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**Public Comment- BOS agenda 12/4/2018 - File #18-1851**

1 message

Rural Communities United <contactrcu@gmail.com>

Mon, Dec 3, 2018 at 7:44 PM

To: Brian Veerkamp <bosthree@edcgov.us>, Jim Mitrisin <edc.cob@edcgov.us>, John Hidahl <bosone@edcgov.us>, Michael Ranalli <bosfour@edcgov.us>, Sue Novasel <bosfive@edcgov.us>, Supervisor Frentzen <bostwo@edcgov.us>

Cc: Rural Communities United <contactRCU@gmail.com>

Dear Supervisors:

In light of recent wildfires and the heightened awareness of fire safety in the State of California, Rural Communities United (RCU) asks that you heed the October 9 2018 letter by the Board of Forestry and Fire Protection (attached) and postpone approval of the Addendum to the TGPA/ZOU.

In its letter, the Board of Forestry and Fire Protection states, "...regardless of whether the County updated the fire hazard components of the Health, Safety and Noise Element when they revised the element as part of the TGPA/ZOU, the County is still required to send that revised safety element to the Board [of Forestry] for review and recommendations under Government Code § 65302.5(b)(1) at least 90 days prior to the planned adoption of the amendment. **If the County Board of Supervisors decides not to accept any or all of the Board [of Forestry]'s recommendations, they are required to state in writing to the Board its reasons prior to adopting the draft amendment (§ 65302.5(b)(4)). The Board has no record of receipt of such submission from El Dorado County regarding the TGPA/ZOU and at this time considers the County out of compliance with this requirement.**" [emphasis added]

The Board of Forestry's letter further states, in regard to the County's contradictory statements of increased density brought on by the TGPA/ZOU, "This apparent contradiction continues to raise concerns with the Board [of Forestry] regarding the wildfire safety of residents in el Dorado County. If the County is unclear regarding the impacts of the TGPA/ZOU on density and intensity in the County, it is unlikely there are adequate fire protection measures in place that ensure safe ingress and egress."

RCU succeeded in obtaining a writ and judgment regarding the County's failure to address the Board of Forestry's concern that the TGPA/ZOU exposes El Dorado County residents to significant risk of loss, injury, or death from wildland fires. Yet the County continues to disregard the seriousness of responding to this judgement.

So, again, with the heightened concerns about fire safety and evacuation routes in the State, it would be prudent for Supervisors to postpone the approval of the TGPA/ZOU Addendum so that it can follow the law and submit the revised safety element to the Board of Forestry for review.

Respectfully,

Rural Communities United

12/4/2018

Edcgov.us Mail - Public Comment- BOS agenda 12/4/2018 - File #18-1851

 655K



Anne Novotny &lt;anne.novotny@edcgov.us&gt;

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**Re: Notice of Availability of an Addendum to TGPA-ZOU Final EIR Released 9-27-18**

1 message

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**Hannigan, Edith@BOF** <edith.hannigan@bof.ca.gov>

Tue, Oct 9, 2018 at 8:01 PM

To: Anne Novotny &lt;anne.novotny@edcgov.us&gt;

Cc: "J. Keith Gilless" &lt;gilless@berkeley.edu&gt;, "Munoa, Pete@CALFIRE" &lt;Pete.Munoa@fire.ca.gov&gt;

Hi Anne,

Please find attached the response from the Board of Forestry and Fire Protection.

Edith

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**From:** Anne Novotny <anne.novotny@edcgov.us>**Sent:** Thursday, September 27, 2018 3:24:23 PM**To:** Hannigan, Edith@BOF**Subject:** Notice of Availability of an Addendum to TGPA-ZOU Final EIR Released 9-27-18

Dear Ms. Hannigan,

On **Thursday, September 27, 2018**, the County released a Notice of Availability (NOA) of an Addendum to the Final Program Environmental Impact Report (FEIR) for the TGPA-ZOU adopted by the Board of Supervisors on December 15, 2015. This Addendum is available for public and agency review for a **14-day period ending at 5:00 PM on Thursday, October 11, 2018**.

The NOA, Addendum, and Supporting Documentation is attached. A hard copy is being mailed to you today via Certified Mail.

Additional information is available on the project webpage at:

[https://www.edcgov.us/Government/longrangeplanning/LandUse/Pages/tgpa-zou\\_main\\_page.aspx](https://www.edcgov.us/Government/longrangeplanning/LandUse/Pages/tgpa-zou_main_page.aspx)

If you have any questions, please contact me.

Regards,

**Anne Novotny**

Principal Planner

**County of El Dorado**

Community Development Services

Long Range Planning

2850 Fairlane Court

Placerville, CA 95667

(530) 621-5931 (desk)

(530) 621-4650 (main)

[anne.novotny@edcgov.us](mailto:anne.novotny@edcgov.us)

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**El Dorado County General Plan FEIR Comments.pdf**

29K

**BOARD OF FORESTRY AND FIRE PROTECTION**

P.O. Box 944246  
SACRAMENTO, CA 94244-2460  
Website: [www.bof.fire.ca.gov](http://www.bof.fire.ca.gov)  
(916) 653-8007



El Dorado County Community Development Services  
Planning and Building Department  
Attention: Anne Novotny  
2850 Fairlane Court  
Placerville, CA 95667

Via email

October 9, 2018

RE: Addendum to the TGPA/ZOU FEIR; SCH #2012052074

Dear Ms. Novotny:

The California State Board of Forestry and Fire Protection (Board) would like to issue comments on the Addendum to the Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU) Final EIR, specifically regarding the revisions to the text of the Executive Summary.

The County is confusing the Board with the Department of Forestry and Fire Protection. Throughout the added text to "ES-5. Areas of Controversy/Issues to be Resolved" in the Addendum, the County refers to a letter from the Department of Forestry and Fire Protection and disagreements with CAL FIRE regarding the required contents of the Health, Safety and Noise Element of the General Plan. The letter in question and comments regarding content were sent from the Board of Forestry and Fire Protection, a related but legally separate and distinct state agency. Prior to certification of the FEIR, this distinction must be corrected.

In addition, regardless of whether the County updated the fire hazard components of the Health, Safety and Noise Element when they revised the element as part of the TGPA/ZOU, the County is still required to send that revised safety element to the Board for review and recommendations under Government Code § 65302.5(b)(1) at least 90 days prior to the planned adoption of the amendment. If the County Board of Supervisors decides not to accept any or all of the Board's recommendations, they are required to state in writing to the Board its reasons prior to adopting the draft amendment (§ 65302.5(b)(4)). The Board has no record of receipt of such submission from El Dorado County regarding the TGPA/ZOU and at this time considers the County out of compliance with this requirement.

Further, there still exists some confusion at the Board regarding possible increases in housing density allowed under the TGPA/ZOU. On page Addendum-6, the County writes "The TGPA/ZOU does not alter land use density or intensity under the General Plan." On page Addendum-4, however, the County writes "Approval of the TGPA would allow increased residential density in areas zoned for mixed-use in comparison to the existing General Plan. In addition, proposed changes in slope restrictions under the TGPA and ZOU would enable certain development to occur on slopes that cannot be used under the existing General Plan and Zoning Ordinance provisions."

This apparent contradiction continues to raise concerns with the Board regarding the wildfire safety of residents in El Dorado County. If the County is unclear regarding the impacts of the TGPA/ZOU on density and intensity in the County, it is unlikely there are adequate fire protection measures in place that ensure safe ingress and egress. This may be elucidated upon the County's submission of the safety element to the Board and its review as required under Government Code § 65302.5(b)(1) and § 65302.5(b)(3).

Pursuant to Government Code § 65302.5(b)(3), the Board has the obligation to review the County's Health, Safety and Noise Element and to recommend changes to protect life, property, and natural resources from unreasonable risks associated with wildland fires, and to recommend methods and strategies for wildland fire risk reduction and prevention. The Board is hopeful the wildfire risk to these new developments, and the County as a whole, can be reduced. At least 90 days prior to the planned adoption of the Health, Safety and Noise Element, it may be sent to Edith Hannigan, Land Use Planning Program Manager, at [edith.hannigan@bof.ca.gov](mailto:edith.hannigan@bof.ca.gov) to begin the review process.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Keith Gilles", written over a light blue horizontal line.

J. Keith Gilles  
Chair, Board of Forestry and Fire Protection

CC via email: Deputy Chief Pete Muñoa, Land Use Planning



C. Langley BOS 12/4/2018

#29

From: RuralCommunitiesUnited<contactrcu@gmail.com> Date: Mon, Dec 3, 2018 at 7:44 PM  
Subject: PublicComment-BOSagenda12/4/2018-File#18-1851  
To: BrianVeerkamp<bosthree@edcgov.us>, JimMitrison<edc.cob@edcgov.us>, JohnHidahl<bosone@edcgov.us>, MichaelRanalli  
<bosfour@edcgov.us>, SueNovasel<bosfive@edcgov.us>, SupervisorFrentzen<bostwo@edcgov.us>  
Cc: RuralCommunitiesUnited<contactRCU@gmail.com>

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Respectfully,

Rural Communities United

Attachments:

D-ExhibitC-10.09.2018BoardofForestrycommentsonTGPA-ZOUFEIRAddendumBOS12-4-18.pdf