

File Number: TUP 07-0011A
Date Received: 9/24/07

Receipt No.: 24147
Amount: \$100.00

APPEAL FORM

(For more information, see Section 17.22.220 of the Zoning Ordinance)

Appeals must be submitted to the Planning Department with appropriate appeal fee. Please see fee schedule or contact the Planning Department for appeal fee information.

APPELLANT Voices for Rural Living c/o Chrysan M. Dosh

ADDRESS P.O. Box 2327, Shingle Springs, CA 95682

DAYTIME TELEPHONE (530) 622-0309

A letter from the Appellant authorizing the Agent to act in his/her behalf must be submitted with this appeal.

AGENT Stephan C. Volker, Attorney at Law

ADDRESS 436 - 14th Street, Suite 1300, Oakland, CA 94612

DAYTIME TELEPHONE (510) 496-0600

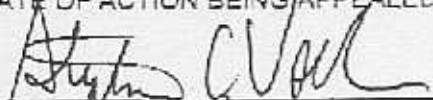
APPEAL BEING MADE TO: Board of Supervisors Planning Commission

ACTION BEING APPEALED (Please specify the action being appealed, i.e., approval of an application, denial of an application, conditions of approval, etc., and specific reasons for appeal. If appealing conditions of approval, please attach copy of conditions and specify appeal.)

Approval of temporary use permit for CCM Yard on Shingle Springs Drive
and Categorical Exemption/Initial Study/Negative Declaration - TUP 07-0011.

REASONS FOR APPEAL: Temporary use permit approval improperly segments
County's review under the California Environmental Quality Act of the
entire project, which includes Caltrans' proposed Highway 50 Interchange
and the Shingle Springs Band's proposed development of a casino on its
property north of Highway 50. The County's conditional approval of this
permit is a discretionary decision resulting in a dramatic change in land
(continued on page 2)

DATE OF ACTION BEING APPEALED September 13, 2007


Signature

September 23, 2007
Date

continued from page 1:

use which poses potentially significant environmental impacts. Therefore, an initial study is required under CEQA Guidelines section 15063. The County has not relied, and may not rely, on the environmental review conducted by Caltrans on the related Highway 50 Interchange Project. That review is deficient for the reasons set forth in VRL's pending appeals with the Third District Court of Appeal in the matter *Voices for Rural Living, et al., v. California Department of Transportation, et al.*, Appeal Nos. C054596 and C054597

The temporary use permit conflicts with the El Dorado County Zoning Ordinance, which does not permit off-site construction and storage yards of this type and magnitude in this RE-5 zone without a special use permit. This permit also conflicts with the General Plan's designation of the site for low density residential use and as the location of "Important Biological Resources." The nature and extent of such resources are not disclosed, much less addressed, within this permit. However, it appears that at least 0.088 acres of wetlands exist on site and may be adversely impacted by this project. No environmental review of this impact has been provided. Further, it appears that the project site may provide existing or potential habitat for the Valley Elderberry Longhorn Beetle (VELB) and the Red-Legged Frog (RLF). No discussion of the project's potential impacts on these or any other species is provided.

No consultation with the California Department of Fish and Game, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, or the U.S. Environmental Protection Agency has been documented with regard to the potential loss of wetlands habitat and potential adverse impacts on the above species (or any other species) that may result from the project.

No assessment of alternative sites for this project, nor of the project's potential adverse impacts on traffic, air quality, wildlife habitat, noise, dust, night light, the release of hazardous wastes and direct and indirect impacts on urban growth and loss of rural quality of life has been conducted, contrary to CEQA and the County's General Plan and Zoning Ordinance.