



Charlene Tim <charlene.tim@edcgov.us>

PC 8/27/
#2
10 pages

Fwd: Comment Letter for the Planning Commission/August 27, 2015 meeting/FEIR/Former EID Bass Lake property/agenda item #2, 11-0356

EDC COB <edc.cob@edcgov.us>

Tue, Aug 25, 2015 at 8:51 AM

To: Charlene Tim <charlene.tim@edcgov.us>, Roger Trout <roger.trout@edcgov.us>

FYI

Office of the Clerk of the Board
El Dorado County
330 Fair Lane, Placerville, CA 95667
530-621-5390

----- Forwarded message -----

From: <blacinfo@aol.com>

Date: Tue, Aug 25, 2015 at 8:50 AM

Subject: re: Comment Letter for the Planning Commission/August 27, 2015 meeting/FEIR/Former EID Bass Lake property/agenda item #2, 11-0356

To: edc.cob@edcgov.us

Good Afternoon:


This letter is being written in response to the El Dorado County Planning Commission Meeting planned for August 27, 2015, Agenda Item # 2, 11-0356, Hearing to consider the Targeted General Plan Amendment and Zoning Ordinance Update (TGPA-ZOU) project and Final Environmental Report (FEIR).

As a member of the Bass Lake Action Committee, we are quite concerned the former EID Bass Lake property continues to be targeted for a rezoning of Recreational Facilities - High Intensity use through the TGPA/ZOU. The attached letter supports our contention the property in question should be zoned as Recreational Facilities - Low Intensity with a land use of Open Space - Conservation as stipulated in the El Dorado Hills Specific Plan. This property is not part of the proposed Bass Lake Regional Park property and it would be seriously environmentally affected if this rezoning was to take place.

Thank you in advance for the opportunity to comment on a matter that deeply concerns the residents of the Bass Lake area.

Kathleen M. Prevost, Vice President
Bass Lake Action Committee
www.basslakeaction.org

2 attachments

 **Zoning letter to EDCPC & BOS August 29, 2014 for FEIR.doc**
33K

 **Response to FEIR - EDC A4.doc**
56K

August 29, 2014

To the El Dorado County Planning Commission and the Board of Supervisors:

RE: LUPPU Proposed rezoning of APN 115-400-12, 3240 Bass Lake Road

From RF - Adopted Plan Land Use - Open Space (EDH Specific Plan) to RFH - High Use Recreational

El Dorado Irrigation District (EID) property containing Bass Lake

Many thanks to the Planning Commission members for listening to my concerns about the EID Bass Lake property proposed rezoning on Wednesday, August 27, and for their thoughtful discussion which followed.

One point I wish to reiterate is the EID Bass Lake property (as well as the proposed Bass Lake Regional Park) is in a **Rural Region** and immediately adjoining rural Green Springs Ranch.

During your discussions, the fact there was little difference between Recreation Facility - Low (RFL) and and Recreational Facility - High (RFH) zoning according to the Draft El Dorado County Code was discussed. I reviewed my notes and the draft zoning code 17.25.020 Special Purpose Zones which is attached above and while at first glance this seems to be true, the detail in the footnotes proves this to be partially incorrect. If you review the attached document, I have high lighted items in the Special Purpose Zones Use Matrix which are footnoted as only applying to specific situations.

I will spell out the footnoted items under RFL zoning as follows:

Golf Course (CUP 1) - **As part of an approved development plan or subdivision.**

Parks: Nighttime Use (A2)- **In Rural Centers, only.**

Swimming Pool (A3) - **In Community Regions, only.**
Tennis Court, public (A3) **In Community Region, only.**

Commercial Recreation,

Indoor entertainment (A2) **In Rural Centers, only.**
Outdoor entertainment (CUP2) **In Rural Centers, only.**
Outdoor Sports and Recreation (A/CUP2) **In Rural Centers, only.**

Civic

Community Services (CUP2) **In Rural Centers, only.**

Communication Facilities

Public Utility Service Facilities, Minor (P2) **In Rural Centers, only.**

In my letter of comment to the Long Range Planning Division I included the following information:

A. *El Dorado County Impact Analysis Biological Resources El Dorado County TGPA/ZOU*

Draft Program EIRSCH# 20120520743.4-24March 2014ICF 00103.12

λ Section 17.25.010 and 17.25.020

*"Recreational Facilities, Low-intensity [RFL] and Recreational Facilities, High-intensity [RFH]) **RFL zoning would be allowable in Rural Regions and Rural Centers;** RFH zoning would be "primarily located in Community Regions and Rural Centers."*

B. *Table 2.2 El Dorado County Project Description Draft EIR General Plan Land Use Designation and Zone Consistency Matrix shows RFH zoning in OS - Open Space only when "within a Community Region" and the EID Bass Lake parcel is outside the Community Region.*

In conclusion, since this property is in a Rural Region, the zoning for the EID Bass Lake property should not be changed from its current RF zoning with a land use of open space/conservation as shown in the EDHSP DEIR Area Place Designations Map to RFH based on the Draft El Dorado County Code and the TGPA/ZOU Draft EIR.

Thank you again for your time and consideration.

Kathy Prevost
Vice President
Bass Lake Action Committee
www.basslakeaction.org

August 22, 2015

TO: El Dorado County Planning Commission and Board of Supervisors

RE: Planning Commission Meeting on Thursday, August 27, 2015 to approve the Final Environmental Impact Report (FEIR) and Targeted General Plan Amendments/Zoning Ordinance Update.

Subject: TGPA/ZOU Proposed Rezoning of APN 115-400-12, 3240 Bass Lake Road From **RF – Adopted Plan to RFH – Recreational Facility, High - Intensity – No land use noted**/Former El Dorado Irrigation District (EID) property containing Bass Lake

These comments are being presented by the Bass Lake Action Committee in opposition to the proposed rezoning through the Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU) of parcel APN 115-400-12, 3240 Bass Lake Road from the current zoning of RF (Recreation) with a land use of AP (Approved Plan) to RFH (Recreational Facility, High - Intensity) with **no land use** noted.

Bass Lake Action Committee is a nonprofit neighborhood organization. The mission of the Bass Lake Action Committee is to provide a voice for Bass Lake residents in dealing with the county and other community agencies, and to ensure that homeowners' concerns regarding development in the surrounding area are addressed and that development meets the needs of the community.

We understand from the August 27, 2015 Planning Commission Agenda Item # 2, 11-0356¹ that the former EID Bass Lake property was flagged for further review to consider amending the proposed General Plan consistency rezone from RFH to RFL with advisory to the BOS that additional discussion is warranted prior to final action.

It is noted this action was recommended due to a **confirmed mapping error** on the draft Zoning Maps which we had previously brought to the attention of Shawna Purvines and the BOS in an email dated September 24, 2013. Further, the Summary states the identified parcel is not part of the proposed Bass Lake Park area and the **"RFL Zone District will be applied for consistency with the General Plan and Project objectives"**. **"This map will be added to the County's list of mapping errata items for the Project."**

¹(C, 4. 4) Adopt the Zoning Ordinance Update with the proposed minor revisions outlined in the Technical Memorandum No. 2 [Attachment 16A] and attached as Exhibits J and K [Attachments 16M and 16N], #17 – 16Q Exhibit N/Summary of PC TGPA/ZOU recommendations of August 2014 Flagged Items with EIR Review PC 8-27-15.pdf

The following letter reiterates the reasons we feel the former EID Bass Lake property should be zoned as Recreation Facility, Low - Intensity with a land use stipulation of Open Space-Conservation (since the AP land use has been eliminated) as is stated in the EDHSP.

This 157-acre property, called Village R in the El Dorado Hills Specific Plan (EDHSP) is specifically designated as permanently dedicated to open space, low impact recreation and open space conservation. **“Natural open space, as designated in the Specific Plan, will be preserved in perpetuity in an essentially unaltered condition. No development will occur within these areas except for maintenance, fire protection, trails and permitted uses. Use will be restricted to such activities as jogging, hiking and horseback riding where the impact will be minimal.”**²

The EDHSP states **“Should conflicts arise between the provisions of the planned development overlay zone standards and those standards and policies of the Specific Plan, the latter shall prevail. All subsequent subdivision and development, all public works projects, and all zoning regulations must be consistent with the Specific Plan”**.³

Further California code section 65455 says **“No public works project may be approved, and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the specific plan”**.

The Draft Environmental Impact Report (DEIR) stated **“None of these plans are proposed for amendment as part of the project”**⁴, and included a list showing the El Dorado Hills Specific Plan.

The proposed rezoning of this parcel to Recreational Facility, High – Intensity (RFH) through the TGPA/ZOU is clearly in conflict with the EDHSP. If this parcel is rezoned it could potentially lead to an enormous change in land use for Bass Lake. Clearly a change in both the zoning and land use is inconsistent with the EDHSP.

However, a commenter to the DEIR questioning how the Bass Lake property could be rezoned received the following response in the Final Environmental Impact Report (FEIR).

Chapter 9. Page 682/1387/0-1-294 – The commenter misunderstands the statement that none of the specific plans is being amended. No policy or land use designation of any of the specific plans is being amended. The issues raised by the comment relate to a zone change not an amendment to a specific plan. These zone changes are necessary in order to make zoning consistent with the General Plan. Please see also Master Response 3: Necessity to Amend the Zoning Ordinance.

² EDHSP December 23, 1987, EDHSP Design Guidelines, Appendix B, Section 5.0 Open Space, Parks and Recreation, Trails and Paths, 5.2, Natural Open Space, page “B-12

³ EDHSP, December 23, 1987, section 1. Introduction 1.1.1 Implementation of Policies

⁴ FEIR, Project Description, Chapter 2, project location 2.2, page 51

Rezoning the former EID Bass Lake property would also be in contradiction to the proposed revised Zoning Ordinances.

Bass Lake and the surrounding property are in a Rural Region⁵. The TGPA/ZOU proposed revised Zoning Ordinances do not allow for RFH zoning in Rural Regions. Table 2.2 in the EDC Project Description DEIR shows RFH zoning in Open Space only when located within a Community Region and the Bass Lake parcel is not in a Community Region.

According to the 2004 General Plan Conservation and Open Space Element **“Consistent with the objectives, goals and policies set forth in the Land Use Element, the Plan must conserve and improve the County’s existing natural resources and open space, including agricultural and forest soils, mineral deposits, water and native plants, fish, wildlife species and habitat, and federally classified wilderness areas; and preserve resources of significant biological, ecological, historical or cultural importance”**.⁶

Rezoning the Bass Lake property would not fulfill this mission as most assuredly Recreational Facility, High - Intensity zoning (RFH) would not protect the already existing open space, which includes native plants, fish, valuable wildlife species and habitat. Nor would it preserve an area of significant historical importance to our Bass Lake and El Dorado Hills area which has a rich and long history as part of the Carson Creek watershed extending from the early 1850’s. Further, the area is deemed to be waters of the United States and is listed as wetlands in the US Fish and Wildlife Service National Wetlands inventory.

The property is home to Bald Eagles, Ospreys and several kinds of hawks as well as migrating American White Pelicans who along with other bird species are very sensitive to human disturbances. American White Pelicans are experiencing a declining habitat and are protected by the Migratory Bird Treaty Act of 1918. They have the California Department of Fish and Game protective status and the California Species of Special Concern (CSC).

In 1991, in response to a Draft EIR for the Bass Lake Road Realignment (now called Silver Springs Parkway) Professor of Biology at American River College, D. Bruce Swinehart, Jr. wrote **“I have been aware of the wintering eagles at Bass Lake for the last forty years.” “I hope your county will realize the tremendous resource a place like Bass Lake is. I implore the planning and administration units of El Dorado County to make wise and far-reaching decisions that will ensure the atmosphere of your county that people enjoy and appreciate will be preserved”**.

If the parcel was to be developed because of a rezoning to RFH, it would be expected the foraging areas of the birds and other wildlife would be significantly affected.

“Bass Lake and the surrounding shoreline, including lands within the proposed park site are valuable habitat for resident and migratory bird. At least one bald eagle (*haliaeetus leucocephalus*) has been a frequently observed winter visitor there in recent years, and has

⁵ Chapter 17.25 – Special Purpose Zones 17.25.010, C1

⁶ 2004 General Plan – Conservation and Open Space Element/Elements/page 133

often been observed along the shoreline near or inside of the boundaries of the proposed park. Also, Bass Lake is a valuable feeding and resting area for wintering waterfowl, including ring-necked ducks, etc.”⁷

The California Wetlands Conservation Policy in the FEIR, Chapter 3, Impact Analysis states “the goals of the California Wetlands Conservation Policy, adopted in 1993 (Executive Order, W-59-93 (August, 23, 1993) are **“to ensure no overall net loss and achieve a long-term net gain in the quantity, quality and permanence of wetlands acreage and values in California, in a manner that fosters creativity, stewardship, and respect for private property; to reduce procedural complexity in the administration of state and federal wetlands conservation programs; and to make restorations, landowner incentive programs and cooperative planning efforts the primary focus of wetlands conservation”**.”

Certainly this goal could not be met if the Bass Lake property is rezoned to Recreational Facility, High – Intensity (RFH) which could allow for the property to be used for recreational activities with high concentrations of people, such as sports fields, sports complexes, recreational parks and amusement parks.

“One objective of the Project is to make the Zoning Ordinance consistent with the provisions of the General Plan. The ZOU has been specifically drafted for that purpose. Accordingly, the Project would eliminate inconsistencies related to the Zoning Ordinance’s implementation of the General Plan. Therefore, the effect of the TGPA would be less than significant.”⁸

Our understanding from Shawna Purvines of the Long Range Planning staff (email of September 24, 2013 to Ellen Van Dyke⁹) is the former EID Bass Lake parcel was targeted for rezoning because of the nearby proposed Bass Lake Regional Park property (BLRP), APN 115-400-02. The proposed BLRP had originally been planned in 2001 - 2003 for potentially intensive uses and amenities. Ten years later in 2012, the EDC Parks and Trails Master Plan reevaluated this usage and the current 2015 Parks and Trails Commission is discussing the probability of low impact trails.

“More passive uses such as trails and nature areas may have greater value as the El Dorado Hills and Cameron Park communities are becoming more densely developed. These types of uses would have fewer environmental impacts and cost less to develop and maintain.”¹⁰

“The Master Plan will need to be revisited before improvements for this site are implemented to reflect changes in community needs and recreation trends.”¹¹

⁷ Letter dated June 12, 2003 from Larry Eng, PHD, Deputy Regional Manager, California Department of Fish and Game to Gary Hyde, EDC Park Department regarding the May 16, 2003 Notice of Preparation of an EIR for the proposed Bass Lake Regional Park property commenting on the development and use of the proposed BLRP as well as a perimeter trail around Bass Lake.

⁸ FEIR Impact Analysis, Land Use and Planning, 3.6-16

⁹ Comment Letter from response to DEIR, FEIR Response to Comments, Page 61 Letter I-37 – Kathleen M. Prevost

¹⁰ RP4 Bass Lake Regional Park 2012 El Dorado County Parks and Trails Master Plan

¹¹ Page 57, 2012 El Dorado County Parks and Trails Master Plan

Additionally, much has changed since the TGPA/ZOU commenced two years ago. Parker Development is now planning to build lighted athletic fields on Serrano Village J5 for the El Dorado Hills Community Services District (EDHCSD) to fulfill their park obligations. Serrano Village J5 is a more logical location for lighted athletic fields since it was originally planned for a large lighted shopping center and has much better accessibility. Therefore there is no longer a correlation between the proposed BLRP property usage (which continues to be zoned RE-5) and the former EID Bass Lake property in terms of a need for rezoning.

Because of these subsequent events, the original premise for changing the zoning for the former Bass Lake parcel is no longer valid and the current zoning is **consistent** with the 2004 General Plan.

In conclusion, Bass Lake and the surrounding wetlands are much enjoyed by the residents of our area. It is a visual water amenity which while supporting a varied wildlife community is a significant environmental and historical asset for both Bass Lake and El Dorado Hills. We believe the property should be preserved and protected for future generations to enjoy since one day it will be the only site of its kind when Cameron Park and El Dorado Hills are built out.

The facts presented in my letter inarguably support **not** rezoning the former EID Bass Lake property through the TGPA/ZOU process and that the stipulated land usage should be open space (conservation) as shown in the EDHSP.

Sincerely,

BASS LAKE ACTION COMMITTEE

Kathleen M. Prevost
Vice President
1080 Jasmine Circle
El Dorado Hills, CA 95762
530 672-6836

Please note that additional background and supportive data for comments can be found in my response to the DEIR which may be found in its entirety in the FEIR Response to Individual Comments, Page 61 Letter I-37 – Kathleen M. Prevost and in the attached Zoning letter to the EDCPC and EDCBOS dated August 29, 2014.

8/25/2015

Edcgov.us Mail - Fwd: Comment letter for the FEIR to the EDCPC and BOS

PC 8/27/15
#2



Charlene Tim <charlene.tim@edcgov.us>

6 pages

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Tue, Aug 25, 2015 at 9:03 AM

To: Charlene Tim <charlene.tim@edcgov.us>, Roger Trout <roger.trout@edcgov.us>

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Subject: re: Comment letter for the FEIR to the EDCPC and BOS

To: edc.cob@edcgov.us

To the El Dorado County Planning Commission and Board of Supervisors,

The attached letter written by the Bass Lake Action Committee reiterates reasons we strongly believe the former EID Bass Lake property should be zoned as Recreational Facility, Low - Intensity (RFL) with a land use stipulation of Open Space-Conservation [since the Approved Plan (AP) land use has been eliminated] as is stated in the El Dorado Hills Specific Plan. As a resident of the Bass Lake area, I ask you to consider the information in the attached letter because the likely outcome of the Recreational Facilities, High - Intensity rezoning could have far reaching consequences deeply affecting our quality of life. Bass Lake and the surrounding wetlands provide a wonderful visual amenity and support a varied wildlife community for those of us who live in the Bass Lake and El Dorado Hills areas.

Thank you for your consideration,

Igor Don-Doncow
4082 Kirkwood Dr.
Woodridge community
El Dorado Hills, CA 95762



Response to FEIR - EDC A4.doc

56K

August 22, 2015

TO: El Dorado County Planning Commission and Board of Supervisors

RE: Planning Commission Meeting on Thursday, August 27, 2015 to approve the Final Environmental Impact Report (FEIR) and Targeted General Plan Amendments/Zoning Ordinance Update.

Subject: TGPA/ZOU Proposed Rezoning of APN 115-400-12, 3240 Bass Lake Road From RF – **Adopted Plan to RFH – Recreational Facility, High - Intensity – No land use noted**/Former El Dorado Irrigation District (EID) property containing Bass Lake

These comments are being presented by the Bass Lake Action Committee in opposition to the proposed rezoning through the Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU) of parcel APN 115-400-12, 3240 Bass Lake Road from the current zoning of RF (Recreation) with a land use of AP (Approved Plan) to RFH (Recreational Facility, High - Intensity) with **no land use** noted.

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It is noted this action was recommended due to a **confirmed mapping error** on the draft Zoning Maps which we had previously brought to the attention of Shawna Purvines and the BOS in an email dated September 24, 2013. Further, the Summary states the identified parcel is not part of the proposed Bass Lake Park area and the "RFL Zone District will be applied for consistency with the General Plan and Project objectives". "This map will be added to the County's list of mapping errata items for the Project. "

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⁵ Chapter 17.25 – Special Purpose Zones 17.25.010, C1

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⁸ FEIR Impact Analysis, Land Use and Planning, 3.6-16

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Sincerely,

BASS LAKE ACTION COMMITTEE

Kathleen M. Prevost
Vice President
1080 Jasmine Circle
El Dorado Hills, CA 95762
530 672-6836

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PC 8/27/15
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Charlene Tim <charlene.tim@edcgov.us>

Fwd: the former EID Bass Lake property should be zoned as Recreational Facility, Low

EDC COB <edc.cob@edcgov.us>

Tue, Aug 25, 2015 at 9:04 AM

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From: <blacinfo@aol.com>

Date: Tue, Aug 25, 2015 at 8:52 AM

Subject: re: the former EID Bass Lake property should be zoned as Recreational Facility, Low

To: edc.cob@edcgov.us

To the El Dorado County Planning Commission and Board of Supervisors The letter written by the Bass Lake Action Committee reiterates reasons we strongly believe the former EID Bass Lake property should be zoned as Recreational Facility, Low - Intensity (RFL) with a land use stipulation of Open Space-Conservation [since the Approved Plan (AP) land use has been eliminated] as is stated in the El Dorado Hills Specific Plan. As a resident of the Bass Lake area, we ask you to consider the information in the letter because the likely outcome of the Recreational Facilities, High - Intensity rezoning could be far reaching consequences deeply affecting our quality of life. Bass Lake and the surrounding wetlands provide a wonderful visual amenity and support a varied wildlife community for those of us who live in the Bass Lake and El Dorado Hills area.

Thank you for your consideration,

Debra & Doug Bailey
2033 Summer Dr.
El Dorado Hills, CA
Woodridge *