



Sierra Pacific Industries

Land Investment & Development Division
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November 27, 2007

Mr. Tom Dougherty
Associate Planner
El Dorado County Planning Services
2850 Fairlane Court
Placerville, CA 95667

**Re: Z07-0046, PD07-0032, TPM P07-0015
Camino, El Dorado County**

Tom –

Please forward this letter to the Board of Supervisors with the recent recommendation from the Planning Commission regarding applications: Z07-0046 / PD07-0032 / P07-0015. It is our understanding from meeting with you last week that an Appeal is not allowed for Recommendations from the Planning Commission, only for Approvals.

This letter is intended to point out several areas where the project fails to meet General Plan Policies, or where they have not been adhered to. Ultimately this has an affect on the nearby SPI property and we're asking that this project be DENIED based on the non-conformity with the General Plan. A separate option would be for the Board to send this application back to Staff to address the General Plan policies indicated below, prior to adoption of the Negative Declaration and any discretionary approvals for the project.

Sincerely,

David C. Brown, P.E.
Sierra Pacific Industries, Lands Division

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PLANNING DEPARTMENT
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ATTACHMENT 4

Policy 5.1.1.1 The County, in cooperation with other affected service providing agencies, shall develop long-range facilities plans for public services and utilities including water supply, wastewater treatment...

The 'affected service' for wastewater generated from the proposed project is SPI and the SPI property (through onsite disposal). The recommendation from the Planning Commission does NOT consider wastewater long-range planning or facilities that could be Significantly Impacted by the development (further indicated in 5.3.1.3 and 5.3.1.7). SPI has provided written and verbal comment to the Planning Commission requesting that the existing facilities be assessed. SPI has also advised the County that the Regional Water Quality Control Board has been contacted and confirmed this application would require a Community Wastewater system, which the project cannot provide and should be a criteria for denial of the project.

Policy 5.1.2.1 Prior to the approval of any discretionary development, the approving authority shall make a determination of the adequacy of the public services and utilities to be impacted by that development. Where, according to the purveyor responsible for the service or utility as provided in Table 5-1, demand is determined to exceed capacity, the approval of the development shall be conditioned to require expansion of the impacted facility or service to be available concurrent with the demand...

The recommendation by the Planning Commission is based on Staff (Planning) recommendation that the existing septic system is adequate. Both the owner/operator of the septic system (SPI) and the County Environmental Health Department have indicated the existing wastewater system design does not include this project, and is therefore unable to determine adequacy without further study. As indicated in 5.1.1.1, the RWQCB has additional requirements for a Community System from this project that is prohibitive on the current land disposal area. In approving any discretionary development for this project, the recommendation from the Planning Commission is neglecting the potential existing inadequacies in the wastewater system and not complying with Policy 5.1.2.1.

Policy 5.1.2.2 Provision of public services to new discretionary development shall not result in a reduction of service below minimum established standards to current users...

Minimum established standards are currently not met with the existing system and should be remedied prior to any determination of impact from the proposed project.

Policy 5.1.2.3 New development shall be required to pay its proportionate share of costs of infrastructure improvements required to serve the project to the extent permitted by State law. Lack of available public or private services or adequate infrastructure to serve the project which cannot be satisfactorily mitigated shall be grounds for denial of any project...

The Planning Commission recommendation of the project contradicts Policy 5.1.2.3 regarding private services. SPI has provided written correspondence outlining how wastewater cannot be met with the change from a single parcel. Based solely on this, the project should have been denied and the approval contradicts Policy 5.1.2.3.

Policy 5.3.1.3 In Rural Centers, the County may allow community wastewater systems and other alternative solutions as an acceptable option to traditional wastewater treatment for mobile home parks, commercial and industrial centers, and multi-family residential. The application must prove and the County must find that the proposed system will be adequately and safely operated and can accommodate the highest possible demand of the project.

The project, as indicated by SPI and County Environmental Health, has not studied the existing system and has not evaluated the highest possible demand of the project. This was re-iterated at the Planning Commission meeting by SPI. In recommending approval of the project to the Board, the Planning Commission did not meet Policy 5.3.1.3.

Policy 5.3.1.7 In Community Regions, all new development shall connect to public wastewater treatment facilities. In Community Regions where public wastewater collection facilities do not exist, project applicants must demonstrate that the proposed disposal system can accommodate the highest possible demand of the project.

The project, as indicated by SPI and County Environmental Health, has not studied the existing system and has not evaluated the highest possible demand of the project. This was re-iterated at the Planning Commission meeting by SPI. In recommending approval of the project to the Board, the Planning Commission did not meet Policy 5.3.1.7.