

RE: CEQA Response to DEIR - Missouri Flat Bypass

DrBoylan

to:

sue-taylor

08/24/2010 09:54 AM

Cc:

"JackSweeneyBOSDistr3", "RayNuttingBOSDistr2", "RonBriggsBOSDistr4",  
 "NormaSantiagoBOSDistr5 - EDC", janet.postlewait, "JohnKnightBOSDistr1", "matt smeltzer",  
 "Craig Mckibbin", "bob slater", "AssemblymanTedGainesAD4- EDC", assemblymember.gaines,  
 "AssemblymemberAlysonHuber10 - EDC", "BOSSEcty2CynthiaJohnson -EDC", "ClintCurtis CD-  
 4cand - EDC", "DennisCampanaleAD4cand", "MtDemocratReporterChrisDaley", "SacramentoBee  
 CathyLocke - EDC", "Carlos Alcala", "Richard Esposito", "Marjie Lundstrom", "Will Frampton",  
 "San Jose Mercury News", "Sac Bee", "Pat Snelling", "Pat Lakey", "Mimi Escabar", "Malcolm  
 Maclachlan", "KCRA", "Fox 40", "KOVr Ch 13", "KVIE Ch6", "Michelle Flood", "Matt  
 Weiser", preese, nkidman, jortiz, dwalters, tvanoot, jsanders, dkasler, rebecca, sstanton, rkeegan,  
 placerherald, donc, "Melanie Sill", jvoltl, rslabaugh, kpaglia, tbizjak, aflanz, jchang, lrosenhall,  
 kyamamura, cpiller, saveourcounty  
 Show Details

Sue and associate Save Our County members,

Will this cited abuse of the CEQA Law, and corrupt conflict-of-interest and insider contracting, be the match that lights the fuse leading to RICO Statutes\* prosecution of Jack Sweeney and his Supervisor cronies and their developer patrons?

After all, a number of attorneys and legal experts as well as legislators are reading this letter and its telling attachments.

Richard Boylan, Ph.D.  
 Diamond Springs

\*RICO: In 1970, Congress passed the Racketeer Influenced and Corrupt Organizations (RICO) Act, Title 18, United States Code, Sections 1961-1968. Section 1964(c) of the RICO Act allows *civil* (as well as criminal) claims to be brought by *any person* injured in their business or property by reason of a RICO violation. Any person who succeeded in establishing a civil RICO claim would automatically receive judgment in the amount of three times their actual damages and would be awarded their costs and attorneys' fees. RICO's broad application was the result of Congress' inclusion of mail and wire fraud as two crimes upon which a RICO claim could be brought. Mail fraud can include false and misleading mailings by County officials. Wire fraud can include misuse of email and Internet transmission of false and misleading statements leading to harm to individuals affected.

---

**From:** sue-taylor@comcast.net [mailto:sue-taylor@comcast.net]

**Sent:** Monday, August 23, 2010 4:59 PM

**To:** janet.postlewait@edcgov.us

**Cc:** JackSweeneyBOSDistr3; RayNuttingBOSDistr2; RonBriggsBOSDistr4; NormaSantiagoBOSDistr5 - EDC; JohnKnightBOSDistr1; matt smeltzer; Craig Mckibbin; bob slater; AssemblymanTedGainesAD4- EDC; assemblymember.gaines@assembly.ca.gov; AssemblymemberAlysonHuber10 - EDC; BOSSEcty2CynthiaJohnson - EDC; ClintCurtis CD-4cand - EDC; MtDemocratReporterChrisDaley; SacramentoBee CathyLocke - EDC; Carlos Alcala; Richard Esposito; Marjie Lundstrom; Will Frampton; San Jose Mercury News; Sac Bee; Pat Snelling; Pat Lakey; Mimi Escabar; Malcolm Maclachlan; KCRA; Fox 40; KOVR Ch 13; KVIE Ch6; Michelle Flood; Matt Weiser; preese@sacbee.com; nkidman@taohedailytribune.com; jortiz@sacbee.com; dwalters@sacbee.com; tvanoot@sacbee.com; jsanders@sacbee.com; dkasler@sacbee.com; rebecca@gtgazette.com; sstanton@sacbee.com; rkeegan@taohedailytribune.com; placerherald@goldcountrymedia.com; donc@goldcountrymedia.com; Melanie Sill; jvoltl@taohedailytribune.com; rslabaugh@taohedailytribune.com;

08-1264.R.1

08/24/2010

kpaglia@mtdemocrat.net; tbizjak@sacbee.com; aflanz@tahoedailytribune.com; jchang@sacbee.com; rosenhall@sacbee.com; kyamamura@sacbee.com; cpiller@sacbee.com

**Subject:** CEQA Response to DEIR - Missouri Flat Bypass

August 23, 2010

El Dorado County Department of Transportation

Attn: Ms. Janet Postlewait, Principal Planner

In regards to the DEIR of the Diamond Springs Parkway,

The alignment of this roadway appears to show favoritism to a particular developer(s). This developer appears to have been chosen by the Board of Supervisors to facilitate an enormous amount of commercial retail development in the Missouri Flat area at taxpayer's expense. Also actions taken by the Board of Supervisors over the last few years has been contrary to many of the policies of the adopted General Plan. The Board has ignored or neglected vital parts of the General Plan that should have been implemented soon after the plan's adoption.

I have issue in regards to the consultant, Michael Brandman Associates (MBA) who provided environmental services and also facilitated the public comment session of the 2 public meetings. At the public meeting Michael Brandman was asked if initially he had been hired by Leonard Grado. Leonard Grado, part of Granite, Grado Ventures (GGV), is a developer who plans on bringing 280,000 sq. ft. of national and local retailers onto a presently designated industrial site that will be greatly benefited by the proposed by-pass. Mr. Brandman stated his company was paid by the county. I then responded that I know that he is presently being paid by the county, but initially was he not hired by Leonard Grado. He denied this. Within the staff report for the Diamond Springs Parkway – Phase 1 Project #72334 it states that "GGV concurrently proposed to advance the Diamond Springs Parkway project to provide a bid-ready package with the anticipation of County reimbursement from TIM fees. GGV retained the services of Michael Brandman Associates for environmental services. Under contract to GGV and in cooperation with the Department, the team held formal Environmental Impact Report (EIR) scoping meetings, prepared draft.....for Diamond Springs Parkway." Per the staff report, "On April 29<sup>th</sup>, the Board directed the Department to negotiate contracts with KHA, MBA and CTA to continue the work started by GGV." It was noted in the report that this was a departure from the County's adopted TIM fee reimbursement guidelines (See attached Legislative File 08-1264). The deviation of the TIM fee policy and the consultant being hired by one of the benefactors of the project brings into question the impartiality and objectivity of the consultant's report.

Not only should this project be postponed until a properly written environmental impact document can be composed that complies with CEQA, but an investigation should take place as to why so much effort and money is being exerted to advance particular developers such as Leonard Grado among others.

I've attached my comments and statements regarding the Draft Environmental Impact Report for the Diamond Springs Parkway Project.

Regards,

08-1264.R.2  
08/24/2010

Sue Taylor  
El Dorado County Resident and Taxpayer