



The County of El Dorado

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TO: Board of Supervisors
FROM: Terri Daly, Chief Administrative Officer
RE: CAO Update

● **Rubicon Trail Clean Up and Abatement Order Rescinded:** As reported at last week's Board of Supervisors meeting, County staff along with staff of several other agencies and community organizations went before the State Water Board to request the Clean Up and Abatement Order issued on the Rubicon Trail be rescinded. On Friday, the State Water Board did lift that order. The order was lifted based on the work that was done to clean up the Rubicon Trail and the plans put in place to maintain the Rubicon to expected standards. Congratulations to all who worked on this massive and amazing effort!

● **Partial Recirculation of the TGPA-ZOU DEIR:** In response to comments received on the Targeted General Plan – Zoning Ordinance Update (TGPA-ZOU) draft EIR (DEIR), staff has determined it is in the best interest of the project to expand on the initial discussion and analysis for a few select sections within the DEIR. Additional discussion and analysis will be focused on groundwater impacts, energy use, revisions to the Zoning Ordinance Update and transportation.

Based on a number of different factors including, but not limited to, the sheer size and scope of the project and the extended comment period for the DEIR, staff early in the process anticipated there may be a need for a partial recirculation of the DEIR and therefore budgeted funding for this purpose.

Staff is prepared to submit a contract amendment in the next week or two to revise the contract scope. In additional funding already budgeted but will need to be approved for use on this new task in order to complete the recirculation process.

A partial recirculation of draft EIR (RDEIR) will require a 45-day comment period. The final EIR Final EIR will be completed following recirculation and include: comments received; written responses to comments received; and revisions to the EIR in response to comments.

Timing of this contract amendment may be of concern with the Initiatives on the November ballot. As discussed in the Staff's memo on the 3 Initiatives, there are more questions than

answers including how this project may or may not be impacted by any one or combination of the Initiatives if approved. So holding or waiting to approve a contract amendment until following the November election may seem like a good idea. However, holding off may result in an unnecessary delay in completing the project if the initiative(s) are not approved or it is determined that the initiatives do not affect the completion of the project.

Before staff launches this item in the Legistar agenda system to recommend the Board approve a contract amendment with ICF to complete the necessary task to complete a partial recirculation of the draft EIR for the TGPA-ZOU project, we wanted to alert the Board to the perceived political impact. Keeping in mind that even if the Board approves the contract amendment next week, and results of the election require a hold to be placed on the project, only a small portion of the budget will have been expended. We cannot release the consultants to begin work in the task until the budget has been approved. Therefore, if the Board waits to approve the contract amendment, the project will be delayed approximately 2-3 additional months.

In the event the Board approves the contract amendment, staff anticipates the recirculation in late November, then back to the Planning Commission in January and on to the Board in February 2015.

This item for a contract amendment will be on the Board agenda next week.

Recent Background on the TGPA-ZOU process:

- **Feb 25, 2014:** BOS authorized the release of the TGPA-ZOU Draft EIR for a 120-day comment period, 75 days longer than required by CEQA.
- **March 24, 2014:** The TGPA-ZOU DEIR is released for a 120-day public comment period to close on July 23, 2014.
- **July 10, 2014:** Staff held a public hearing at the Planning Commission to receive comments on the DEIR
- **July 23, 2014:** The public comment period closed for DEIR
- **Aug 4-27, 2014:** TGPA-ZOU project hearing held, consisting of a series of eight (8) total meetings; seven (7) with the Planning Commission and one (1) with the Ag Commission.
- **Current and in progress:** Staff is preparing responses to comments received and revisions to the EIR as necessary to address comments. Staff is also working on response to Planning Commission request.