



The BOSONE/PV/EDC
Sent by: Loretta M
Featherston/PV/EDC

09/22/2008 10:54 AM

To Cynthia C Johnson/PV/EDC@TCP, Cindy L
Keck/PV/EDC@TCP

cc

bcc

Subject Item #36: Farren Property Development TM07-1447 for all
BOS 9-23-08 meeting



Paul Sayegh
<paul@sayegh.org>

09/22/2008 10:50 AM

To bosone@co.el-dorado.ca.us

cc

Subject Ferrin Property Development TM07-1447 for all BOS 9-23-08
meeting

Dear Supervisors,

I would like to bring to your attention that the CEQA document for this project is totally weak with a high reliance on regulatory programs for mitigation and is very vulnerable to litigation. This was ignored by the Planning Commission. **Note that Vinyard Area Citizens for Responsible Growth vs. City of Rancho Cordova (2007), a SUPREME COURT DECISION** stated that a CEQA document requires EIR preparers to disclose impacts of long-term water supply and that you can not rely solely on existing regulatory programs to say there are no impacts. For instance: "Don't worry there are not impacts to the environment because I'm going to go get agency "X" permit. In reality, you do CEQA in order to obtain that permit and to disclose the impact itself. While this comment addresses water, it also applies to all the other areas of the CEQA review process and this document is full of these type of comments.

To make my point I would ask that you review section XVII (B) of the CEQA document for this project. Section (B) asks if there is incremental or cumulative effects of other current projects. This does not mean additional projects by the same developer!!!! Read CEQA law. The fact is that there are 5 projects now applied at the County that are next to this project and **THERE IS NOT ONE MENTION OF THESE PROJECTS IN THE RESPONSE ON THE FOLLOWING PAGE.** The last sentence states there is no cumulative impacts but does not state how that decision was arrived at, no mention of other projects and seems to not address the question at all. For instance with 5 projects on that hill all flowing to New York Creek, **how will the storm water runoff effect the water quality?**

New York Creek flows to a State Waterway (Folsom Lake). What are the impacts? The Planning Commission totally ignored statements made regarding the classification of New York Creek. It is flowing all year and can no longer be classified as a "seasonal creek". This is because water runoff from new developments south of Green Valley Rd.

The description of the property to be developed and the description of the project in the CEQA document never mentions the existing Uplands Dr. properties it connects to or provides a map to show its location. Although just giving the parcel number "may" pass CEQA laws for disclosure (I don't believe it does), either way, it appears to minimize the description that might otherwise attract the attention of local residents that the project will effect most and is a disturbing policy being utilized by the County for most projects in the area.

At the Planning Commission meeting and in the public records file, LAFCO wrote a letter saying the CEQA document is inadequate for their use and will need to be redone. In fact, LAFCO did not get a chance to review the document prior to the Planning Commission. What I don't want to see now is the BOS approves this project with an inadequate CEQA document or hands it over to LAFCO with conditional approval where it makes it even more difficult for the general public to express their comments. **It would be irresponsible to approve a project where the CEQA document is poorly prepared, inadequate and violates CEQA laws.** I urge the Supervisors to not adopt this project as submitted but instead require that it be properly prepared following CEQA laws, give LAFCO a chance to review the document BEFORE it goes to the BOS and keep the sphere of approval in the hands of the Board of Supervisors where the public will benefit most.

Thank You,

Paul Sayegh