150-25 owned by Sierra Terra,& old Foothill Sand and Gravel
property102-14-51,52,54,81,82,&83etc.

This letter includes those properties North of the quarry, which are currently designated
as Industrial. All the property owners of these properties I have talked to are disbelieving
that anyone would consider changing the Industrial designation that they are currently
utilizing as Industrial. There is simply no purpose served by changing the designation.

222-1

It is very important that the Industrial designation as shown on the 1996 General Plan
remain in tact. There have been spent more dollars than one might care to admit in
reliance on that designation, including the processing and approval of a Reclamation Plan
for the Quarry, which is dependent upon the Industrial designation.

As you are undoubtedly aware the Department of Conservation filed an action in court
challenging the validity of that Reclamation Plan. The trial court and subsequently the
court of Appeals have let the approval stand. To have the courts uphold the plans and
then the staff make the plans invalid because they arbitrarily decide to change the color
on a map is unacceptable. There is no public or private benefit to be derived from
changing the designations decided upon in 1996.

222-2

The Writ specifically upheld those entitlements granted based upon the designations in
the 1996 plan. We fully believe that the reclamation plans that the county adopted on
August 29, 1996 qualify for that treatment. The decision did not void approvals that
relied upon the 1996 map. The Reclamation Plan is such an approval.

222-3

In addition to the quarry there are the lands of Foothill Sand and Gravel which were
zoned industrial in 1978 to the North of the quarry. Much of this acreage is currently
used for Industrial and should remain Industrial. The 35 acres designated as Industrial
and owned by Sierra Terra Inc. should also remain as Industrial as well. To designate
lands adjacent to a working quarry as residential would violate the policy of protecting
these lands from incompatible adjacent uses. We are all aware of how much difficulty
can arise from just one modular home being dragged adjacent to a quarry. Designating
the quarry itself as residential is even more absurd.

222-4

This quarry is designated as an "ARA" on the SMARA mapping of important mineral
deposits of El Dorado County and recently released to the public. This designation must
be respected by you in your General Plan. This is not an optional discussion item.

222-5

The Writ specifically required the County to address the proposed mitigation that parcels of land adjacent to identified mineral resources not be zoned for uses incompatible with mineral extraction and that uses be restricted to a maximum density of 20 acre parcels. We urge this to be adopted and implemented. The Industrial designations should remain on those shown on the 1996 General Plan.

222-6

One minor mapping error needs to be acknowledged and that is the 2 acres approved for boundary line adjustment to the Brunius lands from the Greenstone Owner's Association needs to be reflected as part of the quarry parcel to allow the boundary line to be corrected.

222-7

There is no environmental or policy reason for the removal from Industrial of these lands. Any attempt to re-designate these lands as residential would violate the provisions of SMARA, which require you to protect this valuable resource.

222-8

Thank you,



0 1

EL DORADO COUNTY COUNSEL

2003 JUL 14 PM 1:24

General Plan Team
 Heidi Teschudin, General Plan Project Manager.
 El Dorado County Planning Department
 2850 Fairlane Court
 Placerville Calif. Ca 95667.

Dear Heidi Teschudin

I am a homeowner, of 23 years,
 here in El Dorado Hills, also a member
 of Citizens Against Roadway Encroachment (Care).

I challenge the realignment of Santiago
 way with in 90 feet of the back of residences

I am concerned about the noise
 level, traffic, air quality due to large
 amount of traffic

I fully agree with the letter you
 received from Zumbrian Law Firm, who
 represents Care

223-1

223-2

Please keep me informed of meetings,
hearings and written comments timelines
for the final EIR

223-3

Thank you

Katherine (Katie) Midkiff
3913 Hills Court
El Dorado Hills Ca
95762

July 14, 2003

To: Heidi Tschundin, General Plan Project Manager
El Dorado County Planning Commission

03 JUL 15 PM 1:25

RECEIVED
PLANNING DEPARTMENT

From: Don Morrison
1090 State Highway 49
Placerville, Ca. 95667

Re: Comments on General Plan proposals with recommendation to approve the 1996 General Plan, Alternative # 4, as it affects the following areas and parcels.

GARDEN VALLEY:

The 27 parcels northerly of Marshall Road in the southwest quarter of Section 33, T. 12 N, R 10E (see Assessor's Map 60:69) vary in size for the most part from 1.4 acres to about 2.5 acres. There are several just over 3 and 4 acres and two just over six acres. A LDR Designation proposed by Alternatives # 2 and 3 is not appropriate for these parcels that have already been divided based on their current MDR Designation per Alternative #4 and are currently zoned for two-acre minimum.

HIGHWAY 49, GOLD HILL AREA:

The six parcels southerly/ westerly of Highway 49 (see Assessor's Map 89:05) vary in size from 0.26 acre to 3.26 acres. Only two exceed two acres. A LDR Designation proposed by Alternative #2 and an RL Designation proposed by Alternative #3 are not appropriate for these parcels that have already been divided based on the current MDR Designation per Alternative #4 and are currently zoned for one-acre minimum.

DIAMOND SPRINGS:

The unimproved land represented by Assessor's Parcel number 329-301-19 as containing 17.7 acres is shown on Alternative #1 and 4 as MFR for the northerly 16.841 acres and HDR for the southerly 5.028 acres. The northerly portion is currently zoned R-2-DC and the southerly portion is currently zoned R-1-DC. Alternative # 2 leaves the MFR Designation for the northerly portion but changes the southerly 5.028 acres to LDR. **The Planning personnel could not explain why the LDR Designation on this parcel.** It is my understanding that Alternative #2 only allows a parcel to be split into four parcels regardless of its Designation. If this is true, the value of many parcels will be destroyed, existing lot prices will skyrocket and affordable housing will never materialize in this County. Alternative #3 changes the entire parcel to HDR designation. The properties adjacent to the west, north and east all retain a MFR or commercial Designation. **It seems to me that the entire parcel 329-301-19 should conform to the adjacent MFR.** To afford the street and other requirements that will be required by the County, this parcel needs to be plotted with adjacent property for development and needs the MFR Designation to accomplish this. It is ideally located near shopping and public transportation in the heart of Diamond Springs but lacks good road access. **It could remain a vacant dumping ground and dirt biker paradise for many years without the MFR Designation that will attract its development with adjacent land.**

Yours truly,

Don Morrison
520-626-4011

224-1

July 14, 2003

Dennis A. Nickson
Owner of APN: 116-030-31. 5 acres Wilkinson Road, Cameron Park.
3710 Lakeview Drive
Shingle Springs, CA. 95682

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

03 JUL 14 PM 1:16
RECEIVED
PLANNING DEPARTMENT

RE: General Plan Draft and EIR

Dear General Plan Team:

The Roadway Constraint Alternative in the Draft General Plan and EIR propose to designate my property LDR. This must be some mistake or oversight. I wish to point out that this property is currently zoned R-1 with a Land Use Designation of High Density Single Family Residential. It has sewer and water on site and is surrounded by single family High Density Land Use. Good Planning and at least one goal of any General Plan is to use infrastructure wisely. Any LDR designation for this land would be clearly capricious and arbitrary and based on political motivations, not reason nor equity.

This existing High Density Land Use designation was specifically approved by a vote of the EDC Board of Supervisors on October 20, 1987, (file number Z85-45).

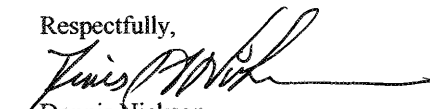
Further, the EDC Board of Supervisors Tentatively Approved my Subdivision Map on November 29, 1988, (TM 88-1107).

This Subdivision Map had been continually frustrated, obstructed, delayed and encumbered by various Moratoriums and changes in interpreting policy here in El Dorado County. This was the first Vesting Map approved in the County.

I have spent many thousands of dollars and hundreds of hours of time and energy on this project only to be continually interrupted in moving the project forward. The map was forced into expiration by the behavior of this County's Planning Department and EID. I do plan on revisiting this development with a new Subdivision Map Application in the near future.

Any final decision to downzone this property through the adoption of the Roadway Constraint Alternative is poor land use planning. I formally object to this LDR designation and will defend a HDR with facts and litigation if necessary in the future.

Respectfully,


Dennis Nickson

225-1

Dennis A. Nickson
Owner of APN: 109-071-78
3710 Lakeview Drive
Shingle Springs, CA. 95682

AND DAN RUCKLE, OWNER OF
APN: 109-071-73

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

03 JUL 14 PM 3:08
RECEIVED
PLANNING DEPARTMENT

RE: General Plan Draft and EIR

Subject Property: Barnett Business Park, Durock Road, Shingle Springs.
APN:109-050-12. 24.4 acres, Subject Parcel.

Dear General Plan Team:

In all General Plan alternatives the subject parcel is designated for Multi- Family High Density land use which is a huge mistake. This parcel is IN the Barnett Industrial Business Park off of Durock Road in Shingle Springs. It was NOT intended as a residential neighborhood but from its inception created to accommodate commercial business and industrial uses.

Please specifically investigate this parcel and conduct an *on site* visit as this Residential land use designation is completely incompatible with Commercial and Industrial land uses which exist and those yet to come. This parcel is directly across the street from a large Propane Storage Facility! How can El Dorado County even remotely consider this residential land use designation? This parcel is zoned CPO (commercial- professional office building) and should be now designated as such in all General Plan Alternatives. Any suggestion that R-2 Multi Family land use or zoning now exists or should be planned results from some supposed Tentative Approval of the Sierra Gold Condominiums project. It is a project that has not been Finally Approved. The Barnett Business Park was approved with NO RESIDENTIAL uses permitted less than 25 years ago as a Planned Development. Back then they knew that residential uses were not appropriate in a commercial/industrial area.

Unfortunately, there are now dozens of apartment units which have been already built to the North of the subject parcel in Barnett. In the past the County has allowed zoning changes from Commercial to Residential in Barnett Park and it has resulted in a terrible situation where the companies in the area are encumbered from conducting their business. This is due to noise complaints from the apartments, traffic conflicts and security concerns. The back (South) side of the Barnett Business Park is now being used as a garbage dump by some of the local residents. Trucks coming and going are mixed with teen age kids drag racing their cars and young kids walking or biking in the area. The Barnett Business Park is experiencing sewer capacity problems as the apartments have taken up the liquid line only capacity and now the business' must pay to upgrade the sewer services there. There are insufficient sewer lines for any future condo project such as what is proposed.

226-1

As mentioned above, there has been a Condominium Project (TM-94-1291, Sierra Gold Condominiums) proposed for this parcel that includes a zoning and land use change from CPO to R-2 multi-family residential. No notice of the public hearing was ever sent to the residents of the Lakeview Drive CSD or the direct adjoining property owners. The Board of Supervisors has not acted on any final map as the General Plan has been encumbered with the General Plan law suit initiated in 1996. Any Tentative Map Approvals must be considered null and void if only due to the public meeting notification being sent to the wrong property owners. This resulted from a mistake in the APN notification list by the Planning Department.

Aside, the staff report for this project did identify the conflict between the commercial and residential land uses including mixing of trucks and children, industrial air pollutants and noise, un-planned for additional vehicle trips per residential unit per day (728 additional trips per day) drainage issues, negative impact to local views from adjoining properties, endangered plants on site and higher risk of evacuation and emergency response due to the limited access. The Report specifically mentions on page 8... " There is an inherent danger of increasing the mixture of residential users with industrial users of the Barnett Business Park road system". Incredibly, the Report discusses on site concerns regarding propane tanks being close to the units but completely ignores the large Commercial Propane Storage Facility which is directly across the street from the project location! It is not too late to become engaged in the details of this situation with a hope of making the best and most appropriate decision as to its future land use designation.

In short, someone from the General Plan Team must make an *on site* visit to this property to better understand the huge mistake in the Multi Family Residential land use designation proposed for this land. One of the specific goals of any General Plan is to analyze and remedy specific land use conflicts such as this. Please do not ignore this situation as this is the time to bring equity and reasonableness in resolving specific issues such as these. After all, it is one of the many important goals of any General Land Use Plan.

Lastly, please be advised that the adjoining property owners and the Lakeview Drive CSD needs to be notified of any future meeting or issue regarding specific projects which seek any zoning or land use change in the Barnett Business Park. Relying on only the *legal notices* section of the local newspaper is not sufficient for such important business. LDCSD must be included in any of the future considerations for zoning or land use changes.

Please feel free to call or write should you wish more specifics regarding the above issues. I will be happy to attend any *on site* visit to the parcel or the Barnett Business Park in general.

Sincerely,

Dennis Nickson

Dan Ruckle

Cc: Lakeview Drive Community Services District Board of Directors.

From: Wayne Ordos [ordoslaw@jps.net]
Sent: Monday, July 14, 2003 1:10 AM
To: generalplan@co.el-dorado.ca.us
Subject: General Plan/EIR proposal

My, name is Wayne Ordos, and my wife and I are concerned residents of El Dorado County. The proposed General Plan, Draft EIR, and policy considerations seem to place a number of restrictions and requirements on gated communities within the county. These requirements are onerous to the point of stifling the development of gated communities in our county. The benefits of gated communities are many and include reduced crime rates and a relief to the already overburdened work loads of local city and county law enforcement in the area.

Furthermore, our neighboring counties have multiple gated communities and are not subject to the very restrictive requirements contemplated in the proposed General Plan alternatives. Please consider revising these provisions to allow for well intended law abiding individuals to live within a gated environment that help reduce or eliminate much of the crime and attendant costs that burden our county.

Thank you

Wayne Ordos

227-1

14 July 2003

03 JUL 15 PM 12:06

RECEIVED
PLANNING DEPARTMENT

6721 Green Valley Rd.
Placerville, CA 95667
(916) 921-3565 – Work Day
(530) 626-1638 – Other

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

Dear General Plan Team:

Thank you for the opportunity to review the Draft General Plan for El Dorado County. Following are my comments.

Planning Inconsistencies – It is difficult to identify the fundamental objectives for developing, evaluating, and comparing the four Equal Weight Alternatives. Normally, a basic step in any planning process is to identify a consistent set of objectives that the alternatives are to address. Each alternative is formulated to address the same set of objectives, and then once formulated, the alternatives are evaluated and compared against achieving those objectives. However, I could not find in the Draft General Plan a consistent set of objectives. There is one discussion of visions and objectives for Alternative #4 in the No Project & 1996 General Plan Alternatives General Plan Document. As I recall, a significant public outreach effort was accomplished in the early 1990's to develop these objectives. However, there appears to be a different set of visions and objectives for Alternatives #2 and #3 in the Roadway Constrained Six-Lane "Plus" and Environmentally Constrained General Plan Documents, and in Appendix H (see below) for alternatives deleted. Consequently, I could find no place where each alternative was compared against its ability to achieve a consistent set of planning objectives. If this is the case, I request you adopt the objectives for the 1996 General Plan and include a comparison table in the report. The table should identify how the various policies and goals identified for each alternative relates to the planning objectives and how the resulting alternatives address the consistent set of planning objectives. The table should provide easily understood information to allow the identification of a plan for adoption as the new General Plan.

Alternatives Analysis – Chapter 6 is titled Alternatives Analysis. However, there is little "analysis" contained in the chapter. Actually, the chapter is a discussion on why 8 of 12 alternatives were eliminated from further consideration. It is mentioned in the second paragraph of Section 6.3 on page 6.2 of the report that the Equal Weight Alternatives (Alternatives #1 through #4) are considered elsewhere. There is a listed set of project objectives (see above comment), however, they are different than the objectives identified for Alternative #4 (1996 General Plan) as shown in the No Project & 1996 General Plan Alternatives General Plan Document. Further, there is no evaluation of the

228-1

228-2

228-3

individual alternatives against the objectives or any other selection or evaluation criteria. There is simply no justification for delegating (or retaining) the identified alternatives from further analysis. I request a table be added including all twelve alternatives and identifying the ability of each to address the planning objectives continued in the 1996 General Plan. The table should also clearly show why each alternative was either retained or deleted from further consideration. Further, since this is a chapter on alternative analysis, I request a second table be added to the General Plan document focusing on the 4 Equal Weight Alternatives identifying the relative advantages and disadvantages of the plans in relation to a common set of planning objectives (see comment above).

228-3

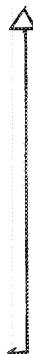
Arbitrary Policy Development and Application – There appears to be little justification included in the Draft General Plan for the numerous policies or for the application of the policies in development of the land use maps for the four Equal Weight Alternatives. Examples abound in the document. As a general example - since there appears to be inconsistent planning objectives (see above) for the four Equal Weight Alternatives it is not clear how the policies were developed for each of the alternatives or how they are “Equally” applied. A specific example is on page 11 of the Project Manager’s Summary to the Draft General Plan (also in appendix H). Here it is stated: “Ratios for wetland restoration and protection of other biological resources – 1:1 replacement ratio required to mitigate for wetlands impacts under all alternatives, or 2:1 restoration ratio under the Roadway Constrained Alternatives 3:1 restoration ratio under the Environmentally Constrained Alternative.” First, it is not clear what this means – is restoration in Alternatives 2 and 3 the same as mitigation? And if it is mitigation requirements for adverse impacts of development on wetlands, there is no scientifically based information contained in the document to justify the differences for compensating impacts for the alternatives in addition to existing Federal requirements for impacts on wetlands. There are numerous other examples of arbitrarily identified policies that do not appear to be grounded in anything other than some individual’s or special interest group’s opinion or wishes.

228-4

Lack of Local Input in Developing Land Use Maps – It appears that there has been little effort to incorporate local input into the planning process and development of the land use maps. It is stated in the Frequently Asked Questions on the General Plan web-page that the planners did not go through the County parcel by parcel and assign land use designations. It is mentioned that for the No Project and 1996 General Plan land use maps, maps adopted in the 1996 plan were used (with minor revision). For the Roadway Constrained alternative, the planners uses a “mathematical” exercise followed by location and policy direction modifications. It is not clear how the Environmentally Constrained alternative maps were developed. What is clear, however, is that little meaningful input from the local community was included in development of the maps. As an example, in support of development for the 1996 General Plan, major efforts were undertaken by numerous land owners in the Green Valley and Missouri Flat area in the vicinity of the Cosumnes River College and representing over 2,000 acres to help develop land use recommendations consistent with the ongoing public and private development in area and as desired by the land owners. This included supporting recommendations from the El

228-5

Dorado County Office of Education and Cosumnes River College. These efforts were generally included in the 1996 General Plan. However, they have been totally disregarded in development of Roadway Constrained and Environmentally Constrained land use maps. It appears that little attention has been given to the owners of the land but only to special interest groups that want to control our lands. I request that you include the input from the local land owners in developing the land use plans. I specifically request that you include the requests made by the Green Valley and Missouri Flat area land owners from about 1992 through 1995 (as generally included in the 1996 General Plan) in developing all alternatives for the General Plan. Please contact me if you can not find your copy of information previously provided in support of the General Plan process.



228-5

Sincerely

Merritt Rice

03 JUL 15 PM 2:54

Susan A. Rodman
3187 Big Cut Road
Placerville, CA 95667
14 July 2003

RECEIVED

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

I appreciate the opportunity to comment on the alternatives for the El Dorado County General Plan. My comments are organized by the Elements addressed in all of the General Plan alternatives, and subdivided by alternatives. I grouped the No Project and 1996 General Plan together, and also grouped the Environmentally Constrained and Roadway Constrained alternatives. My comments are as follows:

229-1

Water Supply:

Comments common to both the Draft Environmentally Constrained Alternative and the Roadway Constrained Six-Lane "Plus" Alternative:

The County plan suggests several options for additional water storage, but there needs to be recognition that many of these occur on the National Forest, and that all of the water in question is from National Forest watersheds. In addition, there needs to be recognition of the total water allocation from these watersheds, by other downstream users, both domestic and agricultural. My opinion is that options listed for Alder Creek, Texas Hill, Squaw Hollow, Otter Creek, Traverse Creek, Canyon Creek, and Greenwood drastically over-state the actual unallocated water supply. While the length of the review and environmental documentation has an excellent example in the years of effort expended by EID to finally acquire Project 184, there also needs to be recognition that the water yield from these watersheds is likely to be fully allocated elsewhere, and not available to meet growth expansion no matter what environmental documentation process occurs. There is also a requirement to maintain minimum water flows on the National Forest lands, such as were part of agreements with EID for Project 184. Another example of allocation shortages is the conflict between the central valley project water users and the needs for water to maintain minimum flows through the Sacramento River Delta.

229-2

Policy PS-4d in Alt RC states that "creation of lots less than five acres in size which rely on individual wastewater (septic) systems is prohibited unless a public water supply is available for domestic use" Causes me great concern about the likelihood of serious water pollution problems downstream from these developments, as the water from these septic systems continues to leach through the ground and into either groundwater or surface systems in high concentrations. While the policy may be sufficient to protect those lots' water supply, it is not adequate to protect the downstream water quality resource in general from waste water. No parcel less than 5 acres should be permitted to depend on a septic/leach field system for sewage disposal.

229-3

Encouragement of the use of reclaimed water for landscapes, golf courses, etc is great, and needs to be mandatory for new developments where possible. Encouraging water

229-4

conservation measures is good, but is not likely to be sufficient for allowing new growth without more aggressive requirements for reclaimed water uses. In addition the county needs to expand the direction in Policy PS-3c to "use water-conserving landscaping for all new capital improvement projects that require landscaping" to include commercial developments as well.

229-4

Drought Planning is badly needed, and I commended the county for bringing up the subject. However, there needs to be more than recognition that there is a problem! The General Plan should include a firm base reserve water supply that may not be allocated to new growth, to carry the existing County population through droughts. That reserve must also expand to include needs of any new growth that is allowed. If the water supply is not sufficient to support existing needs, new development needs, and a drought reserve for both, new development must be scaled back to meet the existing water supply. If, and when, new water developments are completed, additional development may be approved. The meaning is that development may not be approved based on projected increases in water supply.

229-5

Comments on the No Project and 1996 General Plan Alternatives:

Assumption A, under water supply, that "An adequate supply of water will be available to serve the County's current population," coupled with assumption B, that "Additional water supplies will be developed to support the projected growth," appear to be unfounded, in fact, given recent history, it is ridiculous. Given the recent history of disturbance to the project 84 water supply system, the droughts of the late 1980s and early 1990s, these assumptions could very well insure a very short life for this General Plan, as is recognized by assumption C, that "Lack of water availability may change the period of time over which this Plan remains valid." No kidding!

229-6

Proceeding on those assumptions has the possibility to put the county into a serious water shortage situation that would be disruptive and detrimental to both county residents and agriculture.

The other comments from the EC & ER alternatives also apply to these alternatives for viability of water projects, use of reclaimed water, and parcel size for septic systems.

229-7

Development in Community Regions and Rural Centers:

Comments common to both the Draft Environmentally Constrained Alternative and the Roadway Constrained Six-Lane "Plus" Alternative:

I support the emphasis directing higher density residential uses and more intensive nonresidential development to areas most suited to support urban and suburban uses, where infrastructure needed to support it exists, such as roads, water systems, utilities and public services (fire, police). This is an excellent feature of both alternatives RC and EC.

229-8

This emphasis adds to the feasibility of using reclaimed water for landscapes, by a higher density of users, and therefore reduced individual costs to implement these recycled water systems.

This emphasis also has the potential to increase the ability to reduce hazardous fuels through cooperation with developers and residents in these more compact residential areas. Safety and evacuation needs, and fire response access needs, are also better in these alternatives.

229-9

Comments on the No Project and 1996 General Plan Alternatives:

The emphasis directing higher density "clustered" residential uses and more intensive nonresidential development to areas most suited to support urban and suburban uses, based on the availability of infrastructure needed to support it, such as roads, water systems, utilities and public services (fire, police) is an excellent feature of the No Project & 1996 GP alternatives as well. However, these alternatives should be improved with recognition of the urban-wildland interface and requirements for maintenance of "fire-safe" zones on an ongoing basis, rather than addressed only for the timeframe of development.

229-10

There is some potential to provide increased ability to reduce hazardous fuels through cooperation with developers and residents in these more compact residential areas. However, it does not appear that safety and evacuation needs, or as fire response access needs, are well-addressed in these alternatives.

229-11

This emphasis does add to the feasibility of using reclaimed water for landscapes, by a higher density of users, and therefore reduced individual costs to implement these recycled water systems.

229-12

Land Use Designations:

Comments common to both the Draft Environmentally Constrained Alternative and the Roadway Constrained Six-Lane "Plus" Alternative:

The land use designations under both alternatives are rational, and implementable. They are a balanced approach for allowing some additional growth and controlling where that growth occurs. There is a workable balance between urban community centers, rural centers, agricultural lands, range lands, forested lands, and open space that preserves the character and culture of the county.

229-13

Providing important biological corridors in alternative EC is a feature that helps to retain wildlife diversity in the county and enriches county residents experiences by providing the opportunity to view a more diverse wildlife community than is likely to exist if these corridors are not identified and encouraged to continue to exist. The diversity of wildlife species currently present in the county is valuable, and cannot be supported by the National Forest alone, simply because the Forest does not contain suitable habitat areas for all of the species found in the county, including species that are native to lower elevations or species that have altitude-dependent migration patterns. The County Plan would improve by defining which agricultural uses compliment or detract from preserving wildlife.

229-14

The designation of Ecological Preserves found in alternatives RC and EC would also perpetuate the rich bio-diversity found in El Dorado County. This also needs to be done

229-15

for special status plant and animal species, in addition to Threatened & Endangered species.



229-15

Direction in the plan to discourage incompatible uses such as high density residential or commercial development is an excellent feature of both LC & EC alternatives. Designation of Agricultural District lands on the county's most productive soils provides an excellent decision criteria for evaluating development proposals.



229-16



229-17

Comments on the No Project and 1996 General Plan Alternatives:

I am alarmed at the identification of specific "Planned Communities" in any General Plan Alternatives! This amounts to guaranteed approval for these developments, which is totally inappropriate for a General Plan. Any General Plan for a county should set the parameters for development, not grant approval to any specific proposal. This Planned Community, Planned Development feature must be deleted from the General Plan.



229-18

Designation of Agricultural and Forest lands on the county's most productive soils is an excellent decision factor to be considered for development proposals, and direction in the plan to discourage incompatible uses such as high density residential or commercial development on these lands by limiting future parcel creation sizes is an excellent feature of both these alternatives.



229-19

Recognition of wildlife habitat needs does not appear to be included in either alternative. Special status plant species are addressed as plant preserves, which could help preserve the bio-diversity of the county. Overall, I am disappointed in provisions for wildlife and rare native plants in these alternatives.



229-20

Fire Safety:

One of my principal concerns is wildfire effects within the urban-wildland intermix. While the El Dorado County General Plan does address this issue, there are some improvements needed in the area of fire safety for all of the Alternatives.



229-21

Comments common to both the Draft Environmentally Constrained Alternative and the Roadway Constrained Six-Lane "Plus" Alternative:

Goal HS-2 needs to be improved and expanded. In order to reduce fire hazards through fuel management activities, the General Plan must first identify where and at what priority to initiate these activities. This objective needs to characterize the wildfire potential across the landscape, using tested and universal methods for calculation of the wildland fire potential. The foundation of the analysis needs to be based on vegetation characteristics, and recognize that the county contains extensive lands with a naturally high level of risk and hazard due to the lower elevation brush and chaparral plant community types that are more susceptible to wildfire. Ordinances need to be put in place to require appropriate fuel treatments for existing development and to regulate future development.



229-22

The General Plan should specific fuels management standards as Ordinances to new proposed residential or commercial development within or adjacent to forested areas in El Dorado County. Locate greenbelt and open space areas in strategic locations for new



229-23



developments, emphasize addition of these features for existing developed areas. In addition, access and egress road systems need to be strategically located throughout the development to provide effective access for fire engines, and aid to retard the spread of wildfires, i.e. well-located roads can provide a fire-break area, as well as safety for fire suppression crew members.

Standards such as these need to apply in greenbelts, adjacent in compatible lands, and open areas as well. Another issue that needs to be addressed is ongoing maintenance necessary to keep these defensible spaces effective.

Comments on the No Project and 1996 General Plan Alternatives:

From a Fuels Treatment and Potential Fire Behavior standpoint, I do not believe this alternative is effective. Most of El Dorado County is located within high hazard fire areas according to the California Department of Forestry Fire Hazard maps. Maintaining defensible space only around structures will not address the entire landscape fuels management situation that needs to be addressed in the County General Plan. I recommend that the County consider Ordinances or standards that apply fuels treatments to open space areas as well as around developments.

Transportation:

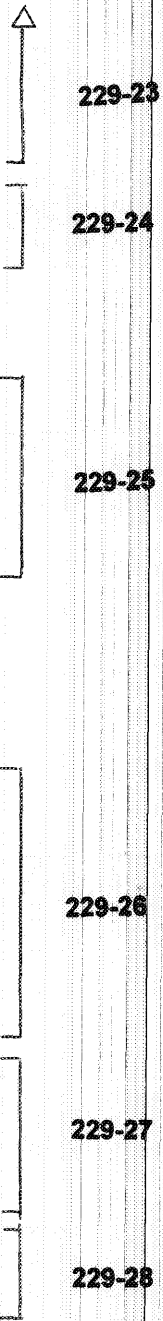
Comments common to both the Draft Environmentally Constrained Alternative and the Roadway Constrained Six-Lane "Plus" Alternative:

The Gridlock on US-50 is an issue for county residents, and has not been noticeably relieved by the carpool lane. US-50 needs at least one more lane for regular traffic, and a rational solution to the 3 fatal stoplights in Placerville. To raise the 4 lanes of US-50 above Placerville would allow traffic flow, reduce congestion, and allow the highway to remain at its current width, rather than infringing on the city. With the highway raised on pillars, the area under the freeway would provide needed parking space, and allow development of the El Dorado Trail through Placerville, and allow Hangtown Creek to be developed into a parkway, instead of its current sewage channel. While the city limits are also within the jurisdiction of the Placerville City Council, the General Plan could encourage a solution to the traffic problems along US-50.

I agree that there must be a trade-off in rural roads between traffic loads at peak commuter times and maintaining the rural character of El Dorado County. However, some county roads are excessively narrow, and widening to a full two-lane road would allow safe passage of vehicles in opposite directions, without sacrificing the rural character of the county. Decent roads are compatible with rural character!

Road maintenance is also a concern, because inadequate maintenance affects domestic water supplies and increases the costs of treatment for domestic water where lack of maintenance contributes to stream sedimentation.

Comments on the No Project and 1996 General Plan Alternatives:



The same comment applies to the No Project and 1996 GP, please see above.

229-29

Open Space, Parks and Recreation:

Comments common to both the Draft Environmentally Constrained Alternative and the Roadway Constrained Six-Lane "Plus" Alternative:

Recognition of the value of Open Space, and the emphasis to maintain significant areas of open space in the goals and implementation measures of the General Plan, alts RC & EC are absolutely necessary to maintain the character of the county.

229-30

Inclusion of direction to provide trail systems that connect to other public and private systems is a feature that will enhance the recreational value of all of the trails involved.

229-31

Recognition of the county's role to provide quality recreation for its residents and tourists over the long-range is a feature of excellence in alternatives EC and RC. I am glad to see that El Dorado County recognizes the importance of parks and recreation to the quality of life for those who live in the county or visit here. Emphasis for more intensely developed parks as the population density increases shows the long-range usefulness of the county general planning efforts. National Forest also provides outstanding recreation opportunities, but cannot provide for all types of recreation experiences needed and demanded by the public.

229-32

New developments that will increase the county population should be required to provide parks to serve their increase in population, as well as meet the open space requirements currently in Alts RC & EC. The trade-off of increased open space for increased density could also be applied to providing adequate parks, including playground space and sports field space. The same formula as used to determine acreage by population for county facilities seems appropriate to apply to new development. Development should be required to actually provide the facilities and land, and not be allowed to just pay fees "in lieu" of providing the actual parks, schools, and open space.

229-33

Comments on the No Project and 1996 General Plan Alternatives:

Inclusion of direction to provide trail systems that connect to other public and private systems is a feature that will enhance the recreational value of all of the trails involved.

229-34

These alternatives recommend that developed parks be preferred for funding over open space. This recommendation appears to under-value the importance of open space, which has the potential to be detrimental to wildlife habitat needs. I support the county's role to provide quality recreation for its residents and tourists over the long-range is addressed in all of the alternatives, including the No Project & 1996 GP.

229-35

Agriculture and Forestry:

Comments common to all of the Alternatives:

Recognition of agriculture and forestry as important elements for land use in El Dorado County, and goals to support and maintain these land uses over the long-term are excellent features of these alternatives.

229-36

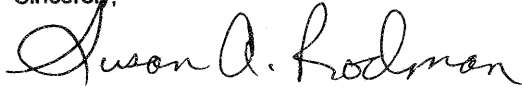
The recommendation to add grazing land to agricultural base lands would provide additional open space, as well as to provide a higher quality wildlife habitat possibilities than can be provided by many agricultural uses where certain terrestrial and avian wildlife are excluded to protect crops.

229-37

I appreciate the opportunity to comment on the El Dorado County General Plan Alternatives, and hope that my comments are helpful to the county.

229-38

Sincerely,



Susan A. Rodman,
El Dorado County Resident

KENNETH & KIMBERLY ROEBBELEN
 1155 Salmon Falls Road
 El Dorado Hills, CA 95762
 Home: (916) 933-1589
 Cell: (916) 416-7018

July 14, 2003

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

Re:	<u>APN</u>	<u>Size</u>	<u>APN</u>	<u>Size</u>
	067-330-07-100	55.40	067-410-23-100	10.00
	067-330-12-100	264.83	067-440-03-100	11.74
	067-410-30-100	31.34	067-520-21-100	6.79
	067-440-05-100	40.00	067-520-27-100	0.72
	067-440-09-100	20.00	067-520-26-100	0.72
	067-440-08-100	10.00	067-520-24-100	10.00
	067-440-07-100	10.00	067-520-22-100	12.372
	067-410-41-100	8.30	067-520-11-100	10.372
	067-410-34-100	60.00	067-410-09-100	26.37
	067-410-32-100	10.00	067-410-08-100	19.463
	067-410-39-100	58.00		

230-1

Gentlemen:

I am writing on behalf of a large number of parcels which are owned in some way by the Roebbelen Family. I have met with Alan Ehrgott of the American River Conservancy to discuss the Rare Plant Preserve that he is in the process of accumulating and how it affects our property.

The Pine Hill Recovery Plan Outline has areas of its boundary that overlap onto five (5) of our parcels (see Attachment No. 1 "Red" outline). Those parcels are:

- 067-330-07-100
- 067-330-12-100
- 067-440-05-100
- 067-440-09-100
- 067-410-30-100

[Signature]
 RECEIVED
 PLANNING DEPARTMENT
 03 JUL 15 AM 9:58

General Plan Team
El Dorado County Planning Department
July 14, 2003
Page 2

The acreage of land contained within the Pine Hill Recovery Plan is approximately 160-acres. I have discussed with Alan expanding the boundaries to allow the preserve to extend down to Sweetwater Creek so as to create a wildlife preserve in addition to the plant preserve. Attachment No. 1 shows this area in "Blue" and consists of approximately 263-acres.

The currently proposed general plans for both the Environmentally Constrained and the Roadway Constrained Alternatives incorrectly classify the vast majority of our parcels.

It is our general intent to develop areas of our property within the constraints set forth in the 1996 Plan. We would like to accomplish this by "clustering" homes and utilizing zone density transfers between parcels to maximize the "preserve" that could be permanently set aside.

I feel this would accomplish the goals of the Rare Plant Preserve interests and the interests of wildlife. As such, I strongly request that the 1996 Plan be adopted and that our parcels receive MDR designations.

I am available for any questions that arise via my cell phone at (916) 416-7018.

Sincerely,


Kenneth Roebbelen

cc: El Dorado County Board of Supervisors

- District 1 – Mr. Rusty Dupray
- District 2 – Ms. Helen Baumann
- District 3 – Mr. Carl Borelli
- District 4 – Mr. Charlie Paine
- District 5 – Mr. David A. Solaro

230-1

Pine Hill Preserve - Salmon Falls Unit



0 1 Miles



American River Conservancy
May 22, 2003

- 263 acres
- Pine Hill Recovery Plan Outline
- 6 Roebbelen parcels
- Folsom Lake



July 14, 2003

03 JUL 15 AM 11:31

General Plan Team
2850 Fair Lane Court
Placerville, Ca. 95677

RECEIVED
PLANNING DEPARTMENT

Dear Gentlemen:

We are the owners of one hundred three acres contiguous to and west of The Donovan Ranch property. These properties are currently zoned as agricultural/residential. According to the County General Plan draft, our property, the Donovan Ranch property, and another close by property are apparently being considered for classification as a natural resource site. At this time, we oppose the classification for the following reasons:

1. In 1998, Mr. Donovan informed the County of El Dorado and the State of California that he had closed his property for mining with no intent to resume. However, even though Mr. Donovan supposedly closed his property for mining, significant disturbance secondary to mining by Donovan or others with his permission has occurred. The County has twice ordered the Donovans to Cease and Desist all illegal mining and grading activities since 1998. The Donovans have disturbed greater than 20 acres of ground without a permit. They have also illegally graded and mined on public lands. They have not complied with the Surface Mining and Reclamation Act. The State of California Mining and Geology Board has recently assessed a Five Hundred Forty Thousand (\$540,000) reclamation bond against operators on the property, plus fines, in order to secure the costs of repairing the damage done to the property by mining since 1998. A designation as a natural resource site would potentially facilitate further mining and disturbance without lawful reclamation being completed on the property and it would clearly frustrate the government's legitimate interest to enforce state law that regulates mining activities on private property.

2. The reclassification of the Donovan Ranch property would adversely affect the use of our property and should not be permitted. Foremost is the fact that access to the Donovan Ranch property is by way of the fifty foot wide easement through our one hundred and three acres. This easement was obtained by way of a and sale contract in 1998 between the owners of the Donovan Ranch and Legacy Land Company. At the present time, a complaint has been filed in the El Dorado County Superior Court: Legacy Land Company v. Donovan El Dorado County Superior Court Case No. PC20020116 alleging fraud, concealment, misrepresentation, and breach of contract arising out of that contract. We will be asking the court to award actual and punitive damages, and a reconveyance of

231-1

231-2

the easement back to prescriptive and/or specific performance of the purchase contract. Thus, without the fifty foot easement, there will be no need to re-designate the Donovan property as a natural resource at this time, due to the limited access of the prescriptive easement for one residence.

3. Currently, pursuant to Measure "A" passed by the voters, there is a restriction on mining activity within certain distances of residential homes. Property owners like ourselves have relied on the guidelines and standards of this measure with respect to the purchase, development, and use of our property and the enforcement of local laws regarding grading, mining, zoning and planning violations.

4. The extensive adverse activities on the Donovan Ranch shown in the attached documents from El Dorado County Planning, the State Mining and Geology Board should be corrected and cleaned up before any change in zoning should be considered.

5. We have been made privy to the letter recently submitted by the Donovans to The General Plan Team to reclassify their land. We contend that this could be an effort to reduce/eliminate their illegal mining/reclamation problems and responsibilities with the County and State through reclassification.

Thank you for your consideration of this matter. Should you require any additional information, please feel free to contact me. If any future action is going to take place with respect to any designation of our property or contiguous properties, please provide notice of that action.

Hunter Saling, Manager
Legacy Land Company LLC
1500 W. El Camino Ave. #423
Sacramento, Ca. 95833
916-863-9685

IN violation of
County Code ³
Chapter 8.36
Surface Mining Reclamation
836.080, 836.090
836.100, 836.110
836.120, 836.120
836.130 836.140

231-2
231-3
231-4
231-5



EL DORADO COUNTY
PLANNING DEPARTMENT

2850 Fairlane Court
Placerville, CA 95667

Phone: (530) 821-5355
Fax: (530) 642-0508

August 13, 1998

Clinton Donovan
P.O. Box 2538
2261 Donovan Ranch Road
Placerville, CA 95667

Subject: Notice of Violation with the Surface Mining and Reclamation Act (SMARA), the El Dorado County Code, and Notice to Cease and Desist Any and All Mining Activities at the Land Decker Mine (AKA Barney's Sand and Gravel Pit), CA Mine ID # 91-09-0016, Assessor's Parcel Number 051-430-16

Dear Mr. Donovan:

You are hereby given notice to cease and desist any and all mining activities on the referenced property until such time as a special use permit, reclamation plan, and financial assurances have been approved by the County in accordance with the SMARA and Chapter 8.36 of the El Dorado County Code.

This notice provides you with 30 days to comply with the above requests. Failure to comply will result in the County issuing an order to cease and desist mining activities, subject to a public hearing before the El Dorado County Planning Commission. You may also be subject to fines up to \$5,000 per day.

Thank you for your immediate attention to this matter. Please contact me if I can provide you with any assistance.

Sincerely,

Pierre Rivas
Pierre Rivas
Senior Planner

P 076 930 360

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail. (See reverse)

Sent by: *Clinton Donovan*
Ship to: *P.O. Box 2538*
Post Office: *El Dorado County*
Postage: *Placerville CA 95667*

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	<i>8-14-98</i>

PS Form 3800 April 1995

000021



EL DORADO COUNTY
PLANNING DEPARTMENT

2850 Fairlane Court
Placerville, CA 95667

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

Phone: (530) 621-5355
Fax: (530) 642-0508

November 25, 2002

Via Certified Mail

Clinton and Kathleen Donovan
P.O. Box 2538
Placerville, CA 95667-8700

Subject: NOTICE OF VIOLATION WITH THE SURFACE MINING AND RECLAMATION ACT AND THE EL DORADO COUNTY CODE
Assessor's Parcel Number: 051-430-16
2261 Donovan Ranch Road, Placerville, CA 95667

On November 12, 2002, I, accompanied by California Department of Conservation staff, conducted an inspection of your property at the Assessor's Parcel Number and address referenced above and noted the following:

1. Mining and grading activities: Extensive mining and grading activities have occurred without a special use permit authorizing mining or a grading permit authorizing grading activities pursuant to an authorized construction project. The disturbance of approximately 20 acres appears to have occurred without any erosion control measures in place. In addition, you do not possess an approved reclamation plan and financial assurances from the State Mining and Geology Board required by the Surface Mining and Reclamation Act and the County Code.
2. Storage of Equipment and Machinery: Grading equipment and machinery are presently stored on the site. The subject property is zoned Residential Agricultural 20-Acres (RA-20) and does not permit an industrial storage yard or the storage of earth moving equipment.
3. Storage of scrap, refuse, and garbage: A large amount of scrap metal, wood, tires, and other refuse is presently being stored on the site. The RA-20 zone district does not permit storage of these materials. In addition, household garbage was observed dumped in an open pit containing standing water.

You must immediately discontinue the violations or secure the necessary permits and comply with all applicable County and State regulations by December 27, 2002 (30 days). This Department will turn the matter over to the District Attorney for prosecution if you have not abated the violations by the date specified herein.

Of great concern is the erosion hazard potential created by the extensive grading conducted on the site without any erosion control measures in place. You are hereby ordered to immediately prepare a sediment and erosion control plan to be submitted to the County Department of Transportation in compliance with Sections 15.14.630 and 15.14.680 of the County Code.

000259¹

This notice is being sent to other state and county regulatory agencies to enforce abatement of violations on the subject property that fall within their respective jurisdictions.

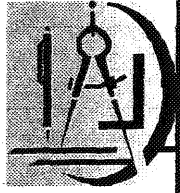
Please call me should you have any questions or concerns regarding this notice.

Sincerely,

Pierre Rivas

**Pierre Rivas
Senior Planner**

**Cc: John Parrish, State Mining and Geology Board
Bill Armstrong, Department of Conservation, Office of Mine Reclamation
George Lockwood, California Regional Water Quality Control Board
Jon Morgan, Environmental Management Department
Randy Pesses, Department of Transportation
Joe Herrlie, Department of Transportation
Dave Schulze, Planning Department, Code Enforcement Officer
Paul Sutherland, Deputy District Attorney
John R. Olson, Esq., Attorney for Clinton Donovan**



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT

For Meeting Date: December 12, 2002

SUBJECT: Item 6 – Issuance of a Notice of Violation to Clinton Donovan, El Dorado County, for Operating a Surface Mine Subject to SMARA Without Possession of an Approved Reclamation Plan, Financial Assurance, and County Permit to Mine, in Violation of PRC §2770

BACKGROUND: The Surface Mining and Reclamation Act of 1975 (SMARA, PRC §2710 et seq.) requires any person who intends to operate a surface mine to obtain, prior to commencing operations, a lead agency approved reclamation plan, financial assurance, and permit (PRC §2770).

On or about November 6, 2002, the SMGB office was notified by the El Dorado County Planning Department that it had received information regarding allegedly illegal surface mining activities occurring on Assessor's Parcel Number 051-430-16, known as the "Donovan Ranch Property". The SMGB is the SMARA lead agency for surface mining activities in El Dorado County. At the request of the SMGB office, the Department of Conservation's Office of Mine Reclamation (OMR) conducted an on-site inspection of the property on November 12, 2002 in the company of a County representative.

This site formerly was operated by Barney's Sand and Gravel (CA Mine ID # 91-09-0016) as a small aggregate and/or gold mine. The site was declared closed and reclaimed by the County in 1998. The County inspection of the 1½ - 2 acre disturbance in 1998 noted that the area had received a final grading and heavy mining equipment had been removed; the site was "ready for mulching and seeding" in accordance with the "agreed upon reclamation procedures". No SMARA reclamation plan or reclamation plan approval appears in the record.

OMR concluded from its site inspection on November 12th that between 20 and 25 acres recently had been disturbed by surface mining activities. Pieces of heavy equipment were on site, including an excavator, wheel loader, a gold trommel, a screen, and several trucks. OMR considers the activities to be surface mining activities.

On November 20, 2002 the Executive Officer sent to Clinton Donovan, owner of the Donovan Ranch Property, a letter notifying him of the results of the November 12th site inspection, of the alleged violation of SMARA, and that he should cease any further activities until he obtains the necessary reclamation plan, financial assurance, and County permit documents. On November

EXECUTIVE OFFICER'S REPORT

Item 6 – Donovan Notice of Violation
December 12, 2002
Page 2 of 2

25th the County issued to the Donovans a Notice of Violation with the Surface Mining and Reclamation Act and the El Dorado County Code.

EXECUTIVE OFFICER RECOMMENDATION: The Executive Officer recommends that the SMGB authorize the issuance of a Notice of Violation to Clinton and Kathleen Donovan for failure to possess an approved reclamation plan, financial assurance, and County permits prior to conducting surface mining operations on the Donovan Ranch Property. This is a violation of SMARA, PRC §2770. The Donovans must submit to the SMGB office not later than 30 days from receipt of written notification, a draft reclamation plan, financial assurance cost estimate, and receipts for permit applications from the County to conduct surface mining operations on the affected site.

SUGGESTED MOTION LANGUAGE:

To approve the issuance of a Notice of Violation:

Mr. Chairman, in light of the information before the Board, I move that the Board instruct the Executive Officer to issue to Clinton and Kathleen Donovan a Notice of Violation for conducting surface mining operations prior to obtaining an approved reclamation plan, financial assurance, and County permits, as required by Public Resources Code §2770. The Donovans are to provide to the SMGB office within 30 days of receipt of the written Notice of Violation a draft reclamation plan, financial assurance cost estimate, and receipts for permit applications from El Dorado County to conduct surface mining operations on the affected site. Failure to provide the required documents may result in Administrative Penalties of up to \$5,000 per day per violation.

EXECUTIVE OFFICER'S REPORT



EL DORADO COUNTY
PLANNING DEPARTMENT

2850 Fairlane Court
Placerville, CA 95667

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

Phone: (530) 621-5355
Fax: (530) 642-0508

MEMORANDUM

DATE: December 10, 2002
TO: File: Compliant #143995P (Donovan Ranch Mine)
FROM: Pierre Rivas
SUBJECT: Site Inspection: Donovan Ranch Mine/APN: 051-430-16

On December 5, 2002, I, accompanied by Paul Sutherland, Deputy District Attorney, and Bruce Person, Department of Transportation, inspected the referenced site. (First inspection conducted November 12, 2002 with Department of Conservation, Office of Mine Reclamation staff.)

The site has been extensively mined. It appears that the motivation is excavation of gold bearing tertiary gravels with sand and gravel being produced as a byproduct. Historic cut slopes have been reworked and pad areas significantly enlarged since the site was reclaimed and closed in 1998. Overburden material is pushed down slope without erosion control mitigation or pushed into large piles. Product stock piles, generators, two trammels, heavy earth moving equipment (excavator, loader, dump trucks, generators, screens, and miscellaneous equipment and supplies were observed on the site).

Additional violations include unlawful storage of trash, junk, and scrap metal including tires, wood, auto parts and inoperative vehicles. Household garbage was also observed being illegally dumped into open pits.

We were confronted by an individual identifying himself as Rick Churches stating "arrest me, I'm the one who did all the grading." Churches was acting in a belligerent manner and was asked by Paul Sutherland to remain at least twenty feet away.

Digital images were taken of the property and equipment found on the property.

000229



EL DORADO COUNTY
PLANNING DEPARTMENT

2850 Parkway Court
Sacramento, CA 95837

City/Assessor's Office/Department of Planning

Phone: (916) 521-5300
Fax: (916) 521-0500

March 27, 2003

John G. Parrish, Ph.D, Executive Officer
State Mining & Geology Board
801 K Street, MS 24-05
Sacramento, CA 95814

Subject: Donovan Ranch Property/Proposed "Big Cut Mine" Reclamation Plan
(Assessor's Parcel Number 051-430-16)

Dear Dr. Parrish:

Thank you for sending us a copy of the proposed reclamation plan for the proposed Big Cut Mine located on the Donovan Ranch property. We have performed a cursory review of the draft plan and submit to you the following comments.

The County feels that the submittal of the proposed reclamation plan contemplating continued mining is premature given the fact that the mining operation was determined to be operating illegally, has been ordered to cease all activity, and enforcement measures are pending. A special use permit from the County is required prior to engaging in any mining activity. The reclamation plan assumes a description of an operation that may or may not be permitted. Until such time as a special use permit is granted, the reclamation plan should only provide for the immediate reclamation of the 20 ± acres presently disturbed.

The financial assurance estimate (FAE) is grossly inadequate. It appears that the FAE is based on an amount necessary to reclaim a minimal amount of disturbance on an undisturbed site following the start of a new mining operation ignoring the existing disturbance. We estimate that erosion control and removal of equipment and trash alone is between \$25,000 to \$30,000 dollars. Reclamation of the site to minimum SMARA standards is roughly estimated to be between \$350,000 and \$550,000 based on the area of disturbance and the re-contouring of cut slopes.

Sincerely,

A handwritten signature in cursive script that reads "Pierre Rivas".

Pierre Rivas
Senior Planner



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT

For Meeting Date: April 10, 2003

ITEM 5 – Approval of a Financial Assurance Amount for the Donovan Ranch Property, Pursuant to PRC §2773.1 and 14CCR §3804

BACKGROUND: The Surface Mining and Reclamation Act of 1975 (SMARA, PRC §2710 et seq.) requires any person who intends to operate a surface mine to obtain, prior to commencing operations, a lead agency approved reclamation plan, financial assurance, and permit (PRC §2770).

On or about November 6, 2002, the SMGB office was notified by the El Dorado County Planning Department that it had received information regarding allegedly illegal surface mining activities occurring on Assessor's Parcel Number 051-430-16, known as the "Donovan Ranch Property". The SMGB is the SMARA lead agency for surface mining activities in El Dorado County. At the request of the SMGB office, the Department of Conservation's Office of Mine Reclamation (OMR) conducted an on-site inspection of the property on November 12, 2002 in the company of a County representative.

This site formerly was operated by Barney's Sand and Gravel (CA Mine ID # 91-09-0016) as a small aggregate and/or gold mine. The site was declared closed and reclaimed by the County in 1998. The County inspection of the 1½ - 2 acre disturbance in 1998 noted that the area had received a final grading and heavy mining equipment had been removed; the site was "ready for mulching and seeding" in accordance with the "agreed upon reclamation procedures". No SMARA reclamation plan or reclamation plan approval appears in the record.

On November 20, 2002 the Executive Officer sent to Clinton Donovan, owner of the Donovan Ranch Property, a letter notifying him of the results of the November 12th site inspection, of the alleged violation of SMARA, and that he should cease any further activities until he obtains the necessary reclamation plan, financial assurance, and County permit documents.

In response to a Notice of Violation issued to the Donovans by the SMGB on December 13, 2002, the Donovans have prepared a draft reclamation plan and Financial Assurance Cost Estimate (FAE). The draft reclamation plan and FAE were submitted to the SMGB at its March 13, 2003 meeting.

EXECUTIVE OFFICER'S REPORT

PROPOSED FINANCIAL ASSURANCE CALCULATION: The Donovans (operator) have provided a FAE in the amount of \$23,288. The following calculation by SMGB staff is based on the operator's submittal dated March 12, 2003, and additional items as noted.

General Comment 1: The March 12, 2003 FAE submitted by the operator is based on the assumption that, during the first year of operation, 10 acres will be disturbed by the mining activities. However, this FAE does not address the reclamation of the approximately 25 acres that have already been disturbed by recent activities. Therefore, the amount calculated by the SMGB staff is based on a 25 acre disturbance, and will differ substantially from that submitted by the operator.

General Comment 2: The draft reclamation plan indicates the site is zoned Agriculture and that the site will be reclaimed to grazing land. The SMGB office is informed that the land is zoned Residential. Reclamation standards for these two different end uses are significantly different, in that a residential use would require compacting any fill sites to Uniform Building Code standards, whereas pastureland for grazing would not need to be strictly engineered except for drainage and erosion control. The SMGB staff has accepted the operator's proposed end use of grazing, therefore not requiring compacting of fill material; however, this is done with the caveat that El Dorado County may desire the site to be reclaimed to a higher standard for zoning purposes which would lead to an increase in the financial assurance amount calculated below.

I Primary Reclamation Activities: \$223,843

The FAE indicates that, initially, 10 acres will be subject to reclamation; however, approximately 25 acres currently are disturbed and must be reclaimed. The operator's March 12th FAE does not provide the basic data supporting the calculations (i.e. overburden, topsoil, production rate, haul distances, etc.).

Initial site grading and contouring: Contour grade approximately 25 acres, reducing all cut slopes and fill slopes to 2:1 (h:v) ratios.

Spreading of topsoil: Topsoil will need to be purchased and spread to a minimum thickness of six inches over the 25 disturbed acres prior to revegetation activities.

Applicable dozing rate (D8 Caterpillar, standard blade)¹:

$$\begin{array}{cccccc} [A] & [B] & [C] & [D] & [E] & [F] \\ (500 \text{ yd}^3/\text{hr})(0.75)(0.80)(0.83)(1) & = & 249 \text{ yd}^3/\text{hr. uncompacted} \end{array}$$

¹ Caterpillar Performance Handbook: October 2000

EXECUTIVE OFFICER'S REPORT

A = Initial push rate (avg. 200 ft. distance)
B = Operator efficiency
C = Material density and cohesiveness
D = Job efficiency
E = Slope
F = Adjusted push rate for uncompacted final grade

A. Total Grading and Contouring Costs:

$[(25 \text{ ac.}) \times (43,560 \text{ ft.}^2 / \text{ac.}) / (27 \text{ ft}^3/\text{yd}^3) / 249 \text{ yd}^3/\text{hr.}] \times \$165^2/\text{hr} = \underline{\$27,730}$

B. Purchase, Spread, Contour Topsoil Costs: [25 ac. to be covered to a depth of 6 inches.]

Purchase: 20,166 yd³ topsoil at \$8/ yd³ delivered = **\$161,328**
[Topsoil will be strategically dumped around site on delivery]

Spread: 20,166 yd³ /249 yd³ per hr. = 81hrs x \$165/hr = **\$13,365**

C. Water Truck / Dust Suppression [During grading operations]

Water Truck³: (168 hrs[A]) + (81 hrs[B]) x \$60 / hr. = **\$14,940**

D. Drainage Control:

Construct 1,000 feet drainage ditch: [estimated]
Backhoe @ \$65/hr⁴ x 16 hrs = **\$1,040**

Install Siltation Hay Bales: [estimated]
\$5 / bale x 100 bales = **\$500**

Install Siltation Fence:[estimated]
\$1/ft x 3,500 ft = **\$3,500**

Labor: [estimated]
\$18/hr x 80 hrs = **\$1,440**

² Cost is for "wet" equipment and includes operator wage

³ Cost is for "wet" equipment and includes operator wage

⁴ Cost is for "wet" equipment and includes operator wage

EXECUTIVE OFFICER'S REPORT

Indirect Reclamation Costs:

A. Supervision (5.5%, Chart):	\$19,979
B. Profit/Overhead (11.5%, Chart):	\$41,773
C. Contingencies (10%, Chart):	\$36,325
D. Mobilization (2.5%, Chart):	\$9,081

TOTAL INDIRECT COSTS: \$107,158

TOTAL DIRECT AND INDIRECT COSTS: \$470,405

Lead Agency Administrative Costs: (15% of Direct & Indirect Costs): **\$70,560**

TOTAL ESTIMATED RECLAMATION COST: \$ 540,965

EXECUTIVE OFFICER'S RECOMMENDATION: The Executive Officer recommends that the SMGB approve the FAE in the amount of \$540,965 for the Donovan Ranch Property (aka Big Cut Mine). This FAE addresses the reclamation of the site according to the current conditions on the site; no reclamation plan has been approved for this site.

SUGGESTED MOTION LANGUAGE:

To approved FAE calculated amount:

Mr. Chairman, in light of the information before the Board, I move that the Board approve the Financial Assurance Cost Estimate presented in this Executive Officer's Report in the amount of \$540,965, and notify the operator to submit to the Board a financial assurance instrument in the amount of \$540,965 in a form acceptable to the Board within 30 days from receipt of written notification of this action.

EXECUTIVE OFFICER'S REPORT

REPORT ON MINE INSPECTION
July 1, 2003
Donovan Ranch Property
2261 Donovan Ranch Road
Placerville, El Dorado County, California

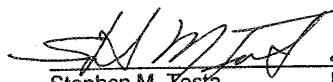


Prepared by:

Testa Environmental Corporation
19814 Jesus Maria Road
Mokelumne Hill, California 95245
Phone/Fax: (209) 754-1422
E-Mail: stesta@goldrush.com

Prepared for:

State Mining and Geology Board
California Department of Conservation
801 K Street
Sacramento, California 95814.

 07/08/03
Stephen M. Testa Date
President, CEG No. 1613

**Report on Mine Inspection
July 1, 2003
Donovan Ranch Property
2261 Donovan Ranch Road
Placerville, EL Dorado County, California**

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5.0	Disturbed Areas	4
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Figure 1	Site Layout Map
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List of Attachments

Attachment A	1998 Surface Mining Inspection Report
Attachment B	Historic Aerial Photographs
Attachment C	Annotated Site Photographs

TESTA ENVIRONMENTAL CORPORATION

19814 Jesus Maria Road • Mokelumne Hill, CA 95245
Phone/Fax: (209) 754-1422 • E-mail: stesta@goldrush.com

July 8, 2003

State Mining & Geology Board
California Department of Conservation
801 K Street
Sacramento, California 95814

Attention: Dr. John G. Parrish
Executive Director

Subject: Report on Mine Inspection
July 1, 2003
Donovan Ranch Property
2261 Donovan Ranch Road
Placerville, El Dorado County, California

Dear Dr. Parrish:

Presented herewith is the mine inspection report for the Donovan Ranch Property located at 2261 Donovan Ranch Road, in the city of Placerville, El Dorado County, California. The mine inspection was performed at the request of the State Mining and Geology Board's (SMGB) and was conducted on July 1, 2003. The purpose of the inspection was to evaluate whether mine-related activities have been performed at the site since mining ceased and the property subsequently reclaimed in late 1998. Should post-1998 surface disturbance be determined, then a preliminary evaluation of the amount of disturbance would be assessed.

The mine inspection was performed by Mr. Stephen M. Testa. Mr. Testa was accompanied by:

Mr. Larry R. Danielson, Consultant
Mr. Dan Tankersley (site representative)
Mr. Rick Church (site representative)
Dr. John Parrish; SMGB Executive Director
Mr. Robert Hablitzel; SMGB member
Mr. J. C. Isham; SMGB member
Mr. Michael Sandecki; DOC Office of Mine Reclamation

The scope of work included review of files maintained by the Office of Mine Reclamation (OMR) and SMGB, and other pertinent documents; in addition, conduct of an on-site inspection, preparation of the mine inspection report contained herein, and subsequent presentation of salient points to the SMGB at their meeting scheduled for July 10, 2003. The 1998 Surface Mining Inspection Report is provided in Attachment A. Historic aerial photographs are provided in Attachment B. Annotated site photographs are provided in Attachment C.

1.0 MINE DESCRIPTION

The Donovan Ranch Property is located at 2261 Donovan Ranch Road in the city of Placerville, El Dorado County, California. The property is situated on a south-facing slope, and characterized by two distinct east-west oriented benches (Figure 1). The entry road serves is situated on the upper bench. Donovan's residence is situated on this upper bench. A lower bench occupies the southern portion of the property. The primary east-west oriented access roads noted all show up on early aerial photographs going back to 1971 (Figure 1; Attachment B).

2.0 BACKGROUND

Historically, aggregate mining-related activities have been conducted in the vicinity of the Donovan Ranch Property since the 1800's. The site was more recently operated by Barney's Sand and Gravel (CA ID# 91-09-0016) as a small aggregate and/or gold mine. This operation ceased by late 1998. The property during this period was designated as rural residential. No reclamation plan or financial assurance was in place as of 1998.

A final closure inspection was, however, performed by Mr. William Mitchell, SMARA Consultant to El Dorado County, on September 10, 1998 (Attachment A). Mr. Williams noted in his Surface Mine Inspection Report specific reclamation procedures as being completed. These procedures or reclamation actions included:

- Top of piled material was knocked down, stacked product stockpile was graded and contoured and scattered piles graded.
- All equipment was hauled from the site, a trommel was moved to a staging area for removal, and the site was clear of scrap and trash.
- Disturbed slopes were ready for straw and seed which was to be applied at the beginning of the fall rains.

Mr. Mitchell noted that the operator had complied with the agreed-upon reclamation procedures, however, post-closure monitoring inspection within six months was to be performed to confirm effectiveness of the seeding program. No documentation was noted showing that a post-closure monitoring inspection was performed.

A chronology of pertinent events and actions since the mid-1980's is as follows:

Mid-1980's	Clinton and Kathleen Donovan acquired property. No surface disturbance from mining-related activities evident.
1994	The Mining Operation Annual Report for 1994 noted 5 acres as disturbed. Sixteen acres were noted as vested and disturbed prior to 1976.

- 1994 to 1997 Between 1994 and 1997, approximately 5 to 7 acres were disturbed, with one acre of disturbance noted for 1997. The Mining Operation Annual Report for 1997 notes that the mine is "Closed with no intent to resume."
- September 10, 1998 Site formerly operated by Barney's Sand and Gravel (CA ID# 91-09-0016). Site closure inspection performed by Mr. William Mitchell on behalf of El Dorado County.
- November 6, 2002 SMGB notified by El Dorado County Planning Department of alleged illegal surface mining activities.
- November 12, 2002 OMR representatives accompanied by Mr. Pierre Rivas of El Dorado County performed a site inspection. Between 20 and 25 acres was noted as being recently disturbed. Operable heavy equipment was staged on site. An inventory of such equipment was compiled.
- November 25, 2002 El Dorado County issued a Notice of Violation with SMARA and the El Dorado County Code to the landowners.
- December 12, 2002 SMGB issued a Notice of Violation for operating a surface mine without possession of an approved Reclamation Plan, Financial Assurance and County Permit to Mine.

3.0 HISTORIC AERIAL PHOTOGRAPHS REVIEW

Five historic aerial photographs were made available for review: 1971, 1989, 1996, 2001 and 2002. A synopsis of such review is presented in Table 1.

4.0 SITE RECONNAISSANCE OBSERVATIONS

No mining-related activity was evident at the time of inspection. However, recent (i.e., post-1998) mining-related activities were evident. Evidence of recent mining-related activities included:

Portions of the south-facing bluff along the northern perimeter of the entry road on the upper bench showed signs of post-1998 surface disturbance. Such disturbance included:

- Mechanical excavation demarcations were evident on the exposed bluff; and
- A pit had been excavated along a northern portion of the entry road; this pit also showed evidence of recent mechanical excavation.

Portions of the south-facing bluff along an access road on the lower bench also showed signs of recent (post-1998) surface disturbance. Such disturbance included:

- Remnants of exploratory and prospecting related activities;
- Excavation along portions of the bluff. Portions of the bluffs show signs of incipient slope failures (i.e., rock falls, under-mining, etc.);
- Vertical excavation of portions of the bench adjacent to the lower bluff;
- Excavation and enlargement of ponds;
- Stockpiling of gravel-and cobble-sized material;
- Sidecasting of materials along the southern perimeter of the property, with some encroachment onto the El Dorado County Irrigation District (EID) land;
- Road maintenance for equipment access, exploratory drilling and prospecting; and
- Enlargement of certain areas along the access road for former and current equipment staging, and road maintenance.

In addition, more recently graded areas, sidecasted material and stockpiles are primarily densely covered with star thistle.

5.0 DISTURBED AREAS

As of September 10, 1998, approximately 1 to 2 acres were previously disturbed and subsequently reclaimed.

In 1999-2001, mining-related activities were performed by Legacy Land (i.e., drilling of exploratory holes and material testing). Mr. Larry R. Danielsen, a California Registered Environmental Health Specialist consultant, evaluated soil disturbance at the site on behalf of Mr. Dan Tankersley (Larry R. Danielsen, 2003). Approximately 6.9 acres were estimated as being disturbed, 4.6 acres for the access road, 0.70 acres for the test area reservoir and 1.6 acres for the new drill road).

In 2002, Mr. Danielsen claimed the amount of surface disturbance generated by Mr. Tankersley and associates to be on the order of 0.45 acres reflecting exploratory drill sites and test area; the volume of material disturbed was estimated at 544.6 cubic yards.

Based on preliminary review of available aerial photographs (1971, 1989, 1996, 2001, and 2002), and results of the site inspection performed on July 1, 2003, an estimated minimum 10 to 15 acres of post-1998 surface disturbance as a result of mining-related activities is evident. Such area has not been reclaimed.

6.0 RECLAMATION PLAN AND FINANCIAL ASSURANCE STATUS

No reclamation plan, appropriate permits, or financial assurance, are currently on file.

7.0 CONCLUSIONS

The following conclusions are offered:

- A review of available aerial photographs was performed. Historically, hydraulic mining had been conducted at the property, albeit no such activity is evident on aerial photographs as of 1971. Furthermore, review of an aerial photograph dated 1989 indicates that more recent mining activity did not occur on-site until after such time. Mining-related activities are evident on aerial photographs taken on July 22, 1996, two years prior to site closure and subsequent reclamation. Mining-related activities are also evident on photographs dated July 1, 2001 and August 25, 2002, three to four years following site closure;
- Certain mining-related activities have occurred on the site referred to as the Donovan Ranch Property since reclamation and subsequent site closure and subsequent reclamation in 1998. SMARA defines "*Mined lands*" to include "*the surface, subsurface, and ground water of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located.*" (SMARA, Division 2, Chapter 9, Section 2729). Specific activities performed since 1998 have included construction of access roads, establishment of equipment staging and storage areas, import of mining-related equipment, exploratory drilling and material sampling and testing, site preparation of future processing areas and mining operation, and material extraction. Documentation of such activity was observed during performance of a site reconnaissance on July 1, 2003;
- SMARA does not apply to "*any surface mining operation that does not involve either the removal of a total of more than 1000 cubic yards of minerals, ores, and overburden, or involve more than one acre in any one location...*" (PRC, Division 2, Chapter 9, Section 2710; CCR Section 3505(a), Special Provisions). As of 1998, about 1 to 2 acres were documented as being disturbed and subsequently reclaimed. Assuming that all required reclamation-related activities were completed as noted in the 1998 Surface Mining Inspection Report, it is estimated that a minimum of about 15 to 20 acres have since been disturbed; and

- The amount of surface disturbance as a result of mining-related activities performed since site closure (September 10, 1998) significantly exceed the SMARA threshold of 1 acre, and thus is subject to the requirements of SMARA.

8.0 REFERENCES

Larry R. Danielson, 2003, Onsite Evaluation of Soil Disturbances and Quantities at Big Cut Road, El Dorado County, California: unpublished report prepared on behalf of Mr. Dan Tankersley dated June 28, 2003.

-oOo-

Should you have any questions or require further clarification regarding the contents of this report, please do not hesitate to contact me.

Respectfully submitted,

Testa Environmental Corporation



Stephen M. Testa
President, Engineering Geologist No. 1613

Table 1
Summary of Review of Historic Aerial Photographs

Date	Provider	Job No.	Photo No.	Scale	Remarks
June 20, 1971	The Bedrock Group El Dorado County, CA	76386	2942-11-156	1"=200'	Photograph taken prior to property being purchased by Donovan Donovan's residence thus not constructed No signs of surface disturbance with exception to access roads
June 11, 1989	The Bedrock Group El Dorado County, CA	76386	89189-12-6	1"=200'	Photograph taken one year after purchase of property Donovan's residence under construction No signs of surface disturbance outside of residence area Entry and access roads appear to be graded and improved beyond needs of residence construction
July 22, 1996	Legacy Land	74650	96000-19-53	1"=200'	Photograph taken 8 years following purchase of property Surface disturbance evident on upper and lower benches Such disturbance apparently occurred between 07/11/89 and 07/22/96 Width of main entry road enlarged Encroachment onto EDI [®] land in three areas along southern perimeter of property Significant shrub and tree removal evident in the south- central portion of property
July 11, 2001	Legacy Land	81509	SAC0125-24	1"=200'	Photograph taken almost 3 years after closure in late 1998 Significant surface disturbance continues on upper and lower benches (approximately 15 to 20 acres) Additional disturbance apparently occurred between 07/22/96 and 07/11/01 About 29 pieces of mining related- equipment are situated at several staging areas About 10-20 acres disturbed from mining-related activities

Table 1
Summary of Review of Historic Aerial Photographs

Date	Provider	Job No.	Photo No.	Scale	Remarks
August 25, 2002	Legacy Land ¹				Series of photographs taken almost four years after 1998 site closure Increased mining-related surface disturbance on the order of 15 to 20 acres Ponds on lower bench excavated and enlarged About 29 pieces of mining-related equipment documented Vehicular and equipment demarcations readily evident in areas of workings and operations Recent sidecasting and fill placement evident

(a) EID = El Dorado County Irrigation District

Attachment A

1998 Surface Mining Inspection Report

SURFACE MINING INSPECTION REPORT

Instructions for completing this form are on the reverse side. Attach notice(s) of violation(s) and order(s) to comply for all observed non-compliance

I. Mine Name as Reported by Operator on Mining Operation Annual Report Barney's Sand and Gravel (aka: Land Decker Mine)	CA MINE ID # 91 - 09 - 0016
---	---------------------------------------

II. SMARA Lead Agency Name (City or County only) El Dorado County		
Inspector William T. Mitchell, II	Telephone (530) 621 - 5355	
Title SMARA Consultant	Organization Planning Department	
Mailing Address 2850 Fairlane Court		
City Placerville	State CA	ZIP Code 95667

III. Mine Operator Clint Donovan		
Contact Person Clint Donovan	Telephone (530) 626 - 8700	
Mailing Address 2261 Donovan Ranch Road		
City Placerville	State CA	ZIP Code 95667

IV. Does the operation have:	P	NR	NO	YES
An approved Reclamation Plan?			X	RP#
A permit to mine?			X	Permit #
An approved financial assurance?			X	Amount \$
Has the financial assurance undergone the required annual review?		X	X	Date:
Has the operator filed a Mining Operation Annual Report (form MRRC-2)?				

V. Inspecting Agency Code(s): None	Reason for Inspection Code(s): FI	BLM or USFS ID# N/A
Is this operation on Federal Lands? Circle one:		Inspection Date: 08/27/98
Yes No		

SURFACE MINING INSPECTION REPORT

VI. Is the operation in compliance with provisions of the approved Reclamation Plan and Mining Permit with respect to:	OK	VN	NI	NA	CA Mine ID #
					91 - 09 - 0016
Wildlife Habitat					Weather Code(s):
Revegetation					CR
Agricultural Land					Duration of Inspection:
Stream Protection					0.75 hours
Tailings and Mine Waste Management					Approximate Disturbed Acreage:
Building, Structure, and Equipment Removal					1-2 acres
Topsoil Salvage, Maintenance, and Redistribution					Status of Operation Code(s):
Backfilling, Regrading, Slope Stability, and Recontouring					MC
Drainage, Diversion Structures, Waterways, and Erosion					Status of Reclamation Code(s):
Other (list or explain below)					RC

VII. Comments/Description of Violation(s) and Corrective Measure(s) Required [NOTE: please indicate if you have attached notice(s) of violation(s) and correction order(s), in lieu of description on this form]:

- * OBJECTIVE OF INSPECTION: Final inspection for closure.
- * RECLAMATION OBJECTIVE: No reclamation plan. Area designated rural residential.
- * NOTE: This site used by owner to maintain his own roads; mining and reclamation complete.
- * RECLAMATION SPECIFIED: Contouring of slopes and general grading, equipment removal, general cleanup and removal, and minor slope vegetation; results are:
 - 1) regrading (completed) - knocked down top of piled material, graded and ~~XXXX~~ contoured stacked product stockpile, graded scattered piles.
 - 2) equipment removal and cleanup (completed) - all equipment has been hauled from site - trommel has been moved to staging area for removal. Site is clean of scrap and trash
 - 3) reseeding (prepared for fall seeding) - disturbed slopes are ready for straw and seed to be applied at the beginning of the fall rains.
- * Operator has complied with agreed upon reclamation procedures.
- * RECOMMENDATION: Post closure monitoring inspection within 6 months to confirm effectiveness of seeding.
- * RESULTS OF INSPECTION: Approved reclamation complete.

VIII. Number of Violations:	Inspector's Signature: <i>[Signature]</i>	Date Signed: 09/10/98
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Attachment B

Historic Aerial Photographs

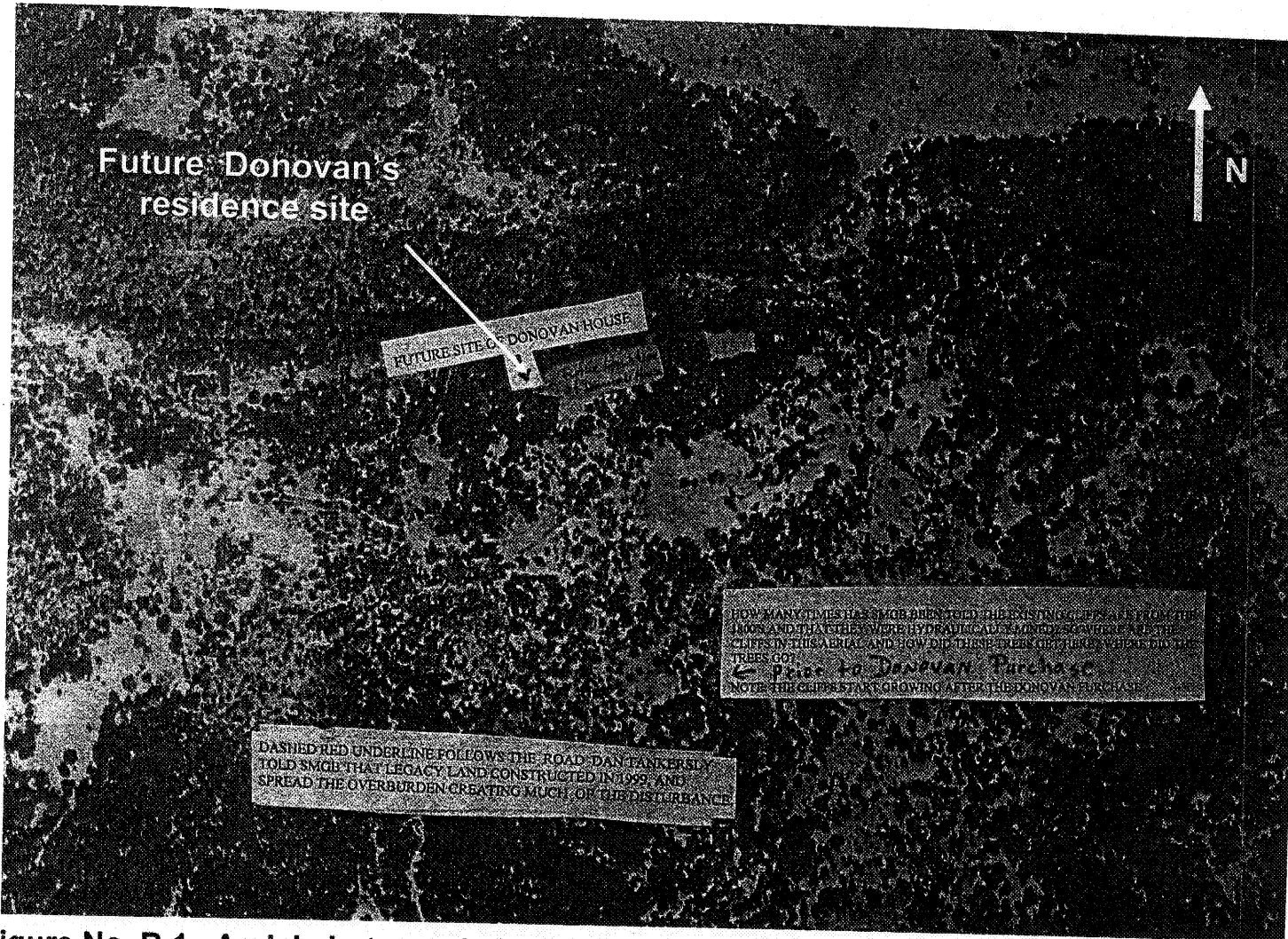


Figure No. B-1. Aerial photograph dated June 20, 1971, showing property prior to purchase by Donovan and subsequent residence being constructed.

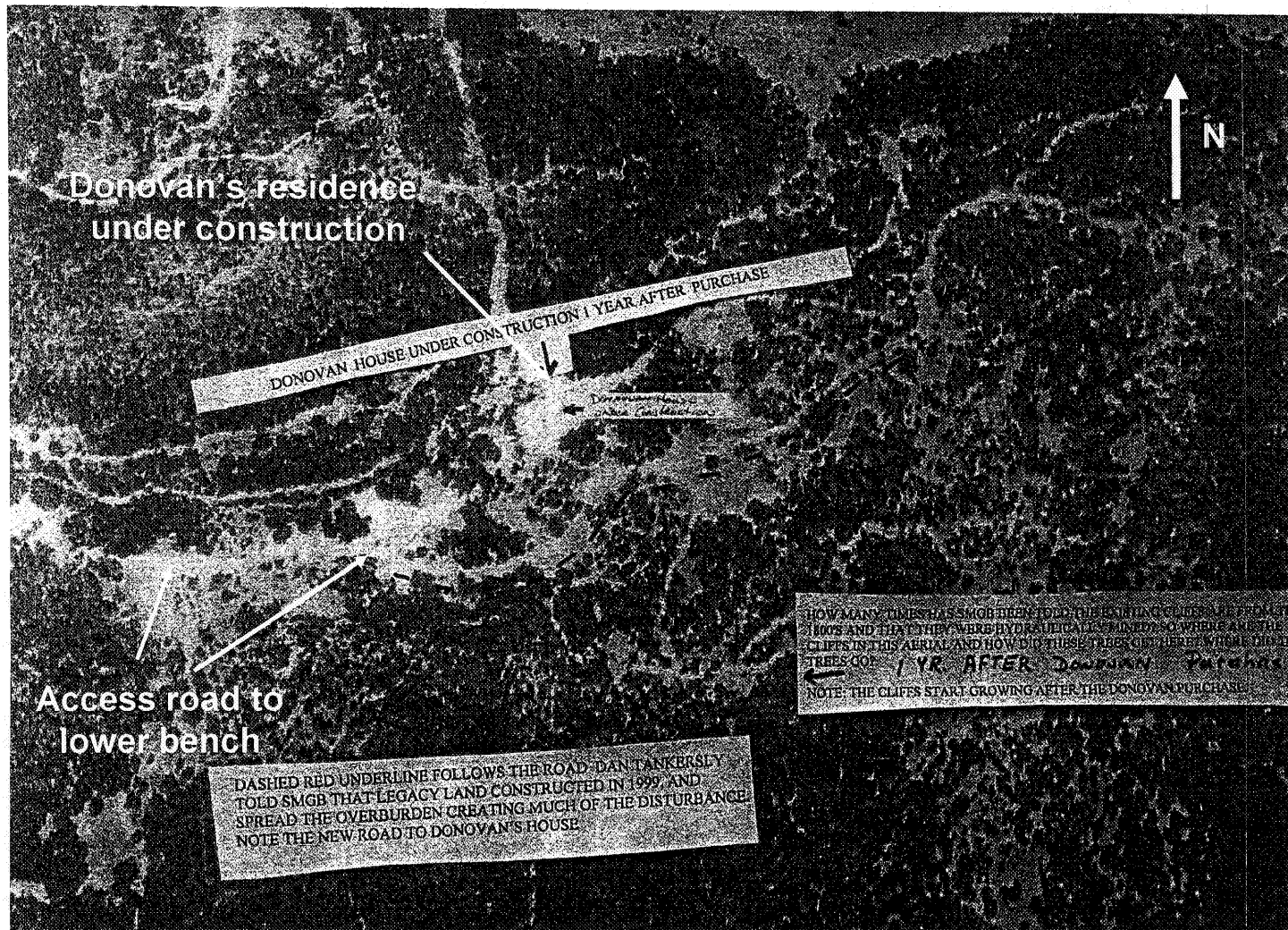


Figure No. B-2. Aerial photograph dated July 11, 1989, showing Donovan's residence under construction one year after purchase of property.

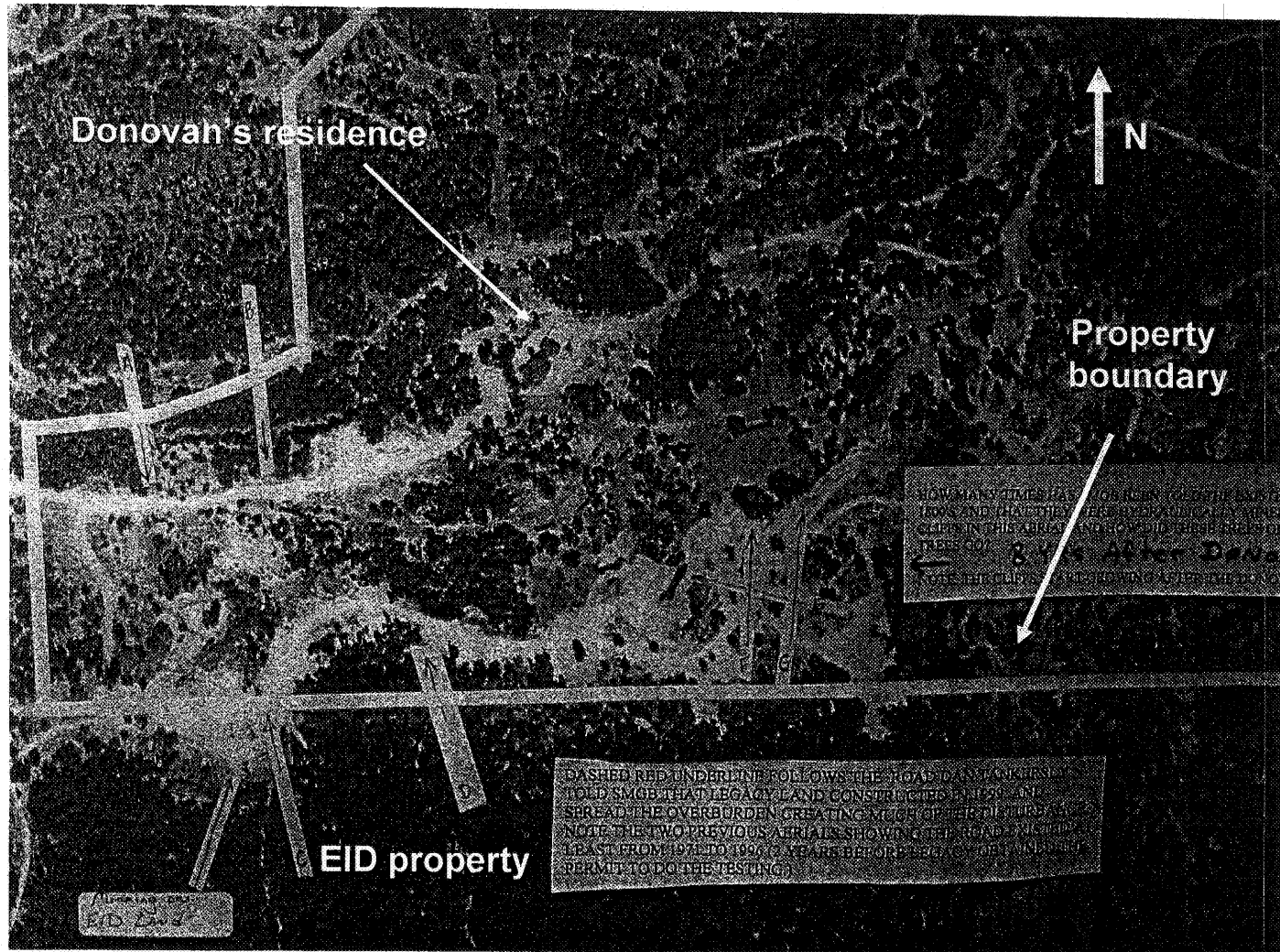
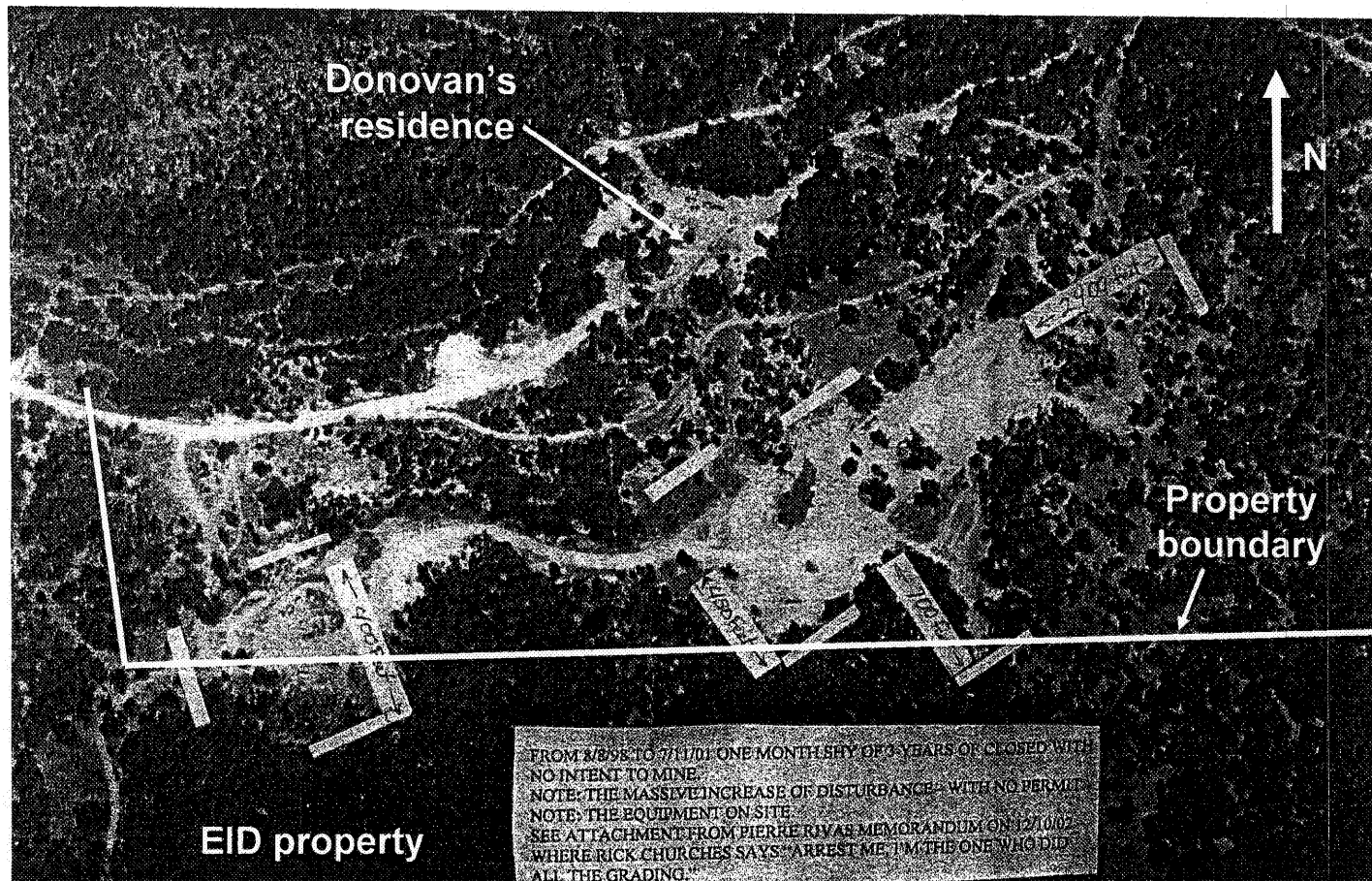


Figure No. B-3. Aerial photograph dated July 22, 1996, showing site two years before site closure in 1998, at which time only two acres were reported to be disturbed and reclaimed.



Photograph No. B-4. Aerial photograph dated July 11, 2001, showing a significant non-permitted increase in surface disturbance with a large amount of mining-related equipment dispersed throughout the property. This photograph reflects almost three years following site closure and shows an increase in surface disturbance along upper and lower benches, and sidecasting of tailings and encroachment onto EID property along the southern perimeter of the property.



Figure No. B-5. Aerial photograph dated August 25, 2002 showing significant surface disturbance almost ~~five~~^{four} years after site closure and reclamation of 1 to 2 acres of former disturbance. Current disturbance includes equipment staging, pond enlargement, and fill placement along southern perimeter of property.

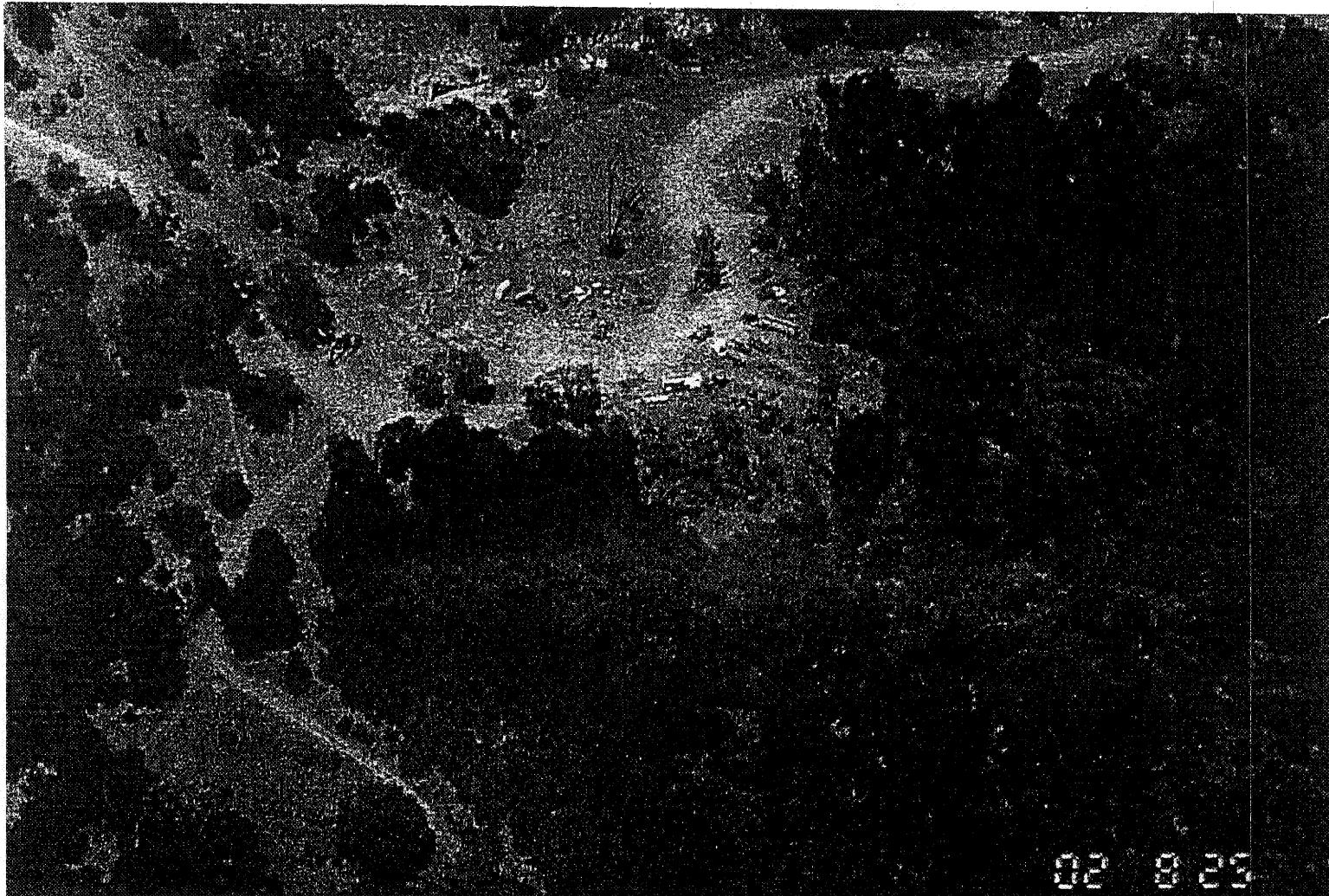
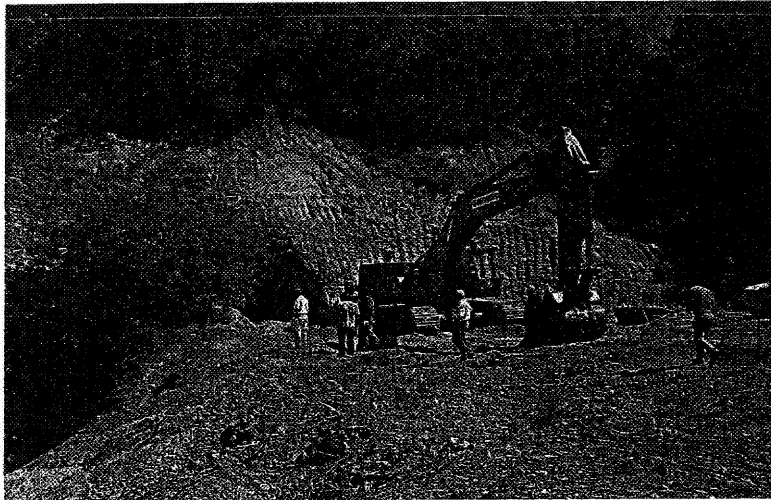


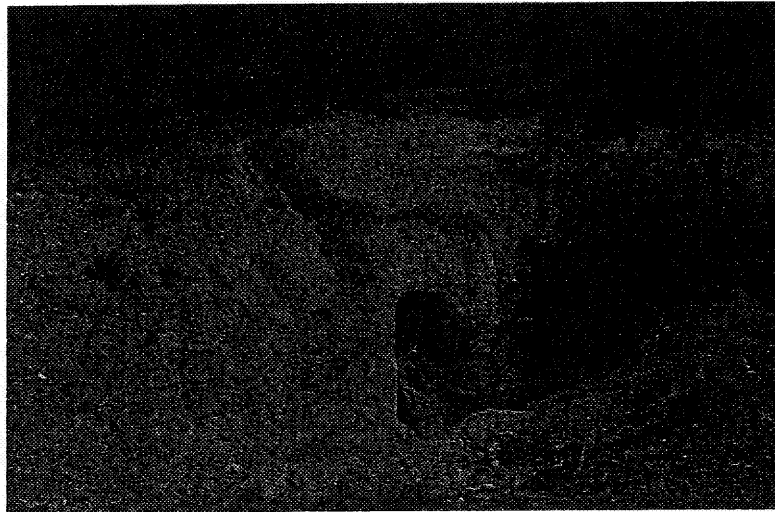
Figure No. B-6. Aerial photograph dated August 25, 2002 showing equipment staging area in western portion of the lower bench area.

Attachment C

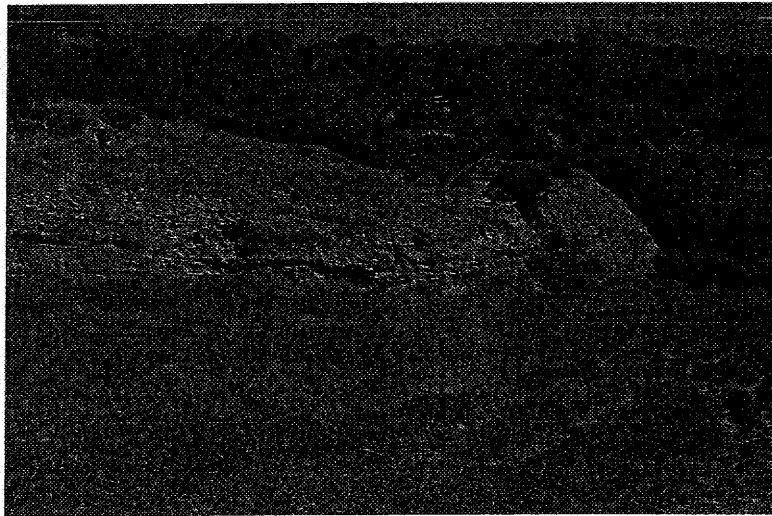
Annotated Site Photographs



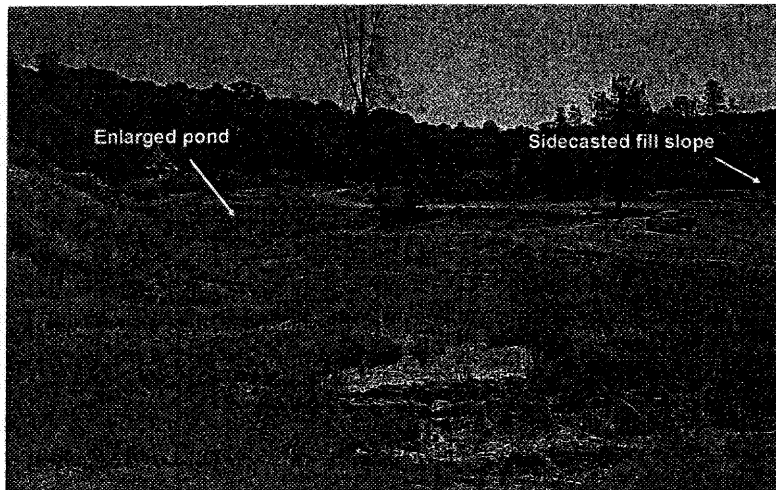
Photograph No. 1. Post-1998 site closure excavated material along upper bench (viewing north). Note excavated pit to the left of photo and encroachment into the upper south-facing bluff. Mechanical bucket teeth marks readily evident.



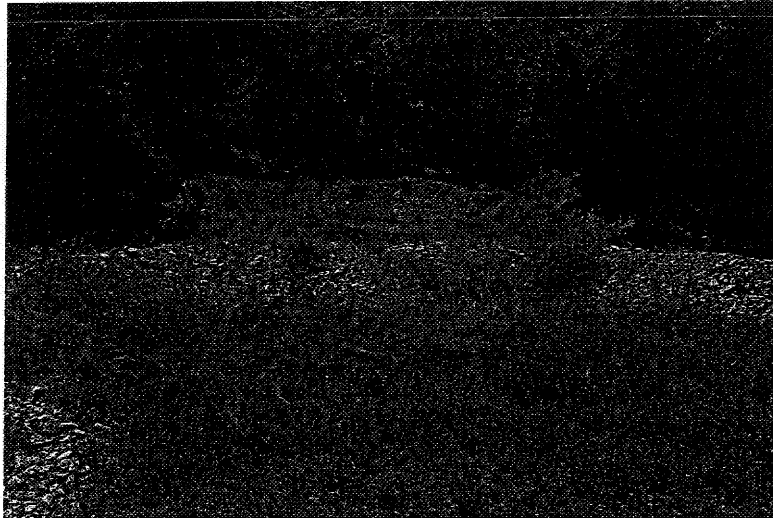
Photograph No. 2. Excavated pit on upper south-facing bench immediately north of entry road and west of residence (viewing north).



Photograph No. 3. Westernmost post-1998 site closure staging area as shown in aerial photographs dated 07/22/1996 and 07/11/2001 (viewing northeast).



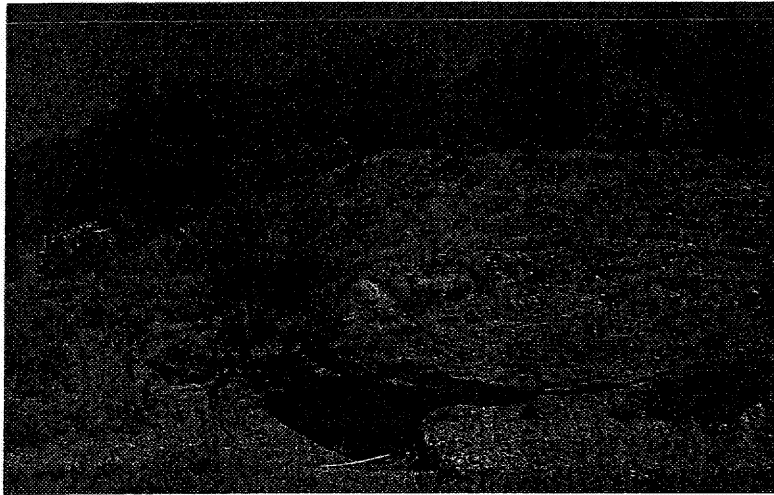
Photograph No. 4. View of south-central post-1998 site closure staging area on lower bench area. Areas evident on aerial photographs dated 07/22/1996 and 07/11/2002 (viewing east).



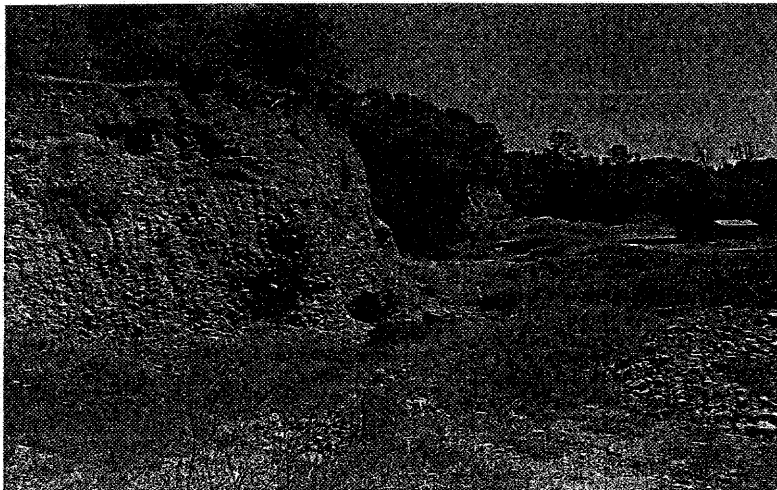
Photograph No. 5. Post-1998 site closure sidcasted tailings into natural drainage adjacent to lower bench along southern perimeter of property (viewing south).



Photograph No. 6. Post-1998 site closure pond.



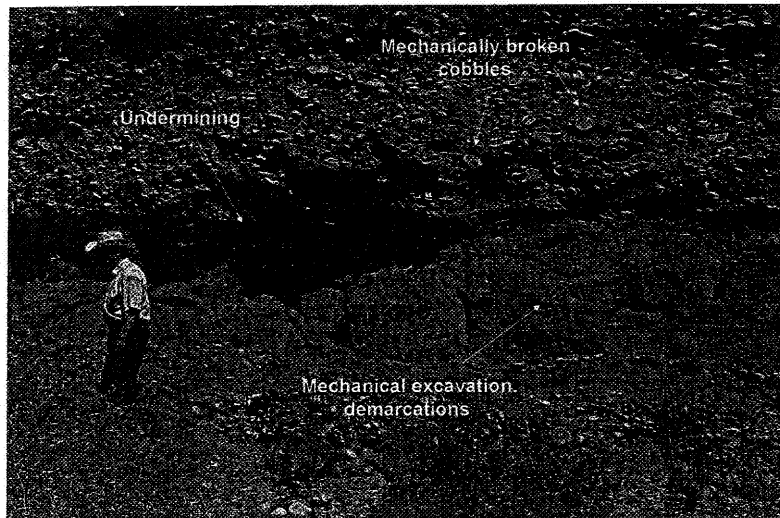
Photograph No. 7. South-facing bluff along south-central portion of lower bench showing post-1998 site closure exploratory and material extraction area (viewing north).



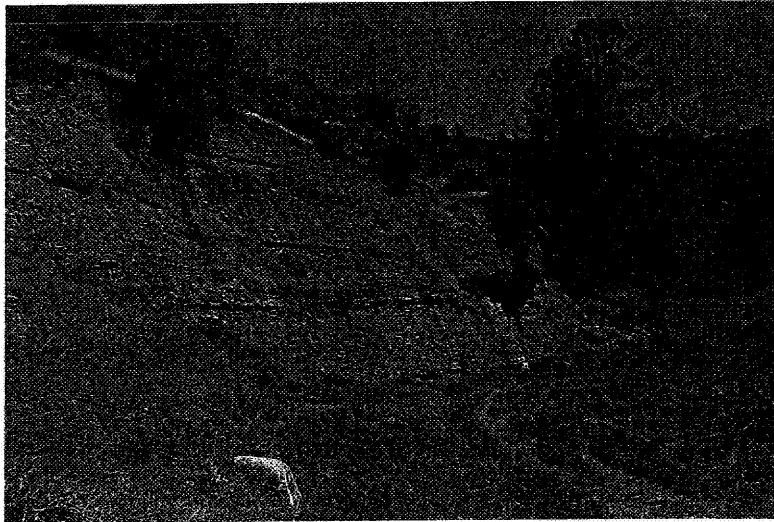
Photograph No. 8. Portion of lower bluff showing areas of post-1998 site closure exploratory and materials extraction and bluff encroachment (viewing east). Mechanical demarcations evident.



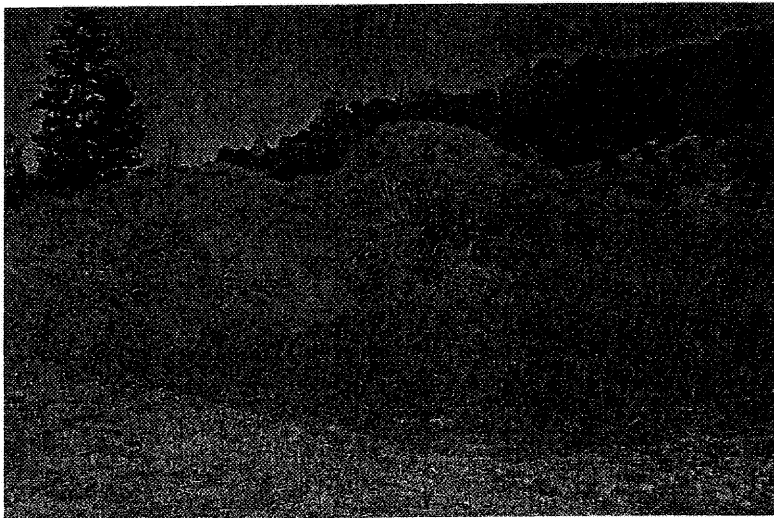
Photograph No. 9. Undermined portion of lower bluff (viewing north).



Photograph No. 10. Portion of lower bluff showing post-1998 site closure excavation demarcations.



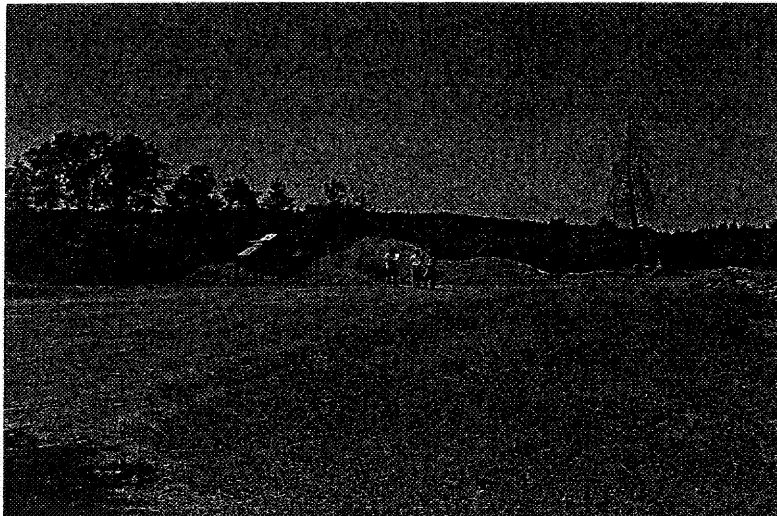
Photograph No. 11. Lower bluff showing mechanical demarcations and excavation area (viewing east).



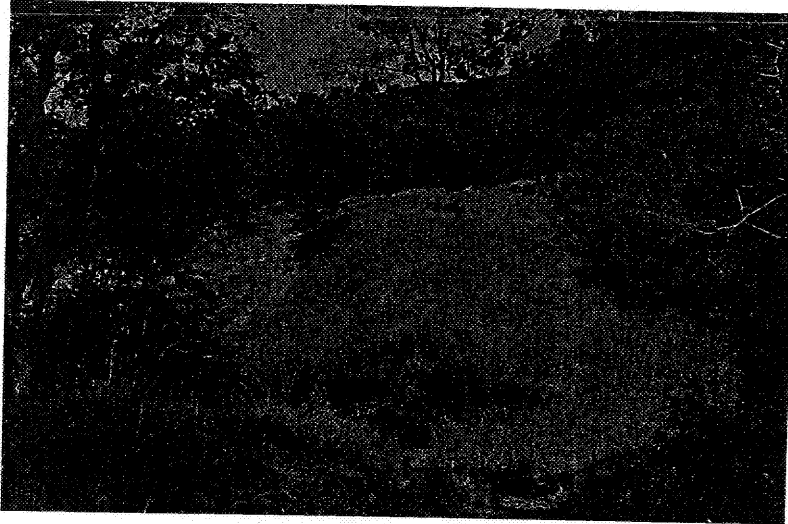
Photograph No. 13. Inferred un-reclaimed post-1998 site closure tailings stockpile along portion of lower bench (viewing west).



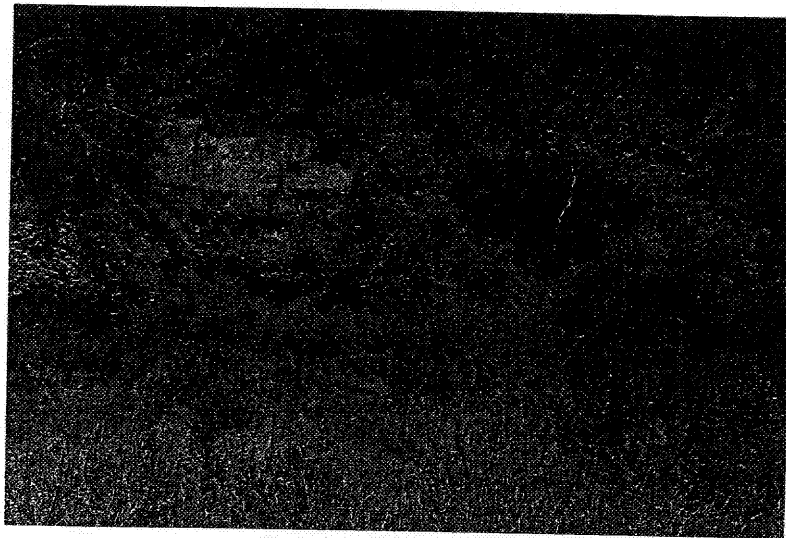
Photograph No. 13. View of lower bench and bluff, and inferred un-reclaimed tailings stockpiles (viewing west).



Photograph No. 14. Inferred post-1998 site closure tailings stockpiles along southern perimeter of the lower bench (viewing southwest).



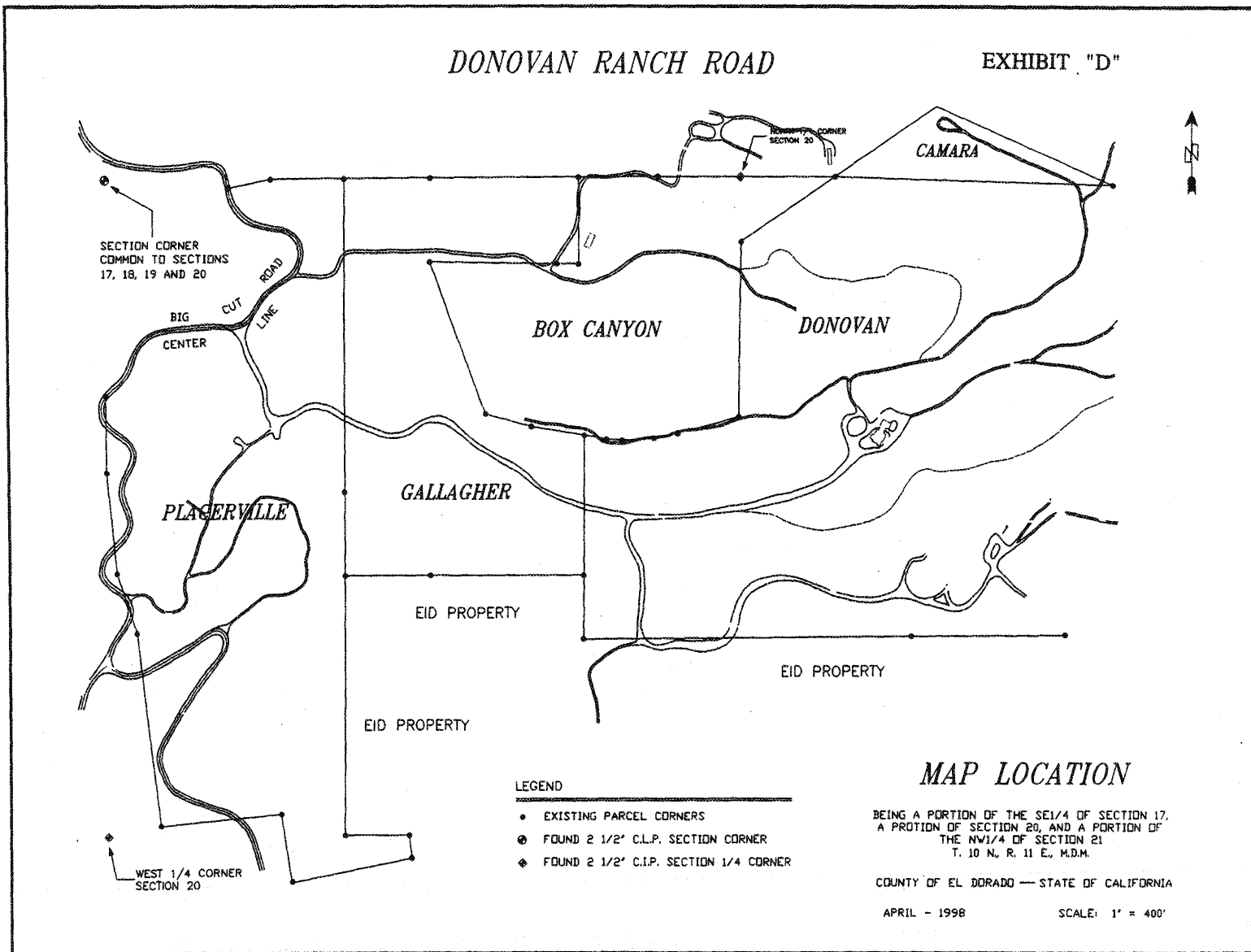
Photograph No. 15. Levee situated in the eastern portion of the property (viewing west).



Photograph No. 16. North-easternmost inferred pre-1988 site closure extraction area (viewing north). Note vegetation in addition to star thistle.

DONOVAN RANCH ROAD

EXHIBIT "D"



03 JUL 15 PM 2:42
RECEIVED
PLANNING DEPARTMENT

SCHEIBER RANCH

P.O. Box 64 Shingle Springs, California 95682

July 14, 2003

General Plan Team
2850 Fairlane Ct.
Placerville, CA 95667

RE: El Dorado County General Plan

Our properties are part of our families 138 consecutive years of ranching operation here in El Dorado County. We have already experienced the encroachment of urbanization, the loss of Federal and private land grazing permits, noxious weed infestations and rising production costs of a small operator in a commodity marketplace.

We strongly support the re-approval of the 1996 General Plan that we feel best protects the current uses and future possibilities for our properties.

Parcel # 090-010-01 ~286 Acres

Our lands adjacent to the town site of Shingle Springs were the subject of a "parcel" specific request submitted along with the Zweck and the White properties in the 1996 plan. Within the adopted 1996 plan these lands were designated as LDR and within the Community Region of Shingle Springs. We feel that this was an appropriate designation and should remain. Judge Bond criticized designations such as these in her ruling as having occurred after the preparation of the EIR and therefore not adequately analyzed in the document. This was not the fault of the property owners who were anxious to get these issues decided early. It was the county that did not wish to look at these requests until the EIR was put out for review. Fortunately in complying with the terms of the writ the county has now had the opportunity to fully address the impacts of these designations as directed in the writ.

232-1

232-2

Unlike the White and Zweck parcels, ours is in a Williamson Act rollout, in part based on the action of the County at that time. This land is surrounded by several dozen of houses and is no longer economically suitable for commercial ranching. The Williamson Act and other agricultural protections that the law allows were too late to save this parcel from the types of urbanizing encroachments that good planning might have prevented those many years ago. Be that as it may, the facts are that this property should be developed in an appropriate way that takes into account its location and the availability of urban infrastructure. Only by designating these large parcels within the Community Region will EID and the Transportation Department be able in the future plan for the appropriate infrastructure. These lands afford the county one of the very few opportunities to apply the levels of comprehensive planning that are being touted as the future of land use planning.


To take these lands out of the Community Region and direct that they develop as large parcels would be an inefficient use of available infrastructure and just simply not good planning. All the principles of "Smart Growth" direct that lands such as these should be developed to protect the remaining agricultural lands that exist farther out from services.

We fully understand that our town site parcel will remain zoned as agriculture and not be suitable for any development until the Williamson Act rolls out. We would expect the land to stay zoned as it is until a project that brings "the appropriate level of planning" is proposed in the future. All we are asking is that the property remain in the Community Region so as to allow proper future infrastructure planning.

We expect the remainder of our Williamson Act lands to remain in grazing for the term of this plan. One factor that may decide this is our ability to sell our unsuitable grazing land for sufficient value to enable us to acquire replacement land that can be grazed.

Thank you for your consideration.

Respectively,


William K. Scheiber
General Partner

232-2

4520 Lon Court
Diamond Springs, CA 95619
July 14, 2003

03 JUL 15 PM 2:53
RECEIVED
PLANNING DEPARTMENT

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

Subject: El Dorado County General Plan Elements-Housing, Recreation, Circulation

Dear Sir/Madam:

My thoughts and concerns cross many elements within the alternatives.

Housing and Circulation

I am very concerned with our community livability and how we locate affordable housing. In El Dorado County, most of our existing communities that have existing infrastructure (water, sewer, roads) do not have adequate parks, sidewalks or paths that link to our schools and business districts, nor are the roadways adequate for safe use by bicyclists.

233-1

We need to find ways to retrofit these communities to provide the amenities sought by the residents. One way retrofitting might occur is to provide incentives to the communities that host affordable housing projects. For example, if Diamond Springs was to be the site of more affordable housing units, El Dorado County would establish that community as a priority area to provide the entire community with the needed parks, sidewalks/paths, and road widths needed in planned communities.

233-2

El Dorado County should conduct an inventory of non-motorized facilities within one mile of our community centers and schools. This inventory should include potential corridors and identify criteria for making the area non motorized user friendly.

233-3

Another aspect of affordable housing is that it needs to be fully integrated and spread throughout the County. Currently El Dorado Hills does not appear to be hosting its fair share and processes need to be devised to ensure some level of equity in where affordable housing is located.

233-4

Parks and Recreation

The Roadway Constrained Six-Lane "Plus" and the Environmentally Constrained Alternative reflect my vision of the future for recreation much better than the No Project and 1996 General Plan Alternatives.

233-5

The 1996 General Plan is more a reflection of past thinking and needs updating if it is to be adopted. Some suggested changes for the 1996 General Plan:

233-6

Policy 9.1.1.7 The last sentence in this policy that states cities and service districts shall assume all the development costs for community parks should be deleted, because it eliminates the possibilities of cooperative projects.

233-7

Add a new policy that requires an assessment of communities to determine where new parks are most needed.

233-8

Add a new policy that encourages the County to transfer parks to service districts, and other entities after construction.

233-9

Parks and Recreation and Circulation

96 Plan Alternative, Objective 9.1.2: County Trails

Need a clear statement of department responsibilities for the El Dorado Trail (Placerville-Sacramento Corridor). This trail is clearly a major non motorized transportation facility for the future and needs to be treated accordingly.

233-10

96 Plan Alternative, Add a policy statement about updating the Bikeway Master Plan

233-11

The following are requested changes to your document:

In the Transportation and Circulation Elements, I request you include the *El Dorado County Bicycle Master Plan* El Dorado County October 6, 1999, as amended, and the *Bicycle Transportation Plan*, El Dorado County Transportation Commission, April 3, 1997 as providing guidance for the development of bicycle routes within the County in all alternatives.

233-12

Currently in alternatives 2 and 3, under the title **Planning Documents**, the only document cited for bicycles is the 1979 *Bikeway Master Plan*, which is painfully out of date. The *Bikeway Master Plan* was written before plans for El Dorado Hills were complete, the old Southern Pacific rights of way acquired, and many major transportation projects implemented. The 1996 General Plan envisioned the *Bikeway Master Plan* was going to be updated (Policy 3.11.1.3 and others) and the plans I have cited were responsive to that effort.

Non-Motorized Transportation System-In the existing documents, there is speculation the decline in number of bicycle and walk trips from 1990 to 2000 is due to the low-density development pattern and lack of investment in facilities. I would suggest many people are giving up riding and bikes and walking because higher vehicle numbers are making our roads and road shoulders unsafe.

233-13

The General Plan needs to be owned by all the citizens, and very importantly by the various county departments needed to implement it. To be successful, policies must be the product of integrated planning. Currently there are references in the Circulation Element and Parks and Recreation Element on planning and developing trails. The past shows direction resting in several elements frequently results in no department having

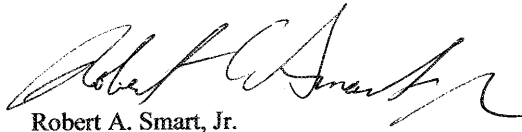
233-14

responsibility and actions fall "through the chairs". Please address the process that needs to be in place to ensure activities that appear in multiple elements are coordinated and reflect integrated thinking.

Many of our existing recreation facilities and trails do not have adequate funding for their maintenance. Trails in particular have a tendency to begin and end within special districts or subdivisions, because these entities are responsible for their construction and maintenance. These trails need to be designed to provide county wide access. There should be a goal for recreation facilities and trails are available to a broad spectrum of the county population. The burden for maintaining the facilities/trails needs to be shared and partially borne by the County. New mechanisms, such as Mello-Roos districts, are needed to help generate the funding necessary.

I know my comments do not fit neatly into categories. I hope you can find ways to make them meaningful.

Sincerely,


Robert A. Smart, Jr.



233-14



233-15



**GENE E.
THORNE**
& Associates, Inc.

Engineering • Planning • Surveying

14 July 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 APNs 077-011-60 & 61.

Dear Mr. Montgomery:

On behalf of our client, Mr. Len Miller, this letter represents a request to change the designation of the subject parcels in both the EC and RC Alternatives. The designation for the 1996 General Plan Alternative is Low-Density residential and is an acceptable designation.

In January of 1995, a Tentative Subdivision Map was submitted on the subject parcels for a five-acre Rural Subdivision as an additional unit to the Gold Strike Subdivision. The Writ on the existing General Plan held up this map, along with many other similar projects.


The 1996 General Plan Alternative recognized this plan of action and applied the Low-Density Residential designation to these parcels.

The EC Alternative has 077-011-60 as a Natural Resource designation and 077-011-61 as a Rural Lands designation. We request that both of these be changed to the Low-Density Residential designation in line with the Tentative Map in process.

The RC Alternative has 077-011-60 as a Rural Lands designation and 077-011-61 as a Low-Density Residential designation. We request that 077-011-60 be changed to Low-Density Residential in line with the other parcel and consistent with the Tentative Map in process.

Please contact me should you have any questions or require additional information. Thank you.

Sincerely,


Gene E. Thorne
RCE 20462

j
cc: Mr. Len Miller

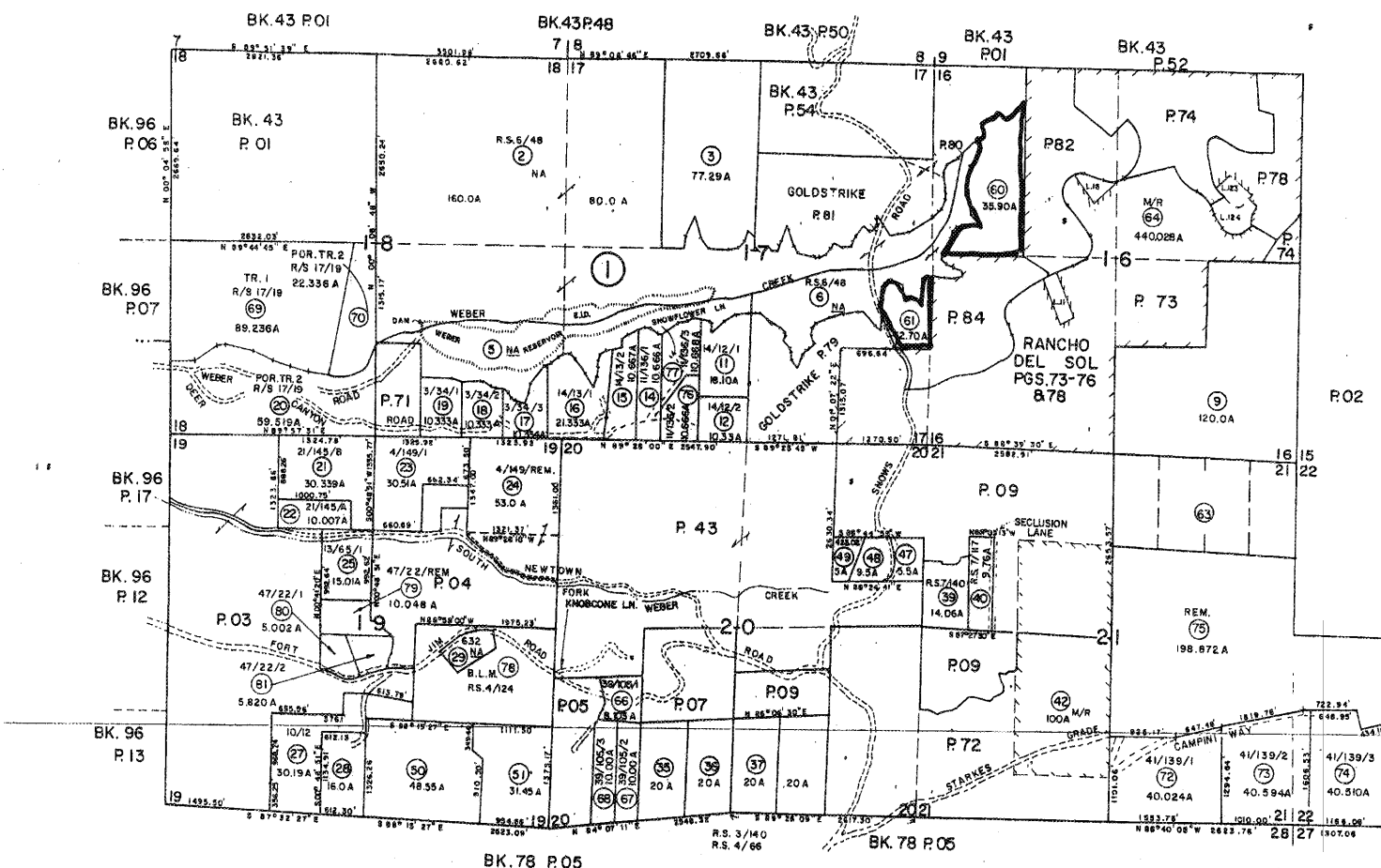
94030.08[goldstrike]

3025 Alhambra Drive, Suite A, Cameron Park, California 95682-7999
530-677-1747 • 916-985-7745 • FAX: 530-676-4205 • www.thornecivil.com

SECS 16, 17, 18, 19, 20 & 21, TION R. 12 E. M. D. M.

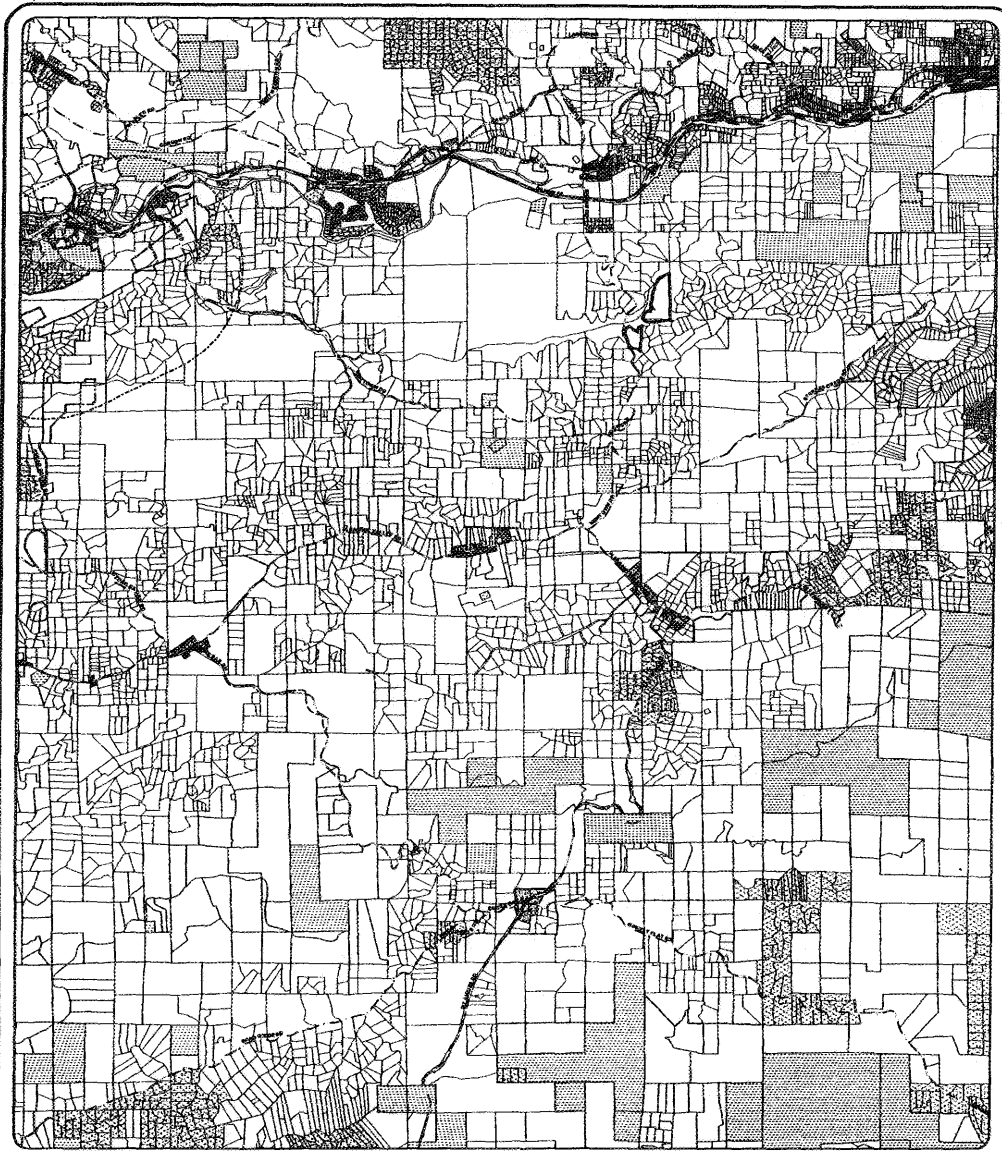
Tax Area Code

77:01



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

Assessor's Map Bk. 77 - Pg. 01
 County of El Dorado, California



- LEGEND**
- Adopted Plan
 - Commercial
 - High Density Residential
 - Industrial
 - Low Density Residential
 - Medium Density Residential
 - Multi-Family Residential
 - Rural Residential
 - Open Space
 - Public Facilities
 - Research & Development
 - Rural Residential
 - Township Residential
 - Non-Agricultural Lands
 - Agricultural District
 - Platted Lands
 - Planned Communities
 - Ecological Preservation
 - Special Resources
 - Specific Plans
 - Community Programs
 - Rural Centers
 - Tentative 100 Resource Table Line
 - Parcel Boundaries
 - Major Roads
 - Project Study Areas

NOTES:

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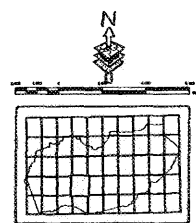
2. This document was prepared for the purpose of providing information to the public and is not intended to be used for any other purpose. It is the property of El Dorado County and is not to be reproduced without the written consent of the County.

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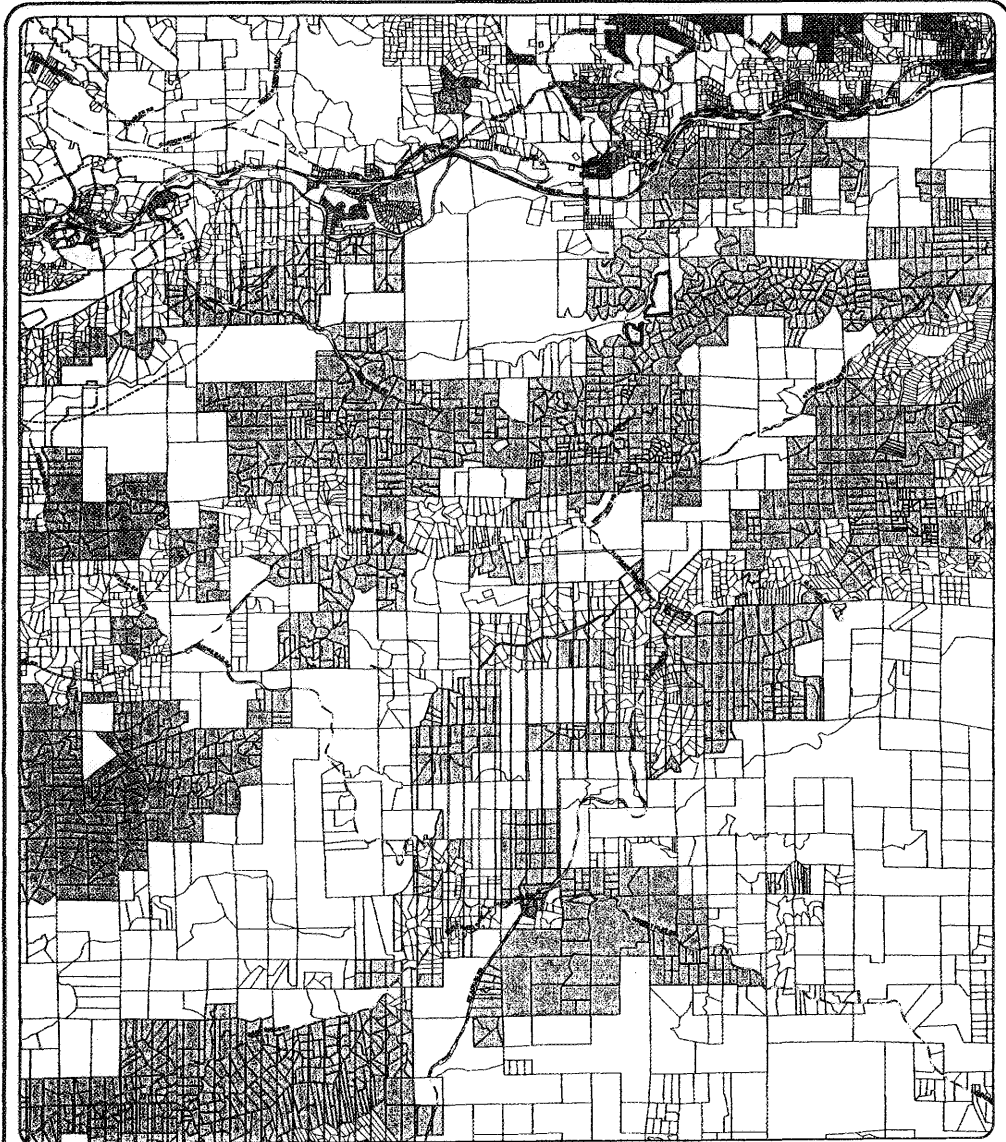
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Map Created By:
 El Dorado County Planning Department
 GIS Division
 2800 Foothill Court
 Placerville, CA 95667
 (530) 621-4300
<http://www.eldorado-county.net/planning>



**EL DORADO COUNTY "NO PROJECT/1996 ALTERNATIVE"
 LAND USE MAP**



- LEGEND**
- Agriculture
 - Adapted Plan
 - Commercial
 - High Density Residential
 - Industrial
 - Low Density Residential
 - Medium Density Residential
 - Multi-Family Residential
 - Neighborhood
 - Open Space
 - Public Facilities
 - Research & Development
 - Retail/Light
 - Special Residential
 - Ecological Preserve
 - Mixed Forestlands
 - Savanna Plains
 - Consistency Planning
 - Rural Centers
 - Tennis & Golf Reserve/Take Line
 - Forest Boundaries
 - Major Roads
 - Airport Safety Zones
 - Historic/Religious Center

NOTES:

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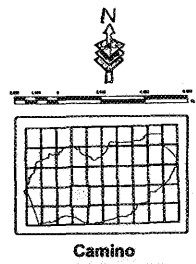
Land use data is derived and maintained by the El Dorado County Planning Department - GIS Division. This map was created by the GIS Division.

Boundaries and other data developed and maintained by the El Dorado County Surveyor's Office - GIS Division.

For details about other data boundaries, see legends maps maintained by the Planning Department.

For more product information regarding the Town of El Dorado take line boundary, contact the El Dorado County Surveyor's Office.

Map version: 08/2008



EL DORADO COUNTY "ENVIRONMENTALLY CONSTRAINED ALTERNATIVE" LAND USE MAP



**GENE E.
THORNE**
& Associates, Inc.

Engineering • Planning • Surveying

03 JUL 15 PM 2:05

RECEIVED
PLANNING DEPARTMENT

14 July 2003

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 APNs 087-030-55, 56, 58, 59, 60, 61, 62, 63, & 64, and 087-050-15, 16, 17, 19, 21, 22, & 23

Dear Mr. Montgomery:

On behalf of our client, the Ervin Ranch Partnership, this letter represents a request to change the designation of the above mentioned parcels from a Natural Resources designation in the RC Alternative. It is requested that a combination of Natural Resources and Rural Lands be incorporated into the RC Alternative. The Natural Resources designation is appropriate to a portion of that parcel (APN 087-050-21) adjacent to the Cosumnes River and the Rural Lands designation is appropriate for the balance of the parcels.

The current map for the EC Alternative includes a checkerboard pattern of Natural Resources and Agricultural designations. It is totally unclear how this checkerboard pattern came about. It is requested that the EC Alternative be modified to include only the Natural Resources for a portion of that parcel (APN 087-050-21) adjacent to the Cosumnes River and the Rural Lands designation be used for the balance of the parcels.

The designations as shown on the 1996 Alternative are acceptable.

Please contact me should you have any questions or require additional information. Thank you.

Sincerely,

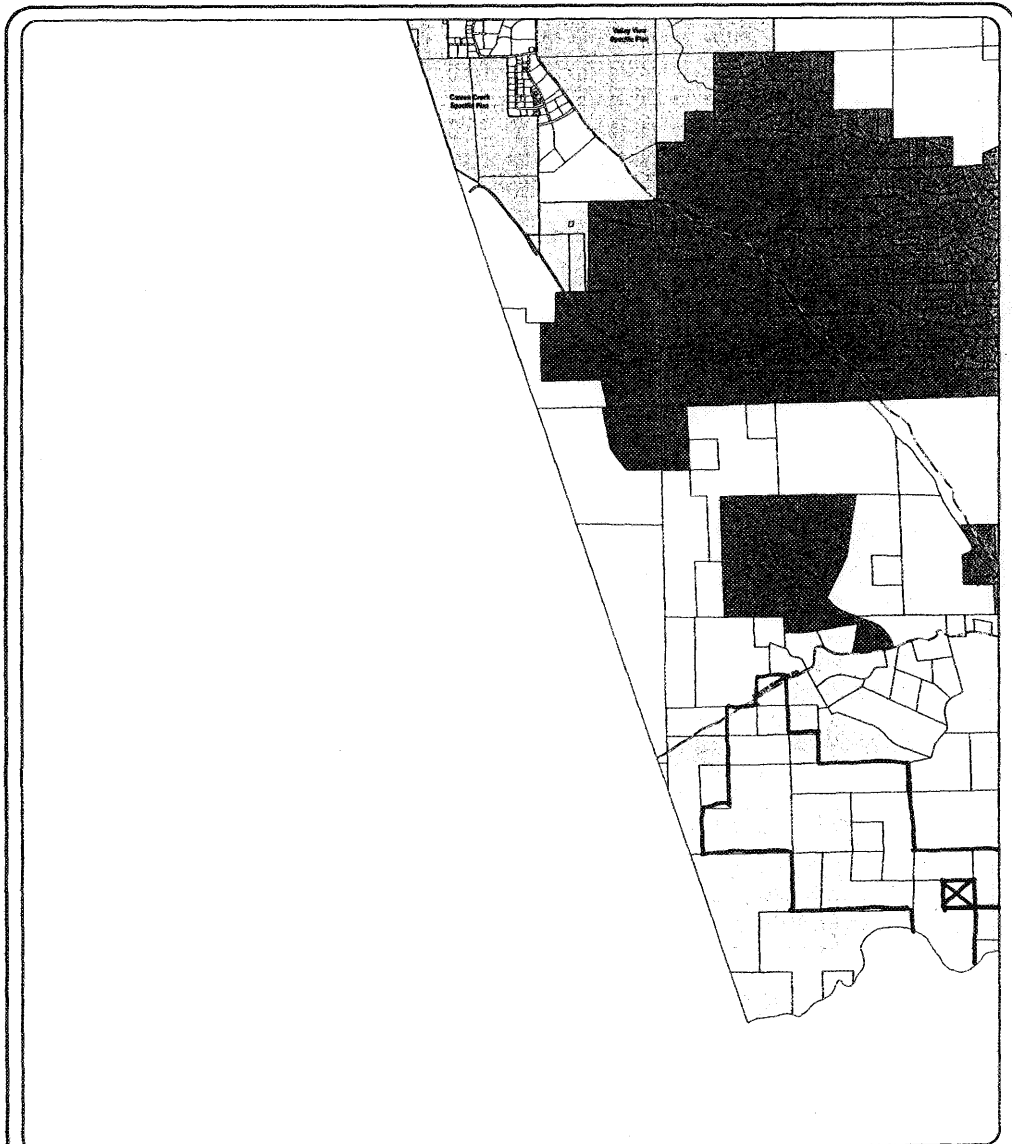
Gene E. Thorne
RCE 20462

cc: George Carasco

90007.01[Ervin]

235-1

3025 Alhambra Drive, Suite A, Cameron Park, California 95682-7999
530-677-1747 • 916-985-7745 • FAX: 530-676-4205 • www.thornecivil.com



LEGEND	
	Agriculture
	Industrial/Office
	Government
	High Density Residential
	Industrial
	Low Density Residential
	Medium Density Residential
	High Density Residential
	Natural Resources
	Open Space
	Public Facilities
	Research & Development
	Retail/Light Industrial
	Ecological Preserve
	Special Recreation
	Specific Plans
	Community Planned Development
	Mixed Office
	Mixed Use Residential/Town Center
	Forest/Shrublands
	Major Parks
	Airport/Utility Zones
	Regional Shopping Center

NOTES:

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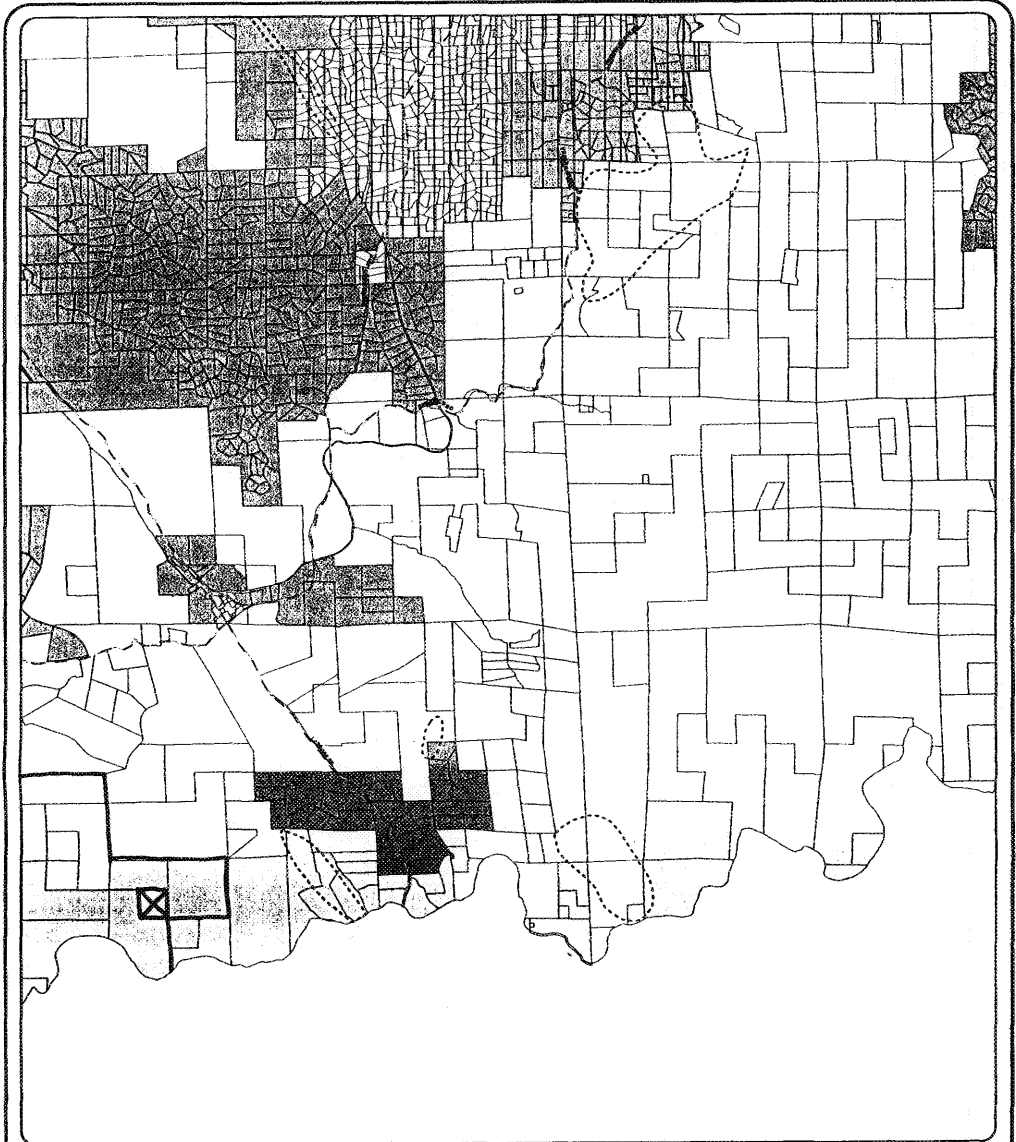
For more information regarding the El Dorado County General Plan, contact the El Dorado County Planning Department.

Map Date: 02/20/05

Folsom SE

Map Created By:
El Dorado County Planning Department
CJD (Jenkins)
2001 Fairview Court
Folsom, CA 95630
916.932.4350
http://www.el-dorado.ca.gov/planning

**EL DORADO COUNTY "ENVIRONMENTALLY CONSTRAINED ALTERNATIVE"
LAND USE MAP**



LEGEND

	Agricultural		Ecological Preserve
	Airport Plan		Mineral Resources
	Commercial		Specific Plans
	High Density Residential		Community Regions
	Industrial		Road Corridor
	Low Density Residential		State RR Reserve Take Law
	Medium Density Residential		Public Facilities
	Multi-Family Residential		Recreation & Development
	Natural Resources		Road Lands
	Open Space		Tourist Residential
	Forest Lands		
	Airport Safety Zones		
	Important Biological Corridor		

NOTES:

This document was prepared using aerial photos and plans. The accuracy of which was not verified for use under the California State Planning Act. It is intended for informational purposes only. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose.

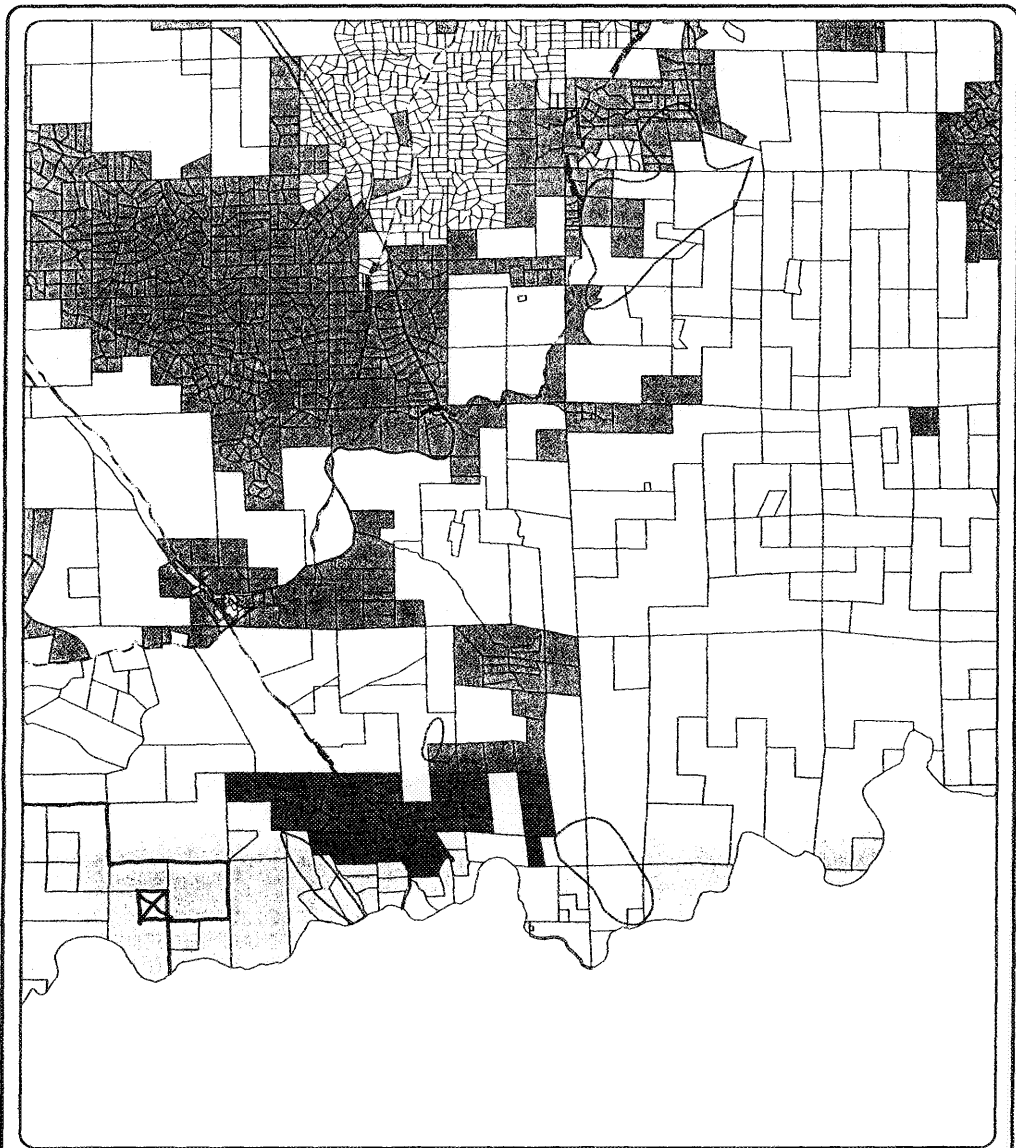
Land use plan is developed and maintained by the El Dorado County Planning Department. GIS Database. The map was developed under the contract with the County of El Dorado. The map was developed and maintained by the El Dorado County Planning Department. GIS Database.

For more detailed information regarding the State RR Reserve Take Law boundary, contact the map designer: G000002

Map Created By:
 El Dorado County Planning Department
 GIS Division
 2633 Fairview Court
 Placerville, CA 95667
 (530) 621-6200
<http://www.el-dorado.ca.gov/planning>

Latrobe

EL DORADO COUNTY "ENVIRONMENTALLY CONSTRAINED ALTERNATIVE" LAND USE MAP



LEGEND

Adopted Plan	Agricultural District
Commercial	Ecological Preserve
High Density Residential	General Resources
Industrial	Specialty Plans
Low Density Residential	Community Flagship
Medium Density Residential	Rural Corridor
Multi-Family Residential	Rural Corridor - 1/2 Mile Lane
Medium Resources	Parcel Boundaries
Open Space	Major Roads
Public Utilities	Special Safety Zones
Research & Development	
Rural Lands	
Tourist Recreation	

NOTES:

This document was compiled from maps prepared, issued and published by the County of El Dorado. The County does not warrant, expressly or impliedly, the accuracy or validity of information contained in this document. Users should verify the information at their own risk, and are encouraged to verify any information contained or implied in this document.

Land use data is developed and reviewed by the El Dorado County Planning Department - GIS Section. All maps were created within the Department's information systems.

Boundaries and road line work were established by the El Dorado County Surveyors Office - GIS Section.

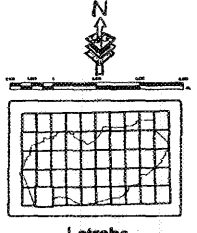
If you have any questions regarding this map, please contact the Planning Department.

For more information regarding the El Dorado County Land Use Ordinance, contact the Planning Department.

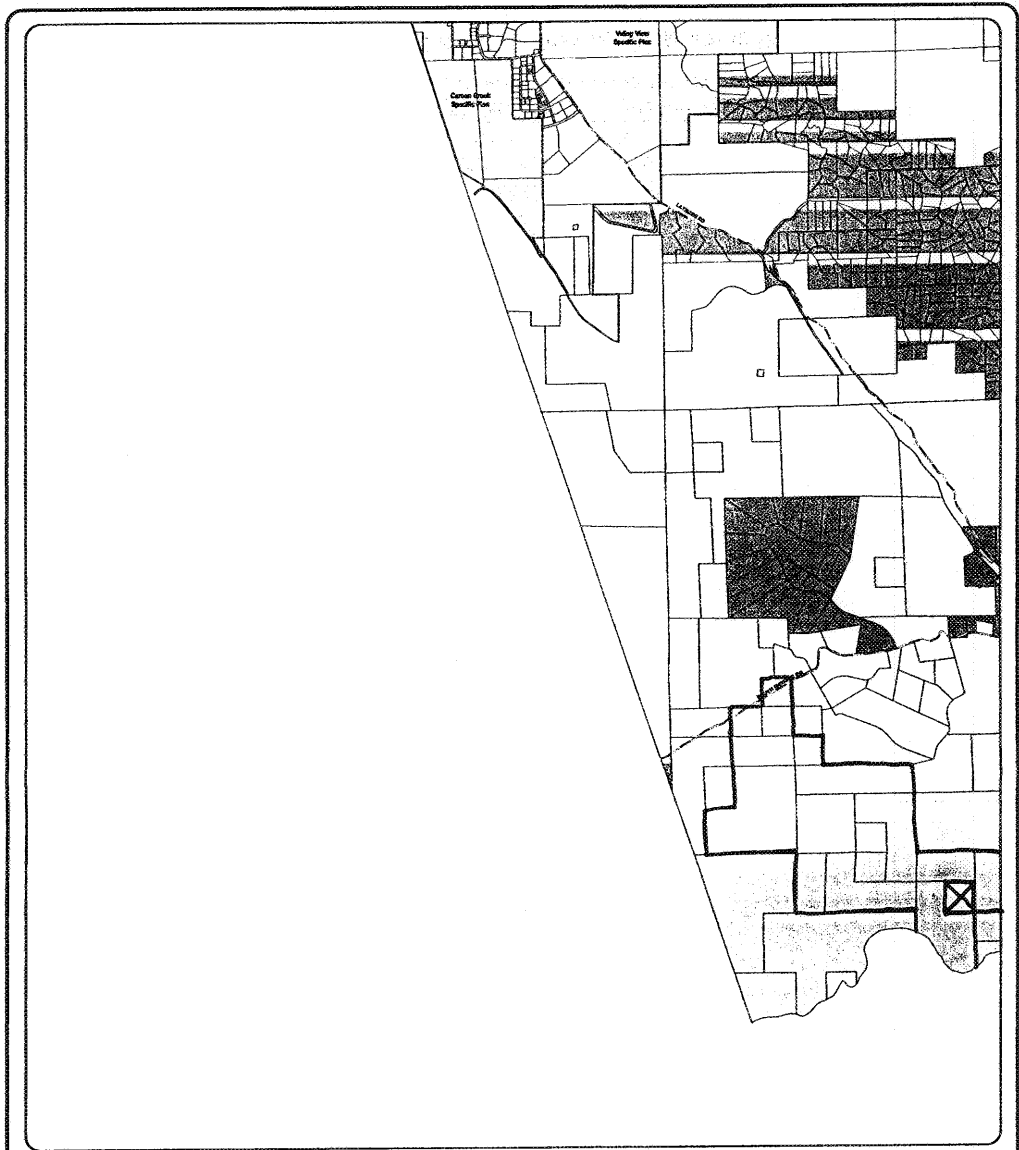
Map Accuracy: 2008/08/08



Map Created by:
 El Dorado County Planning Department
 GIS Division
 2000 El Estero Canal
 Placerville, CA 95667
 (530) 621-0266
 MapScale: 1:25,000 (as engineering)



**EL DORADO COUNTY "ROADWAY CONSTRAINED SIX-LANE PLUS ALTERNATIVE"
 LAND USE MAP**



LEGEND

	Advanced Plan		Agricultural District
	Commercial		Ecological Processes
	High Density Residential		Mineral Resources
	Industrial		Specific Place
	Low Density Residential		Community Region
	Medium Density Residential		Rural Context
	Heavy Family Residential		Tennis Hit Restroom/ Toilet Line
	Medium Family Residential		Permit Boundaries
	Open Space		Major Roads
	Public Facilities		Airport Safety Zones
	Research & Development		
	Rural Livestock		
	Travel Recreational		

NOTES:

This document has suggested zone names - public and private - the zoning of land use is subject to the County of El Dorado. The County does not warrant, nor assume any liability for, the accuracy or validity of information contained in this document. Users should use the information at their own risk, and are encouraged to verify any information contained or reported in this document.

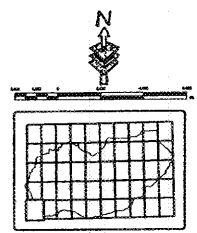
Land use design developed and maintained by the El Dorado County Planning Department, 1000 El Dorado. This requires a detailed number of the parcel/zone information table.

Boundaries and land use development not maintained by the El Dorado County Surveyor's Office, 1000 El Dorado.

For further information regarding this boundary location, see maps such as map maintained by the Planning Department.

For more information regarding the Town of El Dorado, visit the El Dorado website.

Map version: 01/2022



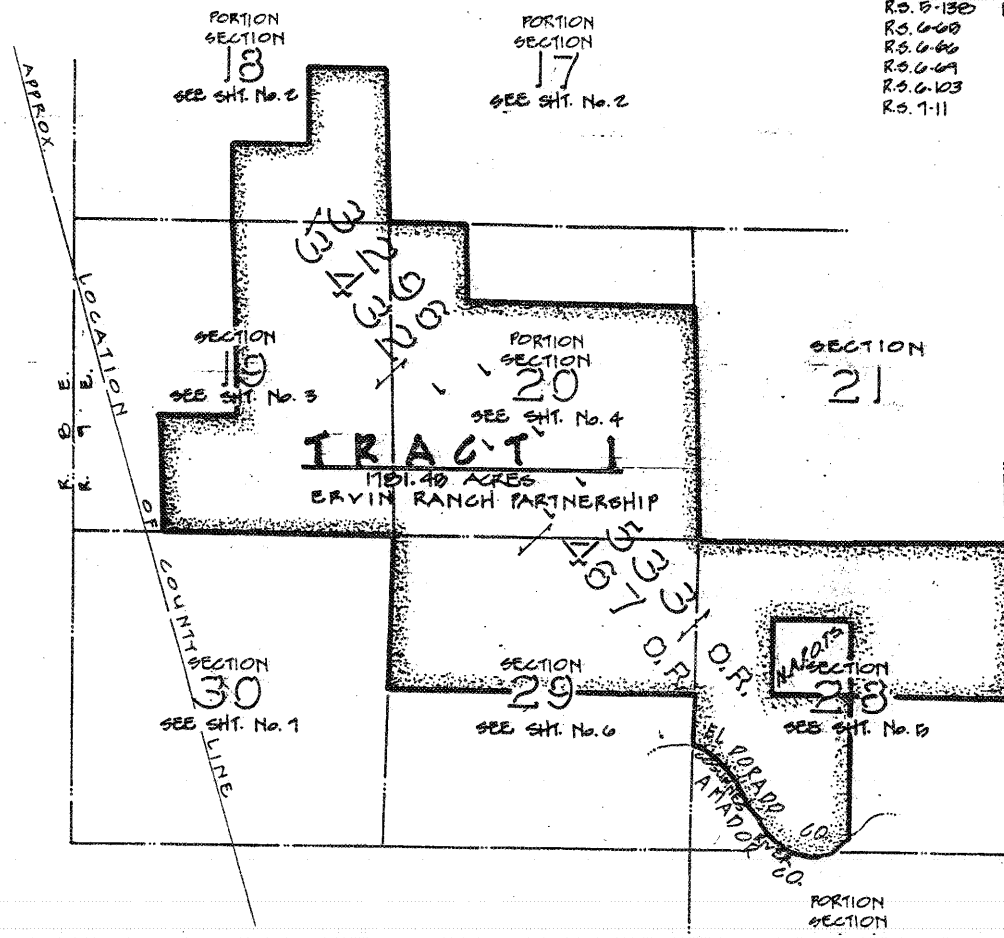
Map Created By:
 El Dorado County Planning Department
 GIS Division
 3000 Fairview Court
 Placerville, CA 95667
 (209) 421-0100
<http://www.el-dorado.ca.gov/planning>

Folsom SE

**EL DORADO COUNTY "ROADWAY CONSTRAINED SIX-LANE PLUS ALTERNATIVE"
 LAND USE MAP**



E 2,200,290.42 U.S.C. & G.S. 1939) AND SHEEP (NSM, 431.00 - E 2,269,719.00 U.S.C. & G.S. 1992) THE BEARING OF WHICH IS S32°21'48"W. ALL DISTANCES ARE GROUND DISTANCES.



REFERENCES
 R.S. 9-130 P.M. 22-76
 R.S. 6-60
 R.S. 6-66
 R.S. 6-69
 R.S. 6-103
 R.S. 7-11

NOTES
 ① THE PURPOSE OF SET FORTH IN G
 ② NO DETERMINATION TO RANGE OR E RESPECTIVE COR

SURVEYOR
 THIS MAP CORRECTS DIRECTION IN CO ACT AT THE ERVIN RANCH PARTNERSHIP
 GENE S. RUSSE
 REG. EXP. DATE: [Stamp]

COUNTY CLERK
 THIS MAP HAS BE THE LAND SURVEY
 DANIEL S. RUSSE
 COUNTY SURVEYOR
 COUNTY OF EL DORADO
 LIC. EXP. DATE: -
 BY: [Signature] DE CHARLES E.

RECORDS
 FILED THIS [Stamp] DAY SURVEYS AT PAGE A CALIFORNIA GE DOCUMENT NO. [Stamp]
 L. Jean Be



**GENE E.
THORNE**
& Associates, Inc.

Engineering • Planning • Surveying

14 July 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 1996 General Plan, the Environmentally Constrained (EC) and the Roadway Constrained (RC) Alternatives for APNs 102-210-12 and 102-220-13.

Dear Mr. Montgomery:

On behalf of our client, Mr. Amar Ghori, this letter represents a request to change the designation of the subject parcels from a Rural Lands designation in both the EC and RC Alternatives to a High-Density designation. The designation for the 1996 General Plan Alternative is Low-Density residential and should also be changed to a High-Density designation.

The Rural Lands designation for both the EC and RC are essentially the same. It allows for the development of areas of limited infrastructure and public services. It is also applied to lands that are characterized by steeper topography, high fire hazards, and limited or substandard access. The Low-Density designation in the 1996 alternative shall be applied to those areas where infrastructure such as arterial roadways, public water, and public sewer are generally not available.

None of the Base Land Use Designations described above are applicable to these parcels.

The subject parcels are adjacent to Green Valley Road and are directly across from the future intersection of the new, adopted alignment of Bass Lake Road with Green Valley Road. This will be a signalized intersection. Both Green Valley Road and Bass Lake Roads are considered to be arterial roadways.

The Rescue School District's new middle school is currently under construction, and a new high school and grammar school are all part of a complex directly across Green Valley Road from the subject parcels.

A fire station and a church are planned at sites close to the intersection.

Water, sewer, and other infrastructure is currently being extended to the new middle school.

The land use designations in all three alternatives are inappropriate in light of the above, factual information. It has always been a good planning concept to place development where the services are. Such planning is appropriate from an environmental point of view and as a means of mitigating many traffic impacts. Affordable housing can become a reality when the extensions of necessary services are minimized. Concentrating all of the services, including fire protection, K through 12 schools, churches, and transportation hubs in a relatively small area reduces the tendency for urban sprawl to occur.

3025 Alhambra Drive, Suite A, Cameron Park, California 95682-7999
530-677-1747 • 916-985-7745 • FAX: 530-676-4205 • www.thornecivil.com

236-1


Conrad B. Montgomery
APNs 102:210:12 & 102:220:13

14 July 2003

We, therefore, respectfully request that our suggestions for modifications of all three alternatives be considered.

Please contact me should you have any questions or require additional information. Thank you.

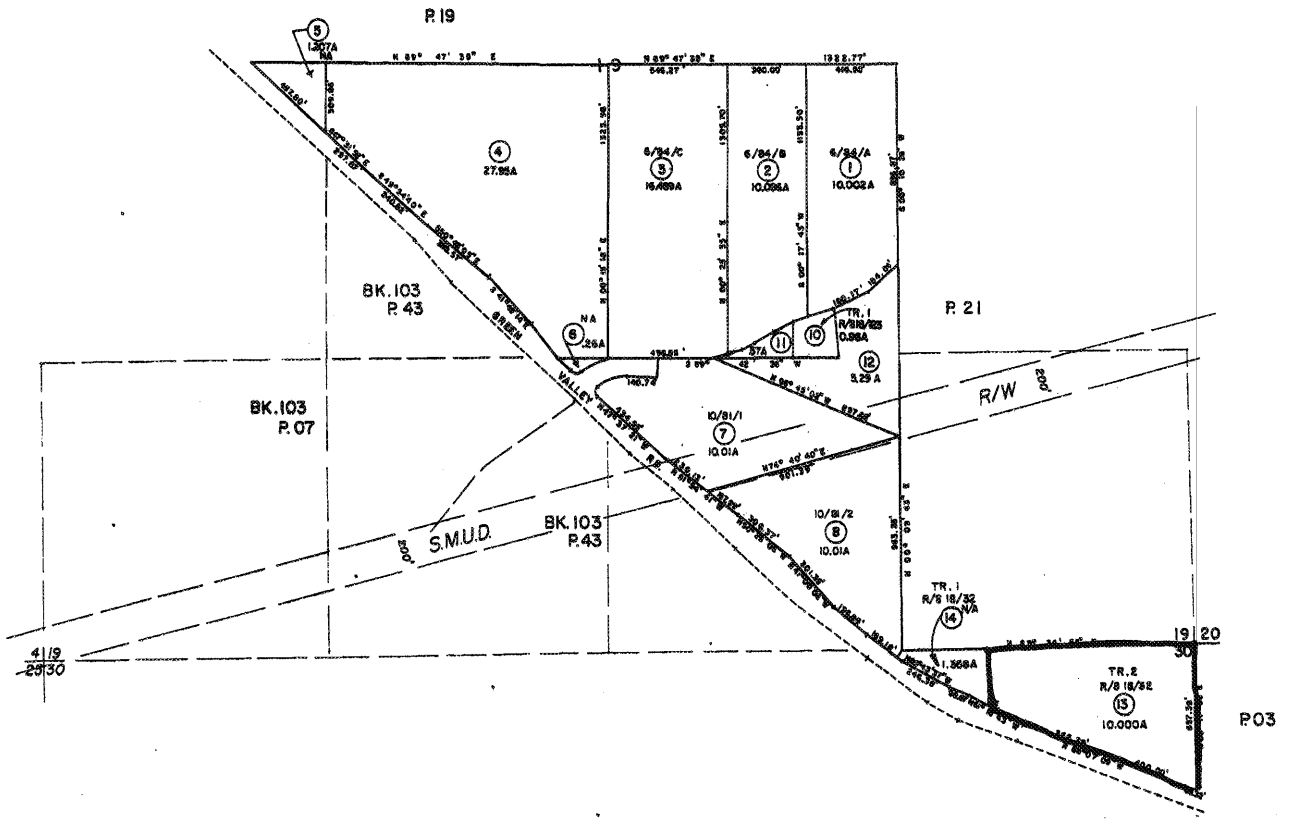
Sincerely,


Gene E. Thorne
RCE 20462

j
c: Mr. Amar Ghori

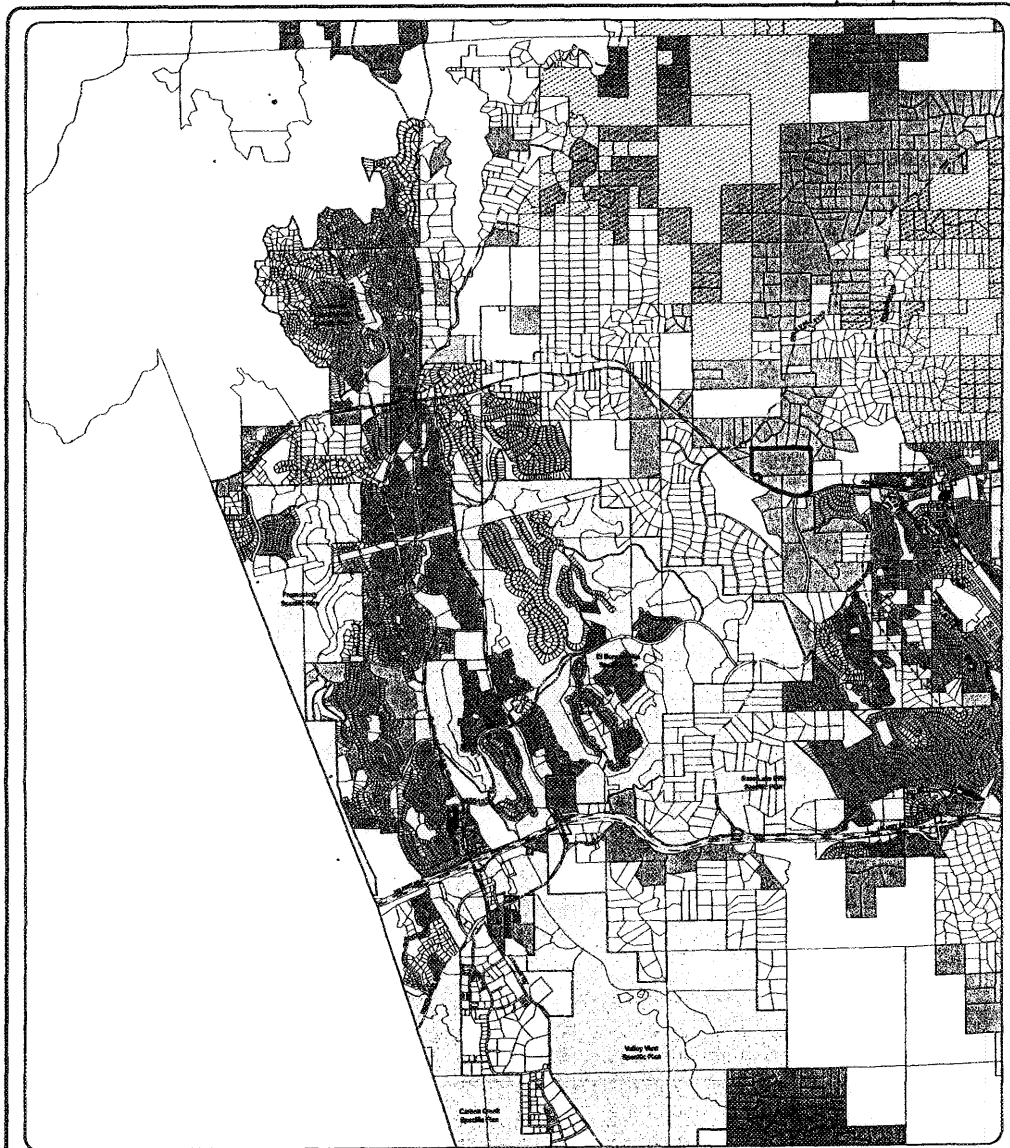


236-1



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

Assessor's Map Bk. 102 - Pg. 22
County of El Dorado, California



LEGEND

	Adopted Plan		Agricultural District
	Constrained		Ecological Preserve
	High Density Residential		Mineral Resources
	Industrial		Special Plans
	Low Density Residential		Community District
	Medium Density Residential		Rural Centers
	Multi-Family Residential		Tennis and Recreation Site-Low
	Rural Residences		Forest Reserves
	Open Space		Major Roads
	Public Facilities		Airport Safety Zones
	Research & Development		
	Retail/Lowrise		
	Tourist Measurement		

NOTES:

This document was prepared for the project "Clarksville and phases" the contents of which are for informational purposes only. The County does not warrant, represent or guarantee the accuracy or quality of the information contained in this document. Clarksville and the information it contains are not an endorsement or approval of any product or service mentioned herein.

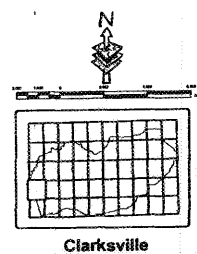
Land use designations are established by the El Dorado County Planning Department. US District. This map uses a modified version of the general use designations.

Other uses and land use designations established by the El Dorado County Board of Supervisors. Other Districts.

For private airport safety zone boundary locations, see maps available from the Planning Department.

For more information regarding the Clarksville and phases, contact the El Dorado County Planning Department.

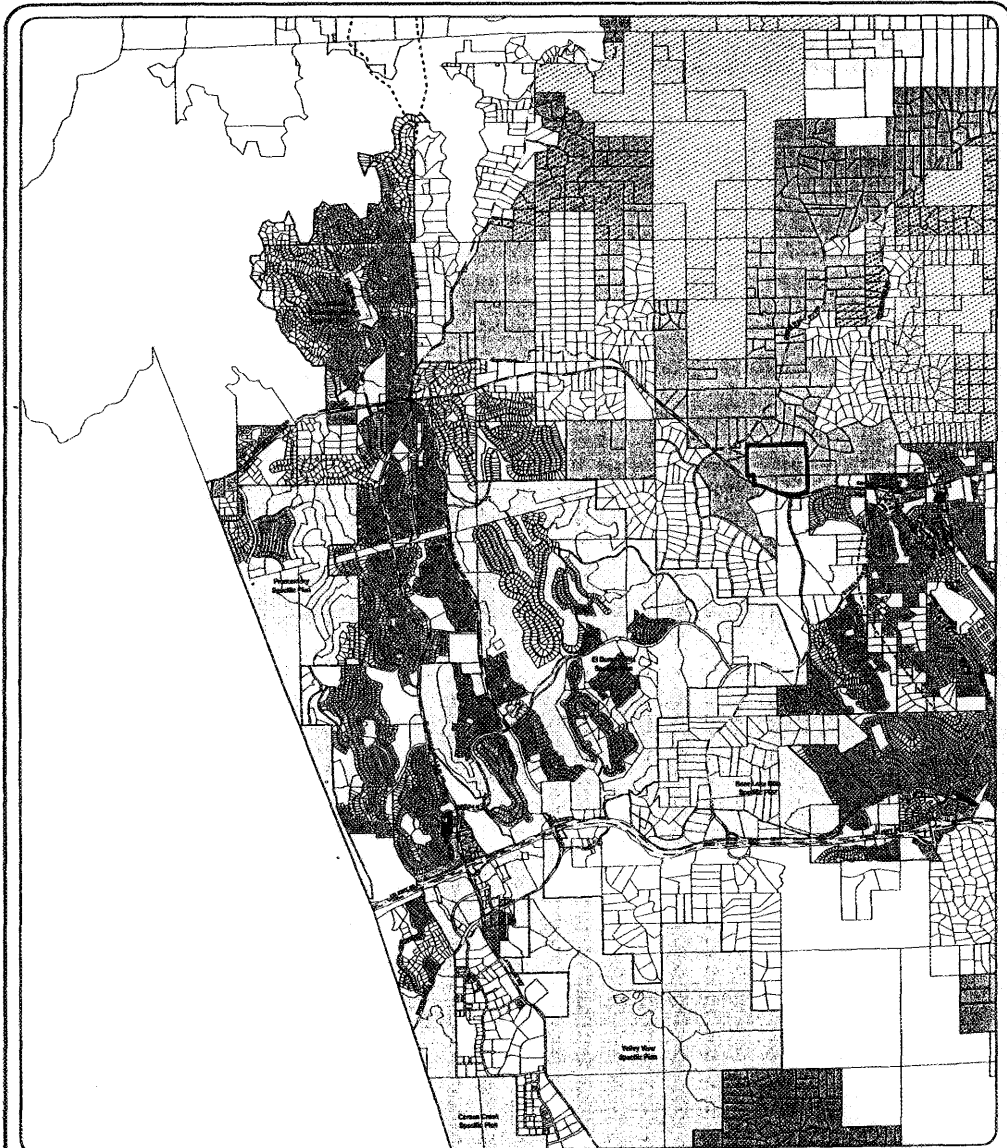
Prepared by: GDM/2011



Map Created By:
 El Dorado County Planning Department
 GIS Division
 2850 Fairview Court
 Placerville, CA 95667
 (209) 921-4303
<http://arc.gis-el-dorado.ca.gov/planning>

Clarksville

**EL DORADO COUNTY "ROADWAY CONSTRAINED SIX-LANE PLUS ALTERNATIVE"
 LAND USE MAP**



- LEGEND**
- Agriculture
 - Adapted Plan
 - Conservation
 - High Density Residential
 - Industrial
 - Low Density Residential
 - Medium Density Residential
 - Multi-Family Residential
 - Rural Residential
 - Open Space
 - Public Facilities
 - Research & Development
 - Rural Lands
 - Tourist Recreational
 - Community Preserve
 - Mixed Resources
 - Specialty Plans
 - Community Neighbors
 - Rural Centers
 - Special Use (Reserved) Table Land
 - Special Use (Reserved)
 - Major Roads
 - Airport Safety Zones
 - Reserved Biological Corridor

NOTES:

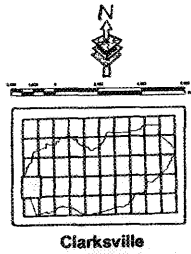
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Land use data developed and maintained by the El Dorado County Planning Department - GIS Division. The map data are provided under the open source license.

Map data and GIS data developed and maintained by the El Dorado County GIS Division - GIS Division.

For more information regarding the 2015 GIS Research Data Inventory, contact the GIS Research Center.

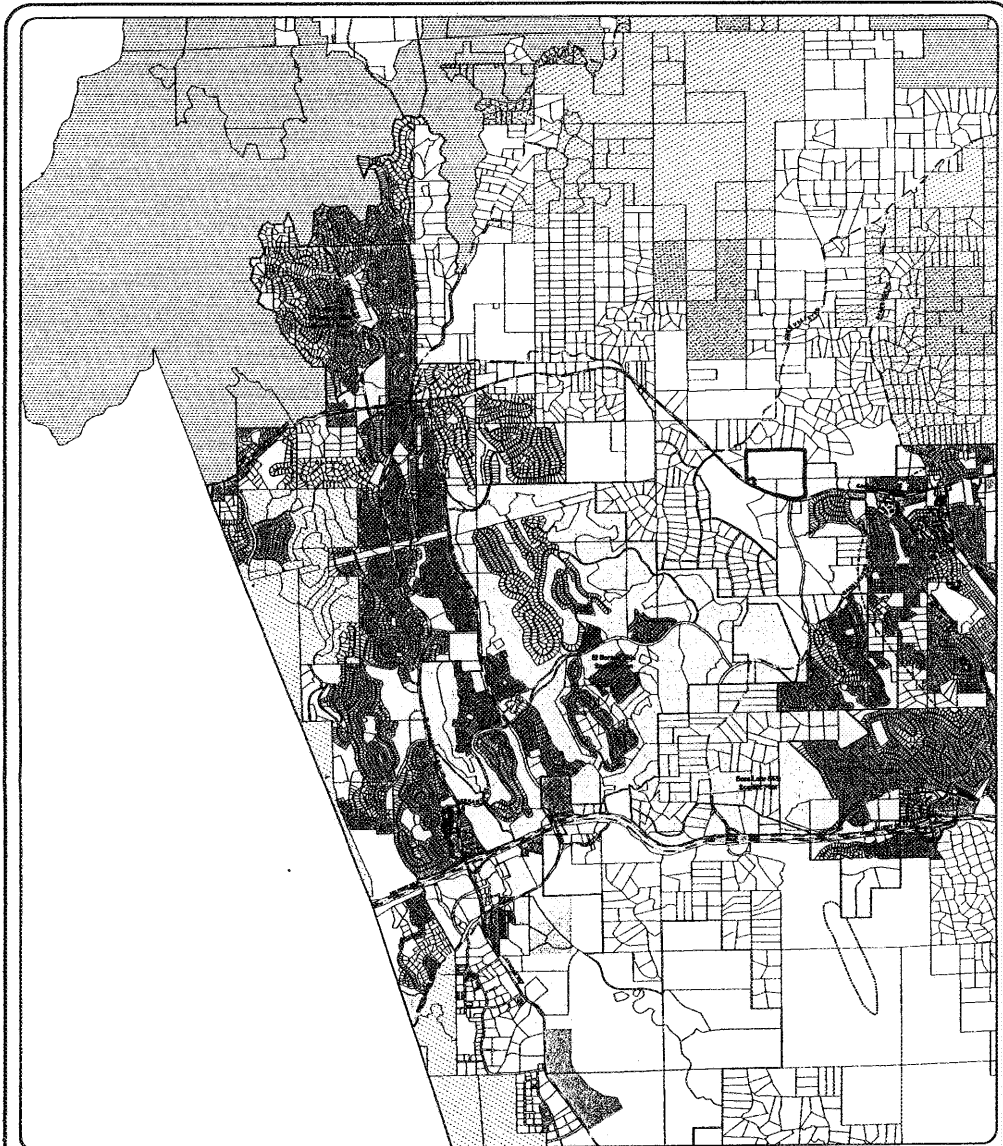
Map version: 02/2015



Map Created By:
 El Dorado County Planning Department
 GIS Division
 2015 El Dorado Court
 Placerville, CA 95367
 (530) 921-4266
<http://www.el-dorado.ca.us/planning>

Clarksville

EL DORADO COUNTY "ENVIRONMENTALLY CONSTRAINED ALTERNATIVE" LAND USE MAP



LEGEND

Adopted Plan	Non-Jurisdictional Levels
Commercial	Agricultural District
High Density Residential	Platted Lots
Suburban	Planned Communities
Low Density Residential	Ecological Preserve
Medium Density Residential	Mineral Resource
Single-Family Residential	Special Place
Natural Resources	Community Regions
Open Space	Rural Centers
Public Facilities	Towns 100 Resource T-1a Line
Research & Development	Planned Boundaries
Rural Residential	Single Peaks
Tourist Residential	Hazard Safety Zones

NOTES:

Adopted by the Board of Supervisors in Clarksville, California, on January 25, 1996, Resolution No. 1606, as amended through January 1998.

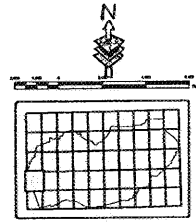
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Land use data developed and maintained by the El Dorado County Planning Department, GIS Division. This map uses a modified version of the general data reference to scale.

Platted lots and other lots developed and maintained by the El Dorado County Surveyors Office, GIS Division.

For more information regarding the Towns 100 Resource T-1a Line boundary, contact the GIS Services Division.

Map number: 02000003



Map Created By:
 El Dorado County Planning Department
 GIS Division
 2020 Walker Court
 Placerville, CA 95667
 (925) 621-4267
<http://www.el-dorado.ca.us/planning>

Clarksville

EL DORADO COUNTY "NO PROJECT/1996 ALTERNATIVE" LAND USE MAP



United States
Department of
Agriculture

Forest
Service

Eldorado
National
Forest

100 Forni Road
Placerville, CA 95667
(530) 622-5061
(530) 626-4552 (TTY)

Date: July 14, 2003

Heidi Tschudin, Contract Planner
El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Dear Ms. Tschudin:

In addition to my previously submitted Eldorado National Forest comments to the El Dorado County Plan, I am taking this opportunity to express my support as Forest Supervisor of the El Dorado County Fire Safe Council's recommendations and proposals to the El Dorado County Draft General Plan. Experience has shown that cooperation is essential in taking on the huge task of reducing severe wildland fires and their associated impacts to the wildland urban intermix, valuable municipal watersheds, and the overall natural resources of El Dorado County.

Involvement of federal agencies as well as state and local governments, the private sector, and private individuals is the only way the problem of reducing the loss from catastrophic fire can be addressed. Although the Fire Safe Council's comments are designed to address the Draft Roadway Constrained Six-Lane Alternative we agree with their intent to provide direction for the inclusion of Fire Safe direction in any alternative selected.

JOHN D. BERRY
Forest Supervisor

03 JUL 15 PM 3:00
RECEIVED
PLANNING DEPARTMENT

237-1



USFWS

Fax: 916-414-6713

Jul 14 2003 14:32

P. 02



United States Department of the Interior

FISH AND WILDLIFE SERVICE
 Sacramento Fish and Wildlife Office
 2800 Cottage Way, Room W-2605
 Sacramento, California 95825-1846

03 JUL 14 PM 2:42
 RECEIVED
 PLANNING DEPARTMENT

IN REPLY REFER TO:
 1-1-03-TA-2172

Peter Maurer
 General Plan Team Leader
 El Dorado County Planning Department
 2850 Fairland Court
 Placerville, California 95667

Subject: Comments on El Dorado County's Draft General Plan and Draft
 Environmental Impact Report, El Dorado County, California

Dear Mr. Maurer:

This is in response to your letter dated April 9, 2003, notifying the U.S. Fish and Wildlife Service (Service) that the El Dorado County draft general plan and draft environmental impact report are available for review and comment. These comments are intended to assist you in your finalization of the draft general plan and draft environmental impact report. They do not take the place of any formal comments that may be required under the provisions of the Endangered Species Act of 1973 (Act), as amended, or the Fish and Wildlife Coordination Act of 1934, as amended. The general plan includes four draft alternatives: a no project alternative (alternative one), a roadway constrained six-lane "plus" alternative (alternative two), an environmentally constrained alternative (alternative three), and a 1996 general plan alternative (alternative four). Each of the alternatives analyzed applies to the lands under the jurisdiction of El Dorado County, identifies planned land uses, and establishes policies to guide development within El Dorado County up through the year 2025.

Alternatives one and four have similar project descriptions, whereas the project descriptions of alternatives two and three are more similar in that they differ from alternatives one and four by having: (1) a reduced land use designation of either residential or commercial/industrial; (2) an increased land use designation of rural/open space/resource; and (3) higher standards for the protection of sensitive biological resources and water resources, with alternative three generally achieving more protective standards for sensitive biological resources and water resources than alternative two. A significant difference between alternatives two and three is that U.S. Highway 50 would be maintained as a six lane highway under alternative two whereas under alternative three it would be built to accommodate eight lanes or would not be limited by size.

We encourage you to preserve and protect the quality, function, and value of surface and subsurface water resources within El Dorado County's jurisdiction by adopting the policies of

238-1

238-2

Mr. Peter Maizer

2

alternative three, as outlined in Goals CO-3 and CO-4. In addition, we recommend that both permanent and intermittent wetlands and both perennial and intermittent stream courses be protected by no less than 100-foot setback buffer areas as measured from the upland edge of the wetland or stream course. Buffers should extend to protect riparian habitats and riparian corridors. In some areas, we advise that such buffers may need to be extended to no less than 330 feet to avoid adverse effects to listed species such as the federally threatened California red-legged frog (*Rana aurora draytonii*). However, we anticipate consulting on listed species potentially affected by future projects at a site-specific level, pursuant to section 10 or section 7 of the Act.

238-2

The Service supports El Dorado County's attempt to map and protect "important biological corridors," however, we recommend explaining how they were developed and how they will be protected and managed. Additionally, we suggest adopting the important biological corridor as mapped in the environmentally constrained alternative but also extending the corridor eastward to the headwaters of the Weber Creek watershed to include the known population of California red-legged frog. Furthermore, we suggest linking the important biological corridors to federally managed lands.

238-3

Below 5,000 feet in elevation, El Dorado County lies within the Sierra Nevada foothills and Central Valley California red-legged frog recovery unit (recovery unit one), as designated in the Service's 2002 *Recovery plan for the California red-legged frog*. Within this recovery unit are two core areas in El Dorado County, Traverse Creek and Cosumnes River core areas. To further the protection and recovery of the California red-legged frog, we recommend you incorporate the recovery objectives and strategies for this recovery unit and these core recovery areas as outlined in the Service's 2002 *Recovery plan for the California red-legged frog* into an aquatic management strategy within the general plan and environmental impact report.

238-4

For further protection of federally listed species and their habitats, we encourage you to adopt the policies of alternative three, as outlined in Goals CO-5 and CO-6. These policies include consistency with the Service's 2002 *Recovery plan for gabbro soil plants of the Central Sierra Nevada Foothills* for protection of federally listed gabbro soil plant species. This recovery plan specifically addresses the protection and recovery needs of four plants federally listed as endangered, Stebbins' morning-glory (*Calystegia stebbinsii*), Pine Hill ceanothus (*Ceanothus roderickii*), Pine Hill flannelbush (*Fremontodendron californicum* ssp. *decumbens*), and El Dorado bedstraw (*Galium californicum* ssp. *sierrae*); one plant federally listed as threatened, Layne's butterweed (*Senecio layneae*); and one plant species of federal concern, El Dorado mule-ears (*Wyethia reticulata*). However, the maps for the plant preserves as recommended in the Service's 2002 document are not reflected in either the draft general plan or the draft environmental impact report. Therefore, we recommend incorporating the recovery and conservation strategies in addition to the proposed preserve maps as outlined in the Service's 2002 *Recovery plan for gabbro soil plants of the Central Sierra Nevada Foothills* as the primary conservation strategy for these plant species in the draft general plan and draft environmental impact report.

238-5

Mr. Peter Maurer

3

One of the recovery goals of the *Recovery plan for gabbro soil plants of the Central Sierra Nevada Foothills* is to secure a total preserve area of 5,001 acres, currently the total preserve area is 3,079 acres. We encourage you to pursue an effective strategy for land acquisition within the proposed plant preserves so as to ensure that the goal of a 5,001 acre preserve is achieved. We are concerned that if this goal is not reached, the recovery of these threatened and endangered plant species and their management, including the ability to implement appropriate fire management, will not be realized.

238-6

We have received a May 28, 2003, letter from the El Dorado County Planning Department stating that the development of a county-wide habitat conservation plan (HCP) is a topic of interest with El Dorado County. We are encouraged by this letter and are supportive of this effort; we recommend El Dorado County prepare a county-wide conservation plan pursuant to section 10(a)(1)(B) of the Act. If El Dorado County were to submit a satisfactory HCP to the Service for the species that would be affected by the projects covered under the HCP, El Dorado County would receive an incidental take permit authorizing take of federally listed species or the adverse modification of critical habitat of a federally listed species. We believe that Measure CO-A, through Measure CO-K, of the Implementation Program of alternative three provides a beginning framework that, once developed further with more specific measures, could meet the requirements of a satisfactory HCP. For example, Measure CO-I proposes to develop an integrated natural resources management plan that, "addresses and integrates conservation and management planning for a number of natural resources" and specifically includes:

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- (1) coordination among local, State, and Federal agencies having jurisdiction of natural resources;
- (2) public involvement in natural resource management planning and implementation;
- (3) conservation and restoration of large and contiguous native habitats;
- (4) thresholds for the significance for the loss of various habitats and/or resources;
- (5) connectivity of large and contiguous native plant communities, native habitats, and other important habitat features;
- (6) permanent protection of important habitat features through means such as utilization of open space and natural resource land use designations or zoning, clustering, large lot design, setbacks, or other appropriate techniques;
- (7) incentive programs;
- (8) monitoring of the plan's goals and objectives; and
- (9) adaptive management.

The outline for such a management plan, once it is further developed with the other measures of the Implementation Program, could be used as a strategy for the development of an HCP.

The Service supports the agriculture policies of alternative three as outlined in Goal AF-1. The intention of this goal is the long-term protection of agricultural and range lands from incompatible uses. Importantly, Policy AF-1f discourages the conversion of existing or suitable agricultural lands to nonagricultural uses and Policy AF-1g encourages the designation of agricultural land to include rangelands currently used for grazing or suitable for sustained grazing of domestic livestock. We urge the final general plan to also discourage or disallow the conversion of existing or suitable rangelands to other agricultural uses such as vineyards or other row crops that have a diminished wildlife value relative to the rangelands for species of concern including grassland bird species such as wintering raptors like ferruginous hawks (*Buteo regalis*), Swainson's hawks (*Buteo swainsoni*), and rough-legged hawks (*Buteo lagopus*).

238-8

Mr. Peter Maerker

4

We appreciate this opportunity to comment on the El Dorado County draft general plan and draft environmental impact report. Please contact Peter Epanchin or Gary Burton at (916) 414-6600 if you have questions regarding this letter.

Sincerely,



Douglas Weinrich
Acting Chief, Endangered Species Division

cc:

El Dorado County Planning Department, Placerville, California (Attn: Conrad Montgomery)
California Department of Fish and Game, Rancho Cordova, California (Attn: Frank Gray)
California Department of Fish and Game, Rancho Cordova, California (Attn: Daniel Burmeister)
Bureau of Land Management, Folsom, California (Attn: Al Franklin)
El Dorado National Forest, Placerville, California (Attn: John D. Berry)

From: Tom Wunschel [t.wunschel@worldnet.att.net]
Sent: Monday, July 14, 2003 2:15 PM
To: bosfour@el-dorado.ca.us
Cc: generalplan@co.el-dorado.ca.us
Subject: General Plan

Hi Charlie,

This letter is in regards to the proposed General Plan. Since my parcel is in your district, I am asking for your assistance in a matter that concerns me. It has to do with alternative # 3. In that proposal my 80 acre parcel (069-280-10-100) could only be divided into two 40 acre parcels, unlike the proposed ten acres that are recommended in alternatives 1,2 and 4. In 1978 I purchased my property with hopes of building a home for my family. In 1985 I saved up enough money to build our home. I also knew that some day I would be able to give my two children part of the property since it was zoned for ten acre parcels. If alternative 3 is approved I will not be able to give my children the opportunity to live and rear their families on our property. My parents, grandparents, and great grandparents have lived in El Dorado County for over 100 plus years. I was hoping my children could do the same. Over the last 10 years most of the land around me has been developed into 10 acre parcels. I am not interested in subdividing the land for others. I am just hoping I can give some to my children. If you can help me in this matter I would greatly appreciate it. Feel free to call me if you would like to discuss this with me.

239-1

Thank You,

Tom Wunschel

2020 Pine Hill Rd

Rescue

676-2308

David Zweck
4701 Ridge Drive
Shingle Springs CA 95682
(530) 677-2122

03 JUL 14 PM 3:43
RECEIVED
PLANNING DEPARTMENT

General Plan Team
2850 Fairlane Ct
Placerville, CA 95667

RE: General Plan Designation, Assessor's Parcel Nos. 90-190-02; 90-380-07 & 19

We are the owners of 140 acres of land near the townsite of Shingle Springs. We have been trying to develop an acceptable plan for these lands since the late 1980's. Our process was put on hold pending development of the 2010 plan. Unfortunately our experience is not unique.

We submitted a parcel specific request that was adopted as part of the 2010 plan. The designation of our land is LDR within the Community Region. This designation would allow the submission of a development plan that would allow MDR level uses. This would be an appropriate level of development for this property. The proposals within the three alternatives to the 1996 plan would significantly reduce the possibilities for our property as well as the adjacent properties of the White's and the Scheiber's and would not allow for the orderly development of the appropriate infrastructure for the area.

Our most recent development application for an LDR residential subdivision is currently tolled under the General Plan Writ. The application had three Planning Commission Hearings and was in compliance with the 1996 General Plan.

Any development of my property should include EID service that is available in the area. Eighty acres of my property is now within the EID district. Policies within the plan which discourage extension of urban services outside the community Region might result in regional water line sizes that would not support appropriate development.

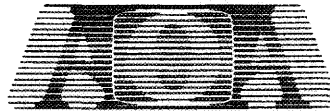
We fully support the re-adoption of the 1996 plan as adopted by the Board of Supervisors. We are opposed to the types of policies that are part and parcel of the lower growth alternatives as being unrealistic as to the level of population that will come to this region within the next 20 years. We should retain those parcels such as ours in a designation that might allow the level of planning that would result in a neighborhood that would be an asset to the area. Developing the region exclusively by parcel map or not allowing density transfers does not afford the planners the full set of choices for arriving at a well planned community.

Sincerely,


David L. Zweck

240-1

240-2



Alfa Omega Associates

Management Consulting • Public Relations • Publicity
Specializing in Land-Use, Environmental & Historic Preservation Issues
11768 Atwood Road – Suite 17-B • Auburn, CA 95603-9074
Tel: 530-885-8460 • Fax 530-885-8886 • E-mail: drdalesmith@aoaenviro.net
Dr. Dale Smith, H.H.D. • General Manager

03 JUL 15 PM 1:41
RECEIVED
PLANNING DEPARTMENT

July 15, 2003

Mr. Conrad B. Montgomery Via E-mail - generalplan@co.el-dorado.ca.us
Planning Director
Heidi Tschudin, General Plan Manager
El Dorado County
2850 Fairlane Court
Placerville, CA 95667

Re: **El Dorado County General Plan Draft EIR – Comments, documents & exhibits from the *Friends of Shingle Springs Interchange, Inc. (FSSI)*, a California not-for-profit, public benefits corporation, Shingle Springs, El Dorado County, California.**

At the outset the *FSSI* wishes to express the gratitude of the organization for this opportunity to express their opinions on the proposed General Plan and exercise their first-amendment rights and their California Environmental Quality Act (CEQA) obligations.

CEQA 15201. Public Participation

Public participation is an essential part of the CEQA process. In *Concerned Citizens of Costa Mesa, Inc. v. 32nd District Agricultural, Assoc.* (1986) 42 Cal. 3d 929, the court emphasized that the public holds a "privileged position" in the CEQA process "based on a belief that citizens can make important contributions to environmental protection and on notions of democratic decision making." A vigilant, informed, and well-prepared citizenry is the key to the enforcement of CEQA and better environmental decision making by state and local officials. Many Californians have come to expect full compliance with CEQA and are ready and willing to challenge agencies that do not take CEQA seriously.

We have also carefully read the CEQA Guidelines concerning Environmental Impact Reports (EIR) and this lead us to our first comment. We have found that the EDC General Plan DEIR is a rather confusing document that is very difficult to decipher and understand, even for people who are familiar with CEQA documentation. In addition to--or in conjunction with--the overly complex, ponderous and confusing language, it is extremely difficult to locate pertinent information. For example, for some strange reason information that should be in one location seems to be found in several, and it becomes most difficult to find what you need. Those of us in publicly funded groups simply do not have unlimited funds or time to wade through this confusing information to provide well informed and meaningful comments within the time limitations strictly imposed. Others have had the same experience. It seems that in addition to--



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**El Dorado County General Plan Draft EIR – FSSI Comments,
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or in conjunction with--material that is hard if not impossible to locate and decipher, there is quite a bit of overkill in this document.

These defects are serious enough to violate not only rules set out in the CEQA Guidelines, such as Guideline 15140, which requires that EIRs "be written in plain language," but also rules set out in leading CEQA cases, such as the case of *Emmington vs Redevelopment Agency of Solano County*, California Appellate Reports Third, volume 195 at page 502, where the court said that the public should not be forced to laboriously sort through large numbers of pages of raw data to draw its "own conclusions about which information is pertinent to this project's likely effect on the environment."

Candidly, this is pretty much what this document forces the public to do. The four different project analysis documents are extremely difficult to compare side by side in necessary detail, resulting in a sense of frustration and utter confusion, which leads members of the public--some of whom this writer has spoken to--to simply give up. That is not what the lawmakers of CEQA had in mind when they framed these laws. This has a chilling effect on public participation. Indeed, it makes well-informed and meaningful public participation virtually impossible. Therefore, we respectfully request that the DEIR be re-written and re-organized to cure these serious defects and thus allow the public the opportunity to fully and fairly participate.

We have also come to realize that there are often problems when policies, procedures, laws and ordinances are not complied with by public agencies. This is at the heart of our comment, which will be limited to the issue of Transportation and Circulation, Air Pollution as it relates to T & C and Measure Y. Our experience in Shingle Springs over the years shows us that sometimes actions are taken by El Dorado County agencies that result in inadequate study of vital elements in the planning process, and the result is not only unfortunate, it is contrary to the requirements of state law; i.e., CEQA. So it is in this case. We start with EDC GP statements:

ROADWAY CONSTRAINED SIX-LANE "PLUS" ALTERNATIVE

TRANSPORTATION AND CIRCULATION ELEMENT – SECTION 5.4

ROADS AND HIGHWAYS

The El Dorado County Circulation Map is a road and highway plan designed to provide for the safe and efficient movement of people and goods to and within the county and to ensure safe and continuous access to land. Using the state freeway and highways and the County's system of roads as its basic framework, the County Circulation Map provides a unified, functionally integrated, countywide system that is correlated with the Land Use Element.

GOAL TC-0: To maintain El Dorado County's rural character, U.S. Highway 50 within the County shall not be widened to more than six through lanes (i.e., three lanes in each direction, not including auxiliary lanes and truckclimbing lanes).

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Policy TC-0a The County shall work with California Department of Transportation, the El Dorado County Transportation Commission, and the Sacramento Area Council of Governments to promote long range transportation planning consistent with this goal.
GOAL TC-1: To plan for and provide a unified, coordinated, and cost-efficient countywide road and highway system that ensures the safe, orderly, and efficient movement of people and goods.

The Serious Problem of Faulty Traffic Studies Leading To Flawed Data

These goals and standards have not been achieved. Far from it. As presently proposed, the Map doesn't do what the DEIR claims. There is no truly unified, functionally integrated, cost-efficient, countywide system correlated with the Land Use Element. The present proposal sadly fails to maintain the county's rural character altogether. Indeed, it does just the opposite. It must be revised to properly address and implement these lofty goals.

With GOAL TC-1 as the premise for how it should be done, we compare that with how it was done in the Shingle Springs Interchange area in 2001-02. Here are excerpts from materials submitted by FSSI to El Dorado County on the project - DR00-11, Circle K / 76 Mini-Mart and Gas Station, in a letter from traffic & circulation expert Dan T. Smith, Smith Engineering & Management, May 24, 2002:

Issue of Traffic Volume Data - The 3-08-02 report by Whitlock & Weinberger

The 3-08-02 letter report reiterates the already understood point that 9-14-00 traffic report on which the original ISMND relied was based on July 2000 (high school not in session) peak period intersection movement counts that were adjusted based on other traffic data in an attempt to make the movements representative of what actually occurs for nine months of the year when school is in session. The 9-14-00 traffic report itself points out that the summer counts on the approaches to some of the study intersections vary (are lower) "by approximately 500 percent" (Whitlock & Weinberger, 9-14-00, page 6) from the conditions that prevail for most of the school year.

Our point is, and has always been, that when there is such an enormous variation between summer and the rest of the year, summer counts factored on the basis of other count data in the area are an unacceptably unreliable basis for the evaluation. It would stretch credibility to rely upon counts that needed to be adjusted by 25 or 30 percent; relying on counts that need to be adjusted by up to 500 percent are simply useless.

The second point on the subject of adequacy of traffic data in the 3-08-02 letter report is the comment that a supplementary report was prepared on 5-01-01, that the 5-01-01 report is based on data that was collected while school was in

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**El Dorado County General Plan Draft EIR – FSSI Comments,
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session, and that, taken together, the 9-14-00 and 5-01-01 reports provide a complete representation of traffic conditions in the area with and without school in session.

We acknowledge the existence of the 5-01-01 supplementary report and understand that it was based on February, 1999 intersection count data (a time when school was in session). However, review of the recirculated ISMND illustrates that the County *has not relied upon the analyses in the 5-01-01 report* at all in preparing the ISMND. All of the LOS / delay information presented in the recirculated ISMND (Table 2, page 21) are identical to the delay values presented in Table 1 of the 9-14-00 study. There are no analysis results in the ISMND that correspond to the results of the LOS / delay computations in the 5-01-01 reports.

Moreover, the County could not have coherently compared the delay results of the intersection analyses from the two reports. The 9-14-00 analysis was performed using the *1994 Highway Capacity Manual* methodology for signalized intersections; the 5-01-01 report was performed using the *1997 Highway Capacity Manual* methodology. The two analysis methodologies differ substantially, analyzing completely different definitions of delay. As a consequence of the difference in delay definition and the related differences in the analysis procedure, the delay results predicted by the two methodologies would differ radically, even if the same intersection and identical traffic volume data set were being analyzed. The delay results predicted by the two procedures are simply not comparable.

In conclusion on this sub-point, while Whitlock & Weinberger have done more work subsequent to the 9-14-00 report using what may be a more suitable data set, it is obvious that the County has not relied upon that subsequent work in preparing the recirculated ISMND. The ISMND is still based on flawed, radically factored summertime data.

These comments were not considered or acted upon. They were typically ignored. There are many pages of similar comments that show repeatedly that El Dorado County traffic measurements are not correct, yet decisions that may vitally and adversely impact the health, safety and welfare of the population, **which includes school children, the elderly and the disabled**, are made on faulty information and data. The same kind of faulty data and information is being used in the El Dorado General Plan DEIR now being put forward. Judge Bond's decision and writ specifically deal with inadequate analyses of, and particular corrective measures regarding traffic/circulation impacts. We again call this to the attention of El Dorado County in consideration of the General Plan DEIR. **Like expert Dan Smith's comments, Judge Bond's specific directions have been ignored, in the most part.**

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In particular, we cite Section 5.4, page 8, Traffic Safety, which is an area of the past and present studies, policies and measures that is totally inadequate, and we respectfully request--nay, demand--that these vital matters be properly dealt with:

“Traffic Safety [¶] The recent accident history for El Dorado County roadways (excluding state highways) was researched to identify locations with high accident rates. The County considers a location to have a high accident rate if the rate exceeds 1.0 accident per million vehicle miles (mvm) over the past 3 years. Exhibit 5.4-6 shows the locations with accident rates based on the County’s criterion. The County considers these locations in developing roadway improvements. In some cases, the primary cause of an accident is related to driver behavior or weather, which would not be eliminated by a physical improvement.”

Exhibits 5.4-4 to 5.4-6 show that the area written about by Traffic Engineer Dan T. Smith are the very roads he is discussing: Ponderosa Road, South Shingle Springs Road, Mother Lode Drive, Durock Road.

A rather thorough search of the SAFETY elements of Circulation and Transportation again turned up a problem cited previously – the difficulty to finding things in the various Alternatives. An excellent example is the following policy found on page 229 of the 1996 General Plan. Search as we did, we could not find a comparable statement on this all important issue of Highway Safety in the other Alternatives. This is extremely significant, because it is at the heart of our presentation on the failure of El Dorado County to properly analyze & present traffic data. Notice how each of these 1996 Policies speak to this:

**HIGHWAY SAFETY
GOAL 6.9: HIGHWAY SAFETY**

Provide highways within the County that provide for the safe movement of goods and people throughout the County.

OBJECTIVE 6.9.1: SAFETY HAZARDS REDUCTION PROGRAM

Create a program to reduce safety hazards on County roadways especially at locations with a history of frequent accidents.

Policy 6.9.1.1 The County shall identify those roadways with existing or projected safety problems, prioritize them in terms of the immediacy of the need for improvements, and develop programs for financing needed improvements.

Policy 6.9.1.2 Recognize that substandard road conditions exist in some rural areas of the County and include feasible roadway, pedestrian, and bicyclist safety improvements in the roadway improvement priority list.

Policy 6.9.1.3 New roads connecting to County roads shall be designed to provide safe access as required by the County Design and Improvement Standards Manual.

This or similar material stressing these safety issues may be mentioned in the other alternatives, but in addition to being inadequate, we do not find them in the Traffic and Circulation

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category where they belong. **This is wrong. It is confusing, and it prevents well-informed and meaningful public participation.** We find it disturbing that these extremely vital elements of safety were not easily found or properly addressed and are omitted from some of those Alternatives.

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El Dorado County Liability and Risk Management

The General Plan DEIR must address the County's potential liability and other risk management issues that stem from approving the Plan, theoretically with full knowledge of its potential for impacts on the safety of human beings in the County. The issues are relevant because, among other things, they may lead to physical effects on the environment such as added congestion and altered traffic patterns where preventable accidents occur, **not to mention the serious human health and safety considerations that are grossly understated or completely omitted.**

In recent times there have been instances of California counties (e.g., Butte County) threatening to file (or possibly even filing) for bankruptcy, and large judgments in personal injury and wrongful death cases may have a very serious effect on the County's ability to provide essential services and adequate environmental protection.

We introduce the term RISK MANAGEMENT at this juncture as it fits well to the scenario we are trying to illustrate – the high risk of impacts on the safety of human beings in the County due to the squandering of limited, irreplaceable resources by failing to properly address this important issue. The Risk Management Center provides this excellent definition of Risk Management

Risk Management is a process consisting of well-defined steps which, when taken in sequence, support better decision making by contributing to a greater insight into risks and their impacts. It is as much about identifying opportunities as it is about avoiding losses. By adopting effective Risk Management techniques you can help to improve safety, quality and business performance in your company.

241-4

In addition to making sure it's addressed in the DEIR, our purpose in bringing forward this Risk Management issue is profoundly based on our prime reason for questioning the validity of the DR00-11 project – **PUBLIC SAFETY, and it applies equally to the EDC GP DEIR.** Thus, traffic and circulation expert Dan T. Smith, whose comments were in the most part ignored, stated:

"The 3-08-02 report by Whitlock & Weinberger letter asserts the absurd claim that the analysis "***presents a worst case scenario***" because, among other things, the analysis included ***'...no traffic management plans which might reduce the site's trip generation'***. Really? We ask, who has ever seen a serious traffic demand management plan for a gas station and mini-mart? Would they shut off the pumps and lock the doors for ten or fifteen minutes out of each

**El Dorado County General Plan Draft EIR – FSSI Comments,
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peak hour? Would they double prices in the peak hour in an attempt to discourage customers?"

These serious matters have never been addressed, and until they are the DEIR is woefully inadequate and cannot withstand CEQA scrutiny.

A Hypothetical But Very Possible Crash Scenario Resulting From Faulty Data

As for the risks involved, *FSSI* brings forward a bit of supposition based on some probabilities that have come to light in the various traffic reports. This is only a hypothetical example, but it is based on credible and reliable data and existing circumstances. Suppose you do go ahead with this plan as it is now formulated, even after fully qualified experts have pointed out its obvious flaws.

The very next winter after construction of the Circle K minimart and gas station at the Shingle Springs site, or similar projects at similar sites, there is a major crash involving several autos at that off ramp right in front of that new gas station. Imagine that one of the autos, a top-of-the-line BMW, had four very highly placed, highly paid executives from San Francisco on their way to go skiing at Lake Tahoe. Two are killed; two are severely injured and disabled, and will never be able to work again. Imagine that a jury finds the major cause or one of the major causes of that crash to be the very driveway design flaws pointed out by the *FSSI* experts in regard to the Shingle Springs site, or other experts in regard to other sites and other projects as to which the county has refused to heed these warnings in order to allow projects to go forward.

In discussing this matter with attorneys with extensive experience in personal injury law, we learned that although there are certain exemptions, privileges and other obstacles to recovery on tort theories, where the injuries are serious enough and the potential monetary recoveries are large enough, and the example given clearly falls into the highest category imaginable, personal injury attorneys representing plaintiffs are famous for coming up with innovative and successful theories of recovery. Indeed, you can count on this. There are many, many examples in tort law where this has occurred, where new law was created and adopted by California courts acting in accordance with the state's extremely strong policy--for which our state is widely known--of making sure plaintiffs injured or killed through no fault of their own are justly compensated. And history shows that this includes deaths and injuries resulting from the dereliction of duty by governmental bodies who elect to balance other values--like increasing mitigation fees and tax revenues--against the health, safety and welfare of their citizenry.

We turn back again to the Risk Management Center definition:

Risk Management is a process consisting of well-defined steps which, when taken in sequence, support better decision making by contributing to a greater insight into risks and their impacts. It is as much about identifying opportunities as it is about avoiding losses. By adopting effective Risk Management techniques you can help to improve safety, quality and business performance in your company.

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**El Dorado County General Plan Draft EIR – FSSI Comments,
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Substitute “county” for “company” and you have the perfect formula for why *FSSI* believes the risk management factors clearly apply to data in the General Plan DEIR that has been shown to be false, inaccurate or inadequate by qualified experts such as Dan T. Smith. Without the careful examination of these most vital factors, El Dorado County could well be setting itself up for massive lawsuits resulting from preventable crashes taking lives and leaving many disabled for life.

How Can FSSI Make These Statements?

Dan T. Smith, Smith Engineering & Management Report, May 24, 2002:

Whitlock & Weinberger's 3-08-02 letter concludes its comments on the traffic data issue by appending two pages of comparisons of the July-00 turning count data on which their 9-14-00 analysis was based with February-99 data the County had relied on for other purposes. The letter asserts that the traffic volumes used in the analysis of the Circle K project are consistent with traffic volumes the County had used in its' evaluation of improvements for the area.

Examination of the volume comparisons on their Attachments A and B leads to precisely the opposite conclusion. Many of the major movements differ radically between the two count dates. We have attached a copy of those attachments, annotated to show some of the glaring percentage differences on some major movements. It is indisputable that the base traffic data relied upon by the ISMND is unrepresentative of the conditions that occur most of the year.

Attachments A and B also include traffic projections to Year 2015 for a comparison to the observed 1999 and 2000 traffic data that is totally irrelevant to the issue of whether the initial data base of the analysis is valid. The future forecasts presented are generally (but not always) higher than the observed data. However, the layman of average intelligence would expect that a projection 13 years hence (15 years from the time of the 9-14-00 study) in an area like the subject area would involve considerably more traffic than at present. The future forecasts shed no light on whether the base data is valid. The fact is that if the base data is unrepresentative, the future forecasts are likely to be inaccurate as well.

The *FSSI* contends that this is hard evidence that bears very careful consideration by El Dorado County as it considers the General Plan Draft Environmental Impact Report.

The Smith Report is Attachment (1) of these comments.

Once again we cite County Policy on the issue of traffic safety, which is being violated by continuing to ignore the Smith Report:

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**El Dorado County General Plan Draft EIR – FSSI Comments,
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GOAL TC-1: To plan for and provide a unified, coordinated, and cost-efficient countywide road and highway system that ensures the safe, orderly, and efficient movement of people and goods.

Returning to the un-resolved issue of project DR00-11, Circle K / 76 Mini-Mart and Gas Station, we cite still another vital issue, the compliance with County standards in the design of projects. Is the General Plan DEIR faulty on this issue? The answer is a resounding yes.

Therefore, we ask--or respectfully demand--that the preparers of the DEIR carefully look at this situation:

The 3-08-02 letter goes on to present a misleading discussion of the implications of the queue of vehicles northbound on S. Shingle that would extend back from the intersection with Mother Lode. The letter correctly documents that the Whitlock & Weinberger analysis shows a design queue (the length of queue engineers would normally design to provide storage for) of 13 vehicles per lane and, less correctly, indicates that such queues would not occur more than 5 percent of the time. (What the statistics really indicate is that the design queue length would not be exceeded more than 5 percent of the time; the design queue length itself could occur more than 5 percent of the time). *But that is peripheral to the fundamental problem issue posed by the project site plan. The real problem is that the positioning of the project driveway to S. Shingle Springs allows for only a queue of 4 vehicles in each northbound lane before the driveway would be blocked.* The statistical probability is that, if the design queue is 13 vehicles per lane, there likely would be a queue of at least 4 vehicles per lane a very large portion of the time. So movements to and from the project driveway to S. Shingle Springs could be obstructed a large portion of the time.

The 3-08-02 letter indicates that the queuing issues related to the S. Shingle driveway operation could be resolved through coordination of the planned signals at Druock and at Mother Lode. However, with the intersections so closely spaced and without analysis of an actual coordination plan, it is not at all obvious that the problem can be resolved through routine signal coordination.

The 3-08-02 letter also indicates Caltrans and the County had considered resolving problems associated with inadequate distance and queue storage between the intersections by relocating Durock to intersect S. Shingle Springs farther away from Mother Lode. The fact that they considered it as a long term strategy is an indication that mere signal coordination is not an adequate solution with intersections spaced so closely. Relocation of Durock is not a currently committed project; it is just a concept that has been studied by Caltrans as an alternative. Since it is uncommitted and unfunded, it cannot be considered as mitigating the Circle K / 76 project's significant impacts unless the County conditions the Circle K / 76 project to pay for the relocation of Durock as a project mitigation. While the 3-08-02 letter asserts that the project's driveway location is

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compatible with a relocation of Durock, having traffic to and from the project's driveway so close to the Mother Lode intersection tends to defeat the purpose of relocating Durock.

The 3-08-02 letter also mentions a section of El Dorado County code on driveway location that is not at issue. What is at issue is the failure to conform to the more rigorous County of El Dorado Department of Transportation Design Standards. Although the County Engineer, as the letter notes, can grant variances to these standards, the County Engineer must have reasonable basis for doing so. Per points raised herein as well as in our 8-6-01 and 5-20-02 comments, the County Engineer does not have reasonable basis for waiving the design standards.

The 3-08-02 letter's arguments on the noncompliance with the driveway location design standards do not specifically address the matter of the project's driveway to Mother Lode, which is only 60 feet from the intersection with S. Shingle Springs.

FSSI believes that because of their seriousness and widespread impacts it is appropriate, if not absolutely vital, for the DEIR to address the specific problems posed by the traffic situation created by the proposed Shingle Springs interchange gas station and ministore project, which is apparently on the verge of being revived in anticipation of the adoption of the new County General Plan. Indeed, by citing specific incidents as we have above, we point out to the County serious problems that should be addressed if this General Plan is the major planning document guiding all actions -- **and it is according to your own statements.**

"This General Plan is the County's basic planning document and is the vehicle through which a County addresses, balances, and fits together the competing interests and needs of its residents." (Paragraph 1, EDC Website – General Plan)

The Planning Department and General Plan Manager simply must take a long, hard look at these most recent events which, when so carefully considered, can have an impact upon how the General Plan is finally constructed. Now is the time to take care of any deficiencies. If the General Plan fails to do so it is inadequate and will again fail to pass judicial muster. The long, clearly defined history of judicial action by the citizens of El Dorado County should give its executives some cause for concern. If in a very short time, we could find this much, what might be found to bring forward in future legal action?

The Issue of Air Pollution Generally And As It Relates to Traffic & Circulation

Utilizing the DR00-11 experience in Shingle Springs in 2001 and 2002 leads to some of the same conclusions, i.e., serious questions concerning the validity of the research & conclusions drawn in the GP DEIR. This is a guiding principle:

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Goal HS-8: To reduce motor vehicle air pollution by developing programs aimed at minimizing congestion, reducing the number of vehicle trips in the county, and encouraging the use of clean fuels.

Goal HS-8 is very clear; we question whether it was followed. Motor vehicles account for a major share of harmful air pollution emissions that cause shortness of breath, respiratory disease, cancer, death, structural deterioration, crop damage, and decreased visibility affecting cities, national parks, and rural areas. It also contributes to global climate change, and constitutes a hidden tax on our economic as well as physical health and well-being.

More than three-fourths of all job and housing growth since 1970 has been in suburban areas that have been designed to promote automobile access as the only convenient or available means of travel for most trips. From 1970 to 1998, vehicle miles traveled has increased by 136 percent, or more than three times the rate of population growth.

This is exactly the situation we find throughout the County generally, and particularly in the Shingle Springs area. According to CEQA, a project will have a significant air quality impact if it violates any ambient air quality standard, substantially contributes to an existing or projected air quality violation, or exposure sensitive receptors to substantial pollutant concentrations exceeding federal or state standards. We submit that all of these factors are present in this project and the "cumulative" air pollution impacts must be fully reported. This has not been done, and until it is done the DEIR will continue to be materially deficient. *FSSI* respectfully demands that this situation be remedied, and that the DEIR be recirculated for public review after it has been corrected.

FSSI filed with El Dorado County an environmental study and review dated August 3, 2001, prepared by Goddard & Goddard Engineering of Lucerne, California, a copy of which is Attachment 2 of these comments, and the contents of which are fully incorporated into these comments as if restated in full. The Goddard & Goddard study included the following provisions:

- a. The use of a "worst-case," rather than "best-case" scenario to analyze and evaluate air pollution (as well as traffic/circulation and safety) impacts. This is absolutely essential. There is no factual, legal, common sense or other basis for using anything other than a worst-case scenario. Indeed, the use of a best-case scenario perpetrates a fraud against the public, and its use must be corrected.
- b. Air quality impacts, both individual and cumulative, and mitigation measures, must be identified, quantified and analyzed before, and not after, this project is approved. Matters like a "standard emission analysis" may not be put off to be done in the future after the project is approved. There is no need nor justification for this type of "deferred" mitigation, which has been prohibited by a line of CEQA cases that begins with the leading case of *Sundstrom versus the County of Mendocino*.

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- c. The conditions of approval for the project must include a "General Conformity" condition, as specifically required by the El Dorado County Air Pollution Control District. **This has never been done, and its intentional omission renders the DEIR fatally defective.**

- d. In addition to the impacts from the huge amount of gasoline-powered traffic that will be generated by the new Indian Casino, the cumulative impacts analysis must also include "the effects of past projects, the effects of other current projects, and the effects of probable future projects." **Again, this has been omitted and must be rectified.**

One of those violations is the failure to adopt, require or enforce Federal Conformity Rules (the Rules), or otherwise implement the Conformity principle developed and mandated by the El Dorado County Air Pollution Control District and federal agencies. Among other things, the Rules call for offsets as a mitigation measure, as well as a cumulative impacts analysis covering all concurrent projects. These requirements were ignored or omitted, which didn't allow the "course of transportation and air quality planning" the Rules require. Not adopting such mitigation measures, without even mentioning, determining if they are feasible and otherwise evaluating them, is a CEQA violation that should be fully addressed and rectified in the final EIR.

As an example that generally applies to the present project, when it comes to air pollution impacts, the DR00-11 MND's initial study was woefully inadequate, and the project description was incomplete, inaccurate and misleading due to, among other things, the failure to fully cover all of the project's environmental impacts that may have the potential to be significant. The present project suffers from the same defects.

Based on the logical concept that when a bucket is already full even a single drop more is significant, which has been adopted and applied by California courts in leading CEQA cases like the *Kings County Farm Bureau vs. the City of Hanford* case, in an area of non-attainment of health-related standards, any measurable impact must be treated as if it were significant. An analysis of this kind of impact, and especially potential mitigation measures for this kind of impact, is absolutely essential under CEQA. This wasn't done in the DR00-11 MND documentation, and it wasn't done in the documentation for the present project. In addition to misleading the public into believing that the project's impacts are non-existent, or completely unavoidable, this precluded analysis of mitigation measures such as those promulgated, implemented and enforced by federal and state agencies, particularly the regional Air Pollution Control District. These errors must not be repeated in the General Plan DEIR.

Other similar mistakes that mustn't be repeated in the GP DEIR include:

- (1) providing incomplete air quality assessment/data,

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- (2) the failure to fully and accurately analyze ozone and PM₁₀ impacts, which made it impossible to legitimately support a finding that the project wouldn't have impacts that have the potential to be significant,
- (3) omitting a comprehensive and systematic analysis of individual and cumulative impacts during project operation, as well as project construction,
- (4) unjustified and improper reliance was placed on erroneous or incomplete information and conclusions provided by outside consultants,
- (5) the CEQA analysis was improperly "piecemealed" and failed to adequately consider the cumulative impacts from other projects, particularly other projects under concurrent review, such as the U.S. 50/Ponderosa Road Improvements project (which should have been part of the present project), and
- (6) the identification and analysis of mitigation measures were improperly put off to a future time after project approval.

Referring back to page 1 of our comments, last paragraph – the air quality issue is exactly what we were writing about. The DEIR and other environmental documentation for this project is overly technical, redundant, incomplete, utterly confusing and potentially misleading. So much so that interested members of the public have been forced to abandon their efforts to participate, and the author of these comments has personally observed and confirmed this interference with CEQA's strong right of public participation.

Others have drawn these same conclusions, as illustrated by these comments from Alice Howard, which FSSI fully concurs with, adopts and supports with the evidence and information being presently provided:

The discussions of regional emission impacts for each of the four project alternatives (p. 5.11-29 through –35) include conclusions that implementation of each of the alternatives would conflict with the adopted Sacramento Area Regional Ozone Attainment Plan (SAROAP). Failure to comply with this plan would lead to federal sanctions for the entire region.

The only way in which the General Plan can be found to be consistent with the SAROAP, which the County has adopted, is for the DEIR to demonstrate that the sum of the emissions that will occur in the General Plan area (during any year after 2005) and those emissions forecast to occur in the other counties covered by the SAROAP for the same year are equal to or less than the carrying capacity for the region (i.e., 136 tons per day of ROG and 98 tons per day of NOx) as stated in the SAROAP.

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If the DEIR does not make this showing, the only conclusion that can be reached is that El Dorado County does not intend to comply with the SAROAP. This would of course have serious ramifications for the County and could lead to a Federal Implementation Plan targeted solely at El Dorado County.

This is one of the most serious issues facing El Dorado County. How will you deal with it? We present these recent reports as evidence of just how serious the problem is. In addition to these air quality issues, the Goddard & Goddard report is filled with many other vital CEQA issues, and even though we have not cited them, they are very germane to the issue of how the EDC GP is being done.

Additional Information on Air Quality Sensitive receptors are those persons or land uses that may be subject to respiratory stress and/or significant adverse impact as a result of exposure to air contaminants.

Definition: Sensitive Receptors: Children under 14, seniors over 65, athletes, and people with cardiovascular and chronic respiratory diseases. Sensitive land uses include hospitals, nursing & convalescent homes, retirement homes, schools, playgrounds, parks, athletic facilities, and residential and transient lodging.

South Coast Air Quality Management District (SCAQMD)

Just when the Sacramento region seemed within striking distance of cutting ozone pollution levels to below a federal Clean Air Act limit, this summer produced a spate of hundred-degree days that put that progress to the test.

The federal government has designated an area that includes Sacramento and Yolo counties, along with portions of El Dorado, Placer, Sutter and Solano counties, as a "severe" non-attainment area for compliance with its ozone standard. That means the region has until 2005 to meet the federal one-hour ozone standard, under which the region can't exceed 0.12 parts per million of ozone more than three days per year from 2003 to 2005.

Fighting the gathering clouds – Sacramento Business Journal – September 27, 2002

These materials, which along with the remainder of the contents of the two articles are incorporated by this reference as if fully restated here, speak volumes about AIR POLLUTION in El Dorado County.

"If we have air that is not clean, it's a mark against us with companies we would like to recruit to come here and keep here. We may be competing against some community that says, 'You don't want to go to Sacramento. Your kids may have asthma by the time they're 10 years old.' If you can't breathe, you can't do much else. It's pretty basic."

Roger Dickinson, Sacramento County Supervisor

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Measure Y – That Slippery Fellow

We found only one straightforward mention of this vital issue, 5.4-15 - Traffic & Circulation, and to dig out meaningful information was extremely difficult, a problem we have pointed out several times in this commentary. This is still another excellent example and it does have that “chilling effect” we wrote about earlier.

The EDC GP Comment on Measure Y

Measure Y, known as the “Control Traffic Congestion” Initiative, was approved by county voters on November 3, 1998. As discussed in Chapter 3, this initiative measure added policies to the General Plan that require denial of residential projects of five or more parcels or units if the project will cause or worsen LOS F conditions. The Measure Y policies also require development fees to fully mitigate traffic impacts of all new development, preclude the County from using tax revenues to pay for such mitigation, and prohibit the County from adding any road segments to the list of segments allowed to operate at LOS F without voter approval.

We call to your attention that Measure Y, identified “goals, objectives, policies, and implementation programs which affect the transportation system and provide guidance for future transportation planning efforts. This means that addressing the funding of the necessary road improvements listed in each General Plan alternative is absolutely essential. It does not exist.

The Measure Y Committee has done a remarkable job in combing through the very highly complicated and nearly impossible quagmire created by the present DEIR and has made excellent comments that speak to some of the FSSI concerns expressed to El Dorado County on 11.11.2002. FSSI fully supports and adopts those comments.

FSSI's legal counsel in a letter dated 05-21-02 submitted in the DR00-11 Mitigated Negative Declaration proceedings, at pages 2-3, spelled out this problem: “Since the codification of the consistency doctrine in 1972, the absence of a valid general plan, or of any of its relevant mandatory components, renders land use approvals *void ab initio*. CEQA compliance is not possible. (*Resources Defense Fund v. County of Santa Cruz* (1982) 122 Cal.App.3d 800, 806; *Guardians of Turlock's Integrity v. City Council* (1983) 149 Cal.App.3d 584, 593).”

Please recall that when she invalidated the 1998 GP, Judge Bond, at pages 3-4 of her writ of mandate filed July 19, 1999 (and pages 73-79 of her February 1999 ruling), specifically found that the County's discussion of traffic impacts was unnecessarily complex and obscure, and violated CEQA by failing to fairly disclose the GP's significant impacts. In light of these discrepancies, the DEIR has to include a thorough discussion of how these problems were avoided in the discussion of traffic impacts. Two paragraphs from the Measure Y Committee provide an answer to whether or not Judge Bond's instructions were followed on the issue of

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funding, which is only one issue of many contained in Measure Y which are not dealt with adequately in the EDC GP DEIR:

The DEIR offers only a single, brief comment in passing on this essential subject. Table 5.4-4 notes a total funding shortfall of \$261 million for the existing road plan, and the text concludes: "Funding sources to fully cover the shortfalls have not yet been identified." (DEIR, page 5.4-16) That's it. There is no discussion of where additional funding might come from, and, most importantly, no analysis of the potential impacts should these shortfalls remain. Furthermore, the \$261 million dollar shortfall mentioned is related to the total price tag placed on the original 1996 road plan. The DEIR does not identify the costs associated with the road plans for the four equal weight alternatives, though an estimate of these costs has been released by the County Department of Transportation (DOT) in a memo to the Board from Director Matt Boyer. (Attachment B - Mr. Boyer's April 9, 2003, memo to the Board of Supervisors entitled: "Draft General Plan/Financing of Circulation Element Improvements")

This is no small point. All of the traffic modeling and the entire DEIR analysis of traffic impacts and mitigations are based on the unstated, fundamental *assumption* that the road improvements listed as necessary for each plan will be paid for and built by 2025. However, neither the General Plans nor the DEIR provides any evidence to support this assumption. If this unstated and unsupported assumption proves false, then the Circulation Element collapses, and the County will experience traffic congestion in excess of anything contemplated in the DEIR."

The *Friends of Shingle Springs Interchange, Inc.*, believes that one of the final statements by Mr. Ben Wasserman in the Measure Y Committee DRAFT Comments on the EDC GP DEIR is most telling and we believe this paragraph should be repeated here:

"Given these past discussions and statements, we think it is essential for the EIR to address this question explicitly. As currently drafted, is the 1996 Plan alternative, with Measure Y policies included, internally consistent? If it is, then the EIR should identify the arguments suggesting inconsistency and explain why they are not considered valid. Alternatively, if it is your view that the 96 Plan is, or may be, inconsistent with Measure Y, then you should identify appropriate remedies. Logically, the proposed remedies would fall into two categories – revise the 96 Plan; or, *with voter approval*, revise Measure Y."

Time and monetary considerations curtailed our participation in this vital public input process, which we regret, as there is a wealth of instruction in CEQA about citizen participation. To call your attention to some of these, we close our comments with another CEQA citation reminding you of our sense of frustration and utter confusion, which leads members of the public--some of

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whom this writer has spoken to--to simply give up. That is not what the lawmakers of CEQA had in mind when they framed these laws. Please measure your GP DEIR accordingly.

Here are 14 vital CEQA Policies that speak to the issue of public and private duty in this process. **Of these, six speak directly to the issues we have cited in these comments.** Those six are identified by this symbol ☞

CHAPTER 11 – Guide - California Environmental Quality Act – Remy, Thomas, Moose & Manley

The Public Policies Explicit and Implicit in CEQA

CEQA identifies the specific policies that motivated the Legislature to enact it. (Pub. Resources Code, §§ 21000, 21001, 21002, 21003.) Among them are the following:

1. to maintain a quality environment for the people of California;
2. to provide an environment that is healthful and pleasing to the senses;
3. to understand the relationship between a high quality environment and the general welfare of the people of California;
- ☞ 4. to identify critical thresholds for the health and safety of the people of California;
- ☞ 5. to demonstrate that every citizen has a responsibility to contribute to the preservation of the environment;
- ☞ 6. to encourage systematic and concerted efforts between the private and public sectors for the interrelationship of policies and practices for management of natural resources and waste disposal;
- ☞ 7. to require all agencies that regulate activities to give major consideration to preventing environmental damage while providing a decent home and satisfying living environment for every Californian;
8. to take all action necessary to protect, rehabilitate, and enhance the environmental quality of California;
9. to provide the people of the State with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise;
10. to prevent the elimination of fish and wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history;
11. to ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions;



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12. to create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations;

☛ 13. to require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality; and

☛ 14. to require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed actions affecting the environment.

(Pub. Resources Code, §§ 21000, 21001.)
14 Basic CEQA Policies RTMM CA11502.doc/AO A96/CEQA

In closing, FSSI would like to remind you that even if you choose not to heed our requests for corrections, additions to and recirculation of the DEIR, CEQA requires you to fully address and respond to our comments, including a full explanation as to why you rejected our demands and recommendations. This is absolutely vital to FSSI because it is an organization whose function includes educating its members, as well as the public generally and public officials, to environmental issues that include the application and enforcement of CEQA. FSSI can not fulfill this key, constitutionally based function if you do not properly respond to our comments, and your failure to do so would thus constitute a further violation of CEQA for which you may be held judicially accountable.

To illustrate this vital point we present Article 3 of the ARTICLES OF INCORPORATION OF FRIENDS OF SHINGLE SPRINGS INTERCHANGE:

Purposes

This is a non-profit, public benefit Association, concerned with the public welfare primarily in regard to environmental and land use matters.

The Association was formed by local residents and business people, and other interested citizens, who recognize and are seriously concerned about the existence and the solution to environmental, health & safety and related regional, county-wide and local problems, particularly traffic safety and congestion as well as associated, health-related air pollution problems.

The Association and its members are concerned with the protection of the environment, and the conservation of fast-dwindling, irreplaceable environmental resources, to the fullest extent reasonably possible.

The Association seeks to remind and educate its members, government decision-makers and the public in general of these problems, conditions and concerns, their solution or mitigation, and the social values reflected by these actions.

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This concludes the *FSSI* comments on the El Dorado County General Plan Draft Environmental Impact Report. We are grateful for this opportunity to have input into this vital CEQA planning process and sincerely believe that these comments, carefully considered, can help make a difference between a questionable General Plan resulting in still another legal battle, and getting on with providing El Dorado County with a proper General Plan.

For the *Friends of Shingle Springs Interchange, Inc.*



V. Dale Smith, H.H.D., General Manager
Alfa Omega Associates

Cc: *FSSI* Board
Legal Counsel
Other EDC Organizations
CA Attorney General Office

Attachment 1 - Review of Traffic & Transportation Issues Circle K Mini-Mart/76 Gas Station
County of El Dorado DR 00-11 – Smith Engineering and Management

Attachment 2 – ENVIRONMENTAL REVIEW OF proposed Tosco Marketing Company
Circle K Mini-Mart/76 Gas Station - County of El Dorado DR00-11 – August 1, 2001

AOA for FSSI – EDC Gen Pln DEIR Coms 7-15-03.doc/AOA96/FSSI/EDCGP



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**Review of Traffic & Transportation Issues
Circle K Mini-Mart/76 Gas Station
County of El Dorado DR 00-11**

May 24, 2002

**Attachment 1 FSSI Comments – EDC GP DEIR - Review of Traffic
& Transportation Issues Circle K Mini-Mart/76 Gas Station County
of El Dorado DR 00-11 – Smith Engineering and Management**

Introduction

Our recent 5-20-02 comment report on the recirculated ISMND for the Circle K / 76 Mini Mart project, prepared at the request of Friends of Shingle Springs Intersection ("FSSI"), was prepared without benefit of access to the March 8, 2002 supplementary report by Whitlock & Weinberger Transportation that is referenced in the ISMND. The subject Whitlock & Weinberger report has subsequently been obtained and reviewed. This report comments on the 3-8-02 Whitlock & Weinberger report and supplements my comments of 5-20-02.

In general, the 3-08-02 report by Whitlock & Weinberger is a response to my earlier comments of 8-6-01 on the original ISMND for the subject project rather than new original analyses of the project. Nothing in the 3-08-02 Whitlock & Weinberger report alters the conclusions of my 5-20-02 comments. However, the material in the 3-08-02 Whitlock & Weinberger report does merit some further direct comment.

Issue of Traffic Volume Data

The 3-08-02 letter report reiterates the already understood point that 9-14-00 traffic report on which the original ISMND relied was based on July 2000 (high school not in session) peak period intersection movement counts that were adjusted based on other traffic data in an attempt to make the movements representative of what actually occurs for nine months of the year when school is in session. The 9-14-00 traffic report itself points out that the summer counts on the approaches to some of the study intersections vary (are lower) "by approximately 500 percent" (Whitlock & Weinberger, 9-14-00, page 6) from the conditions that prevail for most of the school year.

Our point is, and has always been, that when there is such an enormous variation between summer and the rest of the year, summer counts factored on the basis of other count data in the area are an unacceptably unreliable basis for the evaluation. It would stretch credibility to rely upon counts that needed to be adjusted by 25 or 30 percent; relying on counts that need to be adjusted by up to 500 percent are simply useless.

The second point on the subject of adequacy of traffic data in the 3-08-02 letter report is the comment that a supplementary report was prepared on 5-01-01, that the 5-01-01 report is based on data that was collected while school was in session, and that, taken together, the 9-14-00 and 5-01-01 reports provide a complete representation of traffic conditions in the area with and without school in session.

We acknowledge the existence of the 5-01-01 supplementary report and understand that it was based on February, 1999 intersection count data (a time when school was in session). However, review of the recirculated ISMND illustrates that the County *has not relied upon the analyses in the 5-01-01 report* at all in preparing the ISMND. All of the LOS / delay information presented in the recirculated ISMND (Table 2, page 21) are identical to the delay values presented in Table 1 of the 9-14-00 study. There are no analysis results in the ISMND that correspond to the results of the LOS / delay computations in the 5-01-01 reports.

Moreover, the County could not have coherently compared the delay results of the intersection analyses from the two reports. The 9-14-00 analysis was performed using the *1994 Highway Capacity Manual* methodology for signalized intersections; the 5-01-01 report was performed using the *1997 Highway Capacity Manual* methodology. The two analysis methodologies differ substantially, analyzing completely different definitions of delay. As a consequence of the difference in delay definition and the related differences in the analysis procedure, the delay results predicted by the two methodologies would differ radically, even if the same intersection and identical traffic volume data set were being analyzed. The delay results predicted by the two procedures are simply not comparable.

In conclusion on this sub-point, while Whitlock & Weinberger have done more work subsequent to the 9-14-00 report using what may be a more suitable data set, it is obvious that the County has not relied upon that subsequent work in preparing the recirculated ISMND. The ISMND is still based on flawed, radically factored summertime data.

Whitlock & Weinberger's 3-08-02 letter concludes its comments on the traffic data issue by appending two pages of comparisons of the July-00 turning count data on which their 9-14-00 analysis was based with February-99 data the County had relied on for other purposes. The letter asserts that the traffic volumes used in the analysis of the Circle K project are consistent with traffic volumes the County had used in its' evaluation of improvements for the area.

Examination of the volume comparisons on their Attachments A and B leads to precisely the opposite conclusion. Many of the major movements differ radically between the two count dates. We have attached a copy of those attachments, annotated to show some of the glaring percentage differences on some major movements. It is indisputable that the base traffic data relied upon by the ISMND is unrepresentative of the conditions that occur most of the year.

Attachments A and B also include traffic projections to Year 2015 for a comparison to the observed 1999 and 2000 traffic data that is totally irrelevant to the issue of whether the initial data base of the analysis is valid. The future

forecasts presented are generally (but not always) higher than the observed data. However, the layman of average intelligence would expect that a projection 13 years hence (15 years from the time of the 9-14-00 study) in an area like the subject area would involve considerably more traffic than at present. The future forecasts shed no light on whether the base data is valid. The fact is that if the base data is unrepresentative, the future forecasts are likely to be inaccurate as well.

Attracted Passer-by and Diverted Trip Assumptions

Traffic consultants for the project cite published data supporting their assumptions regarding percentages of project trips that would be attracted from passers-by on roadways fronting the project site, diverted from nearby roadways or attracted as trips made with the primary purpose of visiting the project site (primary trips).

The veracity of the supporting data and its source, *Trip Generation Handbook*, have never been an issue in our comments. The issue addressed in our comments is that the attracted passer-by percentages indicated in the referenced data are *not applicable to or representative of this site*. The issue is that the data in *Trip Generation Handbook* is generally taken from facilities in highly developed urban and suburban areas, not for facilities in rural areas, semi-rural areas or rural-suburban fringes. A gas station / mini-mart in a typical Los Angeles suburb at the intersection of two boulevards each carrying 30,000 cars a day will naturally draw the vast majority of its business from the passer-by traffic on the streets immediately fronting the site. That condition and situations approaching that condition are what the data for most of the service station sites in the passer-by database in *Trip Generation Handbook* represents.

The situation at the proposed Circle K - 76 project site is quite different from the sites generally represented in the *Trip Generation Handbook* data. It is a suburban fringe site. There is a much smaller pool of passers-by on the streets immediately fronting the site than in the conditions typical for the referenced case studies. According to data in the 9-14-00 traffic study, only about 1726 vehicles directly pass by the Circle K / 76 site in the am peak hour and only about 2025 in the pm peak hour. Most of these local people already have established habits about where they do their business, including at the service station almost directly across the street. Meanwhile, there is a large pool of travelers passing by on the freeway, about 5100 of them in each peak hour, about the length of a football field away. It is our opinion, which we believe makes common sense to the intelligent layman, that the business attracted at this site would include fewer immediate passerby trips (from S. Shingle Springs and Mother Lode) and more diverted trips (from the freeway) than the study assumed and than is generally characteristic of the more urban case study sites predominantly represented in the *Trip Generation Handbook* data.

The importance of this subtle difference is that attracted passer-by trips add to the establishment's driveway count but not to the counts on the immediately adjacent streets and intersections. Diverted trips attracted off the freeway do add to the traffic on the adjacent streets and intersections. So a project that attracted a high share of diverted trips and a smaller share of immediate passer-by trips would tend to have considerably greater traffic impacts than the opposite case (high passer-by attraction, lower diverted trip attraction) such as the analysts in this case have chosen to assume.

The 3-08-02 letter goes on to describe the numbers of trips it did assume were attracted from the U.S. 50 freeway and outlines the paths drivers have been presumed to follow in traveling between the freeway and the project site. However, the numbers of trips cited in the 3-08-02 letter and its attachments cannot be rationalized to the numbers of attracted passer-by and diverted trips reported in the 9-14-00 report (see Table 2 on page 11 and preceding text on page 10) unless the authors have somewhere confused the definitions of passer-by trips and diverted trips. The 3-08-02 letter says the analysis shows a total of 92 diverted trips traveling between the project site and the freeway in the pm peak hour (34 trips attracted from and 34 returning to the eastbound direction; 12 trips attracted from and 12 returning to the westbound direction). However, Table 2 of the 9-14-00 report indicates that the project would attract only 50 diverted trips in the pm peak (25 inbound, 25 departing). Clearly, there is a substantial confusion and inconsistency in the traffic analysis that still needs to be resolved.

Combined Effect

In our original 8-6-01 comments, we indicated that the problems with the original traffic data base and with the assumptions regarding passer-by and diverted trips attracted to the project would have compounding effect in causing the analysis to understate project impacts. The 3-08-02 letter asserts that since the traffic study's data base and its attracted passer-by assumptions are correct, there is no compounding effect. For the substantive reasons stated in the paragraphs above, we disagree. Therefore, the matter of compounded effect in understated project traffic impacts remains an issue.

Driveway Location Standards Issue

The 3-08-02 letter's first response to the issue of driveway conformance to design guidelines is to blame County staff for instructing the designers to align the project's driveway on S. Shingle Springs to be opposite the intersection with Durock Road. The real issue is that a driveway *anywhere* on the project's S. Shingle frontage would be in violation of the County's Design and Improvement Standards. What County staff has done in influencing the design proposal is to

sensibly say that, if there is to be a driveway on the project's S. Shingle frontage, it should line up directly with Durock rather than being at a slight offset where it would create an even more confused pattern of conflicting movements.

The 3-08-02 letter goes on to assert the absurd claim that the analysis "*presents a worst case scenario*" because, among other things, the analysis included "*no traffic management plans which might reduce the site's trip generation*". Really? We ask, who has ever seen a serious traffic demand management plan for a gas station and mini-mart? Would they shut off the pumps and lock the doors for ten or fifteen minutes out of each peak hour? Would they double prices in the peak hour in an attempt to discourage customers?

The 3-08-02 letter goes on to present a misleading discussion of the implications of the queue of vehicles northbound on S. Shingle that would extend back from the intersection with Mother Lode. The letter correctly documents that the Whitlock & Weinberger analysis shows a design queue (the length of queue engineers would normally design to provide storage for) of 13 vehicles per lane and, less correctly, indicates that such queues would not occur more than 5 percent of the time. (What the statistics really indicate is that the design queue length would not be exceeded more than 5 percent of the time; the design queue length itself could occur more than 5 percent of the time). *But that is peripheral to the fundamental problem issue posed by the project site plan. The real problem is that the positioning of the project driveway to S. Shingle Springs allows for only a queue of 4 vehicles in each northbound lane before the driveway would be blocked.* The statistical probability is that, if the design queue is 13 vehicles per lane, there likely would be a queue of at least 4 vehicles per lane a very large portion of the time. So movements to and from the project driveway to S. Shingle Springs could be obstructed a large portion of the time.

The 3-08-02 letter indicates that the queuing issues related to the S. Shingle driveway operation could be resolved through coordination of the planned signals at Druock and at Mother Lode. However, with the intersections so closely spaced and without analysis of an actual coordination plan, it is not at all obvious that the problem can be resolved through routine signal coordination.

The 3-08-02 letter also indicates Caltrans and the County had considered resolving problems associated with inadequate distance and queue storage between the intersections by relocating Durock to intersect S. Shingle Springs farther away from Mother Lode. The fact that they considered it as a long term strategy is an indication that mere signal coordination is not an adequate solution with intersections spaced so closely. Relocation of Durock is not a currently committed project; it is just a concept that has been studied by Caltrans as an alternative. Since it is uncommitted and unfunded, it cannot be considered as mitigating the Circle K / 76 project's significant impacts unless the

County conditions the Circle K / 76 project to pay for the relocation of Durock as a project mitigation. While the 3-08-02 letter asserts that the project's driveway location is compatible with a relocation of Durock, having traffic to and from the project's driveway so close to the Mother Lode intersection tends to defeat the purpose of relocating Durock.

The 3-08-02 letter also mentions a section of El Dorado County code on driveway location that is not at issue. What is at issue is the failure to conform to the more rigorous County of El Dorado Department of Transportation Design Standards. Although the County Engineer, as the letter notes, can grant variances to these standards, the County Engineer must have reasonable basis for doing so. Per points raised herein as well as in our 8-6-01 and 5-20-02 comments, the County Engineer does not have reasonable basis for waiving the design standards.

The 3-08-02 letter's arguments on the noncompliance with the driveway location design standards do not specifically address the matter of the project's driveway to Mother Lode, which is only 60 feet from the intersection with S. Shingle Springs.

Left Turn Lane Alteration On Mother Lode

The 3-08-02 letter combines three separate elements of our prior comments regarding the project's driveway to Mother Lode in a confused and misleading response. The three elements of our prior comments relating to this driveway are:

- The driveway to Mother Lode is at a significantly substandard distance from the intersection with S. Shingle Springs and, as a consequence would have left turn movements to and from it obstructed by the queues on westbound Mother Lode.
- Contrary to what the traffic study asserts, conditions on Mother Lode may not engender safe operations at this driveway.
- The traffic analysis for the project never considered what consequences left turns to the proposed driveway might have on operations of left turns to the existing driveway just east of the project on the opposite side of Mother Lode.

On the first element, the 3-08-02 response indicates the prior analysis shows that in the future condition with the project, the p.m. design queue for the left turn on the westbound approach of Mother Lode to S. Shingle Springs is 10 vehicles and in the 'existing + project' condition, there would be a design queue of 4 vehicles. This translates to queue storage requirements of about 250 feet and 100 feet respectively.

The response indicates that there will be adequate storage for these design queues. But the issue is not one of adequate storage for the on-street queues.

It is the simple fact that the project driveway to Mother Lode is only about 60 feet from the intersection, so it would be blocked and lead to dysfunctional movements any time there are as few as three vehicles in the left turn queue from the intersection. Since the design queue is 10 in the future and 4 at present, the probability is that there would be at least 3 vehicles in queue - enough to block left turn entries and exits to/from the project's Mother Lode driveway - a large proportion of the time (this is contrary to the errant information provided in the response that states, inaccurately and without foundation, that queues would extend across the driveway only 5 percent of the time).

The 3-08-02 response opines that the proposed roadway and driveway configuration can serve satisfactorily until such time as intersection left turn queue storage capacity becomes a problem, at which time the County could create a solid median and make the project's driveway to Mother Lode right turn in / right turn out only. But the problem is not intersection left turn queue storage capacity. Those vehicles will be there in the left turn lane. It is the fact that left turn queues from the intersection will extend across and block left turns to and from the project's driveway to Mother Lode, leading drivers who want to make left turns to and from the project to perform erratic, unsafe and obstructive movements. And the problem is not one which will develop at some distant future time. The analysis shows that the problem will be immediate.

The 3-08-02 letter's suggested ultimate remedy, preventing left turns to and from the driveway, is an admission the project will cause this significant traffic impact at some stage and the ISMND is deficient in failing to identify this significant project traffic impact. However, merely suggesting that the County could create a solid median and convert this driveway to right turns only does not qualify as an adequate mitigation measure. To qualify as mitigation, the measure must have certainty. If the suggested median and turn limitation on the driveway is to be considered mitigation, the County must require the applicant to pay for and construct the median now or must condition the project and property to agree to the median and pay for its construction at such future date as the County determines it is needed.

The 3-08-02 letter irrelevantly references AASHTO guidelines which indicate that, in the abstract, two way left turn lanes are a legitimate design treatment under certain circumstances. The general legitimacy of two-way left turn lanes as a design treatment has not been challenged in our comments. Our comments are specific to the considerations at this site and the fact that left turns to and from a driveway located just 60 feet from a fairly busy intersection that even includes a freeway exit ramp leg will be dysfunctional and impactful.

Our second element of criticism concerned the initial traffic study's conclusions that the projects driveway to Mother Lode would operate safely at the proposed location because of the traffic effects of the existing 4-way stop control at the

Mother Lode / S. Shingle Springs intersection. We pointed out that the planned replacement of stop control with traffic signal control would alter the traffic characteristics that the traffic study had counted on to assure adequate safety of the driveway. In its original analysis, the traffic study opined that, even though the speed limit on Mother Lode is a relatively fast 40 mph, the driveway to Mother Lode should be reasonably safe because all traffic would be slowed by the nearby stop signs at the S. Shingle Springs intersection. However, we pointed out that the stop signs were being replaced by a traffic signal and that, instead of having all drivers slowed in the vicinity of the driveway, with a signal there would be many drivers who approach during the green phase that will not have to slow at all and there will be numbers of drivers passing the driveway with the gas pedal to the floor trying to catch the last of a green on the westbound approach or having just caught the last of a green on the eastbound approach. Hence, the change in traffic control at the intersection compromises the conditions of safety at the driveway that were assumed. This aspect of our comments is not responded to in the 3-08-02 letter or properly considered in the ISMND.

The third element of our comments on this issue indicated that there was a need to consider whether there would be significant conflict between the left turns from westbound Mother Lode into the project driveway and left turns from eastbound Mother Lode into the driveway on the opposite side of the street. The concern is that if two busy driveways on opposite sides of the street are offset only slightly downstream from one another, opposite direction vehicles tend to try to occupy the same space in the two-way left turn lane, with potentially hazardous consequences. Other than presenting the general ASSHTO design guidelines indicating that, in general under certain circumstances, two-way left lanes can be a legitimate and reasonable design feature (irrelevant since that fact is undisputed), the 3-08-02 response does not address our comment. We would have expected an analysis considering the numbers of left turning movements to the project driveway, the numbers of turning movements to the nearest driveway to the east on the opposite side of the street, the distance between those driveways, the flows of through traffic opposing the lefts and, based on that combination of circumstances, to have drawn a conclusion whether or not the two-way left turn lane could serve satisfactorily. There is no evidence that such an analysis has been done.

Additional Concern

Consideration of all of these points has sparked an additional concern. It is understood that the project's driveway to S. Shingle Springs is to be a joint driveway shared with the adjacent Chevrolet dealership which has no current access on its S. Shingle Springs frontage. In all of the analysis that we have seen, there has been no accounting of the Family Chevrolet traffic that would use this driveway. The analysis needs to be revised to consider that traffic.

Conclusion

This completes our analysis of the 3-08-02 response to our 8-6-01 comments on original ISMND. Nothing in the 3-08-02 response alters our 5-20-02 comments on the recirculated ISMND and we ask that this current comment document be considered as a formal addendum to our 5-20-02 comments.

Sincerely,

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ENVIRONMENTAL REVIEW OF

**proposed Tosco Marketing Company
Circle K Mini-Mart/76 Gas Station
County of El Dorado DR00-11**

August 3, 2001

***Attachment 2 – FSSI Comments – DEC GP DEIR - ENVIRONMENTAL REVIEW OF
proposed Tosco Marketing Company Circle K Mini-Mart/76 Gas Station - County of El
Dorado DR00-11 – August 1, 2001***

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ES 1.0 EXECUTIVE SUMMARY

The proposed Tosco Marketing Company's Circle K Mini-Mart/76 Gas Station, County of El Dorado #DR00-11, while a seemingly small project, is located in an area of complex growth and congested traffic and in an area that exceeds Federal and State Ambient Air Quality Standards. The area is designated by the U.S. Environmental Protection Agency and the California Air Resources Board as having severe ozone events which, as recognized by the El Dorado County Air Pollution Control District, mandates that all new projects comply with Federal Conformity Rules.

The Federal Conformity Rules constitute a mechanism whereby transportation development and air quality impacts are linked. A brief discussion is included later in the Report. The El Dorado County Air Pollution Control District has required that Conformity be implemented for the Circle K proposed project, which mandates that all project-related vehicle emission impacts be fully offset and that the proposed project's air quality impacts be analyzed cumulatively, considering all present, proposed and future projects in the general area.

Conformity is an EPA regulation which

- "Establishes criteria/procedures for determining if transportation plans (TPs), improvement programs (TIPs) and projects conform to the State (air quality) Implementation Plan (SIP).
- Ensures that highway/transit systems conform with SIPs - with SIP emission budgets for attaining/maintaining health-based air quality standards.
- Ensures that **the transportation system and individual projects do not cause new air quality violations, exacerbate existing ones, or delay attainment of the standards.**

Conformity is important because: 1) as a Preventative Approach, it covers the entire transportation system over the long term and forces a determination and offsetting of emission impacts before implementation of TPs, TIPs, and projects; 2) as a Collaborative Approach, it requires local/federal transportation officials to assure coordination of transportation and air quality planning (NACR, Clean Air Transportation Report, January/February 1994.)

As the following Report explains and documents, the planning process for the proposed Circle K/76 project has been complex.

Major Findings:

3. Air quality in the area of the proposed project already exceeds Federal and State Ambient Air Quality Standards, being classified as a "severe ozone nonattainment area" and an area which "violates state ambient air quality standard for the criteria pollutant fine particulate matter (PM10)".

4. Any further impact will add to this existing exceed, creating a "significant" environmental impact unless fully off-set by mitigation measures.
5. El Dorado County established the need for adequate air quality assessment and data, but the analysis provided is inadequate and incomplete.
6. Several conditions and/or mitigation measures have been included in the project which require future actions, yet need to be defined now in order that they be included in the air quality impacts analysis.
7. There is no "General Conformity" Condition of Approval as specifically required by the El Dorado County Air Pollution Control District.
8. The cumulative impacts analysis does not adequately identify or consider the effects of existing projects, the effects of other current projects, and the effects of probable future projects. These projects need to be specifically identified and included in the analysis.
9. Other relevant findings include:
 1. A discussion of alternatives to the proposed project is lacking.
 2. The proposed Negative Declaration may need to be circulated through the State Clearinghouse.
 3. Recirculation may be necessary because of incomplete noticing, that is the project notices did not include information on a concurrent review of another project-related project.
 4. Documentation lacks information on actions taken regarding several items previously described as being part of the project, including the lot line adjustment, shared driveway, and beer and wine sales.
 5. Documentation lacks a signed agreement to indicate that the applicant had agreed to the project modifications and lacks the EDC Mitigation Monitoring program to be adopted in conjunction with the mitigated Negative Declaration.
 6. A Zoning Permit was not obtained as required by the Zoning Ordinance.
 7. In view of the energy crisis, solar power was not considered as a potentially feasible mitigation measure.

In conclusion:

- The project is proposed in an area of severe existing air quality exceeds. The air quality impact analysis has been conducted on the proposed project again as a best incremental

case without fully considering the congested nature of the area's traffic flow, or the heavy traffic along Highway 50, or the area's present and future growth.

It is recommended that there be a comprehensive and systematic analysis of both the incremental and cumulative impacts from the proposed project within the context of the area, during both the construction and the operations phases. It is recommended that the analysis include quantification of impacts from grading associated with site preparation, including an analysis for asbestos which is common in the area, and including off-site activities related to road improvements. It is recommended that the results be presented in a comprehensible way, showing the basis for the analysis, the analysis, the results and the conclusions. This analysis should be undertaken prior to approval of the project, in order that any potentially significant impacts identified may be avoided or mitigated to insignificance.

- While considerable traffic analysis and traffic planning have been conducted on the proposed project, the traffic analysis appears to be a best case. Instead it should consider the worst case scenario and include the specific projects in the area in its consideration of present and future growth.

1.0 INTRODUCTION

At the request of Friends of Shingle Springs Intersection ("FSSI"), Goddard & Goddard Engineering ("G&GE") has conducted an environmental review of the proposed Tosco Marketing Company's Circle K Mini-Mart/76 Gas Station, County of El Dorado project #DR00-11. This review has been conducted based on materials received from County of El Dorado files including the documentation listed in the References. The proposed project and its location are first described then the history of the project is summarized. This is followed by more detailed discussion of the environmental issues related to the project. G&GE qualifications for preparing this analysis and selected reports are attached at the end of this report.

1.9_ Proposed Project

The proposed project is for a Tosco Marketing Company "Circle K" mini-mart and "76" gas station located at the intersection of Mother Lode Drive and South Shingle Springs Road in Shingle Springs, El Dorado County, California at the U.S. Highway 50/Ponderosa Road Interchange. The project is located on a 0.65 acre parcel, Assessor's Parcel Number 090-430-42 with General Plan and Zoning designations of "C" Commercial.

According to the March 30, 2000 (A&E Engineering) initial application to the County, the proposed project consists of

- a new 2,976 +/- square foot "Circle K" mini-mart convenience store,
- a new "76" gas station (gasoline¹) with six (6) fuel dispensers (12 vehicle fueling positions), and a 4,000 square foot canopy,
- three (3) underground fuel storage tanks (maximum 30,000 gallons) and underground product piping.
- new landscaping and irrigation
- off-site improvements
- new trash enclosure
- new drainage improvements
- new grading improvements
- new signage
- new yard lighting and paving
- new driveways
- twenty-four hour a day operation, every day of the year
- beer and wine sales (for off-site consumption) if approved
- utility easement changes (for overhead lines)
- new ingress/egress easement for common access with the adjacent automotive sales dealership
- on-site parking
- new automotive air/water unit.

¹ The original proposed sign showed both gasoline and diesel pricing

Land uses in the area are mixed but mainly retail. There is an auto dealership adjacent to the site on the east and south sides. There is an existing gasoline station with a convenience market (Gold Harvest Market) opposite on the north side of Mother Lode Drive.

The existing site would be lowered approximately four (4) feet to an elevation that is 5 ft +/- above the centerline of South Shingle Road (EDC Department of Transportation July 5, 2000).

A lot line adjustment is also proposed and a combined driveway with the adjacent dealership.

Conditions integrated into the project as part of the Mitigated Negative Declaration would require modifications to adjacent public roads as part of this project.

The project is bounded to the north by Mother Lode Drive and to the west by South Shingle Road. The northerly access is to Mother Lode Drive. The westerly access is to South Shingle Road at its intersection with Durock Road. The project lies at the southeast corner of a complicated traffic circulation system composed of the U.S. Highway 50/Ponderosa Road Interchange, with four major intersections, related on- and off- ramps, and local roads. The four major intersections are:

- Intersection 1: North Shingle Road-Wild Chaparral Drive/Ponderosa Road
- Intersection 2: Ponderosa Road/U.S. 50 Westbound Ramps
- Intersection 3: South Shingle Road/ Mother Lode Drive - U.S. 50 Eastbound Ramps
- Intersection 4: South Shingle Road/Durock Road

This is an area which is experiencing growth, change and development.

1.10_ History of the Project

This is a brief summary of the history of the project based on the documents provided, which are included in the References list.

The initial application for this project was made March 30, 2000 by A&S Engineering (agent for the project's applicant) and a Design Review Application to the El Dorado County ("EDC") Planning Department was processed on April 14, 2000. According to the EDC Zoning Ordinance, a service station is a use allowed by right in a Commercial (C) District, without special use permit or variance (Section 17.32.020. B. of the Zoning Ordinance), subject to the provisions of Chapters 17.14., 17.16 and 17.18 (Section 17.32.010). The project was processed by EDC planning staff as a Design Review according to Section 17.14.130 because it faces a state highway. It was apparently not processed as a Zoning Permit although this is required under Section 17.14.140 Zoning Permits Part A.

A Special Use Permit Application was made April 26, 2000 for signage.

The documentation does not indicate what action is being taken on the Lot Line Adjustment, the proposed sharing of the driveway with the adjacent auto dealership, or on the beer and wine sales license.

May 26, 2000 an Initial Consultation Notice was distributed to selected agencies with notice of a Technical Advisory Committee ("TAC") Meeting on July 10, 2000.

Comments were received from agencies regarding grading, drainage, traffic, archaeology, fire protection, water and sewer requirements, and air quality. The conditions recommended by the EDC Department of Transportation and the EDC Air Pollution Control District ("APCD") are listed in Table 2.

A Traffic Study dated September 14, 2000 was prepared by applicant's consultant.

A proposed Mitigated Negative Declaration ("MND") dated November 22, 2000 with attached Environmental Checklist and Discussion was prepared by the EDC Planning Department.

A public hearing before the Planning Commission was held on January 25, 2001. Comments by commissioners and the public are summarized in the Minutes for the January 25, 2001 hearing.

Shingle Springs Neighbors for Quality Living (February 20, 2001) commented on the project. They questioned whether or not traffic problems will lessen with the construction of the gas station and its requirement to signalize the intersection of Mother Lode Drive and South Shingle Road, suggesting *"Perhaps it is time to rebuild this interchange and re-align adjoining surface roads before new development takes place. This is especially critical because concurrent with this project is the rezoning at the intersection of Ponderosa Road and North Shingle on the opposite side of the freeway."* They noted that *"traffic signals can back up traffic during high volume times and the freeway overpass, ramp system and convergence of Mother Lode and Durock Roads make for a congested intersection"*. Issues they raised included:

- Cumulative impact with rezoning #Z00-09;
- Traffic generation - will generate 1,833 average daily trips [compared to 275 "new" trips in Traffic Study]
- Joint use of driveway and Lot line adjustment not addressed in the staff report.

A letter from John Gabrielli, February 21, 2001 letter to EDC Planning Department addressed in relation to CEQA the issues of:

- traffic congestion
- air pollution
- health and safety
- lack of a plan to address the cumulative impacts
- cumulative impacts - traffic
- proximity of intersection violates standards.

The March 6, 2001 Memorandum from EDC Planning Department to EDC Planning Commissioners summarized the status of the project at that time. The item was continued from the February 22, 2001 Planning Commission agenda to the March 22, 2001 agenda at the request of the applicant's agent. Two additional letters of opposition were received, one from a neighborhood group called "Shingle Springs Neighbors for Quality Growth" and one from James Kidder, an adjacent property owner. Both of these letters challenged the adequacy of the MND prepared for the project. The primary issues identified in the letters were:

- Traffic safety impacts need to be identified, considered and mitigated;
- Need for a comprehensive cumulative impact analysis;
- Impacts from other projects in the area must be analyzed;
- Traffic study provided is flawed and inaccurate;
- Any plans or implementation programs for CIP improvements in the area must be addressed;
- Does not comply with Measure Y.

At the previous hearing on January 25, 2001, the Planning Commission identified the following issues of concern:

- Air quality impacts. Need for a Health Risk Assessment if project is located within 1,000 ft of a school;
- Hazardous materials. Use and handling of hazardous materials, presence of underground storage tanks;
- Issue of design. Not enough information was provided on the design aspects of the project;
- Scope of review allowed under a design review application. Concern was raised over fact that staff report and environmental checklist addressed impacts associated with use, rather than confining discussion to design. "Planning Department policy has been to review entire project and associated environmental impacts."

In the March 6, 2001 Memorandum, staff states that "The mitigated Negative Declaration, mitigation measures and conditions of approval have been modified to address the above concerns. In the past where there may be potential litigation against a project, the Planning Commission has requested inclusion of an indemnification condition."

A signed statement from the Applicant agreeing to the amendments to the project including the mitigation measures and conditions of approval was not included in the documents reviewed.

March 16, 2001 A&S Engineering letter to EDC removed request for over-sized sign.

March 20, 2001 EDC Planning Department advised the project applicant's agent, A&S Engineering, that they would be recommending continuing the March 22, 2001 hearing on advice of County Counsel because:

- 1) "No air quality assessment/data available in the record to conclusively support the statement in the proposed MND that the project will not have a significant impact on air quality.
- 2) "Need for more comprehensive traffic analysis. The traffic report submitted does not adequately address the cumulative impacts to the Highway 50 interchange; does not address the proposed signalization projects; does not address impacts from the proposed Indian casino in Shingle Springs, and does not address existing problems that may or may not be exacerbated by the project proposal."

Staff continues:

"... information in the letter of opposition from an attorney representing a[n] adjacent property owner raises the potential issue of a legal challenge to the proposed project. This is prompting County Counsel to take a conservative approach. Planning staff believes a MND is still appropriate as long as we have substantive data and analysis which supports the conclusions in the MND."

March 22, 2001 EDC Planning Department informed the project applicant's agent, A&S Engineering, that further information was needed to update the DR00-11 MND on issues of Air Quality, Groundwater/Surface Water Contamination and Traffic. The information request is discussed later in this review in the Environmental Issues sections. Staff stated that both stationary source emission modeling and concentrated mobile emissions modeling were needed, and needed a written conclusion that no exceeds of California Ambient Air Standards would occur.

A&S Engineering submitted to EDC Planning Department information on schools in El Dorado County (March 23, 2001)

A&S Engineering submitted to EDC Planning Department April 11, 2001 information responding to the March 22, 2001 Memorandum.

A&S Engineering submitted to EDC Planning Department an Addendum to the Traffic Study by Whitlock and Weinberger (May 1, 2001).

May 1, 2001 EDC Environmental Management Department requested assistance from Sierra Research regarding air quality issues and possible need for CALINE 4 modeling.

May 14, 2001 Sierra Research concluded, based on materials received and analysis of 770 vehicle trips per day, that CALINE 4 analysis for CO [carbon monoxide] impacts was not required. Sierra Research also indicated that Dave Vintze of Placer County APCD evaluated this project previously on behalf of the EDC APCD, although no written report was found in the documentation. Sierra Research indicated that *"we were not provided a copy of the traffic study for the project"*, and that its analysis was only for CO. The EDC APCD concluded *"the proposed project will have little significance to air quality"* (June 1, 2001).

May 14, 2001 EDC DOT found the Addendum to the traffic study "satisfactory".

The project was given Conditional Approval as a mitigated Negative Declaration at a Planning Commission public hearing on June 14, 2001. The decision was appealed to the Board of Supervisors by project opponents and a Public Hearing has been set for August 14, 2001.

2.0 AIR ISSUES

The proposed project is in an area of non-attainment as emphasized by the EDC APCD (June 30, 2000):

"El Dorado County violates the state and federal ambient air quality standard for the criteria pollutant ozone at the Western Slope area of the County. As of June 1, 1995, El Dorado County nonattainment area classification status for ozone has been reclassified from a "serious" to a "severe" ozone nonattainment area (see attached CFR [Code of federal regulations] Part 81 CFR Update Service). Monitoring data from the California Air Resources Board have indicated the town of "Cool" to have the highest ozone concentration in the Sacramento Metro area. The county violates state ambient air quality standard for the criteria pollutant fine particulate matter (PM10) at both the Western Slope and South Lake Tahoe area of El Dorado County. The California Clean Air Act of 1988 requires the state's air pollution control program meet the state's ambient air quality standards. The efforts of the District are focused primarily on attainment of state and federal ambient air quality standards for criteria air pollutants." (Bold added)

This means that the area is already in exceed of the health-based California Ambient Air Quality Standards, and any further impact will add to this existing exceed, creating a "significant" environmental impact unless fully off-set by mitigation measures.

The health effects of air pollutants are briefly listed in Table 1 for ozone, carbon monoxide and small airborne particulates (PM10).

TABLE 1
HEALTH EFFECTS OF AIR POLLUTANTS

POLLUTANT	SOURCES	EFFECTS	PREVENTION and CONTROL
Ozone (O3)	Formed when reactive organic gases (ROG) and nitrogen oxides react in the presence of sunlight. ROG sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil);	Breathing difficulties, lung tissue damage, vegetation damage, damage to rubber and some plastics	Reduce motor vehicle reactive organic gas (ROG) and nitrogen oxide (NOx) emissions through emission standards, reformulated fuels, inspections programs, and reduced

	solvents; petroleum processing and storage; and pesticides.		vehicle use. Limit ROG emissions from commercial operations and consumer products. Limit ROG and NOx emissions from industrial sources such as power plants and refineries. Conserve energy.
Carbon Monoxide (CO)	Any source that burns fuel such as automobiles, trucks, heavy construction and farming equipment, residential heating.	Chest pain in heart patients, headaches, reduced mental alertness	Control motor vehicle and industrial emissions. Use oxygenated gasoline during winter months. Conserve energy.
Small Particulates (PM10)	Road dust, windblown dust, agriculture and construction, fireplaces. Also formed from other pollutants (acid rain, NOx, SOx, organics). Incomplete combustion of any fuel.	Increased respiratory disease, lung damage, cancer, premature death, reduced visibility, surface soiling	Control dust sources, industrial particulate emissions, woodburning stoves and fireplaces. Reduce secondary pollutants which react to form PM ₁₀ . Conserve energy.

Source: CARB, 1998 referenced in G&GE, September 1998
Preliminary Air Quality Environmental Review of the Proposed Draft West Shore Area General Plan, Placer County.

The EDC APCD (June 30, 2000) also submitted a summary of eleven (11) "additional issues that **SHALL** be addressed and the potential impacts on air quality that may result from the implementation of the study scenario(s)". [The bold, capitals and underline emphasis on the word "shall" were put there by the APCD.] The APCD summary included numerous conditions which it required be implemented (see Table 2). One condition related to air quality was included in the Amended Conditions of Approval, Attachment 1 to the June 14, 2001 Staff Report

"Condition 19. Due to the proximity of the site to sensitive receptors the applicant shall perform standard emission analysis and if warranted the applicant shall complete a Health Risk Assessment and notice to property owners within 1,000 feet of the property. The emission testing and Health Risk Assessment will be subject to the review and approval of the El Dorado County Air Pollution Control District, and must be completed prior to the issuance of a Permit to Construct from the APCD."
(Underlined in Staff Report).

and one related to hazardous materials:

"Condition 20. The applicant shall comply with all County and State requirements relative to the use, storage, and monitoring of all hazardous materials stored and/or utilized on the site."

According to the minutes of the June 14, 2001 Planning Commission hearing, Condition 19 above was listed as Condition 18 then deleted from the project conditions.

This reviewer concurs with the EDC APCD (June 30, 2000) required conditions as listed in Table 2 and recommends that these be included in the project.

2.1 Need for Adequate Air Quality Assessment and Data in Area of Severe Existing Exceeds of the Federal and State Ambient Air Quality Standards

2.1.1 EDC Established Need for Adequate Air Quality Assessment and Data

March 20, 2001 EDC Planning Department advised the project applicant's agent A&S Engineering that they would be recommending continuing the March 22, 2001 hearing on "recommendation of County Counsel" because (in part) there was "No air quality assessment/data available in the record to conclusively support the statement in the proposed MND that the project will not have a significant impact on air quality."

EDC Planning Department then determined, based on Planning Commission hearing March 22, 2001, that there was a need for both stationary source emission modeling and concentrated mobile emissions modeling. The background was discussed as follows:

"Gross mobile emission modeling has been completed by David Vince [Vintze] of Placer County Air Pollution Control District. No conclusion was provided in written form stating that emissions from mobile sources will not exceed the thresholds

contained in the California Ambient Air Quality Standards. No information was provided in writing that stationary emission associated with the gas station will not exceed the California Ambient Air Quality Standards. Verbal testimony was provided that the predominant stationary emission is the venting of gasoline vapors from the storage tanks and dispensing pumps. It was stated that venting of gasoline vapors from the dispensing pumps is controlled through the use of vapor recovery systems as required by the State of California."

The EDC Planning Department listed the following needs:

1. "Stationary emission modeling needed as well as concentrated mobile emissions modeling. You will likely need to have a[n] air quality consulting firm complete this modeling."
2. "Written statements/data concluding that both mobile and stationary emissions associated with the project will not violate/exceed the California Ambient Air Quality Standards."
3. "Information on State and local standards for vapor recovery systems and how these systems work."
4. "Confirm whether any schools (private or public) are located within 1,000 feet of the project. Confirm whether the identified daycare/pre-school adjacent to the site is listed with the County Office of education."

2.1.2 Air Quality Analyses Provided

According to the April 11, 2001 letter from A&S Engineering to EDC Planning Department, "Mr. Dave Vinze of Placer County generated the *URBEMIS G7 report, Attachment 1, for El Dorado County. On March 22 Planning Commission meeting Mr. Dave Vinze stated that the report has shown that this facility does not violate or exceed the California Ambient Air Quality Standard for mobile emissions.*"

Attachment 1 is a data printout with no date, author, discussion or findings, with the notation "URBEMIS 7G: Version 3.1, File Name: Unocal.URB, Project Name: Unocal Gas and Convenience Store." There were no written conclusions with the printout and the basis for the study was not presented. The analysis apparently assumed an area for development of "0 acres" and Retail square footage "1,000" instead of the 3,000 sq. ft. for the project. The study as presented appears incomplete and inadequate. Since there is no California Ambient Air Quality Standard ("CAAQS") for mobile emissions, the statement that this standard will not be exceeded is unclear.

The EDC Environmental Management Department requested assistance from Sierra Research regarding air quality issues and possible need for CALINE 4 modeling (May 1, 2001). Sierra Research (May 14, 2001) replied that, based on information received, which they say did not include "a copy of the traffic study for the project", and analysis of 770 vehicle trips per day, CALINE 4 analysis for CO impacts was not required.

Based on the record it does not appear that the two air pollutants which are already in exceed in the area, ozone and PM10, have been adequately addressed.

2.1.3 Air Quality Analysis - Recommendations

Based on the evidence in the record it appears that this is an area where air quality already exceeds Federal and State Ambient Air Quality Standards, that the EDC has established the need for air quality impact analysis, but that the analysis provided is inadequate and incomplete.

This reviewer recommends that there be a comprehensive and systematic analysis of both the incremental and cumulative impacts from the proposed project within the context of the area, during both the construction and the operations phases. It is recommended that the analysis include quantification of impacts from grading associated with site preparation, including an analysis for asbestos which is common in the area, and including off-site activities related to road improvements. It is recommended that the results be presented in a comprehensible way, showing the basis for the analysis, the analysis, the results and the conclusions. This analysis should be undertaken prior to approval of the project, in order that any potentially significant impacts identified may be avoided or mitigated to insignificance.

2.2 Air Quality Impact Analysis Affected by Deferral to Future Studies

Several conditions and/or mitigation measures have been included in the project (June 14, 2001) which require future actions, yet need to be defined now in order that they be included in the air quality impacts analysis. For example, the air quality impacts from grading on this project, both on- and off-site, and cumulatively from other projects in the area, cannot be determined until the grading plan and drainage plan are determined. The grading plan should include grading associated with the off-site improvements including turn lanes and signalization.

2.3 General Conformity

One of the Conditions required by the EDC APCD (June 30, 2000), but not included in the June 14, 2001 Conditions of Approval is:

"3. The proposed project shall comply with any applicable requirements of District Rule 502 General Conformity."

General Conformity is the mechanism whereby transportation development and air quality impacts can be linked. A brief discussion is included here. The EDC APCD has the authority to implement this Rule.

Conformity is an EPA regulation which

- "Establishes criteria/procedures for determining if transportation plans (TPs), improvement programs (TIPs) and projects conform to the State (air quality) Implementation Plan (SIP).

- Ensures that highway/transit systems conform with SIPs - with SIP emission budgets for attaining/maintaining health-based air quality standards.
- Ensures that **the transportation system and individual projects do not cause new air quality violations, exacerbate existing ones, or delay attainment of the standards.**

Conformity is important because: 1) as a Preventative Approach, it covers the entire transportation system over the long term and forces a determination and offsetting of emission impacts before implementation of TPs, TIPs, and projects: 2) as a Collaborative Approach, it requires local/federal transportation officials to assure coordination of transportation and air quality planning (NACR, Clean Air Transportation Report, January/February 1994.)

The need for Conformity analysis is directly relevant to the need for cumulative impacts analysis for this project within the context of the U.S. Highway 50/Ponderosa Interchange/local roads complex prior to approval of the project.

The project needs to identify, quantify and analyze the **air impacts** related to peak traffic in the area, including peak U.S. Highway 50 traffic, including past, present and proposed projects around the interchange. Compliance with pertinent air quality standards should be determined and mitigation measures applied if available.

3.0 TRAFFIC

The EDC Department of Transportation commented on the proposed project (July 5, 2000). *"Significant increase in traffic will result with this project. Traffic congestion (LOS E) currently exists in this area with the traffic to South Shingle area, Ponderosa High School, access to Rescue, Coloma, Lotus and Georgetown passing through 2 - 4 way stop signs at the two lane, grade separation and access ramps of Highway 50."*

A Traffic Impact Study dated September 14, 2000 by Whitlock and Weinberger Transportation Inc. was submitted and an Addendum dated May 1, 2001.

The traffic analysis evaluated operating conditions at four intersections during peak weekday morning and afternoon conditions for Existing and for Existing plus Project conditions:

- Intersection 1: North Shingle Road-Wild Chaparral Drive/Ponderosa Road
- Intersection 2: Ponderosa Road/U.S. 50 Westbound Ramps
- Intersection 3: South Shingle Road/ Mother Lode Drive- U.S. 50 Eastbound Ramps
- Intersection 4: South Shingle Road/Durock Road

The study evaluated 1) Existing Conditions, and 2) Existing plus Project Conditions. The second scenario, Existing plus Project, analyzed the project using the "Signalized" methodology, i.e. it assumed that the intersection of South Shingle Road/Mother Lode Drive -

U.S. 50 Eastbound Ramps was signalized as required by one of the mitigation measures. The Addendum analyzed a scenario to year 2015.

Under 1) Existing Conditions: Three of the study intersections were found to be **operating unacceptably at LOS F** during one or both peak periods:

- **Intersection 1:** North Shingle Road-Wild Chaparral Drive/Ponderosa Road operates at **LOS F during the morning peak** and LOS C evening peak.
- **Intersection 3,** South Shingle Road/Mother Lode Drive - U.S. 50 Eastbound ramps is **operating unacceptably at LOS F** during both peak times. (This is the intersection at the northwest corner of the proposed project site.)
- **Intersection 4:** South Shingle Road/Durock Road operates at LOS B during the morning peak period and **LOS F** during the evening peak period. (This is the intersection at the southwest corner of the project site.)

Under 2) Existing plus Project Conditions (assumes signalization of Intersection 3, South Shingle Road/Mother Lode Drive - U.S. 50 Eastbound ramps):

- Intersection 1 and 2: unchanged
- Intersection 3: improved due to signalization
- Intersection 4: **“The addition of project trips is expected to result in further deterioration of the unacceptable LOS F operation on the Durock Road approach to South Shingle Road during the p.m. peak hour.”** Minor road widening can provide sufficient area for a right turn lane. This improvement will increase operational performance at the intersection to LOS D.

The study also recommended, to improve access and safety, that the existing left-turn lane on Mother Lode Drive along the northerly side of the project be modified to provide a Two-Way-Left-Turn (TWLT) lane.

The Traffic Study also discussed General Plan standards (W&W, 9/14/2000):

The County's Level of Service is contained within the General Plan, and calls for a minimum of LOS E operation.

Policy 3.5.1.1 of the General Plan states that, “all roadway segments projected in the roadway plan at the year 2015 to be operating at LOS A, B, or C shall not be allowed to fall below LOS C and all road segments at LOS D shall not fall below LOS D.

Policy 3.2.2.4 (from Measure Y) “Developer-paid traffic impact fees shall fully pay for building all necessary road capacity improvements to full offset and mitigate all direct and cumulative traffic impacts from new development upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the County.”

According to the Traffic Study, page 5, the County's Level of Service Standard, contained within the General Plan, calls for a minimum of LOS E operation.

Traffic Plan recommended mitigation conditions included:

1. Use traffic impact fees or other available funding sources to signalize the intersection of North Shingle Road-Wild Chaparral Drive/Ponderosa Road to reduce delays during the morning peak period associated with school-related traffic.
2. Modify the left turn lane on Mother Lode Drive along the northerly side of the project site to provide a TWLT lane.
3. Widen Durock Road to provide a right turn lane onto South Shingle Road.
4. Project should provide adequate right-of way along the north and west frontages to accommodate the anticipated future lane configuration.
5. Monument signs, equipment, and landscaping on the site should be placed so as not to interfere with driveway sight distances.

The Traffic Study estimated 1,833 total trips per day for this project but assumed that only 275 of these would be "new" daily trips, concluding that *"The presence of competing services in the area suggests that this project will draw some clientele from existing services in the area and will not generate significant increased traffic volumes to the area circulation system."*, resulting in a low estimated increase in "new" traffic. The analysis of traffic impacts is then based on these 275 trips which are only 15% of the estimated 1,833 daily trip total. Further data and analysis should be provided to support use of this minimum figure. The *"competing services"* should be identified and analyzed, including for example, their existing and potential traffic flows, whether they have similar hours of operation, and whether they provide the same services, such as the proposed beer and wine sales. (See also discussion 5.1 Alternatives to the Proposed Project.)

The traffic analysis Addendum considers growth to year 2015, but a more meaningful analysis would be to also address the specific projects which are taking place in the area, and the associated growth (see discussion of Cumulative Effects).

4.0 CUMULATIVE EFFECTS

The review needs to step back, take a wider view of the entire area of the interchange, and look at the effects of existing projects, the effects of current projects, and the effects of probable future projects in order to fully determine the potential cumulative environmental effects, particularly in relation to traffic and air quality. The first step in the environmental analysis is the parcel on which this project is proposed, but it is closely tied to the activities in the roads which bound the parcel to the north and west (Mother Lode Drive and South Shingle Springs), and to the two

adjacent interchanges, Mother Lode Drive/South Shingle Road and Durock Road/South Shingle Road. Then these two interchanges are affected by their proximity to U.S. Highway 50 and the related east and west bound on and off ramps. Widening the area again, one sees that the project's effects are related to the entire Highway 50 interchange complex. Widening the area further, the project's traffic impacts are related to the existing and future environmental area affected by the development which is taking place all around this Highway 50 interchange complex. Review of this project has found several related recent or ongoing project reviews. These include:

- The U. S. 50/Ponderosa Improvements project for which a Mitigated Negative Declaration has been prepared and which was heard by the Planning Commission July 10, 2001. The MND for this project states that it is included as a mitigation measure for the DR00-11 project.
- The ARCO am/pm project located immediately north of the interchange complex.
- Sierra Miwok Shingle Springs Rancheria's 380,000 plus square foot casino/hotel complex with 3,000 parking spaces.
- Zoning Boundary Amendment Z00-09, APN 070-270-02 and 03.
Letter 1/11/01 from James R. Kidder to EDC Planning Director. *"The rezoning of the Northeast corner of Ponderosa Rd. and North Shingle Rd. is a precursor of a major commercial development that would severely impact a[n] overburdened interchange. I hereby request that rezoning application be continued to allow an independent in depth traffic study performed."* Public Hearing was February 8, 2001. 12.08 acre parcel General Plan designated Commercial. Requested rezone from One-acre Residential (R1A) (3.06 acres) to Commercial (C) and (7.35 acres) General Commercial (CG).

The environment will be affected by the impacts from each of these projects. These projects need to be specifically addressed and included in the analysis in a manner which is understandable to the public. It is not sufficient to say that the Addendum to the Traffic Study looked at "to year 2015". A map showing all projects in the area would be very helpful to the discussion.

The signalization and related improvements of the South Shingle Road/U.S. 50 eastbound off ramp/Mother Lode Drive intersection was included in the proposed Circle K/76 project as a proposed mitigation measure, and the signalization is included as an assumption in the Traffic Study "Existing plus Project" Scenario, but the CEQA review of the signalization was apparently not included in this Public Hearing or in the Public Notices for this hearing. It was presented at a separate Public Hearing at a different date (July 10, 2001) and under a different project name.

Another project in the area, the Zoning Boundary Amendment #Z00-09 recommended permitting this rezone on the basis that there will be future studies including Design Review and a Community Design Review overlay. Staff Report (February 8, 2001) Page 3 Policy 3.2.1.3 Discussion states *"The additional discretionary review will include the requirement to provide such information as a Traffic Study, Cultural Resources Study, and a Botanical and Tree Canopy Survey. The Traffic Study will quantify the impacts on adjacent roadways and contain recommendations and/or mitigation measures to reduce the impacts through completion of specific road improvements. The Traffic Study will examine the existing conditions, project plus*

existing conditions, and the cumulative (build-out) conditions of the roads and intersections impacted by any project specific proposal."

Thus the development of the area is being divided into smaller actions, with study of impacts deferred to future studies, instead of providing the information at one time in a comprehensible form to perceive the whole picture, the cumulative impacts of the combined effect of all the proposed projects.

It is noted that although the proposed casino/hotel complex is on Reservation land and the review is being done by Federal Authorities, the County still has the authority to comment on the project in relation to its off-site impacts. The location of the proposed casino/hotel should be shown, and its impact on area traffic and air quality quantified and included in the cumulative impact analysis.

4.1 Cumulative Air Quality

The impacts associated with construction and operation should be analyzed prior to approval of the project. The EDC APCD has submitted substantial comment and requirements in relation to this project. As the APCD has clearly stated, the County is already non-attainment for ozone and PM10. Individual and cumulative impacts from the proposed project will add to this state of non-attainment, causing continuing and further violation of air quality standards.

5.0 OTHER ISSUES

5.1 Alternatives to the Proposed Project

The documents reviewed apparently lack a discussion of alternatives to the proposed project. There may be environmentally less impacting alternatives. The incremental traffic and air quality impacts may be reduced or non-existent if the project is replaced by an alternative. For example, since the traffic analysis indicates that the project will draw some clientele from existing services, and assumes only 275 new trips daily, an alternative that needs analysis might be to improve the existing services, with possible resultant savings in energy, reduced construction impacts, traffic flow and water usage.

5.2 The Proposed Negative Declaration May Need to be Circulated to the State Clearinghouse

There is no information in the documents reviewed indicating that the proposed MND was circulated through the State Clearinghouse. It is this reviewer's understanding based on experience and advice of counsel that this is appropriate when state agencies are involved (such as the California Air Resources Board and Caltrans). The County may wish to rectify this prior to approval of the project.

5.3 Recirculation May be Necessary Because of Incomplete Noticing

As discussed under Cumulative Impacts above, the signalization and related improvements of the South Shingle Road/U.S. 50 eastbound off ramp/Mother Lode Drive intersection were included in the proposed Circle K/76 project as a proposed mitigation measure, and the signalization is included as an assumption in the Traffic Study "Existing plus Project" Scenario. The environmental review of the signalization was presented at a separate Public Hearing at a different date (July 10, 2001) and under a different project name. Since this separate project is part of the present project, it should be described and analyzed as such.

5.4 Lot Line Adjustment

A proposed Negative Declaration dated 11/22/2000 and Environmental Checklist was prepared by staff. Project included "*a boundary line adjustment to increase the size of the property, and also includes the development of a reciprocal access easement onto South Shingle Road.*" The documentation reviewed does not indicate what action is being taken on the Lot Line Adjustment, the proposed sharing of the driveway with the adjacent auto dealership, or on the beer and wine sales license.

5.5 Lacks Signed Agreement

With reference to the June 14, 2001 Staff Report with attached Mitigated Negative Declaration, a blank Mitigation Measure Agreement is included in the file (as page 28 of the second Environmental Checklist) but there is no signed agreement to indicate that the applicant had agreed to the project modifications.

The "Mitigation Measures and Monitoring Table" included in the June 14 staff report is very incomplete compared to the conditions requested in the record by agencies, for example see Table 2, the conditions required by the APCD were not included. It would be beneficial to systematically compare the mitigation measures and conditions approved with those requested/recommended. Need to add all other mitigation measures/conditions, agencies and time frame.

There is no mention in the report of the "EDC Mitigation Monitoring program adopted in conjunction with the Negative Declaration".

5.6 Zoning Permit Required by Zoning Ordinance

The proposed project was apparently not processed as a Zoning Permit although this is required under Section 17.14.140 Zoning Permits Part A. While a service station is a use allowed by right in a Commercial (C) District, without special use permit or variance (Section 17.32.020. B.), it is subject to the provisions of Chapters 17.14., 17.16 and 17.18 (Section 17.32.010). Section 17.14 requires a Zoning permit for all buildings constructed within a C district

This issue was raised and discussed at the January 25, 2001 Public Hearing. According to the Minutes, Commissioner Larsen-Hallock said in looking at the Zoning Ordinance, Section 17.14.140 requires zoning permits for the R1, RM and C Zones. She wonders why this is not applicable on this project because the zoning permit more directly addresses the issue of the site.

Mr. Naurer said that is a good question. In the 15 years he has been with the County, they have never issued such a zoning permit. He does not know the reason why. He assumed the review that is done with building permit applications is considered the zoning permit. The Planning Department reviews and signs off on the building permit for conformance with the Zoning Ordinance.

According to the El Dorado County Zoning Ordinance dated October 2000, a service station is a use allowed by right in a Commercial (C) District, without special use permit or variance (Section 17.32.020. Uses Permitted by Right, B.)

However, Section 17.32 Part I, Commercial (C) Districts says in Section 17.32.010 that *"The regulations set forth in Sections 17.32.020 through 17.32.040 shall apply to all C districts (commercial districts) and shall be subject to the provisions of Chapters 17.14, 17.16 and 17.18"*.

Chapter 17.14 is Miscellaneous Development Requirements,
Chapter 17.16 is Signs and Chapter 17.18 is Off-Street Parking and Loading.

Section 17.14.140 Zoning Permits Part A specifies:

"Zoning permits shall be required for all buildings hereafter erected, constructed, altered or moved, and for the change of use of any land within any RI, RM or C district as established by this article."

Since the proposed project proposes to construct a 2,976 sq.ft. Mini-Mall building and a gas station building (3,999 sq.ft. canopy), and to change the use of the land from grass/weeds to a gas station, it would appear that a Zoning Permit is required for the proposed project.

5.7 Design Review: Solar Power

In view of the state-wide energy crisis and the Governor's plea for energy conservation, it would be appropriate for the design of this building to include solar power to off-set its electricity needs.

TABLE 2

Conditions Recommended by EDC APCD (6/30/00),
 El Dorado Irrigation District (5/4/00), EDC Dept. of Transportation (7/5/00)
 and in Traffic Study by Whitlock & Weinberger (9/14/2000)

Date	Agency	Condition
6/30/00	EDC Environmental Management Dept. EDC APCD	1. Project construction may involve grading and excavation operations which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. District Rule 223 addresses the regulation and mitigation measures for fugitive dust emissions - Rule 223 shall be adhered to during the construction process. In addition, a fugitive dust prevention and control plan shall be submitted to and approved by the District prior to beginning project construction.
		2. Project construction may involve road development which shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
		3. The proposed project shall comply with any applicable requirements of District Rule 502 General Conformity.
		4. Airborne toxic pollutants expected to be generated by the project must be identified. In addition, it must be determined if a project is to be located within 1,000 feet from the outer boundary of a schoolsite. Applicant will assist District in preparing a public notice in which the proposed project for which an application for a permit is made is fully described and complies to Health and Safety Code 42301.6
		5. The pollutant(s) and potential impacts on public health must be addressed. A health risk assessment shall be prepared when the project will emit toxic air contaminants.
		6. If present, what measures are being taken to determine the amount and or concentration of these potential toxic air pollutants drifting to residential areas, future residents, occupants of nearby school(s) and other facilities, and construction workers? What mitigating measures will take place when toxic air pollutants are found above acceptable limits?
		7. Burning of vegetative wastes that result from "Land Development Clearing" must be permitted through the District. Only vegetative waste materials may be disposed of using an open outdoor fire.
		8. If and when the District establishes an air pollution mitigation measure trust fund to provide assistance in mitigating measurements to reduce air pollution, the project applicant would contribute a pro-rata share to the air pollution mitigating

		measurement trust fund to help improve the air quality of the District.
		<p>9. Mitigation measures used to reduce these impacts on air quality should be implemented:</p> <p>Heavy Equipment and Mobile Source Mitigation Measures</p> <ul style="list-style-type: none"> • use low-emission on-site mobile construction equipment • Maintain equipment in tune per manufacturer specifications • Retard diesel engine injection timing by two to four degrees • Use electricity from power poles rather than temporary gasoline or diesel generators • Use reformulated low-emission diesel fuel • Use catalytic converters on gasoline-powered equipment • Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible • Measures to reduce fugitive dust emissions related to site preparation and construction processes • Do not leave inactive construction equipment idling for prolonged periods (i.e., more than two minutes). • Schedule construction activities and material hauls that affect traffic flow to off-peak hours. • Configure construction parking to minimize traffic interference • Develop a construction traffic management plan that includes, but is not limited to: Providing temporary traffic control during all phase of construction activities to improve traffic flow; Rerouting construction trucks off congested streets; and provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
		<p>10. Prior to construction / installation of point source emission units (i.e., gasoline station, generators, commercial water heaters, etc.), authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagram(s), proposed equipment specifications and emission factors.</p>
		<p>11. The project construction may involve the application of architectural coating which shall adhere to District Rule 215 Architectural Coatings.</p>

5/4/00	El Dorado Irrigation District	<p>Facility Improvement Letter.</p> <ol style="list-style-type: none"> 1. Design drawings ... must be in conformance with the District's <i>Water, Sewer and Recycled water Design and Construction Standards</i> dated July 1999. 2. 8-inch waterline extension to the site. 3. Sewer extension across Mother Lode Drive 4. A grinder or grinder pump must be installed onsite to grind the sewage prior to discharge to the gravity line. 5. Must be designed with a gravity bypass so the grinder/pump can be taken off-line when the District line is up sized. 6. Easement requirements., granted prior to District approval of water and/or sewer plans 7. The county's environmental document should include a review of both offsite and onsite water and sewer facilities that may be constructed by this project.
7/5/00	EDC Dept. of Transportation	<p>Standard Condition 1. The applicant shall comply with all County requirements related to the Department of Transportation including, but not limited to, "Design and Improvement Standards Manual, the Grading, Erosion and sediment Control Ordinance", the Drainage Manual", the "Off-Street Parking and Loading Ordinance", the State of California Handicapped Accessibility Standards, the County Traffic Mitigation Impact Fee Program and the State System Infrastructure Traffic Mitigation fee Program.</p>
		<p>Special Condition 1. The applicant shall provide a traffic report and approval by the Department of Transportation, prepared by a traffic engineer, identifying interim improvements, road widening and turn lanes, existing plus project traffic on/at South Shingle Road, South Shingle/Durock Intersection, South Shingle/Mother Lode intersection, Mother Lode Road, and the Highway 50 on-off-ramps, if needed. The applicant shall construct the improvements identified in the traffic study.</p>
		<p>Special Condition 2. The applicant shall be obligated for the ultimate half width roadway improvements for South Shingle Road and Mother Lode Rad adjacent to the project frontage generally conforming to Standard Plan 101A. Improvements include, but are not limited to, engineering design, land survey, plan preparation, construction management, roadway excavation/fill, asphalt pavement section, signing and striping, concrete curb, gutter and sidewalk, together with associated grading, drainage facilities and landscaping, all to the requirements of the Department of Transportation.</p> <p>At this time, the Department of transportation has determined that construction of the Above required improvement at the time of issuance of a building permit on the parcel is inappropriate. Therefor, the applicant shall submit a cash, in-lieu payment to the County at time of permit issuances for the curb, gutter and sidewalk portion of the frontage obligations along South Shingle Road and Mother Lode Road.</p>

		Special Condition 3. Install a fully functional multi-phase traffic signal at the intersection of Mother Lode Drive/South Shingle Road/Eastbound on- and off-ramp of Highway 50.
		Special Condition 4. The proposed driveway along South Shingle Road must line-up with Durock Road alignment.
Traffic Study	Whitlock & Weinberger, 9/14/2000	1. Use traffic impact fees or other available funding sources to signalize the intersection of North Shingle Road-Wild Chaparral Drive/Ponderosa Road to reduce delays during the morning peak period associated with school-related traffic. (EDC DOT 11/6/00 "Given the small impact this project is making to this intersection, I suggest this project not be required to signalize it. The Department should investigate moving this location up on its priority list.")
		2. Signalize Mother Lode Drive/South Shingle Road (EDC DOT 11/6/00 concurred - "This signal should be constructed in its ultimate location and size if possible.")
		2. Modify the left turn lane on Mother Lode Drive along the northerly side of the project site to provide a TWLT lane. (EDC DOT 11/6/00 concurred - "This should be a requirement of the project.")
		3. Widen Durock Road to provide a right turn lane onto South Shingle Road. (EDC DOT 11/6/00 concurred - "The project should be required to do this. I thought we had discussed the relocation of the driveway to straddle the property line between the gas station and the car dealership. If the driveway were relocated, then Durock Road would need to be realigned to the south to line up with the new driveway. If the driveway is not relocated, then we should require this project to enter into an agreement (or some other such device) requiring and allowing the car dealership to use this driveway as their only access to South Shingle Road.")
		4. Project should provide adequate right-of way along the north and west frontages to accommodate the anticipated future lane configuration. (EDC DOT 11/6/00 concurred - "Right of way must be provided for future roadway requirements - This project should be required to dedicate all of the future right of way. Unfortunately, I do not believe the future right of way needs have been identified.")
		5. Monument signs, equipment, and landscaping on the site should be placed so as not to interfere with driveway sight distances. (EDC DOT 11/6/00 concurred.)

Comments on General Plan Alternatives

By Chuck Bacchi
Bacchi Ranch
P.O. Box 479
Lotus, Ca 95651
530-626-4055

03 JUL 15 PM 12:03
RECEIVED
PLANNING DEPARTMENT

July 14, 2003

I've always believed that jobs are more important than housing. People have to make a living before they can buy or rent a dwelling. We also need jobs for our generations to come so they can also enjoy living in our County.

I have watched the rapid population growth in the El Dorado Hills area and know that growth there will continue regardless of what you do with the General Plan due to existing developer contracts.

I've looked at the Alternative General Plans and compared the growth of housing units and jobs and 20025 and at build out.

The best thing we could do is slow down the growth of urban type subdivisions, which bring people into our County who do not appreciate our rural heritage and refuse to accept the trade offs that must occur if one is to live in a rural area. These trade offs include greater travel time, less government services, less control over your neighbor's activities. People who accept these "negatives" fit better into our communities because everyone there basically values the same things. From my perspective, these also are the people most accepting of an agricultural enterprise next door.

For these reasons, I support the "No Project" Alternative because housing absorption is the slowest of all the alternatives while job growth is next to the highest of all alternatives.

The Six Lane Alternative to allow but restrict every parcel to four splits is a very fair proposal for the many landowners of the county who bought "splittable parcels" for investment or retirement purposes. As the No Project Alternative does, it also restricts urban type subdivisions which are detrimental to the rural character of our county.

However, when comparing the Agricultural policies of the General Plan Alternatives, the "No Project" Alternative spells out the County's commitment to agriculture in more specificity on issues that are most important to our business.

The Policies of the Environmental Constrained and the Six Lane Alternative are almost exactly alike in creating more roadblocks and disincentives for agricultural enterprises.

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You do not incent the Agricultural landowner by reducing the value of their land and attaching more conditions to the use of their land.

For Example, the Environmental Constrained Alternative and the Six Lane Alternative are anti property rights when it comes to the trails issue. Both Alternatives require linkages of existing or proposed trail systems as a condition of any requested discretionary development. For those of us in agricultural activities this would mean we would have to provide trail rights if we asked for a special use permit. This is totally unacceptable.

For these reasons, my family and I support the No Project Alternative



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Comments on General Plan EIR

By Chuck Bacchi, partner,
Bacchi Ranch
P.O. Box 479
Lotus, CA 95651
530-626-4055

03 JUL 15 PM 12:03
RECEIVED
PLANNING DEPARTMENT

July 14, 2003

I oppose the reasoning for, and implementation of, your Impact 5.2.2 which addresses the concern that ranch marketing programs may remove substantial areas of agricultural lands from production.

All your efforts focusing on "saving agricultural lands" will not be effective unless you "save agricultural enterprises". If agricultural activities are not economically viable, the lands that support agricultural activities will pass to weekend farmers or wealthy individuals whose desire for open space supercede their desire for a working landscape.

I do not think this result would be in keeping with the intent of conserving ag lands as the result would be in name only. This may satisfy bureaucratic definition but it will irrevocably harm the rural ambiance of this county, which, I believe, is one of the main concerns of all the people who live and have recently moved here.

In that light, I oppose your attempt to eliminate ag support uses by right. I support existing Policy 2.2.5.10 in its entirety. I support Policy 8.1.3.5 as it adequately addresses other uses which government has an obligation to review. In addition, I support Policies 8.2.4.2 and 8.2.4.3 which addresses visitor serving uses and the need for special use permits in those instances. These policies are necessary not only because they outline to those of us making our living from agriculture exactly what is allowed by right and what needs to go through the special use permit process, but details examples of the uses we can reasonably expect to receive approval to implement. If these uses are not down in black and white, then any proposed use has to start from square one, go through the whole process and suffer from the politics of the day. Farmers and ranchers generally cannot afford the time necessary to lobby every income producing proposal clear through the governmental process, especially since the income produced is generally too small to merit the time and expense necessary to meet your impact 5.2.2.

The Policies I support above were accepted after extensive input from agricultural representatives and other concerned people over a long period of time. Many of these issues have been discussed and decisions reached by the Agricultural Commission. To just eliminate this process and the Ag. Commission decisions which have left us all with guidelines on what is and is not acceptable, with little or no input from the people most affected, with little or no finding of abuse, with only a concern there may be a "possibility that substantial acreage of agricultural land could be removed from production." And then calling it a "significant" impact in need of mitigation, is too

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much. I disagree with this entire impact 5.2.2 and ask that you remove it and reinstate the Policies I support above in all the Plan alternatives.

There is no demonstration that the system is broke and that Impact 5.2.2 is needed.



243-2

07/15/03 14:39 FAX 7006782

PREVOST H L

03

Bass Lake Action Committee

1080 Jasmine Circle El Dorado Hills California 95762
Telephone 930-672-6836 • Email blacinfo@aol.com

July 15, 2003

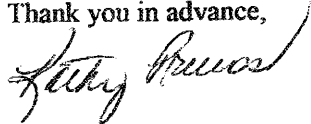
General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667

To Whom It May Concern:

Attached is a copy of a letter regarding the proposed Bass Lake Regional Park sent to Mr. Rusty Dupray, El Dorado County District 1 Supervisor by a group of concerned citizens. Since the General Plan as it is finally approved may have an affect on this project, we would like this letter to be part of the comment period for the EIR.

244-1

Thank you in advance,



Kathy Prevost, Chairman
Bass Lake Action Committee

03 JUL 15 PM 12:35

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PLANNING DEPARTMENT

May 1, 2003

Faxed: June 3, 2003
Hard copy to follow

Attn: Rusty Dupray
El Dorado County Supervisors
District 1
330 Fair Lane
Placerville, CA. 95667

Dear Supervisor Dupray,

As residents of El Dorado County in close proximity to the proposed Bass Lake Regional Park Improvement located on Bass Lake Road, we are extremely concerned about the traffic impact that this type and magnitude of an improvement will have on our community. We understand that this project has been being studied for some time but we are not sure that all of the residents of the housing developments (Woodridge, Bridlewood, Hills of El Dorado, etc.) directly being impacted by this proposed plan have had the opportunity to voice their opinions as other El Dorado County residents have. We are all fairly new to this community since this proposed project started.

Some of the local residents attended the recent Public Workshop held on April 17, 2003. The Department of Transportation was not in attendance. Very little information was available regarding the traffic impact of this proposed project. We would like to get information from the Department of Transportation regarding the issue of the potential increased traffic on this now two lane country road and what we as local residents can expect as traffic increases due to this proposed regional park.

Traffic is of great importance but noise, safety, lights and other annoyances are also of extreme concern. The fact that this park is being proposed as a Regional Park only magnifies the problems that potentially exist for the above mentioned issues to name a few.

Attached please find a partial listing of some of the concerned neighbors. Your attention to this matter is greatly appreciated. We are all available for further discussion. We are eager to listen but also want to be heard as the local residents who will have to deal with the daily event of having this park in our immediate neighborhood. We are aware of the meeting scheduled for June 4, 2003.

The following people can be used as points of contact to let others know about any workshops or meetings that are being arranged with the Department of Transportation.

Peggy and David Glazier
625 Pintail Court
El Dorado Hills, Ca. 95762
(530) 677-5371
email: glazierpj@sbcglobal.net

Kathy and Herb Prevost
1080 Jasmine Circle
El Dorado Hills, Ca. 95762
(530) 672-6836
email: hpj:p@aol.com

cc: Michael Gray, Manager of Airports, Parks and Grounds El Dorado County
Gary Hyden, Parks Projects Coordinator

244-2

**Effect of Development on Wildlife Corridors in El Dorado County
Wildlife Habitat and Corridors.**

15 July 2003

El Dorado County Planning Department
2850 Fair Lane Ct.
Placerville, CA 95667

03 JUL 15 PM 2:53
RECEIVED
PLANNING DEPARTMENT

Re: El Dorado County General Plan Draft EIR Comments, Student Wildlife Camera Monitoring Project, Oak Ridge High School.

To: El Dorado County Planning Commission

By Deanna Dalton, Oak Ridge High School student.

Introduction

Isolated islands of wildlife habitat are often not large enough to provide sufficient diversity, food sources, space, etc. for species to flourish. First envisioned in the 1960s by Harvard biologist E. O. Wilson, wildlife corridors are passages of habitat that allow animals to migrate between separated habitats, as well as to facilitate plant pollination and seed dispersal. At their largest, corridors may be many miles wide; at their smallest, they may be only a few hundred feet across. Corridors benefit a wide variety of species: a 1998 review in Conservation Biology analyzed thirty-two studies and found that many types of animals, from bears to birds and butterflies, can benefit from wildlife corridors (www.enn.com/news/enn-stories/2001/10/10192001/s_45299.asp). Corridors are crucial to species' survival because they maintain biodiversity by connecting fragmented habitat, allowing populations to interbreed (maintaining more genetic diversity over time), and provide a broader range of shelter and food sources.

Despite the ecological importance of wildlife corridors, the Nature Conservancy, the U.S. Geological Survey, and the California Department of Parks and Recreation claim that human development threatens 59 percent of wildlife corridors in California, often because we frequently do not know exactly where the corridors are located (www.safnet.org/archive/california1001.htm).

Monitoring El Dorado County Wildlife Corridors.

In western El Dorado County, two wildlife corridors were identified as linking the northern and southern oak woodlands habitats of the county (Greenwood and Saving). The western-most corridor is a grassland corridor connecting the southern oak woodlands in the Latrobe area with northern oak woodlands of El Dorado Hills. This corridor has disappeared as the Serrano development expands eastward to the Bass Lake area. The other identified wildlife corridor occurs between Greenstone Road and Shingle Springs Drive. It is in danger of being compromised, if development in the corridor continues. In the Summer of 2002, Ray Griffiths, an ecologist with the Center for Sierra Nevada Conservation, secured a grant from the Tides

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Foundation Grassroots Fund to monitor wildlife using this corridor. He purchased several heat/motion triggered wildlife cameras to monitor animals using the corridor. Stan Iverson, an AP Environmental Science teacher at Oak Ridge High School, enlisted four Environmental Science students (Greg Allen, Brian Nelson, Sarah Ziaja, and DeAnna Dalton) to monitor the cameras and assist with the project. In October 2002, four cameras were mounted on eight foot poles on each side of the underpasses at Shingle Springs Drive and Greenstone Road. They remained in place from November through mid-December but no wildlife photos were obtained, due, in part, to technical problems, and vandalism (theft of two cameras). There were plaster casts made of various roadside animal tracks, including fox, raccoon, deer, opossum, and some type of cat.

When the site was initially surveyed in September, well defined dusty paths leading to the underpasses indicated that wildlife were actively crossing U.S. 50. After going through the process of obtaining permission from CALTRANS, California Highway Patrol, El Dorado Sheriffs Dept., etc, the cameras were mounted on poles on either side of the underpasses. Shortly afterward, the first fall rains occurred. Subsequently, wildlife use of the formerly dusty paths almost completely ceased. Examination through the balance of the Winter and Spring revealed very limited used of the paths by wildlife.

In attempting to understand this abrupt change, it was noticed that in this region, the drainage pattern is from South to North, and several streams pass under U.S. 50. It is hypothesized that the upper reaches of the streams dry by late Summer, leaving animals without a water source. The animals then cross U.S. 50 on evenings to reach the lower reaches of the streams to obtain water. After Fall rains occurred, the animals cease the dangerous crossing of U.S. 50, as water is again available in the upper reaches of the streams.

When the cameras were first put up, many passers-by were suspicious of their purpose, even putting masking tape over the lens to keep them from taking pictures. Many suspected that the cameras were being used by the government to monitor the public after 9-11 or to catch traffic violators. Two articles in The Mountain Democrat, as well as a Channel 10 news report, attempted to explain that these cameras were part of a high school science project. These stories helped allay public suspicions, and questions about the cameras dropped off. During the project however, two of the cameras were stolen before they were removed from these locations. Because of the difficulties, the cameras were moved to new locations alongside the old railroad right-of-way running parallel to U.S. 50 and east of Shingle Springs Drive. Three cameras were placed at different locations along the railroad, one near Buckeye School, and two others about a mile to the east. Open cans of cat food were placed on strings in the line of sight of the cameras. When animals came close enough at night to sniff or eat the cat food, the camera took a picture. This technique was much more successful. Because the cameras were closer to the shoulder level of the animals (as was recommended), it was much easier to aim and insure that they would take a picture of the animal. The food and the remote, safer locations, attracted a number of animals for photos. In a few weeks fifty-six pictures of various wildlife were obtained. Most were of raccoons and opossums, but several pictures of coyotes and one each of a rabbit and a skunk were obtained. Interestingly, the camera nearest to Buckeye School also took a picture of a large cat that Fish and Game identified as an African Serval, probably kept as an illegal pet which later escaped or was released. Unfortunately, that camera was stolen, and shortly after that we removed the remaining two cameras.

Based on plaster casts and animal photographs, a variety of wildlife were documented in

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the corridor area, but, solid evidence of their crossing Highway 50 was not obtained. However, since the underpasses provide two of the very few safe access routes between areas north and south of U.S. 50, it is likely they receive at least occasional use. Trying to further document wildlife in the corridor, attempts were also made to find data on the number, species, and location of roadkilled animals on Highway 50. So far the efforts have not met with success, due to the reluctance of government agencies to release the information on roadkilled animals.

Conclusions of the Wildlife Monitoring Project

In the interest of the future wildlife in the County, we feel it is important to take steps to protect the existing wildlife corridor while it is still intact. General Plan Alternative #3, the "Environmentally Constrained Plan," identifies and protects "important biological corridors." while still allowing unrestricted growth along Highway 50. Whichever alternative of the General Plan is adopted, it still must address how these corridors will be protected to allow wildlife migrating between the now fragmented habitats of the oak woodlands found in Western El Dorado County. Alternative #3 does not excessively restrict development because additional development is permitted in areas outside the wildlife corridor.

Another threat to the corridor that we identified is the proposed construction of a casino by the Shingle Springs Drive underpass and the nearby Native American reservation. Not only would the casino itself disturb the corridor, but the proposed highway off ramp and hotels adjacent to the underpass would block animal movement.

Suggested Mitigation Measures

As landowners decide to develop their properties within the corridor, building techniques are available that would reduce the impact of homes built within the corridor to the greatest extent possible. "Clustering," or building the same number of houses close together, reduces barriers and disruptions of wildlife habitat, (due to dogs, cats, etc.) and would reduce the total area affected. Permeable fences, such as barbed wire or rail fences that allow wildlife to move under, over, or through them, interfere with the corridor to a much lesser extent than solid or chain link fences. Other human activities in the corridor can affect the value of wildlife habitat. Pesticide use can cause a decline in insect pollinators of plants and injure predators of insect pests. Runoff can carry pesticides, herbicides, sediment and nutrients into streams, affecting water quality and aquatic wildlife. Roads are among the worst impacts due to the extensive clearing, grading, scraping and spraying that occur along them.

There are however, a variety of methods by which wildlife habitat can be enhanced, and impacts reduced. Wildlife need cover to hide in, food to eat, and access to water. Perhaps the most important single action the County could do would be to map the corridor for the biological resources portion of the Environmental Impact Report. The general location of the corridor was identified by Greenwood and Saving. Where animals actually move is related to which parcels within the corridor are occupied (identified from parcel maps with assessed value due to improvements.), riparian corridors (areas of vegetation adjacent to stream courses), non-jurisdictional lands (Bureau of Land Management or other state or federal lands that will remain as open space), and presence of tree canopy (identified from aerial photos). Grazing lands that are maintained with some natural cover continue to provide habitat, but intensively managed

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lands such as vineyards with tall fences are of extremely limited value.

Future discretionary projects located within the corridor could be mitigated by providing for wildlife movement by:

- 1) Clustering residential projects,
- 2) Requiring permeable fencing,
- 3) Providing for wildlife movement between riparian areas, between areas of intact oak woodlands and across roads by providing cover.
- 4) Planting rows or corridors of native shrubs and trees for wildlife movement.

Specifically, wildlife need the cover of various native trees and shrubs to hide from domestic animals (cats and dogs), to move from existing patches of wildlife habitat and to water sources. Plantings on roadsides leading to the two underpasses crossing U.S. 50 (South Shingle Drive and Greenstone Road) would also help reduce the impacts of further fragmentation caused by development. A brochure could be provided to real estate agents, home builders, special districts (such as road maintenance associations), the Ag Commission, UC Extension and home owners in identified wildlife corridors. The brochure could show the location of the wildlife corridor, and explain how impacts to wildlife can be minimized. A list of native plant species appropriate for use in the Sierra foothills is attached. CALTRANS, and El Dorado County Department of Transportation, and the Miwok tribe Rancheria should be provided with wildlife corridor mapping and methods of reducing impacts to wildlife for projects they are considering within the identified corridors.

Future Plans

Next year, Sarah and I plan to continue this study, and, possibly further surveys on the rare plant preserves around Pine Hill. We hope to gain further information on wildlife use of the corridor and gather more evidence of its use. Further study may provide more information on how to best protect El Dorado County's wildlife and their habitat. Information we have gathered relevant to the wildlife corridor will be provided to the El Dorado County Planning Department to help with mapping and mitigation of impacts.



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plant list for County planning as of 4/20/01

Combination Plant List, proposed recommendations for the County--- John Kipping's hortlist; and Native Plants for Landscaping by Joanne Gegghat. Other contributions by Judy Johnson, Ray Griffith, Annie Walker and Karla.

Acer glabrum, mtn. maple
Acer circinatum, vine maple
Acer macrophyllum, bigleaf maple
Achillea millefolium, cultivars
Achillea millefolium, native yarrow
Adiantum pendatum, maidenhair fern
Adiantum jordani, maidenhair fern
Aesculus californica, California buckeye
Agave shawii, century plant
Allium dichlamydeum, wild onion
Allium validum, swamp onion
Alnus rhombifolia, white alder
Anemopsis californica, yerba mansa,
Apocyanum cannabinum, Indian hemp
Apocynum sp., small dogbane
Aquilegia formosa, columbine,
Arabis blepharophylla, rock cress
Aralia californica, elk-clover,
Arbutus menziesii, madrone
Arctostaphylos spp. manzanita, *A. imbricata*, *A. pajaroensis*, *A. arctostaphylos*, *A. parryii*
Arctostaphylos spp. manzanita, *A. uva-ursi*,
Arctostaphylos cultivars
Aristolochia californica, dutchman's pipevine,
Artemisia douglasiana
Asarum caudatum, wild ginger,
Asarum hartwegii, hartweg's wild ginger
Asclepias sp., various milkweeds
Asclepias cordifolia, milkweed
Asclepias speciosa, milkweed, (monarch butterflies)
Aurelia californica, elk clover
Baccharis pilularis ssp. *consanguinea*, coyote bush,
Balsamorhiza deltoidea, balsam root,
Berberis aquilifolium v. *dictyota*, oregon grape
Berberis pinnata, wild barberry,
Calocedrus decurrens
Calochortus albus, fairy lantern
Calycanthus occidentalis, spicebush,
Carex brainardii
Carex spp. (many native sedges)
Carpenteria californica, carpenteria
Ceanothus lemmonii, *C. griseus*, *C.* cv. 'dark star', *C. thyrsiflorus*,
Ceanothus 'Joyce Coulter'; *C.* 'Julia Phelps'; *C.* 'Owlswood blue';
Ceanothus cv. 'blue jeans'
Ceanothus cv. 'Ray Hartman';
Cercis occidentalis, western redbud,
Chlorogalum pomeridianum
Cirsium andersonii
Cirsium occidentale, sierra thistle
Cirsium sp. (native)
Clarkia amoena, clarkia
Clarkia spp., godetia,

plant list for County planning as of 4/20/01

Clarkia rubicunda,
 Clarkia elegans,
 Clarkia unguiculata, elegant clarkia
 Clarkia biloba
 Clematis lasianthus wild clematis; or virgin's bower
 Cornus stolonifera, dogwood,
 Cornus nuttallii, dogwood
 Corylus cornuta, California hazelnut,
 Cupressus macrocarpa, Monterey cypress,
 Cynoglossum grande, western hound's tongue
 Danthonia californica, California oat grass
 Dendromecon rigida, tree poppy,
 Dicentra chrysantha, golden eardrops,
 Dicentra formosa, bleeding hearts
 Dichelostema spp. brodiaea pulchella and B. laxa,
 Dichelostemas various species (include Tritelias)
 Disporum hookeri, fairy bells,
 Dryopteris sp., wood fern,
 Dudleya crassifolia, rock lettuce
 Dudleya cymosa, liveforever,
 Eleocharis sp., spikerush
 Epilobium californica, California fuschia, (Zauschneria californica)
 Equisetum sp. scouring rush
 Erigeron glaucus, seaside daisy,
 Eriogonum fasciculatum, buckwheats,
 Eriophyllum lanatum var. grandiflorum, woolly-daisy,
 Erysimum francisanum, wallflowers and E.concinnum (what is that?)
 Eschscholzia californica, California poppy,
 Festuca californica, California fescue grass,
 Frageria spp. wild strawberries
 Fraxinus dipetala, ash tree
 Fremontodendron californicum, flannel bush,
 Fremontodendron californicum "Pacific Sunset"
 Galvesia speciosus, island snagdragon,
 Garrya elliptica, silk-tassel bush, cultivars, 'James Roof' & 'Evie'
 Garrya fremontii, silk-tassel bush,
 Gnaphalium canescens ssp. beneolens, fragrant cudweed
 Grindelia sp. gum plant,
 Helenanthea californica var. nevadensis, California sunflower
 Heracleum lanatum, cow-parsnip,
 Heteromeles arbutifolia, toyon
 Heuchera micranthera, coral bells (Alum root),
 Horkelia sp.
 Iris douglasiana, (I. innominata, I. tenax, I. hartwegii), wild iris
 Isomeris arborea, western bladder pod
 Keckelia breviflorus, bush penstemon
 Keckelia lemmonii, Lemmon's bush penstemon
 Lepechinia calycina, Pitcher sage,
 Lewisia rediviva, bitterroot,
 Lewisia cotyledon, L. howellii, other bitterroots
 Dicentra formosa, bleeding-heart;
 Linum sp.
 Lonicera hispidula, hairy honeysuckle
 Lonicera interrupta, chaparral honeysuckle
 Lupinus spp., Lupines,
 Lupinus albifrons and L. arboreus, lupines

plant list for County planning as of 4/20/01

Melica californica
Mimulus guttatus, *M. cardinalis*, Monkey flower, *Mimulus guttatus*; *M. cardinalis*
Mimulus puniceus, Red monkey flower, *Mimulus puniceus*
Mimulus aurantiacus, *M. bifidus*.
Mimulus guttatus, seep srping monkeyflower,
Monardella odoratissima, pennyroyal
Monardella villosa, coyote mint,
Monardella lanceolata, coyote mint
Muhlenbergia rigens, deergrass,
Nasella cernua, needlegrass
Nasella pulchra, needlegrass
Nemophila menziesii, baby blue eyes
Nemophila maculata, fivespot
Nolina parryi, nolina
Oenothera hookeri, evening-primrose,
Pellaea brewerii, coffee fern (rubber fern)
Pellaea mucronata, birdfoot fern,
Peltiphyllum peltatum, Indian rhubarb, (*Darmera* now)
Penstemon heterophyllus, *P. newberryi*, Mtn. pride
Armeria maritima, Sea-Pink,
Pentagramma triangularis, goldback fern,
Phacelia sp.
Philadelphus lewisii, Mock orange,
Pinus ponderosa, pine
Pinus sabiniana, foothill pine
Platanus racemosa, sycamore
Platystemon sp., frying pan poppy
Poa secunda, pine bluegrass
Polypodium californicum, california polypody (licorice fern)
Polystichum minutum, western sword fern
Populus tremuloides, quaking aspen
Potentilla glandulosa, cinquefoil
Prunus lyonii, Catalina cherry,
Prunus virginiana, chokecherry
Pseudotsuga menziesii, doug fir
Ptelea crenulatum, hop tree
Quercus chrysolepis, canyon live oak
Quercus kelloggii, black oak
Quercus garryana, garry or oregon oak
Quercus douglasii, blue oak
Quercus durata, leather oak
Quercus wislizenii, interior live oak
Ranunculus occidentalis, *R. californicus*, buttercups
Rhamnus californica, coffeeberry, "Seaview"
Rhamnus crocea, redberry
Rhamnus californica, coffeeberry 'Eve Case'
Rhamnus illicifolia, hollyleaf redberry
Rhamnus tomentella, coffeeberry
Rhododendron occidentale, azalea,
Rhododendron macrophyllum, California rosebay,
Rhus trilobata, lemonade berry
Ribes malvaceum; Gooseberry,
Ribes glutinosum
Ribes spp. red-flowering currant
Ribes speciosa,
Ribes viburnifolium

plant list for County planning as of 4/20/01

Ribes spp., Currants & Gooseberries
Ribes aurum, *R. speciosum*, *R. sanguinum*,
Ribes sp., chaparral currant
Romneya coulteri, matilija poppy,
Rosa californica var. *ultramontanum*, wild rose,
Rosa spithamea, dwarf wildrose
Rubus parviflora, western thimbleberry, *Allium dichlamydeum*, wild onion
Rubus ursinus, native california blackberry
Rupertia spp. (was *Hoita*), scurf pea
Salvia sonomensis, sonoma sage, 'Dara's Choice'
Salvia greggii, red flowered sage
Salvia clevelandii, cleveland Sage,
Salvia leucophylla, whiteleaf sage
Salvia spathacea, red pitcher sage
Salvia leucophylla, sage
Sambucus mexicana, blue elderberry,
Satureja douglasii, yerba buena
Sedum spathulifolium, stonecrop,
Sequoiadendron giganteum
Sidalcea sp. wild hollyhock or checkermallow
Silene californica, Indian pink,
Sisyrinchium bellum, blue-eyed grass,
Solanum umbellatum, native nightshade,
Solanum sp. (native)
Solidago californica, goldenrod,
Styrax officinalis, styrax
Swertia albicaulis, green gentian
Symphoricarpos rivularis, snowberry,
Taxus brevifolia, pacific yew
Torreya californica, California nutmeg,
Trillium chloropetalum, wake robin
Trillium grandiflorum?, wake robin
Trillium ovatum, wakerobins,
Umbellaria californica
Vaccinium ovatum, huckleberry
Verbena lilacina, lilac verbena,
Vitis californica, wild grape,
Woodwardia fimbriata, giant chain fern
Woodwardia fimbriata, Giant chain fern,
Wyethia bolanderi; *W. angustifolia*; *W. helenoides*;
Wyethia spp. El Dorado mule-ears, *W. reticulata*; Bolander's mule-ears,
Yucca whipplei, *Yucca*,
Zigadenus elegantus (spelling?)
Zigadenus fremontii var. *elliptica*, death camas,

Combination Plant List, proposed recommendations for the County--- John Kipping's hortlist;
and Native Plants for Landscaping by Joanne Gegghat. Other contributions by Judy Johnson,
Ray Griffiths, Annie Walker and Karla.

Acer glabrum, mtn. maple
Acer circinatum, vine maple
Acer macrophyllum, bigleaf maple
Achillea millefolium, cultivars
Achillea millefolium, native yarrow
Adiantum pendatum, maidenhair fern
Adiantum jordani, maidenhair fern
Aesculus californica, California buckeye
Agave shawii, century plant
Allium dichlamydeum, wild onion
Allium validum, swamp onion
Alnus rhombifolia, white alder
Anemopsis californica, yerba mansa,
Apocyanum cannabinum, Indian hemp
Apocynum sp., small dogbane
Aquilegia formosa, columbine,
Arabis blepharophylla, rock cress
Aralia californica, elk-clover,
Arbutus menziesii, madrone
Arctostaphylos spp. manzanita, *A. imbricata*, *A. pajaroensis*, *A. arctostaphylos*, *A. parryii*
Arctostaphylos spp. manzanita, *A. uva-ursi*,
Arctostaphylos cultivars
Aristolochia californica, dutchman's pipevine,
Artemisia douglasiana
Asarum caudatum, wild ginger,
Asarum hartwegii, hartweg's wild ginger
Asclepias sp., various milkweeds
Asclepias cordifolia, milkweed
Asclepias speciosa, milkweed, (monarch butterflies)
Aurelia californica, elk clover
Baccharis pilularis ssp. *consanguinea*, coyote bush,
Balsamorhiza deltoidea, balsam root,
Berberis aquilifolium v. *dictyota*, oregon grape
Berberis pinnata, wild barberry,
Calocedrus decurrens
Calochortus albus, fairy lantern
Calycanthus occidentalis, spicebush,
Carex brainardii
Carex spp. (many native sedges)
Carpenteria californica, carpenteria
Ceanothus lemmonii, *C. griseus*, *C. cv. 'dark star'*, *C. thyrsiflorus*,
Ceanothus 'Joyce Coulter'; *C. 'Julia Phelps'*; *C. 'Owlswood blue'*;
Ceanothus cv. 'blue jeans'
Ceanothus cv. 'Ray Hartman';
Cercis occidentalis, western redbud,
Chlorogalum pomeridianum
Cirsium andersonii
Cirsium occidentale, sierra thistle

Quercus lobata
Ceanothus cuneatus
Aesculus californica
Umbellularia californica
Cercis occidentalis
Heteromeles arbutifolia
Styrax officinalis
Baccharis pilularis
Fremontia californica

Herbaceous Plants

Nasella pulchra
Elymus glaucus
Melica californica
Calochortus sp.
Brodiaea, Tritelia, Dichlostemma sp.
Lupinus sp.
Eschscholtzia californica
Salvia sonomensis
Solidago occidentalis
Chlorogalum pomeridianum
Wyethia mollis
Achillea millefolia

B. Mid-bank Woody Plants

Quercus lobata
Juglans californica
Rosa californica
Vitis californica
Symphoricarpos albus
Calycanthus occidentalis
Sambucus mexicanus
Aristolochia californica
Clematis ligusticifolia

Herbaceous Plants

Hordeum brachyanthrum
Melica californica
Deschampsia cespitosa
Danthonia californica
Elymus triticoides
Carex feta
Aster chilensis

C. Lower-bank

Woody Plants

Alnus rhombifolia

Valley Oak
Buckbrush
Buckeye
Calif. Bay
Calif. Redbud
Toyon
Snowdrop bush
Coyote brush
Flannelbush

Purple needle grass
Blue Wildrye
Calif. Melic
Mariposa Lily
Brodieas
Lupines
Calif. Poppy
Creeping sage
Western Goldenrod
Soaproot
Mules ears
Yarrow

Valley Oak
Calif. Black Walnut
Calif. Rose
Calif. Grape
Snowberry
Spicebush
Blue Elderberry
Dutchmans Pipevine
Virgin's Bower

Meadow barley
Calif. Melic
Hairgrass
California oatgrass
Creeping Wildrye
Green-sheath sedge
Purple Aster

White Alder

Populus fremontii
Fraxinus dipetala
Acer negundo
Salix lasiolepis
Sambucus mexicana
Symphoricarpos albus
Rosa californica
Vitis californica
Lonicera hispidula

Herbaceous Plants

Muhlenbergia rigens
Elymus triticoides
Festuca rubens
Deschampsia cespitosa
Danthonia californica
Carex feta
Carex barbarae
Carex pachystacha
Carex praegracilis
Juncus balticus
Juncus xiphioides
Asclepias sp.
Sisyrinchium bellum
Zauschneria californica

D. Channel Bottom

Woody Plant

Salix gooddingii, exigua, laevigata
Alnus rhombifolia
Cephalanthus occidentalis var. californica

Herbaceous Plant

Carex and Juncus
Equisetum arvense
Eleocharis macrostachya
Eleocharis acicularis
Elymus triticoides
Leersia oryzoides
Paspalum distichum
Pleuropogon davyi

Fremonts Cottonwood
Foothill Ash
Box Elder
Arroyo Willow
Blue elderberry
Snowberry
Calif. Rose
Calif. Grape
Honeysuckle

Deergrass
Creeping wildrye
Red Fescue
Calif. Hairgrass
Calif. Oatgrass
Green-sheath sedge
Santa Barbara sedge
Thick-headed sedge
Clustered Field sedge
Baltic Rush
Iris-leaved Rush
Milkweed
Blue-eyed-grass
Calif. Fuschia

Gooddings, Sandbar, Red Willows
White Alder
Calif. Buttonwillow

Sedges and Rushes
Scouring Rush
Sand Spikerush
Least Spikerush
Creeping Wildrye
Rice Cut-grass
Joint Paspalum
Davy's Pleuropogon

Suggested plant list for low elevation landscaping.

Street Tree List

<u>Botanical Name</u>	<u>Common Name</u>
Acer buergeranum	Trident Maple
Acer circinatum	Vine Maple
Acer platanoides	Norway Maple or Crimson King
Aesculus californica	California Buckeye
Alnus rhombifolia	White Alder, Italian Alder
Arbutus unedo	Strawberry Tree
Calocedrus decurrens	Incense Cedar
Celtis sinensis	Chinese Hackberry
Cercis occidentalis	Western Redbud
Cornus sp.	Western Dogwood, Red Twig Dogwood
Gleditsia sp.	Honey Locust (Shademaster)
Ginkgo biloba	Maidenhair
Koelreuteria bipinnata	Chinese Flame Tree
Liriodendron tulipifera	Tulip Tree
Liquidambar styraciflua	Sweetgum
Lagerstroemia indica	"Majestic Orchid" Crape Myrtle
Platanus acerifolia	London Plane, Sycamore
Magnolia Soulangeana	Saucer Magnolia
Malus sp.	Crabapple
Olea Europea	European Olive, Susan Hill (fruitless)
Pinus sp.	Pines -- Ponderosa, Aleppo, Coulter, Italian Stone
Pistacia chinensis	Chinese Pistache
Platanus racemosa	California Sycamore
Populus Fremonti	Western Cottonwood (male trees only)
Prunus sp.	Catalina Cherry, Krautner Vesuvius, Caroliniana, Japanese Flowering Plum "Dawn"
Pyrus sp.	Kawakami, Bradford
Quercus sp.	Oaks -- Valley, Cork, Blue, Red, Interior Live, Canyon Live, Holly
Robinia ambigua	Purple Robe Locust
Salix sp.	Arroyo, Red, Yellow, Gooddings (riparian area only)
Ulmus parvifolia	Evergreen Elm
Umbellularia californica	California Bay

Native Plant List for Upland and Riparian Revegetation

Botanical Name Common Name

Woody Plants A. Upland (Top of Bank)

Arctostaphylos viscida	White leaf Manzanita
Arctostaphylos manzanita	Manzanita
Quercus wislizenii	Interior Live Oak

Cirsium sp. (native)
 Clarkia amoena, clarkia
 Clarkia spp., godetia,
 Clarkia rubicunda,
 Clarkia elegans,
 Clarkia unguiculata, elegant clarkia
 Clarkia biloba
 Clematis lasianthus wild clematis; or virgin's bower
 Cornus stolonifera, dogwood,
 Cornus nuttallii, dogwood
 Corylus cornuta, California hazelnut,
 Cupressus macrocarpa, Monterey cypress,
 Cynoglossum grande, western hound's tongue
 Danthonia californica, California oat grass
 Dendromecon rigida, tree poppy,
 Dicentra chrysantha, golden eardrops,
 Dicentra formosa, bleeding hearts
 Dichelostema spp. brodiaea pulchella and B. laxa,
 Dichelostemas various species (include Triteleias)
 Disporum hookeri, fairy bells,
 Dryopteris sp., wood fern,
 Dudleya crassifolia, rock lettuce
 Dudleya cymosa, liveforever,
 Eleocharis sp., spikerush
 Epilobium californica, California fuschia, (Zauschneria californica)
 Equisetum sp. scouring rush
 Erigeron glaucus, seaside daisy,
 Eriogonum fasciculatum, buckwheats,
 Eriophyllum lanatum var. grandiflorum, woolly-daisy,
 Erysimum francisanum, wallflowers and E.concinnum (what is that?)
 Eschscholzia californica, California poppy,
 Festuca californica, California fescue grass,
 Frageria spp. wild strawberries
 Fraxinus dipetala, ash tree
 Fremontodendron californicum, flannel bush,
 Fremontodendron californicum "Pacific Sunset"
 Galvesia speciosus, island snagdragon,
 Garrya elliptica, silk-tassel bush, cultivars, 'James Roof' & 'Evie'
 Garrya fremontii, silk-tassel bush,
 Gnaphalium canescens ssp. beneolens, fragrant cudweed
 Grindelia sp. gum plant,
 Helenanthenella californica var. nevadensis, California sunflower
 Heracleum lanatum, cow-parsnip,
 Heteromeles arbutifolia, toyon
 Heuchera micranthera, coral bells (Alum root),
 Horkelia sp.
 Iris douglasiana, (I. innominata, I. tenax, I. hartwegii), wild iris
 Isomeris arborea, western bladder pod
 Keckelia breviflorus, bush penstemon
 Keckelia lemmonii, Lemmon's bush penstemon
 Lepechinia calycina, Pitcher sage,
 Lewisia rediviva, bitterroot,

Lewisia cotyledon, L. howellii, other bitterroots
 Dicentra formosa, bleeding-heart;
 Linum sp.
 Lonicera hispidula, hairy honeysuckle
 Lonicera interupta, chaparral honeysuckle
 Lupinus spp., Lupines,
 Lupinus albifrons and L. arboreus, lupines
 Melica californica
 Mimulus guttatus, M. cardinalis, Monkey flower, Mimulus guttatus; M. cardinalis
 Mimulus puniceus, Red monkey flower, Mimulus puniceus
 Mimulus aurantiacus, M. bifidus.
 Mimulus guttatus, seep srping monkeyflower,
 Monardella odoratissima, pennyroyal
 Monardella villosa, coyote mint,
 Monardella lanceolata, coyote mint
 Muhlenbergia rigens, deergrass,
 Nasella cernua, needlegrass
 Nasella pulchra, needlegrass
 Nemophila menziesii, baby blue eyes
 Nemophila maculata, fivespot
 Nolina parryi, nolina
 Oenothera hookeri, evening-primrose,
 Pellaea brewerii, coffee fern (rubber fern)
 Pellaea mucronata, birdfoot fern,
 Peltiphyllum peltatum, Indian rhubarb, (Darmaera now)
 Penstemon heterophyllus, P. newberryi, Mtn. pride
 Armeria maritima, Sea-Pink,
 Pentagramma triangularis, goldback fern,
 Phacelia sp.
 Philadelphus lewisii, Mock orange,
 Pinus ponderosa, pine
 Pinus sabiniana, foothill pine
 Platanus racemosa, sycamore
 Platystemon sp., frying pan poppy
 Poa secunda, pine bluegrass
 Polypodium californicum, california polypody (licorice fern)
 Polystichum minutum, western sword fern
 Populus tremuloides, quaking aspen
 Potentilla glandulosa, cinquefoil
 Prunus lyonii, Catalina cherry,
 Prunus virginiana, chokecherry
 Pseudotsuga menziesii, doug fir
 Ptelea crenulatum, hop tree
 Quercus chrysolepis, canyon live oak
 Quercus kelloggii, black oak
 Quercus garryana, garry or oregon oak
 Quercus douglasii, blue oak
 Quercus durata, leather oak
 Quercus wislizenii, interior live oak
 Ranunculus occidentalis, R. californicus, buttercups
 Rhamnus californica, coffeeberry, "Seaview"
 Rhamnus crocea, redberry
 Rhamnus californica, coffeeberry 'Eve Case'
 Rhamnus illicifolia, hollyleaf redberry

Rhamnus tomentella, coffeeberry
Rhododendron occidentale, azalea,
Rhododendron macrophyllum, California rosebay,
Rhus trilobata, lemonade berry
Ribes malvaceum; Gooseberry,
Ribes glutinosum
Ribes spp. red-flowering currant
Ribes speciosa,
Ribes viburnifolium
Ribes spp., Currants & Gooseberries
Ribes aurum, *R. speciosum*, *R. sanguinum*,
Ribes sp., chaparral currant
Romneya coulteri, matilija poppy,
Rosa californica var. *ultramontanum*, wild rose,
Rosa spithamea, dwarf wildrose
Rubus parviflora, western thimbleberry, *Allium dichlamydeum*, wild onion
Rubus ursinus, native california blackberry
Rupertia spp. (was *Hoita*), scurf pea
Salvia sonomensis, sonoma sage, 'Dara's Choice'
Salvia greggii, red flowered sage
Salvia clevelandii, cleveland Sage,
Salvia leucophylla, whiteleaf sage
Salvia spathacea, red pitcher sage
Salvia leucophylla, sage
Sambucus mexicana, blue elderberry,
Satureja douglasii, yerba buena
Sedum spathulifolium, stonecrop,
Sequoiadendron giganteum
Sidalcea sp. wild hollyhock or checkermallow
Silene californica, Indian pink,
Sisyrinchium bellum, blue-eyed grass,
Solanum umbellatum, native nightshade,
Solanum sp. (native)
Solidago californica, goldenrod,
Styrax officinalis, styrax
Swertia albicaulis, green gentian
Symphoricarpos rivularis, snowberry,
Taxus brevifolia, pacific yew
Torreya californica, California nutmeg,
Trillium chloropetalum, wake robin
Trillium grandiflorum?, wake robin
Trillium ovatum, wakerobins,
Umbellaria californica
Vaccinium ovatum, huckleberry
Verbena lilacina, lilac verbena,
Vitis californica, wild grape,
Woodwardia fimbriata, giant chain fern
Woodwardia fimbriata, Giant chain fern,
Wyethia bolanderi; *W. angustifolia*; *W. helenoides*;
Wyethia spp. El Dorado mule-ears, *W. reticulata*; Bolander's mule-ears,
Yucca whipplei, *Yucca*,
Zigadenus elegantus (spelling?) *Zigadenus fremontii* var. *elliptica*, death camas

✓

From: Bastian. Cynthia [BastianC@SacCounty.net]
Sent: Tuesday, July 15, 2003 2:20 PM
To: generalplan@co.el-dorado.ca.us
Subject: zoning

07/14/03

Cynthia & Mark Bastian
PO Box 111
7919 Rattlesnake Bar Rd.
Pilot Hill, Ca 95664

Attn: General Planning Team
El Dorado County Planning Dept.
2850 Fairlane Court
Placerville, Ca 95667

To whom it may concern:

We have been living on our property for approximately 25 years, we bought our property when we were young and did not know much about real estate. When we bought our property it was zoned 5 acre agriculture. It was changed at some point in time to 40-acre minimum, which we never received notification that this was occurring. We have worked very hard to maintain our property and build a modest home. We have four boys who we would like to give each a 10-acre parcel of our property in the future, but are now unable to because of the zoning regulations. There are several 10-acre parcels, and even some 5-acre parcels in our area. No one at this point has had difficulty obtaining water; the roads are in decent shape even though most of the traffic is from Peninsula State Park traffic. We would like it if you would consider rezoning our property to at least 10-acre parcels. We feel that we would like to have options with our land that we thought we had when we purchased our property and since there is a precedent with 10-acre parcel we think we should also have our property zoned 10 acre.

246-1

Thank you in advance for considering our request

Sincerely,

Cynthia & Mark Bastian

EL DORADO COUNTY GENERAL PLAN 2003 DEIR

RECREATION

03 JUL 15 PM 2:28

VOLUMN 2

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PLANNING DEPARTMENT

PUBLIC SERVICES

5.7.5 PARKS AND OPEN SPACE

PAGES 5.7-63 - 5.7-87

P5.7-69 RECREATION PLANS

#1 The County states that " it is the intent of the County to adopt a Parks Master Plan and revise and update the Hiking and Equestrian trails Master Plan upon adoption of the General Plan. Why aren't they including the same concern for the other two components, the El Dorado County River Management Plan and the Bikeway Master Plan? By the time the General Plan is adopted, won't these areas need revising, due to the lapse of time and the related revisions made else where in the General Plan?

247-1

#2 Who will put together this Master Plan? Will the non-County public agencies that provide recreational opportunities and facilities within the county, such as the Georgetown Divide Recreation District be included in that input? What will the funding sources be for acquisition, development, and maintenance be? How will they be distributed throughout the county, by percentage, by acreage of parkland, by population, a combination of sources, or other? Even after the Plan is adopted and new parcels are allowed to be created so that Quimby will be in effect instead of the current policy using the infill method of development, those funds derived from that act were never enough to purchase, develop, and maintain each park, what will the County do to fund the remainder of the funds needed and how does it plan to do it and who will administer those funds? Why are the developers who are using the infill plan in the future not required to contribute the Parkland funds also? Why are non-discretionary residential development and commercial development not subject to fees to support our parks systems? Don't they contribute to the increase in population use of the park and recreational areas?

247-2

#3 Since the GDRD has no development fee program, could the county encourage them to look into local benefit assessments and bond financing?

247-3

#4 The adoption of New Policy 9.1.1.8, a Parks Master Plan and Parks and Recreation Capital Improvement Program to meet current and future park and recreation needs, New Policy 9.2.2.2 that would require new development projects creating community or neighborhood parks to provide mechanisms for development, operation, and maintenance needs, of these facilities, and New Policy 9.2.2.5, which establishes a countywide development fee program, in addition to the Quimby Act, such that minimum neighborhood, community, and regional park standards are achieved, such fees will be adjusted periodically to fully fund the improvements identified in the Parks and Capital Improvement Program concurrent with development over a five year period may not ensure that adequate park facilities would be developed to meet county standards or that these policies will apply to all parts of the county or that other sources of funding will be guaranteed, begs the questions: what is your time line for doing this, how will you

247-4

247-5

implement these New Policies, what guarantees are there that every area in the county will be funded equally, what formula will you use to arrive at that state of equality, #5 Under Measure PR-A, the Parks Master Plan and Capital Improvement Program, Policy PR-5a, funding mechanisms for new development projects, and Policy PR-5b (and Implementation Measure PR-F), alternative funding sources investigation, the County states they will find funding for the construction of park facilities. Again, can the county ensure that every area will be funded equally etc., that the funding will be able to develop sufficient park facilities to meet local CSD and County standards? Will the quantity of land suitable for parkland be available, considering the projected build out and population increase?

#5 Under Impact 5.7-6 the County describes potential land use incompatibility associated with the development of Park and Recreation facilities. The development of park facilities could result in adverse physical effects on the environment. Described in other sections of Chapter 5 of this EIR, these potential environmental impacts are generally addressed by the proposed General Plan. Nighttime lighting, noise, and traffic are the main concerns. What is the specific portion of Chapter 5 that describes this concern? In addition, land use compatibility issues are addressed in Policy LU-3n, which states that public facilities, such as parks, would be considered by the County to be inappropriate in Natural Resource, Industrial, Research and Development and Open Space land use designations. Through Mitigation Measure 5.7-6(a): Implement Mitigation Measure 5.1-3(b) and Mitigation Measure 5.7-6(b): Implement Mitigation Measure 5.1-3(d), described in Section 5.1, Land Use and Housing, the County would limit potential land use incompatibilities by limiting the range of appropriate land uses within which park and recreation facilities could be developed and would subject such projects to a review of land use compatibility by the County and any subsequent siting and design conditions, thereby reducing any adverse impacts. This plan is too general to be approved in any way.

What is the specific format for deciding the appropriateness of the land use? How does the county plan to implement this plan? Who will make these decisions?

Respectfully submitted by
Thiaa Besan
6261 Peacock way
Pilot Hill, CA 95664
Member of the Cool, Pilot Hill Advisory Committee

247-5

247-6

247-7

247-8

General Plan Team
2850 Fairlane Court
Placerville, CA 95667

03 JUL 15 PM 2: 55

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The vision for our County must contain a strong agricultural identity. With our varied growing conditions, climate, elevation, hydrology, and soils we enjoy the ability to produce a diversity of agricultural crops and livestock. To safeguard the economic base upon which the county relies (agriculture), we must protect and promote the agriculture and natural resource values that generate products and draw visitors to the county. This can only happen if we take a strong stance in support of agricultural land protection and in developing future water supplies. With goal in mind of preserving and enhancing our agricultural base the Agricultural Council of the El Dorado County Chamber of Commerce submits the following comments regarding the General Plan Alternatives.

248-1

1. **The Draft General Plan documents are complex and a comprehensive review has been difficult.** The concept of a General Planning document implies a strategic planning piece that contains a vision and a general framework for how the county views its future. Some Plan elements are general, as is appropriate for this type of document, but within other sections there is too much detail. It is appropriate to move the details out of this document and to define those county requirements by means of an ordinance that is subject to public review.
2. **The Right to Farm Ordinance Disclosure as a Deed Restriction is paramount to the health of agriculture in the county.** A mandatory disclosure of the Ordinance as a deed restriction is essential not only to protect agriculturists from "nuisance" complaints for standard agricultural practices, but to ensure that non-agricultural neighbors understand the environment of living in a rural, agricultural setting.
3. **Agricultural Districts and zoning should provide for the protection of existing agriculture as well as for the promotion of future agricultural development.** Protection for agricultural operations by way of zoning or land use designations is key to our continued success. Recognition of existing agricultural operations within those designations is the first step to protecting agriculture in the county.
4. **Agricultural operations should be exempt from the requirements for scenic corridors and view sheds.** Where the guidance in the plan concerning ridgeline development, grading, and visual integrity may be appropriate to commercial or housing developments, they should not apply to agricultural terracing, crop conversions, and normal cultivation practices. These practices have minimal impact on a view shed compared to other types of development.
5. **Biological corridor constraints should not be imposed on private agricultural properties.** Farmers and ranchers should be permitted to protect their crops and livestock from depredation by wildlife. Through good

248-2

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land stewardship, agricultural land currently provides a substantial portion of the wildlife habitat in the County. It is unreasonable to expect agriculturists who provide valuable habitat on their private land to alter their practices in order to satisfy new biological constraints. .

6. **Water for agricultural purposes should be protected and future water projects must be developed to support commercial and residential development.** The irrigation water systems that were developed for agriculture in the county will soon be fully utilized. New water rights and storage facilities must be actively sought by the county to meet increasing water demands and to provide drought protection. Identified agricultural water demands for future projects should be protected from other municipal, commercial, and housing demands or the continued viability of agriculture will be significantly jeopardized.
7. **Agricultural Districts and zoning need to be defined based on current farming and ranching uses.** It should be recognized that many small operations can be viable and that certain crops grow well on non-choice soils. Slope restrictions should not constraint compatible agricultural production, such as vineyards or livestock grazing. Elevation criteria should only be used for guidance when evaluating agricultural land uses, not utilized as a regulatory mechanism. Agricultural parcels outside of Ag Districts should qualify for the same protections based on their suitability for agriculture, not based on location within a District.
8. **The agriculture community must be active participants in the implementation process.** The implementation phase that follows General Plan adoption is critical to the future of the county. During this phase it is crucial that agricultural interests be at the table when these discussions occur and decisions are made.
9. **Agricultural Districts must be preserved and expanded where appropriate.** A concept has been developed and previously provided to the Planning Department and Board of Supervisors whereby existing Agricultural Districts would be examined for appropriateness and new areas suitable for Agricultural Districts would be identified and created. The concept is based upon soils, elevation, current land use, and other factors. This concept needs to be incorporated into the County General Plan.
10. **The County must recognize the diversity of agriculture within the County.** The General Plan Alternatives treat agriculture as if it was one homogeneous endeavor throughout the county. In reality, processes and infrastructure required for timber production are vastly different than those for small scale specialty crop production. Lack of recognition of this diversity is a critical flaw of all Alternatives. .
11. **Mitigation measures are designed to address future residential, industrial and commercial development, but clearly threaten the continuation of agriculture in the County.** Two examples are the restrictions on oak removal and the requirement that a ground water study being conducted by an engineer prior to issuance of permits. Other

248-6

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measures, such as the proposed noise control, run counter to the existing right to farm ordinance. Proposed mitigation measures are much to detailed to be contained in a General Plan. The general intent of the mitigation measures should be included, with the specifics contained in associated ordinances.

248-12

12. **Alternatives fail to recognize the overall economic contribution of agriculture to El Dorado County.** Agricultural contributed over \$390,000,000 to the El Dorado County economy in 2002. In addition to the economic contribution, agriculture serves as the catalyst for the establishment and growth of associated business enterprises. There is significant potential for growth and expansion of agriculture with a sound General Plan. As currently presented, the existing Alternatives will have a significant detrimental impact on agriculture, threatening it's existence.

248-13

13. **General Plan Alternatives do not recognize the contribution of agriculture to the quality of life in El Dorado County.** Residents and visitors constantly state that it is the rural character of the area that draws them to El Dorado County. Encouragement of a viable agricultural industry is essential to maintaining this rural character. The current Alternatives contain severe restrictions that will significantly impair the ability of agriculture to remain viable.

248-14

14. **Development of the General Plan must be done with a direct connection to the Water Resources Development and Management Plan for El Dorado County.** This will involve an accurate assessment of all viable agricultural land in the County with the projected water demand associated with this area. It will also require a pairing of the issues affecting agriculture in the General Plan with those in the Water Resources Development and Management Plan.

248-15

The Agriculture Council eagerly awaits the opportunity to work with County Government to shape a General Plan that best serves the interest of the County. We feel strongly that agriculture must play a substantial role in the implementation phase of the General Plan. Please feel free to contact me for any additional information that may be needed and to arrange for our assistance in this continuing effort.

Sincerely,



Dave Bolster, Chair
Agricultural Council, El Dorado County Chamber of Commerce.

BOYDEN, COOLURIS, LIVINGSTON & SAXE PC

ATTORNEYS AT LAW

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July 15, 2003

**BY FACSIMILE, HAND DELIVERY
AND ELECTRONIC MAIL**

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

03 JUL 15 PM 1:56
RECEIVED
PLANNING DEPARTMENT

Dear General Plan Team:

I am pleased to submit, on behalf of the El Dorado Hills Business Park Business Property Owners Association, the enclosed memorandum commenting on the El Dorado County General Plan Draft Environmental Impact Report.

In making this submittal I would note that our analysis is not as complete as we would prefer due to the fact that we have not yet received a response to our June 4, 2003 request for information concerning traffic counts used to analyze roadway impacts for both the 2025 and Buildout scenarios (see attached email correspondence). We would like to use this occasion to formally reiterate our June 4th request.

Thank you for the opportunity to comment on the DEIR.

Sincerely,

J. Cleve Livingston
Attorney At Law

Enclosures
JCL/dal

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BOYDEN, COOLURIS, LIVINGSTON & SAXE PC


MEMORANDUM

03 JUL 15 PM 2:05

TO: El Dorado County Board of Supervisors
By Email, Facsimile and Hand Delivery

DATE:

RECEIVED
PLANNING DEPARTMENT
July 15, 2003

FROM: J. Cleve Livingston 

RE: El Dorado County General Plan Update and Draft Environmental Impact Report

INTRODUCTION

I am writing on behalf of the El Dorado Hills Business Park ("EDHBP" or "Business Park" or "Park") and the EDHBP Business Property Owners Association (the "Association") to comment on the proposed El Dorado County General Plan Alternatives (the "GP Alternatives") and the Draft Environmental Impact Report (the "DEIR"). In reviewing the GP Alternatives and DEIR, the Association's principle concern is with any provision that would have the effect of reducing the intensity of land uses within the Business Park or otherwise limiting the ability of Business Park landowners to provide the jobs the County so badly needs to offset the residential development projects approved by the County over the last fifteen years.

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The Association's comments are divided into three sections:

- Section I of this memorandum will focus on the general reasons why a reduction in the intensity of development within the Business Park through regulatory constraints would constitute an ill-conceived and legally ill-advised attack on the existing development rights of Business Park landowners.
- In Section II, this memorandum will address the existing jobs/housing imbalance within the County (and particularly within the western portion of the County along the Highway 50 corridor) and the role of the Business Park in mitigating this imbalance and its adverse environmental effects.
- Section III discusses the extent to which the empirical evidence of over twenty years of actual experience involving development of approximately one third of the Business Park properties leads to the conclusion that the DEIR traffic analysis overstates the reasonably foreseeable impacts of development within the Business Park on Latrobe Road creating a perceived need to reduce development intensities within the Park where the real need may be just the opposite.

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It has been suggested that, in responding to public comments on the GP Alternatives and DEIR, the County's environmental consultant team working with staff will focus exclusively on those comments that are directed towards the DEIR and will not respond to comments that are perceived to have been directed towards the General Plan Alternatives themselves. Such an approach, while always dangerous from a CEQA compliance perspective, might have been possible

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had the General Plan been proposed as a single project and had the alternatives analysis required by CEQA been addressed separately in the DEIR. But the El Dorado County General Plan, as proposed for the public's review, consists not of a single project but of four equal weight and eight lesser weight "Alternatives." Where the proposed project under CEQA takes the form of several CEQA alternatives, those alternatives are themselves an appropriate subject for public comment. Any environmental review process that seeks to avoid the consideration of and response to such comments on the grounds that the alternatives are not part of the DEIR and therefore are not to be addressed by the public in commenting on the adequacy of the environmental analysis under CEQA is fraught with legal peril. Indeed, it would be impossible to comment on the DEIR without evaluating the comparative environmental consequences of the General Plan Alternatives and the extent to which they have been adequately analyzed and accurately characterized. That is, after all, precisely the purpose of the CEQA required alternatives analysis.



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SECTION I

The Association respectfully submits that General Plan alternatives or DEIR mitigation measures which have the effect of limiting or reducing land use intensities allowed by the Business Park's existing development entitlements would be counterproductive for the following reasons:

1. Any significant reduction in the permitted intensity of use within the Business Park would constitute a legally impermissible attack on the development rights of El Dorado Hills Business Park landowners.
2. The imposition of regulatory constraints which limit the capacity of the County's single most important employment generating land use – the El Dorado Hills Business Park – to accommodate the projected demand for new jobs in the western County introduces an internal inconsistency into a general plan which desperately needs jobs to balance residential growth and which includes job creation as a key policy objective.
3. A reduction in the permitted intensity of land use on undeveloped properties within the EDHBP Assessment District would deny the owners of such undeveloped Business Park properties their fair share of the benefits of the major public infrastructure capacity (i) which the Business Park landowners have funded with approximately \$13,000,000 in land secured bond debt and almost \$40,000,000 in debt service payments to date and (ii) to which they are entitled as a result.
4. Changes in the intensity of land use within the Business Park would reduce the development potential of the Business Park and would constitute a breach of the County's legal duty both to the EDHBP property owners and to the EDHBP Assessment District bondholders to preserve and protect the security underlying the approximately \$13,000,000 in bond debt which was used to finance the major public infrastructure serving the Business Park.
5. The introduction of new land use regulations which limit the holding capacity (in terms of both building floor area and jobs) of the Business Park would also undermine the very comprehensive planning process the General Plan Alternatives are intended to serve.



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The "Existing Commitments" Include Business Park Development Entitlements

The GP Alternatives and DEIR make frequent reference to the "existing approved development commitments." The existing commitments have been defined to include the projects with approved development agreements pursuant to Government Code Section 65864 et seq. (including Carson Creek and Valley View) or approved tentative maps as of July, 1999. As the General Plan Environmentally Constrained Alternative notes: "The Development Agreements commit the County to these prior approvals, which severely restrict its ability to adjust land use densities for a large portion of the most rapidly developing part of the County -- the western end -- and its ability to identify new locations to accommodate development." GP, Environmentally Constrained Alternative at p. 10. The DEIR echoes the language of the General Plan:

"These [Development Agreements ("DAs")] allow the landowners to develop subject to the density and intensity of land uses contemplated in the General Plan and Specific Plan in effect at the time the DA was signed. In other words, development under the DAs has a protected ("vested") right to proceed." . . . "However, the DAs generally prohibit the application of new regulations to the extent those regulations would preclude development at the vested density or intensity." DEIR, Vol. 1 at p. 3-9.

What the General Plan Alternatives and DEIR fail to acknowledge, however, is that the listing of prior commitments should also include the Business Park entitlements. The development rights which govern the intensity of land use within the El Dorado Hills Business Park were granted by the County almost fifteen years before either the Carson Creek or Valley View development agreements were adopted and have been in continuous effect for over two decades. The General Plan Alternatives and DEIR also fail to acknowledge the extent to which the Business Park landowners have reasonably relied on these development rights in their successful 20 year effort to create an employment center in western El Dorado County or the extent to which reductions in the intensity of allowed use would pose a fundamental threat to these efforts and their continued success.

Moreover, while the entitlements governing development of the El Dorado Hills Business Park were approved well before development agreements became the vesting mechanism of choice in the County, there can be little question that the development rights granted the El Dorado Hills Business Park owners in 1982 were always intended to be no less secure than those development agreement rights granted projects such as Carson Creek and Valley View in the late 1990s. The El Dorado Hills Business Park was in many respects the County's first major effort at comprehensive planning and growth management. Its approval reflects the recognition that land use opportunities must be provided to encourage employment generation in the western county if the adverse fiscal and environmental impacts associated with residential growth in the absence of job growth are to be avoided. As the western county's primary employment center, the El Dorado Hills Business Park has been the County's principle source of new jobs to support the residential projects which were approved in the 1980-90s.

Every discretionary land use decision that has been made by the County in the over 20 years since the El Dorado Hills Business Park was approved, including the Carson Creek and Valley View Development Agreements, has assumed development of the Business Park in accordance with the land use entitlements approved in 1982. Indeed, the County, in approving the Carson Creek and Valley View Development Agreements, relied upon the prior development commitments which had been made to the Business Park landowners and the jobs these Business Park entitlements were

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projected to generate to offset the growth in housing these primarily residential specific plans would generate. Having vested these residential entitlements in reliance on the previously approved job generating land uses in the Business Park, the County cannot retroactively compromise these vested residential approvals by reducing the job generation which serves to mitigate the adverse environmental impacts of these development agreement projects and upon which these development agreement projects depend for their continued legal validity.

Not only did the development agreements rely on the Business Park entitlements to generate the jobs to balance new residential growth but they also included an environmental analysis the purpose of which was, in relevant part, to assure that the residential projects could be developed without compromising the preexisting development rights to employment generating land uses. Of particular note, the analysis underlying the approval of each development agreement examined the extent to which the capacity of the public infrastructure would have to be expanded in order to accommodate the proposed development at acceptable levels of service without requiring reductions in the levels of development based on preexisting development approvals. The Environmental Impact Reports prepared on each of the development agreement projects which the General Plan EIR references as "prior commitments" evaluated the impacts of these largely residential projects on both existing and cumulative conditions that included development of the Business Park at land use intensities consistent with the development rights approved by the County in 1982. In approving these development agreements projects, the County certified that the environmental impacts of the projects had been identified and either mitigated through the imposition of feasible mitigation measures or, where mitigation was determined to be infeasible and the impacts unavoidable, found to be acceptable as a result of overriding benefits. The Business Park landowners relied on the County's certification of the project EIRs. They relied on the fact that in certifying the EIRs, the County was in effect warranting that these residential projects could be developed at the approved densities without affecting the preexisting development rights of the Business Park. Had there been even a suggestion that the approval of any of the residential development agreement projects was based on the usurpation of infrastructure capacity that was required to serve the Business Park's preexisting land use entitlements, the Park landowners would have, of course, taken issue with the approvals, insisting either that the residential projects be required to mitigate their impacts or that they be approved at alternative densities that could be developed without reducing services below acceptable levels.

In discussing the "existing development commitments," neither the General Plan Alternatives nor the DEIR make reference to the chronology of development agreement approvals and to the Business Park development commitments these approvals assume and repeatedly reaffirm. Rather they set out a logic that is based on the assumption that since the vested rights conferred by development agreements preclude the County from retroactively holding development agreement projects accountable for mitigating the impacts they cause by reducing the residential densities that cause the impacts, the County will hold the Business Park responsible for mitigating the impacts caused by the development agreement projects and the residential densities they generate by reducing the intensity of development within the Park. The logic appears to take the following form:

Development Agreement commitments that were approved assuming preexisting Business Park development entitlements will result in the construction of housing which will generate peak hour trips (a high percentage of which have trip ends outside El Dorado County because there are not enough jobs to accommodate residential population growth in El Dorado County), which will, the EIR analysis

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suggests, result in roadway impacts that were neither identified nor mitigated as the residential projects were approved – impacts which several of the General Plan Alternatives now propose to address by reducing the intensity of development (and job growth) in the Business Park.

Even if the reduction of development intensities in the Business Park were an appropriate means of mitigating the impacts of residential growth (which, for reasons that are discussed below, it is not), a review of the process by which the development agreements were considered and approved reveals a level of commitment has been made by the County to the Business Park that cannot be compromised without raising legal issues of reasonable reliance, fundamental fairness and due process and without running afoul of the principles of equitable estoppel.

Nor can there be any question that the County encouraged the Business Park landowners in their reasonable expectation that they could invest the substantial sums required to prepare for and proceed with development of the Business Park land uses secure in the knowledge that the County would not attempt to take away the entitlements granted over 20 years before. The County needed and wanted to diversify the local economy by creating a research and development sector; the County needed and wanted the positive revenue impacts resulting from the Business Park land uses to offset the negative revenue impacts of residential development; and, most important, the County needed and wanted the jobs that development of the Business Park land uses would generate in order to avoid the commute patterns and otherwise mitigate the significant adverse traffic and air quality impacts that result from residential growth in the absence of a local employment base.

As residential growth pressures have increased in the two decades following approval of the Business Park and as the capacity constraints of the Highway 50 corridor have become increasingly problematic during this same time period, the critical role of the Business Park as the County's most important source of new economic and employment growth has become increasingly evident. One of the main reasons the County finds itself confronting Measure Y is that it allowed residential development approvals to outpace the job growth needed to reduce the role of El Dorado County as a bedroom community to the Sacramento County employment centers. To view the reduction of job creating land uses as "mitigation" rather than a measure that will exacerbate the existing adverse traffic impacts resulting from the imbalance of jobs and housing is to sentence existing and future El Dorado County residents to a long commute to work in Sacramento County.

Business Park Development Rights – a Twenty-Year History of Reasonable Reliance

For over two decades, the Business Park landowners have worked diligently in collaboration with the County and invested heavily in reasonable and justified reliance on the 1982 land use entitlements to create a Research and Development Zone District that could compete in the regional marketplace with other employment centers. The actions taken by the County and the Business Park landowners to implement this objective include the following initiatives. A final subdivision map has been approved and recorded. Assessment districts have been formed. Over \$13,000,000 in assessment district bond debt has been incurred and, over the last fifteen years, almost \$40,000,000 in debt service payments have been made by Business Park landowners on the assessment district bonds. The intract public infrastructure necessary to support the approved level of development has been funded out of the bond proceeds and constructed. The water entitlements necessary to support the planned level of development have been secured from the Federal Bureau of Reclamation through the El Dorado Irrigation District (see amendment to Contract No. 14-06-300-1357A providing 1,000 acre feet of additional water out of Folsom Lake between the United States

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Department of the Interior and the EDID, as approved by Reso. No 93-169 on November 30, 1983). The roadway improvements necessary to mitigate the project's impact on traffic circulation and traffic flows have been identified and a funding agreement has been entered into by and between the project landowners and the County to pay for the identified roadway improvements ("Agreement to Participate in Road Improvements" dated May 1, 1984). To date, a total of approximately 2,582,500 square feet of building floor area has been constructed within the El Dorado Hills Business Park representing an investment of millions of dollars by project landowners in reliance on the project entitlements governing the permitted land uses and development intensity. Several of the project landowners have constructed the initial phase or phases of multi-phase campuses in reliance on their vested right to proceed with construction of subsequent phases of these campuses based on the existing project entitlements.

Development Rights and Land Secured Assessment Districts

This history of development within the Business Park provides a compelling illustration of the way in which development commitments such as those granted to the El Dorado Hills Business Park play a critical role in making possible the use of public financing mechanisms to fund the construction of master planned public infrastructure. Where public financing mechanisms such as the El Dorado Hills Business Park Phase I and II Assessment Districts referenced above are formed by the County to finance the major public infrastructure serving a project, development rights take on particular importance not only from the perspective of the landowner, but also from the perspective of the County as the issuer of the assessment district bonds. Because the bonds are secured by the taxable property within the District, the development rights that run with the taxable property are a critical component of the value of the underlying security. The appraisal that provides the estimate of value upon which the bondholders rely when purchasing the bonds is only as good as the development rights that are assumed applicable to the property. Property that is assumed to develop at building floor areas that are dictated by market forces will be assigned a very different value and absorption rate than property that is assumed to be constrained in terms of its holding capacity by land use regulation. Indeed, as discussed above, it is fair to assume that land which is subject to significant reductions in the intensity of the allowed uses relative to the rest of the market will be extremely slow to absorb and will have a nominal present value as a result.

In forming the El Dorado Hills Business Park Assessment Districts and undertaking their administration, the County implicitly covenants to preserve and protect the security underlying the District's bonded indebtedness. Any change in land use by the County which significantly affects the ability to develop the property within the District would undermine the marketability of the land, causing land values within the District to decrease substantially and could affect the willingness and ability of the owners of land within the District to pay the special taxes when due. Accordingly, such land use changes would not only constitute an impermissible impairment of the landowner's vested development rights but also would potentially result in a breach of the County's fiduciary obligation to bondholders.

It is also worth noting that any change in land use which would significantly reduce the holding capacities of those undeveloped parcels within the El Dorado Hills Business Park Assessment Districts when compared to the developed properties within the District would also, in effect, constitute a legally impermissible reallocation of the special assessments such that the burden of the assessments is no longer spread in reasonable proportion to the benefits received. Special assessments are required to bear a reasonable relation to the benefits that accrue from the public improvements that are financed by such assessments. In effect, assessment districts allow

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property owners to finance the construction of the infrastructure capacity required to serve the properties against which the special assessments are levied. But each District property owner's share of the assessment district debt and of the special assessment obligation required to service that debt is required by law to be reasonably related to the share of the infrastructure capacity which such landowner can put to use. If a particular landowner can only make use of half as much infrastructure capacity as his neighbor because a change by the County in the allowable development intensity has reduced the holding capacity of his undeveloped property to half the holding capacity realized by his neighbor who developed his property prior to the effective date of the County's change in land use, then the owner of the undeveloped property should pay half the special assessments on a per acre basis as the owner of the developed property.

Furey v. City of Sacramento -- A Case on Point

A 1979 Supreme Court case, Furey v. City of Sacramento, 24 Cal. 3d 862, is instructive on the questions of whether the County, having created an improvement district or districts to fund the expansion of infrastructure capacity to serve future development based on then existing land use entitlements can subsequently change the underlying development intensities of certain properties within the district so as to deny those properties the proportional measure of infrastructure capacity benefits they have been funding and will continue to fund. Plaintiff's property was assessed to pay the costs of a large sewer line and treatment plant which was designed to serve an area including plaintiff's property. Before the plaintiff was able to secure a rezone from agricultural use to a use which would have allowed the plaintiff to enjoy the benefits of the improvements, plaintiff's land was designated for open space use, precluding use of the improvements for which the plaintiff was paying proportionately. The court held that under such a factual predicate, "relief would lie by way of declaratory relief or mandate precluding the application of the subject land-use regulation to plaintiffs." The Furey case stands for the proposition that where a property owner participates in an assessment district for the purpose of building public infrastructure that is intended to serve the property, the property owner cannot subsequently be denied land use that would allow the property to share the benefits of the improvements in proportion to the assessments paid unless the property is reassessed and the amounts paid for the improvements are reimbursed to the property owner.

Under Furey, a significant reduction in the allowable Business Park intensity of development is legally suspect if it results in the owners of undeveloped Park properties either paying more than their fair share for the benefits received (in the form of infrastructure capacity) or receiving less than their fair share of the benefits for which they have paid. Thus, not only will such constraints on the intensity of development within the Business Park impair bond holder security, but they will also undermine the fundamental equities of "burden and benefit" that form the legal foundation upon which assessment districts are based.

Allowable Intensities of Use as Approved and the Effect of Maximum FARs

The existing Research and Development Zone District entitlements contemplate building floor area ratios (FARs) that are determined by the forces of the marketplace rather than dictated by regulation. As the DEIR notes, "Maximum nonresidential floor area ratios (FAR) defined as the rates between building size and lot size, . . . were not included in the 1996 General Plan, and therefore are not a part of the No Project and 1996 General Plan Alternatives." DEIR, Vol. 1 at p. 3-24. Because the Business Park's Research and Development land use designation can and does

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accommodate a wide variety of uses including, for example, office uses; laboratories and research facilities; fabrication, assembly and other light industrial uses; and warehouses, development within the Park also reflects a broad range of parcel-specific FARs. Table 1, attached to this comment letter as Exhibit A, lists the building floor areas of all Business Park properties developed as of January 1, 2003. As Table 1 indicates, the parcel-specific FARs range from a low of 6.89% (DST Parcel 16 -- consisting of 54,387 square feet of building floor area on 18.12 acres) to a high of 60.50% (DST Parcel 25 -- consisting of 579,932 square feet of building floor area on 22.01 acres). With approximately 31.7% of the developable Park acreage built-out (257 acres out of 811 net acres), the average FAR is just over 23%. The ability of the Business Park to accommodate a broad mix of non-residential land uses and FARs is at the heart of the Park's success in attracting new employers and the jobs they bring to El Dorado County. Any change in the Research and Development Zone District which constrains the types of uses or the intensities of use allowed in the Business Park as of right will significantly undermine the marketability of the property and the ability of Business Park landowners to attract new jobs to the County. For example, Alternative #2, the Roadway Constrained Six-Lane "Plus" Alternative, and Alternative #3, the Environmentally Constrained Alternative, would establish maximum FARs for the Business Park of .3 and .2, respectively. By limiting the allowable Business Park FARs to .3 or .2, the General Plan will dramatically reduce the average Business Park FARs. Table 1 calculates the average FARs that would have resulted had the development of the Business Park to date been constrained by maximum FARs of .20, .25 and .30. These calculations indicate that had the County imposed maximum FAR of .20, .25 or .30 and had all of the existing businesses determined to proceed with their developments under these maximum FARs, the Business Park would look much different today as reflected in the following summary:

**Table 1A
Business Park FARs**

	Existing Development Without Maximum FAR	Existing Development With Maximum FAR		
		.20	.25	.30
Developed Acreage	256.76 acres	256.76 acres	256.76 acres	256.76 acres
Developed Building Floor Area	2,582,521 sf	1,764,084 sf	2,052,823 sf	2,246,083 sf
Reduction in Building Floor Area Due to Maximum FAR	N/A	818,437 sf	529,698 sf	336,438 sf
% Reduction in Building Floor Area Due to Maximum FAR	N/A	31.69%	20.51%	13.03%
Average FAR	23.09%	15.77%	18.35%	20.08%

It is important to note, however, that the attached Table 1 (as summarized in Table 1A above) in all likelihood substantially underestimates the deleterious effect of maximum FARs on the

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development of the Business Park because it assumes that business owners will simply downsize their building plans or buy more land in order to accommodate the maximum building floor area rather than look for another site with no FAR constraints. While such a development strategy may work for businesses that can be adequately served with single story construction (i.e., warehousing; assembly, fabrication and other light industrial uses; and small scale office projects), it will not work for a company that contemplates development of a multi-story office or high technology research and development campus. Ironically, maximum FARs will chase away the very type of multi-story non-residential development that is most likely to generate the higher paying jobs that the County most needs to offset the existing residential development commitments.

Put simply, a "significant" reduction in the allowable development intensity will result in a "significant" increase in the land cost as a percentage of the total cost of development, which in turn will "significantly" undermine the marketability of the Business Park property and "significantly" compromise the County's efforts to encourage job creation within the County for the purpose of diversifying the County's economic base, improving the County's fiscal balance and mitigating the growing imbalance of jobs and housing that threatens to transform western El Dorado County into a commuter suburb of Sacramento County.

In other words, a significant reduction in the amount of building floor area which can be developed per acre will likely have a much more pervasive effect than merely reducing pro rata the amount of building floor area actually constructed. Rather, a significant reduction in the allowable FAR will make the Business Park unable to compete from a market perspective for the very campus style projects the County most needs. Indeed, significant reductions in land use intensities are tantamount to a quasi-moratorium on certain types of development in the Business Park which would last into the foreseeable future. So much for the General Plan objective of encouraging job creating land uses in western El Dorado County. This is not a doomsday scenario; this is simply the way the land market works.

Development Rights, Growth Management, Environmental Analysis

Moreover, there is much more at stake here than 20 years of development effort and the investment of millions of dollars in land acquisition costs as well as bond and tax payments, all based on values that are dependent upon the development rights approved in 1982 as interpreted to date. The development rights for master planned projects such as the Business Park that were granted by the County prior to the widespread use of development agreements with the expectation that they would be relied upon as if they had been vested by a development agreement are the bedrock of the County's early comprehensive planning efforts. They are the master planning glue that holds the general plan together. Without development rights that can be relied upon by landowners, master planning is, if not dead on arrival, certainly mortally wounded. Few developers would be willing to commit (i.e., invest) the substantial time, energy and resources necessary to make master planning a meaningful exercise where the results of their efforts could be subsequently undone either in whole or in part by a change in the applicable land use entitlements. And make no mistake about it, if the intensity of development permitted in the El Dorado Hills Business Park is significantly reduced, the results of over 20 years of master planning effort will suffer a critical blow. Accordingly, the decision by the County to consider CEQA Alternatives that assume the demise of the development entitlements granted over two decades ago and continually relied upon in the intervening years not only will threaten the economic viability of the Business Park project, but also will do irreparable damage to the general plan and to the environmental review process itself. Development rights breathe life into master plans as growth management tools and, in the

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process, dramatically enhance both the scope and effectiveness of environmental review under CEQA.

In the case of the El Dorado Hills Business Park, instead of evaluating the environmental impacts resulting from the development of individual parcels on a stand-alone basis, the County was able to use the master plan process made viable by the premise of development rights upon which Business Park landowners could rely to combine a succession of parcel-specific development projects into a single long-term integrated development project for purposes of both environmental review and impact mitigation. The resulting environmental analysis was more comprehensive in reach and more rigorous in methodology and occurred at an earlier point in time -- all recognized objectives of CEQA. Indeed, in many respects the El Dorado Hills Business Park was a pioneering project. At a point in time before Development Agreements and the early vesting they made possible, it set the stage for the use of Specific Plans by the County as growth management tools. It is fair to say that without the ability to grant development rights upon which landowners can reasonably rely, there would be few specific plans and without specific plans there would be little basis for assessing the combined environmental effects of parcel-specific development within a defined plan area. The suggestion that vested development rights that have already been subjected to comprehensive environmental review through the master planning process can 20 years later be assumed away by a subsequent environmental assessment is particularly troubling.

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In summary, the County has as much at stake as the Business Park landowners in protecting the Business Park development rights granted over twenty years ago. Western El Dorado County would not exist in its present form without the development commitments that are the heart and soul of master planning and that are threatened by any reduction in the Business Park development intensities. Development rights upon which the Business Park landowners are entitled to rely are the foundation that support the efforts of the County to manage growth, to assure that the environmental impacts of growth are mitigated and to allow the use of public financing mechanisms to build the critical public infrastructure. If such development rights are eroded as a by-product of the County's General Plan Update, the planning and public financing framework that is built on this foundation and that has transformed western El Dorado County into one of the most desirable places to live and work in California will likely once again collapse into a regulatory quagmire and paralyzing litigation.

SECTION II

Achieving a Balance of Jobs and Housing

The General Plan Alternatives acknowledge the critical role played by job-generating land uses in general and the El Dorado Hills Business Park ("EDHBP") in particular in the County's comprehensive planning process. Included in the General Plan Statement of Vision is the promotion of "a better balance between jobs and housing." GP, Vol. 1 at p. 3. In this regard, the General Plan makes explicit reference to the provisions of Government Code Section 65890.1 which states -- "State land use patterns should be encouraged that balance the location of employment-generating uses with residential uses so that employment-related commuting is minimized." The General Plan notes that "[t]his type of balance is normally measured by a jobs-to-housing ratio" and that, according to the State General Plan Guidelines, "a jobs-to-housing ratio of 1.5:1 is considered 'balanced.'" GP, Vol. 1 at p. 93.

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The General Plan further acknowledges that the County is currently experiencing a significant imbalance between the labor force residing in the County and the jobs located there. DEIR, Vol. 1 at p. 4-6. "According to SACOG, there were 30,132 jobs available on the west slope for individuals living in 51,685 housing units in 1999. . . . This equates to 0.6 jobs for each housing unit" (GP, Vol. 1 at p. 93) or a jobs-to-housing ratio of 0.6:1. As a result, "a substantial portion of the County labor force commutes out of the County to work." DEIR, Vol. 1 at p. 4-6. To address this problem, the General Plan includes Policy 10.1.5.6 which provides that -- "The County shall actively promote job generating land uses while de-emphasizing residential development unless it is tied to a strategy that is necessary to attract job generating land uses. GP, Vol. 1 at p. 284. General Plan Program 10.1.5.1.5 calls for five-year reviews to monitor land availability to assure a sufficient supply of job-generating land uses. GP, Vol. 1 at p. 280.

The Role of the Business Park in Creating a Well-Balanced Community

In approving the EDHBP almost 20 years ago, the County took a major step in expanding the supply of job-generating land uses, in promoting the job growth that was considered essential to the creation of a "well-balanced community," and in affording County residents an "opportunity to work . . . close to where they live." GP, Vol. 1 at p. 10. In short, the EDHBP is precisely the sort of high intensity, self-sustaining, compact type development which will "improve the jobs-housing ratio" (GP, Vol. 1 at p. 8) while at the same time:

- "provide opportunities that allow for continued . . . economic expansion;" (GP, Vol. 1 at p. 11)
- "reduce development pressures in rural areas;" (GP, Vol. 1 at p. 10)
- "concentrate and direct urban growth where infrastructure is present and/or can be more feasibly provided;" (GP, Vol. 1 at p. 7) and
- "encourage infill developments." (GP, Vol. 1 at p. 7)

Although historically County jobs have been heavily weighted towards "resident-serving (including government) and tourism-based businesses," "the continuing development of the EDHBP . . . is beginning to transform this pattern." DEIR, Vol. 1 at pp. 4-4/5. The continued development of the EDHBP and its potential to both provide jobs for County residents and attract employees from outside the County is also projected by the DEIR to result in a reduction in "the percentage of work trips from El Dorado County to Sacramento for residents in the El Dorado Hills to Cameron Park area in the TDF model" from 60% to 50%. The percentage of work trips from Sacramento County to the El Dorado Hills area of El Dorado County in the TDF model was increased from approximately 25% to 50%. DEIR, Vol. 1 at pp. 5.4-22/23.

"The effect of these changes is that a higher percentage of El Dorado County residents are assumed to have work destinations within the County. DEIR, Vol. 1 at p. 5.4-23.

The inclusion of mitigation measures or project alternatives which reduce the intensity of development in and constrain the corresponding employment generating capacity of the Business Park would not only be inconsistent with General Plan policies, but also necessitate a fundamental reassessment of and adjustments to the DEIR projections relative to the commute patterns between

El Dorado County and Sacramento County which are critical determinants of roadway impacts, particularly with respect to the Highway 50 corridor.

249-15

SECTION III

Business Park Job Growth to be Sacrificed as Mitigation for Phantom Roadway Impacts

The inclusion of General Plan alternatives that call for the reduction in the intensity of development within the Business Park at the expense of the job growth necessary to create a well-balanced community appears to be principally driven by a perceived need to mitigate projected Level of Service ("LOS") deficiencies on El Dorado County roads and particularly Latrobe Road. A careful review of the development assumptions underlying the projected deficiencies, however, provides a compelling indication that the assumptions are not in keeping with actual experience and substantially overstate the reasonably foreseeable impacts of job growth within the Business Park to Latrobe Road. Moreover, even if job growth in the Business Park does contribute to the creation of LOS deficiencies on Latrobe Road, it is incumbent upon the General Plan EIR to develop mitigation measures that do not constrain employment generation within the Park further exacerbating the County's imbalance of jobs and housing, if the General Plan is to be internally consistent.

249-16

Projected LOS Deficiencies on Latrobe Road

In spite of the fact that the EDHBP is recognized as the single largest employment center in the County and is forecasted to accommodate approximately one-half the County-wide 2025 job growth under any of the four equal weight alternatives (EPS Study at p. 54), the DEIR traffic analysis suggests the EDHBP may become a victim of its own success with "LOS F conditions . . . projected for Latrobe Road . . . under all four alternatives." DEIR, Vol. 1 at p. 5.4-28, also see Table 5.4-6. Because the projected LOS conditions on Latrobe Road are worse than the minimum acceptable thresholds established by General Plan Policies 3.5.1.1, 3.5.1.6 and 3.5.1.6.2, the LOS impacts to Latrobe Road were determined to be significant and Mitigation Measures 5.4-1(a) through (d) were developed which include Mitigation Measure 5.4-1(b), in particular, mandating the consideration of "a variety of methods that control or limit growth and the resulting traffic including, but not limited to, . . . changes in allowed development intensities." Of course, changes in allowed intensities of development would only work to mitigate traffic if they reduced the number of jobs that were being generated by growth in the Business Park. But artificially constraining job growth within the Business Park is in turn inconsistent with the mandate of the State's General Plan Law as well as with the El Dorado County General Plan Statement of Vision, Policies and Program which speak collectively to the critical importance of assuring a sufficient supply of job-generating land uses to balance increases in residential supply. (See Section II above.) *Indeed, any mitigation measures that would result in a reduction in the job-generating capacity of the Business Park would themselves have potentially significant environmental impacts that would need to be assessed in the DEIR.* Artificially constraining job growth will increase the jobs-to-housing imbalance, forcing greater commuting out of the County to jobs in neighboring jurisdictions, increasing trip lengths and Highway 50 congestion.

249-17

Accordingly, the DEIR proposes to mitigate a supposed General Plan LOS deficiency using a mitigation measure which is itself inconsistent with State statutory law as well as the General Plan Statement of Vision, Policy and Programs. And the more successful the mitigation measure is in

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reducing employment growth in the EDHBP, the greater the inconsistency with the General Plan policy designed to encourage job creation to balance housing growth. We would respectfully submit that it is incumbent upon the County to develop mitigation measures which do not themselves introduce inconsistencies with General Plan Policies at the same time they are seeking to eliminate or reduce inconsistencies with other General Plan Policies.



249-17

Reassessing LOS Deficiencies and Prescribed Mitigation Measures

The DEIR needs to undertake a more focused reassessment of ways in which LOS deficiencies on roadways serving the County and particularly on Latrobe Road, to the extent they are found to exist, can be mitigated without constraining the ability of the Business Park to provide the jobs so critical to reducing the imbalance between jobs and housing.

This reassessment should also include a reevaluation of the assumptions which were used in the TDF model to evaluate LOS conditions. Our review of the land use forecast prepared by Economic & Planning Systems, Inc. suggests that the land use assumption modeled by Fehr & Peers may significantly overstate the reasonably foreseeable impacts of both residential and non-residential growth on County roadways, in general, and on Latrobe Road, in particular, in at least five respects.



249-18

1. First, and most importantly, the EPS land use forecasts appear to employ assumptions with respect to reasonably foreseeable development within the Business Park that bears little relationship to development patterns within the Park over its twenty-year history to date. EPS estimated the remaining development capacity of the Business Park, in terms of building square feet by applying a floor-to-area ratio ("FAR") of 0.3 (EPS Forecasts at p. 25) to the total undeveloped acreage within the Park. EPS Forecasts at p. 25. The resulting building square footage estimates were converted to jobs based upon the assumption of one employee per every 330 square feet of building area. EPS Forecasts at p. 25. Applying these EPS factors, buildout of the Business Park

would generate 32,116 total new employees [(811 acres x 43,560 sf x .3 FAR) ÷ 330 sf/employee], more than enough capacity to accommodate the projected job growth through 2025 and beyond.¹

¹ There appears to be some confusion in the DEIR with respect to the number of employees assumed to be generated by development within the Business Park. In response to a written inquiry requesting information as to the number of employees EPS estimates would be generated by Business Park development, we were informed by email dated June 28, 2003 that TAZs 148 and 344 combined (which includes other development in addition to the Business Park) would generate the employee counts at 2025 and buildout shown on Table 2 below. For comparison purposes, Table 2 also shows the number of employees that would be expected to be generated by development of non-residential land uses within TAZs 148 and 344 based on growth rates and land use intensities experienced to date in the Business Park.

General Plan Alternative	Existing Employees	New Employees by 2025	Existing Plus New (2025)	New Employees at Buildout	Existing Plus New (Buildout)
1996 General Plan/No Project	3015	16,768	19,783	24,300	27,315
Roadway Constrained	3015	15,287	18,302	24,300	27,315
Environmentally Constrained	3015	15,076	18,091	16,293	19,308
Actual Development Experience to Date	4,501	5,301	9,802	11,403	15,904

While it should be noted that the employee counts for buildout of the non-residential properties in TAZs 148 and 344 (including the Business Park) as summarized in this footnote do not comport with the Business Park employee count derived using the EPS factors (32,116 employees) as set forth in the above text, actual development within the Business Park to date indicates that both estimates of employee generation significantly overstate the job growth that can reasonably be anticipated as a result of development of the Business Park. The Table 2 estimates of "New Employees by 2025" based on "Actual Development Experience to Date" assume that approximately one third of the total non-residential acreage in TAZs 148 and 344 will be developed in the next twenty years. It is based on the fact that approximately one third of the Business Park acreage has developed over the last twenty years. While it is certainly possible that development may occur at a faster pace (and Business Park landowners are certainly hopeful that the rate of absorption will be substantially greater in the next twenty years than it has been in the last twenty years), it is important to note that even if the Business Park and other non-residential land uses within TAZs 148 and 344 were to buildout prior to 2025, the net new jobs that would be created – 11,403 – would fall far short of satisfying the EIR demand projections of between 16,768 and 15,076 new employees by 2025.

Job generation in TAZs 148 and 344 based on "Actual Development Experience to Date" as shown on Table 2 was calculated based on the following assumption: TAZs 148 and 344 contain the following non-residentially zoned acreage: 554 acres of undeveloped land zoned R&D and located in the Business Park; 60 acres of undeveloped land zoned industrial and located in Carson Creek; and an additional 34.4 acres of undeveloped land zoned R&D and also located in Carson Creek. The Research and Development land is assumed to buildout (based on 20+ years of actual experience in the Business Park) at an average FAR of .231, with one employee per 574 square feet of building floor area. The Industrial land is assumed to buildout based on EPS factors at an average FAR of .25, with one employee per 600 square feet of building floor area. The 2025 projections are based on the assumption that approximately one third of the undeveloped non-residential land will be developed during the interim period.

Buildout Projection based on Actual Development Experience to Date:

Business Park R&D –		
4501 existing emps. + (554 ac. x 43,560 sf x .231 FAR ÷ 574 sf/emp.) =		14,212 emps.
Carson Creek R&D –		
0 existing emps. + (34.4 ac. x 43,560 sf x .231 FAR ÷ 574 sf/emp.) =		603 emps.
Carson Creek Ind. –		
0 existing emps. + (60 ac. x 43,560 sf x .25 FAR ÷ 600 sf/emp.) =		<u>1089 emps.</u>
Total Employees at Buildout		<u>15,904 emps.</u>

2025 Projections based on Actual Development Experience to Date:

Business Park R&D – 14,212 emps. ÷ 3 =	4,737 new emps.
Carson Creek R&D – 603 emps. ÷ 3 =	201 new emps.
Carson Creek Ind. – 1089 emps. ÷ 3 =	<u>363 new emps.</u>
Total New Employees by 2025	<u>5,301 new emps.</u>

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The EPS assumptions with respect to expected FARs and employees per square foot of development forecast a very different pattern of development than experience to date would support. The Business Park is approximately 831 gross acres in size and includes approximately 811 developable acres net of right-of-way for public streets. Of the 811 developable acres, approximately 257 acres or almost one-third of the Business Park Property has been developed. A total of 2,582,521 square feet of floor area have been constructed on the 257 acres that have been developed, resulting in an average FAR of 23.1% [2,582,521 sf ÷ (257 acres x 43,560 sf)]. The businesses operating within the Business Park employed 4,501 employees as of January 1, 2003, resulting in an employee population density of approximately one employee per 574 sf of building floor area in the Park (2,582,521 sf ÷ 4,501 employees).² If the actual pattern of development that has defined Business Park growth over the last twenty years involving the development of almost one-third of the Park acreage were to hold true for the remaining two-thirds of the Park's developable acreage, the Park would produce approximately 5,574,547 additional square feet of new building floor area [.231 FAR x (554 acres x 43,560 sf)] and generate approximately 9,711 new employees (5,574,547 sf ÷ 574 sf/employee). When added to the existing floor area (2,582,521 sf) and employee population (4,501 employees) of the Park, buildout of the Business Park would result in a total of 8,157,068 square feet of building floor area and 14,212 employees. Put differently, if these projections based on actual development experience to date continue to define the growth of the Business Park, buildout of the Business Park would generate less than half the employee population projected using the EPS factors (14,212 employees versus 32,116 employees). Indeed, the 9,711 new jobs that can reasonably be expected to be generated at buildout of the remaining undeveloped acreage within the Business Park would fall far short of accommodating the EPS projected job growth through 2025 of between 15,076 and 16,768 new jobs (see Table 2, footnote 1 at p. 13). As a result, if the County desires to have an adequate supply of land to accommodate 2025 demand for employment generating land uses it will need either to expand the acreage zoned for Research and Development or provide incentives to encourage higher intensity development on the existing Research and Development acreage.

The actual square footage per employee ratio of 574 square feet per employee is reflective of the fact that the Research & Development land use designation can and does accommodate a wide variety of uses including, for example, office uses, laboratories, fabrication/assembly and other light industrial uses, and warehouses, which have employee population densities ranging from less than 330 square feet per one employee to more than 1,000 square feet per one employee. This mix of uses is at the heart of the Business Park's success in attracting new employers to El Dorado County. And based on experience to date, we believe it is highly probable that new non-residential projects will continue to reflect a range of uses which in turn will generate a range of employee population densities.

² The EPS assumption of one employee per 330 square feet of development in the Business Park is based on the employee densities which might be anticipated if the Business Park were to be built-out as a high technology research and development office/laboratory campus. But as already noted in the discussion of FARs on pages 7-8 above, the Business Park includes a much broader mix of non-residential land uses including light industrial and warehouse uses that typically house employee densities of one employee per 600-1,000 square feet. As a result, the average building floor area to employee ratio is approximately 575:1. Because the wide range of allowed uses in the Business Park has proved to be a key factor in the Park's success to date in attracting employers to El Dorado County, it is probable that new job-generating projects will continue to reflect a mix of non-residential business and professional uses which will in turn generate a range of employee population densities.

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Thus, actual development experience to date in the Business Park provides compelling support for the proposition that, unless there is a fundamental change in the character of the Research and Development land market (a change which, quite frankly, the Business Park landowners do not anticipate absent significant public incentives), the EPS projections will substantially overstate the rate of growth, the average intensity of growth, and the employee generating characteristics of growth in the Business Park, and consequently, also substantially overstate the environmental impacts (particularly roadway impacts) resulting from such growth.

2. Second, we would request that the home counts in TAZ 147 be reassessed. It would appear that EPS assumed 457 homes would be developed in TAZ 147; whereas the actual residential lot count in this TAZ (based on the DEIR maps) appears to be 208.

3. Third, we would also request that the EIR consultants take another look at the way in which the Carson Creek project is addressed in the TDF model. It is our understanding that the Carson Creek project is presently limited to 1,470 homes (DEIR Table 5.4-4) and is age-restricted. Yet the TAZ unit count for Carson Creek appears to be 1,683 and there does not seem to be any adjustment factor to reflect the fact that the trip generation characteristics of age-restricted senior projects are very different from non-age-restricted projects.

4. Fourth, it would appear that the traffic analysis prepared in support of the Roadway and Environmentally Constrained Alternatives assumed that the acreage zoned for commercial and industrial land use would be developed at an FAR of 1.0. This assumption is unrealistic and significantly inflates the holding capacity of these zones. To achieve FARs over .25, it is usually necessary to employ multi-story construction. It seems reasonable to assume that the vast majority of industrial and commercial development in the County will be single story.

5. Fifth, we have been unable to determine why the roadway capacity analysis as set forth in Appendix D of the DEIR projects an increase in trips on Latrobe Road of approximately 50% when the road is improved from two to six lanes.

We respectfully suggest that growth projections based on actual development experience are the most reasonable and reliable basis for forecasting future development within a specific market and the most logical assumptions for purposes of analyzing the impacts of reasonably foreseeable growth on the roadway system. Accordingly, we request that the TDF model be rerun using Business Park employee population projections for TAZs 148 and 344 derived from actual development experience (see footnote 1 at p. 13, particularly Table 2) and that the appropriate corrections be made to the DEIR analysis.

In particular, for all of the reasons described above, we request that the traffic impacts to Latrobe Road be remodeled using 2025 and Buildout employee populations for TAZs 148 and 344 of 9,802 and 15,904 respectively (see Table 2 of footnote 1 at p. 13), 208 residential units for TAZ 147 (or the correct number of approved residential lots), 1,470 residential units for the Carson Creek development as well as an adjustment factor to reflect the fact that the Carson Creek development is an age-restricted seniors project, and a more reasonable FAR assumption of .25 for commercial and industrial zoned acreage. In addition, the DEIR should include a detailed explanation of why the widening of Latrobe Road from two to six lanes is projected to result in an approximately 50% increase in the number of trips using this roadway. Specifically, where are these additional trips coming from and where are they going?

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In summary, we would respectfully urge the County to reevaluate the traffic impacts to Latrobe Road resulting from job creation within the Business Park using FAR and employee population assumptions that have been in effect "calibrated and validated" based on actual Business Park development experience to date. The EPS forecast proposes to use assumptions that reflect a substantially different pattern of development than has occurred in the past 20 years (30% average FAR versus 23% average FAR; 330 sf of building floor area per employee versus 574 sf of building floor area per employee). If, upon subsequent review, assumptions reflecting a pattern of development within the Business Park different than that which has occurred to date are determined to be reasonably foreseeable and a more appropriate basis for forecasting land use, then the justification and supporting documentation for such a determination should be explicitly incorporated in the DEIR.

In addition, if the new traffic analysis continues to show LOS deficiencies on Latrobe Road that are attributable to trips generated by development within the Business Park, the DEIR should reevaluate ways in which the impacts could be mitigated without reducing the allowed development intensities within the Business Park. Reductions in the intensity of Business Park land use will only exacerbate the existing jobs-to-housing imbalance. Mitigation measures which result in such reductions are themselves inconsistent with one of the fundamental policies of the General Plan -- the need to better balance jobs and housing. Alternative mitigation measures that do not constrain job creation need to be explored. Before the DEIR resorts to mitigation measures such as reductions in development intensities that are themselves inconsistent with General Plan (and Statewide planning) policies, measures that are designed to reduce trips without reducing the Business Park employee population or constraining Business Park land uses should be exhausted.

249-18

TABLE 1

Lot	ac w/o bldg	ac w/bldg	bldg sq ft	FAR	..Reduction in Building Sq Ft with Hard Caps..		
					20.00%	25.00%	30.00%
pt 1	9.59						
pt 2	6.07						
pt 3	6.526						
pt 4	13.26						
phase one							
1		6.001	66,000	25.25%	13,719	649	0
2	3.002						
3	3.002						
4a		1	6,500	14.92%	0	0	0
4b	2.502						
5		3.548	21,000	13.59%	0	0	0
6		3.946	26,000	15.13%	0	0	0
7	4.585						
8	3.399						
9	3.003						
10	3.003						
11	3.001						
12	12.004						
13		2.302	33,300	33.21%	13,245	8,231	3,217
14		2.51	32,000	29.27%	10,133	4,666	0
15		4.823	69,000	32.84%	26,982	16,478	5,973
16	4.001						
17		4.762	57,600	27.77%	16,113	5,742	0
18		3.501	37,500	24.59%	6,999	0	0
19		2.501	35,000	32.13%	13,211	7,764	2,317
20		3.001	40,000	30.60%	13,855	7,319	783
21a		1.15	10,000	19.96%	0	0	0
21b	1.851						
22		2.002	24,000	27.52%	6,559	2,198	0
23		2.002	11,800	13.53%	0	0	0
24	2.002						
25	5.167						
26		3.083	32,000	23.83%	5,141	0	0
27		4.483	52,500	26.88%	13,444	3,680	0
28a		1.601	19,725	28.28%	5,777	2,290	0
28b		1.901	30,000	36.23%	13,438	9,298	5,158
29a		2.402	13,800	13.19%	0	0	0
29b	1.6						
island *							
1	13.39						
2	23.05						
3	20.65						
4	14.77						
5	14.33						
6	5.71						
7	7.95						
8	18.7						
9	10.58						
10	8.79						
11	3.42						
31a		2.839	18,688	15.11%	0	0	0
31b	2.839						
32	4.626						
33	3.58						
34	3.513						
35	3.101						
36	2.305						
37		3.706	33,600	20.81%	1,313	0	0
48	5.278						
51	5.001						
phase two							
43		5.613	34,670	14.18%	0	0	0
44	5.613						

Lot	ac w/o bldg	ac w/bldg	bldg sq ft	FAR	..Reduction in Building Sq Ft with Hard Caps..		
					20.00%	25.00%	30.00%
45	2.362						
46	3.055						
55a		1.001	12,000	27.52%	3,279	1,099	0
55b		1					
56		2.001	18,000	20.65%	567	0	0
57		3.76	46,080	28.13%	13,323	5,134	0
58		2.001	23,040	26.43%	5,607	1,249	0
59	2.001						
60		2.001	30,376	34.85%	12,943	8,585	4,227
61		2.001	24,776	28.42%	7,343	2,985	0
62		2.001	24,360	27.95%	6,927	2,569	0
63		2.001	19,200	22.03%	1,767	0	0
64		2.001	8,000	9.18%	0	0	0
65		4.345	52,960	27.98%	15,106	5,643	0
66	2.001						
67	2.001						
68		2.001	20,000	22.95%	2,567	0	0
69		2.001	23,040	26.43%	5,607	1,249	0
70.83.84		6.962	81,820	27.01%	21,267	6,104	0
71	2.112						
72		2.001	29,000	33.27%	11,567	7,209	2,851
73		2.044	12,500	14.04%	0	0	0
74		2.099	16,000	17.50%	0	0	0
75	2.819						
76	2.501						
77a		1.501	24,360	37.26%	11,283	8,014	4,745
77b		1					
78		2.001	28,489	32.68%	11,056	6,698	2,340
79	2.001						
80		2.352	21,600	21.08%	1,109	0	0
81		2.345	31,000	30.36%	10,570	5,463	356
82		3.012	31,200	23.78%	4,959	0	0
85		3.761	46,080	28.13%	13,314	5,123	0
92.93.94		9.8	135,000	31.62%	49,622	28,278	6,934
95	11.901						
96a		5	61,440	28.21%	17,880	6,990	0
96b	10.28						
97	9.246						
98		5.723	60,000	24.07%	10,141	0	0
OST							
32		59.881	244,488	9.37%	0	0	0
25		22.007	579,932	60.50%	388,207	340,276	292,345
16		18.12	54,387	6.89%	0	0	0
future*	207.89						
Carmel							
north	20.795						
precision		2.004	27,000	30.93%	9,541	5,176	812
cason		1.001	14,345	32.90%	5,624	3,444	1,264
school		5	22,000	10.10%	0	0	0
dbb		1.201	16,175	30.92%	5,712	3,096	480
south	26.847						
otto tool		2.002	28,800	33.02%	11,359	6,998	2,638
comtech		1.152	10,290	20.51%	254	0	0
SUBTOTAL	574.576	256.761					
TOTAL		831.337	2,582,521	23.09%	818,437	529,698	336,438
% Reduction due to Hard Caps					31.69%	20.51%	13.03%
FAR					15.77%	18.35%	20.08%

* gross, no roads etc

J. Cleve Livingston

From: CLARK CAMERON [chcameron@excite.com]
Sent: Wednesday, June 04, 2003 2:35 PM
To: tschudin@cwnet.com; pmaurer@co.el-dorado.ca.us
Cc: jim_becker@dstoutput.com; sammy@cemocom.com; J. Cleve Livingston;
janice_wickham@dstoutput.com
Subject: DEIR

Heidi and Peter, to complete our analysis we need the following info before we make our formal comments on the DEIR:

First, the issue of directionality vs combined traffic counts again is confusing to our understanding of the DEIR. Simply asked, was the traffic modeled as directional or combined for the PM analysis of Latrobe road traffic impacts? We find anecdotal evidence for both as the basis in the DEIR.

Second, could the traffic analyst's please identify all the factors that lead to the traffic counts increasing after improvements are made on the Latrobe road segments in appendices D-3a thru D-4d? We find no discussion on this matter in the DEIR.

Lastly, could the analyst's provide us with the raw data for both northbound and southbound traffic in both the am and pm for the 3 Latrobe segments. Thanks again for your continued cooperation in this most important matter to us as a group. Clark Cameron

03 JUL 15 PM 2:05
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PLANNING DEPARTMENT

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MessageFrom: Cary Brooks [cbrooks1@pacbell.net]
Sent: Tuesday, July 15, 2003 12:16 PM
To: generalplan@co.el-dorado.ca.us
Subject: Plan for the Missouri Flat Connector - Sierra Hope

I am the pastor of Sierra Hope Church. We own 29 acres of land south of EID on the rail easement that the connector is planned to go down. We hope to sell some of the land and build a roller rink on the remaining parcel. We are very concerned about the zoning for our parcels, which were designated industrial on both the original and revised General Plan.

Funding for the Missouri Flat Connector is to come in large part from revenue generated from fees and taxes from the development of land along the connector. To create adequate revenue for this requires proper zoning and access. Under the general plan most of the parcels along this corridor were to be zoned industrial or commercial. Under two of the alternative proposals, this is changed to residential on EID's 40 acres and Sierra Hope's 29 acres. These are the only two large parcels south of 50 that would have adequate traffic control with the connector to avoid major congestion on existing roadways. With the development of these parcels as commercial property, it could produce huge fees up front and continuing into the future, both from real estate and from sales taxes. This also falls in a natural pattern of commercial development between 50 and Diamond Springs.

El Dorado County is the least retailed county per capita in the state. Our tax dollars continue to flow down the hill to Folsom and Sacramento. This creates more traffic problems for the county by forcing residents to drive more to find needed goods and services. The connector can create a well planned commercial corridor flowing from Wal-Mart and the new Safeway into Diamond Springs. In addition, it could help keep traffic south of 50, which would relieve congestion on the new 50 interchange.

Please keep the original General Plan in place for this section. This will create a better community for us all.

Sincerely,

Cary Brooks

250-1



Building Industry Association of Superior California

03 JUL 15 PM 1:49

"Building Toward A Better Future"

General Plan Team
El Dorado County
July 15, 2003

RECEIVED
PLANNING DEPARTMENT

Re: COMMENTS ON THE DRAFT HOUSING ELEMENT OF THE DRAFT GENERAL PLAN

I am writing on behalf of the Building Industry Association of Superior California (BIA), which represents over 740 member companies in the Greater Sacramento Region, to comment on the Draft General Plan Housing Element.

State law recognizes that the availability of housing is of vital statewide importance and the early attainment of decent housing is a priority of the highest order. Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing for all income segments in the community. (Government Code Section 65581)

We have reviewed the draft element and commend the County for their efforts to meet the requirements of state law, as well as to use the tools available to meet the housing needs of the jurisdiction as allocated to El Dorado County by SACOG through the regional housing needs allocation process. We do, however, have some concerns, and comments, which I have outlined below.

The BIA previously submitted comments related to Housing Element policies and issues on January 9, 2003 and prior to that, as part of overall General Plan comments on August 29, 2002. The following comments do not, we believe, raise new issues, but are offered to elaborate and respond to the specific policies and implementation measures now before us.

We have a general concern regarding the feasibility of the County's ability to meet their regional housing obligation under varying scenarios. The Housing Element policies remain unaltered for each of the four General Plan alternatives. The regional housing need allocation numbers set by SACOG must be met, whichever alternative is adopted, yet there is not a thorough discussion of the realities of meeting that need if one of the more constrained alternatives or the No Project alternative is adopted. We would like to hear more specifically from the County on that issue. We are pleased to see the County proposing to consider developing standards for multifamily housing that would allow a process for ministerial approval of multifamily developments. The key, of course, will be insuring those standards are workable and do not unnecessarily increase the cost of the project.

We note that the County recognizes, however does not elaborate on solutions for, the requirement that all discretionary projects not cause roadways to fall below Level of Service E. The document recognizes the costs to new development could be very high, "depending on the

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manner in which the requirement is administered.” Such a statement implies there is discretion in the way in which the policy is administered, with no indication of how it will be addressed in favor of attempting to accommodate affordable housing needs.

251-3

We are pleased to see in policies HO-1a and HO-1c in particular, the County’s recognition of the link between regulations and housing affordability, including the need to consider potential costs to housing when establishing or adopting policies. The cumulative, even if unintended, effect of varying policies, standards and fees increases the cost of housing dramatically and can act as a constraint on supply. Policy HO-1f, and the corresponding Implementation Measure HO-C.

251-4

The language in both the policy and implementation is much too specific and restrictive, representing the most onerous form of Inclusionary Zoning. While recognizing the need for, and the desire of the county to plan for housing affordable to varying income groups, the BIA will adamantly oppose the proposed policy and we would appreciate your consideration of the following issues related to the this type of policy:

Inclusionary polices mandating price controls within a development simply shift the cost of the subsidy to the other homeowners in the project, thereby increasing the cost of the housing for those buyers.

Such a policy ignores the business realities of housing development. Homebuilders often specialize in a particular product and gain cost efficiencies in the production. To require them to build a percentage of the project with a different product may be infeasible, at best extremely costly in both time and dollars – again, costs which will be transferred to the other homes in the project.

251-5

For each increment of cost passed on to the market rate units, there will be a group of potential homebuyers for whom that cost results in their inability to afford that home.

It is simply counterintuitive to make housing more expensive and expect to make it more affordable.

The Department of Housing and Community Development (HCD) not only does not mandate inclusionary policies (as some attempt to portray), but in fact they require that such policies be analyzed as potential governmental constraints in the Housing Element review process. HCD has also recognized that such policies raise the cost of overall housing and can have a chilling effect on housing construction in general.

251-6

The BIA is not proposing that the building industry has no role to play in working to provide affordable housing, but the burden proposed here is too great. At a minimum, we request that the specific and mandatory language in the implementation measure be revised to allow greater flexibility for the policy/ordinance ultimately developed. We also request that a stakeholder group be formed to work with the County to explore alternatives in developing an “affordable housing” as opposed to an “inclusionary zoning” ordinance.

251-7

Policy HO-1k: Requires that affordable housing in residential units shall be dispersed throughout the project area. Again, as above, this policy is too specific. "Project Area" if intended to be project by project, is too burdensome on developers and financially unrealistic to include affordable units within each project, depending upon size. Affordable housing is both more cost effective to build, and also more cost effective to manage on a larger scale (on-site management is very important to sell to surrounding residents).

251-8

Policy HO-1m. A concurrency requirement is infeasible. This puts the developer at the mercy of things beyond his control: funding, demand, the timing of state and federal programs and dollars. It also does not recognize that the market rate units are needed early to fund the infrastructure. We request this policy be eliminated.

251-9

We would argue that the "inclusionary" mandates as described in the policies and implementation measures referenced above, run directly counter to Policy HO-1c, which states that the County shall consider the cost of housing in establishing regulations, etc.. The "cost" of the strict inclusionary policies suggested in this element will be borne by the other homebuyers, thereby increasing the cost of housing for many, precluding some from then having the ability to buy (or rent). Or, as in some cases, the policy is so burdensome; the developer simply cannot afford to build the project. Those most hurt by an inclusionary requirement where the burden falls to the developer, are those entry-level homebuyers.

251-10

We would also like to highlight several policies and implementation measures we feel have great potential for creating additional affordable housing in the County and which we feel are more feasible toward that end than the inclusionary policy:

HO-1g-HO-1j are very positive, particularly the outreach to minimize opposition to affordable projects. BIA would like to offer any assistance the County feels we could provide in that area.

HO-1o-HO-1w are all pro-housing policies that we hope will encourage additional affordable housing, along with the County's proposed policies for conservation and rehabilitation.

We also see implementation measure such as HO-F, HO-G, HO-V as particularly beneficial to the production of housing. We would be interested in participating in the stakeholders group described in HO-K and would hope that we can be involved in the development of HO-O, HO-T, HO-U and HO-DD, as well as any other policies and implementation measures effecting housing production in El Dorado County.

251-11

Again, we thank you for the opportunity to comment. We look forward to discussions on these and other important General Plan policy issues over the next several weeks.

Sincerely,



Damon R. Polk
Field Advocate



Building Industry Association of Superior California

El Dorado County Government Center
General Plan Team
330 Fair Lane
Placerville, CA 95667

Building Industry Association
"Building a Better Future"
RECEIVED
PLANNING DEPARTMENT
PLANNING DEPARTMENT

July 15, 2003

RE: EL DORADO COUNTY GENERAL PLAN COMMENTS

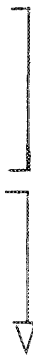
INTRODUCTION

The Building Industry Association of Superior California (BIA) appreciates the opportunity to provide comments as part of the community dialogue on the future direction and physical development of El Dorado County. As background, the BIA is a 740-member professional association with members including residential homebuilders, specialty trade contractors, title companies, attorneys, engineers, mortgage companies, and other companies that are associated with the building of homes. A recently prepared report, "The Economic Benefits of Housing" by Dr. Robert Fountain of the Sacramento Regional Research Institute revealed that as an industry, residential construction contributed \$11.479 billion and 107,810 jobs to the Sacramento Region Economy in 2002. Having reviewed the proposed alternatives under consideration for adoption by the El Dorado County Board of Supervisors, the BIA offers these comments discussing general themes and providing details of policies that are problematic within the proposed general plan alternatives.

El Dorado County is in the midst of a general plan update. More appropriately, El Dorado County is under a writ of mandate or direction by the Court to correct problems associated with the 1996 General Plan Alternative's environmental impact report. Instead of simply correcting the problems associated with the environmental report to the adopted 1996 General Plan, El Dorado County is considering four alternatives that will receive equal weight analysis under the Environmental Impact Report.

Out of the four equal weight alternatives under consideration for adoption, the BIA supports the proposed 1996 General Plan alternative as the El Dorado County General Plan. The BIA supports the 1996 General Plan alternative because it is the least invasive, it was developed in conjunction with the citizens and organizations in the county, and it received intense public scrutiny.

As for the other alternatives, (No Project, Roadway Constrained, and Environmentally Constrained) each one, jointly and severally, implicitly and explicitly serve to restrict the County's ability to move forward in a manner that is consistent with current fee programs, development agreements, Capital Improvement Plans, and the CalTrans Transportation Concept



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Report (TCR) (plan for US Highway 50) which “indicates a need for an ultimate eight-lane facility, including high occupancy vehicle lanes between Sacramento and Placerville.

A Healthy Future for El Dorado County Families Requires Adoption of the 1996 General Plan Alternative over the other Alternatives

The names alone, No Project, Environmentally Constrained, and Roadway Constrained, present a negative connotation in which to proceed for the future of El Dorado County. El Dorado County should not place ill-advised restrictions on its future by adopting neither the No Project, the Environmentally Constrained, nor the Roadway Constrained alternatives. Instead, the El Dorado County Board of Supervisors are encouraged to adopt a generalized plan that does not limit possibilities for the current or future residents of the County. The 1996 General Plan Alternative provides the greatest flexibility for families and should be adopted. El Dorado County is reminded to place families and individuals first.

Themes

The underlying theme that appears throughout the Environmentally Constrained and Roadway Constrained Alternatives is that the documents taken separately and as a whole promote policies that compromise families’ ability to afford housing. A secondary theme, but one which is equally apparent in all of the documents, is the notion that the alternatives for the proposed draft general plan is not in fact a generalized plan, but is more like an ordinance. The final theme that is taken from the policies within the proposed alternatives is that many of the proposed policies translate into invasive schemes that are without certainty of funding.

Details

As there are certain threads and themes running through each of the documents of which we have commented, the BIA finds it to be equally important to discuss certain details within the proposed policies to articulate our position.

- **Grading preclusion Policy CO-1c** “ The County shall preclude grading activities during the rainy season (roughly October 15 through May 1), unless impacts are adequately mitigated, to avoid sedimentation of rivers, lakes, streams, and wetlands.” This policy is unnecessary and duplicative since the Storm Water Pollution Prevent Plan enforcement is sufficient to handle run off.
- **Environmental mitigation** – Any environmental mitigation policy that the County ultimately adopts should have a sound scientific basis for any ratio. There should be an option available for a 1:1 replacement ratio. Common sense and the law says 1:1. The County should permit “stacked mitigation.” In other words, land or acreage that is being set aside as mitigation for wetlands should also be able to be set aside for other environmental mitigation such as habitat or natural communities.
- **Costs** – There are at least 12 new or increased costs for housing proposed in the draft general plan and draft EIR alternatives. The BIA requests that the County direct staff to provide line item expenses to implement policies in general plan and mitigation policy.



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The BIA would also like to remind the County that for every \$1000 added to the cost of a home 40,000 people are locked out of homeownership in our state. As El Dorado County's fees are already triple the statewide average, these additional fees and mandates would continue the escalation of El Dorado County citizens who are unable to afford homeownership.

252-10

- **Gated communities** - Given the popularity of this community feature, the County should allow the market to dictate whether gated communities should be allowed or disallowed. The County should not eliminate this popular option for families. Parents should be able to provide their families with the safest environment possible. Prohibiting the use of gated communities without a rational basis is unfair. The BIA requests that the County preserve the gated community as an option for El Dorado County families.
- **Subdivision**- In terms of subdivision, the policies that allow subdivision "consistent with state law" is preferable to the chilling and narrow sighted policy restricting the subdividing of parcels to no more than 4 parcels. Limiting subdivisions to the creation of no more than 4 parcels is inapposite to good planning as the community is developed in a piecemeal and disorganized approach. A piecemeal approach is advocated against by CalTrans in the letter to El Dorado County. ("Housing subdivisions should be evaluated collectively, instead of on a piece-meal basis") (Cal Trans Letter to Peter Maurer, June 11, 2003).
- **Housing Element** – Please see **Housing Element Comments under separate cover**
- **Highway 50 Size**- El Dorado County is encouraged to adopt a General Plan that incorporates and is consistent with statewide and regional plans for the expansion of US Highway 50. As Cal Trans reminded El Dorado County in its letter, "the CalTrans plan for the future of Highway 50 indicates a need for an ultimate eight-lane facility." (Cal Trans Letter to Peter Maurer, June 11, 2003). El Dorado County has also indicated that US 50 expansion to 8-lanes is necessary to ensure that Highway 50 remains above Level of Service F. (Matt Boyer testimony at General Plan Hearings, June 2003).
- **Jobs / Housing Ratio**
The County's report points to the state DOF's target for a balanced ratio of 1.5: 1. The current jobs-to-housing ratio for the county is 0.6:1. This tends to show an imbalance in the jobs to housing ratio when compared with the state target for a healthy balance.
- **Unfair Treatment of Large Property Owners**- The County "downzoning" or selectively restricting the development of land through selective land use designations is unfair and promotes bad planning. When all land parcels in an area encircling a property owners parcel of land are designated for a certain density, for consistency sake, contiguous parcels should receive the same or similar land use designation and density. To do otherwise, undermines good community planning. El Dorado County should refrain from policies that are unjustly harsh such as the "downzoning" of large parcels of land.

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- **Forest and Oak Woodland Resources**

OBJECTIVE 7.4.4: FOREST AND OAK WOODLAND RESOURCES

Policy 7.4.4.2. This policy states that County “shall encourage the protection, planting, restoration and regeneration of native trees in new development...” This policy clearly allows planting, restoration and regeneration to mitigate the loss of oak tree canopy.

Policy 7.4.4.4 applies an **absolute** percent protect that must be retained or replaced. The Table utilized in Policy 7.4.4.4 was copied from a similar policy used by the city of Placerville. However, the City of Placerville’s policy only applies to residential housing. The County chose to apply this table to all discretionary projects.

A residential house may have a footprint of 5,000 square feet; this is easy to move around on a 20,000 to 40,000 square foot lot. However, industrial, commercial and retail projects can have footprints of 20,000 square feet up to 5 or more acres. It is extremely difficult to put a 20,000 square foot building and a 40,000 square foot parking lot on a 70,000 – 80,000 square foot pad. It is essentially impossible to move the buildings around to protect 60 –70 % of the tree canopy.

The County should allow each project to be reviewed on a case-by-case basis. This is the purpose of “discretionary” review. The **absolute** protection of policy 7.4.4.4 should not be applied to all discretionary projects – only residential. The county should also allow for creative mitigation measures.

The Court found that the policy of replacement versus retention had inadequate CEQA review, not that it was inherently wrong. There will be impacts of development in areas with oak trees. These can be mitigated by replacement, but not totally. If it is an objective to save all oak canopy then lands should not be designated for industrial, commercial, or retail uses where there is any oak canopy. The County may simply need an overriding finding for non-residential uses.

- **Measure Y-** The BIA encourages El Dorado County to recognize that so-called “Measure Y” is no longer in existence. Measure Y failed to exist the moment that El Dorado County’s General Plan ceased to exist. As Measure Y was an initiative, which amended the Circulation Element of the then embodied General Plan, once the General Plan died upon which Measure Y relied, Measure Y died as well. As Judge Richard Haugner so eloquently stated when ruling upon the challenge to the initiative, “Measure Y cannot stand by itself.” If the policies embodied within the now defunct Measure Y are to be considered as part of any new General Plan, then it should be taken to the voters for approval, as was the original version. Similarly, if the County unwittingly deems Measure Y to stand with or without voter approval, then it should contain a sunset of no more than 10 years as the original initiative did.

252-17

252-18

- **Concurrency / Will-serve Letters-**

The proposed policy at page 5.5-4.7 has drawn significant comment from EID and we would concur in those comments. We wish to add an additional observation and would ask the preparers of the document how, given the scale and extent of water delivery systems which may be required, one would ever be able to submit an application for a project and simultaneously demonstrated that the supply is "physically available" and that the relevant irrigation district can and will serve the project. With respect to this issue, we would suggest that the following language be utilized in lieu of the last sentence of this policy:

"At the time of application for a discretionary permit the application shall include a facilities improvement letter prepared by the utility district. The letter shall define the offsite improvements required to serve the project and shall:

1. indicate that the necessary improvements are included within the adopted district master plan, and;
2. indicate that the district will only set aside water for the project at such time as the project proponent is able to acquire water meters."

Language short of this will leave projects unable to proceed unless all offsite improvements have been put in place before formulation of applications and tentative plans.

The effect will be to terminate subdivision of property in the County given the uncertainty of success in even obtaining legislative or quasi legislative approvals necessary for subdivision after the subdivider has invested in the improvements needed to convey water from its nearest source to the site. General properties would be meaningless.

CONCLUSION

The BIA encourages and supports the adoption of the proposed 1996 General Plan Alternative. Out of the alternatives being considered, it is the most flexible and allows the greatest number of possibilities for the future of families. The Building Industry of Superior California (BIA) thanks you for considering these requests and comments regarding the proposed El Dorado County General Plan.

Sincerely,



Damon R. Polk
Field Advocate, Governmental and Public Affairs

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JUL 15 '03 02:04PM CALIFORNIA DEPT. OF FISH & GAME

P. 1

STATE OF CALIFORNIA - THE RESOURCES AGENCY
 DEPARTMENT OF FISH AND GAME
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GRAY DAVIS, Governor



July 15, 2003

Mr. Conrad Montgomery
 El Dorado County Planning Department
 2850 Fairlane Court
 Placerville, CA 95667

Dear Mr. Montgomery:

Department of Fish and Game (DFG) personnel have reviewed the draft Environmental Impact Report (DEIR) for the draft El Dorado County General Plan (GP). This includes four "Equal Weight" alternatives including a No Project alternative, 1996 General Plan Alternatives (, a draft Roadway Constrained Six-Lane "Plus" Alternative, and a Draft Environmentally Constrained Alternative. We have also reviewed the Draft Environmental Impact Report (DEIR) for the El Dorado County General Plan (SCH# 2001082030).

The geographical scope of the General Plan includes all County lands except incorporated cities, public lands, and native American Reservations. Although most of the County land is outside of the General Plan boundaries, development of land within the General Plan boundaries may have a significant effect on lands outside of the boundaries, including those lands which are open to public use. The approved General Plan will guide the County's planning process until 2025. The DEIR is intended to function as a Program EIR, as described in CEQA §15168 for the General Plan.

The DFG's scope review of the General Plan and DEIR encompasses all plant, fish and wildlife resources of the County. The DFG is the responsible and trustee agency for California's fish and wildlife under CEQA (CEQA §15386 (a)). The DFG commented on prior General Plan documents, including our letter of January 12, 2001 regarding the Notice of Preparation (NOP) for the General Plan. An August 27, 2002 comment letter was also provided regarding the draft County General Plan Conservation and Open Space Policies. Copies of these letters are available upon request. DFG staff has worked closely with the county for several years in their resource planning efforts through participation in the Plant and Wildlife Technical Advisory Committee (PAWTAC). The following comments reflect our concerns regarding the resource impacts resulting from implementation of the proposed General Plan and DEIR, and other resource protection issues in the county, notably potential impacts to blue oak woodland, migratory deer and rare gabbro soil plants.

253-1

General Plan
Draft Environmentally Constrained Version (Alternative #3)

p. 7,8 - Vision Statement – The vision statement for Alternative #3 should encourage clustering of development, similar to the vision statement for Alternative #2. The Important Biological Corridor (IBC) overlay would indicate a commitment to maintaining biological values, however, clustering of development can be a more valuable mechanism for maintaining biological values than application of the IBC overlay or many of the other elements proposed in Alternative #3.

253-2

This section explains that the Land Use Map is based upon development patterns at the time of General Plan adoption. However, little information is provided here or elsewhere regarding how Alternative 3 originated, or upon what facts and assumptions this alternative is based. Although not expressly stated, the element relative to fish and wildlife conservation that differentiates this alternative from the other equal weight alternatives is the presence of the IBC overlay.

253-3

p. 20 - Land Use Map – The land use designations on this map show large areas (59,363 acres) of land designated Agriculture (A) under Alternative #3. This is of concern with respect to fish and wildlife in the County because of the potential development of vineyards or other forms of agriculture that have little or no wildlife habitat value. Impacts from this potential land use conversion remain unmitigated in the DEIR.

253-4

p. 22 - Base Land Use Designations - The description of the allowed uses under the Agriculture Land Use designations should be revised to better describe allowable land uses for each designation. This is directly applicable to the statement authorizing a maximum of two dwelling units to "support the agricultural uses allowed", but not specifying what those uses are.

253-5

p. 23 - The DFG supports the land use designation of Natural Resources being limited to residential units of 160 acres above 2,500 feet elevation. A minimum parcel size of no less than 40 acres is recommended for rural parcels at lower elevations within migratory deer migration corridors. This helps reduce the amount of habitat fragmentation at lower elevations, where much more development will likely occur.

253-6

p. 34– Policy LU-7f - We encourage the transfer of development credits from development under environmentally constrained Land Use Designations to Multifamily Residential and High Density Residential. This will help enable a clustering of development as addressed elsewhere in our comments. Also, consideration should be given to allow donation of lands under Land Use Designations other than those specified in this policy. This could include RR, RL, and LDR-designated lands as well, to allow greater flexibility in developing future resource protection planning efforts.

253-7

p. 124 – Water Supply – The individual and cumulative effects of groundwater withdrawals should be considered relative to residential development in rural areas. In some cases, there may be a relationship between such withdrawals and surface flow in streams and springs within the watershed. This may reduce flows needed to maintain fish populations, wetlands, springs, and other aquatic resources. We are particularly concerned with cumulative impacts from groundwater pumping to the American and Cosumnes Rivers.

253-8

p. 260 - Policy CO-3c - Buffers established around natural watercourses, including permanent and intermittent wetlands and perennial and intermittent streams are important to insects and amphibians that cannot survive in permanent water because of predation by fish. Buffers are to be maintained in perpetuity in their natural state within the context of rural and urban land uses. Buffer areas should be established that are not less than 100-feet in width wide, as measured from the upland edge of the wetland or stream bank to the boundary of buildings, parking areas, or other developed areas. Buffers should extend to protect associated riparian habitats and riparian corridors. Buffers may need to be extended to at least 330 feet from the boundaries of aquatic habitats in some areas to avoid adverse effects to sensitive listed species such as the federally threatened California red-legged frog (*Rana aurora draytoni*). Buffers may also be extended based on soil stability, slope, erosion potential and surrounding land uses.

253-9

p. 260 - Policy CO-3d - Provided that site specific impacts are adequately mitigated, exceptions may be possible to the setback requirements in Policy CO. Construction of road, bridge repairs, docks and piers, and even recreational trails may result in innumerable adverse impacts to fish and wildlife, including listed species. Often such projects will require project specific CEQA review as well as notification to the DFG pursuant to Section 1601 or 1603 of the Fish and Game Code.

253-10

p. 263 - Policy CO -5c - We encourage the development of conservation easements as a means of preserving buffers in perpetuity, in addition to fee acquisition, however consideration should be given to long term funding for management of these areas.

253-11

p. 263 - Policy CO-6c - We recommend that the oak ordinance be revised to include language requiring a quantifiable performance standard such as, " The County shall develop mitigation and/or avoidance standards to protect oak woodlands such that no net annual loss of oak woodlands occurs." The policy should also recognize the importance of protecting snags. Any requirement for snag protection should be consistent with fire safety and other authorizations. Snags are a critically important source of food and cover for many bird and mammal species. Several species of woodpeckers found in the County excavate nest holes in snags, as well as living trees. Also, snags are used by acorn woodpeckers (*Meelanerpes formicivorus*) as "granary or mast" trees, where acorns are stored for food. Many bird species use branches on snags for perching, and feed on adult and larval wood-boring beetles and other insects present on and within the snags. Fallen trees within streams also provide valuable escape cover and insect food for fish.

253-12

DFG staff has worked with the PAWTAC in developing biologically sound protection, conservation and restoration strategies for oak woodlands in the county. We look forward to future coordination in continuing this work. In that light, should provide better guidance language in developing oak protection plan for the County.

253-13

P. 281 - Policy AF -1g - This policy provides for the assignment of the Agricultural Land use designation for rangelands which are currently grazed or suitable for grazing. Cattle grazing under some circumstances may be beneficial in habitat restoration planning, including controlling undesirable plants. Some agriculture-designated land may be better as rangeland than in other forms of agriculture with lower habitat value, such as vineyards, provided riparian

253-14

corridors are protected using accepted range management techniques. Overgrazing may degrade fish and wildlife habitat, especially in riparian areas.

The expansion of the breeding range of the nest parasite brown-headed cowbird (*Molothrus ater*) is an example adverse impacts from cattle grazing and livestock feeding areas. This species, like all cowbirds, does not build its own nest. It reproduces only by laying its eggs in the nests of other birds. Young cowbirds tend to out-compete with the other offspring in the nest for food and nest space, to the detriment of the endemic parent species. Many areas provide supplementary food sources for cowbirds. These include livestock feed-lots, dairy operations, horse and cattle confinement areas, and other agricultural operations where grains and forage is fed to livestock. Availability of feeding areas is a limiting factor in cowbird populations. This should be considered when considering options for new livestock areas, or whether to maintain existing ones. Further, concerns regarding cowbird parasitism of rare native bird species are relevant to the fragmentation of forest habitats for human residences, especially when associated with horse or livestock enclosures.

253-14

p. 296 – Policy PR-2a – We agree that public access points should be encouraged in public open space areas. However, consideration should be given to the potential disruption and loss of wildlife habitat resulting from development of access points and other park facilities. An example is the current County plan for development of Bass Lake Regional Park. A perimeter trail a long Bass Lake (as well as other park facilities) is planned. Construction and use of these facilities has the potential to severely degrade habitat at Bass Lake for many species of resident and migratory birds, including wintering bald eagles (*Haliaeetus leucocephalus*). Impacts such as these could reduce the protective values of buffers around water bodies, discussed elsewhere in our comments. We recommend that access points be evaluated for placement and construction to reduce impacts to sensitive areas, and that buffers be expanded around access points to reduce impacts to adjoining wildlife habitat.

253-15

General Plan DEIR

Volume 1

Executive Summary Table – pp. 2-9. We agree with the Policy 5.1-3(a), which establishes a General Plan Conformity Review process. This policy mandates that development involving any structure greater than 120 square feet in size, or requiring a grading permit, be consistent with the General Plan. Without this mandate, the likely cumulative impacts in the County from many small projects above this threshold could be significant to fish and wildlife resources.

253-16

p. 3-27, Table 3-4 - Acreages allocated to specific Land Use Designations are shown for Alternatives 1-4. This table and Table 3-3 (pp 3-25), are very helpful for facilitating review.

Various useful comparisons could be made involving existing land characteristics relative to proposed Land Use Designations. Table 3-4, for example, could indicate the amount of land within each Land Use Designation for Alternatives 1-4 that has been designated as Very High fire hazard. This comparison would be very useful in an evaluation of potential fire clearance impacts. Another useful evaluation would be to determine land in designated

253-17

under each evaluation with slopes greater than 30%, which would be applicable to the potential for sedimentation of streams in the County and adverse impacts. Another very valuable comparison would also be to include a comparison of the lands which are in each land use designation which have oak woodlands, rare plant species, etc.

Other sections of the DEIR have made similar useful comparisons, including that in Table 5.12-5 summarizing potential special-status species impacts on land with certain designations. Table 3.4 would be more meaningful if it provided information relative to the percentage of land in that part of the County subject to General Plan Review. Without such numerical comparisons, one must make crude comparisons between the Land Use Map, and other maps in the General Plan, including that for fire hazard map, etc.

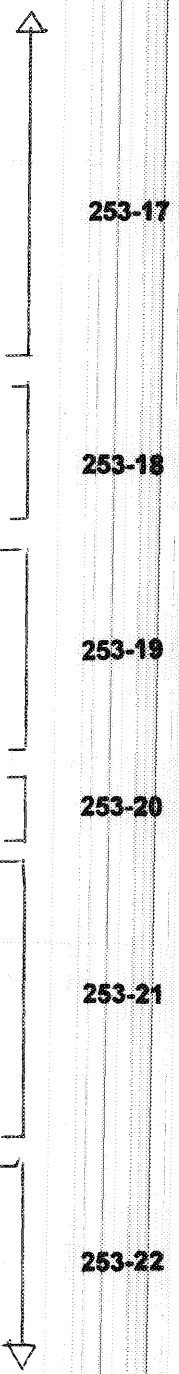
Recent discussions between Mr. Frank Gray of my staff and County Geographic Information System (GIS) personnel have indicated that it is possible to make the aforementioned determinations. This could be completed using ArcInfo® and other software available to the County. This additional information, and any other information necessary for decision making, should be mentioned in the DEIR.

Most of the land which is developable under the General Plan is designated for 1-10 acre minimum parcel size per DU. For wildlife habitat, preferable Land Use Designations under the General Plan relative to development density are Multi-Family Residential, High-Density Residential, or Natural Resources. These designations allow from 5-24 DU/acre or, in the case of Natural Resources, at a minimum. Currently, less than 1.6% of the land in the County is designated for the higher intensity land use. To reduce impacts in rural areas, the General Plan should direct development towards areas that are already developed.

p. 5.1-14, Table 5.12-2 – The table should be revised to reflect that Layne's butterweed (*Senecio layneae*) is federally-listed as threatened.

p. 5.1-47 - Mitigation Measure 5.1-2 relates to the creation of "Distinct Community Separators." These would function to maintain boundaries between urban and rural areas. They would also allow consolidation of rural lands, clustering of development, including increases in the allowable floor-to-area building ratio in Community Centers. This concept may benefit wildlife populations if various features of the landscape are used to define such boundaries. For example, streams and riparian areas, wetlands, forested areas and associated buffers could be used to define such boundaries. Wildlife would also benefit from clustering of development, minimizing fragmentation of habitat. We recommend the County develop other landowner incentives in addition to transfer of development rights to accomplish this goal.

p. 5.1-55 – Second Paragraph – We agree that residential, timber production, mining, and mineral extraction, as allowed uses under the NR Land Use Designation, will create the potential for incompatible land uses. Besides each of the aforementioned land uses being incompatible with each other, the Land Use Maps for Alternatives 1-4 shows incompatible spatial distribution of lands with the NR and other land use designations. There are many isolated blocks of this land both within and adjacent to IBC's, for example. Because of this,



clearing for vineyards and other agricultural activities which are allowed under the NR designation could have severe adverse impacts to fish and wildlife habitat resulting from habitat fragmentation and removal of large blocks of native vegetation.

253-22

p. 5.5-15 - Roles of State agencies. The first sentence should be revised to read "California Department of Fish and Game (CDFG) is a responsible agency under CEQA with... " This section should also explain that the DFG, as a CEQA Responsible Agency, also reviews EIRs and other CEQA equivalent documents relating to water quality, water diversion and water storage projects. In addition to recommending instream flows for aquatic life, the DFG may also require mitigation for terrestrial habitat losses at the place of use for the diverted water, losses of terrestrial habitat inundated by water storage reservoirs, screening of water diversion as applicable to prevent fish entrainment, and erosion and pollution control projects to reduce degradation of instream resources.

253-23

p. 5.5-48 - New Policy (Water Conservation). Water conservation and water recycling programs will reduce the demand on surface water supplies, and the potential for individual or cumulative significant adverse effects on fish and other aquatic life in the County. To this end, specific measures should be identified in the General Plan Water Conservation Policy. Consideration should be given for the water efficiency program to include recommendations for drought-resistant landscaping using native plants for new residential or commercial uses, landowner education regarding drought tolerant landscaping, etc.

253-24

p. 5.5-57 - The EID Main Canal and Crawford Ditch are mentioned as examples of waters that may be concrete-lined or placed within pipes in the future. Most of the canal/ditch systems experienced losses exceeding 75%, as evidenced in documents provided to the State Water Resources Control Board (SWRCB). The DFG seeks to make existing water delivery of diverted water more efficient, thus reducing the need for further appropriations from rivers and streams in the county. Existing diversions of water from streams and rivers already impacts fish and wildlife to a certain degree, thus the efficiency of those existing water supply and delivery systems should be maximized to the greatest extent possible.

253-25

We do, however have concerns regarding the fish and wildlife resources which have become dependent of leakage from unlined canals and ditches. These water sources support a great deal of riparian and wetland vegetation which in turn supports many wetland dependent species, including special status species such as the western pond turtle. The potential significant impacts to these species should be addressed prior to adoption of a water conservation policy, and appropriate mitigation provided to reduce impacts to less than significant.

DEIR, Volume 2

P. 5.8-108 Wildland Fire Hazards – Figure HS-1 in General Plan Alternative 3 is a County fire hazard map, showing almost all of the land in the western County, and subject to the General Plan, designated as high or very high fire hazard. Of particular concern is the large amount of land in Alternatives 1 - 4 designated for building densities of 1 DU/1-10 acres in high fire prone areas. Much greater clustering of development into appropriately designated land zoned for

253-26

High Density Residential and Multifamily Residential would greatly alleviate problems associated with habitat losses from fire clearance, particularly in areas which support listed and rare gabbro soil plant species.

253-26

p. 5.9-53 - Soil Erosion - Expected scenarios relative to soil erosion are described here under Alternatives 1-4. Restrictions on grading are essential to help reduce the entry of sediment into streams, rivers, lakes, and other aquatic areas. Sedimentation adversely impacts fish in many ways. Sediment fills in spaces between stream bottom gravel which smothers aquatic organisms and reduces food available for trout and other fish species. Other adverse impacts include reduced survival of incubating fish eggs, reduced cover for juvenile fish, and reduced visibility for predatory fish species. Long-term impacts of erosion and sedimentation also include reduced storage capacity of reservoirs and other water bodies.

253-27

p. 5.9-70 - Mitigation Measure 5.9-5(a) restricts Land Use Designations in areas that may contain important mineral resources. According to this measure, the Mineral Resources (MR) overlay shall only be considered appropriate with the following base land use designations: Natural Resource, Open Space, and Industrial. Mineral extraction has significant effects on biological resources. Furthermore, limits on the size and cumulative number of ongoing mineral extraction activities should be defined for areas designated within the Important Biological Corridor (-IBC) land use overlay.

253-28

p. 5.12-1 Biological Resources - This section of the DEIR should discuss noxious weeds, and propose General Plan policies to reduce adverse impacts from invasive exotic plant species in the County. This recommendation was made in the January 12, 2001 DFG letter regarding the NOP, but this issue has not been addressed in the DEIR.

The introduction and spread of noxious weeds is a source of habitat degradation in the County and elsewhere. This often arises from activities associated with human development and road maintenance. Yellow star thistle (*Centaurea solstitialis*) is probably best known locally found weed, but Scotch broom (*Cytisus scoparius*), spotted knapweed (*Centaurea maculosa*), whitetop (*Lepidium latifolium*) (especially in the Tahoe basin), and many other species are also prevalent. Yellow star thistle in particular has spread rapidly in recent years and now occupies an estimated 10 to 15 million acres in California.

253-29

Educating the public about weed identification and providing non-technical information about ecologically-compatible weed control could occur through homeowners' associations and other local conservation groups. Non-technical information about yellow star thistle and its management can be found at <http://wric.ucdavis.edu/yst/yst.html>.

p. 5.12-10 - Fisheries - The DFG would like to clarify its current trout stocking practices at alpine lakes (> 6,000 feet elevation) in the County. Fingerling trout have historically been planted by airplane into remote waters that were historically, or are currently occupied by, the federally endangered mountain yellow-legged frog (*Rana muscosa*), a native amphibian. The DFG suspended stocking waters in year 2000 within the historic range of this species. This resulted from current research and concerns regarding the decline of native ranid frogs in the Sierra Nevada. The DFG also embarked upon an extensive surveys to determine the extent of

253-30

mountain yellow-legged frog populations to evaluate future stocking programs. Stocking of these lakes would only resume if there were sound fishery management reasons and no adverse impacts to mountain yellow-legged frogs would occur. Basin management plans will be developed before stocking of alpine lakes will resume. The DFG will continue to stock catchable-size rainbow and brown trout in hydroelectric and water supply reservoirs, along with publicly accessible reaches of the South and Silver Forks of the American River.

253-30

p. 5.12-11- The statement "...waterway obstructions limit movement by resident fishes...but are not impediments to fish migration," should be clarified.

253-31

Statements should be revised to reflect the historical upstream migration of chinook salmon (*Oncorhynchus tshawytscha*) and steelhead trout (*Oncorhynchus mykiss irideus*), well within the County. The historic migration extended further than Salmon Falls on the South Fork American River. Historical accounts describe salmon and steelhead being caught as far upstream as the current Slab Creek Reservoir, and possibly as far upstream as Eagle Rock (~12 miles downstream of Strawberry). These were most likely spring-run Chinook salmon, but steelhead traveled the furthest upstream. Spring-run chinook migrated up the Middle Fork American River to the confluence of the Rubicon River. Steelhead have been documented to 4 to 5 miles upstream of the mouth of the Rubicon River. Future restoration efforts may target reestablishment of one or more of these runs.

253-32

p. 5.12-12 – Special Status Plants – There is reference in this section to the special status plant species known to occur or potentially occurring in the County. A total of 30 species are listed, not the 29 which is referenced in the text. Also, there are five species which are listed as Federally or State-endangered, not the six which is referenced in the text discussion.

253-33

p. 5.12-28 - The "take" of a listed species can also be authorized by an incidental take permit, issued in conjunction with a Natural Communities Conservation Plan (NCCP) (Fish and Game Code § 2800).

253-34

p. 5.12-28-29 - The analysis of the state regulatory issues relating to fish and wildlife habitats should be expanded to encompass the DFG's trustee and responsible agency roles under CEQA and CESA.

253-35

In addition to §3503.5 of the Fish and Game Code, which protects birds of prey, §3503 of the Code, makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. The provisions of this section are particularly applicable with regard to operations involving tree and brush clearing during times when birds are nesting, typically in the spring or early summer.

253-36

In the first paragraph of the CESA discussion, the following corrections should be made:

1. In addition to species listed as threatened and endangered, CESA protects species that are candidates for such listing.

253-37

2. The discussion of what constitutes "take" inaccurately characterizes both state and federal law. Habitat modification does not necessarily constitute take under either federal or state law. Under ESA, habitat modification that actually injures or kills a protected animal is prohibited. Under CESA, habitat modification that actually kills a protected animal is prohibited. The only significant difference in what constitutes take under these two acts is that non-lethal injury to the species or to an individual of the species is take under ESA but not CESA. In many cases, modification of habitat used by a listed species is a proximate cause of mortality and is therefore "take" under both ESA and CESA.

253-37

3. At the end of the paragraph, the reference to the consistency review process should include the ESA §7 consultation process. The vast majority of consistency reviews conducted by the Department under Fish and Game Code § 2080.1 are based on § 7 consultations, not § 10(a) permits.

The second paragraph of the CESA discussion misstates the level of protection that state law affords listed plants. CESA provides a level of protection for listed plants on many projects that is equal to the protection provided fish and wildlife species, while federal law provides no independent protection for listed plants that are not on federal lands. Therefore the first sentence of this paragraph is misleading in comparing state and federal plant provisions and contrasting them with protections provided fish and wildlife.

Landowners are allowed to take listed plants without a CESA incidental take permit only for the activities that are specifically enumerated in Fish and Game Code §1913(a) and (b). The Department construes these exceptions to CESA and the Native Plant Protection Act (NPPA) narrowly, and CESA take authorization is required for many projects that will cause take of endangered or threatened plants. The 10-day notice provision to allow Department salvage applies only to those activities that are described in § 1913(a) or (b), in other words, to those projects that are already exempt from the CESA permitting requirement. NPPA does not allow any landowner to take listed plants after providing the 10-day notice, as stated at the bottom of page 5.12-28 of the draft EIR. This is a serious misstatement of the law and must be corrected.

253-38

Any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank of any river, stream, or lake in California is subject to regulation by DFG pursuant to §1600 et seq. of the California Fish and Game Code. Specifically, §1603 makes it unlawful for any person to substantially divert or obstruct the natural flow, or substantially change the bed, channel, or bank of any river, stream, or lake designated by DFG, or use any material from streambeds, without first notifying DFG of the activity. The DFG has designated all rivers, streams, lakes, and streambeds in the state, including those which may have intermittent flows, as subject to §1600 et seq. of the California Fish and Game Code. Section 1.76 of Title 14 of the California Code of Regulations defines a stream or river as a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life, including watercourses having a surface or subsurface flow that support or has supported riparian plants. The applicant must obtain a lake or streambed alteration agreement from DFG if the activity described in

253-39

the notification may substantially adversely affect a fish or wildlife resource. The agreement will include conditions to protect the resource and must be obtained before commencing the activity. The DFG may not issue a lake or streambed alteration agreement without first complying with CEQA.

253-39

p. 5.12-32, 33 - Loss and Fragmentation of Wildlife Habitat – The table presented here indicates the level of significance with implementation of each of the four equal weight alternatives. The table provides an analysis of impacts both before and after implementation of various mitigation measures, including the development of the oak ordinance and INRMP. For reasons discussed elsewhere in our comments, we believe that the impacts of the implementation Alternatives 1-4 will still be significant, even after implementation of the referenced mitigation measures.

253-40

p.5-12 -36, Table 5.12 - The table refers to the percent of various habitat types that would be available at buildout for each of the four alternatives. The map could provide some very useful information, with the proper clarification. The statement "Table 5.12-4 lists the percent of habitat by land use intensity at buildout" should be revised to specify what the "percent" reference refers. It could refer to acreage of each habitat type, which might be inferred. It should be clear whether the percent relates to a current or historical habitat condition. Also, does intensity as used in this table equate to the density of land uses, as shown in the General Plan land use designations?

253-41

p. 5-12-46, 47 – Policy C0-J of Alternative 2 mandates the completion of an Oak Woodland Management Plan. The timetable for completion of this task is two years after plan adoption. Many sources of information regarding the development of such a plan exist, including information from the DFG, the University of California Cooperative Extension, CDF, The California Native Plant Society (CNPS), the Oak Woodland Conservation Act, and other sources.

253-42

p. 5.12-50 - The concept of an Important Biological Corridor (IBC) overlay is valid. The provisions of the IBC overlay provide a good framework, but should be revised to contain specific performance standards. For example, there should be numerical mitigation or avoidance standards for conservation of wetlands and riparian areas such as setting a specific standard for habitat retention (e.g. no net loss of oak woodland habitat in the county). Another concern, as mentioned earlier, is for the areas within the IBC overlay within which mineral extraction is allowed. Another example of a standard for the IBC would be to recommend fencing which is designed to allow deer passage, particularly in migratory areas. Perimeter fencing should be restricted to 3-4 strand wire with a bottom strand a minimum of 16 inches above ground. The fence should not exceed 48 inches in total height. The bottom strand should be barbless wire.

253-43

p. 5.12-56, Mitigation Measure 5.12-1(d) and an associated policy is discussed. The policy mandates the development of a resource management plan. This would guide the management of plant, fish, and wildlife resources of the County until 2025. Many elements of this plan are commendable, including the requirement to inventory habitats and develop a strategy for habitat protection. However, it is uncertain as to how the INRMP will be consistent with the regulatory requirement of the applicable State and Federal agencies.

253-44

This includes regulatory requirement under CEQA, National Environmental Protection Act (NEPA), CESA or other laws for protecting special status.

Other resource planning options should be considered, including development of a Habitat Conservation Plan (HCP), an NCCP, or a combination HCP/NCCP. Elements of the INRMP could be incorporated into one of these other plan options. Irrespective of the option chosen, we suggest that INRMP or alternative resource plan be completed within 3 years after the adoption of the revised General Plan, or as otherwise dictated by State NCCP or Federal HCP requirements. Any County HCP/NCCP or adaptation of the INRMP should be based on science and should include the concept of adaptive management.

253-44

To develop an NCCP, the DFG may enter into an agreement with the County or other entity. Comprehensive management of wildlife species would be attained under this arrangement. Additional information regarding NCCP's can be obtained at <http://www.dfg.ca.gov/nccp/index.html>.

The County should coordinate with the DFG, the USFWS, and any other entities regarding map projections and other applicable elements used in resource planning. Existing sources of information regarding fish and wildlife resources of the County include the following:

Cal Flora – This is available through U.C. Berkeley at www.calflora.org

CNPS Electronic Inventory - Information is available by calling 916-447-2677, or through www.cnps.org

Biological Information Observation System (BIOS) – This is under development by the DFG. Information is available at <http://www.bios.dfg.ca.gov/>

253-45

Integrated Biological Information Systems (IBIS) – Contact Ron Rogers of the DFG, at (916) 322-1869

California Natural Diversity Data Base (CNDDB) – This contains locations and maps for rare or endangered species. Contact the DFG Wildlife and Habitat Data Analysis Branch at (916) 324-3812.

p. 5.12-58 Mitigation Measure 5.12-1(e) - To achieve this goal, interim measures should be taken to prevent the loss or degradation of important habitats while the INRMP is being developed. Areas that could be potentially developed in important habitats should be identified as soon as possible. Development or subdivision of these areas could be limited while the INRMP is being developed in order to not preclude a biologically sound resource management option in the plan.

253-46

p. 5.12-59 New Policy 7.4.1.6 (Biological Resources Study) - The goals of the Biological Resources study seem commendable. However, assurances should be provided that the biological resources assessment standards result in project impacts below a level of

253-47

significance, as defined under CEQA. Further, there are resource assessment standards which have been adopted by State and Federal agencies. Such standards include the Federal Habitat Evaluation Procedures (HEP), the wetland determination process of the USFWS, and the Department's own Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities, revised in May, 2000.

253-47

There is a reference to proposed mitigation for "important" habitat. A determination of the presence of an importance habitat should be consistent with requirements in existing State or Federal laws. These criteria include, but are not limited to Fish and Game Code Section 2081 and Federal Endangered Species Act, CEQA, NEPA, and the Oak Woodlands Conservation Act.

253-48

p. 5.12-60 - New Policy 7.4.4.4, with Options A and B. This is for the replacement of trees that do not meet the criteria of "important Habitat" as described earlier in this section. Option A provides a formula that relates the existing percent tree cover and the canopy cover to be retained. The basis for the determination of percent canopy should be identified. Presumably this refers to a percentage of the parcel acreage. Elsewhere in the General Plan and DEIR, there is reference to the importance of reducing or preventing fragmentation of woodlands. The minimum mitigation threshold of 10%, which presumably corresponds to a parcel size, allows for significant losses of oaks and other woodland which would remain unmitigated.

253-49

Many County parcels are over 500 acres, and significant losses of habitat could occur under this option. Also, the mitigation ratio of 1:1 should be qualified. Presumably this ratio is based upon acreage. It would take many decades for a similarly-functioning replacement stand to be attained, given the slow rate of growth of oaks and other factors. Therefore, we recommend that a higher ratio be specified to compensate for the temporal loss of functioning oak woodland habitat.

Option B provides for payment into a County conservation fund. It is unclear as to whether the funds would be used for purchasing habitat preservation or restoration. Long-term monitoring and management would also be needed and these costs should be included in the fee.

P. 5.12-61- Mitigation Measure 5.12-1(g) would develop and implement an oak tree preservation ordinance. The policy would require permits for removal of oaks above a specified size, conditioned upon suitable replacement onsite or elsewhere.

253-50

The exemption in the proposed ordinance for oak removal on "single family residential lots which cannot be further subdivided" should be deleted. This appears to create a large loophole in the ordinance for large parts of the rural regions of the county, particularly those designated NR with up to 160 acres allowed for each dwelling unit. Therefore a considerable amount of unpermitted, unmitigated tree removal could occur.

The proposed policy replacement is calculated based upon an inch-for-inch replacement of removed oaks and consists of a minimum 15-gallon sized tree. The planting of this size trees is often unsuccessful. An exception is when valley oaks are planted in irrigated landscape, when there is a moderately better success rate. The fee should be deposited in an oak

253-51

woodland restoration fund. The oak woodland restoration fund could be used to restore or enhance the function and value of woodlands that are targeted for preservation in perpetuity.

253-51

Item D relates to penalties. The provision for penalties for non-compliance with an oak ordinance is commendable. The specific criteria for exemptions from the ordinance for persons, firms, or corporations should be articulated in the General Plan. Another useful consideration would be a program of inducements and incentives for landowners to maintain or encourage oaks and or other habitats on their property.

253-52

p 5.12-67 - Policy CO-2b for the Environmentally Constrained Alternative. The difference between "mining" and "surface mining" should be explained .

253-53

p. 5.12-74 - Table 5.12-5 shows the projected impacts on Special Status species in High and Medium-Intensity Land Use Designations. This table uses DFG CNDDDB data, and presents valuable information relative to these designations. However, Table 3-27 in DEIR Volume II shows that almost all acreage subject to the General Plan is in other than high and medium intensity Land Use Designations. Therefore, we recommend that the subject table be revised to include Special Status species occurrences on lands proposed for lower intensity development under the General Plan.

253-54

p. 5.12-77-79 Under Policy 7.4.1.5 mitigation would be required only for special-status species restricted to areas where discretionary development is proposed. Mitigation would not be required as long as the species was found and protected elsewhere on public land or private Natural Resources land. All impacts to rare, threatened and endangered species are considered significant and must go through the appropriate CEQA, NEPA, CESA, and other project review. Any policy to the contrary may result in the illegal take of listed species.

253-55

p. 5.12-78, 79 - The USFWS Recovery Plan for Gabbro Soil Plants of the Central Sierra Nevada Foothills (USFWS 2002a) differs from the Technical Advisory Committee rare plant preserve system both in distribution and acreage (5,001 acres verses 3,500 acres). It also differs in the view of proposed new development within the proposed preserve boundaries. The goals of County Ordinance No. 4500 and the Recovery Plan differ as well. The ordinance was established to implement the recommendations of the Technical Advisory Committee to address immediate needs for the protection of gabbro soil plants. The USFWS recovery plan is based on the latest scientific research and information regarding the rare plants associated with the gabbro soils.

253-56

Specific differences between the County Ordinance No. 4500 and the recovery plan is that the ordinance allows new development inside Zone 0. Additionally, the County may have project applicants donate conservation easements in areas that may contribute toward recovery plan goals for areas within the County Mitigation area 0 but outside the recovery plan boundary. 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).

Areas within the recovery plan boundary, but outside Mitigation area 0, should be included in the established rare plant overlay. This would help address the fact that there is a finite supply of land that provides habitat for the listed gabbro plant species. By precluding additional development in those areas within the recovery plan boundaries, there is a greater chance of reaching the 5,001 acre goal of the recovery plan.

253-56

p. 6-1 Alternatives Analysis – Eight alternatives other than alternatives 1-4 are described. We believe that the description of some of these alternatives should be more complete. CEQA §15126.6 (d), mandates that “An EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison...” An adequate evaluation of the alternatives is not possible given the information provided in the DEIR.

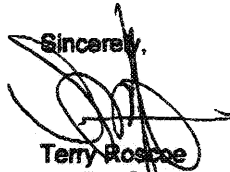
253-57

p. 6-30. Alternative #12. We agree that , at least conceptually, Alternative 12 is likely to be the environmentally superior alternative. This is based upon the likelihood that impacts to natural resources would be greatly reduce by clustering development. A Land Use Map and other analysis should be prepared for this alternative. Further, the discussion of the biological resources on p. 6.35 should take into consideration that Alternative 12 could result in less adverse impacts on biological resources than any of the other alternatives. Additional justification for a full analysis of the potential application of Alternative 12 is contained in §66561 of the State General Plan Guidelines. These Guidelines direct cities and counties to develop plans and to take positive action to protect open space lands.

253-58

Thank you for the opportunity to provide input to the General Plan and DEIR. We look forward to working with the county in developing the various resource planning elements referenced in the General Plan. If we can be of further assistance, please contact Mr. Frank Gray, Environmental Scientist, at 916-358-2883, email fgray@dfg.ca.gov, or myself at 916-358-2382, email troscoe@dfg.ca.gov.

Sincerely,



Terry Roscoe
Habitat Conservation Planning Supervisor

cc:Ms. Terry Roscoe
Mr. Frank Gray
Mr. Daniel Burmester
Ms. Kathy Hill
Ms. Pat Perkins



State of California - The Resources Agency

Gray Davis, Governor

DEPARTMENT OF PARKS AND RECREATION . P.O. Box 942896 . Sacramento, CA 94296-001

Ruth G. Coleman, Acting Director

Gold Fields District
7806 Folsom Auburn Road
Folsom, CA 95630

July 15, 2003

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

Re: General Plan and Draft Environmental Impact Report

Dear El Dorado General Plan Team,

Attached to this letter are the comments and concerns of the Gold Fields District of the California Department of Parks and Recreation (DPR) regarding the General Plan and Draft Environmental Impact Report. The Gold Fields District manages three park units that are affected by the land use designations and policies to be adopted in the El Dorado County General Plan, including Folsom Lake State Recreation Area (SRA), Auburn SRA and Marshall Gold State Historic Park. These three park units are located either partially or entirely within El Dorado County.

Thank you for your consideration of the attached comments and recommendations. If you have questions regarding this letter or DPR comments please contact District Staff Park and Recreation Specialist Jim Micheaels at (916) 988-0513.

Sincerely,

Jacqueline Ball
Gold Fields District Superintendent

254-1

**California Department of Parks and Recreation Comments and Recommendations
Regarding El Dorado County General Plan and EIR**

Land Use

Generally, DPR is concerned that land use designations that are adjacent to, within the viewshed or may otherwise affect our park units are compatible with the mission for our lands, to protect natural and cultural resources and provide quality outdoor recreation opportunities.

254-2

Marshall Gold SHP

DPR is concerned with the high and medium-density land use designations in and around Marshall Gold SHP. The EIR indicates on page 5.13-12 that high and medium density land use development is likely to cause adverse impacts on cultural resources. In the case of Coloma and Marshall Gold SHP there are known significant historic resources including properties on the National Register of Historic Places, the California Register of Historic Places and California State Historic Landmarks. Given the quality of the known historic resources and the identified impact of high and medium density land use designations, we believe these designations are inappropriate for Coloma and areas adjacent to Marshall Gold SHP.

254-3

The future use of the lands across the South Fork of the American River, the Mt. Murphy area, could have a big impact on the quality of the experience at Marshall Gold SHP. Therefore DPR is very concerned with the land use designations of this area. Open Space, Natural Resource and Agricultural land use designations are preferable for these lands. Of the Alternatives presented, the Environmentally Constrained (EC) Alternative seems to provide the most favorable land use designations for preservation of the park viewshed. DPR would request the County consider the Open Space land use designation for the lands that could impact the viewshed of Marshall Gold SHP.

Folsom Lake SRA

There is significant residential development along the boundary of Folsom Lake SRA within El Dorado County. DPR is particularly concerned about the land use designations of the Peninsula portion of the County, the land between the South and North Fork Arms of Folsom Lake west of Cool and Pilot Hill. Open Space, Natural Resource and Agricultural land use designations are preferable for these lands. Of the Alternatives presented, the Environmentally Constrained (EC) Alternative seems to provide the most favorable land use designations for preservation of the SRA viewshed. DPR would request the County consider the Open Space land use designation for the lands that could impact the viewshed of the SRA.

254-4

Wildland Fire Hazard

As a public land and resource manager within El Dorado County, DPR has worked with CDF and local fire departments to address wildland fire risk in urban/wildland interface areas. DPR supports the proposed new County policy that would preclude development in high or very high wildland fire hazard areas until the hazard can be reduced to a moderate or better level. We are interested in the specific measures or performance standards that the County would require of development to reduce the fire hazard. We believe the types of measures or standards that would be required of development in

254-5

these high or very high wildland fire hazard areas should be identified in the General Plan.



254-5

We also note, however that many areas classified as moderate wildland fire hazard zone may still present substantial wildland fire risks. This includes areas adjacent to Folsom Lake SRA and Auburn SRA. The County Ordinance currently does require thirty feet of clearance around structures, however the county Zoning Code does not mirror that requirement in setback standards. As an example, the rear yard setback for Zone R-1 is 15 feet. In this situation a property owner may be unable to provide the required clearance on his or her own property. We believe the Zone Code should be consistent with the County Ordinance and that setbacks should be a minimum of 30 feet in any zoning or land use designation that is adjacent to publicly owned wildland. Larger setbacks may be appropriate in areas of higher wildland fire hazard. Individual property owners need to be able to provide adequate clearance to reduce wildland fire risk on their own property.



254-6

For those developments adjacent to DPR managed lands, the County should consider shaded fuel breaks and other wildland fire risk reduction measures implemented on public lands as part of the total cost of providing fire protection. Fire District Improvement Fees should reflect these costs and help fund these type of improvements if CDF and local Fire Districts with cooperation and approval of the public land managers believe these actions are necessary to reduce wildland fire hazard.



254-7

Cultural Resources

DPR supports the mitigation measures identified in the EIR to reduce the impact of development on cultural resources within the County. This includes the development of a Cultural Resources Preservation Ordinance that would establish a process and procedures to review projects that may impact cultural resources and the provision of setbacks and buffers to protect cultural resources where necessary. We believe these processes, procedures and thresholds for buffers and setbacks should be further identified in the General Plan. DPR also does not see from the EIR how this process and procedures will provide for the survey and inventory of cultural resources in areas with potential but no known resources.



254-8

DPR also supports the designation of Historic Design Control Districts and the development of design guidelines and review of development or construction proposals within these Districts. Given their current designation, Coloma and Marshall Gold SHP should be included within a future Historic Design Control District and the historic resources in this area protected. We particularly support the proposal that would mandate building and structure design controls within the viewshed of Marshall Gold State Historic Park. We are interested in working with the County on the development of these design guidelines and controls.



254-9

Traffic and Circulation

The General Plan for Marshall Gold SHP, completed in 1979, identifies the potential for a rerouting of Highway 49 or developing a bypass road that would take traffic off of Highway 49 in it's present route through Coloma and Marshall Gold SHP. DPR requests the County consider this concept in the General Plan as a way of protecting the historic



254-10

resources in Coloma and at Marshall Gold SHP. A carrying capacity study completed for the Park in 1999 identified, traffic, noise and vibration from traffic as threats to the Park resources.

Viewshed and Scenic Resources

DPR is concerned about the potential impact of future development on the viewshed of all three park units within the Gold Fields District including Auburn SRA. As we have indicated the Open Space and Natural Resource land use designations are most favorable for lands adjacent to or within the viewshed of these units. We also would request that the County consider standards and guidelines prohibiting and controlling ridge top development to reduce the impact to the scenic resources with these park units.



254-10



254-11

June 15,2003

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

03 JUL 15 PM 1:37
RECEIVED
PLANNING DEPARTMENT

Re: County Of El Dorado General Plan and DEIR Comments

El Dorado County is currently going through the process of adopting a new general plan that will set the guidelines for future development. For the past five years the county of eldorado has had a writ of mandate which is a condition that prohibits al development in the county. This writ has been an extreme hardship on the community leaders and the citizens themselves. It has taken rights from the people and decision making power from the policy makers. It is these kinds of issues that we must not forget when we are adopting a new general plan. This is why El Dorado County must adopt a plan that puts the decision making power back into the hands of elected officials and the citizens themselves.

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Out of all the proposed alternatives the less restrictive plan is the 1996 general -plan alternative. This is the plan that the community embraces. It is the plan the citizens of the county developed and worked on for years. Each of the General Plan alternatives has a land use map that displays the proposed distribution of land uses for that alternative. Once the board of supervisors selects an alternative, the policies and map associated with that alternative will become the official land use plan. The ability to subdivide following the general plan adoption will depend upon the alternative selected and land use map associated with that alternative. Therefore we must choose the plan that give the decision making power back to the county, and let the community decide on what is best for the area. If a hybrid of the alternatives is chosen it is important that the 1996 land use map is the one implemented in that alternative, because it is the most flexible. Make the best decision for the county chose the 1996 general plan alternative.

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From a Concerned Citizen of El Dorado County

CONTROL TRAFFIC CONGESTION INITIATIVE COMMITTEE
(MEASURE Y)
P. O. Box 618, Camino, CA 95709

July 15, 2003

Heidi Tschudin
El Dorado County General Plan Manager
2850 Fairlane Court
Placerville, CA 95667

03 JUL 15 AM 9:54
RECEIVED
PLANNING DEPARTMENT

RE: DEIR Comments

Dear Ms. Tschudin:

On behalf of the Measure Y Committee, I would like to thank you for the substantial effort made thus far in drafting the General Plan and DEIR. We appreciate what a complex and difficult task this is. Please receive and place in the record these comments on the DEIR.

1) Cumulative Traffic Impacts – The Under Funded Transportation Plans

The Traffic and Circulation section of the EIR will be fundamentally flawed if it fails to adequately address the funding of the necessary road improvements listed in each General Plan alternative. As it currently stands, the General Plan alternatives each identify a road plan that is required to meet the level of service (LOS) standard listed in the Circulation Element, but the General Plans do not identify a funding mechanism to construct these road improvements. We expected to see this funding issue discussed in the DEIR, but it is not. Whether or not an analysis of funding issues is required in the EIR as a matter of law, it certainly is required as a matter of common sense. What is the point of the DEIR's traffic modeling and extensive discussion of traffic impacts and mitigations if the most fundamental question is not asked or answered: Can we pay for and build the road system that the Circulation Element of each Plan lists as necessary?

The DEIR offers only a single, brief comment in passing on this essential subject. Table 5.4-4 notes a total funding shortfall of \$261 million for the existing road plan, and the text concludes: "Funding sources to fully cover the shortfalls have not yet been identified." (DEIR, page 5.4-16) That's it. There is no discussion of where additional funding might come from, and, most importantly, no analysis of the potential impacts should these shortfalls remain. Furthermore, the \$261 million dollar shortfall mentioned is related to the total price tag placed on the original 1996 road plan. The DEIR does not identify the costs associated with the road plans for the four



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equal weight alternatives, though an estimate of these costs has been released by the County Department of Transportation (DOT) in a memo to the Board from Director Matt Boyer. (Attachment A - Mr. Boyer's April 9, 2003, memo to the Board of Supervisors entitled: "Draft General Plan/Financing of Circulation Element Improvements")

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This is no small point. All of the traffic modeling and the entire DEIR analysis of traffic impacts and mitigations are based on the unstated, fundamental *assumption* that the road improvements listed as necessary for each plan will be paid for and built by 2025. However, neither the General Plans nor the DEIR provides any evidence to support this assumption. If this unstated and unsupported assumption proves false, then the Circulation Element collapses, and the County will experience traffic congestion in excess of anything contemplated in the DEIR.

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Based on Mr. Boyer's memo, it is unreasonable to assume that the road plans will be fully funded. As Mr. Boyer makes clear, adequate funding mechanisms have not been identified and finding solutions to this complex problem will be extremely difficult, especially in light of the future traffic burdens to be added by the inadequately conditioned "existing commitments" that are, apparently, beyond the reach of any new General Plan policies. Though the County has been quietly aware of this funding problem since at least 1995, no serious attempt was made before or after the adoption of the 1996 General Plan to address it.¹ With the passage of Measure Y in November of 1998, this thorny problem could no longer be swept under the rug, but since then, only piecemeal efforts have been made to establish fees that fully fund new development's traffic impacts. The explanation for and justification of this piecemeal approach has been that a full, global solution could only occur as a part of the General Plan process. However, now that we are at the heart of the General Plan process and looking to its end, we see that this issue is all but ignored in the DEIR. It appears that, once again, due to the understandable desire to get a General Plan adopted, this fundamental, but complex problem, is being punted to the future.

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In particular, we would direct attention to this comment from Mr. Boyer's memo:

"Unlike the 1996 General Plan process, the Board of Supervisors, staff, and members of the public all appear to agree that the impact fee programs must be developed concurrently with the General Plan, not sequentially. The impact fees and the General Plan are largely the same issue, because of the combined requirements of State law and policies in the proposed General Plan that limit the County's discretion in setting the fees. **The most significant discretion the County may have related to the impact fees is the selecting of a General Plan alternative.**" (4/9/03 Boyer memo, Executive Summary page v.)

Despite Mr. Boyer's optimism that these issues would be addressed as a part of the General Plan process, the failure of the DEIR to adequately acknowledge and examine this problem suggests that the County does not intend to tackle this crucial issue as a part of the General Plan.

While the County may choose to ignore Mr. Boyer's suggestion and defer this extremely difficult problem until after a General Plan is adopted, the EIR must clearly reveal and discuss the inadequacies of the existing funding mechanisms to fully fund the required road plans and consider the potential impacts should this problem remain unsolved.

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¹ The 1996 General Plan side stepped this problem by adding Policies 3.5.1.6 and 3.5.1.7 which effectively downgraded the General Plan's LOS standard from LOS E to LOS F. And since LOS F is the end of the line (there is no LOS G), these LOS exception policies in effect removed any firm LOS standard from the 1996 General Plan.

2) The 8 Lane Hwy 50 Assumption –
Impact 5.4-1 - Potential Inconsistencies with LOS Policies (5.4- pg 38-44)

The DEIR fails to reveal and discuss the potential inconsistencies with LOS policies that will occur if the 8-lane Hwy 50 improvement *assumed* in the 96, NP, and EC Plans is not constructed by 2025. Given the uncertainties surrounding this major road improvement, it is essential for these issues to be discussed in the EIR. To be clear, it is not the view of the Measure Y Committee that the widening of Hwy 50 to 8 lanes is *infeasible*. We recognize that it is feasible and may be funded and built at some point in the future. As county staff has pointed out, the bridges and interchanges along Hwy 50 are wide enough to accommodate additional mixed use lanes and the worsening congestion in Sacramento and El Dorado County will create pressure to fund and build this road project. However, there is ample evidence supporting the conclusion that the construction of this improvement by 2025 is uncertain due to a confluence of financial, political, and legal obstacles, and that this road project's exclusion from the recently approved 2025 Metropolitan Transportation Plan (MTP) is telling evidence of these obstacles.

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For purposes of the EIR, we think it is unacceptable to simply *assume*, as the DEIR does, that this uncertain road project will be built. When the original 1996 General Plan was written, it too projected a need for 8 lanes to accommodate proposed growth, but the 1996 EIR *assumed only 6 lanes on Hwy 50*, acknowledging the uncertainty that 8 lanes would be built within the 20 year time horizon of the Plan. Nothing has occurred since 1996 to reduce that uncertainty.

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The current EIR will be obscuring the potential traffic impacts of the 96, NP, and EC Plans if it fails to address the real world obstacles to constructing the assumed 8 lanes on Hwy 50. A discussion of these obstacles should include the following:

- additional mixed use lanes can be built in El Dorado County only if they are also built in Sacramento County in order to avoid creating a bottleneck.
- that all regional state highway projects must be included in the MTP, regardless of who pays for it, as the DEIR already acknowledges.²
- that the recently adopted 2025 MTP does not include the addition of any mixed use lanes on any segment of Hwy 50.³
- that there is significant political opposition within the Sacramento region to any additional mixed use lanes on Hwy 50 based on the view that such road widening is a non-solution that simply encourages more rural sprawl, resulting in even more congestion. El Dorado County may not agree with this view, but it must be acknowledged that this view is quite influential within SACOG and, in part, explains the absence of the 8 lane, mixed use project from the 2025 MTP.
- that there are significant legal obstacles to amending any mixed use lane project into the MTP due to federal air quality conformity requirements, and that such requirements may become *more* stringent during the next review period due to worsening air quality within the air basin.

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² See DEIR page 5.4-13: "In addition, any regionally significant transportation project planned for a city or county must be included in the MTP because of its potential effect on travel demand and air pollution."

³ See Attachment B – MTP, Appendix E: "Listing of Projects and Programs"

- that there is no identified funding for this project that is likely to extend from the El Dorado Hills Interchange to Hazel Avenue in Sacramento or perhaps even Sunrise, as was required for the recently completed HOV lanes. The current MTP has identified projects that consume all expected revenues through 2025 (Tier 1). Beyond this, the MTP identifies another set of projects that would be implemented if additional funding becomes available (Tier 2). Widening Hwy 50 to 8 lanes is not included as either a Tier 1 or a Tier 2 project. *Until El Dorado County can define the necessary scope of this road project and identify a funding source, this obstacle, in itself, must make this project uncertain for EIR analysis.*

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3) Proposed New Policy as a Mitigation Measure

Because the overall road plan is currently under funded and no mechanisms to solve this problem have been identified (comment #1), and because of the uncertainty of widening Hwy 50 to 8 lanes by 2025 (comment #2), there is a significant possibility that cumulative traffic impacts will not be mitigated and that all the General Plan alternatives will fail to meet their stated LOS standards. **As partial mitigation, the following two policy options are offered for all the General Plan alternatives:**

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Option #1- New Policy:

“ Prior to approval of a residential development project of five or more units or parcels of land, the County shall find that funding mechanisms are in place to ensure that adequate funds will be available to construct the roadway system identified in the Transportation and Circulation Element, and that this roadway system is consistent with regional plans as listed in the Metropolitan Transportation Plan.”

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While this proposed policy would only partially mitigate the impact of an under-funded road plan (because it would not constrain existing commitments, minor parcel splits, or non-residential development), it would provide constraint on additional major discretionary subdivision approvals until such time that the County can fulfill its responsibility to identify and implement a fully funded road plan. This option’s focus on major residential subdivisions would be consistent with the focus of Measure Y Policy 35161 that is incorporated in all the Plans.

The application of this New Policy option #1 to the Road Constrained (RC) Plan – **As applied to the RC Plan, this new policy is recommended as a revision to Policy LU-1b.** Policy LU-1b, found only in the RC Plan, would permanently prohibit any discretionary subdivision of more than four parcels *without tying this prohibition to any identified environmental constraint.* Adoption of this new policy as a revision of LU-1b would be less restrictive and more appropriate to the “Road Constrained” concept by allowing additional major subdivisions if the cumulative traffic impacts of General Plan growth can be balanced by a fully funded, and regionally consistent road system. This would provide the assurance that cumulative traffic impacts are addressed, leaving the concurrency policies of the Circulation Element to properly deal with the concurrent timing of road improvements with new development. It should be acknowledged that concurrency policies, which address individual project approvals and issuance of building permits, only make sense if the cumulative General Plan traffic impacts are adequately addressed.

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Option #2 - New Policy:

“Prior to approval of any residential development project, the County shall find that funding mechanisms are in place to ensure that adequate funds will be available to construct the roadway system identified in the Transportation and Circulation Element, and that this roadway system is consistent with regional plans as listed in the Metropolitan Transportation Plan.”

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This option would constrain all discretionary residential subdivision approvals, including minor parcel splits. This broader constraint would provide better assurance that new discretionary residential approvals are not added to the over supply of “existing commitments” until and unless the County first meets its responsibility to identify funding mechanisms sufficient to construct its identified road system.

The application of New Policy option #2 to the Road Constrained (RC) Plan –
As applied to the RC Plan, this policy option would also be recommended as a revision to Policy LU-1b for the similar reasons as stated above.

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4) Description of MTP is inadequate

The second to last paragraph of the DEIR’s MTP discussion reads:

“Because of fiscal constraints, some major transportation projects identified in the proposed General Plan circulation diagrams for each alternative are not included in the MTP and RTP. After adoption of the General Plan, transportation projects that are not included in the current MTP will need to be added at the next MTP update.” (pg 5.4-13)

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a) While acknowledging that some road projects listed in the General Plans are not included in the MTP, these specific projects are not listed. **They should be identified.**

b) **The phrase “Because of fiscal constraints,...” should be either eliminated or expanded because it minimizes the obstacles to widening Hwy 50.** The reasons why additional widening of Hwy 50 is not included in the MTP go beyond the very significant fiscal constraints to include significant legal and political obstacles, as discussed above.

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c) Finally, the statement that “transportation projects not included in the MTP *will need to be added at the next MTP update*” gives the falsely optimistic impression that because something needs to happen, it will happen. We would challenge County staff to find a responsible SACOG spokesperson who will say that the addition of Hwy 50 mixed use lanes at the next MTP update in 2005 is likely. The lack of identified funding and the air quality issues will make such an addition highly unlikely. **This statement should be revised to reflect the uncertainty that the 8 lane Hwy 50 project will be added at the next update. For example:**

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“...will need to be added at the next MTP update, but this action is unlikely due to fiscal and legal obstacles.”

5) Mitigation 5.4-1(c) - To respond to Impact 5.4-1, the DEIR suggests the County adopt one of four mitigation options. There are a number of comments to make on the third of these four options, 5.4-1(c):

a) The explanation and discussion of this proposed mitigation in the DEIR is inadequate and misleading. In the Executive Summary Table, it is presented as nothing more than a modest revision of 96 Plan Policy 3511 (i.e. to strikeout the language saying that roadways projected to be at LOS A, B, or C at 2015 should remain at LOS C). The Executive Summary fails to include the second paragraph of this mitigation that would add road segments to the list deemed acceptable at LOS F. (see page 5.4-46 for the complete mitigation language.) **For clarity, this more significant second paragraph should be included in the Executive Summary.**

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b) Nowhere in the DEIR is it ever mentioned that adoption of 5.4-1(c) would require revision of Measure Y Policy 35162 (TC-1f in the RC and EC Plans). This is the policy that prohibits the adding of additional road segments to the list allowed to operate at LOS F without first getting the voters' approval. Because the voters approved Policy 35162, and because the Board directed staff to include Measure Y policies in all Plan alternatives, it is a significant that the DEIR has failed to identify and discuss this implication. **If it is staff's opinion that 5.4-1(c) would not require revision of Policy 35162 (i.e. that adding segments allowed to operate at LOS F is somehow not a violation of a voter approved policy that says the County shall not add such segments without a public vote), then the basis for this opinion should be explained.**

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c) Set in the context provided in the Executive Summary, Mitigation 5.4-1(c) appears to be nothing more than one of four options to respond to the projected congestion on White Rock and Latrobe Roads. This appearance results from the fact that the other three options, 5-4-1(a), (b), and (d), all make specific reference to these roadways and are designed to address the specific congestion problems on those roadways. What is not made clear in the Executive Summary or in the discussion of Impact 5.4 in the body of the DEIR is that 5-4.1(c) would have far broader significance if applied to the Road Constrained (RC) Plan. This is because, for the RC Plan, 5.4-1(c) includes Hwy 50 between the county line and the Cambridge Interchange as road segments allowed to operate at LOS F. One discovers this fact with difficulty. The Executive Summary gives not a hint. Even if one reads the full text of this mitigation in the Traffic section of the DEIR (page 5.4-46), there is still no specific listing of added road segments, but rather a reference to Table 5.4-6. It is only by then finding and reading Table 5.4-6 (page 5.4-28) that one can deduce the inclusion of these Hwy 50 segments for the RC Plan. **The Executive Summary and the discussion of Impact 5.4 should be revised to make explicit and clear this significant and unique implication of 5.4-1(c) within the RC Plan.**

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d) Mitigation 5.4-1(c) may or may not be considered an appropriate option in its limited application to the congestion problems on White Rock and Latrobe Roads (That is, if one ignores the issue of its conflict with Measure Y Policy 35162 discussed above). However, as applied to Hwy 50 and the RC Plan, it is not a valid mitigation option. This is because 5.4-1(c), if applied to Hwy 50 congestion, would reverse and undermine the essential purpose of the RC Plan. As stated in the Plan's Summary Description on page 8, one of the central principles of this Plan is to limit land use based on the capacity of Hwy 50. By adopting 5.4-1(c) as written, the capacity of Hwy 50 becomes irrelevant in the RC Plan. Even with Measure Y and the most stringent concurrency requirements in place, LOS F congestion on Hwy 50 would not trigger any finding

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of inconsistency with the policies of Measure Y or the concurrency policies of the RC Plan because, per 5.4-1(c), LOS F on Hwy 50 would have become “acceptable.”⁴

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To remedy the drastic and inappropriate implications of Mitigation 5.4-1(c) within the RC Plan, the second paragraph should be revised by adding words in bold as follows:

“The table accompanying Policy 3516 listing road segments that are allowed to operate at LOS F shall be amended to include the segments of **White Rock Road and Latrobe Road** projected to operate at LOS F in 2025 as shown in Table 5.4-6.”

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As a result of this revision, we believe two useful purposes would be served: (1) the central premise of the RC Plan (i.e. growth constrained by the capacity of Hwy 50) would be preserved whether or not 5.4-1(c) is adopted because its scope would be limited to White Rock and Latrobe; and (2) the implications of this mitigation option would be more transparent and equally applied in all Plans.

This proposal to revise this mitigation option is not intended as an endorsement. Even as modified, we would still oppose its adoption because (1) it papers over rather than solves the congestion problem in the White Rock and Latrobe area, and (2) it is a revision of a Measure Y policy and cannot be adopted without voter approval. The County has the obligation to make the General Plan consistent with voter-approved Measure Y policies. In contrast to 5.4-1(c), mitigation options 5.4-1(a), (b), and (d) make this required effort.

We recommend mitigation option 5.4-1(b) because it is feasible and likely to be most effective at dealing with the identified impact.

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6) Mitigation 5.4-3 - The Executive Summary fails to make clear which version of this mitigation applies to which Plan, and the differences appear to be substantial. As written, the differing versions of this mitigation serve to either weaken or strengthen the likelihood of concurrency. Most significantly, the DEIR fails to note that it is proposing revision to a voter-approved Measure Y policy. This mitigation, as it plays out differently in each Plan, is so cumbersome and difficult to understand, that even our attempt to comment may seem impossibly cumbersome and difficult to understand.

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What is called Mitigation 5.4-3 is actually two mitigations: 5.4-3(a) and 5.4-3(b). We will first comment on how Mitigation 5.4-3 (a) is handled in each alternative.

a) Mitigation 5.4-3(a) for the NP Plan - The first of these, Mitigation 5.4-3(a), is a proposal to revise two policies, Policy 3214 and Measure Y Policy 3225.

(i) **The EIR should make clear that the proposed revision of Policy 3214 to allow concurrency to be defined as “within 5 years of the issuance of the use and occupancy permits” inserts not merely a delay in the construction of needed road improvements, but also a degree of uncertainty because improvements that are 5 or more years out are inherently uncertain.** One need only look at the El Dorado Hills Interchange for a timely

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⁴ It has been suggested by staff that the existence of Land Use policy LU-1b in the RC Plan makes these concerns moot. It does not. LU-1b will not by itself serve as an effective constraint on congestion-producing development once 5.4-1(c) deems LOS F on Hwy 50 as acceptable.

example of this. In 1998, Caltrans stated in its State Route 50 Concept Report that the EDH interchange was fully funded, programmed, and expected to begin construction in 2001. Under the proposed revision of Policy 3214, such assurance would have been sufficient to have allowed additional development to be approved in 1998 despite the subsequent reality that this time table has been upset, and that DOT is now saying that completion of this project even by 2005 remains uncertain due to cash flow problems in the RIF.

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(ii) As for the proposed revision of Measure Y Policy 3225, we think such a proposal is illegal, as we discuss in a separate submittal. **However, recognizing that there may be conflicting legal opinions on this issue, the EIR should, at least, make clear that Policy 3225 in the NP and 96 Plan (and TC-1h in the RC and EC Plans) is a Measure Y policy, and also make clear that such a proposed revision to a Measure Y policy is legally uncertain if it occurs without voter approval.**

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(iii) As a comment on the *substance* of the proposed revision of Policy 3225, the DEIR fails to explain how this proposed mitigation would help to mitigate the identified impact. The discussion of Impact 5.4-3 identifies two primary problems:

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- the timing problem resulting from the fact that previously approved development agreements and tentative maps were not written to require concurrency; and
- inadequate County funding to fix existing deficiencies.

What is not explained is how the proposed revision of Policy 3225 would help alleviate either of these problems. As written, this voter-approved policy prohibits the use of county tax revenues to pay for road improvements that are the responsibility of new development. The proposed revision would turn Policy 3225 on its head by substituting a "may be used" for a "shall not be used." In fact, on its face, it would appear that the proposed change would make the identified impact worse. Measure Y Policy 3225 was written specifically for the purpose of assuring that limited county tax revenues available for road improvements would be used to fix existing deficiencies. Under the proposed revision, county tax revenues would no longer be reserved for this purpose. Instead, county tax revenues could be moved to the other side of the ledger and used to fund new development's share of needed improvements. **Given the acknowledged shortfall of funding to fix existing deficiencies, the EIR should explain how this reversal of Policy 3225 would help to mitigate the identified impact.**

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b) Mitigation 5.4-3(a) for the 96 Plan - It is unclear what the DEIR is proposing as Mitigation 5.4-3 for the 96 Plan. The discussion found on page 5.4-65 is quite brief. It reads:

"Please refer to the proposed mitigation measures for the No Project Alternative above. With the implementation of one of these mitigation measures, impacts would be reduced, but not to a less-than-significant level."

Since Mitigation 5.4-3 in the NP alternative consists of two separate measures, i.e. 5.4-1(a) and 5.4-1(b), it appears that the suggestion here is that the 96 Plan would implement one or the other, but not both. **Please clarify whether this is the intent. If it is the intent, it requires additional explanation. Since both the 96 Plan and the NP Plan rely on the same policy and map set, and since the identified impact is stated to be greater in the 96 Plan, why would only one of the two measures be proposed for the 96 Plan?**

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c) Mitigation 5.4-3(a) for the EC Plan - The description of this mitigation in the EC Plan mimics the approach taken for the 96 Plan, only in this case, the suggestion appears to be that one of the two mitigations proposed for the RC Plan be adopted in the EC Plan. **There should be an explanation as to why only one of the two RC Plan mitigations would be proposed for the EC Plan.**

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d) Mitigation 5.4-3(a) for the RC Plan - This proposed mitigation as applied to the RC Plan also includes the same revision of Measure Y Policy 3225 (called TC-1h in the RC Plan). Our comments on this are the same as discussed above in regards to the NP Plan. However, unlike the NP Plan, the second proposed revision is not to Policy 3214, but to Measure TC-B which does not exist in the NP or 96 Plan alternatives. In contrast to the proposed revision of Policy 3214 in the NP Plan which serves to further weaken an already weak requirement for road improvement concurrency, the proposed revision to TC-B would serve to strengthen the likelihood of concurrency. This revision is appropriate because it responds to the problem acknowledged in the DEIR that the TIM fee programs, even if fully funded, cannot provide sufficient funds soon enough to provide concurrent provision of road improvements with the impacts of new development.

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The EIR should make a better effort to explain the substantial differences of Mitigation 5.4-3 as it is worded and proposed for each Plan, and it should explain that revision to a Measure Y policy is proposed without voter approval.

7) Mitigation 5.4-3(b) - This traffic mitigation, which is the second part of Mitigation 5.4-3, calls for the adoption of Land Use Mitigation 5.1-3 (a). Mitigation 5.1-3 (a) is a very significant mitigation as it is proposed not only in the Land Use and Traffic sections, but in a number of other impact sections of the DEIR. This is an important and appropriate mitigation in that it allows the County to have some discretionary authority over ministerial approvals that will impact the environment on a cumulative basis in a number of different areas including traffic.

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Since ministerial approvals will represent the largest portion of new development over the life of the General Plan, this mitigation is needed to assure that General Plan goals and policies are more effectively realized. **However, the County should also apply this mitigation to ministerial approvals covered by Development Agreements (DAs) – not to reduce intensity or density which may be contractually protected, but to time/phase the issuance of building permits so as to assure better traffic concurrency.**⁵

If Mitigation 5.1-3(a) – here in the traffic section referred to as 5.4-3(b) - is not applied to Development Agreements, then it has significantly less environmental value while singling out individual home builders for the most restrictive standards.

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⁵ For example, if the unexpected delay in constructing the El Dorado Hills Interchange improvements were to trigger a temporary restriction on the issuance of DA building permits, this would serve to lessen the worsening traffic condition at the Interchange until improvements can be funded and completed. It might also serve as motivation for the DA's to participate in finding a solution to the cash flow problem creating this delay.

8) Traffic Impact Fee Programs (page 5.4 15-16)

a) The DEIR claims that Measure Y has “complicated” the funding of the shortfall of the non-program amounts, however it is not clear on what basis the DEIR arrives at this conclusion. Measure Y does not prohibit the use of STIP funds or any other “county tax revenue” to fix existing deficiencies.⁶ Fixing existing deficiencies is specifically what Measure Y expects such funds to be used for. The only “complication” in funding the non-program shortfall is the shortfall of STIP and other public tax revenues available to the County. If Measure Y did not exist, the County would not have access to any additional tax dollars to fix existing deficiencies. As the funding plan for the Missouri Flat Interchange shows, there is an acceptable mechanism under Measure Y whereby the cost of an improvement can be apportioned to both new development (i.e. “program costs”) and the fixing of an existing deficiency (i.e. “non-program” cost), with STIP dollars and other County tax dollars used to fund the non-program portion. So long as projects or portions of projects can be shown to be fixing an existing deficiency as well as adding capacity needed by new development, then county tax dollars (including STIP funds) can be combined with impact fee funds to make an improvement. **The DEIR comment that Measure Y complicates the funding of the non-program shortfall should be explained or deleted. The current discussion makes little sense.**

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b) A more minor point: the discussion of the fee programs repeatedly states that Measure Y Policy 3225 prohibits the use of county tax revenues to fund impacts due to new development. This is only partially correct. It should be clarified in each instance that Policy 3225 prohibits such uses *but allows for an exception with voter approval.*

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9) Placerville roads and highways excluded from study - Table 5.4 -6 and 7 (and others)

The impacts of County growth on arterial roads and state highways within the City of Placerville are excluded from any analysis presented in the DEIR. The City, which is in reality the “spoke” at the center of the County’s traffic wheel, becomes in the DEIR a blank “donut hole.” The only apparent justification for this exclusion (though it is never stated explicitly) is that Placerville is a separate jurisdiction. This makes little sense on three grounds: (1) state highways are not managed or controlled by either the City or the County. They are managed and controlled by Caltrans and SACOG. There is no less valid reason to examine the segments running through the City than anywhere else in the county. (2) Placerville, though an incorporated city, is also an integral part of the County. City residents are also County residents. The arterials and highways that run through Placerville are used regularly by many county residents who live outside the city limits. All major County government buildings including the jail and sheriff are located within the City. (3) Finally, the relative size and impact of County-approved growth on traffic conditions within the City far exceeds the size and impact of City-approved growth within the City. It is only through the process of the County’s General Plan that these potential impacts can be both identified and mitigated.

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⁶ This was one of the seven Board approved determinations regarding Measure Y with which the Measure Y Committee concurred.

10) Potential Inconsistencies with County Regional Transportation Plan (5.4-38)

As stated in the DEIR, the County has adopted SACOG's MTP as its county RTP. As was the case in the DEIR's discussion of the MTP discussed above, this section again fails to address the inconsistency between the MTP and the three GP alternatives that assume the construction of 8 lanes on Hwy 50 by 2025 (96GP, EC, and NP).

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11) Roads Allowed to Operate at LOS F

It is stated on page 3-19 of the DEIR that under each of the alternatives, road segments shown in Table 3-1 are allowed to operate at LOS F and cannot exceed the volume to capacity (V/C) ratios listed in the table. This policy and table are carryovers from the original 1996 Plan. The DEIR does not, but should, include a table listing the current and projected 2025 V/C ratio for each of the listed segments. Without this information, there is no way to determine whether the alternatives comply with this standard.

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12) Measure Y policies not identified

Both the DEIR and the General Plans fail to identify voter approved Measure Y policies as distinct from other proposed policies. This possible confusion becomes even greater in the RC and EC Plans where Measure Y policies are given new identifying letters and numbers. This uncertainty as to what is a voter approved Measure Y policy becomes more significant when the DEIR suggests as mitigation the revision of some Measure Y policies without identifying them as such. The legality of such revision of Measure Y policies without voter approval is discussed under separate cover. **For the purpose of clarity, we think the Plans and the EIR should identify Measure Y policies. At the very least, the EIR must identify Measure Y policies when it is proposing revision to such policies.**

256-38

13. Consistency of Measure Y Policies in the 1996 Plan Alternative

While all the equal weight alternatives include Measure Y as directed by the Board and required by law, the 96 Plan alternative fails to include any implementing or interpreting policies as do the RC and EC Plans. In the 96 Plan alternative, Measure Y policies are simply pasted into the existing text and policy set. Since a valid general plan must be internally consistent, and since the DEIR has nothing to say about the relationship between these Measure Y policies and the rest of the 96 Plan, we assume that the County's view is that there is no internal inconsistency. We would request that this assumption be confirmed or corrected.

256-39

This question of consistency between Measure Y and the original 1996 General Plan has been a matter of discussion and litigation. While the Measure Y Committee does not think there is any inconsistency, it has been stated in the past by Measure Y opponents that such an inconsistency exists. Prior to voter approval of Measure Y, Planning Director Montgomery produced a memo listing dozens of what he considered to be potential policy inconsistencies between the 1996 Plan and Measure Y.

256-40

Given these past discussions and statements, we think it is essential for the EIR to address this question explicitly. **Is the 1996 Plan alternative, with Measure Y policies included, internally consistent? If it is, then the EIR should identify the arguments that suggest inconsistency**

and explain why they are not considered valid. Alternatively, if it is your view that the 96 Plan is, or may be, inconsistent with Measure Y, then the EIR should identify the necessary revisions to the 96 Plan that would eliminate these potential inconsistencies.

256-40

It has been stated by some members of the public that approval of the 96 Plan offers the best chance to avoid further litigation. It seems to us that unless this question of consistency is addressed and, if necessary, corrected as part of the general plan adoption process, then the chances of litigation seem nearly certain. County staff would be performing a gross disservice if it offers to the Board a General Plan alternative that it considers legally vulnerable *when the opportunity to correct such legal vulnerability exists during the adoption process.*

256-41

Affordable Housing -

14) Consider TIM fees based on square footage to support affordable housing

One area of common agreement among diverse political groups is the need to promote, within the limited means of the County, affordable housing. There is also common agreement that the application of "per dwelling" fees places a higher proportional burden on smaller, more affordable homes. **The County should explore the possibility of assessing residential traffic impact fees by square footage rather than by dwelling unit.**

256-42

This is the current approach applied to non-residential development and it is the approach used to assess "sterling fees" for school construction. This would be particularly helpful in promoting the construction of moderate level homes. If a 1,500 sq. ft. home paid only half the TIM fee applied to a 3,000 sq. ft. home, this would help to promote this important yet under-represented type of housing. The County has moved in the direction of variable fees with its recently adopted Interim Hwy 50 Variable Fee Program. Recent discussion by County Counsel has made clear that the County is permitted broad discretion from the courts in assessing county-wide fees. Certainly, promoting smaller, more affordable housing is a valid and widely supported purpose.

General -

15) Implementation Measures and proposed Mitigation 5.1-3(c)

The DEIR analysis offers mitigation to numerous impacts by way of Implementation Measures proposed to be written and approved long after the adoption of the General Plan. In a number of cases, the proposed timeline for completion of these Measures is as long as five years, and in one instance, eight years. Given this extended delay and, worse, the uncertainty that tasks delayed will ever be accomplished, the DEIR should offer more effective options to lessen the impact that may occur as a result of this delayed and uncertain implementation. **This might include one or both of the following:**

256-43

- Wherever possible, adopt specific interim policies or standards in the Plans to remain in place until Implementation Measures are completed. The Planning Commission and Board should review each Implementation Measure and, if it is recommended for adoption, consider at the same time an interim policy or standard. The Interim Conformity Review Process proposed as Mitigation 5.4-1(c) is inadequate for this purpose. As the DEIR

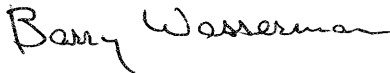
acknowledges (see page 5.1-66), this would leave in place for many years environmentally inferior standards from the zoning ordinance or the 1996 Plan. Stronger interim standards, adopted at the same time as an Implementation Measure is adopted and more closely linked to the level of mitigation anticipated by that Implementation Measure, is a feasible and more effective method to deal with the damaging impacts of delayed implementation. This would not only provide "interim" protections, but also offer alternative mitigation in the event that the delayed Implementation Measures are never adopted.

256-43

- Provide the Board with a work proposal and cost analysis to allow most or all Implementation Measures to be completed within 24 months of adoption of the General Plan.

Thank you for the opportunity to comment on the DEIR. We hope that we are contributing to a final document that will more fully and clearly address the impacts and the proposed mitigations of the Plans.

Sincerely,



Barry Wasserman,
on behalf of the Measure Y Committee

Enclosed:

Attachment A – Mat Boyer 4/9/03 Memo “Draft General Plan/Financing of Circulation Element Improvements”

Attachment B - Metropolitan Transportation Plan - Appendix E: Listing of Projects & Programs

Attachment A - Measure Y Comments



**COUNTY OF EL DORADO
DEPARTMENT OF TRANSPORTATION**



MEMORANDUM

Date: April 9, 2003
To: Board of Supervisors
From: Matthew C. Boyer, Director
Re: Draft General Plan/Financing of Circulation Element Improvements

In our role as a key implementer of the General Plan, DOT has prepared the attached issue paper to discuss financing issues associated with the circulation elements proposed in each of the four "equal weight" alternatives as identified in the Draft General Plan that was released today.

This memo is not a part of the General Plan process, and it is not intended to be reviewed as part of the General Plan review.

The memo does not attempt to draw final conclusions, nor suggest policy outcomes. Rather, it is intended to identify issues, historic and prospective, that might be important considerations for review of the draft General Plan.

I trust that you will find this information useful.

Attachment

cc: James Bourey, Chief Administrative Officer
Dixie Foote, Clerk of the Board of Supervisors
Lou Green County Counsel
Planning Commission
DOT staff - Diana Buckley, Liz Diamond, Craig McKibbin, Randy Pesses
Interested Parties

EXECUTIVE SUMMARY

Overview

The purpose of this memorandum is to discuss financing issues associated with the circulation elements proposed in each of the four "equal weight" alternatives as identified in the Draft General Plan.

Road improvements in California are paid for through a variety of mechanisms. The most common are: State/Federal grants; local increases in the sales tax; conditions on development; impact fees; and, other strategies and assessments, such as redevelopment agencies, other tax-increment financing, and assessment districts.

El Dorado County has relied heavily on traffic impact fees and conditions on development to meet its road infrastructure needs. For many years there has been policy debate including the following statements:

- ✓ "new development should be paying more;"
- ✓ "some categories of new development cannot pay more due to market limitations on total overhead costs of development;" and/or,
- ✓ the County should be annually reserving the appropriate "matching funds" and is not.

Staff suggests that these are appropriate questions, but that the primary policy question might be "how do we address the fact that due to a number of factors the costs of developing infrastructure in El Dorado County are significant?"

Transportation Infrastructure Costs vs. Available Funds

Building road improvements is expensive under the best of conditions. Road projects, in general, are particularly expensive in El Dorado County due to a number of factors: *terrain limits viable corridors; cost of widening existing substandard roads; geology; sensitive areas; right-of-way costs; cost of litigation and public controversy; proximity of available construction materials; and, supply vs. demand considerations.*

Sufficient funding for priority transportation improvements, and funding to maintain existing investments, is lacking nationwide and in California. Similar to the situation with project costs, El Dorado County is disadvantaged with respect to transportation funding, compared to other jurisdictions in California, for a number of reasons.

It is clear that impact fees should and will play a major role in financing the General Plan road infrastructure. It is also possible that another funding source, yet to be identified, will be needed to completely fund the County's future road and transportation improvements, both for legal and for practical reasons.

Impact Fees as a Financing Source

The passage of Proposition 13 began a major evolution in California, from General Fund based services to fee funded services, that continues today. Further, the trend to fee-funded services, and infrastructure, is not limited to transportation.

El Dorado County adopted one of the earliest comprehensive traffic impact mitigation fee programs in California. In 1984 the County adopted the El Dorado Hills - Salmon Falls Road Impact Fee (RIF). This fee program pre-dated specific State Legislation governing traffic impact fee programs. In 1987 the State of California adopted AB 1600, the Mitigation Fee Act.

Since that time, the County of El Dorado has adopted additional impact fee programs, each for specific improvements attributable to specific future developments. These fee programs include: *Traffic Impact Mitigation (TIM) Fee*, *State Highway Traffic Impact Mitigation (State TIM) Fee*, and *Interim Highway 50 Variable Traffic Impact Mitigation Fee*.

Unlike the El Dorado Hills - Salmon Falls Road impact fee, the TIM and State TIM fees introduced a concept new to El Dorado County fee programs, the "non-developer" share of envisioned road projects.

Summary of Current Impact Fee Programs	Total Cost of Improvements	Program Funded (New Development Share)¹	Non-Program Funded
<i>El Dorado Hills / Salmon Falls Road Impact Fee</i>	\$170,589,000	\$170,589,000 (100%)	None
<i>Traffic Impact Mitigation Fee</i>	\$223,992,000	\$129,915,000 (58%)	\$ 94,077,000 (42%)
<i>State Highway Traffic Impact Mitigation Fee</i>	\$319,124,000	\$151,893,000 (48%)	\$167,231,000 (52%)
<i>Interim Highway 50 Variable Traffic Impact Mitigation Fee</i>	\$ 47,200,000	\$ 47,200,000 (100%)	None
TOTAL	\$760,905,000	\$499,597,000	\$261,308,000

At the time the State TIM program was adopted, the County anticipated that all but approximately \$40 million of the "non-program funded" portion of project costs, would be obtained through the El Dorado County Transportation Commission in the form of State Transportation Improvement Program (STIP) funds and Regional Surface Transportation Program (RSTP) funds. The County strategy to fund the "Non-Program" share of the TIM program is less clear.

¹ Per existing fee ordinances, including updates for "inflation."

Impact Fee Update Related to General Plan

It has long been anticipated that adoption of a new General Plan would be the appropriate time to perform a comprehensive update of the County's traffic impact fee programs. In undertaking this update, a number of significant issues must be carefully considered.

Simplified, staff sees four major issues associated with the fee update. By extension, these become the major issues to be addressed in developing a comprehensive impact fee update.

- ✓ First, does an impact fee schedule exist that meets legal requirements, as well as the many desired policy objectives staff have culled from previous formal Board directions and informal Board discussions?
- ✓ Second, if a schedule of fees exists that meets both legal considerations and the Board's policy objectives, does the Board have any remaining latitude in establishing traffic impact fees? If the Board has remaining latitude, how can staff facilitate a discussion with the Board to ensure that the Board's latitude is reflected in staff-developed alternatives and/or recommendations?
- ✓ Third, if a schedule of fees exists that meets both legal considerations and the Board's policy objectives, can the County afford to fund any non-developer share of the impact fee programs? What happens if the County cannot afford the non-developer share of the impact fee programs?
- ✓ Fourth, if the fees projected to be associated with one or more General Plan alternatives are considered unacceptable by the Board, what does that mean for the County's processing of the Draft General Plan and Draft EIR?

The balance of this memorandum focuses on providing information necessary for the Board, and interested members of the public, to consider the above four policy issues.

Legal Requirements

Throughout the State of California, the statutes in the Government Code that began as AB 1600 govern the development and implementation of traffic impact mitigation fee programs.

The Government Code requires that local agencies establishing, increasing, or imposing a fee as a condition of approval of a development project shall:

1. Identify the purpose of the fee;
2. Identify the use to which the fee is to be put;
3. Determine how there is a reasonable relationship between the use of a fee and the type of development project on which the fee is imposed; and,
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

General Plan Policies

Unlike other Counties in California, El Dorado County's Draft General Plan contains provisions originally identified in voter-approved Measure Y; by extension, the County's impact fees will be a primary tool to implement these provisions.

Land Use Entitlements

Another form of "legal" requirement are land use entitlements and the conditions that have (or have not) been placed on prior County approvals. Over the years the County has entered into a number of Development Agreements, and approved many tentative maps that conveyed vested rights with respect to development standards and legal obligations. Each of these has specific language regarding vesting and conditions of approval. Because of the importance of specific wording in each agreement and on each map, it is difficult to make broad statements as to the implications of these prior County actions. Several developers with approved agreements and maps have contacted County staff since the passage of Measure Y and floated various opinions as to how the requirements of the above General Plan policies affect, or do not affect, specific maps and agreements, in light of vesting language.

Significant is the fact that these prior land use approvals ("givens") are the primary component of additional traffic anticipated in each of the four General Plan alternatives through 2025, and explains why there is less distinction between the traffic impacts of the four alternatives than what might normally be seen.

Board of Supervisors-Articulated Policy Considerations Related to Impact Fees

Over the past few years, specific Boards of Supervisors acting collectively, and individual Supervisors speaking as representatives of their districts, have expressed a number of desired policy outcomes/considerations in updating traffic impact fee programs.

- ✓ Impact fees must be affordable for all development types, including non-residential uses that create local jobs and significantly contribute to the County's tax base;
- ✓ The County's ability to develop "affordable housing" to meet other legal requirements must be considered in light of traffic impact fees.
- ✓ The General Plan Circulation Element, and by extension, road improvements identified in the County's traffic impact fee programs, must be realistic and achievable.
- ✓ Infrastructure is to be delivered concurrently, or at least more concurrently, with new development that impacts traffic flow.
- ✓ The General Plan and traffic impact fees need to be developed concurrently, and the General Plan update is to be complete by the end of calendar year 2003.

Fiscal Considerations

Separate from the question of the amounts the County can charge to new development under State and Federal law is the question of the County's ability to provide "matching" funds to fully finance the projects needed in order to fulfill the future transportation system envisioned in the Circulation Element.

Related is the County's ability to fund other parts of the future road system not specifically associated with providing additional roadway capacity. Examples of these non-capacity increasing capital improvements include: safety improvements; curve-correction and other geometric improvements; and, reconstruction and major rehabilitation of existing facilities, including bridges.

Preliminary Infrastructure Costs

While it is clear that the County needs to make every effort to develop and adopt a set of new impact fees concurrently with the General Plan update, there are a number of questions that must be answered in terms of how the programs are structured, and what, if any, transitions are made from the County's current four programs.

Pursuant to the Board of Supervisor's direction in 2002, the County's General Plan team has developed and analyzed four "equal weight" General Plan alternatives: *1996 General Plan; No Project; Environmentally Constrained; and, Roadway Constrained 6 Lane Plus.*

Unlike the 1996 General Plan process, the Board of Supervisors, staff, and members of the public all appear to agree that the impact fee programs must be developed concurrently with the General Plan, not sequentially. The impact fees and the General Plan are largely the same issue, because of the combined requirements of State law and policies in the proposed General Plan that limit the County's discretion in setting the fees. **The most significant discretion the County may have related to the impact fees is in selecting a General Plan alternative.**

The purpose of this memo is not to calculate the fees associated with any General Plan alternative, or to describe a potential "nexus" between new development and infrastructure cost, but to highlight that the resulting impact fees might be a significant criteria the Board of Supervisors considers in evaluating the General Plan alternatives and ultimately selecting one for adoption.

Unlike possibly every other local agency in California, the County's policy discretion in adopting impact fees is extremely limited for the reasons discussed herein. Therefore, early indications of the factors that will influence the impact fees associated with any alternative should be made clear as soon as possible.

At this time it isn't possible to provide detailed fee schedules that might be associated with each of these alternatives. Staff has not had sufficient time to develop cost estimates to an appropriate level of detail. Moreover, more interaction with the Board of Supervisors and public may be needed regarding some of the factors identified herein.

In order to present the Board of Supervisors and other interested parties with an idea of the impact fees that might be associated with each alternative, Department of Transportation staff has developed very preliminary 2025 infrastructure cost estimates associated with each equal weight alternative. They should be considered as relative, and "order of magnitude." These are presented below. **All of the estimates are subject to significant refinement over the next several months.**

Cost of Highway and Local Road Improvements for General Plan Alternatives <i>(x \$1 million)</i>				
	1996 General Plan	No Project	Env. Constr.	Road Constr.
Total Cost of Local Road Improvements <i>(Capacity-Increasing, Appropriate for Impact Fees)</i>	\$280	\$262	\$214	\$222
Total Cost of State Highway Improvements <i>(Capacity-Increasing, Appropriate for Impact Fees)</i>	\$450	\$343	\$379	\$280
Sub-Total <i>(Capacity-Increasing, Appropriate for Impact Fees)</i>	\$730	\$605	\$593	\$502
Total Cost of Local Road Improvements <i>(Other, Not Appropriate for Impact Fees)</i>	\$180	\$180	\$180	\$180
Total Cost of State Highway Improvements <i>(Other, Not Appropriate for Impact Fees)</i>	\$ 25	\$ 25	\$ 25	\$ 25
Sub-Total <i>(Other, Not Appropriate for Impact Fees)</i>	\$205	\$205	\$205	\$205
Total, All Improvements	\$935	\$810	\$798	\$707
Notes: <ul style="list-style-type: none"> ▪ <i>Highway and Local Road Improvements identified as "not appropriate for impact fees" include non-capacity-increasing operational and geometric improvements and safety improvements.</i> ▪ <i>Total costs are gross programmatic level estimates; no field checks have been conducted; and costs have not yet been verified. Also, determination of improvements that are "fee appropriate" and "not fee appropriate" is being reviewed further.</i> ▪ <i>Final fees at General Plan adoption will be based upon refined costs, including field review of potential project specific issues.</i> ▪ <i>Consistent with the discussion above, and the General Plan alternatives, these costs include only those projects that can be realistically delivered. Some corridors have projected future levels of service that do not meet plan standards.</i> 				

PURPOSE

The purpose of this memorandum is to discuss financing issues associated with the circulation elements proposed in each of the four "equal weight" alternatives as identified in the Draft General Plan.

PRIMARY ISSUE

Today, road improvements in California are paid for through a variety of mechanisms. The most common are:

- ✓ State and Federal grants;
- ✓ Local option increases in the sales tax;
- ✓ Conditions on development;
- ✓ Impact fees; and,
- ✓ Other strategies and assessments, such as redevelopment agency funds, other tax-increment financing programs, and benefit assessment districts.

Overall, however, rather than build new transportation infrastructure, new development in California continues to rely on the remaining existing capacity built through the mid-1970s.

El Dorado County

El Dorado County has relied heavily on traffic impact fees and conditions on development to meet its road infrastructure needs. For many years there has been policy debate including the following statements:

- ✓ "new development should be paying more;"
- ✓ "some categories of new development cannot pay more due to market limitations on total overhead costs of development;" and/or,
- ✓ the County should be annually reserving the appropriate "matching funds" and is not.

Staff suggests that these are appropriate questions, but that the primary policy question might be "how do we address the fact that due to a number of factors the costs of developing infrastructure in El Dorado County are significant?"

A. Cost of Road Improvements

Building road improvements is expensive under the best of conditions. Road projects, in general, are particularly expensive in El Dorado County due to a number of factors:

- ✓ *Terrain limits viable corridors.* The lack of flat lands limit the number of viable transportation corridors, and the remaining corridors still have challenges in addressing terrain. This leads to a lack of parallel capacity and places great burden on each of the existing regional roads.
- ✓ *Cost of widening existing substandard roads.* Many of the "viable" corridors have existing roads with substandard geometrics. The cost of widening an existing two-lane road to four lanes can be as or more expensive than building a new four-lane road in another location because the existing road often needs complete reconstruction in order to be widened. It is rarely as simple as adding twelve feet of new pavement on either side of the existing road due to a number of circumstances, including, but not limited to, the following:
 - alignment considerations;
 - terrain;
 - above-ground and under-ground utilities;
 - drainage issues;
 - property access issues; and,
 - right-of-way issues.
- ✓ *Geology.* Not only is terrain an issue, but also the type of soils and pervasiveness of hard rock makes it difficult to cut and fill areas to make flat road surfaces, as well as makes it difficult to install below ground facilities.
- ✓ *Sensitive areas.* El Dorado County is marked with a number of protected habitats that are home to plant and animal species listed by the Federal governments for various levels of protection and mitigation. Some critical habitats are particularly difficult to work within and around. Related are the number of cultural resources that exist in the County and that are subject to similar considerations of avoidance and mitigation.
- ✓ *Right-of-way costs.* The cost of land in El Dorado County is generally higher than in other jurisdictions, which leads to higher right-of-way acquisition costs.
- ✓ *Cost of litigation and public controversy.* Many transportation projects in El Dorado County have become opportunities to litigate bigger-picture disagreements. Improvements to Highway 50, major interchanges, and some local roads, have been, and will likely continue to be battlefronts for the larger issue. Delays in delivering projects have direct and indirect costs, as does litigation, and extended/iterative public involvement processes.
- ✓ *Proximity of available construction materials, and supply vs. demand considerations.*

To a lesser extent, prior decisions about the location and density of development, in light of the above considerations of terrain, etc. contribute to the expense of transportation infrastructure. Further, these densities preclude the significant use of transit and non-motorized forms of transportation in meeting the County's transportation needs.

B. Funding Opportunities

Sufficient funding for priority transportation improvements, and funding to maintain existing investments, is lacking nationwide and in California.

- ✓ The nation's infrastructure is aging and in need of greater investment to maintain.
- ✓ Funds historically reserved for road improvements now fund a combination of road, bus transit, commute rail, bicycle and pedestrian facilities, and "enhancements."
- ✓ The primary source of transportation funds (fuel taxes) have not been indexed and their relative purchasing power has declined both due to inflation, and due to increased fuel efficiency of motor vehicles.

Similar to the situation with project costs, El Dorado County is disadvantaged with respect to transportation funding, compared to other jurisdictions in California, for a number of reasons.

- ✓ Most "urban", less-politically-conservative, areas in California have supplemental ½ cent to 1-cent local increases in the sales tax for transportation systems (e.g. Folsom shares in Sacramento County's Measure A ½ cent sales tax funds). It is difficult for more rural, more politically conservative areas to obtain voter approval for an increase in the sales tax, particularly at the current 2/3 super-majority vote level. By extension, more conservative areas are less likely to support lowering the approval threshold for new taxes to less than a 2/3 supermajority.
- ✓ Many "rural" areas in California have greater access to Transportation Development Act (TDA) funds for road purposes, derived from ¼ cent of the existing state sales tax. El Dorado County's status as a "donor" of taxable sales to other jurisdictions means less revenue for transportation purposes (transit programs and road improvements). Even urban areas with better ratios of taxable sales per capita benefit from TDA funds for transit purposes, with any remainder (often none) available for road purposes.
- ✓ Related is the impact of the unhealthy sales tax base on the General Fund of the County, which limits the Board of Supervisors ability to consider General Fund contributions to road improvements.
- ✓ El Dorado County has 300+ miles of roads at high elevations that require snow removal, whereas low elevation counties do not. In FY 2000/2001 the Road Fund subsidy for snow removal was approximately \$550,000, or more than 4% of the County's discretionary Road Fund. Further, the impact of "freeze-thaw" conditions on pavement accelerates decline in pavement condition, as does the impact of snowplows scraping the pavement.

It is clear that impact fees should and will play a major role in financing the General Plan road infrastructure. It is also possible that another funding source, yet to be identified, will be needed to completely fund the County's future road and transportation improvements.

BACKGROUND

The passage of Proposition 13 began a major evolution in California, from General Fund based services to fee funded services, that continues today. The passage of Proposition 13 coincided with the approximate time in which the Federal government and State of California ceased major investment in public infrastructure, including streets, roads, and highways.

The trend to fee-funded services, and infrastructure, is not limited to transportation. For example, school facilities and parks are also funded, in part, through impact fees in El Dorado County.

El Dorado County's Existing Traffic Mitigation Fee Programs

El Dorado County adopted one of the earliest comprehensive traffic impact mitigation fee programs in California. In 1984 the County adopted the El Dorado Hills - Salmon Falls Road Impact Fee (RIF).

This fee program pre-dated specific State Legislation governing traffic impact fee programs. In 1987 the State of California adopted AB 1600, the Mitigation Fee Act. Today, these statutes can be found, with slight amendments, in the California Government Code, commencing with Section 66000. However, the RIF program as initially adopted, and as amended, continues to meet these requirements as it only funds those projects necessary to mitigate the impacts of the development that is being assessed the fee.

The RIF program was updated in 1988 concurrently with adoption of the El Dorado Hills Specific Plan. The El Dorado Hills / Salmon Falls Road Impact Fee was also the subject of a major, interim cost update in December 2000. As a result, the RIF is projected to currently be properly recouping the costs necessary to fully fund the program of improvements, to the extent possible without a General Plan to define the future amount of development, and the exact future road infrastructure that is needed to serve it.

The RIF program currently funds County road improvements within its boundary, improvements to the Highway 50 Interchange at El Dorado Hills Boulevard, and construction of a new Highway 50 interchange at Silva Valley Parkway.

By the time of the RIF update in 1988, the County also had limited "impact fees" on new development in other areas of the County. First, the County had established a series of Areas of Benefit to fund specific projects. Second, the County was charging fees of \$100 per final subdivision map lot and \$600 per final parcel map parcel to be used for road improvements.

Since that time, the County of El Dorado has adopted additional impact fee programs, each for specific improvements attributable to specific future developments. These fee programs include:

- ✓ *Traffic Impact Mitigation (TIM) Fee.* This program was approved in 1991 to fund county road improvements outside of the RIF area. The TIM program absorbed many of the prior area fees into this more comprehensive program.
- ✓ *State Highway Traffic Impact Mitigation (State TIM) Fee.* This program was approved in 1996 to fund improvements to State Routes 49 and 193, and U.S. Highway 50.
- ✓ *Interim Highway 50 Variable Traffic Impact Mitigation Fee.* This program was approved in 2002 to supplement the RIF and State TIM programs by capturing a portion of new development's responsibility for road improvements not included in any of the existing programs.

Unlike the El Dorado Hills - Salmon Falls Road impact fee, the TIM and State TIM fees introduced a concept new to El Dorado County fee programs, the "non-developer" share of envisioned road projects. These fee programs identified a portion of the direct costs associated with projects needed to serve new development that were determined would or could not be charged to new development, consistent with the requirements of State law, specifically the Mitigation Fee Act. Amongst costs determined to not be attributable to new development at that time were what were referred to as the "existing deficiency" portion of project costs.

It appears that the "Non-Program Funded" costs may have included a combination of the portion of new infrastructure that could not be reasonably attributed to new development, and a policy choice to not over-burden new development with traffic impact fees that were too high.

Summary of Current Impact Fee Programs	Total Cost of Improvements	Program Funded (New Development Share)¹	Non-Program Funded
<i>El Dorado Hills / Salmon Falls Road Impact Fee</i>	\$170,589,000	\$170,589,000 (100%)	None
<i>Traffic Impact Mitigation Fee</i>	\$223,992,000	\$129,915,000 (58%)	\$ 94,077,000 (42%)
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<i>Interim Highway 50 Variable Traffic Impact Mitigation Fee</i>	\$ 47,200,000	\$ 47,200,000 (100%)	None
TOTAL	\$760,905,000	\$499,597,000	\$261,308,000

¹ Per existing fee ordinances, including updates for "inflation."

At the time the State TIM program was adopted, the County anticipated that all but approximately \$40 million of the "non-program funded" portion of project costs, would be obtained through the El Dorado County Transportation Commission in the form of State Transportation Improvement Program (STIP) funds and Regional Surface Transportation Program (RSTP) funds. The County strategy to fund the "Non-Program" share of the TIM program is less clear.

Since these programs were adopted, the County has approved regular, cost-of-living adjustments tied to construction-cost indices, most recently on February 25, 2003.

The current fee programs are included an attachment.

Finally, it is important to note that many developments are required to fund additional road improvements, beyond those paid for through the traffic impact fee programs. Local streets within subdivisions, and some minor spot improvements, are not included in the impact fees. Construction of these improvements are not subject to reimbursement.

GENERAL PLAN UPDATE / IMPACT FEE UPDATE -- MAJOR POLICY ISSUES

It has long been anticipated that adoption of a new General Plan would be the appropriate time to perform a comprehensive update of the County's traffic impact fee programs. In undertaking this update, a number of significant issues must be carefully considered.

Simplified, staff sees four major issues associated with the fee update. By extension, these become the major issues to be addressed in developing a comprehensive impact fee update.

- ✓ First, does an impact fee schedule exist that meets legal requirements, as well as the many desired policy objectives staff have culled from previous formal Board directions and informal Board discussions?
- ✓ Second, if a schedule of fees exists that meets both legal considerations and the Board's policy objectives, does the Board have any remaining latitude in establishing traffic impact fees? If the Board has remaining latitude, how can staff facilitate a discussion with the Board to ensure that the Board's latitude is reflected in staff-developed alternatives and/or recommendations?
- ✓ Third, if a schedule of fees exists that meets both legal considerations and the Board's policy objectives, can the County afford to fund any non-developer share of the impact fee programs? What happens if the County cannot afford the non-developer share of the impact fee programs?
- ✓ Fourth, if the fees projected to be associated with one or more General Plan alternatives are considered unacceptable by the Board, what does that mean for the County's processing of the Draft General Plan and Draft Environmental Impact Report?

The balance of this memorandum focuses on providing information necessary for the Board, and interested members of the public, to consider the above four policy issues.

Legal requirements

A. State Law

Throughout the State of California, the statutes in the Government Code that began as AB 1600 govern the development and implementation of traffic impact mitigation fee programs.

The Government Code requires that local agencies establishing, increasing, or imposing a fee as a condition of approval of a development project shall do the following.

1. Identify the purpose of the fee.
2. Identify the use to which the fee is to be put. If the use is financing public facilities, the facilities shall be identified.
3. Determine how there is a reasonable relationship between the use of a fee and the type of development project on which the fee is imposed.
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

Further, State law requires that any action imposing a fee as a condition of approval of a development project shall determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

Impact fees must be expended for public improvements, solely and exclusively for the purpose or purposes for which the fee was collected. The fee shall not be levied, collected, or imposed for general revenue purposes.

Finally, the Government Code requires that fees be spent within five years or requires that the locally agency make a series of findings regarding the unexpended amounts.

These Government Code requirements are consistent with additional Constitutional provisions requiring a nexus between an impact, and fees or mitigations charged. These requirements have been further reinforced through several well-known court cases, including cases decided by the United States Supreme Court.

For purposes of this memorandum, State law, and the Federal Constitution "nexus" requirements establish the maximum the County can charge to new development (e.g. the "ceiling").

B. General Plan Policies

Unlike other Counties in California, El Dorado County's Draft General Plan contains provisions originally identified in voter-approved Measure Y; by extension, the County's impact fees will be a primary tool to implement these provisions.

Measure Y contained several provisions.

- ✓ County tax revenues shall not be used in any way to pay for building road capacity improvements to offset traffic impacts from new development projects. Exceptions are allowed if County voters first give their approval.
- ✓ Developer-paid traffic impact fees shall fully pay for building all necessary road capacity improvements to offset and mitigate all direct and cumulative traffic impacts from new development upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county.
- ✓ Traffic from residential development projects of 5 or more units or parcels of land shall not result in, or worsen, Level of Service "F" traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the County.
- ✓ The County shall not add any additional segments of Highway 50, or any other roads, to the County's list of roads that are allowed to operated at Level of Service "F" without first getting the voter's approval.
- ✓ Before giving approval of any kind to a residential development project of 5 or more units or parcels of land, the County shall make a finding that the project complies with the policies added by this initiative. If this finding cannot be made, then the County shall not approve the project, or give final approval to a tentative subdivision map, until all these policy findings can be made.

For purposes of this memorandum, these General Plan policies establish the minimum the County can charge to new development (the "floor"). A question that has been raised is whether the "floor" is higher, at least in some cases, than the "ceiling."

Typically, local jurisdictions are not under any obligation to require new development to fully fund its effects on infrastructure. In fact, many jurisdictions do not charge traffic impact fees to new development. To the extent that environmental analyses identify unmitigated congestion, findings of overriding considerations can be made to satisfy State requirements for environmental clearances and approvals.

Frequently, local jurisdictions that do charge traffic impact fees *downwardly* adjust pure nexus-calculated impact fee schedules to account for other policy objectives and to better ensure that fees can withstand any legal challenges. In theory, if not in practice, these jurisdictions use other funds to match the developer impact fees to ensure that the infrastructure is fully constructed. However, a jurisdiction cannot legally re-assign the obligation of one development to another development.

The above General Plan policies limit El Dorado County's ability to adjust pure nexus-calculated fees. In fact, in its simplest form, the combination of State law and Measure Y would appear to severely restrict the County's discretion in setting impact fees.

C. Prior County Land Use Approvals

Another form of "legal" requirement are land use entitlements and the conditions that have (or have not) been placed on prior County approvals. Over the years the County has entered into a number of Development Agreements, and approved many tentative maps that conveyed vested rights with respect to development standards and legal obligations. Each of these has specific language regarding vesting and conditions of approval. Because of the importance of specific wording in each agreement and on each map, it is difficult to make broad statements as to the implications of these prior County actions. Several developers with approved agreements and maps have contacted County staff since the passage of Measure Y and floated various opinions as to how the requirements of the above General Plan policies affect, or do not affect, specific maps and agreements, in light of vesting language.

Significant is the fact that these prior land use approvals ("givens") are the primary component of additional traffic anticipated in each of the four General Plan alternatives through 2025, and explains why there is less distinction between the traffic impacts of the four alternatives than what might normally be seen.

Board of Supervisors-Articulated Policy Considerations Related to Impact Fees

Over the past few years, specific Boards of Supervisors acting collectively, and individual Supervisors speaking as representatives of their districts, have expressed a number of desired policy outcomes/considerations in updating traffic impact fee programs.

In no particular order, staff has developed the following list.

- ✓ Impact fees must be affordable for all development types, including non-residential uses that create local jobs and significantly contribute to the County's tax base;
- ✓ The County's ability to develop "affordable housing" to meet other legal requirements must be considered in light of traffic impact fees.
- ✓ The General Plan Circulation Element, and by extension, road improvements identified in the County's traffic impact fee programs, must be realistic and achievable.
- ✓ Infrastructure is to be delivered concurrently, or at least more concurrently, with new development that impacts traffic flow.
- ✓ The General Plan and traffic impact fees need to be developed concurrently, and the General Plan update is to be complete by the end of calendar year 2003.

Fiscal Considerations

Separate from the question of the amounts the County can charge to new development under State and Federal law is the question of the County's ability to provide "matching" funds to fully finance the projects needed in order to fulfill the future transportation system envisioned in the Circulation Element.

Related is the County's ability to fund other parts of the future road system not specifically associated with providing additional roadway capacity. Examples of these non-capacity increasing capital improvements include: safety improvements; curve-correction and other geometric improvements; and, reconstruction and major rehabilitation of existing facilities, including bridges.

A. Recent History of Matching Funds

As above, as part of the 1996 General Plan implementation the County anticipated a variety of funding sources would be available to match the impact fees collected under the TIM and State TIM programs. History has shown that those assumptions were optimistic.

- ✓ The County has not annually budgeted any General Fund or Road Fund revenues for purposes of matching TIM or State TIM fees. The County has typically used approximately \$360,000 in "guaranteed" Regional Surface Transportation Program funds each year to match Federal bridge rehabilitation grants.
- ✓ State Transportation Improvement Program (STIP) funds available to the El Dorado County Transportation Commission, not a County Department but rather a separate legal entity with its own Board of Directors, have been programmed for a variety of projects. Some of the projects that the EDCTC has funded provide "match" to County impact fees. For instance, the Missouri Flat interchange reconstruction, and carpool lanes on U.S. 50 between El Dorado Hills and Shingle Springs are being developed through a combination of STIP and State TIM funds. However, other EDCTC projects using STIP funds are not part of the County's State TIM program (e.g. U.S. 50 through Placerville).
- ✓ Regional Surface Transportation Program (RSTP) funds available to the EDCTC have similarly been programmed for a variety of projects, including matching funds for projects in the County's impact fee programs (e.g. U.S. 50 at Ponderosa Road Interchange) and projects not in the County's impact fee programs (e.g. Mosquito Road Park-and-Ride facility).
- ✓ It is clear that within the horizon of the State TIM program envisioned in 1996 that it is unlikely the EDCTC will program sufficient funds to provide the assumed "match" due to lower-than-projected revenues, as well as programming for projects that are not in the County's impact fee programs.

The County has undertaken several positive initiatives.

- ✓ The County has been successful in obtaining some funds from the EDCTC to match its impact fee programs.
- ✓ Moreover, the County has obtained and dedicated other one-time funding for specific projects to balance fulfilling the General Plan policies regarding new developments' share of infrastructure responsibilities, and State law

requirements regarding the non-new-development share of costs in the current fee programs.

- ✓ The most notable strategy to fund the non-new-development share of project costs is the County's implementation of the Missouri Flat Master Circulation and Funding Plan. Under the plan, the County is pledging sales and property tax increments to the re-construction of the Missouri Flat Road interchange, the widening of Missouri Flat Road, and construction of the new Pleasant Valley connector.

B. County's Ability to Annually Budget Matching Funds

Given the well-publicized and widely-discussed state of the County's General Fund and Road Fund, it is likely that absent a dramatic increase in General Fund or Road Fund revenues the County will not be in a position to use either General Fund or Road Fund revenues as an on-going source to matching traffic impact fees.

The total of the County's annual discretionary Road Fund revenues is approximately \$15 million. The Road Fund are those monies used by the County for routine road maintenance and operations, including filling pot holes, clearing roadside brush, snow removal and ice control, painting street markings, etc. on 1070 miles of County-maintained roadways. Transportation Planning, such as the development of transportation-related sections of the General Plan, and developing/updating transportation financing mechanisms such as impact fees are also funded out of the Road Fund, not the County's General Fund.

In recent years, increases in funding have allowed for a modest surface treatment program (chip seal and asphalt overlay). It is estimated that the County is still annually about \$3-4 million short of its needed surface treatment program, and it is estimated an additional \$3-\$4 million in annual funding is needed to maintain our heavy-duty equipment and facilities, which is necessary to fully perform maintenance and operations duties.

Merely for perspective, the total on-paper obligation of the County to match the existing TIM and State TIM programs is \$261 million. Assuming a 25 year implementation, this would equate to \$10.4 million per year.

The Governor is currently proposing at least a \$1 million reduction in the County's annual Road Funds starting in Fiscal Year 2003/2004. The Governor's proposed transfer would have a significant, negative impact on the County's ability to provide services. Moreover, other economic issues such as the skyrocketing cost of oil derivatives (such as fuel, asphalt, and emulsion) and rapidly increasing labor costs are placing further pressure on an oversubscribed budget.

Any further transfer from the Road Fund for non-impact fee appropriate costs, or to match impact fees would be extremely difficult to absorb.

From this simple analysis it is obvious that the County cannot rely on its existing Road Fund to provide matching funds for traffic impact fees.

C. County's Ability to Fund Other Priority Improvements

It should also be emphasized that the County has no other on-going funding source than the Road Fund to construct capital projects that are not capacity increasing, such as curve corrections and shoulder widenings. For instance, the County has historically had access to Federal grants to pay 80% of the cost of replacing or rehabilitating bridges and to pay 90% of safety projects. The County uses Road Funds to pay the respective 20% and 10% matches to the highly competitive grants that it has been fortunate enough to receive.

Although the County has been fortunate to receive one-time grants for some safety and bridge projects, only a portion of the needed improvements are likely to be funded through grants. Another example of non-capacity increasing projects that cannot be charged to new development, rather than rely on grants or the Road Fund, are operational improvements. These costs are not included in the annual Road Fund shortfall estimates, or the existing impact fee match requirements identified above. The total cost of these projects is difficult to quantify. For purposes of this memorandum, the cost is estimated to be \$205 million. This amount is constant, regardless of General Plan alternative, given that these are improvements not related to future development.

One issue that is receiving some consideration is whether the impact-fee matching requirements need to be treated in a more formal fashion. It is not clear whether accounting principles require more formal tracking of the long-term financial liability to match impact fees.

If the County needs to more-formally account for impact fee matching, at what point should the financial obligation be recognized: at the time of program adoption, at the time impact fees are paid on a permit-by-permit basis, at the time an individual project is bid or closed out, or at the very end of the impact fee program? One thing is certain: to the extent that the updated fees require matching funds, failure to produce the match will result in one or more projects being unfinished at the end of the program.

Further, it would appear that failure for the County to adequately provide any non-program-funded costs over time, for its updated programs, calls into question the validity of the programs.

Other Policy and Technical Considerations

While it is clear that the County needs to make every effort to develop and adopt a set of new impact fees concurrently with the General Plan update, there are a number of questions that must be answered in terms of how the programs are structured, and what, if any, transitions are made from the County's current four programs.

Specifically, issues in terms of the construction of the fee programs include the following.

- ✓ What role does the Board desire to play in developing structural parameters of the impact fee program(s)? In the recent variable impact fee process, two members of the Board of Supervisors participated in an advisory committee representing stakeholders. Staff recommends consideration of a similar committee for the comprehensive fee update.
- ✓ What role does the Board envision for the public to play in developing proposed impact fee programs? As above, the variable impact fee program development included an advisory committee representing a broad range of stakeholders. Staff recommends consideration of a similar committee for the comprehensive fee update. A related question is how to achieve the perception that any committee is "fair and balanced" in its membership.
- ✓ Should the County maintain the 4 existing programs, consolidate the programs, or otherwise modify the number or type of programs?
- ✓ Two of the County's four programs vary by geography; there are different fees based upon location of a new development within the County. Should the County continue to use existing impact fee areas or zones, consider new fee zones, or eliminate the use of geographic zones? While there is not a universal "right" or "wrong" approach, legal requirements appear to encourage geographic, and other variability to strengthen the nexus between a specific development, its impacts, and assessed fees.
- ✓ What methodologies, and what point in time, will the County use to determine the non-development share of the impact fee program(s)? Does the adoption of a new General Plan and establishment of new fees re-set what is an "existing deficiency?" This would shift existing program-funded costs to non-funded costs. The County's 1996 General Plan fee schedule used a proportional trips methodology to determine the ratio of new development / existing resident cost responsibilities.
- ✓ What General Plan level-of-service policy will the Board adopt? In addition to the Measure Y-derived General Plan policy regarding "Level of Service F" which is included in each of the four equal weight alternatives, each General Plan alternative includes policies regarding the guiding Level of Service vision for urban and rural areas. These policies also influence the number and cost of road improvements.
- ✓ Will the fee programs be based upon peak hour or daily trips? The General Plan team have been assuming that the traffic impact fees associated with the General Plan update will be based upon peak-hour trips, both in terms of determining which projects will be needed, and in terms of the relevant contribution of peak-hour traffic from each individual development. This is consistent with the language in General Plan policies derived from Measure Y that specifically identifies peak hour considerations. It would follow that impact fees should also be based upon peak-hour trip rates associated with various land use types.
- ✓ How should the County account for future development that will contribute to overall future traffic, but that is not subject to the payment of traffic impact fees?

Traditionally, these impacts are in the "non-program funded" share of the impact fee programs. Examples include:

- developments not subject to County discretionary action (e.g. certain public facilities);
 - the Shingle Springs Rancheria; and,
 - future "pass through" traffic associated with development outside of El Dorado County, namely tourists from out of County who are going to a future development in the County that is subject to impact fees.
- ✓ Related, under what parameters could the Board waive impact fees for a specific project in the future?
 - ✓ How should the County account for development and visitors to the El Dorado County portion of the Tahoe basin? There are no capacity-increasing transportation projects envisioned in the unincorporated area of the Tahoe basin. The County is not currently assessing traffic impact fees on the limited amount of development in the Tahoe basin.
 - ✓ Will the County incur specific, eligible costs associated with developing and constructing projects that are not accounted for in the fee programs, and should those costs be included in the fee programs? One example is the cost of rights-of-way not otherwise required to be dedicated. Other costs might include environmental mitigation costs, mitigation monitoring programs for specific projects, certain administrative costs, and costs of financing. The December 2000 update of the El Dorado Hills Salmon Falls Road Impact Fee was adjusted for many of these costs. Staff will ensure that these costs are included in the other programs as part of a comprehensive fee program adjustment associated with the new General Plan.
 - ✓ What horizon will the County use for its fee program(s)? The County's RIF, TIM, and State TIM programs currently use long-term time horizons. The newest program, the variable Highway 50 corridor impact fee uses a ten-year horizon. It is likely that staff will recommend that the County's new programs should use a five- or ten-year horizon. Each year the County would drop one year of completed projects and add one year of new projects. Annually the fee program would be adjusted. This approach will streamline compliance with Government Code reporting requirements. **This will also provide much more assuredness that the total needed fees will be collected over the life of the General Plan, but could contribute to potentially greater volatility in the fee programs from year to year.**
 - ✓ Should the new fee programs include a stratified fee schedule based upon home size? The County's most recent traffic impact fee program introduces a new concept to ensure that costs are equitably distributed – home size. The Highway 50 Corridor fee program, which is subject to a six-month review by the Board of Supervisors scheduled for June 2003, stratifies the fees on new homes based upon total square footage, based upon studies that demonstrated a connection between the size of a home and peak-hour trip rates in the Highway 50 corridor. This is similar to non-residential fees that have been based upon facility size

(square footage, number of pumps at gas stations, etc.) for many years. Three distinctions are made in the fee program:

- Less than 1600 square feet;
 - Greater than 1600 square feet, but less than 2500 square feet;
 - Greater than 2500 square feet.
- ✓ To what extent should the County include congestion-relieving capital projects from other transportation modes into the fee program? Currently, the County's Highway 50 Corridor fee program includes funding for El Dorado Transit's commuter bus program.
- ✓ Should the County increase the number of non-residential land use type specified in the fee schedule? It has been strongly suggested that the County might stratify non-residential development into more specific land use types for purposes of assessing traffic impact fees. This aids in meeting the Government Code requirements regarding establishing a relationship between a development's impacts and its impact fees. Many jurisdictions use significantly more land use categories than the County. Currently all non-residential development on the west slope is assessed traffic impact fees through one or more of the following non-residential land use categories:
- High Trip Commercial;
 - General Commercial;
 - Office;
 - Industrial;
 - Warehouse;
 - Churches;
 - Gas Station;
 - Golf Course;
 - Campground; and,
 - Bed & Breakfast.

The answers to the above must be considered in light of other considerations.

- ✓ The number and type of fee programs impacts the flow of funds compared with the need to construct projects; e.g. one large program, if appropriate, would provide maximum flexibility to the County in determining the priority of building projects, compared with an infinite number of smaller programs under which it might take several years to collect sufficient funds under any one program to construct a project.
- ✓ Are there considerations associated with the fees the County has collected and expended to date under existing programs?
- If the County changes the boundaries and/or projects in the El

Dorado Hills / Salmon Falls Road Impact Fee, or combines it with other programs, does this jeopardize the County's ability to assess new development within this boundary for 100% of new road costs because what once was fully the share of new development now has an existing deficiency component?

- Similarly, if the County changes the boundaries, combines, and/or adds projects to any of the fee programs, how are existing cash balances and partially completed projects accounted for?
- ✓ What if the General Plan is not completed by the end of the year, or soon thereafter? At what point does the County make an interim adjustment to the impact fees, or take other actions, to stop the loss of revenue? Could this be done under current circumstances?
- ✓ Do impact fees influence the type of product that a developer will build within existing land use and zoning requirements, and by extension do they impact the County's desire to build both "affordable housing" consistent with the legal definition of the term, as well as housing that is affordable to a mix of residents? Developers have stated that higher traffic impact fees require the building of larger, more-expensive homes, in order to maintain profit margins.

Annual Updates

It should also be noted that following adoption of the General Plan update, and associated impact fees, the County must ensure annual updates of the fee programs. Annual updates fulfill three purposes.

- ✓ First, they ensure that the overall program is adjusted for inflation. The County cannot afford to allow the value of its fees to be diminished by increases in the cost of developing and constructing projects attributable to general inflation, factors affecting the cost of road materials, new regulations and requirements on the development and construction of road improvements, and other unforeseen circumstances. During any given period of time, construction costs can vary dramatically compared with typical overall economic "inflation." Therefore, the annual updates should be tied to a construction cost index or similar mechanism to capture the specifics of the construction industry.
- ✓ Second, regular updates provide an opportunity to review the greater integrity of the project estimates used to generate the fees. Necessarily, fee programs estimate the costs of projects based upon limited information. The only true judge of a project's total cost is to audit expenditures following project closeout. Every project is unique in terms of the factors that ultimately determine its cost – complexity, terrain, geology, other environmental factors, etc. Cost estimates used to develop a fee program should target average costs in a way that some projects ultimately are delivered "under budget" while others are more costly than anticipated, with the over- and under-expenditures canceling out one another. It is important to analyze projected costs vs. actual costs, at least every two to three years, and make appropriate "course corrections" to the assumptions

underlying project costs, either to increase or decrease the fees.

- ✓ Third, the list of projects in any given period may need adjusting as to which projects are needed in the near future. The General Plan, and the impact fee programs will project future traffic at certain future milestones, e.g., 5 years, 10 years, or 2025. These traffic projections are based upon a number of assumptions, most importantly the distribution of future development, based upon market conditions. The assumptions about land use absorption are based upon the best available data, but need to be revisited. Also, the Draft General Plan recommends a congestion monitoring program that will track actual traffic flow and levels-of-service. Information about actual traffic, combined with updated land use forecasts, can be used to update the list of projects to ensure that the projects being delivered are those that will mitigate traffic congestion.

In summary, as above, it is likely that the County's new fee program(s) will be based upon shorter, rolling time frames compared with the current the RIF, TIM, and State TIM programs. Each year the County would drop one year of projects and add another as part of updates, incorporating inflation adjustments, course corrections, land use forecasts, and congestion monitoring results.

Project Advancements and Impact Fee Reimbursements

Finally, the County will likely need to revise its current policies regarding developer advancements of impact fee projects, and County reimbursements based upon language in the approved General Plan. It is possible that the County could become more of a manager of reimbursement agreements than a deliverer of projects.

ANALYSIS OF GENERAL PLAN FEE UPDATES

During the last three years, the County has addressed the Measure Y-related impact fee issues, to the best of its ability through an interim update of the RIF program, and adoption of the interim Highway 50 Corridor Variable Impact Fee. It has been recognized that additional issues remain that can only be dealt with as part of the General Plan update.

Pursuant to the Board of Supervisor's direction in 2002, the County's General Plan team has developed and analyzed four "equal weight" General Plan alternatives:

- ✓ 1996 General Plan;
- ✓ No Project;
- ✓ Environmentally Constrained; and,
- ✓ Roadway-Constrained 6-Lane Plus.

Unlike the 1996 General Plan process, the Board of Supervisors, staff, and members of the public all appear to agree that the impact fee programs must be developed concurrently with the General Plan, not sequentially. The impact fees and the General Plan are largely the same issue, because of the combined requirements of State law and policies in the proposed General Plan that limit the County's discretion in setting the

fees. The most significant discretion the County may have related to the impact fees is in selecting a General Plan alternative.

The traffic impact fees are also one of the most critical General Plan issues for the myriad reasons stated herein. The traffic impact fees are likely to be a more-significant General Plan / General Plan Environmental Impact Report issue in that the Board has the authority to make findings of overriding consideration with respect to most environmental impacts; the Board does not have authority to make similar findings related to impact fees, given the legal considerations discussed herein.

The road circulation systems projected to be needed under 2025 conditions for these four alternatives are similar, but not the same. Also, the amount and distribution of land use assumed in each is somewhat different. As a result, the impact fees that would be associated with each General Plan alternative will be different. How different cannot yet be determined, as is discussed further below.

The purpose of this section is not to calculate the fees associated with any General Plan alternative, or to describe a potential “nexus” between new development and infrastructure cost, but to highlight that the resulting impact fees might be a significant criteria the Board of Supervisors considers in evaluating the General Plan alternatives and ultimately selecting one for adoption.

Unlike possibly every other local agency in California, the County's policy discretion in adopting impact fees is extremely limited for the reasons discussed herein. Therefore, early indications of the factors that will influence the impact fees associated with any alternative should be made clear as soon as possible.

At this time it isn't possible to provide detailed fee schedules that might be associated with each of these alternatives. Staff has not had sufficient time to develop cost estimates to an appropriate level of detail. Moreover, more interaction with the Board of Supervisors and public may be needed regarding some of the factors identified herein.

In order to present the Board of Supervisors and other interested parties with an idea of the impact fees that might be associated with each alternative, Department of Transportation staff has developed very preliminary 2025 infrastructure cost estimates associated with each equal weight alternative. They should be considered as relative, and “order of magnitude.” These are presented below. **All of the estimates are subject to significant refinement over the next several months.**

Cost of Highway and Local Road Improvements for General Plan Alternatives (x \$1 million)				
	1996 General Plan	No Project	Env. Constr.	Road Constr.
Total Cost of Local Road Improvements <i>(Capacity-Increasing, Appropriate for Impact Fees)</i>	\$280	\$262	\$214	\$222
Total Cost of State Highway Improvements <i>(Capacity-Increasing, Appropriate for Impact Fees)</i>	\$450	\$343	\$379	\$280
Sub-Total <i>(Capacity-Increasing, Appropriate for Impact Fees)</i>	\$730	\$605	\$593	\$502
Total Cost of Local Road Improvements <i>(Other, Not Appropriate for Impact Fees)</i>	\$180	\$180	\$180	\$180
Total Cost of State Highway Improvements <i>(Other, Not Appropriate for Impact Fees)</i>	\$ 25	\$ 25	\$ 25	\$ 25
Sub-Total <i>(Other, Not Appropriate for Impact Fees)</i>	\$205	\$205	\$205	\$205
Total, All Improvements	\$935	\$810	\$798	\$707
Notes: <ul style="list-style-type: none"> ▪ Highway and Local Road Improvements identified as "not appropriate for impact fees" include non-capacity-increasing operational and geometric improvements and safety improvements. ▪ Total costs are gross programmatic level estimates; no field checks have been conducted; and costs have not yet been verified. Also, determination of improvements that are "fee appropriate" and "not fee appropriate" is being reviewed further. ▪ Final fees at General Plan adoption will be based upon refined costs, including field review of potential project specific issues. ▪ Consistent with the discussion above, and the General Plan alternatives, these costs include only those projects that can be realistically delivered. Some corridors have projected future levels of service that do not meet plan standards. 				

Based upon these preliminary infrastructure cost estimates, below are three illustrative examples of how these total infrastructure costs might translate into impact fees, at various points along the scale of distributing costs between residential and non-residential uses.

It cannot be emphasized too much that the final impact fees associated with each General Plan alternative will likely differ significantly due to refinement of project costs and factors related to program structure as discussed above (time horizon, geographic variability, number of non-residential land use types, etc.).

When final infrastructure costs are determined, and a General Plan alternative is selected, the County will need to develop an impact fee schedule similar to the current fee schedules, considering the many factors identified herein.

None of the above tables assume a non-development share of impact fees. Also not included in these tables is the cost of non-fee appropriate projects such as curve corrections and non-capacity-increasing improvements to geometrics. These desirable, but not required, projects are estimated to be \$205 million over 22 years, or \$9.3 million per year.

By comparison, as above, the current annual DOT discretionary revenue is approximately \$15 million. The more likely sources of monies to fund the non-developer share of impact fee appropriate projects, and to fund non-fee appropriate projects, are grants and/or supplemental financing sources (e.g. benefit assessment districts, local-option sales tax increase, local-option gasoline tax, etc).

Illustration #1: All Costs Applied To Residential	1996 General Plan	No Project	Env. Constr.	Road Constr.
Total Fee Appropriate Costs (from above) (all numbers x \$1 million)	\$730	\$605	\$593	\$502
New 2025 Dwelling Units (single family and multi-family)	32,491	21,434	32,290	25,839
Raw Fee Per Dwelling Unit	\$22,468	\$28,226	\$18,365	\$19,428
Notes: <ul style="list-style-type: none"> ▪ FOR ILLUSTRATIVE PURPOSES ONLY <ul style="list-style-type: none"> ✓ Maximum, average residential fee over period from 2003 to 2025 ✓ Minimum, average non-residential fee over period from 2003 to 2025 ▪ Raw fees per dwelling unit, no distinction between single-family and multi-family ▪ No non-developer share of fee-appropriate project costs ▪ No non-residential share ▪ Fixed fee throughout western slope – no geographic or other variability 				

Illustration #2: All Costs Applied To Non-Residential	1996 General Plan	No Project	Env. Constr.	Road Constr.
Total Fee Appropriate Costs (from above) (all numbers x \$1 million)	\$730	\$605	\$593	\$502
New 2025 Jobs	42,196	36,188	42,711	34,455
Raw Fee Per Job	\$17,300	\$16,718	\$13,884	\$14,569
New non-residential building square feet (assume average 300 square feet per job)	\$12,658,800	\$10,856,400	\$12,813,300	\$10,336,500
Raw Fee Per Square Foot	\$57.67	\$55.73	\$46.28	\$48.57
Notes: <ul style="list-style-type: none"> ▪ FOR ILLUSTRATIVE PURPOSES ONLY <ul style="list-style-type: none"> ✓ <i>Maximum, average non-residential fee over period from 2003 to 2025</i> ✓ <i>Minimum, average residential fee over period from 2003 to 2025</i> ▪ <i>Raw fees per job and per square foot of new building space, no distinction between non-residential land use types (e.g. various types of commercial, industrial, etc.)</i> ▪ <i>No non-developer share of fee-appropriate project costs</i> ▪ <i>No residential share</i> ▪ <i>Fixed fee throughout western slope – no geographic or other variability</i> 				

Illustration #3: 50% Residential / 50% Non-Residential	1996 General Plan	No Project	Env. Constr.	Road Constr.
Total Fee Appropriate Costs (from above) (all numbers x \$1 million)	\$730	\$605	\$593	\$502
50% of Total Costs Applied to Residential	\$365	\$303	\$297	\$251
New 2025 Dwelling Units (single family and multi-family)	32,491	21,434	32,290	25,839
Raw Fee Per Dwelling Unit	\$11,234	\$14,136	\$9,198	\$9,714
50% of Total Costs Applied to Non- Residential	\$365	\$303	\$297	\$251
New non-residential building square feet (assume average 300 square feet per job)	\$12,658,800	\$10,856,400	\$12,813,300	\$10,336,500
Raw Fee Per Square Foot	\$28.83	\$27.91	\$23.18	\$24.28
Notes: <ul style="list-style-type: none"> ▪ FOR ILLUSTRATIVE PURPOSES ONLY ▪ Raw fees per dwelling unit, no distinction between single-family and multi-family ▪ Raw fees per square foot of new building space, no distinction between non-residential land use types (e.g. various types of commercial, industrial, etc.) ▪ No non-developer share of fee-appropriate project costs ▪ Fixed fee throughout western slope – no geographic or other variability 				

**EL DORADO COUNTY
DEPARTMENT OF TRANSPORTATION
EFFECTIVE APRIL 25, 2003
RESIDENTIAL FEES**

All of these fees are paid at building permit issuance and will not be determined until the Building Department plan check has been approved

EACH BUILDING PERMIT FOR A RESIDENTIAL DWELLING OR MULTI-FAMILY DWELLING UNIT WILL PAY THREE FEES.
ONE FROM EACH CHART: COUNTY, STATE AND DISTRICT:

YOU WILL PAY ONE OF THE FOLLOWING COUNTY FEES:

PAY EITHER THE WEST SLOPE OR EL DORADO HILLS RIF	WEST SLOPE TIM (COUNTY)	EL DORADO HILLS ROAD IMPACT FEE (RIF) (COUNTY)
SINGLE FAMILY DWELLING	4,337.00	8,645.00
MULTI-FAMILY (PER UNIT)	3,036.00	6,057.00

AND YOU WILL ALSO PAY ONE OF THE FOLLOWING STATE FEES:

SEE BELOW TO DETERMINE WHICH FEE WILL APPLY	*RAZ #1 (STATE) TIM FEE	**RAZ #2-5 (STATE) TIM FEE	***El Dorado Hills (STATE) TIM FEE
SINGLE FAMILY DWELLING	2,908.00	2,152.00	1,676.00
MULTI-FAMILY (PER UNIT)	2,037.00	1,507.00	1,177.00

***RAZ #1:** EL DORADO/DIAMOND SPRINGS, CAMERON PARK, SHINGLE SPRINGS, PLACERVILLE PERIPHERY, AND CITY OF PLACERVILLE.

****RAZ #2-5:** COLOMA/GOLD HILL, CAMINO, POLLOCK PINES, PLEASANT VALLEY, LATROBE, SOMERSET, FAIRPLAY, COOL, PILOT HILL, GEORGETOWN, GARDEN VALLEY.

*****EI DORADO HILLS:** EI DORADO HILLS/SALMON FALLS AREA ONLY

A-1

AND YOU WILL ALSO PAY ONE OF THE FOLLOWING DISTRICT FEES:

CONTACT D.O.T. TO DETERMINE WHICH DISTRICT FEE WILL APPLY	WEST DISTRICT FEE	CENTRAL DISTRICT FEE	EAST DISTRICT FEE	EL DORADO HILLS DISTRICT FEE
SINGLE FAMILY DWELLINGS LESS THAN 1600 SQ FT	3,998.00	1,210.00	94.00	1,941.00
SINGLE FAMILY DWELLINGS THAT ARE MORE THAN 1600 SQ FT UP TO AND INCLUDING 2500 SQ FT	5,331.00	1,613.00	125.00	2,580.00
SINGLE FAMILY DWELLINGS GREATER THAN 2500 SQ FT	5,864.00	1,774.00	137.00	2,847.00
MULTI-FAMILY DWELLING UNIT	3,732.00	1,129.00	88.00	1,812.00

SINGLE FAMILY: single family dwellings, mobile/modular homes on a permanent foundation, homes within a retirement community

MULTI-FAMILY: additional dwelling units

For questions, please call 530-621-5941 or 530-621-5943

A-2

**EL DORADO COUNTY
DEPARTMENT OF TRANSPORTATION
EFFECTIVE APRIL 25, 2003**

NON-RESIDENTIAL FEES

All of these fees are paid at building permit issuance and will not be determined until the Building Department plan check has been approved

EACH BUILDING PERMIT FOR NON-RESIDENTIAL USE OR
NON-RESIDENTIAL MULTI-FAMILY UNITS WILL PAY THREE FEES
FOR EACH TYPE OF OCCUPANCY.
ONE FROM EACH CHART: COUNTY, STATE AND DISTRICT:

YOU WILL PAY ONE OF THE FOLLOWING
COUNTY FEES:

PAY EITHER THE WEST SLOPE <u>OR</u> EL DORADO HILLS RIF	WEST SLOPE TIM (COUNTY)	EL DORADO HILLS ROAD IMPACT FEE (COUNTY)
HIGH TRIP COMMERCIAL	9.04 SQ FT	9.22 SQ FT
GENERAL COMMERCIAL	4.22 SQ FT	4.35 SQ FT
OFFICE	4.22 SQ FT	4.35 SQ FT
INDUSTRIAL	1.89 SQ FT	1.93 SQ FT
WAREHOUSE	0.97 SQ FT	0.97 SQ FT
CHURCHES	0.97 SQ FT	0.97 SQ FT
GAS STATION	4,458.00 PER PUMP	4,502.00 PER PUMP
GOLF COURSE	3,462.00 PER HOLE	3,571.00 PER HOLE
CAMPGROUND	1,518.00 PER SITE	1,697.00 PER SITE
BED & BREAKFAST	763.00 PER RENTED ROOM	853.00 PER RENTED ROOM
MULTI-FAMILY	3,036.00 PER UNIT	6,057.00 PER UNIT

A-3

**AND YOU WILL ALSO PAY ONE OF THE FOLLOWING
STATE FEES:**

SEE REFERENCE BELOW TO HELP DETERMINE WHICH FEE WILL APPLY	*RAZ #1 (STATE) TIM FEE	**RAZ #2-5 (STATE) TIM FEE	***El Dorado Hills (STATE) TIM FEE
HIGH TRIP COMMERCIAL	7.98 SQ FT	5.78SQ FT	4.45 SQ FT
GENERAL COMMERCIAL	3.78 SQ FT	2.73 SQ FT	2.10 SQ FT
OFFICE	3.78 SQ FT	2.73 SQ FT	2.10 SQ FT
INDUSTRIAL	0.91 SQ FT	0.67 SQ FT	0.49 SQ FT
WAREHOUSE	0.45 SQ FT	0.33 SQ FT	0.26 SQ FT
CHURCHES	0.45 SQ FT	0.33 SQ FT	0.26 SQ FT
GAS STATION	3,219.00 PER PUMP	2,590.00 PER PUMP	1,856.00 PER PUMP
GOLF COURSE	3,095.00 PER HOLE	2,238.00 PER HOLE	1,722.00 PER HOLE
CAMPGROUND	1,020.00 PER SITE	754.00 PER SITE	589.00 PER SITE
BED & BREAKFAST	511.00 PER RENTED ROOM	379.00 PER RENTED ROOM	296.00 PER RENTED ROOM
MULTI-FAMILY	2,037.00 PER UNIT	1,507.00 PER UNIT	1,177.00 PER UNIT

***RAZ #1:** EL DORADO/DIAMOND SPRINGS, CAMERON PARK, SHINGLE SPRINGS, PLACERVILLE PERIPHERY, AND CITY OF PLACERVILLE.

****RAZ #2-5:** COLOMA/GOLD HILL, CAMINO, POLLOCK PINES, PLEASANT VALLEY, LATROBE, SOMERSET, FAIRPLAY, COOL, PILOT HILL, GEORGETOWN, GARDEN VALLEY.

*****EL DORADO HILLS:** EL DORADO HILLS/SALMON FALLS AREA ONLY.

A-4

AND YOU WILL ALSO PAY ONE OF THE FOLLOWING DISTRICT FEES:

CONTACT D.O.T. TO DETERMINE WHICH DISTRICT FEE WILL APPLY	WEST DISTRICT FEE	CENTRAL DISTRICT FEE	EAST DISTRICT FEE	EL DORADO HILLS DISTRICT FEE
HIGH TRIP COMMERCIAL	3.69 SQ FT	1.79 SQ FT	0.70 SQ FT	2.37 SQ FT
GENERAL COMMERCIAL	1.74 SQ FT	0.85 SQ FT	0.33 SQ FT	1.12 SQ FT
OFFICE	1.74 SQ FT	0.85 SQ FT	0.33 SQ FT	1.12 SQ FT
INDUSTRIAL	0.91 SQFT	0.44 SQ FT	0.17 SQ FT	0.58 SQ FT
WAREHOUSE	0.47 SQFT	0.23 SQ FT	0.09 SQ FT	0.30 SQ FT
CHURCHES	0.47 SQ FT	0.23 SQ FT	0.09 SQ FT	0.30 SQ FT
GAS STATION	1535.00 PER PUMP	744.00 PER PUMP	292.00 PER PUMP	986.00 PER PUMP
GOLF COURSE	1430.00 PER HOLE	693.00 PER HOLE	272.00 PER HOLE	918.00 PER HOLE
CAMPGROUND	488.00 PER SITE	237.00 PER SITE	93.00 PER SITE	314.00 PER SITE
BED & BREAKFAST	244.00 PER RENTED ROOM	118.00 PER RENTED ROOM	46.00 PER RENTED ROOM	157.00 PER RENTED ROOM
MULTI-FAMILY	3,732.00 PER UNIT	1,129.00 PER UNIT	88.00 PER UNIT	1,812.00 PER UNIT

High trip commercial: convenience markets, fast food restaurants, drive-through banks/car wash
General commercial: walk-in banks, restaurants, supermarkets, theaters, hotels/motels, bowling allies, day care centers, hardware/paint stores, building/lumber stores, new/used car sales, libraries, community centers, hospitals, retail, wholesale/retail nurseries, customer accessible areas of post offices, warehouse outlet stores, tasting rooms, auto repair/service.

Office: medical/dental offices, veterinary, insurance, real estate, corporate headquarters, employee work area of post office, general business offices, public/private schools.

Industrial: light/heavy manufacturing, assembly, utilities, processing/manufacturing areas for wineries, laboratories

Warehouse: warehouse, inventory storage areas within retail stores (accessible to store employees) mini-storage/warehouse.

Churches: sanctuary area of churches, Sunday school areas, office areas of churches

Multi-family: apartments, condominiums, townhomes, duplexes

For questions, please call 530-621-5941 or 530-621-5943

A-5



Attachment B
- Measure Y Comments

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This transportation plan marks a bold first step for mobility in the Sacramento region. Three years of unprecedented public involvement, complemented with leadership from the SACOG Board, sets in motion the first truly regional approach to enhancing our transportation network.

For the first time, the Metropolitan Transportation Plan includes innovative road/open space corridors to connect the major job centers in the region. While addressing the essential need of road maintenance, the Plan invests more resources than in the past for alternatives to the automobile—bicycle, walking, light rail expansion and more trips on the Capitol Corridor—to help improve our air quality and the liveability of our region. A major source of pride is the \$500 million investment in a community design program to promote transit and pedestrian-oriented development.

We are indebted to the time commitment of the 55-member Transportation Roundtable, chaired by Director Christopher Cabaldon, input from the public at countless meetings and workshops held throughout the six-county region, support from groups like Valley Vision and the Sacramento Metro Chamber, and expertise from SACOG and partner-agency staff.

We hope the momentum generated from this "bold first step" promotes speedy project delivery and the coordination of better land use planning to maximize our transportation investments.

Muriel Johnson
Chair

Martin Tuttle
Executive Director

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List of Projects and Programs

The attached list is organized by county, then by funding agency, then by funding category (Tier 1: Publicly Funded, Tier 1: Developer or Partially Developer Funded, and Tier 2), and then alphabetically by street location.

The column labeled "Pre-2003 Funding" shows money that has already been allocated from past monies to fund the total cost of projects.

The project list itemizes all major capital projects, and lists "lump sums" under Multi-County Projects.

See **Table 7** for a listing of multimodal connector projects.

THE METROPOLITAN TRANSPORTATION SYSTEM

The system described here will continue to be the major focus of the Metropolitan Transportation Plan. It consists of the following components, which are listed alphabetically.

Bicycle and pedestrian ways—These have been lumped-summed in this Plan.

Community connectors—These are roads or transit services that serve as the primary connections between communities. They are critical to the region's economy and mobility.

Freight distribution routes—In addition to roadways already covered, this category includes the Port of Sacramento's Deep Water Channel into the Sacramento River and the freight rail network.

Ports and airports—These intermodal facilities are a critical element in the movement of freight and long-distance passenger travel.

Public-transit routes, including bus, light rail, heavy rail passenger lines, and associated facilities such as stations or terminals and their grounds—Public transit is an important element in mobility, air-quality and congestion-relief strategies.

River crossings and approaches—River crossings are vital links across natural barriers. Since the number of available river crossings is limited, these facilities often are congested.

Roads with projected traffic volumes over 25,000 vehicles per day by the year 2025—This criterion was developed to address that portion of the road system that accommodates the greatest travel demand.

Six-lane roadways—Same as the previous criterion.

State highways, and interchanges—State routes and interchanges play a major role in the transportation system and are required as part of the system by federal and state legislation.

Transportation management facilities and services, including demand-, system-, and operations-management—This category includes park-and-ride lots, ramp meters, ridesharing services, and other strategies aimed at improving the efficiency of the transportation system, or increasing the use of alternative modes of travel. By improving efficiency, these facilities and services contribute to the overall performance of the system.



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

El Dorado County Projects

CALTRANS DISTRICT 3 / TIER 1: PUBLICLY FUNDED

CAL18110	U.S. 50 at Hangtown Creek	Remove abandoned eastbound off-ramp at Main Street and re-establish riparian vegetation.		\$405,000	2007
CAL16161	U.S. 50	Operational improvements from W. Placerville Drive to Bedford Avenue.	\$4,883,000	\$27,454,000	2006
CAL17690	U.S. 50	Add carpool lanes from El Dorado Hills Boulevard to S. Shingle Springs/Ponderosa Road.	\$437,000	\$39,299,000	2010
CAL18190	U.S. 50	Upgrade section of U.S. 50 to full freeway, with one interchange and one overpass between Smith Flat and Cedar Grove and eliminate all at-grade access to U.S. 50.	\$1,900,000	\$54,900,000	2017

CALTRANS DISTRICT 3 / TIER 1: DEVELOPER- OR PARTIALLY DEVELOPER-FUNDED

CAL18230*	U.S. 50 at Shingle Springs Rancheria	Construct new interchange between Shingle Springs Drive and Greenstone Road Interchanges.	\$2,100,000	\$16,740,000	2004
CAL16781	U.S. 50	Add carpool lanes from Scott Road to El Dorado Hills Boulevard.	\$2,608,000	\$2,608,000	2003

CALTRANS DISTRICT 3 / TIER 2

ELD16030	Route 49	Relocate Route 49 north and south of U.S. 50 to point(s) west of the existing location.		\$50,000,000	2015
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CITY OF PLACERVILLE DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED

ELD15890	Main Street	Realign to provide two one-way roadways from Washington Street to Broadway at U.S. 50 westbound off ramp.		\$2,400,000	2017
ELD16070	Mosquito Road at Clay Street	Phase 2--Construct a 90-car parking lot with lighting, landscaping; install public restrooms, and install the El Dorado Trail facility.		\$750,000	2005
ELD16060	U.S. 50	Widen Forni Road and ramps and new auxiliary lane. U.S. 50 Western Placerville Interchanges Project.	\$1,075,000	\$19,508,000	2012
ELD15900	Washington Street	Widen and realign to Turner Street from Cedar Ravine Road to Main Street. At a minimum, add curb, gutter, bike lanes, turnpockets, and a widened travelway.		\$1,300,000	2015

EL DORADO COUNTY DEPARTMENT OF TRANSPORTATION / TIER 1: PUBLICLY FUNDED

ELD15980	Latrobe Road	Widen from four to six lanes, from U.S. 50 to White Rock Road.		\$2,000,000	2018
ELD15670	U.S. 50	Install signals on ramps at Ponderosa Road, South Shingle Springs, and North Shingle Road.		\$1,889,300	2003

*The SACOG Board has not endorsed this individual project, but cannot exclude it from analysis. Accordingly, the interchange was included in the modeling analysis as required by federal regulations in light of the fact that the Bureau of Indian Affairs has approved a project-level air quality conformity finding for it, and the project is entirely funded by private funds.

SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

EL DORADO COUNTY DEPARTMENT OF TRANSPORTATION / TIER 1: DEVELOPER- OR PARTIALLY DEVELOPER-FUNDED

ELD15540	Cambridge Road	Widen from two to four lanes, from U.S. 50 to Country Club Road.		\$1,488,000	2014
ELD15930	Cameron Park Drive	Widen to provide a consistent four-lane divided road from Robin Lane to Palmer Drive.		\$3,000,000	2006
ELD15040	Cameron Park Drive	Widen from two to four lanes, Meder Road to Green Valley Road (four segments).		\$9,700,000	2010
ELD15050	Cameron Park Drive	Widen from two to four lanes, from Palmer Drive to Meder Road (Phase 1).	\$135,500	\$6,631,000	2006
ELD15950	Country Club Drive	Construct a new two-lane road parallel to U.S. 50 from Bass Lake Road to Silva Valley Parkway.		\$5,800,000	2022
ELD15940	Country Club Drive	Construct a new two-lane road from Bass Lake Road to Merrychase Drive to replace an existing two-lane road located parallel to U.S. 50.		\$4,300,000	2022
ELD15080	Durock Road	Widen from two to four lanes, Shingie Lime Road to Rodeo Road.		\$5,500,000	2010
ELD15960	El Dorado Hills Boulevard	Widen from five to six lanes and provide a bicycle/pedestrian pathway, from Park Drive to Serrano Parkway.		\$1,800,000	2021
ELD15130	El Dorado Hills Boulevard	Widen from two to four lanes, from Green Valley Road to Harvard Way.		\$10,000,000	2008
ELD15160	Green Valley Road	Widen from two to four lanes, from Francisco Drive to Salmon Falls Road.		\$1,900,000	2015
ELD15170	Green Valley Road	Widen from two to four lanes, from Salmon Falls Road to Silva Valley Road.		\$1,100,000	2015
ELD15970	Green Valley Road	Widen from two to four lanes, from Silva Valley Parkway and Deer Valley Road (west).		\$12,600,000	2016
ELD15150	Green Valley Road	Widen two to four lanes, from the Sacramento/El Dorado County line to San Francisco Drive. Includes intersection improvements with signals at various intersections.	\$13,300,200	\$17,139,000	2004
ELD15660	Latrobe Road	Signal installation at U.S. 50 eastbound ramps.		\$220,000	2006
ELD15220	Latrobe Road	Widen from two to four lanes, from White Rock Road to Golden Foothill Parkway.		\$2,900,000	2003
ELD15230	Latrobe Road	Widen from two to four lanes, from Golden Foothill Parkway to the southern entrance to Valley View.	\$1,464,000	\$17,770,000	2004
ELD15250	Missouri Flat Road	Widen from two to four lanes, from Headington Road to Prospector Plaza Drive.		\$2,400,000	2007
ELD15990	Missouri Flat Road at Pleasant Valley Road	Construct a new two-lane divided roadway from Missouri Flat, north of China Garden, Route 49 north to Pleasant Valley Road / Route 49 at Fowler Lane. Involves realignment of Missouri Flat and of Pleasant Valley Road.		\$13,100,000	2020
ELD15260	Mother Lode Drive	Widen from two to four lanes, from French Creek Road to Pleasant Valley Road.		\$20,100,000	2025
ELD15270	Mother Lode Drive	Widen from two to four lanes, from South Shingle Road to French Creek Road.		\$3,000,000	2009
ELD15550	North Shingle Road	Widen from two to four lanes, from U.S. 50 to Ponderosa Road.		\$300,000	2005
ELD15570	Palmer Drive	Construct new two-lane road between Wild Chaparral Drive and Palmer Drive.		\$9,700,000	2010
ELD15680	Pleasant Valley Road	Intersection improvements at Buck's Bar Road.		\$5,900,000	2019
ELD16000	Pleasant Valley Road	Widen from El Dorado Road to Route 49 (south) to provide a divided roadway. No additional travel lanes.		\$1,800,000	2019

SACOG #	Location	Project Description	Pre-2001 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
ELD19100	Point View Drive	Extend from .25 mile north of Highway 50 to Smith Flat Road.		\$1,500,000	2004
ELD16010	Saratoga Way	Construct a new four-lane undivided road from the county line to Arrowhead Drive. Includes a Class 1 bicycle/pedestrian pathway.		\$6,200,000	2018
ELD15580	Serrano Parkway	Construct new two-lane road from Greenview Drive to Bass Lake Road.		\$2,400,000	2006
ELD15360	Silva Valley Parkway	Construct new two-lane road from Serrano to White Rock Road.		\$1,800,000	2003
ELD10080	Silva Valley Parkway	Widen from two to four lanes, from Harvard Way to Green Valley Road.		\$8,000,000	2020
ELD16110	Sophia Parkway	Construct a new four-lane divided road connecting Green Valley Road to Russell Ranch Road in Folsom. Includes a Class 1 bicycle path.	\$18,900,000	\$18,900,000	2006
ELD15560	South Shingle Road	Widen from two to four lanes, from U.S. 50 to Durock Road.		\$1,800,000	2006
ELD15610	U.S. 50	New interchange at Silva Valley Road.		\$18,000,000	2008
CAL18180	U.S. 50	Perform operational improvements to existing U.S. 50 Ponderosa Road interchange, with possible future interchange reconstruction.		\$2,000,000	2016
ELD15630	U.S. 50 Interchange at El Dorado Hills Boulevard	Build eastbound off-ramp and widen westbound off-ramp. Construct new two-lane extension of Saratoga Road from Arrowhead to Park Drive; Widen El Dorado Hills Boulevard five to six lanes from new Park Drive/Saratoga Intersection to U.S. 50 westbound ramps. Phase 1.	\$10,505,500	\$18,985,500	2006
ELD15690	U.S. 50 at Missouri Flat Road Interchange	Reconstruct interchange at U.S. 50 (Phase 1) including construction of auxiliary lanes over Weber Creek Bridge and seismic retrofit of bridge.	\$2,116,000	\$29,694,000	2008
ELD15380	White Rock Road	Upgrade two-lane roadway to county standard and extend to connect to Silva Valley Parkway from Latrobe Road to Silva Valley Parkway.		\$3,694,940	2004
ELD15370	White Rock Road	Widen from two to four lanes, from Latrobe Road to U.S. 50.		\$12,400,000	2006
ELD10100	White Rock Road	Realign and construct improved two-lane roadway from Manchester Drive to Latrobe Road.	\$730,356	\$2,226,356	2003
ELD10090	White Rock Road	Widen from two to four lanes from the Sacramento/El Dorado County line to Latrobe Road.		\$1,708,000	2006
EL DORADO COUNTY TRANSIT / TIER 1: PUBLICLY FUNDED					
ELD15730	Cambridge Road at U.S. 50	Construct Cambridge Road Park and Ride Facility.		\$287,000	2005
ELD15740	Diamond Springs	Construct Central Park-and-Ride Facility.	\$205,000	\$205,000	2005
ELD16090	El Dorado County	Acquisition and build-out of public park-and-ride facilities adjacent to U.S. 50; four lots at \$1 million each.		\$4,000,000	2025
ELD15650	El Dorado County	Purchase two commuter buses.	\$510,000	\$510,000	2004
ELD16080	El Dorado County	Purchase an additional 40 buses (ten buses every four years) to provide commuter services. Cost estimate includes capital and operational costs.		\$20,300,000	2025



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

Multi-County Projects

LUMP SUMS

VAR24100	Region-wide	Transit Operations and Maintenance		\$5,020,000,000	2025
VAR24200	Region-wide	Road and Bridge Maintenance and Rehabilitation		\$5,770,000,000	2025
VAR22200	Region-wide	Other Road Improvements		\$1,940,000,000	2025
VAR24900	Region-wide	Other Transit Capital Improvements		\$260,000,000	2025
VAR23000	Region-wide	Bicycle and Pedestrian Improvements		\$350,000,000	2025
VAR27000	Region-wide	Community Design		\$500,000,000	2025
VAR22100	Region-wide	Clean Air Investments and Improvements		\$180,000,000	2025
VAR23500	Region-wide	Transportation Demand Management		\$44,000,000	2025
VAR24000	Region-wide	Soundwalls		\$15,000,000	2025
VAR24300	Region-wide	Landscaping and Street Enhancements		\$24,000,000	2025

CALTRANS DISTRICT 3 / TIER 1: PUBLICLY FUNDED

CAL17250	Route 65	Construct two-lane Third Feather River Bridge, with right-of-way for ultimate four lanes, from Route 70 in Yuba County to Route 99 in Sutter County.	\$7,500,000	\$232,500,000	2016
CAL16780	U.S. 50	Sunrise Boulevard to El Dorado Hills Boulevard—construct high occupancy vehicle lanes.		\$27,207,000	2003
CAL17900	U.S. 50	Construct Traffic Operations System (TOS) from Scott Road to Cameron Park.		\$5,000,000	2006
CAL16800	Various Locations	TOS projects. Includes ramp meters, carpool on-ramp lanes, traffic monitoring stations, closed circuit television cameras, changeable message signs, highway advisory radio, weather monitoring systems, loop detectors, etc.		\$70,000,000	2025
CAL18280	Wheatland Bypass	Construct a new four-lane expressway from the future north end of Route 65 Lincoln Bypass to the existing Route 65, near South Beale Road, with access control.		\$184,000,000	2020

CAPITOL CORRIDOR JOINT POWERS BOARD / TIER 1: PUBLICLY FUNDED

CAL18290	Region	Add three modern train sets with a locomotive to the Capitol Corridor passenger rail service with the proposed increased service frequencies.		\$48,000,000	2010
CAL18320	Roseville	Design and construct track capacity improvements on the UP mainline between Elvas Tower in Sacramento County and Roseville Station in Placer County.		\$6,980,000	2004
CAL18330	Roseville	Construct a third track on the UP main line between Elvas Tower in Sacramento County and Roseville Station in Placer County.		\$19,000,000	2008

SACOG #	Location	Project Description	Pre-2001 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
CAL17290	Yolo Causeway	Construct second main track on UPRR ROW between Davis and Sacramento.		\$22,800,000	2006
SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT / TIER 1: PUBLICLY FUNDED					
SAC18060	Various Locations	Sacramento Metropolitan Air Quality Management District Heavy Duty Low-Emission Vehicles.	\$1,470,000	\$1,470,000	2005
VARIOUS AGENCIES / TIER 1: PUBLICLY FUNDED					
PLA20720	Placer Parkway	Study a new transportation facility between Route 65 to Route 99.		\$4,700,000	2005
PLA20723	Placer Parkway	Protect open space to north and south of Placer Parkway, in Western Placer County.		\$30,000,000	2016
PLA20721	Placer Parkway	Construct new two-lane roadway between Route 65 and Route 99 in Placer County. And, construct new interchange in Sutter County north of Sacramento, along Route 99 between Riego Road and Sankey Road. Phase 1. (The Placer County portion is \$90,000,000 and the Sutter County portion is \$50,000,000.)		\$140,000,000	2016
REG17710	Region	Construct improvements and purchase equipment to implement regional commuter rail between Davis and Auburn.		\$70,000,000	2007
SAC23175	Sacramento and El Dorado Counties	Protect open space along Elk Grove - Rancho Cordova - El Dorado Connector.		\$15,000,000	2010
VARIOUS AGENCIES / TIER 2					
PLA20722	Placer Parkway	Widen from two to four lanes, from Route 65 to Route 99. Phase 2. (The Placer County portion is \$80,000,000 and the Sutter County portion is \$38,000,000)		\$118,000,000	2025
YUBA SUTTER TRANSIT / TIER 1: PUBLICLY FUNDED					
YST10240	Yuba and Sutter Counties	Purchase three commuter buses.		\$750,000	2021
YST10340	Yuba and Sutter Counties	Purchase five commuter buses.		\$1,250,000	2014
YST10360	Yuba and Sutter Counties	Purchase five commuter buses.		\$1,250,000	2025
YST10220	Yuba and Sutter Counties	Purchase six commuter buses.		\$1,500,000	2016
YST10260	Yuba and Sutter Counties	Purchase four commuter buses.		\$1,000,000	2005
YST10180	Yuba and Sutter Counties	Purchase three commuter buses.		\$750,000	2009
YST10400	Yuba and Sutter Counties	Purchase nine demand response/rural route vehicles.		\$540,000	2021
YST10390	Yuba and Sutter Counties	Purchase seven demand response/rural route vehicles.		\$420,000	2012
YST10210	Yuba and Sutter Counties	Purchase ten demand response/rural route vehicles.		\$600,000	2017
YST10350	Yuba and Sutter Counties	Purchase ten demand response/rural route vehicles.		\$600,000	2025



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
YST10190	Yuba and Sutter Counties	Purchase ten demand response/rural route replacement vehicles.		\$600,000	2008
YST10410	Yuba and Sutter Counties	Expand the capacity of the existing maintenance, operations and administration facility.		\$500,000	2006
YST10170	Yuba and Sutter Counties	Purchase ten buses for fixed route fleet replacement.		\$2,500,000	2007
YST10200	Yuba and Sutter Counties	Purchase eight fixed route buses.		\$2,200,000	2012
YST10370	Yuba and Sutter Counties	Purchase ten fixed route buses.		\$2,750,000	2023
YST10230	Yuba and Sutter Counties	Purchase 12 fixed route buses.		\$3,000,000	2019
YST10380	Yuba and Sutter Counties	Replace five demand response vehicles.	\$300,000	\$300,000	2003



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

Placer County Projects

CALTRANS DISTRICT 3 / TIER 1: PUBLICLY OR DEVELOPER-FUNDED

CAL18200	I-80	Construct capacity/operational improvements which may include carpool lanes, from east of Route 65 to west of the Sacramento County line.	\$2,000,000	\$110,000,000	2007
CAL15390	I-80	Ramp metering at all interchanges from Foresthill Road to the Sacramento County line.		\$4,210,195	2005
CAL10641	Route 193	On-site mitigation planting and on Route 65 offsite mitigation bank, from Route 65 to Sierra College Boulevard in Lincoln.		\$733,000	2006
CAL16470	Route 49	Operational improvements, from Route 80 to Dry Creek Road in Auburn.	\$3,691,997	\$11,835,000	2007
PLA19610	Route 65	Construct interchange at Whitney Boulevard.		\$9,200,000	2022
CAL17240	Route 65 Lincoln Bypass	Construct new four-lane expressway/freeway on new alignment, from Industrial Boulevard to south of Yuba County line Near Lincoln.	\$35,291,000	\$193,391,000	2008

CITY OF AUBURN DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY OR DEVELOPER-FUNDED

PLA20270	Auburn Rail Station	Design and construct rail platform, station improvements, parking improvements and transit transfer center.		\$3,078,918	2003
PLA21000	Auburn	Replace existing transit fleet as useful life is reached for each existing vehicle and add vehicles as needed.		\$1,000,000	2025
PLA20310	Auburn	Construct transit shelters at transit stops throughout Auburn.		\$11,300	2003

CITY OF LINCOLN DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY OR DEVELOPER-FUNDED

PLA18630	Aviation Boulevard	Construct new two- to four-lane road from Nicolaus Road to Wise Road	\$1,266,640	\$1,266,640	2003
PLA18650	Aviation Boulevard	Widen from two to four lanes, from Venture to Airpark Drive.		\$300,000	2010
PLA18965	G Street	Widen from four to six lanes, from Westlake Boulevard to Industrial Boulevard.		\$3,100,000	2020t
PLA18960	G Street	Widen from two to four lanes with left-turn pockets, from Westlake Boulevard to Industrial Boulevard.		\$3,100,000	2015
PLA20780	Gladding Parkway	Construct a new four-lane roadway from Route 65 to East Avenue.		\$2,000,000	2005
PLA20785	Gladding Parkway	From Route 65 to East Avenue: construct new four-lane road.		\$5,000,000	2006
PLA18720	Industrial Boulevard	Widen from two to four lanes, from 12 Bridges Drive to Athens Boulevard.		\$741,000	2010
PLA18710	Industrial Boulevard	Widen from two to four lanes, from Route 65 to 12 Bridges Drive.		\$926,250	2010
PLA20800	Ingram Parkway	Construct a new four-lane parkway from Sun City Boulevard to Ferrari Ranch Road.		\$500,000	2006
PLA18880	Joiner Parkway	Widen from two to four lanes, from First Street to Moore Road and construct new bridge.		\$864,500	2005
PLA18730	Lakeside Drive	Widen from two to four lanes, from Nicolaus Road to Airpark Drive.		\$307,000	2010

SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
PLA18850	Lincoln Parkway	Construct two-lane road including Union Pacific Rail Road overcrossing, from Route 65 to Westlake Boulevard.	\$3,801,000	\$3,801,000	2003
PLA18890	Lincoln Parkway	Construct new four-lane road from Moore Road to Westlake Boulevard.	\$337,000	\$337,000	2003
PLA18810	Lincoln Parkway	Widen from two to four lanes, from 12 Bridges Drive to city limits.		\$450,000	2010
PLA18790	Lincoln Parkway	Widen from two to four lanes, from Del Webb Boulevard to Twelve Bridges.		\$260,000	2010
PLA18770	Lincoln Parkway	Widen from two to four lanes, road from Sterling Parkway connector to Del Webb Boulevard.		\$174,400	2005
PLA18760	Lincoln Parkway	Widen from four to six lanes, from realigned Route 65 to Del Webb Boulevard.		\$400,000	2010
PLA18870	Lincoln Parkway	Widen from four to six lanes, from Union Pacific overcrossing to realigned to Route 65.		\$450,000	2010
PLA20210	Lincoln	Purchase eight buses.		\$1,900,000	2025
PLA20320	Lincoln	Construct transit shelters at transit stops throughout Lincoln.		\$11,300	2002
PLA18910	Nicolaus Road	Widen from two to four lanes, from Joiner Parkway to Joiner Park		\$600,000	2003
PLA18930	Road F	Widen from two to four lanes, from Lincoln Parkway to Eight Mile Drive.		\$419,500	2015
PLA18950	Route 193	Widen from two to four lanes, from Ferrari Ranch Road to Sierra College Boulevard.		\$190,000	2008
PLA18970	Route 65	Widen from two to four lanes, from Ingram Slough Bridge to Industrial Boulevard.		\$2,500,000	2003
PLA19000	Twelve Bridges Drive	Widen from two to four lanes, from Sierra College Boulevard to Route 65.		\$1,500,000	2007
PLA20760	Venture Drive	Construct a new four-lane roadway to connect Nicolaus Road to Lakeside Drive.		\$1,750,000	2004
PLA19020	West 12 Bridges Drive	Widen from two to four lanes, from Route 65 to Industrial.		\$204,758	2015
PLA18620	Westlake Boulevard at Westwood	Construct new two-lane road, from Route 65 Bypass to Lincoln Parkway.	\$400,000	\$400,000	2003
PLA19040	Westlake Boulevard	Construct new four-lane road, from Lincoln Parkway to Route 65.		\$255,937	2003
PLA19030	Westlake Boulevard	Construct new four-lane road, from Route 65 Bypass to Lincoln Parkway.		\$712,530	2010
PLA19050	Westlake Boulevard	Construct new four-lane road, from South Lincoln Crossing to Route 65 Bypass.		\$300,000	2010
CITY OF LINCOLN DEPARTMENT OF PUBLIC WORKS / TIER 2					
PLA18600	12th Street	Widen from two to four lanes, from East Avenue to Harrison Avenue.	\$400,000	\$400,000	2003
PLA15970	Nicolaus Road	Widen from two to four lanes, from Airport Road to Aviation Boulevard		\$2,000,000	2010
CITY OF LOOMIS DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY OR DEVELOPER-FUNDED					
PLA15290	Boyington Road	Extend three lanes from Horseshoe Bar Road to King Road.		\$2,000,000	2017
PLA15250	King Road	Add turn lane from Sierra College Boulevard to Boyington Road.		\$800,000	2006



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
PLA19100	Loomis Intercity Rail Station	Design and construct pedestrian and landscaping improvements at the multimodal center.		\$572,000	2003
PLA19771	Loomis Rail Station	Design and construct park-and-ride lot at multimodal center.		\$452,000	2003
PLA20330	Loomis	Construct transit shelters at transit stops throughout Loomis.		\$30,508	2003
PLA15350	Rocklin Road	Widen from two to four lanes, from Barton Road to West town limits.		\$1,200,000	2012
PLA20890	Sierra College Boulevard	Widen from two to four lanes, from Bankhead Road to North town limits.		\$5,400,000	2006
PLA20960	Sierra College Boulevard	Widen from two to six lanes, from Granite Drive to Bankhead Road.		\$4,000,000	2010
PLA15260	Switzer Road	Extend three lanes from King Road to Sierra College Boulevard.		\$3,500,000	2021
PLA15940	Taylor Road	Widen from two to four lanes, from Horseshoe Bar Road to King Road.		\$450,000	2014

CITY OF LOOMIS DEPARTMENT OF PUBLIC WORKS / TIER 2

PLA16350	Horseshoe Bar Road at I-80	Widen overcrossing two to four lanes and improve ramps.		\$11,000,000	2010
PLA20510	UPRR Crossing at Sierra College Boulevard	Build over/undercrossing.		\$30,000,000	2025

CITY OF ROCKLIN DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY OR DEVELOPER-FUNDED

PLA19250	Clover Valley Parkway	Construct four lanes from Park Drive to Sierra College Boulevard.		\$3,500,000	2003
PLA19490	I-80 at Sierra College Boulevard Interchange	Widen existing interchange from two to four lanes, including the on- and off-ramps and loops.	\$1,155,000	\$27,798,000	2006
PLA19270	Lone Tree Boulevard	Widen from two to four lanes, from Sandhill Drive to West Oaks Boulevard.		\$200,000	2006
PLA19290	North Whitney Boulevard	Construct four-lane road from Route 65 to Park Drive.	\$5,210,320	\$6,255,587	2003
PLA15500	Pacific Street	Widen from two to four lanes, from Roseville City Limit to Sunset Boulevard.		\$1,250,000	2003
PLA15530	Pacific Street	Widen from two to four lanes, from Sierra Meadows to Loomis Town Limits.		\$1,900,000	2005
PLA20930	Pacific Street	Widen from two to four lanes, from Midas to Sierra Meadows.		\$900,000	2003
PLA19320	Park Drive	Widen from four to six lanes, from Roseville City Limits to Sunset Boulevard.	\$50,000	\$1,000,000	2006
PLA19310	Park Drive	Widen from four to six lanes, from Sunset Boulevard to Farrier.		\$1,300,000	2010
PLA17780	Rocklin Rail Station	Design and construct platform, station improvements, and parking improvements.		\$1,902,881	2003
PLA19400	Rocklin Road	Widen to six lanes, from Granite Drive to Sierra College Boulevard and reconstruct and widen I-80 ramps.		\$14,000,000	2023



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
PLA20460	Sierra College Boulevard	Widen from two to four lanes, from Eldon to Nightwatch.		\$950,000	2005
PLA20470	Sierra College Boulevard	Widen from two to four lanes, from I-80 interchange to Rockin Road.		\$1,100,000	2006
PLA20500	Sierra College Boulevard	Widen from four to six lanes, from I-80 to Roseville city limits.		\$2,000,000	2019
PLA19330	Sierra College Boulevard	Widen to four lanes, from intersection with Clover Valley Parkway to Loomis town limits.		\$2,500,000	2010
PLA19340	Sierra College Boulevard	Widen to six lanes, from Loomis town limits to I-80.		\$1,400,000	2006
PLA19250	Sioux Street	Construct four lanes, from Stanford Ranch Road to North Whitney Boulevard.	\$400,000	\$1,700,000	2003
PLA17910	Sunset Boulevard	Widen bridge at SPRR from four to six lanes from South Whitney Boulevard to Pacific Street.		\$1,300,000	2014
PLA19360	Sunset Boulevard	Widen from four to six lanes, from Stanford Ranch Road to South Whitney Boulevard.		\$2,000,000	2012
PLA15620	Sunset Boulevard	Widen from four to six lanes, from Topaz to South Whitney Boulevard.		\$1,900,000	2012
PLA19410	West Oaks Boulevard	Widen from two to four lanes, from Sunset Boulevard to Lone Tree Boulevard.		\$1,248,000	2005
CITY OF ROSEVILLE DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY OR DEVELOPER-FUNDED					
PLA20220	Atkinson Street Bridge	Replace existing two-lane bridge at Dry Creek with a four-lane bridge.	\$434,500	\$3,909,177	2004
PLA19810	Atkinson Street/PFE Road	Widen from two to four lanes, from Foothills Boulevard to City Limits.		\$5,000,000	2006
PLA15660	Baseline Road	Widen from two to four lanes, from City Limits to west of Foothills Boulevard.		\$3,307,000	2010
PLA15680	Cirby Way	Widen from four to six lanes, from Foothills Boulevard to Riverside Avenue.		\$3,854,002	2003
PLA20850	Darling Way Bridge	Reconstruct embankments to deter loitering under the bridge.		\$125,000	2003
PLA15720	Eureka Boulevard	Widen from two to four lanes, from Sierra College to City Limits.		\$339,000	2012
PLA19590	Fairway Drive	Widen from two to four lanes, from Stanford Ranch Road to Blue Oaks Boulevard.		\$3,000,000	2005
PLA15730	Foothills Boulevard	Widen from four to six lanes, from Cirby to Pleasant Grove Boulevard.		\$100,000	2019
PLA15740	Harding Boulevard	Widen from four to six lanes, from Berry to Roseville Parkway.		\$200,000	2018
PLA19842	Hilltop Circle	Upgrade existing CNG Fueling facility at City of Roseville Corporation Yard (2005 Hilltop Circle). This will increase existing storage from 60,000 scf to 120,000 scf.		\$175,000	2003
PLA19841	Hilltop Circle	Upgrade existing Vehicle Maintenance facility, at City of Roseville Corporation Yard (2005 Hilltop Circle). Upgrade will include installation of CNG monitors and automatic venting equipment.		\$100,000	2003
PLA15711	I-80 Interchange at Douglas Boulevard	Modify interchange to revise on- and off-ramps, provide new flyover ramp from eastbound Douglas to southbound Sunrise and new underpass ramp from northbound Sunrise to eastbound I-80.	\$7,300,000	\$28,000,000	2005
PLA15760	Pleasant Grove Boulevard	Widen from four to six lanes, from Foothills Boulevard to Wood Creek Oaks.		\$600,000	2006
PLA15790	Pleasant Grove Boulevard	Widen from two to four lanes from Woodcreek Oaks Boulevard to Sun City Boulevard.		\$1,700,000	2006



SACOG #	Location	Project Description	Pre-2001 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
PLA25005	Roseville	Purchase expansion commuter buses: four replacement Dial-a-Ride buses, one expansion dial-a-ride bus, and compressed natural gas fueling facility upgrades.		\$830,000	2003
PLA20290	Roseville Rail Station	Design and construct park-and-ride lot at Church and Grant Streets.		\$300,000	2003
PLA20970	Roseville Parkway	Extend over Union Pacific Rail Road tracks.		\$4,900,000	2010
PLA15810	Roseville Parkway	Construct four-lane segment, from Washington Boulevard to Foothills Boulevard.		\$380,000	2010
PLA15830	Roseville Parkway	Widen from two to four lanes, from City Limits to Sierra College Boulevard.		\$535,000	2022
PLA15820	Roseville Parkway	Widen from two to four lanes, from Pleasant Grove to Washington.		\$1,440,000	2003
PLA15850	Roseville Road	Widen from two to four lanes, from City Limits to Cirby Way.		\$2,056,680	2010
PCT10280	Roseville	Fleet replacement of 12 fixed route buses.		\$4,611,600	2011
PCT10310	Roseville	Fleet replacement of six dial-a-ride buses		\$508,200	2011
PCT10320	Roseville	Fleet replacement of six dial-a-ride buses.		\$518,364	2012
PCT10300	Roseville	Fleet replacement of six dial-a-ride buses.		\$471,240	2007
PCT10290	Roseville	Fleet replacement of six dial-a-ride buses.		\$462,000	2006
PCT10270	Roseville	Fleet replacement of nine commuter buses.		\$4,017,600	2012
PCT10260	Roseville	Purchase, install, and operate automatic fleet vehicle location systems for transit fleet.		\$800,000	2004
PLA20980	Roseville	Replace fleet as useful life is reached for each existing vehicle and add vehicles as needed.		\$20,000,000	2025
PCT10150	Roseville	Purchase two dial-a-ride replacement buses and one fixed-route bus for Roseville Transit.		\$453,660	2003
PCT10250	Roseville	Purchase three expansion fixed-route compressed natural gas buses for Roseville Transit.		\$950,000	2003
PLA20250	Sierra College Boulevard	Widen from two to four lanes, from Olympus Drive to north city limits.		\$1,000,000	2005
PLA15890	Sunrise Avenue	Widen from four to six lanes, from Sacramento County line to Madden Lane.		\$2,220,983	2014
PLA15910	Taylor Road	Widen from two to four lanes, from Roseville Parkway to I-80.		\$161,639	2016
PLA15911	Taylor Road	Widen from two to four lanes, I-80 to City Limits.		\$2,019,036	2016
PLA15920	Washington Boulevard	Widen from two to four lanes, from Sawtell to Blue Oaks, including Andora undercrossing.		\$5,518,500	2008
PLA19800	Woodcreek Oaks Boulevard	Widen from two to four lanes, from Junction Boulevard to northern city limits.		\$2,500,000	2020
CITY OF ROSEVILLE DEPARTMENT OF PUBLIC WORKS / TIER 2					
PLA15700	Cirby Way	Widen from four to six lanes, from Regency Street to Sunrise Avenue.		\$656,885	2010
PLA17950	Cirby Way	Widen from four to five lanes, from Riverside Avenue to Regency Way.		\$772,569	2010



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

PLACER COUNTY DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY OR DEVELOPER-FUNDED

PLA25002	Auburn	Upgrade compressed natural gas fueling facilities and purchase ten compressed natural gas-fueled replacement buses.	\$3,627,700	\$3,627,700	2003
PLA15060	Auburn-Folsom Road	Widen from two to four lanes, from Sacramento County line to Douglas Boulevard.	\$500,000	\$7,000,000	2006
PLA15090	Baseline Road	Widen from two to four lanes, from Fiddymont Road to Brady Lane.		\$2,000,000	2008
PLA15100	Baseline Road	Widen from two to four lanes, from Sutter County Line to Fiddymont Road.		\$12,000,000	2020
PLA20680	Baseline Road	Widen from 2 to 6 lanes, from Watt Avenue to Fiddymont Road.		\$2,000,000	2015
PLA20560	Bell Road	Widen from 3 to 4 lanes, (additional eastbound lane) from Professional Drive to Richardson Drive.		\$2,000,000	2010
PLA15110	Bell Road	Widen from two lanes to a four-lane limited access expressway, from I-80 to Route 49.		\$6,300,000	2003
PLA15120	Bill Francis Drive	Construct two-lane road from new Airport Road to old Airport Road.		\$373,400	2010
PLA16840	Douglas Boulevard	Widen from four to six lanes, from Cavitt Stallman Road south to Sierra College Boulevard.		\$500,000	2008
PLA15070	I-80 at Auburn Ravine Road	Widen the overcrossing from two to four lanes.		\$2,243,000	2010
PLA15130	I-80 at Bowman Road	Widen undercrossing from two to four lanes, from Bowman Road to Lincoln Way.		\$560,000	2014
PLA18450	Indian Hill Road	Widen from two to four lanes, from Auburn City Limits to Newcastle.		\$3,740,000	2023
PLA20650	Lincoln Way	Widen from two to four lanes, from Russell Road to Ferguson Road.		\$370,000	2019
PLA20730	Nelson Road	Widen from two to four lanes, from Future Route 65 Bypass interchange to Nicolaus Road.		\$1,100,000	2014
PLA15270	North Antelope Road	Widen from two to four lanes, from Sacramento County line to PFE Road.		\$209,700	2012
PLA20690	PFE Road	Widen from two to four lanes, from North Antelope Road to Roseville City Limits.		\$410,000	2010
PLA19843	Placer County	Construct park-n-ride facilities at Newcastle Road, Lincoln Way, and Weimar Cross Road. Includes grading, paving, signing and striping of new parking areas and renovation of existing areas.		\$113,000	2003
PLA20340	Placer County	Construct transit shelters at Placer County Transit stops.		\$158,192	2004
PLA19930	Placer County	Lease three compressed natural gas buses to provide commuter service between Colfax and downtown Sacramento for a two-year demonstration program and pay for operations for the first two years.		\$601,042	2005
PLA20010	Placer County	Replace bus fleet as useful life is reached for each existing vehicle and add vehicles as needed.		\$12,000,000	2025
PLA20570	Placer Hills Road	Widen from two to three lanes to accommodate truck climbing lane from .25 mile north of Sugar Pine Road to Meadow Vista Drive. Also add left turn pockets at appropriate intersections.		\$1,000,000	2007
PLA15320	Professional Drive	Construct as two-lane road from Bell Road to Atwood Road.	\$70,000	\$340,000	2004
PLA15330	Quartz Drive	Construct as a two-lane road from Route 49 southeast to Bell Road.		\$404,000	2007

SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
PLA20670	Route 49 Bypass	Construct a new four-lane alternate to Route 49 from Bell Road (east of New Airport Road) to I-80 (Bowman Interchange).		\$30,000,000	2025
PLA19510	Route 65	Construct Sunset Boulevard interchange.		\$9,200,000	2006
PLA18980	Route 65	Widen from two to four lanes from Gladding to Westlake Boulevard.		\$1,000,000	2007
PLA15390	Sierra College Boulevard	Widen from two to four lanes, from Route 193 to Loomis Town Limits.		\$8,000,000	2012
PLA15600	Sierra College Boulevard	Widen from two to four lanes, from South Rocklin City Limits to Douglas.		\$3,700,000	2010
PLA20710	Sierra College Boulevard	Widen from four to six lanes, from Roseville City limits to Sacramento County Line.		\$5,000,000	2016
PLA15400	Sierra College Boulevard	Widen to six lanes from the Interstate to South Rocklin City Limits.		\$3,600,000	2010
PLA15410	Sunset Boulevard	Construct a two-lane road extension from Cincinnati Avenue to Fiddymont Road.		\$1,200,000	2022
PLA20020	Tahoe Regional Transit	Purchase one compressed natural gas-fueled bus to be operated between Truckee and Tahoe City on Route 99 as part of the Tahoe Area Regional Transit fleet.		\$330,000	2005
PLA15420	Walerga Road	Widen and realign from two to four lanes from Baseline Road to Sacramento County line.	\$1,200,000	\$5,300,000	2004
PLA20880	Walerga Road at Dry Creek	Widen bridge from two to four lanes.	\$500,000	\$6,100,000	2009
PLA20700	Watt Avenue	Widen from two to four lanes, from Baseline Road to Sacramento County Line.		\$4,745,000	2018
PLACER COUNTY TRANSPORTATION PLANNING AGENCY / TIER 1: PUBLICLY OR DEVELOPER-FUNDED					
PLA19760	Placer County	Replace fleet as useful life is reached for each existing vehicle and add vehicles as needed. Consolidated Transportation Services Agency.		\$5,000,000	2025
PCT10000	Placer County	Commuter rail stations in Bowman, Newcastle, Loomis.		\$2,870,000	2015
PLA25004	Placer County	Placer County Congestion Management Program for FYs 02/03, 03/04, and 04/05.		\$248,503	2005
PLA20100	Robinson Flat near Foresthill	Enhancements to the Robinson Flat Recreation site.		\$274,000	2003
PLA20090	Route 267	Widen from two to four lanes, from Nevada County line to Northstar.		\$10,000,000	2025
SACOG / TIER 1: PUBLICLY FUNDED					
<i>The following are placeholder projects for multi-modal connectors for the purpose of modeling. Studies will determine the final projects.</i>					
PLA15590	Sierra College Boulevard	Improve Douglas Boulevard intersection.		\$10,000,000	2023
PLA15610	Sierra College Boulevard	Improve Roseville Parkway intersection.		\$10,000,000	2019



SACDG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

Sacramento County Projects

CALTRANS DISTRICT 3 / TIER 1: PUBLICLY FUNDED

SAC20370	Elk Grove Rail Station	Construct platform, shelter, landscaping and parking for intercity passenger rail station, San Joaquin Rail Corridor.		\$800,000	2003
CAL17850	I-5	Add carpool lanes from downtown Sacramento to Sacramento International Airport.		\$150,000,000	2020
CAL17840	I-5	Add carpool lanes from Pocket Road to U.S. 50.		\$100,000,000	2020
CAL17860	I-5	Construct auxiliary lanes from Richards Boulevard to Garden Highway.		\$10,000,000	2006
CAL18370	I-5	Install ramp meters, carpool Bypasses, additional on ramps, traffic monitoring stations and closed-circuit TV installation from Pocket Road to I-80.		\$6,035,000	2005
CAL18410	I-5 and I-80	Add carpool lane connectors between I-5 and I-80.		\$100,000,000	2019
CAL18390	I-5 and U.S. 50	Add carpool lane connectors between I-5 and U.S. 50.		\$50,000,000	2016
CAL17910	I-80	Add third lane connector to Route 51 (Capital City Freeway).	\$9,980,000	\$9,980,000	2003
CAL18380	I-80	Install ramp metering, traffic monitoring stations, closed-circuit TV installation, message signs, and upgrade count stations to TMS on I-80 from Yolo County (line to Route 244 (Longview Drive).		\$5,621,000	2007
CAL15135	I-80	Add carpool lanes from Longview to the Placer County line.	\$28,507,000	\$28,507,000	2005
CAL18450	I-80	Add carpool lanes from Longview Drive to I-5.		\$75,000,000	2016
CAL18220	I-80 at I-5	Revise existing interchange.		\$35,000,000	2016
CAL18400	Route 99 and U.S. 50	Add carpool lane connectors between Route 99 and U.S. 50.		\$50,000,000	2014
CAL15510	Route 99 at Eiverta Road	Construct new interchange.		\$25,000,000	2012
SAC19360	Sunrise Boulevard at U.S. 50	Upgrade interchange.	\$7,162,000	\$7,162,000	2003
CAL16790	U.S. 50	Add carpool lanes and community enhancements on U.S. 50 from Downtown Sacramento to Sunrise Boulevard.		\$96,500,000	2010
CAL17800	U.S. 50 at I-5	Construct traffic operations system (Junction of U.S. 50 and I-5).		\$3,000,000	2006

CALTRANS DISTRICT 3 / TIER 2

CAL17845	I-5	Add carpool Lanes from Pocket Road to Elk Grove Boulevard.		\$40,000,000	2014
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SACOG #	Location	Project Description	Pre-2007 Funding	Total Cost	Year
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(in current year dollars)

CITY OF CITRUS HEIGHTS / TIER 1: PUBLICLY FUNDED

SAC19000	Antelope Road	Widen from I-80 to Auburn Boulevard construction of sidewalks, Class 2 Bike lanes, sound walls, landscaping and installation of new traffic signals.		\$8,880,000	2005
SAC15030	Antelope Road	Widen from four to six lanes, from Roseville Road to I-80.	\$2,250,000	\$8,050,000	2005
SAC23010	Fountain Square Drive	Extend from the existing terminus to Stock Ranch Road.		\$600,000	2005
SAC15300	Greenback Lane	Widen from four to six lanes, from Auburn Boulevard to Dewey Drive.	\$4,900,000	\$9,900,000	2005
SAC16880	Old Auburn Road	Widen from two to three lanes, from Fair Oaks Boulevard to northern city limits with Class 1 bike lane.	\$1,705,000	\$8,730,000	2006
SAC16910	Sunrise Boulevard	Widen from four to six lanes, including a raised median from Antelope Road to Placer County.		\$6,200,000	2022
SAC16920	Sunrise Boulevard	Widen from four to six lanes, including raised median from Oak Avenue to Antelope Road.	\$284,906	\$7,634,906	2016
SAC22440	Sunrise Boulevard	Widen from four to six lanes, Arcada Drive to Oak Avenue, including bike lanes, landscaping, and pedestrian facilities.		\$8,750,000	2019

CITY OF ELK GROVE / TIER 1: DEVELOPER- OR PARTIALLY DEVELOPER-FUNDED

SAC20280	Big Horn Boulevard	Construct new road to four lanes, from Poppy Ridge Road to Elk Grove Boulevard.		\$3,002,950	2007
SAC19035	Bond Road	Widen from two to four lanes, from east of Union Pacific Rail Road to Waterman.		\$1,034,000	2008
SAC19020	Bond Road	Widen from two to four lanes, from Waterman Road to Bradshaw Road.		\$3,030,200	2008
SAC19030	Bond Road	Widen from two to four lanes, from Elk Grove-Florin Road to Union Pacific Rail Road.	\$160,000	\$784,000	2003
SAC19010	Bruceville Road	Widen from two to four lanes, from Kammerer Road to Poppy Ridge Road.		\$4,000,900	2014
SAC19100	Bruceville Road	Widen from two to four lanes, from Poppy Ridge Road to Elk Grove Boulevard.		\$4,687,950	2008
SAC21640	Elk Grove Boulevard	Design and develop enhancements between Elk Grove-Florin Road and Waterman Road.		\$4,252,000	2004
SAC20340	Franklin Boulevard	Widen from two to four lanes, from Kammerer Road to Poppy Ridge Road.		\$5,542,650	2010
SAC20290	Franklin Boulevard	Widen from two to four lanes, from Poppy Ridge Road to Elk Grove Boulevard.		\$5,926,883	2006
SAC19150	Lewis Stein Road	Construct three lanes of new road, bridge at Laguna Creek and traffic signals and interconnect at Big Horn and Sheldon, from Big Horn Boulevard to Sheldon Road.		\$5,927,500	2003
SAC20330	Poppy Ridge Road	Construct new road to four lanes, from Franklin Boulevard to Bruceville Road.		\$4,851,468	2006
SAC20320	Poppy Ridge Road	Widen from two to four lanes, from Bruceville Road to West Stockton Boulevard.		\$5,328,800	2008
SAC20520	Route 99 at Grant Line Interchange	Reconstruct the interchange.	\$2,000,000	\$31,000,000	2010
SAC19380	Route 99 at Sheldon Road Interchange	Construct the interchange.	\$1,576,000	\$39,492,000	2008

SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
SAC15660	Sheldon Road	Widen from two to four lanes, from Bruceville Road to Route 99 and from East Stockton Boulevard to Elk Grove-Florin Road.	\$1,081,697	\$3,543,073	2007
SAC17560	Sheldon Road	Widen from four to six lanes, from Bruceville Road to Route 99.		\$1,000,000	2012
SAC19160	Sheldon Road	Widen from two to four lanes, from Elk Grove-Florin Road to Waterman Road.		\$1,264,000	2010
SAC20250	West Stockton Boulevard at Laguna Creek Bridge	Replace existing bridge with a new structure to provide two traffic lanes, an access lane, shoulders and a raised sidewalk on west side of bridge.		\$1,700,000	2006
CITY OF FOLSOM DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED					
SAC22340	American River Bridge	In Folsom, construct crossing of the American River below Folsom Dam with approaches. (Replacement of Folsom Dam Road)		\$85,000,000	2010
SAC21250	Blue Ravine Road	Widen westbound approach to Folsom Boulevard to provide dual left-turn lanes and exclusive through and right-turn lanes.		\$1,200,000	2006
SAC18400	East Bidwell Street	Widen to six lanes, from Oak Avenue Parkway to Blue Ravine Road.		\$800,000	2010
SAC22060	East Natoma Street	Widen from two to four lanes, from Fargo Way to Blue Ravine Road.		\$1,100,000	2003
SAC20220	Folsom Historic District	Construct park-and-ride lot.	\$105,000	\$555,000	2003
SAC20570	Folsom Railroad Block	Redevelop into a multi-modal transit center.		\$3,000,000	2005
SAC16190	Folsom-Auburn Road	Widen from two to four lanes from Folsom Dam Road to Beals Point Road.	\$2,850,000	\$2,850,000	2003
SAC21280	Green Valley Road	Widen from two to four lanes, from East Natoma to Sacramento/El Dorado County line.		\$1,200,000	2010
SAC21210	Iron Point Road	Widen to six lanes, from Black Diamond Drive to East Bidwell Street.		\$3,000,000	2020
SAC22280	Oak Avenue Parkway	Widen to four to six lanes, from Folsom-Auburn Road to Baldwin Dam Road.		\$1,100,000	2006
CITY OF FOLSOM DEPARTMENT OF PUBLIC WORKS / TIER 1: DEVELOPER- OR PARTIALLY DEVELOPER-FUNDED					
SAC21220	Broadstone Parkway	Construct four-lane section from Golf Links Drive to Empire Ranch Road.		\$4,000,000	2006
SAC21230	Empire Ranch Road	Construct four-lane section of road, from El Dorado County line to Iron Point Road.		\$6,200,000	2006
SAC21130	Iron Point Road	Extend with four-lane intersection from Grover Road east to East Bidwell Street to El Dorado County.		\$6,000,000	2005
SAC19890	U.S. 50 at Empire Ranch Road	Construct four-lane interchange with U.S. 50 at extension of Empire Ranch Road (formerly Russell Ranch Road).		\$15,800,000	2006
CITY OF FOLSOM DEPARTMENT OF PUBLIC WORKS / TIER 2					
SAC21270	Sibley Street	Widen to four lanes, from Glenn Drive to Blue Ravine Road.		\$1,500,000	2010
SAC19880	U.S. 50 at Oak Avenue	Construct four-lane interchange for newly extended Oak Avenue		\$15,000,000	2008



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

CITY OF GALT DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED

SAC20580	Central Galt Interchange	Replace/reconstruct interchange and widen overpass to four lanes with bike lanes.	\$1,200,000	\$17,000,000	2008
SAC17180	Carillion Boulevard Extension	Construct new road, from Simmerhorn Road to Crystal Way.		\$2,500,000	2006
SAC20590	Route 99 ---Twin Cities Road Interchange	Widen overpass to four lanes with addition of bike lanes.		\$10,000,000	2015
SAC17200	Simmerhorn Road Extension	Construct new road to extend from existing terminus to Carol Drive and Amador Avenue.		\$2,800,000	2007

CITY OF SACRAMENTO DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED

SAC22790	4th Avenue	Extend from 65th Street to Ramona Avenue.		\$10,000,000	2020
SAC18260	5th Street	Extend as a four-lane roadway from H Street to F Street.		\$1,300,000	2006
SAC22800	6th Street	Extend as a four-lane roadway, between Richards Boulevard and H Street.		\$8,400,000	2010
SAC18360	7th Street	Widen from two to four lanes, from Richards to Vine Street.		\$4,600,000	2005
SAC22810	7th Street	Widen to four lanes from E Street to Richards Boulevard.		\$20,000,000	2008
SAC18230	7th Street	Extend from E Street to North B Street.	\$24,053,975	\$24,053,975	2004
SAC22891	Arden Way	Operating and Maintenance for Arden Way Smart Corridor from 2010 to 2025.		\$2,100,000	2015
SAC22890	Arden Way	Implement a Smart Corridor on Arden Way from Del Paso to Watt Avenue.		\$1,953,910	2015
SAC19560	Arden Way at Route 51 Capital City Freeway Interchange	Underpass improvements to remove restriction caused by columns and widen to six lanes.		\$19,529,000	2014
SAC16050	Arena Boulevard	Construct as an eight-lane facility, from current terminus to I-5.	\$1,627,000	\$1,727,000	2004
SAC18590	Arena Boulevard	Extend as a six-lane road from current terminus at Duckhorn to I-5 without interchange.	\$783,000	\$883,000	2004
SAC22840	Bell Avenue	Widen from two to four lanes, from Nonwood Avenue to Raley Boulevard.		\$4,524,000	2016
SAC17590	Bruceville Road	Widen from two to four lanes, from Sheldon Road to Cosumnes River Boulevard.	\$900,000	\$3,800,000	2007
SAC23650	Bruceville Road	Between Sheldon Road and Cosumnes River Boulevard; widen to six lanes.		\$6,000,000	2010
SAC21390	Central City	Implement Central City Two-way Conversion and Community Plan project.	\$643,182	\$1,903,831	2005
SAC18380	Cosumnes River Boulevard	Extend from Franklin to Freeport with an interchange at I-5.	\$850,000	\$50,000,000	2008
SAC15920	Cosumnes River Boulevard	Widen from two to four lanes, from Center Parkway to Bruceville		\$970,000	2008
SAC15930	Cosumnes River Boulevard	Widen to four lanes, from Franklin Boulevard to Center Parkway.		\$1,696,000	2008

SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
SAC22880	Del Paso Road	Widen from four to six lanes, from El Centro to I-5.		\$392,000	2010
SAC23320	Del Paso Road	Widen from four to six lanes, from Truxel Road to East city limits.		\$3,361,000	2020
SAC18480	Del Paso Road	Widen to four lanes, from the West City limits to El Centro Road.	\$1,678,000	\$1,678,000	2003
SAC15970	Del Paso Road	Widen to six lanes, from Truxel Road to I-5.	\$2,473,000	\$2,473,000	2006
SAC22870	Del Paso Road at I-5 Overcrossing	Widen overcrossing to six lanes.		\$1,700,000	2006
SAC18460	East Commerce Way	Extend as a two-lane facility, from planned Club Center Drive to Del Paso Road.		\$3,831,000	2008
SAC18440	East Commerce Way	Extend as a four-lane road, from planned Club Center Road. to Elkhorn Boulevard.		\$3,076,000	2010
SAC18580	East Commerce Way	Extend as a four-lane road, from planned Natomas Crossing Drive to San Juan Road.		\$1,895,000	2010
SAC18570	East Commerce Way	Extend as a six-lane road, from Arena Boulevard to the planned Natomas Crossing Drive.		\$1,796,000	2008
SAC18470	East Commerce Way	Widen two to six lanes, from Club Center Drive to Del Paso Road.		\$8,000,000	2015
SAC18740	El Centro Road	Extend northeasterly over I-5 and east to East Commerce Way.		\$2,167,000	2020
SAC18610	El Centro Road	Widen from two to four lanes, from Del Paso Road to Arena Boulevard.		\$3,390,000	2011
SAC23330	El Centro Road	Widen to four lanes, from Arena Boulevard to San Juan Road.		\$4,200,000	2012
SAC23680	Elder Creek Road	Widen to four lanes, from Florin Perkins to South Watt Avenue.		\$6,100,000	2019
SAC23690	Elder Creek Road	Widen to four lanes, from Power Inn to Florin Perkins Road.		\$6,133,000	2023
SAC18510	Elkhorn Boulevard	Widen from four to six lanes, from Route 99 to East City Limits.		\$7,000,000	2015
SAC18500	Elkhorn Boulevard	Widen to four lanes, from Route 99 east to the City limits (related interchange widening listed under Route 99).		\$11,367,000	2010
SAC16000	Exposition Boulevard at Route 160	Construct split-diamond interchange.		\$34,050,000	2020
SAC23350	F Street	Extend as a two-lane road, from 7th to 3rd Street.		\$1,400,000	2006
SAC16010	Florin-Perkins Road	Widen to six lanes, from Folsom Boulevard to Fruitridge Road.		\$12,148,000	2020
SAC22610	Folsom Boulevard	Widen to four lanes, from Hornet Drive to 6th Street.	\$1,600,000	\$16,228,000	2009
SAC22110	Fruitridge Road	Streetscape and traffic improvements between 65th Street Expressway and Power Inn Road.		\$869,279	2003
SAC23370	Fruitridge Road	Widen to six lanes, from Florin Perkins Road to South Watt Avenue.		\$6,663,000	2017
SAC17620	Garden Highway	Widen to four lanes, from the western terminus of the Arden Garden Connector to 300 feet east of I-5 ramps.		\$34,756,000	2025
SAC23390	Gateway Boulevard	Construct a new road, from North 12th to North 7th Street (two lanes).		\$16,590,000	2008
SAC22080	Gateway Park Boulevard	Widen from two to four lanes, from Truxel Road to Arena Boulevard.		\$1,767,000	2006



SACOG #	Location	Project Description	Pre-2001 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
SAC18540	Gateway Park Drive	Widen from two to four lanes, from Del Paso Road to Arena Boulevard.		\$3,103,000	2006
SAC20800	Howe at Power Inn Road	Widen from four to six lanes with operational improvements and U.S. 50 ramp access improvements, from College Town Drive to Folsom Boulevard.	\$7,136,000	\$7,236,000	2003
SAC18640	I-5	Add a second auxiliary lane, from I-80 to the Arena Boulevard interchange (formerly North Market Boulevard).		\$1,191,000	2004
SAC20010	I-5 at Arena Boulevard Interchange	Construct six-lane Arena Boulevard (formerly North Market Boulevard) interchange and single auxiliary lane in each direction on I-5 from I-80 to Del Paso Road.		\$13,490,000	2004
SAC20670	I-5 at I-80 Interchange	Reconstruct ramp from eastbound to northbound traffic.		\$13,000,000	2016
SAC18170	I-5 at Richards Boulevard Interchange	Widen from five to eight lanes and improve I-5 ramp terminals through the interchange; reconstruct the intersections at Jibboom Street and Bercut Drive to improve capacity.		\$2,918,000	2008
SAC18670	I-5 at Route 99 Interchange	Add a second southbound on-ramp lane from Route 99 to I-5.		\$216,000	2010
SAC23400	I-5 at West El Camino	Construct a northbound entrance ramp and southbound exit ramp. Modify the northbound I-5 to I-80 ramp to accommodate the proposed interchange ramps.		\$18,263,000	2015
SAC22530	I-5 Decking	Provide connection over I-5 between river esplanade and Crocker District, Capitol Avenue to O Street.		\$13,800,000	2008
SAC18700	I-80 at Northgate Boulevard Interchange	Extend the existing westbound off-ramp onto Northgate Boulevard for safety reasons, add auxiliary lane to westbound on-ramp.		\$3,732,000	2015
SAC18650	I-80 at West El Camino Interchange	Expand to four lanes and modify ramps.		\$5,417,000	2012
SAC20811	Jed Smith Drive	Realign and extend as a two-lane connection between California State University, Sacramento and Folsom Boulevard.		\$4,000,000	2008
SAC23430	Main Avenue	Widen from two to four lanes from Norwood Avenue to Rio Linda Boulevard.		\$4,524,000	2018
SAC18150	Metro Air Parkway Interchange at I-5	Construct new interchange near Sacramento International Airport	\$2,694,000	\$11,507,000	2006
SAC23480	Natomas Boulevard	Widen from two to four lanes, Elkhorn Boulevard to Club Center Drive.		\$2,805,000	2015
SAC23470	Natomas Boulevard	Widen from two to six lanes, from Club Center Drive to North Park Drive.		\$1,099,000	2012
SAC23460	Natomas Boulevard	Widen to six lanes, from North Park Drive to Del Paso Road.		\$2,063,000	2015
SAC18560	Natomas Crossing Drive	Build as four-lane road from I-5 westward to El Centro Road.		\$3,646,000	2016
SAC18720	Natomas Crossing Drive at I-5	Construct overcrossing of I-5.		\$1,597,000	2016
SAC16060	Northgate Boulevard	Elevate existing two-lane roadway, from Route 160 to Garden Highway.		\$1,202,685	2007
SAC23820	Northgate Boulevard	Widen to four lanes, from Route 160 to Garden Highway.		\$8,000,000	2013
SAC16070	Power Inn Road	Widen to six lanes, from Fruitridge Road to 14th.		\$13,931,000	2015



SACOG #	Location	Project Description	FY-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
SAC20820	Power Inn Road	Widen from four to six lanes with expanded intersection along Power Inn Road from Folsom Boulevard to 14th Avenue, from Folsom Boulevard to 14th Avenue.	\$6,535,000	\$6,535,000	2004
SAC23520	Rail yards Access Road	Improve Jibboom Street between Richards Boulevard and the rail yards site to provide access to the site from the north.		\$6,407,000	2008
SAC20780	Ramona Avenue	Extend two-lane roadway and center turn lane from 4th Avenue to 14th Avenue and from 14th Avenue to Folsom Boulevard with bike lanes.		\$3,000,000	2008
SAC16092	Richards Boulevard	Widen from two to five lanes with bike lanes, from north 7th Street to North 12th Street.	\$3,870,049	\$3,970,049	2003
SAC23840	Richards Boulevard	Widen to six lanes, from Route 160 to Bercut Drive.		\$10,000,000	2008
SAC23530	Roseville Road	Widen from two to four lanes, from Connie Drive to Sacramento City Limits		\$3,353,000	2021
SAC16040	Route 16 (Jackson Road)	Realign as a four-lane roadway, from Power Inn Road to South Watt Avenue.		\$15,000,000	2015
SAC21540	Route 160 at Northgate Interchange	Add an eastbound on-ramp and a westbound off-ramp.	\$1,130,625	\$18,000,000	2007
SAC22660	Route 160 at Richards Boulevard	Install signalized intersection.	\$900,000	\$900,000	2003
CAL16900	Route 99	Add a lane in each direction from I-5 to Elkhorn Boulevard.		\$1,733,000	2024
SAC18690	Route 99 at Elkhorn Boulevard Interchange	Expand the interchange to accommodate the widening of Elkhorn Boulevard from two to six lanes.		\$2,762,000	2015
SAC23810	Route 99 at Meister Way overcrossing	Construct freeway overcrossing, South of Elkhorn Boulevard; Meister Way.		\$1,006,000	2025
SAC23540	South Watt	Widen to six lanes, between Elder Creek Road and Fruitridge Road.		\$18,637,000	2020
SAC20350	Sacramento Intermodal Terminal	Develop intermodal transportation terminal for heavy rail, light rail, and bus services.		\$10,000,000	2009
SAC18600	Snowy Egret Way	Construct as a four-lane road south of Del Paso Road, from El Centro Road to Commerce Way.		\$2,237,000	2021
SAC18710	Snowy Egret Way at I-5	Construct overcrossing of I-5 for the planned Snowy Egret Way that will run east-west from El Centro Road to Commerce Way.		\$2,580,000	2022
SAC23850	South Watt Avenue	Widen to four lanes, from Jackson Road to Elder Creek.		\$10,000,000	2012
SAC23860	South Watt Avenue	Widen to six lanes, from Fruitridge Road to Folsom Boulevard.		\$10,000,000	2025
SAC20390	Southern Pacific Depot	Renovate historic Southern Pacific Depot and undertake public improvements on the surrounding site to redefine the Depot as a true intermodal depot by improving coordination between Amtrak and Capital Corridor service, light rail transit and bus service.		\$2,180,058	2003
SAC20380	Southern Pacific Depot	Depot acquisition.		\$875,000	2003



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

SAC22550	Stockton Boulevard	Install streetscaping improvements, Broadway to Fruitridge Road.		\$2,995,034	2004
SAC21460	Stockton Boulevard	Provide minor curb, gutter and sidewalk improvements, and streetscaping from Fruitridge Road to El Parisio Avenue.		\$749,500	2003
SAC22650	Sutterville Road at 23rd Street	Realign Sutterville Bypass/23rd Street and Sutterville Road and install new traffic signal.		\$1,700,000	2006
SAC20761	Traffic Operations Center	Connect 100 traffic signals, including Intelligent Transportation Systems technology that are located outside of the Central City to the City's existing transportation operations center.		\$8,500,000	2006
SAC20762	Traffic Operations Center	Connect 100 traffic signals, including Intelligent Transportation Systems technology that are located outside of the Central City to the City's existing transportation operations center.		\$9,900,000	2010
SAC20763	Traffic Operations Center	Connect 100 traffic signals, including Intelligent Transportation Systems technology that are located outside of the Central City to the City's existing transportation operations center.		\$11,100,000	2015
SAC20764	Traffic Operations Center	Connect 100 traffic signals, including Intelligent Transportation Systems technology that are located outside of the Central City to the City's existing transportation operations center.		\$10,000,000	2020
SAC16120	West El Camino Avenue	Widen from two to four lanes and add bike lanes, from I-5 to I-80.	\$800,000	\$8,700,000	2003

CITY OF SACRAMENTO DEPARTMENT OF PUBLIC WORKS / TIER 2

SAC23630	65th Street	Widen to six lanes, from Highway 50 to Broadway.		\$4,000,000	2025
SAC22850	Bell Avenue	Widen from two to four lanes, from Raley Boulevard to Winters Street.		\$1,647,000	2010
SAC18660	I-5 road	Add a northbound auxiliary lane, between Del Paso Road to Route 99.		\$714,000	2008
SAC23410	Kiefer Boulevard	Widen from two to four lanes, between Florin-Perkins Road to South Watt Avenue.		\$3,393,000	2020
SAC19550	Raley Boulevard	Widen to four lanes, from Santa Ana Avenue to Ascot Avenue.		\$3,961,000	2008
SAC20000	Route 51 (Capital City Freeway) at Exposition Boulevard	Add eastbound on-ramps.		\$3,000,000	2015
SAC16100	Sutter's Landing Parkway (Richards Boulevard)	Construct from its eastern terminus at Route 160 to Route 51 including interchanges at Route 51 (Capital City Freeway) and Route 160.		\$50,000,000	2008
SAC22540	Various Locations	Install SMART Traffic Calming in south Midtown area.		\$225,913	2004
SAC16130	West El Camino	Widen from four to six lanes and add bike lanes, I-80 to Natomas Main Drainage Canal.		\$6,000,000	2025

SACRAMENTO COUNTY DEPARTMENT OF AIRPORTS / TIER 1: PUBLICLY FUNDED

SAC22940	Airport Loop Road	Construct a two-lane, three-mile roadway with the following alignment: Elkhorn Boulevard at Lone Tree Road, Elkhorn southwest towards Power Line Road, along the north side of I-5, and loop into the airport, merging with Airport Boulevard.		\$19,327,000	2019
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SACOG #	Location	Project Description	Pre-2005 Funding	Total Cost	Year
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(in current year dollars)

SACRAMENTO COUNTY DEPARTMENT OF TRANSPORTATION / TIER 1: PUBLICLY FUNDED

SAC22330	American River	Reserve flexible funds for improved access across the American River between Howe Avenue and Hazel Avenue.		\$80,000,000	2025
SAC22750	Countywide	Perform Sacramento County Circulation Congestion Relief Study, and follow-up engineering and environmental studies.		\$4,000,000	2004
SAC15230	Elkhorn Boulevard	Widen from four to six lanes, from Watt Avenue to Don Julio Boulevard.	\$970,000	\$3,916,000	2004
SAC19570	Fair Oaks Boulevard	Widen from two to four lanes, from Sunset Avenue to Madison Avenue.		\$3,595,000	2009
SAC20141	Florin Road	Implement Phase 2 of the economic revitalization master plan for the Florin Road area by improving the safety, infrastructure and appearance of the corridor from Franklin to Stockton.		\$3,804,700	2003
SAC18080	Folsom Boulevard	Grade separation of Watt Avenue and the light rail tracks south of the Folsom Boulevard intersection and Watt Avenue.	\$2,230,000	\$10,456,000	2006
SAC15260	Folsom Boulevard	Widen to four or five lanes, from Sunrise Boulevard to Aerojet Road.	\$6,323,000	\$6,323,000	2004
SAC21470	Folsom Boulevard	Project development to install landscaping and streetscaping on Folsom Boulevard between Rod Beaudry Drive and Sunrise Boulevard.		\$3,405,000	2007
SAC21480	Franklin Boulevard	Project development to provide landscaping and streetscaping between Fruitridge Road and Florin Road, and along Martin Luther King Jr. Boulevard, Fruitridge Road, and 47th Avenue.	\$4,288,000	2006	
SAC21510	Fulton Avenue	Implement Phase 1 of the improvements specified in the Fulton Avenue Conceptual Beautification Master Plan from Arden Way to Auburn Boulevard.		\$4,662,025	2003
SAC22710	Fulton Avenue	Provide aesthetic enhancements for Fulton Avenue, Arden Way to Auburn Boulevard (Phase 2).		\$6,000,000	2005
SAC23300	Greenback and Hazel	Build tunnels to underground the intersection of Greenback and Hazel.		\$20,000,000	2025
SAC18070	Greenback Lane at I-80 Interchange	Widen the overcrossing by two lanes (one lane each direction), modify freeway ramps for ramp metering, and add auxiliary lanes.	\$14,769,000	\$14,769,000	2003
SAC22770	Greenback at Sunrise Boulevard	Smart Corridor.		\$7,600,000	2009
SAC21500	Hazel Avenue	Widen American River Bridge and approaches from four to six lanes and widen Hazel from American River Bridge to Madison from four to six lanes with bike lanes and signals.	\$2,996,320	\$44,000,000	2008
SAC23080	Hazel Avenue	Widen from four to six lanes from Madison to Sacramento/Placer County line.		\$51,786,000	2015
SAC16500	Madison Avenue	Widen from four to six lanes, from Sunrise Boulevard to Hazel Avenue.		\$5,650,000	2007
SAC19370	Madison Avenue at I-80	Upgrade interchange.	\$11,989,000	\$11,989,000	2004
SAC21445	McClellan Commuter Center	Construct a commute center facility at former McClellan Air Force Base.		\$3,000,000	2005

SAC06 #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
SAC19711	Sunrise Boulevard	Widen from two to four lanes, from Route 16 to north of Douglas Road.		\$9,053,430	2006
SAC20840	Various Locations	Traffic Operations System.		\$16,000,000	2006
SAC22200	Watt Avenue	Install curbs, gutters, sidewalks, pedestrian signals, street lighting, and landscaping. From Capital City Freeway to Route 16. Phase 2 of master plan.		\$7,500,000	2007
SAC22720	Watt Avenue	Provide aesthetic enhancements, from Antelope Road to Capitol City Freeway.		\$3,000,000	2007
SAC22070	Watt Avenue	Implement Phase 3 priority and mobility enhancement demonstration project. Watt Avenue Smart Corridor (Phase 3 intelligent transportation systems project).		\$3,010,000	2004
SAC22100	Watt Avenue	Watt Avenue Transit Priority and Mobility Enhancement Demonstration Phase 1 and 2.		\$3,995,000	2003
SAC21610	Watt Avenue	Provide streetscape enhancements from Route 51 to State Route 16.		\$3,096,000	2006
SAC19350	Watt/Folsom at U.S. 50 Interchange	Modify the freeway interchange.	\$1,650,000	\$15,402,000	2006
SACRAMENTO COUNTY DEPARTMENT OF TRANSPORTATION / TIER 1: DEVELOPER- OR PARTIALLY DEVELOPER-FUNDED					
SAC22980	Alta Sunrise Boulevard	Construct a six-lane roadway from U.S. 50 to International Drive extension. This includes a south only interchange with U.S. 50 and pedestrian and bicycle facilities.		\$45,000,000	2015
SAC22020	Antelope North Road	Widen from two to four lanes, from Poker Lane to Olive Avenue.		\$438,000	2005
SAC19790	Antelope Road	Widen from four to six lanes, from Don Julio Boulevard to Roseville Road.		\$735,000	2010
SAC19310	Bradshaw Road	Widen from two lanes to four lanes, from Calvine Road to Florin Road.	\$7,162,000	\$7,162,000	2006
SAC19320	Bradshaw Road	Widen from two to four lanes, from Florin to Morrison Creek.	\$3,125,000	\$8,705,000	2004
SAC19040	Calvine Road	Widen from two to four lanes, from 1000 feet east of Kingsbridge Drive to Vineyard Road.	\$1,341,000	\$7,363,000	2004
SAC19060	Don Julio Boulevard	Widen from two to four lanes, from Antelope Road to North Loop Boulevard.		\$759,000	2007
SAC22410	Douglas Road	Widen from two to four lanes, from Excelsior Road to Sunrise Boulevard.		\$11,067,000	2006
SAC22420	Douglas Road	Widen from two to four lanes, from Sunrise Boulevard to Grant Line Road.		\$6,320,000	2007
SAC22430	Eagles Nest Road	Widen from two to four lanes, from Kiefer Boulevard to Douglas Road.		\$4,630,050	2018
SAC15170	Elk Grove-Florin Road	Widen from two to four lanes, from Gerber Road to Florin Road.		\$2,210,000	2007
SAC15180	Elkhorn Boulevard	Widen from two to four lanes, from Rio Linda Boulevard to Route 99.		\$14,000,000	2007
SAC15220	Elkhorn Boulevard	Widen from four to six lanes, from Don Julio Boulevard to Diablo Drive.	\$7,140,000	\$7,140,000	2003
SAC22300	Elverta Road	Widen from two to four lanes, from Rio Linda Boulevard to connection to north side of the Sacramento International Airport. Includes bicycle and pedestrian facilities.		\$26,000,000	2017
SAC19620	Elverta Road	Widen from two to four lanes including Dry Creek Bridge to six lanes, from Rio Linda Boulevard to Watt Avenue.	\$340,000	\$7,455,000	2008



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
SAC19630	Fair Oaks Boulevard	Widen from two to four lanes, from Greenback Lane to Old Auburn Road.		\$1,088,000	2020
SAC16800	Fair Oaks Boulevard	Widen from four to six lanes including signal modifications at Marconi, Stanley, Grant, and Engle Road, from Marconi Avenue to Engle Road.		\$5,739,000	2007
SAC15250	Folsom Boulevard	Widen from four to six lanes, from Mather Field Road to Coloma Road.		\$5,000,000	2012
SAC19640	Franklin Boulevard	Widen from four to six lanes, from Martin Luther King, Jr. Boulevard to Florin Road.		\$4,000,000	2010
SAC19690	Gerber Road	Widen from two to four lanes, from Elk Grove-Florin Road to Vineyard Road.		\$6,688,000	2015
SAC19670	Grant Line Road	Widen from two to four lanes, from Bond Road to Sloughhouse Road.		\$11,000,000	2008
SAC19660	Grant Line Road	Widen from two to four lanes, from Sloughhouse Road to Sunrise Boulevard.		\$4,000,000	2008
SAC19090	Greenback Lane	Widen from four to six lanes, from Sunrise to Hazel Avenue.		\$5,000,000	2006
SAC15360	Hazel Avenue	Widen from two to four lanes, from Oak Avenue to Old Auburn Road in Placer County.	\$7,852,067	\$7,852,067	2003
SAC22990	International Drive	Construct a six-lane roadway from current terminus to Alta Sunrise Boulevard. Includes bicycle and pedestrian facilities.		\$6,000,000	2010
SAC22900	Kammerer Road	Construct a six-lane roadway from Grant Line at Route 99 interchange to I-5 at Hood Franklin Boulevard. Can be changed to widening of existing streets.		\$18,443,980	2015
SAC22905	Kammerer Road	Enhance as a four-lane parkway connecting I-5 and Route 99. (Upgrade of Kammerer Road project)		\$31,556,020	2021
SAC22320	Kiefer Boulevard	Construct a four-lane roadway from Bradshaw Road to Sunrise Boulevard. Includes bicycle and pedestrian facilities.		\$10,000,000	2025
SAC16510	Madison Avenue	Widen from four to six lanes, from Hazel Avenue to Greenback Lane.		\$3,445,000	2007
SAC18160	Metro Air Parkway	Construct new road to four lanes, from I-5 to Elverta Road.		\$6,500,000	2006
SAC23160	Sacramento County	Construct a new four-lane, limited-access road from Grant Line Road/ White Rock Road through Aerojet's property to U.S. 50 near Hazel Avenue.		\$9,335,000	2015
SAC19120	North Loop Boulevard	Widen from two to four lanes, from Elverta Road to Don Julio Boulevard.	\$222,000	\$1,975,000	2004
SAC19680	Roseville Road	Widen from two to four lanes, from Watt Avenue to Antelope Road.		\$3,000,000	2015
SAC19170	South Watt Avenue	Widen from two to four lanes with left turn lanes, from Alderson Avenue to Route 16.	\$396,000	\$3,090,000	2006
SAC19290	South Watt Avenue	Widen from two to four lanes, from Florin Road to Route 16.		\$6,530,000	2008
SAC19700	Stockton Boulevard	Widen from four to six lanes, from Elsie to Florin Road.		\$3,464,000	2010
SAC19710	Sunrise Boulevard	Widen from two to four lanes, from north of Douglas Road to Grant Line Road.		\$10,000,000	2009
SAC15750	Watt Avenue	Widen from four to six lanes, from Don Julio Boulevard to Elkhorn Boulevard.		\$2,674,397	2007
SAC15720	Watt Avenue	Widen from four to six lanes, from Elkhorn Boulevard to Antelope Road.		\$1,080,000	2006
SAC20240	Zinfandel Road	Construct new road to six lanes, from Douglas Road to south terminus.		\$4,790,000	2006



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

SACRAMENTO COUNTY DEPARTMENT OF TRANSPORTATION / TIER 2

SAC19300	Dwight Road	Construct new road to four lanes, from Laguna Boulevard to Franklin Boulevard.		\$1,300,000	2010
SAC20360	McClellan Commuter Rail Station	Construct a rail station at former McClellan Air Force Base.		\$5,000,000	2008
CAL15410	Route 16 (Jackson Road)	Widen from two to four lanes and add continuous left turn lane, from South Watt Avenue to Excelsior Road.		\$6,000,000	2008

SACRAMENTO REGIONAL TRANSIT DISTRICT / TIER 1: PUBLICLY FUNDED

REG15600	29th Street Light Rail Station	Build transit center.		\$750,000	2015
REG16460	4th Avenue at Wayne Hultgren Light Rail Station	Construct a light rail station.	\$1,080,000	\$1,080,000	2003
REG16170	Antelope Road at I-80	Park-and-ride lot.		\$1,000,000	2006
REG17380	Arden at Oxford Crossing	Install automatic crossing gates and related equipment.		\$225,000	2003
REG15590	CNG Fueling Facility	Funding supplement for the expansion of the existing compressed natural gas fuel facility to install two additional compressors and associated equipment.		\$400,000	2003
REG17325	Downtown-Natomas-Airport Corridor	Light rail extension from Natomas Town Center to Sacramento International Airport.		\$101,000,000	2015
REG17320	Downtown-Natomas-Airport Light Rail Corridor	Light rail extension from Downtown Sacramento to Natomas Town Center.	\$5,000,000	\$270,000,000	2012
REG17290	Florin Road at Light Rail Intersection	Construct grade separation.		\$6,500,000	2004
REG15040	Folsom Light Rail Corridor	Downtown Sacramento Folsom—light rail extension (including vehicle purchase).	\$191,323,008	\$206,678,000	2005
REG17350	I-5 at Elk Grove Boulevard	Build a new park-and-ride lot.		\$500,000	2004
REG17340	I-5 at Laguna Boulevard	Build new park-and-ride lots.		\$500,000	2004
REG17221	I-80 Light Rail Corridor	Extend light rail from Watt Ave. to Antelope Road.		\$290,000,000	2023
REG17020	Metro Heavy Repair Facility	Design and construct a new light rail vehicle heavy repair facility at the existing Regional Transportation Metro property in Sacramento.		\$10,655,000	2004
REG17060	Midtown Dispatch Facility	Acquire and remodel a facility for light rail operator dispatch near the 13th Street light rail station.		\$1,650,000	2003



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
REG16470	Northeast Light Rail Corridor	Double-track all existing single track sections and make various improvements to implement express service from Watt/I-80 to Downtown Sacramento.	\$5,100,000	\$36,100,000	2007
REG15303	RT District	Purchase compressed natural gas buses for fleet expansion and replacement—2010 to 2023.		\$45,000,000	2015
REG15900	RT District	Construct off-street bus transfer facilities, park and ride lots, and related facilities at key locations in the region, including future light rail stations.		\$5,000,000	2025
REG15310	RT District	Expand the CNG bus fleet by 150 buses by 2010 to provide increased bus service.		\$55,000,000	2010
REG15940	RT District	Implement ITS and demand response communication systems.		\$4,200,000	2021
REG15220	RT District	Lump sum of engineering to assess social, economic and environmental effects of projects.		\$7,200,000	2025
REG15890	RT District	Lump sum of rehabilitation and replacement of paratransit vehicles and expansion of the fleet.		\$50,225,000	2025
REG17120	RT District	Make final certificate of participation payments on the original compressed natural gas fleet of 75 buses.		\$2,500,000	2003
REG15411	RT District	Phase 2: Replace damaged bicycle lockers and provide additional lockers throughout the system from 2006 to 2015.		\$250,000	2015
REG17160	RT District	Purchase computerized train tracking system that will provide automatic train locations and a public address system to advise customers of train approaches and service delays.		\$3,036,900	2003
REG17300	Satellite Bus Maintenance Facility	Site and build satellite bus maintenance facility in Sacramento.		\$67,500,000	2008
REG17190	South Line Light Rail Corridor	Extend light rail from Cosumnes River College/Calvine-Auberry to Elk Grove. (Phase 3)		\$182,000,000	2019
REG15052	South Line Light Rail Corridor	Extend light rail, Downtown Sacramento to Meadowview. (Phase 1)	\$222,000,000	\$222,000,000	2003
REG15053	South Line Light Rail Corridor	Extend light rail from Meadowview Road to Cosumnes River College/Calvine-Auberry. (Phase 2)	\$4,000,000	\$144,000,000	2009
REG17670	Stockton Boulevard	Construct Bus Rapid Transit improvements, Cosumnes College to Downtown Sacramento.		\$6,070,000	2004
REG17430	Sunrise Boulevard	Implement Bus Rapid Transit.		\$20,000,000	2009
REG17330	Watt Avenue	Implement Bus Rapid Transit.		\$20,000,000	2006
SACRAMENTO REGIONAL TRANSIT DISTRICT / TIER 2					
REG17220	Northeast Light Rail Corridor	Extend light rail from Antelope Road to the City of Roseville.		\$130,000,000	2025
REG15304	RT District	Compressed natural gas bus acquisition for expansion (89 buses).		\$32,930,000	2025
REG17230	South Light Rail Corridor	Extend light rail line from Meadowview Road Laguna West.		\$91,470,000	2019



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

SACRAMENTO TRANSPORTATION AUTHORITY / TIER 1: PUBLICLY FUNDED

SAC16310	Sacramento and Yolo Counties	Provide motorist assistance and towing of disabled vehicles during a.m. and p.m. commute periods on various highways in Sacramento County and a portion of I-80 in Yolo County. (Freeway Service Patrol)		\$3,570,000	2005
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SACOG / TIER 1: PUBLICLY FUNDED

The following are placeholders projects for multi-modal connectors, for the purpose of modeling. Studies will determine the final projects.

SAC20510	Grant Line Road	Add frontage roads to connect various local access roads that intersect Grant Line Road between Elk Grove Boulevard and Sloughhouse Road.		\$25,000,000	2012
SAC20530	Grant Line Road	Widen from two to four lanes, Route 99 to Bond Road.		\$12,000,000	2008
SAC15370	Hazel Avenue	Add carpool and transit capacity between Madison Avenue and U.S. 50.		\$30,000,000	2019
SAC15380	Hazel Avenue	Add grade separation, ramps, and frontage connections at Gold River Road.		\$20,000,000	2018
SAC15390	Hazel Avenue	Add undercrossing, turn ramps, and community enhancements at Greenback Lane.		\$20,000,000	2021
SAC15400	Hazel Avenue	Improve Madison Avenue intersection.		\$20,000,000	2017
SAC19720	Sunrise Boulevard	Add overcrossing and ramps at Route 16.		\$20,000,000	2014
SAC23220	White Rock Road	Realign and widen with shoulders from Sunrise Park Drive to El Dorado County Line.		\$20,000,000	2017



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

Sutter County Projects

CALTRANS DISTRICT 3 / TIER 1: PUBLICLY FUNDED

CAL15770	Route 20	Widen from four to six lanes, from Walton Road to Rocca Way.		\$2,000,000	2010
CAL15722	Route 70	Construct four-lane expressway, near East Nicolaus, from Route 99 to Cornelius Road.	\$9,099,000	\$44,469,000	2006
CAL17350	Route 70	Construct four-lane expressway near Rio Oso, from Cornelius Avenue to Bear River Bridge (Yuba County).	\$8,691,000	\$51,830,000	2006
CAL18150	Route 99	Environmental documents phase of the Route 99 widening project from the 70/99 junction to Sacramento Avenue and from Central Avenue to O'Banion.		\$2,000,000	2002
CAL17280	Route 99	Widen to four lanes with a continuous left-turn lane, from O'Banion to Lincoln Road.	\$19,627,000	\$19,627,000	2004
CAL18350	Route 99	Widen to four lanes with a median, from Central Avenue to O'Banion Road.	\$58,000	\$43,397,000	2007
CAL17270	Route 99	Widen to four lanes with a continuous left-turn lane, from Route 70 junction to Garden Highway.	\$1,947,000	\$11,697,000	2007
CAL17660	Route 99	Widen from two to four lanes, with a median left-turn lane, new bridge and an undercrossing, from Garden Highway to Sacramento Avenue.	\$2,770,000	\$47,170,000	2020
CAL16950	Route 99 Riego Road Interchange	Construct new two-lane interchange.	\$340,000	\$28,510,000	2016

CALTRANS DISTRICT 3 / TIER 2

CAL15780	Route 20	Construct urban interchange at Route 99 and Route 20.		\$16,322,000	2025
CAL18160	Route 99	Widen from two to four lanes, from five miles south of Live Dak to the northern-most city limits.		\$37,500,000	2015

SUTTER COUNTY DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED

SUT10390	Butte House Road	Upgrade to two-lane urban standard, Acacia Avenue to Humphrey Road.		\$445,000	2010
SUT10320	Garden Highway	Upgrade to two-lane urban standard, Yuba City City Limits to Route 99.		\$1,569,000	2010
SUT10410	Garden Highway	Upgrade travel lane and shoulder, Sankey Road to West Catlett Road.		\$1,889,000	2010
SUT10370	Lincoln Road	Widen to two lanes, with a center lane from Jones Road to Walton Road.		\$688,000	2010
SUT10310	Pleasant Grove Road	Widen to four lanes, Bear River Drive to Yuba County.		\$1,070,000	2010
SUT10270	Pleasant Grove Road	Realign South - Howsley Road. Widen to four lanes from Howsley Road to Riego Road.		\$984,000	2010

SUTTER COUNTY DEPARTMENT OF PUBLIC WORKS / TIER 1: DEVELOPER- OR PARTIALLY DEVELOPER-FUNDED

SUT10510	Pacific Avenue	Widen from two to four lanes, from Sankey Road to Riego Road.		\$1,500,000	2012
SUT10490	Riego Road	Widen from two to four lanes, from Route 99/70 to two miles westward.		\$1,500,000	2010

SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
<i>(in current year dollars)</i>					
SUT10340	Riego Road	Widen to four or six lanes, Route 99 to Placer County.		\$3,142,000	2007
SUT10480	Route 99/70 at Sankey Road	Construct a four-lane interchange.		\$20,000,000	2015
SUT10500	Sankey Road	Widen from two to four lanes, from Pleasant Grove Boulevard to Route 99/70.		\$2,500,000	2025
YUBA CITY DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED					
SUT10250	Bridge Street	Widen to four lanes, from Cooper Street to Gray Avenue.		\$1,150,000	2005
SUT10530	Franklin Avenue	Widen two to four lanes, from Route 99 to Clark Avenue.		\$950,000	2015
SUT10241	Walton Avenue	Widen from two-three lanes to five lanes including upgrades to bike lanes, sidewalks, curbs, gutters, and drainage, from Franklin to Lincoln.	\$222,880	\$1,038,780	2004



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

Yolo County Project

CALTRANS DISTRICT 3 / TIER 1: PUBLICLY FUNDED

CAL15881	I-5 at Route 113 Interchange	Phase 2—Construct northbound I-5 to southbound Route 113 freeway to freeway connection.	\$8,100,000	\$36,500,000	2009
CAL15882	I-5 at Route 113 Interchange	Phase 3—Construct northbound Route 113 to southbound I-5 freeway to freeway connection.		\$30,200,000	2015
CAL16890	I-5	Yolo County portion of I-5 traffic operations system and ramp metering, various locations.		\$120,000	2005
CAL16330	I-80 at U.S. 50	Add carpool lane from Richards Boulevard in Davis to Route 275 in West Sacramento.		\$110,000,000	2018
YOL16590	I-80 at Mace Boulevard	Landscape interchange, construct park and ride lot.	\$2,194,000	\$2,194,000	2003
CAL16880	U.S. 50	Yolo County portion of U.S. 50 traffic operations system and ramp metering at various locations.		\$4,800,000	2006
CAL16380	Route 84	Widen to four lanes between Stone Boulevard and U.S. 50 and various operational improvements, from Marshall Road to U.S. 50. (Phase 1).	\$17,618,000	\$17,618,000	2005
YOL17530	Route 16	Perform traffic studies in Esparto and Capay, including traffic calming, pedestrian facilities and infrastructure.		\$5,400,000	2006
CAL10530	U.S. 50	Install traffic operations system (message signs, ramp metering, closed-circuit TV), from I-80 to Sacramento County line.		\$600,000	2015
YOL15880	U.S. 50 at Harbor Boulevard Interchange	Widen interchange to six lanes, revise ramps and add auxiliary lanes.	\$1,350,000	\$31,370,000	2007

CITY OF DAVIS DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED

YOL17140	I-80 at Richards Boulevard Interchange	Reconstruct the north side of interchange to remove the loop on and off ramps and replace with new ramp in diamond configuration. Includes traffic signal installation.		\$10,000,000	2015
YOL17130	Route 113 at Covell Boulevard Interchange	Construct additional width on Covell Boulevard including the overcrossing structure to install adequate turn lanes for access-egress to Route 113.		\$8,000,000	2020

CITY OF DAVIS DEPARTMENT OF PUBLIC WORKS / TIER 1: DEVELOPER- OR PARTIALLY DEVELOPER-FUNDED

YOL17150	Chiles Road	Widen from two to four lanes, from the I-80 eastbound ramp and Ensenada Drive. Includes bike lanes.		\$1,600,000	2015
YOL17180	Covell Boulevard	Widen from two to four lanes, from Shasta Drive and Denali Drive and provide bike lanes and a center median.		\$1,600,000	2015
YOL17160	Lake Boulevard at Covell Boulevard	Install a traffic signal at Lake Boulevard and Covell Boulevard.		\$160,000	2015
YOL17170	Mace Boulevard	Widen Mace Boulevard from Alhambra Drive to Alhambra Drive (Mace curve) from two to four lanes, provide bike lanes, a landscaped median, and turn lanes.		\$2,200,000	2015

SACOG #	Location	Project Description	Pre-2005 Funding	Total Cost	Year
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(in current year dollars)

CITY OF WEST SACRAMENTO DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED

YOL15890	Enterprise Boulevard at I-80 Interchange	Widen interchange from two to four lanes and add signals.	\$11,364,000	\$12,339,000	2005
YOL15130	Harbor Boulevard	Widen from four to six lanes, from West Capitol Avenue to Industrial Boulevard.		\$10,200,000	2010
YOL15891	I-80 at Enterprise Boulevard Interchange	Construct eastbound on-ramp.		\$3,000,000	2013
YOL15160	Industrial Boulevard	Widen from four to six lanes, from the Palamidessi Bridge at the Barge Canal to Harbor Boulevard.		\$5,000,000	2015
YOL16491	Route 275	Reconfigure road from a controlled access expressway to an arterial roadway with signalized at-grade intersections at 3rd and 5th Streets, from Tower Bridge to the UPRR underpass. Route 275 Modification (Phase 1).		\$6,000,000	2006
YOL16492	Route 275	Reconfigure from a controlled access expressway to an arterial roadway with signalized at-grade intersection, from UPRR underpass to west of Riske Lane (future Garden Street) and connection to West Capitol Avenue: Route 275 Modification (Phase 2).		\$7,000,000	2013
YOL15910	Route 84 (Jefferson Boulevard)	Widen from two to four lanes including a simple span over the Barge Canal, from the Barge Canal to Marshall Road.		\$16,000,000	2006
YOL15680	U.S. 50 at South River Road Interchange	Install ramp meters and modify ramp design.		\$4,300,000	2021
YOL15900	U.S. 50	Expand the ramps and signals from one to two lanes, add ramp metering and turn lanes, and related street closures.		\$14,150,000	2012

CITY OF WEST SACRAMENTO DEPARTMENT OF PUBLIC WORKS / TIER 1: DEVELOPER- OR PARTIALLY DEVELOPER-FUNDED

YOL15670	I-80 at Reed Avenue Interchange	Widen ramps and install ramp meters.		\$4,900,000	2019
YOL15940	Lake Washington Boulevard	Widen from two to six lanes from Jefferson Boulevard to the Palamidessi Bridge at the barge canal.		\$11,325,000	2010
YOL15950	Lake Washington Boulevard	Widen the Palamidessi Bridge from three to four lanes, over the barge canal.		\$12,000,000	2010
YOL15180	South River Road	Reconstruct and widen to four lanes including new four-lane bridge over barge canal.		\$16,300,000	2024

CITY OF WINTERS DEPT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED

YOL16550	Grant Avenue (Route 128) at Railroad Avenue	Install traffic signal.		\$868,000	2007
YOL16670	Grant Avenue at I-505 Overcrossing	Widen overcrossing.		\$5,000,000	2013

SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

CITY OF WOODLAND DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED

YOL17420	Main Street	Construct South side from Ashley Avenue to Cottonwood Street.		\$240,000	2015
YOL17415	Sycamore Ranch CFD II	Widen Pioneer Avenue from two to four lanes, from Gibson Road to East Main Street; Gibson Road from East Street to CR 102; and CR 102 from Gibson Road to I-5 southbound ramps.	\$10,883,000	\$10,883,000	2003

CITY OF WOODLAND DEPARTMENT OF PUBLIC WORKS / TIER 1: DEVELOPER- OR PARTIALLY DEVELOPER-FUNDED

YOL17550	County Road 102	Widen from two to four lanes, from Gibson Road to County Road 25A.		\$6,000,000	2023
YOL17330	County Road 102	Widen from two to four lanes, between Kentucky Avenue to Beamer Street.		\$2,519,000	2015
YOL17310	County Road 102	Widen from two to four lanes, from Beamer Street to East Main Street.		\$2,519,000	2020
YOL17560	East Street	Widen from two to four lanes, from County Road 24A to south city limits.		\$5,000,000	2025
YOL17300	I-5 at County Road 102	Reconstruct interchange including overcrossing of I-5.		\$13,600,000	2010
YOL17290	Kentucky Avenue	Widen from two to four lanes from College Street to West Street.		\$1,846,000	2008
YOL17400	Kentucky Avenue	Widen from two to four lanes from East Street to College Street.		\$3,100,000	2008
YOL17570	Lemen Avenue at North Street	Realign Lemen Avenue to connect with North Street at East Street.		\$1,900,000	2007
YOL17280	Matmor Road	Extend as a two-lane road, from Tyler Drive to County Road 24C.		\$1,681,000	2018
YOL17350	Parkway Drive	Construct a two-lane arterial from East Street to College Street.		\$2,540,000	2020
YOL17370	Parkway Drive	Construct a two-lane arterial from County Road 102 to Pioneer Avenue.		\$3,080,000	2007
YOL17360	Parkway Drive	Construct a four-lane arterial from Pioneer Avenue to East Street.		\$7,865,000	2025
YOL17430	Pioneer Avenue	Construct two-lane major arterial between Gibson Road and Parkway Drive.		\$1,848,000	2006
YOL17540	Pioneer Avenue	Construct new two-lane major arterial between County Road 24C and County Road 25A.		\$3,720,000	2015
YOL17270	Pioneer Avenue	Widen from two to four lanes, from Gibson Road to Parkway Drive.		\$2,903,000	2025

SACRAMENTO REGIONAL TRANSIT DISTRICT / TIER 1: PUBLICLY FUNDED

REG17200	West Sacramento Light Rail Corridor	Extend light rail, from Downtown Sacramento to West Sacramento (Environmental only).		\$2,500,000	2004
REG17201	West Sacramento Light Rail Corridor	Extend light rail, from Downtown Sacramento to Enterprise Drive West Sacramento.		\$152,000,000	2025

UNIVERSITY TRANSPORT SYSTEM / TIER 1: PUBLICLY FUNDED

UNI10180	Davis	Purchase 20 clean air technology replacement and expansion buses.		\$9,409,254	2002
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SACOG #	Location	Project Description	FY-2003 Funding	Total Cost	Year
UNI10200	Davis	Purchase 11 new buses.		\$4,000,000	2002
UNI10210	Davis	Purchase 21 new buses.		\$11,796,898	2010
UNI10280	Davis	Capital Assistance—Office, shop, operating equipment, and non-revenue vehicles for existing facilities.		\$261,790	2003
UNI10360	Davis	Capital Assistance—Transit Corridor Terminal Improvements.		\$975,000	2003
UNI10330	Davis	Capital Assistance—vehicle replacement/minor fleet expansion/bus rehabilitation.	\$3,958,760	\$3,958,760	2003
YOLO COUNTY TRANSPORTATION DISTRICT / TIER 1: PUBLICLY FUNDED					
YCT10670	Yolo County	Implement ITS, Phase I, joint project of Yolo County Transportation District, Unitrans, and Davis Community Transit.		\$451,824	2003
YCT10250	Yolo County Transportation District	Purchase 27 new buses for replacement and expanded service countywide.		\$10,260,000	2010
YCT10650	Yolo County Transportation District	Purchase of eight compressed natural gas buses to replace older diesel buses.	\$3,040,000	\$3,040,000	2003



SACOG #	Location	Project Description	Pre-2003 Funding	Total Cost	Year
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(in current year dollars)

Yuba County Projects

CALTRANS DISTRICT 3 / TIER 1: PUBLICLY FUNDED

CAL15941	Marysville Bypass	Engineering and Right of Way for a new two or four-lane expressway from Route 65/70 split to Route 20, with access control. Includes construction of Butte County portion. (Phase 1)		\$3,000,000	2007
CAL18240	Marysville Bypass	Construct a new two or four-lane expressway from Route 65/70 split to Route 20, with access control. (Phase 2)	\$6,000,000	\$158,000,000	2018
CAL18250	Marysville Bypass	Construct a new two or four-lane expressway from Route 20 to Butte County line, with access control. (Phase 3)		\$70,000,000	2015
CAL15920	Route 70	Widen to four-lane expressway from 0.6 mile north of Bear River Bridge to 0.3 mile south of McGowan Parkway overcrossing.	\$46,501,000	\$46,501,000	2005

CITY OF MARYSVILLE DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED

YUB15350	Route 70	Widen B Street railroad underpass to safety standards.		\$7,000,000	2010
CAL15960	Route 70	Widen from four to six lanes, from First Street to Ninth Street, and widen the approaches to the Tenth Street Bridge.		\$3,000,000	2010

CITY OF WHEATLAND / TIER 1: PUBLICLY FUNDED

YUB15710	Route 65	Construct signals and pedestrian improvements from north of 1st Street to south of Main Street.		\$1,200,000	2006
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YUBA COUNTY DEPARTMENT OF PUBLIC WORKS / TIER 1: PUBLICLY FUNDED

YUB15370	Route 70 Motorplex Interchange	Construct new interchange, south of Algodon Road. (Phase 1)	\$1,305,000	\$13,202,000	2006
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YUBA COUNTY DEPARTMENT OF PUBLIC WORKS / TIER 1: DEVELOPER- OR PARTIALLY DEVELOPER-FUNDED

YUB15380	Arterial A	Construct new road as part of Plumas Lake development.		\$11,600,000	2007
YUB15420	Arterial B	Construct new north road as part of Plumas Lake development.		\$6,500,000	2007
YUB15400	McGowan Parkway	Widen from two to four lanes east from Route 70 to Arboga Road		\$4,400,000	2010
YUB15580	Route 65 at Forty Mile Road Interchange	Construct interchange to accommodate traffic from the Yuba County Motorplex.	\$700,000	\$700,000	2004
YUB15360	Route 70 at Feather River Boulevard Interchange	Construct interchange as part of the Plumas Lake Specific Plan.		\$8,000,000	2010
YUB15375	Route 70 Motorplex Interchange	Construct RR grade separation and bridge for new interchange, south of Algodon Road. (Phase 2).	\$2,826,000	\$13,202,000	2008

CONTROL TRAFFIC CONGESTION INITIATIVE
COMMITTEE (MEASURE Y)
P. O. Box 618, Camino, CA 95709

July 15, 2003

Heidi Tschudin, General Plan Project Manager
2850 Fairlane Court
Placerville, CA 95667

03 JUL 15 PM 2:46
RECEIVED
PLANNING DEPARTMENT

Re: General Plan Comments

Dear General Plan Team:

Please receive and place in the record these General Plan comments from the Measure Y Committee.

**Road Constrained (RC) Plan –
Land Use and Circulation Element Comments**

Introductory and General Comments

The Road Constrained (RC) Plan, and in particular its Circulation Element, offers the best effort at implementing voter-approved Measure Y and, in our view, at implementing responsible planning that ties additional discretionary approvals to realistic estimates of future road capacity. Its key policies are its definition of concurrency (i.e. to include "latent demand") and its more conservative and realistic assumptions about the capacity of Hwy 50 over the next 20 years. However, the stated rationale of the RC Plan in its Introductory section and some of its key implementing policies are unnecessarily arbitrary and restrictive. Suggested revisions to these policies are discussed below. These proposed revisions do not alter the land use projections or the impacts of the Plan, but they do make the Plan more flexible and adaptable as the County's road plan evolves over time.

257-1

While it is a strength of the RC Plan that it sets a strict connection between road capacity and new discretionary residential approvals, its weakness is that it still anticipates more growth than the road plan can accommodate. The RC Plan ultimately fails to accomplish the desired goal of completely balancing land use and circulation because the RC Plan, like all the equal weight Plans, assumes that previously approved development agreements (i.e. "existing commitments") as well as individual vacant parcels (both together comprising what is called "latent demand") are "givens" that will be built regardless of the traffic or any other impacts.

257-2

Despite this weakness, the RC' Plan's Circulation Element assumptions and policies offer protection against traffic impacts far more securely than either the 96 Plan or the Environmentally Constrained (EC) Plan. This is because these other two Plans make assumptions about the capacity of Hwy 50 that are, at best, uncertain, and then allow additional discretionary approvals to be granted solely on the hope and promise of these uncertain highway improvements.

257-3

We discuss in some detail in our DEIR comments our concerns about the underfunding of the road plans in all the alternatives and the uncertainties surrounding the widening of Hwy 50 which serves as a central assumption of the higher growth 96 and EC Plans. We cite DOT Director Matt Boyer's 4/9/03 memo to the Board as evidence of these complex and perhaps unsolvable problems. We would encourage anyone interested in the General Plan process to read this lengthy memo. While it proposes no solutions to the multiple and inter-related problems it identifies, it serves a useful purpose by bringing these important issues into the public debate and decision-making process.

257-4

Measure Y did not create the congestion and funding problems we have today, and Measure will not completely solve them. What Measure Y will do, when incorporated into a General Plan that makes a serious and genuine attempt to implement its policies, is to require "existing commitments" to fully pay for the traffic impacts it causes, and to prohibit the creation of additional "existing commitments" unless and until it can be demonstrated that real solutions are in place to solve the complex circulation and funding problems we face.

257-5

For these reasons, and with the incorporation of the revisions and suggestions provided here as well as in our DEIR comments, the Measure Y Committee supports the Road Constrained Plan as the preferred basis for the General Plan. There may be policies and mapping details in either the 96 and EC Plans that offer better approaches to non-traffic related concerns, and these should be considered for inclusion in the final Road Constrained Plan on a case by case basis.

257-6

Finally, when it is recognized that the best of the equal weight Plans – the RC Plan - will still allow growth that will overwhelm the proposed transportation system (because of latent demand), we would hope that the County will give serious consideration to the two non-equal weight alternatives that the DEIR acknowledges would significantly lessen the environmental impacts associated with future development and offer a more efficient and effective road system. These are "Alternative #8, Modified Development Agreements" and "Alternative #9, Modified El Dorado Hills Development South of Hwy 50". We think the County is being overly cautious in its complete "hands off" approach to the Development Agreements, especially when it is acknowledged that these "existing commitments" make up the largest percentage of what will be built by 2025. For example, we think there is a strong legal basis supporting the notion that the timing or phasing of building permits issued under the Development Agreements can be controlled if this is necessary to comply with the level of service standards that existed when the DA's were approved. The suggestions made in Alternative #9, which address modifications to the Business Park, Valley View, and Carson Creek, are useful and seem

257-7

quite feasible. For reasons particular to each of these three major components of south of Hwy 50 growth, the opportunity exists to modify land use plans in this area to reduce traffic congestion. If we understand this correctly, the concepts of Alternative #9 are reflected in the DEIR in proposed mitigation option 5.4-1(b). We hope the County will incorporate Alternative #9 by adopting this mitigation option.

257-7

Specific comments:

1) RC Plan, page 8 - The "Summary Description of This General Plan" begins with a first sentence that properly identifies the purpose of the plan:

"This General Plan was designed around the concept that land use would be limited by the size of U.S. Highway 50 and by restrictions on the subdivision of residential lands."

However this summary goes on to improperly state that this *limit* on the size of Highway 50 would be a self-imposed County policy:

"...the County provides policy direction discouraging the expansion of U.S. Highway 50 to more than six mixed flow/high occupancy vehicle lanes..."

Such a County policy discouraging additional lanes on Hwy 50 makes little sense if it is known that previously approved but not yet constructed residential growth (i.e. existing commitments) will overwhelm the capacity of a six lane Hwy 50. The County's traffic modeling shows that this is the case in all the plans, including the RC Plan. Furthermore, such a County policy makes little sense when the decision to widen Hwy 50 in El Dorado County can only occur in concert with a decision to also widen it in Sacramento County, and such decisions must be determined on a regional basis by SACOG as affirmed in its Metropolitan Transportation Plan (MTP).

257-8

There is, however, a sound rationale for basing the RC Plan on a six lane Hwy 50, and that rationale is that such a configuration is consistent with current long term regional plans as reflected in the recently adopted 2025 MTP. This rationale offers a conservative approach for land use planning when compared with the other three equal weight Plans which allow new discretionary residential subdivisions to be approved based on the more speculative assumption that SACOG will amend its MTP, fund, and build additional mixed use lanes on Hwy 50 within the next 20 years.

In addition to the Hwy 50 issue, the RC Plan and its Summary Description should state that it limits residential development until such time that the County has identified full funding for the General Plan's road plan. (This revision of the Summary Description will be appropriate if the new Goal and Policy recommended in comment #2 below is adopted.)

Therefore, the Summary Description should be revised as follows: (~~strikethroughs~~ of deleted language and **bold** for new language):

"This General Plan was designed around the concept that land use would be limited by the size capacity of U.S. Highway 50, by the uncertainty of the full funding and concurrent delivery of needed road improvements, and by restrictions on the subdivision of residential lands. This General Plan assumes that U.S. Highway 50 will be expanded through 2025 consistent with the Metropolitan Transportation Plan (MTP), and further assumes that previously approved residential development will proceed to construction regardless of the impacts on U.S. Highway 50.

Under this Plan, the County provides policy direction discouraging the expansion of U.S. Highway 50 to more than six mixed flow/high occupancy vehicle lanes from the western county line to Shingle Springs. To ensure that traffic remains at an acceptable level of service encouraging the regional approval of plans to add capacity to Hwy 50 through highway widening, transit, and/or more efficient land use policy, while also limiting any additional discretionary subdivision of residential lands to a maximum of four new parcels until such time that sufficient additional capacity to U.S. Highway 50 is available and full funding of the County's road plan is identified"

.....(continue as written)

Land Use Element comments

2) RC, page 26 - A new Goal (identified as Goal LU-1, with existing goals renumbered) should be included in the "Development in Community Regions and Rural Centers" section of the Land Use Element of the RC Plan (This goal should reflect the intent of the revised Summary Description discussed above):

New Goal - "To limit residential development based on the capacity of a feasible and fully funded road plan."

a) New Policy -

"Prior to approval of a residential development project of five or more units or parcels of land, the County shall find that funding mechanisms are in place to ensure that adequate funds will be available to construct the roadway system identified in the Transportation and Circulation Element, and that this roadway system is consistent with regional plans as listed in the Metropolitan Transportation Plan."



257-8

257-9

This policy, which is intended to replace proposed Policy LU-1b (see below), more closely captures the intent of the RC Plan. It is also consistent with the Measure Y policies TC-1d and TC-1e included in the Circulation Element. This policy is especially appropriate for inclusion in the RC Plan, for this Plan's explicit intent is to constrain growth by the capacity of a feasible circulation system, and if "feasible" doesn't include assurance of adequate overall capacity and an identified funding mechanism, then "feasible" is nothing more than an engineer's assurance that something can be engineered and built. While this proposed policy is restrictive, it is less restrictive than current Policy LU-1b. Unlike LU-1b, this new policy ties the constraint on major subdivisions to a central GP concern – an adequate and fully funded road plan. LU-1b ties the constraint to nothing.

257-9

b) Policy LU-1b - This policy should be deleted if the new policy in (2.a) above is added. This policy creates an arbitrary and permanent prohibition on all residential subdivisions of 5 or more parcels, without any attempt to tie this prohibition to any road capacity issue.

257-10

c) Policy LU-7a (D) – This policy, which addresses the requirements for General Plan amendments should be revised to add the phrase: “...that this roadway system is consistent with regional plans as listed in the Metropolitan Transportation Plan...”. Ensuring full funding for necessary road projects before General Plan amendments are approved is a important requirement, however it is equally important that such road improvements that require inclusion in the MTP such as Hwy 50 are, in fact, included in the MTP.

257-11

Transportation Element comments:

3) Goal TC-0 - The County should not have a policy *discouraging* road improvements to Hwy 50. This goal should be revised to *encourage* improvements, as follows:

257-12

“The County shall *encourage* the regional approval of plans to add capacity to Hwy 50 through highway widening and/or transit, while continuing to base land use planning on the approved regional plans for Hwy 50 as listed in the MTP.”

4) **Concurrency policies in light of the uncertainties of widening Hwy 50 and the uncertainties of funding for the overall transportation plan -**

As preface and context to the comments below, much of the policy effort in the Circulation Element of the RC and EC Plans is intended to clarify the definition and enforcement of concurrency requirements on new development.¹ In essence, the

257-13

¹ The 96 Plan makes no such effort. The 96 Plan simply “pastes in” the five Measure Y policies without any attempt to define terms or assure internal consistency.

concurrency question is: how do we assure that needed road improvements are constructed in a timely, concurrent manner as additional traffic from new development occurs? However, consideration of concurrency policies presupposes that there is, over the 20-year time horizon of the General Plan, an overall balance between the growth projected in the Land Use Element and the transportation system proposed in the Circulation Element. If that longer term balance is assured or even likely, then the discussion of concurrency is useful and logical because it directs attention to the relief of *short term* traffic impacts. If, on the other hand, the facts suggest that this longer term balance between projected land use and projected road improvements is uncertain and perhaps even unlikely, then the premise that short term impacts will only be short term is undermined.

At this point, none of the Plans can offer this long range assurance. In the case of the RC Plan, we know that the latent demand portion of growth in and of itself will overwhelm the six lanes plan for Hwy 50 as well as other county road segments. As for the other three Plans, the *appearance* of sufficient capacity on Hwy 50 is created by the unsubstantiated assumption that Hwy 50 will be widened to 8 lanes, though we know that this major regional road project is quite uncertain, especially as it has been excluded from the recently adopted 2025 MTP and has no identified funding. In addition, none of the Plans address the overall funding shortfall that DOT Director Matt Boyer has discussed in his 4/9/03 memo to the Board.

Therefore, the combination of unresolved system-wide funding issues and the fact that Hwy 50 widening to 8 lanes is uncertain makes difficult a useful discussion of appropriate short term concurrency policies, for what is appropriate will depend on one's perception of this long term uncertainty. (The adoption of the new policy suggested in (2a) above would help assure that the cumulative impacts will be addressed over the long term.) In any case, it appears that we must proceed with approving a new General Plan despite the uncertainty regarding the funding and construction of the proposed road systems.

The General Plan must reveal and discuss the uncertainties regarding the widening of Hwy 50 and the uncertainties of funding the overall road plan. If these uncertainties are not addressed in the Plans themselves, then, at a minimum, they must be revealed and addressed in the EIR. For what good is it to tell the Board and the public that proposed land use will be balanced by proposed road improvements without revealing the extent to which this desired outcome is under funded and uncertain? (Since this is both a General Plan and DEIR comment, it is repeated in the DEIR comments.)

- 5) Policy TC-1d – The first sentence of this policy is Measure Y Policy 35161. It must be included in the General Plan and cannot be removed or revised without voter-approval.

257-13

257-14

a) The threshold standard for “worsen” in the second sentence of TC-1d states that it is to be based on “traffic using the facility *at the time of issuance of a use or occupancy permit....*” This may give the false impression that a determination of compliance with this policy is intended to be deferred until the time that a use or occupancy permit is requested. Having this determination occur *after* discretionary approval is granted would be inconsistent with TC-1e which requires a finding “*before giving approval of any kind*” that the project complies with TC-1d (as well as TC-1f, TC-1g, and TC-1h.). **Therefore, TC-1d must be written in a way that makes it clear that compliance shall be determined at the time of project approval.**

257-15

b) The 1% threshold suggested in TC-1d policy would provide reasonable flexibility by allowing small, short term impacts to occur *so long as it is reasonably certain that the County's overall road plan will provide sufficient capacity to accommodate all GP growth, and that it is reasonably certain that this road plan will be fully funded and constructed during the time horizon of the General Plan.* However, if the overall road plan is determined to be insufficient to accommodate all expected growth by 2025, and/or if the financial feasibility of the road plan is reasonably *uncertain*, then this 1% threshold would be inappropriate because it would allow incremental worsening leading to a significant cumulative impact. For example, ten projects each adding 1% more traffic to Hwy 50 would make congestion 10% worse on that over-subscribed highway. Unfortunately, none of the equal weight GP alternatives can provide the necessary assurance that its overall road plan is reasonably certain to be funded and built. DOT director Matt Boyer's April 2003 memo to the Board begins to lay out the massive problems in funding. In addition, there are unique uncertainties tied to any proposed widening of Hwy 50 because it is a major and unfunded multi-county project requiring construction in both Sacramento County and El Dorado County and adoption into SACOG's Metropolitan Transportation Plan (MTP). None of the equal weight Plans can reasonably assure that the cumulative additional traffic on Hwy 50 will be accommodated. Three of those Plans (NP, 96, and EC) assume, with nothing substantive to support this assumption, that 8 lanes will be constructed well before 2025 to accommodate expected traffic, even though such widening is not a listed project in the 2025 MTP and even though such a project faces unique and significant political, legal, and funding obstacles. The RC Plan, which more reasonably assumes that Hwy 50 will be improved only with the extension of HOV lanes consistent with the MTP, presents the problem that these limited improvements to Hwy 50 will be insufficient to accommodate all projected growth in the Plan. This has been confirmed by the County's traffic modeling. So, none of the four Plans provide any assurance that their road plans can adequately accommodate the cumulative traffic expects from their land use elements. **Therefore, the 1% threshold proposed in TC-1d shall be revised to state:**

257-16

“A ‘no additional traffic’ threshold shall apply to the determination of ‘worsen’.”

Alternatively, policy language should be added to this policy or an additional policy that states that a more flexible 1% threshold shall be applied at such time that the County can make a finding that

“...the cumulative traffic impacts of the General Plan can be accommodated by a fully

funded county road plan, and that the County's long range road plan is consistent with the MTP.

257-16

c) The implementation of TC-1d requires more than a threshold definition for "worsen". It also requires a definition of the base condition to which the project's traffic will be added. TC-1i provides this definition, but appears to apply it only at the stage of development when a building permit is issued. It is necessary to incorporate this definition in TC-1d so that a finding of compliance with this policy can occur at the time of project approval.

257-17

Therefore, the last sentence now included in Policy TC-1i should be inserted into TC-1d (i.e. "The determination of compliance with this requirement shall be based on the sum of: (1) existing traffic; (2) traffic generated from the project; and (3) latent demand (traffic forecasted from all approved projects and all ministerial approvals).

6) TC-1e is Measure Y Policy 3215. It must be included in the General Plan and cannot be removed or revised without voter-approval. TC-1e is the key compliance policy of Measure Y because it requires a finding, at the time of project approval, that the proposed project complies with the other four Measure Y policies (i.e. TC-1d, 1f, 1g, and 1h).

257-18

7) TC-1f is Measure Y Policy 35162. It must be included in the General Plan and cannot be removed or revised without voter-approval.

257-19

8) TC-1g is Measure Y Policy 3224. It must be included in the General Plan and cannot be removed or revised without voter-approval.

257-20

9) TC-1h is Measure Y Policy 3225. It must be included in the General Plan and cannot be removed or revised without voter-approval. This policy is essential to the implementation of the RC Plan's TC-1o (TC-1n in the EC Plan). See comments on TC-1o below.

257-21

10) TC-1i –

a) As written, TC-1i appears to apply to *all* building permits (discretionary and ministerial; residential and non-residential). While this would be desirable to fulfill the goal of concurrency, we presume that the County has not intended this broad reach based on statements in the DEIR to the effect that concurrency policies cannot be applied to "existing commitments".

257-22

(1) This policy should be revised to clarify which types of building permits will be held to this standard.

(2) If the intent of TC-1i is to apply to projects identified in TC-1d and TC-1e (i.e. Measure Y policies 35161 and 3215), then this policy it should be identified as a condition of approval for projects subject to TC-1d and TC-1e.

257-23

(3) If it is also intended to apply to new minor residential subdivisions (four or fewer parcels), then this should be stated.

257-24

(4) The county should explore the option of applying this standard to all building permits to the fullest extent allowed by the law. For "existing commitments" this may

257-25

mean controlling the pace of development if the LOS standards for Hwy 50 applicable to that development agreement cannot be met.

257-25

b) TC-1i, found in both the RC and EC Plans, includes two vital definitions that are defined differently in the RC and EC Plans (The 96 Plan does not attempt to define “worsen” at all.) In the RC Plan, the first of these definitions requires the construction of needed road improvements prior to the issuance of a building permit. The EC Plan requires such construction or that adequate funding is encumbered and road improvements are programmed. The second definition addressed in TC-1i is the base condition against which the project’s traffic will be modeled to determine “worsen”. The RC Plan uses the “existing + latent demand + project” definition, while the EC Plan uses the “existing + project” definition.

257-26

For the RC Plan, TC-1i should be revised to combine these definitions as follows:

“Prior to the issuance of a building permit, project traffic should be modeled using both the “existing + project” and the “existing + latent demand + project” standards. Road improvements needed based on the “existing + project” standard must be constructed immediately. Road improvements needed based on the “existing + latent demand + project” definition shall either be constructed or adequate funding encumbered and road improvements programmed.”

This more complex formulation will properly require consideration of latent demand, but would not require *immediate* construction of road improvements that are not needed immediately.

c) The first sentence of TC-1i states that “the developer shall construct all road improvements necessary to regional and local roadways...” This word construction may suggest that an unreasonable financial burden is placed on a single developer, a burden that may well be beyond the direct impact of that development. **This should be revised to make clear that it is not intended to require exactions beyond the legal nexus, but that the County shall use its police powers to deny a building permit “unless the developer can demonstrate and the County confirm that all road improvements necessary to regional and local roadways are constructed or, as applicable, that adequate funding for needed road improvements has been encumbered and the improvements programmed”.**

257-27

The important distinction to be made here is that a developer cannot be required to pay for miles of freeway lanes or a new interchange all by himself; however, the County can and should deny project approval if such needed roads improvements can’t be funded and built. The requirements of TC-1i should be identified as a condition of approval in Policy TC-1e.

11) TC-1j - This policy is intended to ensure completion of the road projects required in TC-1i. If TC-1i is modified as suggested in 9b above, then this policy must also be

257-28

modified, since some road facilities would be required to be constructed immediately (based on the “existing + project” standard, while others could be deferred based on the “existing + latent demand + project” standard. Modification of TC-1j would make clear that the road facilities required to be constructed immediately per TC-1i have, in fact, been constructed and are open to traffic at the time a use or occupancy permit is issued.



257-28

12) TC-1o - This policy identifies a sequence of priorities for the expenditure of discretionary road funds to fix existing deficiencies. It is appropriate given the significant funding shortfall that exists to pay for all the potential projects that would fit into the three identified categories. Measure Y Policies 3224 and 3225 (incorporated into the RC and EC Plans as TC-1g and TC-1h) serve the vital purpose of maximizing the availability of discretionary county road funds by assuring that such limited funds are used to meet the purposes identified in this policy. This policy should be retained.



257-29

Housing Element comments (All Plans):

13) Existing supply of vacant land for affordable housing – The Vacant Land Survey Summary (Table HO-28) and the discussion of this survey in the text make clear that there is no land supply problem for affordable housing based on the existing supply of suitable vacant land outside the Development Agreements. Would it be correct to conclude, therefore, that the lower growth equal weight alternatives, i.e. Road Constrained and No Project, would both provide an adequate supply of vacant land for affordable housing?



257-30

14) Enforcement - In public forums on the Housing Element, it is often heard that the County is at risk of a lawsuit from the State if it fails to meet its affordable housing targets, with the example of the City of Folsom often cited. This raises this questions: If the County’s Housing Element is accepted by the State, yet the County continues to fall short of its affordable housing target, what are the likely methods of enforcement by the State? It is our understanding that the enforcement tool used against the City of Folsom was to restrict that city’s authority to issue building permits to high end housing until the City did something to improve affordable housing opportunities. Is this the most likely enforcement tool, i.e. to restrict or temporarily revoke the County’s ministerial land use authority? If so, might such a state imposed restriction have the beneficial result of encouraging the owners of properties covered by Development Agreements to improve their contribution to the actual construction of affordable housing?



257-31

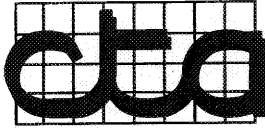
Thank you for the opportunity to comment on the draft General Plan. We understand that the County may not reply formally to General Plan comments as they will DEIR comments. We are submitting these comments at this time in the hopes that they will help in the decision-making process. We may submit revisions or additions in the future if this appears appropriate.

257-32

Sincerely,



Barry Wasserman,
on behalf of the Measure Y Committee.



Civil Engineering & Land Surveying
3233 Monier Circle
Rancho Cordova, CA 95742
(916) 638-0919 / FAX 638-2479

COOPER, THORNE & ASSOCIATES, INC.

03 JUL 15 PM 1:11

RECEIVED
PLANNING DEPARTMENT

July 15, 2003
File: 99-108-001

Peter Maurer, Principal Planner
EL DORADO COUNTY
Planning Department
2850 Fairlane Court, Bldg. C
Placerville, CA 95667

Subject: General Plan Comment-APN 108-540-21, 108-530-39

Dear Peter:

The land use map for the General Plan Alternatives place the subject land under the following designations:

**ROADWAY CONSTRAINED SIX-LANE PLUS
Low Density Residential**

**ENVIRONMENTALLY CONSTRAINED ALTERNATIVE
Open Space**

**NO PROJECT/1996 ALTERNATIVE
High Density Residential**


The attached exhibit shows the current parcel zoning, i.e. 4.54 acres R-1, and 9.85 acres Open Space.

I request that the Adopted General Plan respect the zoning as shown on the exhibit. The reasons for my request are that:

1. The R-1 portion of the property is suitable for a minimum of two future dwelling units.
2. Fire safe access has been provided to the R-1 zone property.
3. Public water and sewer are available to the site.

Thank you in advance for your efforts.

Sincerely,
COOPER, THORNE & ASSOCIATES, INC.


David R. Crosariol, P.E.
Vice President

cc: Rick Beasley
Tom Reid

Enclosure(s)

DRC/lb
F:\9-CTA OFFICE\99108.1 Cambridge Oaks 3 & 4\1-DRC-071503-Maurer-GP Comment Lot A.doc
David E. Cooper, P.E. David R. Crosariol, P.E.

Ed D. Brown, L.S.

Kevin A. Heeney, L.S.

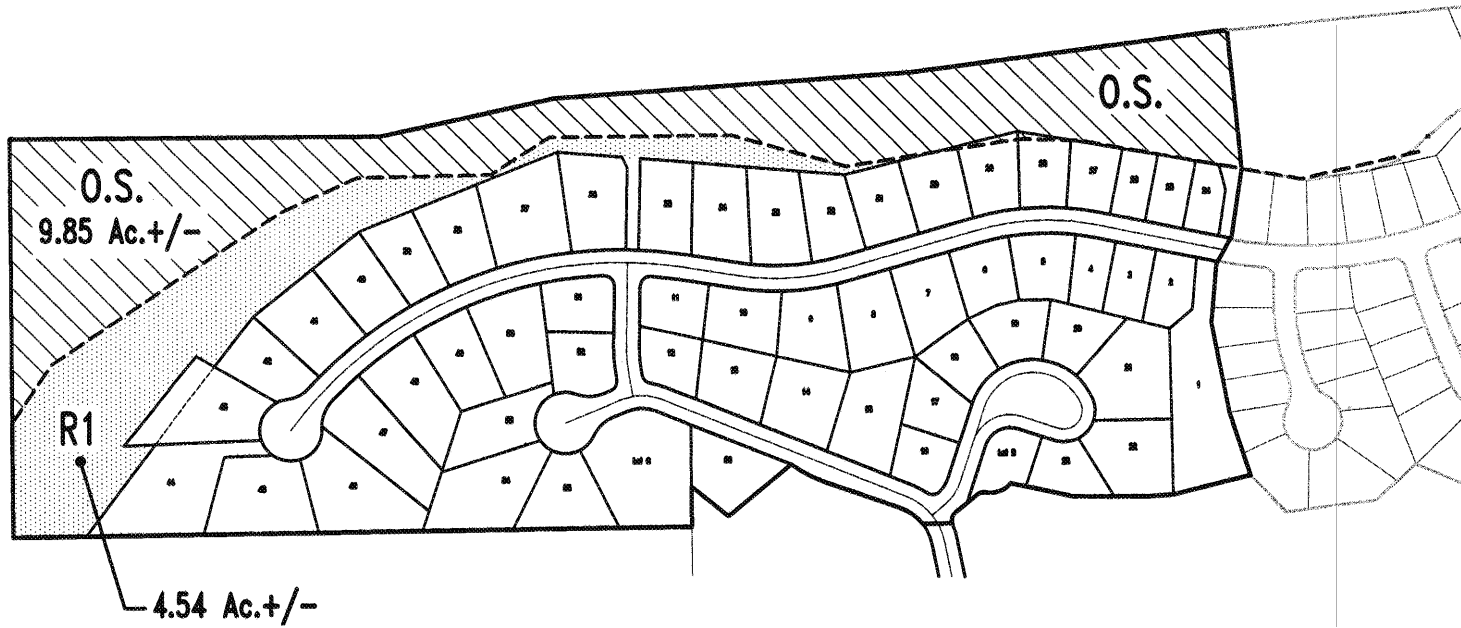
258-1

CAMBRIDGE OAKS UNIT NO. 3

BEING A PORTION OF THE N. 1/2 OF SECTION 8, T.9 N., R.9 E., M.D.M.

BEING A PORTION OF R.S. 23-21

County of El Dorado, State of California



NO. 88105.11 (CIVILTY) - HC 01 88105.11.dwg, 7, 15, 2005 10:27:08 AM

Clarence Dilts
3460 Highway 49
Placerville, CA. 95667

03 JUL 15 AM 10:27

RECEIVED
PLANNING DEPARTMENT

15 July 2003

El Dorado County Planning Department
2850 Fair Lane Ct.
Placerville, CA. 95667

Subject: El Dorado County General Plan Draft EIR Comments

Dear General Plan Team:

The DEIR lists the objectives of the project as including maintenance of the County's natural beauty and environmental quality, a strong economy supported by agriculture, resource extraction, tourism, research and development and services; development occurring in separate communities separated by open space; availability of sufficient public services and utilities concurrent with development; a safe, efficient transportation system; a jobs/housing balance including affordable housing; and, sufficient park and recreation facilities.

259-1

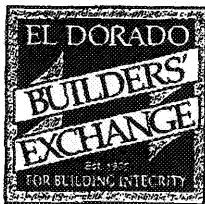
Particularly because of the constraints of surface water and transportation costs on future development, I believe the adoption of Alternative #12, Compact Development, is most appropriate. It is the only alternative that allows further growth while minimizing impacts to the quality of life and services of existing residents, and meeting the objectives of the project. I note also that the DEIR considered Alternative #12 to be the environmentally superior alternative among all the alternatives considered.

259-2

I strongly urge the El Dorado County Board of Supervisors adopt Alternative #12. Other mitigation measures may also be incorporated if they feasibly mitigate identified impacts.

Sincerely,

Clarence Dilts
Clarence Dilts



July 15, 2003

Board of Supervisors
El Dorado County

Re: Selection of a General Plan from the Alternatives provided by the Planning Commission

Dear Supervisors:

The El Dorado Builders' Exchange strongly endorses the 1996 General Plan Alternative from the four choices provided by the County. The Exchange collaborated with five organizations representing a large portion of the County's communities, and collectively, we concur that the 1996 General Plan Alternative is the best Plan. Each Supervisor will receive an extensive review of comments in support of the 1996 General Plan Alternative drafted by the this collaboration: El Dorado Business Alliance.

260-1

Strong support of the 1996 General Plan comes from the fact that it represents the consensus of the County at large. It has had more public review, more public comment, and complies with more of the State mandates.

The No Project Alternative offers only negative impacts for all the elements of the County, and we feel it would be detrimental to the County by working against the County's best interests.

260-2

The Constraint plans have received most of the negative public comment. First of all, many landowners (also known as "voters" and "taxpayers") are outraged by the reduction in property rights. Areas within both of the Constraint Alternatives have been designated for rezoning, experience parcel division reductions, or lose community status. These drastic measures devalue many properties, robbing landowners of their property rights. The El Dorado Builders' Exchange wants to educate the Supervisors that when a community status changes from "community" to "rural area", there is no allowance for commercial construction. Rather than producing a no-growth condition, this concept slowly reduces the community, devaluing associated property. Schools will face closure and the people will leave as infrastructural growth dies on the vine. Without the possibility of commercial development, these areas lose all appeal as assets to El Dorado County.

260-3

3430 Robin Lane #7
Cameron Park, CA 95682
Phone (530) 672-2955
Fax (530) 672-2985
www.goodbuilders.org

www.eldoradobuildersexchange.com

Also, the Constraint Alternatives mandate implementation of programs, reporting, procedures, and requirements that will be extremely costly and time consuming to the County. Reality is that El Dorado County is already suffering financial woes. Selecting either of the Constraint Alternatives places the County much farther into debt, reducing economic viability of our resources as we prepare to inherit our share of the State's economic recess.

260-4

None of the Alternatives provides a perfect solution set for the entire community, but the 1996 General Plan is the most constructive. Right now, it is important to get a Plan selected and in place. Right now, it is important to secure El Dorado County's water rights and get Land Use rights back into the hands of the County. Right now, it is crucial we move assertively to reduce debt and keep El Dorado County economically safe and prosperous throughout. Later, we can discuss amendments to produce the Perfect Plan.

260-5

As the noble leaders of El Dorado County, it is your responsibility to see the big picture and choose a plan that wisely compromises the best choices from among our economic welfare, continued prosperous growth, and provisions that protect the County from lawsuits. The El Dorado Builders' Exchange encourages each Supervisor to vote in support of the 1996 General Plan Alternative as it stands, with the insight that forthcoming amendments can perfect the Plan. It is the *only* Plan that meets *all* the above listed qualities.

260-6

Sincerely,



Connie Dolan
Executive Director
El Dorado Builders' Exchange

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

July 15, 2003

General Plan Team
El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95677

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RECEIVED
PLANNING DEPARTMENT

Dear General Plan Team:

The El Dorado Business Alliance (BA), representing more than 6,500 individuals and businesses in El Dorado County, has reviewed the draft General Plan (GP) and offers the attached comment paper. **We wholeheartedly and unanimously endorse the adoption of the 1996 General Plan Alternative as expeditiously as possible.** We believe that adopting the 1996 General Plan Alternative will best serve the community's needs and will require the least amount of time, cost and effort to return El Dorado County's land use authority.

261-1

The attached comments are the result of many hours of work by the BA General Plan Committee which has been analyzing the Four Equal Weighted Alternatives and Draft Environmental Impact Report (DEIR) since their release to the public. Although the BA's effort was significant, we recognize it was not necessarily unique. Throughout the county many individuals and groups have expended an unprecedented amount of time and effort to engage in the General Plan process. The BA urges the GP Team to seriously consider all GP Comments, which is critical for the process to be successful and meaningful to participants and residents.

261-2

Our comments are organized in the following manner:


- BA Executive Summary and Endorsement
- BA General Comments - significant issues and concerns on GP
- BA Specific Comments - specific issues and concerns on Elements
- Appendix - important policy issues for discussion after adoption of the Preferred Alternative

261-3


The undersigned, representing each of the six member organizations that comprise the El Dorado Business Alliance, join in unanimous endorsement of the 1996 General Plan Alternative, and submit these comments for your consideration.

261-4

Building Industry Association of Superior California (BIASC)


Damon Polk, Field Advocate

El Dorado County Joint Chambers Commission


Gerald M. Garvin, President, EDC Chamber of Commerce

El Dorado Builders' Exchange


Connie Dolan, Executive Director

El Dorado Forum


Richard W. Russell, Director

El Dorado County Association of Realtors (EDCAR)


Kimberly Beal, Government Affairs Director

Surveyors, Architects, Geologists & Engineers (SAGE)


David Hamagai, Executive Board

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 Association of Realtors (EDCAR), El Dorado County Joint Chambers Commission, El Dorado Forum and Surveyors, Architects, Geologists and Engineers (SAGE).

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

**Comments on El Dorado County General Plan &
Draft Environmental Impact Report**

Executive Summary

The El Dorado Business Alliance (BA) wholeheartedly endorses the 1996 Alternative as the preferred El Dorado County (EDC) General Plan Alternative. The following organizations are members of the Business Alliance:

- The El Dorado Forum
- The El Dorado Builders' Exchange
- The EDC Joint Chambers Commission
- The EDC Association of Realtors (EDCAR)
- The Building Industry Association of Superior California (BIASC)
- Surveyors, Architects, Geologists and Engineers of El Dorado County (SAGE)

Collectively this endorsement represents more than 6,500 individuals and companies with a stake in the economic, social, educational and individual well being of EDC. Recognizing the Board of Supervisors has put in place a process that will determine the General Plan content, the Business Alliance recommends the 1996 Alternative as the Alternative to serve as a base plan. We have made suggestions throughout this letter to enhance this recommendation.

The 1996 General Plan Alternative (GPA) is the only Alternative that can claim to be a product of extensive public input and deliberation and this Alternative returns the county's land use authority more quickly than do the others under consideration. The 1996 GPA is also the only one to have already undergone a review through the court system and it was deemed to have satisfactorily met all provisions of State General Plan law once specific environmental issues were remedied. EDC staff has now addressed these issues in a highly documented process resulting in the Draft Environmental Impact Report (DEIR). With the exhaustive application of the California Environmental Quality Act (CEQA) by staff in the DEIR, the 1996 Alternative is best poised to withstand additional legal challenges.

With the timing of adoption of a new General Plan of utmost importance to the community (based on our need to secure the use of currently conditioned water supplies alone!) we note that many of the steps and tasks associated with implementation of a GP were complete or underway between 1996-1999 when the 1996 General Plan was in effect. Conversely both the Environmentally Constrained and Roadway Constrained Alternatives include new programs, procedures, department responsibilities and *new suggested time frames* in which to implement these features. The Business Alliance is very concerned that it will take years, and significant new revenue sources, to implement these timeframes and EDC will be seriously harmed and adversely impacted economically by the loss of our ability to secure much needed water.

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

261-5

261-6

The Business Alliance (BA) has identified the following major strengths, which lead us to endorse the 1996 GP Alternative over the Constrained Alternatives. In order to be as concise as possible throughout this paper, we've adopted the following abbreviations:

GP:	General Plan
NPA:	No Project Alternative
RCA:	Roadway Constrained Alternative
ECA:	Environmentally Constrained Alternative
1996 GPA:	1996 General Plan Alternative
DEIR:	Draft Environmental Impact Report
EDC:	El Dorado County
BA:	El Dorado Business Alliance (aka "Business Alliance")

- The 1996 GPA is the best choice for meeting the goals and objectives of the **Land Use Element** because it will result in the least amount of acreage subject to down zoning, and it more thoroughly acknowledges the importance of EDC's heritage by recognizing our historic communities.
- The 1996 GPA is the best choice for meeting the goals and objectives of the **Circulation Element** because it is consistent with Caltran's future plan for Highway 50 as set forth in their Transportation Concept Report (TCR), whereas the RCA is not. The 1996 GPA also provides designations that are sufficiently flexible to allow for adequate long range infrastructure planning.
- The 1996 GPA is the best choice for satisfying the County's **Housing Element** because it provides the greatest flexibility for meeting state-mandated housing requirements and it recognizes and accounts for population projections of the State Department of Finance (DOF) through 2025. *(Even with EDC's housing approval process constrained since 1999 by the Writ of Mandate, the DOF has provided the most accurate population projections available. To wit, in 1986 DOF projected an EDC population of 158,000 people by 2002. The actual population of EDC in 2002 was 156,000 people.)* Most importantly, the 1996 GPA best meets the needs of providing housing for families.
- The 1996 GPA is the best choice for meeting the goals and objectives of the **Public Services and Utilities Element** because it has served as the basis for which public utilities have planned, arranged financing, designed and constructed public infrastructure.
- The 1996 GPA is the best choice for meeting the goals and objectives of the **Health, Safety and Noise Element** because it best addresses actual impacts of realistic future population projections in EDC.
- The 1996 GPA is the best choice for meeting the goals and objectives of the **Conservation and Open Space Element** because it best balances development with open space and creates a funding source for open space. The 1996 GPA also best allows for utilization of our natural resources while providing the most incentives for private property owners to preserve open space through flexible planning tools such as planned developments, clustering and mixed-use projects.
- The 1996 GPA is the best choice for meeting the goals and objectives of the **Agriculture and Forestry Element** because it addresses actual issues and real needs of the agriculture and forest industries, and avoids application of radical policies that might threaten the health and safety of the community. *(For example: prohibiting proven fire-safe practices based on a hands-off philosophy and approach to forest management.)*

261-6

- The 1996 GPA is the best choice for meeting the goals and objectives of the **Parks and Recreation Element** because it most accurately identifies the location of future populations and thus permits planning for necessary future facilities in a timely manner.
- The 1996 GPA is the best choice for meeting the goals and objectives of the **Economic Development Element** because it provides the greatest amount of land zoned for job-producing (and revenue producing) commercial, industrial, research and development property. It also establishes guidelines for land use that encourage the development of a strong economy by stimulating a balance between employment, housing and natural resources.
- The 1996 GPA is the best choice for meeting the goals and objectives of the **Tahoe Basin Element** because it is the only Alternative that includes the Tahoe Basin Element.
- The 1996 GPA is superior in its treatment of Community Regions, Rural Centers and Rural Regions by providing for important public infrastructure and services. It contains policies that encourage improvement of public services for both existing and new residents.
- The **1996 GPA outlines a Vision Statement** of Principles, Goals and Objectives that is consistent between the Project Description and the Draft 2002 Land Use Policies, but these policies appear to have been totally ignored in the Roadway and Environmentally Constrained Alternatives. The following points are set forth in that Vision Statement as *"Established by consensus in Community Workshops in 1990 and refined with further community input from 1992 to 1995, prior to adoption of the General plan in 1996"*:
 1. Maintain and protect EDC's natural beauty, environmental quality, rural character and economic viability.
 2. Cluster development to maintain community identities and protect open space.
 3. Adopt a Circulation Plan to recognize geographic limits and flexible road standards.
 4. Promote job growth by encouraging high-tech, tourism and resource-based businesses.
 5. Increase housing affordability through a variety of housing types.
 6. Encourage construction of a four-year college and ensure schools keep pace with growth.
 7. Improve and expand park and recreational facilities.
 8. Update the General Plan consistent with needs of the populace.
- Judge Cicely Bond reviewed the 1996 GPA and determined that it had satisfactorily met provisions of State General Plan law. The Writ of Mandate was very specific in pointing out this fact, and if not for deficiencies under CEQA in the Draft Environmental Impact Report (DEIR), the Writ would not have been levied. Given the exhaustive application of CEQA by staff in the DEIR, the BA firmly believes the 1996 GPA is poised to withstand Judge Bond's review and allow for subsequent lifting of the Writ.
- Many of the steps and tasks associated with implementation of a General Plan were completed or well underway between 1996 and 1999 when the 1996 GPA was in fact the County's *adopted* GP. In contrast both the ECA and RCA include implementation programs in which staff has identified procedure, department responsibility and suggested time frames to execute each GP policy. The BA is concerned that policies with 1-to-8 year implementation timeframes, without provisions for interim processing, will significantly harm the county economically and further complicate an already slow and burdensome system.
- **The BA believes the concept of mixing components of different GP Alternatives to create a new Preferred Plan is ill advised as it would likely create more conflicts than it resolves. The BA opposes this concept and finds it to be completely untenable, reinforcing our support for the 1996 GPA.**

261-6

261-7

General Comments

- The 1996 GPA was conceived, designed and agreed to by the people -- not by consultants and staff nor special interest groups. *(Reference the original acknowledgements in the adopted 1996 General Plan.)* For the purpose of consistency and public understanding, the RCA and ECA should identify the individuals and organizations that contributed to the development of those Alternatives also. 261-8
- Both the RCA and ECA were prepared by planning staff and, some would argue, have been heavily influenced by special interest individuals. As noted above the 1996 GPA was the product of extensive public review and comment prior to its original adoption in 1996. 261-9
- The presentation of four equally weighted GPs is confusing and unnecessarily burdensome. The traditional and legally acceptable course of action is to designate a Preferred Alternative to the public and for CEQA review and compliance. 261-10
- The original (8/6/01) Notice Of Preparation (NOP) identified the 1994 General Plan Alternative as the "preferred" General Plan with four alternatives subject to CEQA analysis: (1) No Project (Writ) 2) Roadway Constrained 3) Environmentally Constrained 4) 1996 Adopted General Plan. No additional NOP was issued to inform the public that EDC dropped the 1994 Preferred GP in favor of four equally weighted alternatives. 261-11
- As directed by the Board of Supervisors, Measure Y has been added to all the Alternatives, but none includes a time limit. The initiative passed by voters required Measure Y to be voted on again in ten years or its provisions would sunset. Each of the Alternatives should carry this provision as originally intended by Measure Y and as passed by the voters in 1998. 261-12
- The need for adoption of an EDC General Plan is critical to the enhancement of EDC's existing and future water supplies as evidenced by the following:
 - ~ The State Water Board has awarded our county water right 2001-22 for 17,000 acre-feet of water, to be delivered through Project 184 under Condition 29, which requires a valid new General Plan including certain environmental protections. 261-13
 - ~ In Public Law 101-514 "Fazio Water", Congress directed the Bureau of Reclamation (USBR) to contract with EDC for 15,000 acre-feet of water annually for which EDC has undertaken necessary environmental work to secure this contract, hinging on adoption of the GP.
- It is likely that the El Dorado Hills incorporation effort will eventually be successful and should be addressed in each GP Alternative. This action is likely to have one of the greatest fiscal and environmental impacts on EDC as any other single event in EDC's 25-year GP timeframe. We are concerned that the county has ignored this probability in all GP Alternatives. Although the failure to discuss El Dorado Hills incorporation may not be fatal to the GP process, it should be addressed by both the Planning Commission and Board of Supervisors to insure that incorporation can be accomplished in a reasonable manner without major future revisions to the General Plan. 261-14
- The Writ of Mandate, defined as the No Project Alternative, is not available either electronically on EDC's website or by CD rom. Accessing the Writ is restricted to paper copy only. Failure to provide an electronic version of the Writ, given the accessibility and low-cost technology that easily remedies this situation, has deprived the public of the opportunity to easily review a critical element of the process. At a minimum the Writ should be available on the EDC website as soon as possible to encourage public review of this critical element. 261-15

Comments
On
General Plan Elements

The following BA comments are on Specific Elements of the proposed General Plan Alternatives, and we specify in which Alternative the concept originated. We also employ the aforementioned abbreviations for the sake of time and space.

261-16

Immediately following this section we have included an Appendix that sets forth policy comments *not specific to one Alternative*, but ideas and concepts made by our collective membership. The ideas and concepts expressed in this section would be discussed after adoption of the 1996 GP Alternative as the Preferred Alternative and/or would be included in discussions as the GP process moves forward. **The Business Alliance considers these comments to be of enormous value to the process because they offer real world experience that should not be ignored.**

Land Use Element

- The 1996 GPA best protects and utilizes our historic Community Regions and Rural Centers, as it is the only Alternative to designate and consider the unique identity of 37 Community Regions and Rural Centers. Based on the 1996 GP process, residents demonstrated their strong sense of identity with these areas. The RCA and ECA disregard these historic areas and eliminate them, ignoring the trend towards permanent migration into these locations. The BA believes these historic Community Regions, in combination with the open space separating them, define the character of EDC and should remain intact. 261-17
- The RCA prohibits *all* commercial development in Rural Regions. This is inconsistent with the goals of both the Economic Development Element and Agricultural and Forestry Element which encourage ancillary businesses that support or enhance agriculture and forest industries. 261-18
- The RCA proposes a GP policy which restricts the subdivision of land to four-by-four parcel splits *only*, which may result in extreme environmental damage and will promote residential sprawl. It is the worst planning option proposed among the General Plan Alternatives and should be eliminated from further consideration. 261-19
- The 1996 GPA is the only Alternative that allows for planned communities and it is the best choice from which to negotiate future development proposals. There always exist a number of competing interests and trade-offs to be negotiated for a development proposal to move forward. Preservation and environmental enhancement programs, infrastructure improvements and public services all need a source of funding. GP policies that restrict development *options* will result in fewer opportunities to generate that funding and less money for preservation efforts. It is critical that EDC incorporate as much flexibility as possible in the Land Use Element to permit and encourage innovative planning solutions such as planned developments, clustering, redevelopment, mixed uses and tourist attraction. 261-20

Circulation Element

- The 1996 GPA is the best choice for meeting the goals and objectives of the Circulation Element, because it directly addresses EDC's transportation needs and existing and future traffic projections. 261-21
- The 1996 GPA is the most visionary in recognizing the community's needs and presenting solutions to future issues. Rather than artificially constraining streets and roadways, ignoring existing traffic problems, and failing to allow much needed infrastructure for EDC's future, this Alternative recognizes the potential to provide community improvements that will meet the needs of local families. 261-22
- The 1996 GPA is the best choice for meeting the goals and objectives of the Circulation Element because Goals, Objectives and Policies are well defined, including the accommodation of Measure Y. In the 1996 GPA development is required to fund infrastructure concurrent with growth. Level of Service (LOS) F (gridlock) is only acceptable on a limited number of roads. 261-23

Circulation Element ... Continued

- The RCA limits any expansion of Highway 50 to six lanes, which is inconsistent with Caltran's planning goal. The Caltran's Transportation Concept Report (TCR) (Caltran's 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. Caltran's planning shows that constraining Highway 50 to six lanes will cause "...significant traffic congestion and motorist delays in the future". 261-24
- The RCA and ECA philosophy of restricting roadway improvements ignores the fact that many roads and bridges are already experiencing maximum weight loads and traffic flow. This contributes to dangerous situations that cannot be corrected without roadway improvements. 261-25
- RCA and ECA *require* that housing be fairly distributed throughout the county, which is unrealistic since actual demand for housing is strongest on the far-west slope, and is based on commuter patterns into Sacramento. 261-26
- The RCA requires inclusion of the term "latent demand" in defining and determining the word "concurrency", *yet* according to an EDC County Counsel letter to the Board of Supervisors, dated 7/6/01, "...latent demand is not formally defined in land use law." The RCA also requires construction of improvements before actual need is established, the cost of which will be borne by families who eventually live in the affected homes. Early construction of such improvements will divert EDC resources from more critical, current needs. *(For example: the Department of Transportation will have to devote staff oversight to the design and construction of projects not yet needed.)* 261-27
- The RCA definition of "latent demand" will negatively affect the cost-burden that families living in EDC must bear. Experience has shown that approved projects and ministerial approvals are rarely built-out. Up-front construction of transportation infrastructure removes the opportunity to stage improvements as needed and adds unnecessary costs. It also harms the environment by paving over areas that may never actually need to be paved. 261-28
- The RCA prohibits ridgeline development, thereby creating a conflict with GP goals to preserve agricultural lands and provide needed housing. This policy will push development to the valley floors since adjacent hillsides may be too steep to economically develop in much of EDC. The valley contains some the region's best and most productive agricultural lands and much of the area's highest densities of healthy trees. Forcing development into the area's valleys will increase the loss of healthy trees and prime agricultural lands. 261-29
- The RCA and ECA make frequent references to, and encouragement of, mass transit, creating an impression that it is a near-term solution to local traffic problems. This is wishful thinking, and may lead to the waste of significant resources that would be better spent increasing roadway capacity and addressing existing roadway deficiencies. Effective transit, especially rail, requires high densities in both housing and employment and commercial destinations. It requires densities that EDC will not see over the useful life of this GP. 261-30

Housing Element

- The BA supports the 1996 GPA because it best supports homes for families. The NPA, RCA and ECA will not provide an adequate foundation to meet the county's housing goals. These alternatives eliminate EDC's ability to provide housing for families through prohibitions outright or by imposing multiple layers of regulation, which make moderately priced homes economically infeasible. Such methods have not proven effective in preventing growth locally or in other jurisdictions (i.e.: City of Davis/Marin County), but they *have* served to drive-up housing costs. Growth ultimately continues but young and low-to-moderate income families are negatively affected. For the Housing Element to be viable in producing "affordable housing" it must include an assessment of policies and costs, including provisions for fee waivers and deferrals. 261-31
- Inclusionary policies mandating price controls within a development simply shifts the cost of the subsidy to other homeowners in a project, thereby increasing the cost of housing for those buyers. The Department of Housing and Community Development recognizes that such policies raise the cost of housing overall and may have chilling, negative effects on housing construction in general. The BA opposes inclusionary housing policies. 261-32
- How will those areas of EDC *not* identified as Community Regions in the ECA or RCA affectively participate in the implementation of the Housing Element, in light of the goal to spread all types of housing throughout EDC? 261-33
- The Housing Element policies are identical within each of the four GP Alternatives but when land use designation overlays are applied, the Housing Element changes radically, once again leading the BA to support the 1996 GPA. 261-34
- If either the RCA or ECA is adopted, there is no discussion or disclosure of information on how EDC will meet the regional housing need allocations set forth by the Sacramento Area Council of Governments (SACOG). 261-35
- The RCA and ECA identify less acreage available for all types of housing through more constrained land use designations than does the 1996 GPA, and both the RCA and ECA lack necessary flexibility. Any of the Constrained Alternatives would severely negate EDC's ability to meet State and Federal affordable housing requirements. 261-36

Public Services & Utilities Element

- The BA strongly supports the 1996 GPA as the quickest method of getting a GP in place, which is vital to the perfection of EDC's conditioned water rights, because it is further along in the legal and public review process than the RCA or ECA. 261-37
- The 1996 GPA best meets the county's realistic needs for infrastructure planning for water, power, waste management and communications, which are already stretched close to design capacity. 261-38
- The ECA and RCA include policies and measures that discourage or prohibit providers of public services and utilities from expanding beyond existing areas or into rural areas, which will negatively affect existing and future residents. 261-39

Public Health, Safety & Noise Element

- The 1996 GPA is the best choice for meeting the goals and objectives of the Health, Safety and Noise Element because it meets all requirements for protecting the public from natural and manmade hazards (seismic, flood, fire, pollution) without impinging on individual property rights.

261-40

Conservation & Open Space Element

- The 1996 GPA is the best choice for meeting the goals and objectives of the Conservation and Open Space Element because it accounts for the fact that over half of EDC land is already under the jurisdiction of the U.S. Forest Service, the Bureau of Land Management, Bureau of Reclamation, California State Parks and other public entities.
- The 1996 GPA realistically accounts for additional lands that have already been protected for rare and endangered plants and animals and assuring their future protection through a mitigation fee on new homes.
- The 1996 GPA sufficiently addresses the issues of conservation and open space without denying owners their rights to the quiet use and enjoyment of their properties.
- The 1996 GPA recognizes that the topography of EDC is varied and defined by geologic features that will protect the "face" of EDC and keep it virtually unchanged. The small amount of "habitable" land allowed by the new GP should always be retained, and the land use designations in the 1996 GPA best preserve these principles.
- The ECA and RCA designate a great portion of EDC lands as "Natural Resources, Agricultural or Biological Corridors" without addressing the economic impacts to individual landowners and taxpayers for loss of productive use of this land. The arbitrary changes to Community and Regional boundaries of the ECA and RCA restrict and prohibit some land uses by downzoning parcels on the perimeter through buffer zones.
- The ECA and RCA designate a great portion of EDC lands as "Natural Resources, Agricultural or Biological Corridors" without adequate justification for the designations. Prior to adopting these designations the EDC Planning Commission and Board of Supervisors should conduct a formal public hearing process to consider public opinion and impacts.

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Agriculture & Forestry Element

- The 1996 GPA is the best choice for meeting the goals and objectives of the Agriculture and Forestry Element because it recognizes the importance of these two separate and distinct industries to the scenic and economic character of EDC. The 1996 GPA adequately protects ag and forest interests from conflicting adjacent land uses without unnecessarily inhibiting the rights of either industry or adjacent neighbors.
- The RCA and ECA designate numerous overlays, which unfairly restrict or prohibit development based on the Geographic Information System (GIS). Soil types are used to determine important agricultural lands, even when those lands have no water source and have never been in agricultural production. According to the Agricultural Commissioners' 2001 Crop Report, *less than 3,000 acres are currently in production*, yet the overlay seeks to set aside nearly 150,000 acres.
- The RCA and ECA unnecessarily exceed federal regulations for public and private use of lands in, and adjacent to, National Forests. The forest industry operates predominantly on large tracts of privately owned or US Forest Service (USFS) lands and is already highly regulated by the federal government.

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Parks & Recreation Element

- The 1996 GPA is the best choice for meeting the goals and objectives of the Parks and Recreation Element because it addresses specific needs of EDC for additional park and recreation facilities. The 1996 GPA also spells out the policies and procedures necessary for acquisition and development of those facilities.] 261-50
- The 1996 GPA identifies the inadequacy of the existing fairgrounds and recommends (thereby encourages) finding a new fairground site.] 261-51
- The 1996 GPA acknowledges the importance of Recreational Tourism (skiing, hiking, fishing, rafting, etc.) and considers the positive economic benefits of EDC's scenic beauty and historic cultural sites.] 261-52
- The ECA and RCA both fall short on substance by focusing on restricting currently allowed uses of recreational lands instead of capitalizing on the economic potential of drawing tourist dollars into EDC.] 261-53
- The ECA and RCA impose additional requirements that would need to be funded by new families and residents for impractical trails and bikeways in a county where the predominant terrain is greater than a 30-degree slope. These unrealistic and frivolous funding schemes will add to the already high fees paid by new families of EDC.] 261-54

Economic Development Element

- The most important thing EDC can do to improve Economic Development in EDC is to get land use authority back. This is best accomplished through adoption of the 1996 GPA as the GP Preferred Alternative.] 261-55
- The 1996 GPA is the most thorough Alternative in identifying programs and policies that encourage Economic Development throughout EDC.] 261-56
- The ECA and RCA are severely lacking in substantive goals and policies and instead both offer an implementation program with a schedule stretched out to eight years! The unacceptable time frames delay economic progress rather than propel it.] 261-57
- The 1996 GPA acknowledges the importance of utilizing local business expertise to foster a friendly business climate. In practice this should consist of public and private individuals to work together to develop economic strategies and programs.] 261-58
- EDC's size and diverse economic base substantiates a need for a fully staffed and adequately funded economic development department. The needs are far greater than any one person can fulfill.] 261-59

Tahoe Basin Element

- The 1996 GP Alternative is the best choice for meeting the goals and objectives of the Tahoe Basin Element because it is the only Alternative that includes the Tahoe Element as a part of the General Plan. The Constrained Alternatives do NOT address this element] 261-60

Appendix

Appendix: Land Use Element

- The GP Alternatives propose numerous new fees to offset the impacts of growth. Missing from the proposals is any discussion of the impacts of those fees and an analysis of their individual and cumulative costs. For example: How will the higher fees impact housing, jobs and economic goals? EDC's fees are three times higher than the state average (*Ref: 6/10/03 letter from the State Division of Housing Policy Development on EDC's GP Housing Element*). How will the increases impact current and future citizen's quality of life and their ability to meet these and other state mandates?

Examples of *new* fees proposed as mitigation for the impacts of future growth include:

- * Biological Corridor and Environmental Fee
- * Housing Trust Fund Fee
- * Park and Ride Lot Fee
- * Regional Park Fee
- * Integrated Natural Resources Management Plan Fee
- * Oak Tree Removal Permit Fee
- * General Plan Consistency Determination Fee

- Throughout the GP Alternatives fees are proposed in bulk, denying the public a chance to address each fee separately through the normal and established public hearing process. New mitigation fees should be addressed individually and specifically to allow for a thorough discussion of each issue and its potential ramifications. This is best achieved through established policy-making mechanisms – not through a General Plan bundling process.

- The GP Alternatives include a number of new programs that will require additional funding and staff to implement yet the cost of these new programs is ignored. There is no indication of how their implementation will affect the quality of life of current and future residents and businesses. Examples of such programs include:

- * Oak Tree Removal and Replacement Program
- * Phase One Environmental Site Assessment Review and Evaluation
- * Wetlands Program
- * No Conflict Among Land Uses Program
- * Growth Control Program for White Rock and Latrobe Roads
- * CEQA Review on all Building Permits

- CEQA review of all building permits means that building permits will no longer be ministerial. This is a MAJOR change of policy with significant social, administrative and financial consequences that have not been addressed. **The BA strongly objects to making building permits discretionary.**

- The concept of expanded agricultural districts is a radical expansion of existing land use restrictions that should undergo a formal public hearing process through the Planning Commission and Board of Supervisors. At the very least EDC should convene a panel of stakeholders to propose guidelines, criteria and recommendations for open discussion in a public meeting. The result of expanding ag districts may include the reduction of property values and loss of established credit due to a loss of collateral; significant ratepayer/taxpayer impacts based on reserving water for the affected areas; and significant impacts to adjacent property owners as the result of the new designation. Also, the basis for expanding agricultural districts is not clear. How were the land use maps created for the new agricultural designations? What criteria was used?

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Appendix: Land Use Element...Continued

- The GP Alternatives vary in defining the composition of "community" and/or "region" and land use in and around these communities and regions is determined by maps that have recently been published. It should be made clear who determined the boundaries and how they were decided. Displaying the maps only in the hallway of the county buildings, or publishing them on the internet, is not adequate public disclosure. 261-66
- In several GP Alternatives many privately owned parcels of land are recommended to be down zoned, which carries potential financial and social impacts. Often the recommendations that prompted such planning staff actions were special-interest groups or individuals who made the recommendations for someone else's property, yet no apparent attempts have been made to notify property owners of the potential down zoning. If EDC moves forward with this process, then the county should communicate its intentions to affected property owners immediately and prior to adoption of a final GP. 261-67
- According to the Land Use Forecast for Draft General Planning 3/5/02, there are currently 30,434 existing jobs in the county. By 2025 there will be an *additional* 34,414 to 41,880 jobs or more than double the current number of working people. However the GP Alternatives appear to be negligent in the following two areas: 261-68
 1. Identification of the major area's where working people will be employed, which requires additional land use allocations for I, R&D and C.
 2. The plans indicated where residential growth will occur, however without knowing where people will be working it is impossible to determine where or when roadway or environmental constraints will occur.
- 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 and retail shops will provide affordable housing, and will deter crime by avoiding the deserted-after-dark syndrome that plagues many commercial areas. 261-69

Appendix: Circulation Element

- The various GP Alternatives treat development and construction of bicycle paths as components of a regional transportation system. Bicycles do not, and for the useful life of this General Plan will not, move any statistically significant amount of people or goods. *In fact they will account for far less than a tenth of a percent of the County's transportation needs.* Bicycle paths should be addressed, along with funding needs, as components of the Parks and Recreation Element. 261-70
- Development and construction of hiking and equestrian trails should not be treated as components of EDC's transportation system, but rather as components of the Parks and Recreation Element. 261-71
- There is no justification, economic or otherwise, for EDC's support of electric vehicles. If this policy is enacted, funding issues much be addressed. Specifically - who pays for this? 261-72
- When the voters passed Measure Y in 1998, *it had a ten-year horizon*, yet none of the proposed Alternatives acknowledge that ten-year timeframe. A "sunset clause" MUST be included in ALL GP Alternatives on Measure Y policies to avoid usurping the voter's intent. 261-73

Appendix: Circulation Element...Continued

- Policy has been established that holds new development responsible for mitigating its impacts on EDC's transportation system, and related funding mechanisms have been put into place. However, the County is responsible for funding *existing deficiencies* which are attributable to current residents. The GP should identify *specific and realistic funding sources* for the county's responsibility of maintaining county roads to identified levels of service (LOS). 261-74
- 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.) 261-75

Appendix: Housing Element

- EDC's proposed Housing Element is identical for each of the four GP Alternatives so there should be a worst-better-best case analysis for each of the GP Alternatives' ability to meet the goals, objectives and state mandates of each. This is of particular importance considering current litigation and state legislation that seeks to enforce or create adequate affordable housing throughout California. 261-76
- Based on state residents' ability to build an additional house on every parcel (through "granny flat" policies), EDC should explore the concept of permanent transfer of development rights from one property owner to another. 261-77
- The Housing Element should include information on Measure Y's impacts on the future cost and supply of housing in EDC, even with Measure Y's sunset in 2008 (subject to voter extension). 261-78
- There are many existing homeowners in EDC who also own property with plans to build their dream home. The Housing Element does not acknowledge that there is a move-up market among existing EDC residents. How will imposing more fees and regulatory barriers affect existing property owners of currently vacant parcels? Will the County notify existing property owners of potential fee increases and additional regulatory permit requirements? 261-79
- As acknowledged in the Housing Element (again, the same under all Alternative plans) *effectively 67% of all housing will require subsidies!* This requires that the following be addressed: 261-80
 - * How will the affordability of the remaining one-third of market-rate housing be affected?
 - * Does implementation of the proposed Housing Trust Fund further reduce the affordability of housing in EDC?
 - * How does EDC propose to cover the costs of fees waived or deferred?
 - * If the waived or deferred fees shift to market-rate families, what effect will this have on the affordability of housing in EDC?
- The costs associated with building a new home consists of the land, the materials, the labor, the cost of money, and the fees associated with receiving "permission" to build. 261-81
 - * How do the current fee programs impact the type and size of homes that are built in EDC?
 - * Does EDC have more modular and mobile homes than would be expected in a County of its size and character?
 - * Is there a correlation between increasing fees and types of housing built?

Appendix: Housing Element...Continued

- The Housing Element creates very expensive parcels of land resulting in two classes of property owners where one can only afford a \$75,000 manufactured home and the other a \$750,000 mansion. Is this system socially acceptable and is it consistent with the Goals, Policies and Vision Statement for EDC? 261-82
- Has the GP staff considered how many hardship permits EDC has issued and collected in the last ten years and assessed this information for subsequent impacts as part of the GP planning process? 261-83
- How will EDC adopt its proposed Housing Element when it needs to be in place by January 2004, and the GP is not due for adoption until after that date? Should there be an interim period with a Housing Element but no GP, how far will EDC be from meeting its state-mandated goals for housing and jobs? In other words, does EDC have a now-unidentified interim plan for complying with this state-mandated policy without the existence of a valid GP? 261-84
- The Housing Element recognizes that all parcels in EDC can, by right, have two dwelling units each, which begs the questions:
 - * How many existing parcels currently have two dwelling units?
 - * What are the projections for actual build-out of second units?
 - * Is this potential worsened by significant restrictions on new housing construction activity? 261-85
 - * What are the impacts associated with the potential for each EDC parcel to have two dwelling units each?
 - * Have the impacts of second dwelling units been studied as to their effects on EDC roads, public services and utilities, the environment and EDC's character?
- Based on the situation outlined in the above bullet, EDC should explore the concept of permanent transfer of development rights from one property owner to another. 261-86
- What affect will the possibility of second-dwelling units on each parcel in EDC have on roads, schools, water, wastewater capacity and other necessary public services and utilities? 261-87
- With the basic fees now \$35,000 on a new house in EDC, the viability of low-cost housing is dramatically reduced. \$35,000 (typical) for an El Dorado Hills home costing \$1,000,000 is a pittance, but \$35,000 on a \$200,000 entry-level home is 17% of the total cost. This disparity should be addressed in the Housing Element. 261-88
- The BA encourages reconsideration of the GP's definition of "high density" currently set at a maximum of 5 units per acre. Statistics show that to meet housing needs and affordability 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. 261-89
- The GP should recognize that for the most part there are no more large parcels available for development and it should consider land-use planning and funding resources given this fundamental fact. 261-90
- It is the position of the BA that it is more productive to give builders positive incentives instead of negative mandates to encourage the types of housing needed in the county. 261-91
- Discretionary Building Permits, as suggested for mitigations in the DEIR, will drive up the price of housing and the cost of doing business in EDC, and will negatively impact property owner's ability to use and enjoy their land. 261-92

Appendix: Public Services & Utilities Element

- The GP should contain policies to encourage public service and utility providers to improve services for both existing and new residents.] 261-93
- The GP should incorporate a drought-preparedness policy for EDC that minimizes the negative effects of drought on local citizens, business, agriculture and tourism.] 261-94
- The GP should identify major sites that have potential as future water storage and drought protection sites (such as Alder Reservoir) based on previously conducted studies like the SoFAR project.] 261-95
- The GP should protect lands identified in county Water, Wastewater and Recycled Water Master Plans, for facilities that can be constructed in the future to meet the requirements of the GP. This would include land designated for storage reservoirs, treatment plants and conveyance systems.] 261-96

Appendix: Conservation & Open Space Element

- The GP should consider the following areas as "open space": National forests, wilderness areas, national and 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.] 261-97
- In planning its Open Space Element EDC should take into consideration that well over one-half of EDC is already protected by county, state and federal governments and National Forest designations and will never be developed for residential or industrial uses.] 261-98
- The Business Alliance opposes more federal/state designated wilderness areas within El Dorado County.] 261-99

Appendix: Agriculture & Forestry Element

- 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 culture. The BA acknowledges the following important points: EDC's gross crop value in recent years as reported by the Agricultural Commissioner is near \$50 million; Agriculture provides citizens with alternative lifestyles to urban living; Agriculture encourages and promotes a strong tourism industry; Agricultural lands provide highly valued open space for local citizens and tourists to enjoy.] 261-100
- The BA envisions a community where abundant agricultural lands are bordered by a variety of forms of open space and/or rural residential parcels that would not be negatively affected by agricultural activities like pesticide use and field dust. These rural residential parcels could then be bordered by higher density residential uses – that would accommodate a variety of housing needs and costs.] 261-101
- 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. However, any policy that seeks to expand the amount of designated agricultural lands should be subject to separate and established review procedures (i.e., Planning Commission and Board of Supervisors meetings and public hearings) and should not be included in a new General Plan through policy statements.] 261-102

Appendix: Agriculture & Forestry Element...Continued

- The BA believes that the GP should encourage proposals that are creative and innovative and that build on EDC's desire to increase ag-tourism revenues. All proposals, including those that combine a variety of ag-related uses such as dining, lodging and sampling local agricultural products, should be welcomed and fast-tracked whenever possible. Restrictive policies that constrain and effectively negate this approach should be avoided. 261-103
- 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 off their land. 261-104
- The GP should consider the permanent and temporary housing needs of resident and migrant farm workers. 261-105
- The BA supports all disciplines within the agricultural community, from raising crops to growing grapes and developing wineries to ranching and logging. We believe the GP should include positive incentives that take advantage of EDC's abundance of these resources. 261-106

Appendix: Economic Development Element

- The Economic Development (ED) Element of the GP appears to be a collection of key points with no coherent links to other parts of the Plan. These points lack simple, governing principles that would bring about economic development. The BA proposes that this element be based on a few simple priorities (examples follow) and a realistic plan to review and revise those priorities on a periodic schedule (e.g., every three years). The priorities should be measurable; "Making EDC a better place to have a business" is not measurable nor valid. BA recommendations to govern Economic Development in EDC include:
 1. Increase mean household income (and, if we're bold, increase it at a rate faster than the growth of the National or State Gross National Product [GNP]).
 2. Keep unemployment below the state or national average.
 3. Keep a specifically designated percentage of jobs in EDC annually (e.g., stop exporting 45% of workers daily).
 4. Keep an average number of employees/business within a narrow band (perhaps between 3 and 20, to discourage any single, large employer from dominating the job scene and holding EDC hostage for unreasonable percs).
 5. Keep a diversity of job age brackets employed in EDC. (Let's stop exporting our youth, who return in retirement; Let's make the job age profile match the general population profile. We may never hit parity but it's a worthy goal).
 6. Reduce the average commute distance between home and work by a designated number. Maintain a target jobs/housing ratio within a specified window.261-107
- The GP should identify a source of revenue for all programs and policies it *mandates*. 261-108
- The BA believes the key goal of the new GP should be to increase *and retain* all locally based employers. 261-109

Appendix: Economic Development Element...Continued

- The GP should adopt/identify enterprise zones (which consist of federal rebate money based on number of employees/jobs created) and redevelopment areas similar to what has taken place in Lake Tahoe.] 261-110
- The BA encourages the establishment of policies aimed at correcting the imbalance between the cost-of-living and the cost-of-housing in EDC.] 261-111
- 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.] 261-112
- The BA urges EDC to adopt GP policies that will attract specialized, higher education facilities and organizations.] 261-113
- The BA suggests that EDC incorporate policies that encourage high-amenity retirement communities to locate in EDC.] 261-114
- The BA urges EDC to incorporate policies that encourage EDC to become a tourist designation (like Napa County) with a focus on recreational tourism and its natural resource economic base.] 261-115
- The BA encourages the adoption of GP policies that would help to attract "niche economics" (like artists enclaves of Marin County or Carmel, CA).] 261-116

Encl: Cover Letter to General Plan Team of 7/15/03
Comments on EDC General Plan & DEIR
Appendix

Cc: El Dorado County Board of Supervisors
El Dorado County Planning Commission
Heide Tschudin, General Plan Manager
Conrad Montgomery, Director, EDC Planning Dept.
Lou Green, EDC Legal Counsel
El Dorado Forum
El Dorado Builders' Exchange
EDC Joint Chambers Commission
EDC Association of Realtors (EDCAR)
Building Industry Association of Superior California (BIASC)
Surveyors, Architects, Geologists and Engineers of El Dorado County (SAGE)
El Dorado Hills Area Planning Advisory Committee (APAC)
City of Placerville
EDC Agricultural Commission
EDC Water Agency
El Dorado Farm Bureau
EDC Taxpayers Association
EDC Citizens for Water
Senator Rico Oller
Assemblyman Tim Leslie
Assemblyman Alan Nakanishi

Submitted on July 15, 2003

July 15, 2003

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

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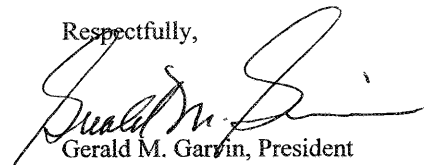
RECEIVED
PLANNING DEPARTMENT

Dear General Plan Team:

The El Dorado County Chamber of Commerce representing more than 700 business members in El Dorado County has review the draft General Plan documents and offers the attached White Paper. The review was conducted in the spirit of what should the Economic Development portion of the General Plan encompass and how wide should its effect on the county of El Dorado be felt.

This document represents many hours of by the public to contribute to this White Paper. We wish to thank all of those individuals who contributed their time and energy in the preparation of this White Paper. It is in the spirit of our community that we submit this document as part of the review process for adopting a new General Plan for El Dorado County.

Respectfully,



Gerald M. Garvin, President
El Dorado County Chamber of Commerce

262-1

**EL DORADO COUNTY CHAMBER OF COMMERCE
WHITE PAPER- ECONOMIC DEVELOPMENT**

The El Dorado County Chamber of Commerce strongly recommends the 1996 General Plan Amended (GPA).

262-2

This plan did not include an Economic Development element. As such should the 1996 GPA be adopted, an Economic Development Element is not required and should not be included.

Therefore the El Dorado County Chamber of Commerce (EDCC) proposes an aggressive ECONOMIC DEVELOPMENT PROGRAM for El Dorado County that starts immediately. We offer our complete cooperation to provide leadership and support to the citizens of El Dorado County and our Supervisors.

262-3

GENERAL COMMENTS

We in El Dorado County are at the crossroads, we can continue the direction toward being a bedroom community or we can create an aggressive "Economic Development" effort that will provide jobs and improve the quality of life. In the next few pages, we will address our recommendations to the Board of Supervisors. We will identify key factors that we feel will lead to higher paying jobs, higher household income and an involved and committed business community.

Many factors must be considered for a positive ECONOMIC DEVELOPMENT PROGRAM. One of the critical areas to be addressed is the unpleasant environment for growth in the County. These concerns include:

1. Excessive Restrictions
2. Restriction that are out of date (e.g. home based internet)
3. Permit Process- Slow and difficult/not business or citizen friendly.
These issues, fees, and a lack of trust in the system contribute to user frustration and are roadblocks to economic development.

262-4

We propose, an approach that starts immediately, and is an ongoing effort to create an "Aggressive Economic Development Process." This process would include government leaders, representatives from the business community and all citizens that are committed to ^{BALANCED} growth. The process should include business involvement, focus groups and community meetings to develop a consensus and create citizen trust. A commitment is required to make El Dorado County a better place to live. An Economic Development Plan that provides measurable targets, priorities, the appropriate resources and support is necessary.

Priorities must include items such as:

- Increased household income (With improvement greater than California's)
- More job opportunities in the county (Stop exporting 45% of the work force)
- Reduction of the average commute
- Improve the jobs to housing availability (Now the worst ratio in the region)

THE PLAN FOR ECONOMIC DEVELOPMENT IN THE COUNTY

A minimum of four issues must be included in our Economic Development Plan. Again these are not recommended as part of the General Plan, but a "work in progress". The FOUR POINTS to be recommended:

1. Economic Development Advisory Committee

An advisory committee with the purpose of establishing guiding principles for creating ~~smart~~^{BALANCED} growth in the County. The committee will include governmental, business and community leadership. It will be charged with developing economic growth guidelines.

2. Guiding Principles for Economic Development ^{BALANCED}

Economic Development to enhance quality of life with ~~smart~~ growth. A set of guiding principles is necessary.

The chamber will commit to provide the leadership to create the "Economic Development Advisory Committee" for the purpose of DEVELOPING GUIDING PRINCIPLES TO PRESENT TO THE BOARD OF SUPERVISORS by February 15, 2004.

3. County Economic Development Department

The Chamber strongly recommends a greater commitment to this department. This commitment should include additional staff and funding. This is necessary to:

- Retain existing business
- Attract target businesses
- Put a greater emphasis on smart growth objectives
- And, to provide support for Re-Development Zones

4. Re-Development Zones

The creation of a series of re-development zones to provide focus, tax incentives, and balanced economic growth. This will create priorities for infrastructure investment, improved geographic and job diversity. In specific situations it will encourage job growth in 'rural' areas similar to other rural county programs.

The AREAS recommended for Re-Development consideration include:

- Pollock Pines
- Georgetown
- Diamond Springs / El Dorado
- Somerset Area
- Shingle Springs / Cameron Park
- Coloma / Lotus
- Placerville (Fairgrounds) / Possible relocation of the fairgrounds as a joint effort with the City of Placerville

The Chamber will host public meeting in each of the geographic areas recommended to measure interest and support. These meetings would be facilitated and a report would be provided to Supervisors by February 15, 2004.

In conclusion, if El Dorado waits until all objections to Economic Development and smart growth are overcome, or until the General Plan is approved, we will have lost many valuable opportunities.

Let us move forward TOGETHER with a commitment to ^{BALANCED} ~~smart~~ economic growth:

- To enhance the lives of the citizens
- To create economic guidelines and priorities
- To create a business friendly community and government
- To provide unified leadership and focus not seen before in El Dorado County

El Dorado County must identify a few good issues and focus on them. The Chamber has suggested four. Additionally, we will provide unified leadership; we have committed the Chamber, as the Voice of Business

Should El Dorado County not become a part of the region in their planning, the region will suffer, but El Dorado County and our Citizens will suffer more.

