

COPY SENT TO BOARD MEMBERS  
FOR THEIR INFORMATION

DATE

8/12/08

cc: Spec. mtg. File 08-1293



Residents Involved in Positive Planning, Inc.

**RIPP, Inc.**

PO Box 929

Diamond Springs, CA 95619

Phone: 530.626.0836

<http://www.rippnow.org>

August 12, 2008

Hand Delivered at \_\_\_\_\_ Also Emailed to other Supervisors

Mr. Rusty Dupray  
Chairman, Board of Supervisors  
El Dorado County  
330 Fair Lane  
Placerville, CA 95667

2008 AUG 12 AM 11:55  
BOARD OF SUPERVISORS  
EL DORADO COUNTY, CALIF.

Honorable Supervisor Dupray,

Because there has been considerable confusion about when materials must be filed for inclusion in an upcoming Board meeting, Residents Involved in Positive Planning, Inc. is filing comments on the BOS meeting of August 18, 2008, as it relates to NewPoint Group, Sacramento, CA.

Since this letter is being written one week before the meeting, and there is no agenda posted on the EDC Board of Supervisors website, it is rather difficult to prepare comments. Calls to various EDC offices and officials have not given us much information as to this meeting.

We filed our latest letter on Friday, the 8<sup>th</sup> of August, and I am sure you will find that we provided much positive information in the form of many good suggestions on how EDC can make money with their MRF when located in the proper location. RIPP, Inc. is acting in a highly constructive manner to help in this very important matter.

As the President of RIPP, Inc., I was told in a sharp manner by Supervisor Sweeney that I had better be at the meeting on the 18<sup>th</sup>, with no other information given. I found that contact somewhat disturbing, as his action seems to fit in with things that have taken place in the last few months about the MRF relocation project put forward in the County NOP of 12-20-2007, about which we have many serious questions.

Our three recent filings with the Planning Department during the past two months cover these and many other actions that have RIPP, Inc., a bit puzzled. For example, in reference to the County Scoping meeting of January 24, 2008, RIPP, Inc. filed an affidavit in our Exhibit (1B) of our 8-08-2008 letter on CEQA Required Alternative Locations in which Carole I. Pfafman of 3993 Bright Court makes some startling statements:

"My husband and I live approximately a 1/4 mile from the site and we had come to find out how our life and neighborhood would be affected.

As homeowners we were told that the county was not interested in hearing why we didn't want such a facility at that location, but only to voice inquires in a positive way.

**RIPP, Inc. Comments about BOS meeting of August 18, 2008 as it relates to  
NewPoint Group, and their presentation to the Board of Supervisors - 8-12-08 - 2 of 5**

It was confusing and frustrating to know how not to make a negative inquiry when the map on the wall didn't show the housing and businesses surrounding the site and any inquiries about noise and pollution were downplayed."

Honestly, Honorable Supervisor, do you find this kind of El Dorado County action in compliance with the provisions of the California Environmental Quality Act, Guideline: 15201?

Public participation is an essential part of the CEQA process. Each public agency should include provisions in its CEQA procedures for wide public involvement, formal and informal, consistent with its existing activities and procedures, in order to receive and evaluate public reactions to environmental issues related to the agency's activities.

This section declares the importance of public participation as an element 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."

This and many other CEQA citations on the public right to participation in this process have been made in our letters to the County, and we hope that this upcoming meeting will not be another attempt to muzzle the citizens and keep them from their legally guaranteed rights to public participation.

Some other sentences in Mrs. Pfaflman's affidavit will further illustrate our cause for concern.

"County staff asked the various agencies represented how quickly they could push the process through, and we realized what fast tracking meant.

We were told that we had the next day, a Friday, and the week-end to e-mail any information about the history of the area and any inquiries to Jason Hade.

Jason Hade had us sign in and told us we would receive notices about any future meetings. We have not received anything so far."

Couple this comment with the statements in another affidavit filed last Friday about the actions admitted in public by County Staff and Waste Connection Executives.

**The El Dorado Hills, Community Service District meeting, March 27 in El Dorado Hills.**

As stated by Waste Connections: Waste Connections has been "given" the proposed MRF site by the developer (valued at \$3 million) in order to encourage them to make this move from the current MRF before they were originally ready to do so in 2015. When their current Franchise Agreement expires.

There has been some public controversy about this issue of this GIFT of land to Waste Connections, but this statement made by Jim Little, Waste Connections, MRF Project Engineer in this meeting as per Mr. Mueller's affidavit, is an admission that this Gifting did take place. As per our previous letters, CEQA Guidelines - 15126 specifies that an EIR must discuss, preferably separately, a project's significant environmental effects, mitigation measures, and a range of alternatives. These affidavits will show that this has not been done by the proponent or El Dorado County.

As stated by Waste Connections: The county staff has already "bought off" on this MRF relocation project and is on the "fast track" to complete it.

While the County Staff may have "bought off" on this MRF relocation project and is on "fast track" to complete it, the County cannot circumvent the requirement of CEQA to present a complete alternative site analysis.

As stated by Waste Connections: "The county loves the concept of the new facility. And is doing what ever it can to get Waste Connections out of the current site."

As stated by the CSD, Dianna Hillyer: "After looking at other locations including Latrobe Rd., I "love" the Industrial Dr. location and it is better than the old Union Mine site because the price is right."

To state that one site is better than another because "the County loves the concept" & "the price is right" is both ridiculous and out of compliance with CEQA.

RIPP, Inc. finds this statement made by an El Dorado CSD member, Dianna Hillyer, to be very prejudicial. Why should the County be concerned about the costs for Waste Connections?

It seems to me, Supervisor Dupray, that we have given you enough from that document for you to understand our cause for concern. We ask you to look into this matter and make sure that the meeting of the 18<sup>th</sup> is not a repeat of the kind of things that were stated above and are in the public record.

Lest we leave this issue in a rather negative vein, here are some other paragraphs from our 8-8-08 letter that will be encouraging to the El Dorado County Board of Supervisors.

**How would the County like to have Garbage-Powered Trucks  
and a lot of Bio-gas so that EDC could turn Rubbish to Revenue?**

Does this sound like something that El Dorado County ought to thoroughly investigate?

**Fact: In Britain, landfill gas makes up a quarter of the country's renewable energy, giving electricity to some 900,000 homes.**

**Fact: Around the world, landfills where municipal waste is collected and buried are one of the biggest producers of methane, a gas whose greenhouse effect is 21 times worse than carbon dioxide.**

**Fact: Start-up companies are developing the latest technologies to transform garbage into ethanol, gas and electricity.**

**Fact: Rubbish, trash, whatever you call it, the 1.6 billion tons of stuff the world throws away each year - 250 kilograms per person - is being touted as a big potential source of clean energy.**

All of this and much more is to be found in the 8-08-08 letter, Exhibit (6) and at this website:

<http://www.abc.net.au/news/stories/2008/05/21/2251403.htm>

Residents Involved in Positive Planning, Inc. (RIPP, Inc.) is alerting the people of El Dorado County to the plan for relocating the Materials Recovery Facility (MRF) in Diamond Springs from Throwita Way to a 17.9 acre site on Industrial Drive off Missouri Flat Road. RIPP, Inc. has uncovered a wealth of information that illustrates the folly of placing a MRF in this clearly unsuitable location.

The fact is that MRF's are better located in remote areas with good buffer zones that minimize danger to the public. Most MRF operations around the nation and abroad are located in sparsely populated areas, unlike the Industrial Drive site, which is surrounded by more than 500 residences, six schools, churches, restaurants, small businesses, senior facilities, and a nature trail.

One of the more serious problems we face today is rapidly rising energy prices, making it more important than ever before for jurisdictions like El Dorado County to develop projects that can actually *produce* energy. Elsewhere in the U.S., garbage collectors are rapidly expanding the number of gas-to-energy projects at their landfills and developing the latest technologies to transform garbage into power. State mandates & Federal tax incentives have fuelled the recent growth in such projects.

**Everywhere, people are talking trash!**

- Fairfax, VA is taking in the trash and turning out electricity for 75,000 homes.
- James Lyijynen, Vice President at DaimlerChrysler states **"not only does a pipeline help reduce landfill odor emissions, but it generates revenue for the city from a waste product."**
- The State of Colorado mandates garbage companies to power trucks with bio-diesel fuel.
- Waste Management, Inc. recently joined a growing number of companies that are using waste to power vehicles.
- National Geographic features a one-hour program entitled "Garbage Mountain."

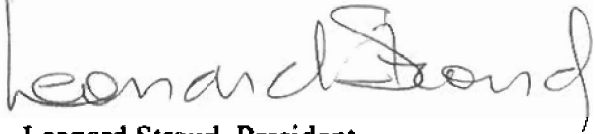
The Union Mine site can generate – at little or no cost – all of the power needed for a very efficient MRF. This would not be possible at the proposed Industrial Drive site.

Could there be any objection to the Union Mine site? Representatives of Waste Connections, Inc. claim Union Mine Road is too curvy, despite the fact that the previous provider successfully navigated it for many years. And they say it would add millions of miles of travel. But our investigation shows that a trip from Union Mine Landfill to the Forward, Inc. Landfill in Stockton via Highways 49 and 88 is *27 miles closer* than the proposed route from the Industrial Drive site using Highways 50 and 99. Waste Connections so far has provided no documentation or studies of the supposed millions of miles they say a change of site would add.

It is time for El Dorado County to live up to Resolution No. 29-2008 the Board of Supervisors passed earlier this year which states, **"...the State of California, by unique example, is striving to monitor and limit carbon emissions to improve air quality, and reduce our dependence on landfills, contain methane gas, promote alternative energies, increase recycling, and encourage local governments to adopt green and sustainable practices..."** Now is the perfect time to put the MRF where it belongs.

We'll see you and your colleagues on the 18<sup>th</sup>.

**RIPP, Inc. Comments about BOS meeting of August 18, 2008 as it relates to  
NewPoint Group, and their presentation to the Board of Supervisors - 8-12-08 - 5 of 5**



**Leonard Stroud, President,  
Residents Involved in Positive Planning, Inc.**

cc:

Helen Baumann  
Jack Sweeney  
Ron Briggs  
Norma Santiago