

10.117.01

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RECEIVED
BOARD OF SUPERVISORS
EL DORADO COUNTY

January 28, 2008

VIA FACSIMILE
(530) 622-3645

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

Re: **Agenda Item 32.07-1022: Comments of El Dorado County Taxpayers for Quality Growth objecting to interim application of Option B (Contribution to Conservation Fund) in lieu of Option A (on-site retention and replacement of Oak Woodland habitat) prior to adoption of the Oak Woodland Management Plan portion of the Integrated Natural Resources Management Plan described in El Dorado County General Plan Policy 7.4.2.8**

Dear Chairman Rusty Dupray:

I write on behalf of El Dorado County Taxpayers for Quality Growth to object to the County Development Services Department's request that it be authorized to allow development applicants to sidestep the on-site oak woodland retention and replacement requirements ("Option A") of El Dorado County General Plan Policy 7.4.4.4 and instead make contributions to a proposed Oak Woodlands Contribution Fee ("Option B") *even though no off-site acquisition program has yet been adopted.*

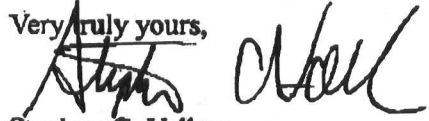
This request violates the Settlement Agreement between El Dorado County Taxpayers for Quality Growth and El Dorado County dated April 18, 2006. That Settlement Agreement commits the County "to maintain its interpretation of General Plan Policy 7.4.4.4" that "the County may require development projects to undertake mitigation Option B (Contribution to Conservation Fund) in lieu of Option A (Canopy Retention Standards) *only after the County has adopted the Oak Woodland portion of the Integrated Natural Resources Management Plan described in General Plan Policy 7.4.2.8.*" *Id.*, emphasis added.

The County has not yet adopted the Oak Woodland portion of the Integrated Natural Resources Management Plan required under General Plan Policy 7.4.2.8. Therefore under the County's April, 2006 Settlement Agreement with my clients, the County may not allow "development projects to undertake mitigation Option B (Contribution to Conservation Fund) in lieu of Option A (Canopy Retention Standards)" at this time.

Rusty Dupray, Chairman
Board of Supervisors
El Dorado County
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Please be advised that if the County grants staff's request, and thereby violates this express requirement of our Settlement Agreement, we will promptly seek judicial enforcement of the agreement together with attorneys' fees and costs.

Very truly yours,



Stephan C. Volker
Attorney for El Dorado County Taxpayers
for Quality Growth, et al.

SCV:taf

cc: William J. White
Shute Mihaly & Weinberger
Special Counsel to El Dorado County
(By fax: 415/552-5816)

Louis B. Green
County of El Dorado
(By fax: (530) 621-2937)

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File No. 10.117.01

DATE: January 28, 2008

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CC:	William J. White Shute Mihaly & Weinberger	FAX:	(415) 552-5816
		TEL:	(415) 552-7272
CC:	Louis B. Green County of El Dorado	FAX:	(530) 621-2937
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FROM: Stephan C. Volker

TOTAL PAGES: 3 including this cover page.

COMMENTS: Agenda Item 32.07-1022: Comments of El Dorado County Taxpayers for Quality Growth objecting to interim application of Option B (Contribution to Conservation Fund) in lieu of Option A (on-site retention and replacement of Oak Woodland habitat) prior to adoption of the Oak Woodland Management Plan portion of the Integrated Natural Resources Management Plan described in El Dorado County General Plan Policy 7.4.2.8

Please see the following correspondence at your earliest convenience.

FACSIMILE TRANSMITTAL SHEET

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