

County of El Dorado Planning Com. Oct. 15, 2014
Community Development Agency
Roger Trout, Executive Secretary

Dear Mr. Trout,

I am Marcia Williams and am the owner of the Parcel # 115-064-01-00, Lot # 33 in the Green Springs Ranch, previously owned by Richard Lyon.

I received a letter from your office to inform me of a Public Hearing on Oct 23, 2014 to consider the Rezoning Z04-0015 Special Use Permit S01-001P Parcel Map P08-0036/Springs Equestrian Center submitted by Dennis Graham - 1) to create 2 parcels: 45.77 acres - (Parcel #1) and 100.65 acres (Parcel 2) in size to rezone from Estate Residential Five-Acre (RE-5) Estate Residential (RE-10) to Recreational Facilities (RF) for Parcel 1 only; and Special Use Permit for an Equestrian facility with two covered arenas, 45,000 sqft. @, stall barns for 420 horses, five fenced riding areas, 12,000 sqft. equestrian retail store/office / clubhouse, camping for horse trailers during events, special events with up to 250 spectators, and

and (eight) foot tall by nine foot wide monument sign with 48 sq. ft. of display area. Parcel # 115-410-05-146.42 acres

I have a property line that is adjacent to this equestrian facility as proposed, and I have been told that Mr. Graham is planning 2 events each for every Friday, Saturday, and Sunday from noon or 2 pm to 9 pm, or so, with weddings and other events also.

I am very concerned about noise! I am able to hear the loud speaker each school day to greet the children or to request a certain student (and I can hear the name clearly) to "come to my office, please!" This is not a problem as it is not very often, and I can easily deal with that.

However, the school is quite a bit further than at the bottom of my property! I am very concerned with the loud speakers and music that

will accompany weddings and horse events, not to mention all the "beeping" of trucks coming and going to bring hay, food, and other supplies and spraying water on the roads in this facility! It can be unbearable and I would have no way to escape it, especially every weekend until 9 or so PM! Sound travels well up our hill, so I can easily hear the traffic on Green Valley Rd., but it is not concentrated in a small area near our home, and on going!

I am also very concerned for traffic trying to enter this facility from the only entrance to our Green Springs Ranch, (and our only exit) on the narrow Deer Valley Rd. when we have to "share" this road with all the trucks, horse trailers, cars, and other people coming and leaving these events.

These are very serious concerns for me, as is the smell from so many horses, flies, and the potential for pollution to our wet-land, stream at the bottom of our hill from all the water that many horses need for bathing and sanitation in keeping the stalls and arenas clean.

I understand Mr. Graham is applying for Eldorado water, but am concerned that the amount for "13 homes" will fall far short of that needed in reality, as each horse can drink 48 gallons of water each day. Where will all this water come from? We are well into a draught and many people are suffering in our area for lack of water.

As large as this proposed facility is, and considering the noise, traffic, environmental

challenges, and other challenges I've not mentioned, do you really feel such a facility as large as this is acceptable?

Would you want to live next door to this? Especially every Friday, Saturday, and Sunday?

I am very concerned that this would open up a "whole can of worms" and also lead to more commercialization in the future.

We have moved here because of the peace and serenity it offers.

Please examine fully each concern expressed - noise, traffic, water and environment, before allowing a commercial facility here.

Thank you so very much for your sincere efforts to help us on this matter.

Sincerely
Marcia Williams
2050 Deer Valley Rd
Rescue Ca 95672



Charlene Tim <charlene.tim@edcgov.us>

Item 6, File number 14-1379 Springs Equestrian Center

Kelle Reve <kellehemandez@sbcglobal.net>

Sun, Oct 19, 2014 at 4:55 PM

Reply-To: Kelle Reve <kelrev@att.net>

To: "rich.stewart@edcgov.us" <rich.stewart@edcgov.us>, "lewis.ridgeway@edcgov.us" <lewis.ridgeway@edcgov.us>, "tom.heflin@edcgov.us" <tom.heflin@edcgov.us>, "walter.mathews@edcgov.us" <walter.mathews@edcgov.us>, "brian.shinault@edcgov.us" <brian.shinault@edcgov.us>, "charlene.tim@edcgov.us" <charlene.tim@edcgov.us>

Re: Item 6, File number 14-1379 Springs Equestrian Center-Special Use Permit

Dear Planning Commissioners,

We are neighbors that live in Green Springs Ranch, which is adjacent to this "Proposed" project 14-1379 Springs Equestrian Center and Special Use Permit - Rezoning

This is not Los Angeles, where there are so many people, who are looking for something like this, because of such a large city that they live in, We live in a rural area, why bring this here? Do we really need this type of business here? Would it not be more cost effective for the developer/owner of this land to locate elsewhere, not next to a neighborhood or school? Perhaps farther out in Rescue or?

A BIG concern for rezoning this area to Special Use Permit - Recreational- What, if and when the owner decided that the Equestrian or Wedding or Horse Boarding no longer serves as a money maker, or at least changes their mind on how the land is to be used overall, then what is to stop this owner from just turning it into a public RV park of some sort? Having Carnivals or who knows what? How will any of this be regulated? Once the "Rezone" has been done, there is nothing we can do or say about it, just too scary.

What about the possibilities of transient caretakers that may "live" in their trailers so close to the school grounds? If there are any offenders in that group, do they need to register? No, because they are "transients" in a "Recreational Area". The **Camping Spaces** "These facilities would be an extension of the horse shows and *are not intended* to be a full-time public campground". If this zoning changes to "Recreational" what is to stop this? How will any of this be regulated?

What about the run off into the creek from 420 horses, this will effect our ground water (wells), How will this be regulated? 420 boarded horses can not be supported by the land itself, so feed and grasses and hay will be brought in by HUGE truck loads, not to mention all of the new "grass and seed" introduction to our area, How will this be regulated?

Really, the noise? 7 days a week? What if you lived right next door to this "Proposed" Springs Equestrian? Please think about this, really, would you want this? Some of our neighbor's' land look right over this, they are on the edge looking down into the parking areas, arenas, barns and camping spots, not to mention the smell from the stalls on a hot day, including the extra pests, what about Pleasant Valley Schools exposure? What if your child attends this school, how would feel about this project?

Our fears are many, but mostly, this project is just too intense for our area and much too

14-1379 Public Comment

close to our homes and school. This will effect our ground water, noise pollution, and our general quality of life, that is our homes have been on rural acreage of RA5 - RA10, and want it to remain so. We are "Opposed" to this project 14-1379 Spring Equestrian Center.

Please deny this Special Use Permit - Rezoning for Proposed project 14-1379 Springs Equestrian Center.

Regards,

Jaime & Kelle Hernandez
Green Spring Ranch Resident



Charlene Tim <charlene.tim@edcgov.us>

Springs Equestrian, PC Agenda 10/23/14 item 6 (file #14-1379)

Ellen Van Dyke <vandyke.5@sbcglobal.net>

Mon, Oct 20, 2014 at 8:41 AM

To: Char Tim <charlene.tim@edcgov.us>, Brian Shinault <brian.shinault@edcgov.us>, Lewis Ridgeway <lewis.ridgeway@edcgov.us>, Tom Heflin <tom.heflin@edcgov.us>, Walter Mathews <walter.mathews@edcgov.us>, Rich Stewart <rich.stewart@edcgov.us>
Cc: Aaron Mount <aaron.mount@edcgov.us>

Dear Commissioners:

There are two documents attached here that have been left out and need to be added into the public record for the Springs Equestrian project.

The first is the record of the wetlands violation, US Army Corps of Engineers letter dated August 30, 2012. It was confirmed at that time that the applicant had indeed filled an extensive portion of the on-site wetlands without the required federal permits. The county's General Plan requirement to provide public sewer had been waived because of potential damage to the wetlands. This is no longer necessary. **Public sewer installation should be required and done prior to completion of the parcel split and wetland restoration, and NOT waived as a 'reward' for having destroyed the wetlands.**

To do otherwise is to unfairly disregard Green Springs Ranch residents' concerns regarding water quality, and will encourage other developers in our county to act accordingly.

The second attachment is a communication from our Green Springs Ranch border committee sent to Planning in May of this year, reflecting project changes that had been made up to that point. Our neighborhood committee felt strongly that an EIR (Environmental Impact Report) should still be required, and that the intensity of the project was excessive. It is not clear that significant changes have been made in the past few months to warrant any change of that position, but separate comments will be sent regarding the project documents and staff report submitted for the October 23 Commission hearing.

Please submit all into the public record.

Ellen Van Dyke

2 attachments

 **wetlands_USACE notice of violation.pdf**
741K

 **GSR update letter 4.22.14 to EDC Planning_Springs Equestrian.pdf**
234K



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

CERTIFIED MAIL RETURN RECEIPT REQUESTED

August 30, 2012

Regulatory Division SPK-2011-00708

Mr. Dennis Graham
 Essential Properties Group, Inc.
 970 Reserve Drive, Building #180
 Roseville, California 95678

RECEIVED
PLANNING DEPARTMENT
SEP 5 2012

Dear Mr. Graham:

This letter concerns your unauthorized work in waters of the United States. The work is located on Green Spring Creek, in Section 29, Township 10 North, Range 9 East, Mount Diablo Meridian, Latitude 38.6975333207587°, Longitude -121.029073367145°, Cameron Park, El Dorado County, California.

Based on available information and the enclosed 2007, 2009, and 2011 Google Earth aerial photos, we have determined that you have discharged dredged or fill material into waters of the U.S. (wetland and creek), which are waters of the United States, without a Department of the Army (DA) permit (enclosures 1-3). Section 404 of the Clean Water Act requires a DA permit be obtained prior to the discharge of dredged or fill material into waters of the United States, including wetlands. Since a DA permit has not been issued authorizing this discharge, the work is in violation of the Clean Water Act.

You are hereby directed to cease and desist all work in waters of the United States until this violation is resolved. We are conducting an investigation to determine the impact of this work as it relates to public interest and the appropriate course of action to remedy the situation. Potential enforcement actions, in addition to or in lieu of fines, penalties and imprisonment, include directing removal of the unauthorized work and restoration of the site to pre-project conditions. An extract of the law is enclosed. Prompt voluntary restoration of the site in accordance with a Corps-approved plan may preclude some or all of these actions.

By copy of this letter, we are soliciting the views of appropriate federal, state, and local agencies, which may also have jurisdiction, regarding this unauthorized activity. Based upon your responses to this notice, comments received from the agencies and any available information, we will determine the appropriate course of action to resolve this violation.

To ensure that all pertinent information is available for our evaluation and included in the public record, you are invited to provide any information which you feel should be considered.

Your plans for utilization of the completed work and your evaluation of the need to retain this information may be of particular significance in determining what actions are to be taken. Since the information provided will become a part of the public record, it may be presented in any court action that could result from this investigation and will be retained in our files. Any information you wish to provide should reach this office no later than September 30, 2012. We appreciate your cooperation and timely action on this matter.

Please refer to identification number SPK-2011-00708 in any correspondence concerning this project. If you have any questions, please contact Mr. Peck Ha at California North Branch Office, Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California 95814-2922, email Peck.Ha@usace.army.mil, or telephone 916-557-6617. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,


Nancy Arcady Haley
Chief, California North Branch

Enclosures

Copies Furnished with enclosures:

Mr. Roger Trout, County of El Dorado Planning Commission, 2850 Fairlane Court, Placerville, California 95667-4100

Ms Genevieve Sparks, Water Quality Certification Unit, California Regional Water Quality Control Board, Central Valley Region, 11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114

Mr. Kent Smith, California Department of Fish and Game, Region 2, 1701 Nimbus Drive, Rancho Cordova, California 95670-4599

Forest Foothill Branch, U.S. Fish and Wildlife Service, Endangered Species Division, 2800 Cottage Way, Suite W2605, Sacramento, California 95825-3901

Mr. Jason Brush, Environmental Protection Agency, WRT-8, 75 Hawthorne Street, San Francisco, California 94105

Appendix A

THE CLEAN WATER ACT

Section 404 (33 USC § 1344) states in part:

"(a) The ...Chief of Engineers, may issue permits, ... for the discharge of dredged or fill material into the navigable waters..."

Section 301 (33 USC § 1311) states in part:

"(a) Except as in compliance with this section and sections ... 1344... the discharge of any pollutant by any person shall be unlawful."

Note. Dredged or fill material is considered a pollutant under the Clean Water Act.

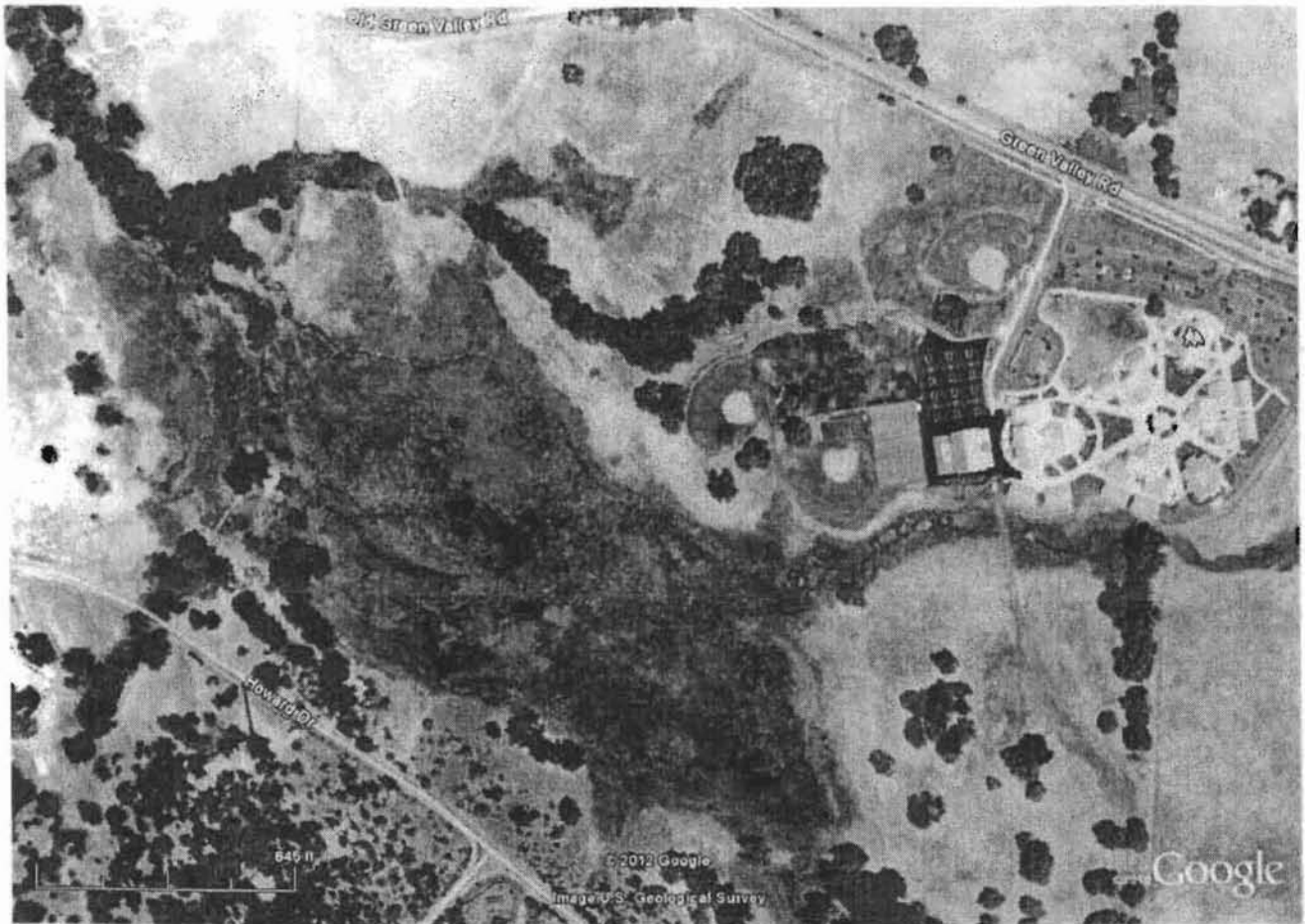
Section 309 (33 USC §1319) states in part:

(c) Criminal penalties –

(1) ... (A) Any person who negligently violates Section ... 1311 ... shall be punished by a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or by both ...

(2) (A) Any person who knowingly violates section ... 1311 ... shall be punished by a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or by both ...

(d) Civil penalties: ... any person who violates section ... 1311 ... and any person who violates any order issued by the Administrator under subsection (a) of this section, shall be subject to a civil penalty not to exceed \$ 25,000 per day for each violation. In determining the amount of a civil penalty the court shall consider the seriousness of the violation or violations, the economic benefit (if any) resulting from the violation, any history of such violations, any good-faith efforts to comply with the applicable requirements, the economic impact of the penalty on the violator, and such other matters as justice may require. ...



Enclosure 1
June 29 2007
Prior Unauthorized Activities



Enclosure 2
October 2009
Unauthorized
Activities



Enclosure #3
011 October 30
Approximate Unauthorized discharge of Fill Material.

4/22/2014

**Green Springs Ranch Border Committee letter to El Dorado County Planning
Proposed Springs Equestrian Center**

Summary:

This note is to summarize feedback from the members of the Green Springs Ranch Border Committee to the presentation given by Brian Holloway, Dennis Graham, and Casey Feickert on 1/21/2014. Overall, there have been **no significant changes since our last meeting** in August of 2012. Our concerns are detailed below.

The Green Springs Ranch Border Sub-committee is not necessarily opposed to an equestrian center, but rather to the intensity of use as proposed. The commercial nature of this project and lack of mitigation provided for the impacts have resulted in a project that is unsuitable for its location.

Due to all of the below significant impacts to the environment and quality of life in Green Springs Ranch, we request a full EIR be performed for this project

1) Traffic: Significant impact

There is a glaring problem in the second paragraph of the latest traffic study (copied below). Dennis Graham has requested up to 6 events each weekend (2 each on Friday, Saturday and Sunday). Each of these events could have up to 250 guests along with catering, bands, and other support services. The traffic study cites only "occasionally host equestrian events on weekends." This is in direct conflict with Mt. Graham's stated intentions, resulting in a significant oversight in the traffic study that we have been told repeatedly would be addressed.

From the traffic study dated 11/26/2013:

"The proposed project involves development of facility to board up to 420+ horses, to offer riding lessons, and to occasionally host equestrian events on weekends. This letter identifies the trip generation associated with the project, summarizes background information and confirms the adequacy of planned improvements to accommodate project traffic."

A second problem with the traffic study is that it does not examine the traffic generated by the 18,000 square foot retail building. Contained in the building is proposed to be a large gym open to all members, a 4000 square foot retail building, selling tack, hay, and other supplies, and an office space. The traffic generated on Deer Valley Road by these operations must be factored into the required improvements.

Our development, Green Springs Ranch, shares Deer Valley Road with Dennis Graham. This road is the only entrance / exit for the 105 homes in our development. We are very concerned that event traffic on Friday through Sunday will have a huge impact on our ability to enter and exit our neighborhood. As you know, event traffic is concentrated around the start and end times of the events.

Deer Valley Road is quite narrow, and not designed for periods of high traffic. We believe Mr. Graham is required to slightly widen a portion of Deer Valley Road near Green Valley Road, but also believe this to be insufficient. If Mr. Graham is granted this level of event traffic, his project must be conditioned to fully improve Deer Valley Road to accommodate this traffic. This would include, at a minimum:

1. A separate dedicated left turn lane from Deer Valley onto Green Valley westbound.
2. Right turn acceleration lane from Deer Valley onto Green Valley eastbound.
3. Consideration of a signal light that was determined to be required under the conditions of approval for the Summerbrook project (across from Pleasant Grove middle school to the east) that was in part due to existing levels of traffic.

The proposed secondary exit is a right-out only (no incoming traffic). We request the following conditions for the secondary exit:

1. All event traffic must use the secondary exit.
2. The secondary exit must have personnel helping to direct traffic onto Green Valley Road when an event ends.

Recommend denial of weddings & other regular weekend events other than a "to be agreed upon" number of Equestrian events per year

2) Noise: Significant impact

Many residents are concerned about the potential noise generated by daily activities as well as by events, which under the proposed plan can include two events per day, beginning at noon and lasting until 9pm every Friday, Saturday, and Sunday of the year. Residents have moved to this rural area in part to be away from noise sources such as the one proposed. With multiple ongoing events every weekend, this proposed project will create a nearly continuous noise source that is inherently incompatible with our rural living.

Furthermore, Mr. Graham has failed to present a valid Noise Study that demonstrates the project would operate within required noise levels.

In addition to other applicable standards, California EPA requires the EIR checklist to be filled out. One of the questions is:

XII. Noise -- Would the project result in:

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Recommend denial of weddings & other regular weekend events other than a "to be agreed upon" number of Equestrian events per year

3) Water: Potential Significant impact

a) Water quantity: due to the fact that private wells in this area are poor, we wish to ensure that no groundwater will be used for irrigation dust control, etc.

We request a written condition of approval that a) No wells will be drilled, and b) groundwater will not be used for irrigation, dust control, etc.

b) Water quality: There is a concern about creek and groundwater contamination from runoff generated by rain over the parking areas and arenas.

We request a condition of approval that water quality must be tested 3 times per year, by an independent firm, in the nearby creek and if found to be in violation state or county standards, operations are to halt until water quality is restored to within standards.

4) Aesthetics: Potential Significant Impact

a) Structures:

The proposed commercial building is very large (2 stories and 16,000 sq. ft.) and not in keeping with the surrounding area on Green Valley Road. As currently drawn, the sides of the building facing Deer Valley Road and Green Valley Road consist of long, unbroken surfaces without windows, made of t1-11 siding. We have been assured by the applicant that this will be a "first class" facility. This type of building elevation is not "first class"

Recommend one story building with enhanced architectural details on the outside walls plus a landscape plan which softens the appearance of the building from the road.

b) Lighting:

We have not yet seen the photometric (light distribution plan) discussed at the previous meeting.

Photometric plan needs to be provided for review.

5) Insects

The applicant has assured neighbors that flies and other insects will not be a problem for the community. We would like to see the use permit conditioned on no increase in insect activity. The use permit review should investigate whether or not insect activity has been a problem in the neighborhoods adjacent to the project.

6) Odors

The applicant has assured neighbors that odors from animals, stalls, and waste disposal areas will not be a problem for the community. We would like to see the use permit conditioned on no detectable odors from the project. The use permit review should investigate whether or not odors have been a problem in the neighborhoods adjacent to the project.

7) Hours of operation

We need to agree upon a written schedule of hours of operation, activities allowed on the premises, when the activities are allowed (frequency, day, and time).

This schedule must be part of the conditional use permit issued by the county.

8) Point of Contact

Ranch residents request a direct phone number to a live person who can assist with any problem which might occur regarding noise, patrons, lighting, traffic or any other nuisance.

We request a condition stating the contact person, phone numbers, email, and that of a backup contact person. We should be able to receive a response within 30 minutes of contact, 24 hours per day.

