



public comment - BOS 3/8/16
Dixon Ranch

LATE DISTRIBUTION
DATE 3/8/16
BOS 3/8/16

Our message is simple:

- The proposed project, at 605 units, is too large
- Alternatives for reduced density & access must be considered
- Do not approve the project as proposed or certify the EIR

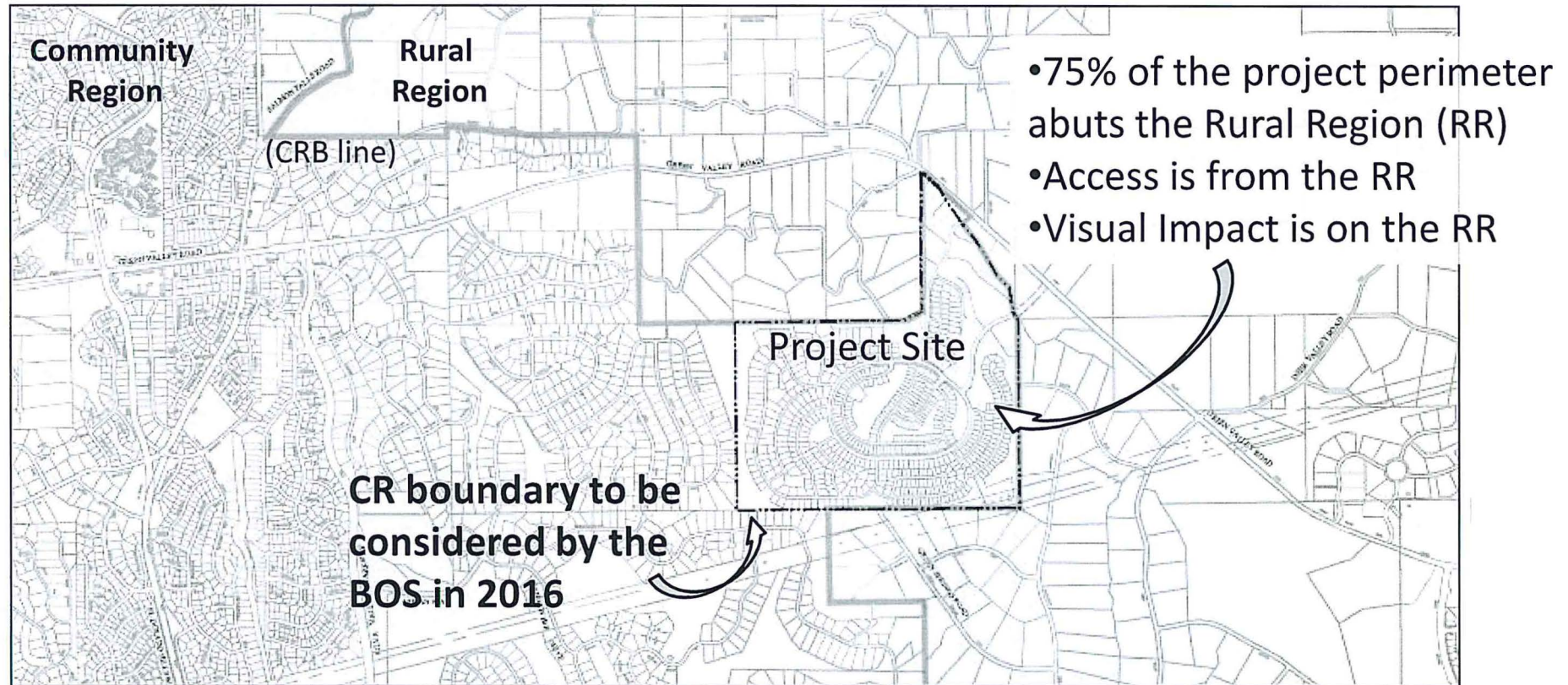
Submitted on behalf of Green Valley Alliance

by Ali & Jeremiah Bailey, Barbara Jensen, Betty Peterson, Cathy & Ron Keil, Craig Campbell, Diane Barclay, Kevin O'Meara, Tenley Martinez, Mary Williams, Mel Kowardy, Laurie Icenogle, Blake & Chris Bethards, Lynette Dewilde, George Kucera, Ellen & Don Van Dyke

#34

HDR is not an entitlement- it's a General Plan Amendment

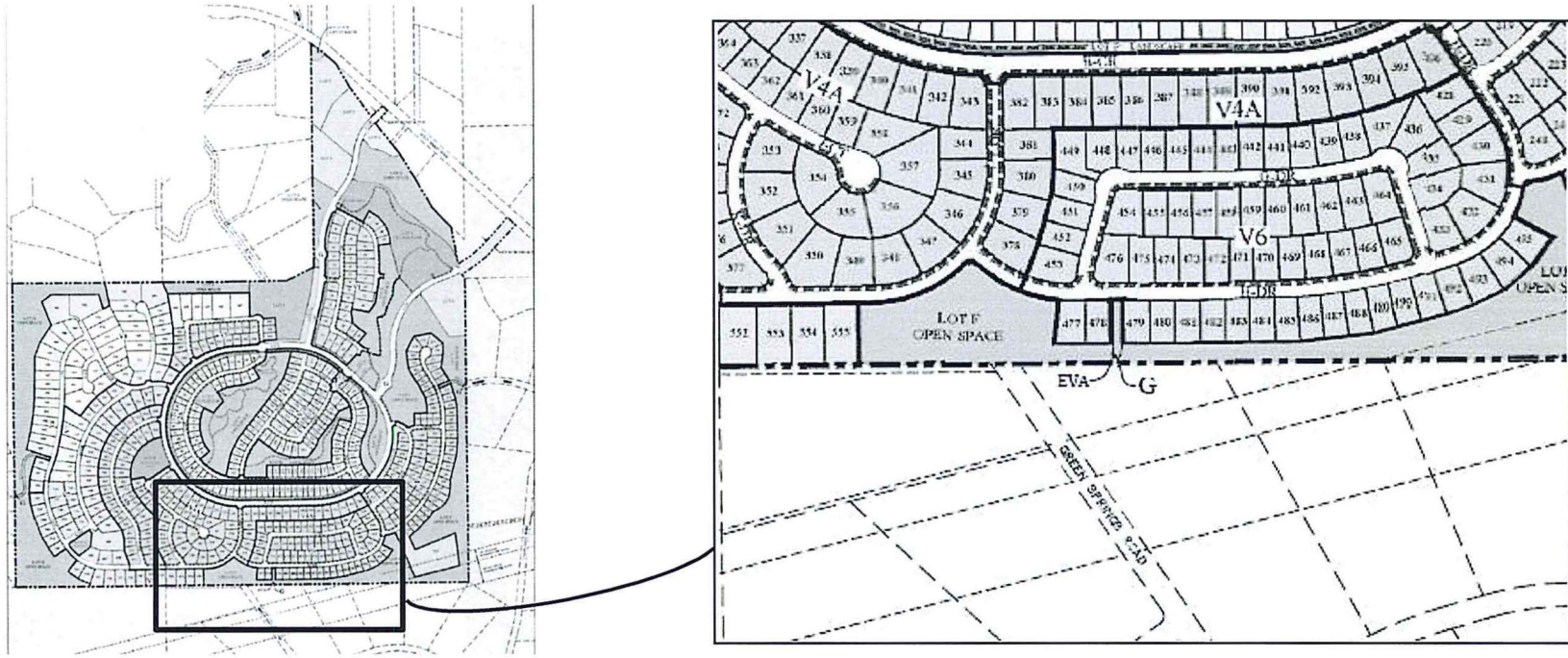
General Plan criteria has not been met to change 4 lots into 605



- Is an appropriate density transition provided? (Policy 2.1.1.2) **No.**
- Is the rural character of the area maintained? (Goal 2.2) **No.**
- Is Water Supply sufficient per the Gen Plan? (Policy 5.2.1.9) **No.**
- Can oak tree retention standards be met? (7.4.4.4 Option A) **No.**
- Is road *safety* in the RR prioritized above *capacity*? (Policy 5.1.3.2) **No.**
- Do local elementary and high schools have capacity? (Policy 2.2.5.3) **No.**
- Is there access to public transportation? (2.2.5.3) **No.**

Density transition is not provided.

Project inconsistent with GP policy 2.1.1.2



Policy 2.1.1.2 Establish the Community Regions to define those areas which are appropriate for the highest intensity of self-sustaining compact urban type development or suburban type development within the County, based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features, and the ability to provide and maintain appropriate transitions at Community Region boundaries. These boundaries shall be shown on the General Plan land use map.

Reduce project density to create required transition

“visually compatible” - “less than significant impact” are erroneous EIR conclusions

View from Green Valley Rd- high density NOT Compatible



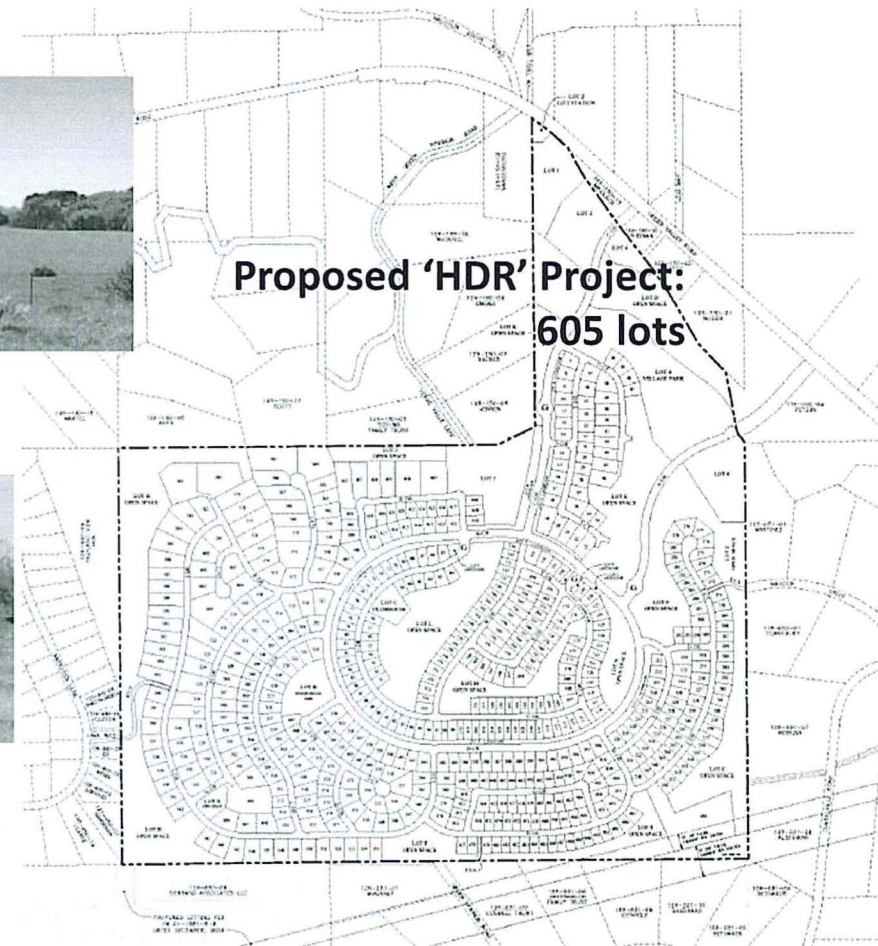
View from Green Springs Ranch – impact NOT insignificant



Rural character lost, inconsistent with General Plan Goal 2.2:

GOAL 2.2: LAND USE DESIGNATIONS

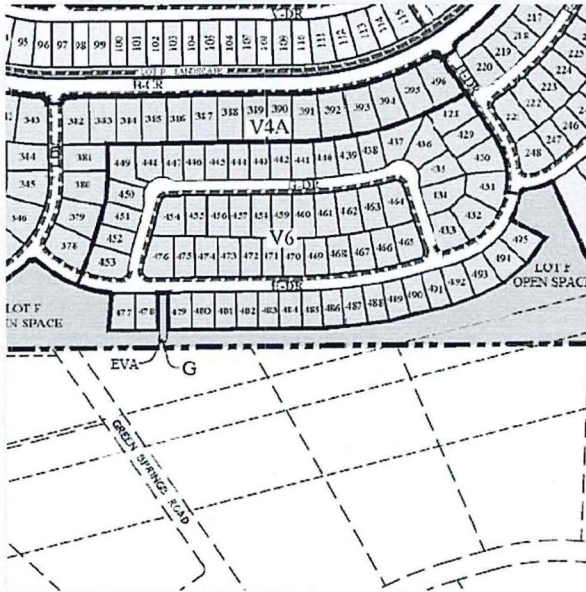
A set of land use designations which provide for the maintenance of the rural open character of the County and maintenance of a high standard of environmental quality.



Reduce Density to maintain rural character.

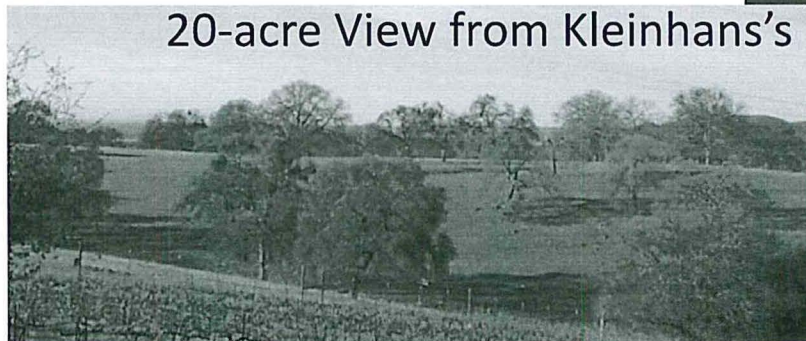
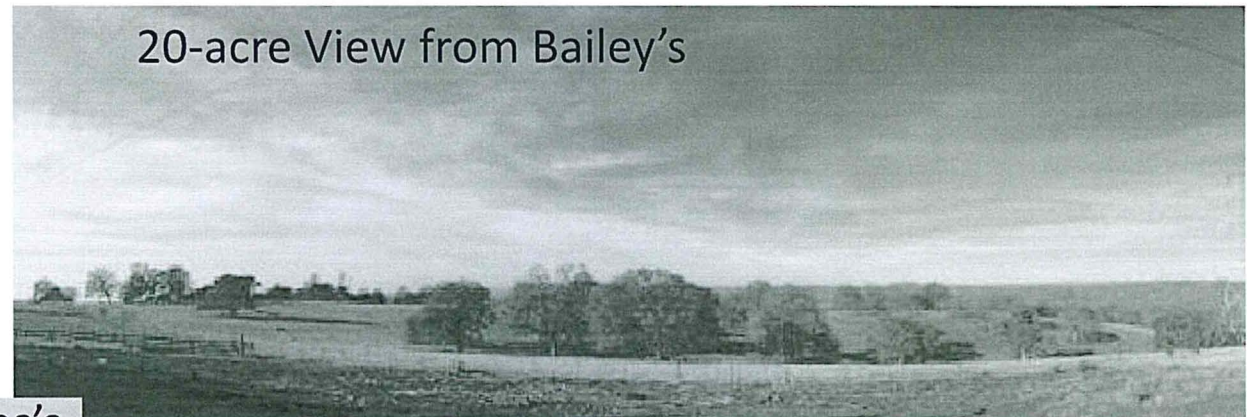
“sensitive to the character of adjacent land uses” ?!

-totally false statement from the DEIR, Project Objectives



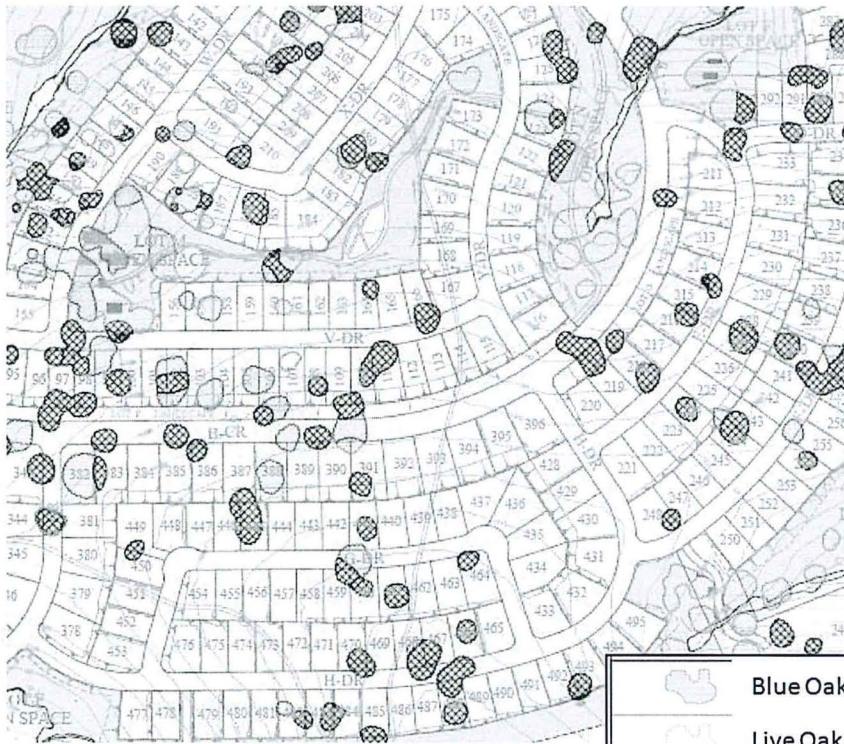
Current zoning allows 1 house per 20-acres.

As proposed, that same 20 acres would have about 130 units.



Reduce density to be ‘sensitive’ to neighbors.

Significant Oak impact not addressed



Project Objective: *“Provide a comprehensively planned project that is sensitive to environmental issues including wetland **and tree preservation.**”* - from the DEIR Project Description, page 45

Reality:

- 44% Oak canopy removal far exceeds the allowable 10%
- EIR mitigates only “canopy” impacts, not “oak woodland habitat” as required by GP policy 7.4.4.4
- Significant impact on woodland is not mitigated (19.76 acres of ‘canopy’ vs. 200 acres of ‘oak habitat’)

According to UC Davis Greg Giusti’s Oak Woodland Impact Decision Matrix, the project site would be considered an “intact” woodland, managed for grazing and zoned for agriculture, with both dead & alive trees across the landscape, wildlife movement, and minimal disturbance from road and building development on site.

Reduce density to save oak habitat

Green Valley Rd is a traffic danger zone



From the Green Valley Road Corridor Analysis, Oct 2014 report:

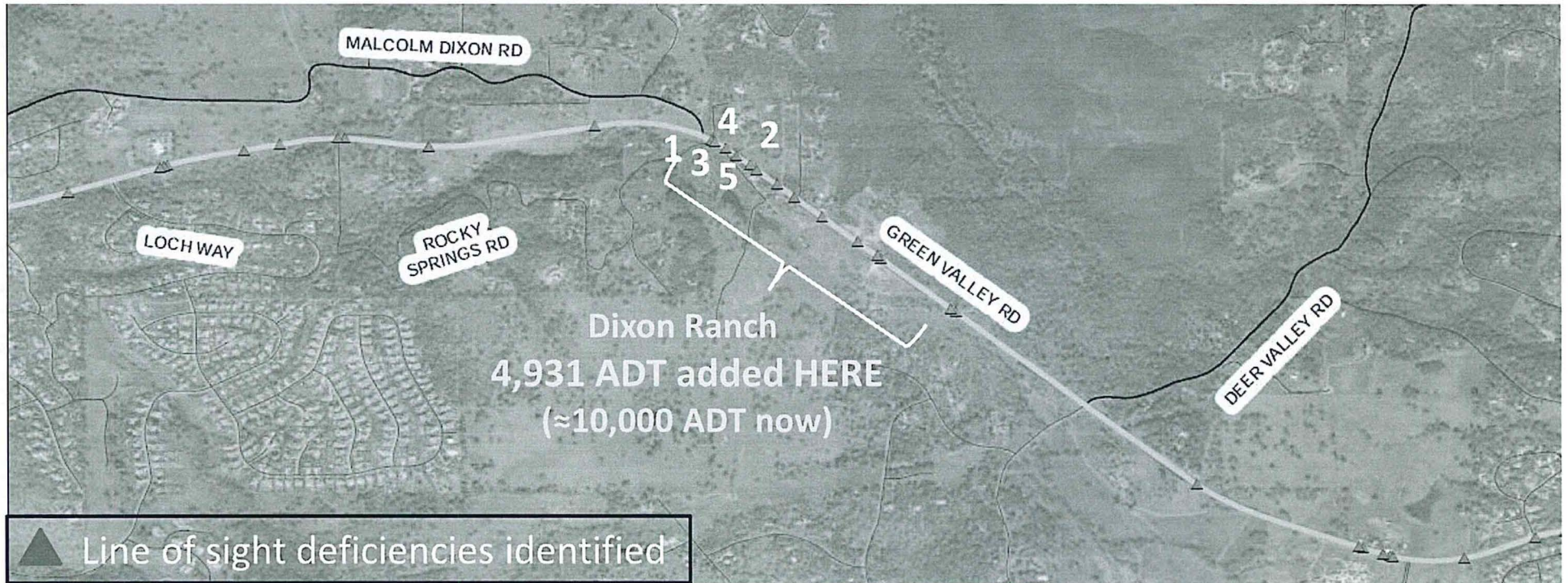
- Of 36 driveways studied, 25 had line of sight deficiencies creating unsafe conditions. (▲)
- 4% of 158 reported crashes resulted in fatalities on Green Valley Rd in 3yr study period.

Policy 5.1.3.2 requires safety improvements be given priority above capacity improvements in the Rural Region. Improvements at the direct access driveways must come before capacity mitigations.

Erroneous Final EIR Master Response 3: *"The Green Valley Road corridor report does not conclude, as comments suggest, that Green Valley Road is generally unsafe under existing conditions."*

Reduce project density to increase traffic safety

Examples of line of sight issues

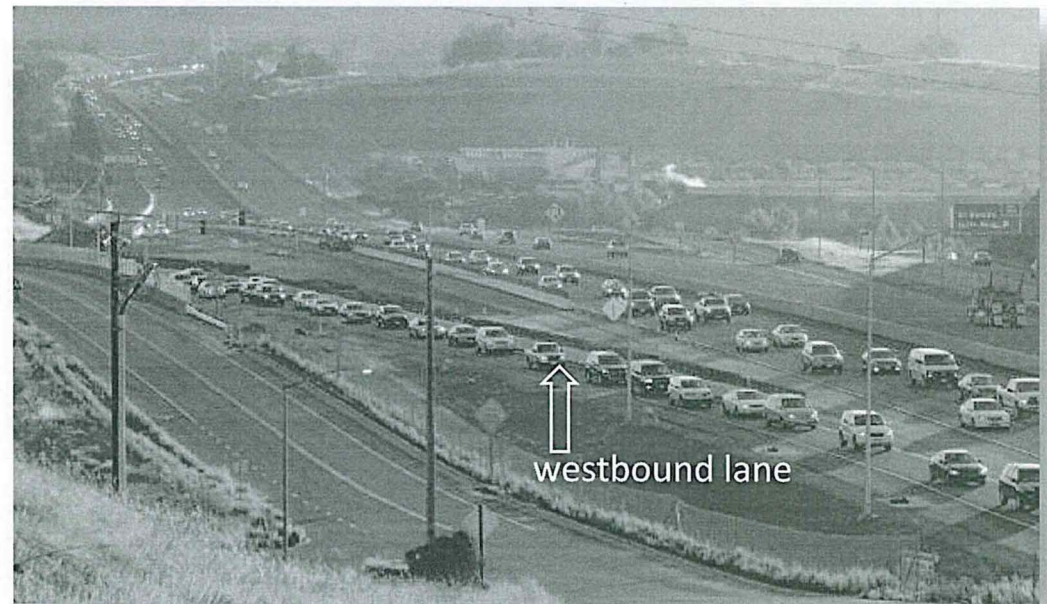


- 1 Malcolm-Dixon Rd:** *"Due to the wide curve combined with an upgrade on Malcolm Dixon Road, vehicles typically slow down to make a left-turn onto Malcolm Dixon Road. This can present safety issues for the trailing motorists"*
- 2 Lexi Way:** *"ISD [intersection site distance] to the east is restrictive due to the vertical crest in the roadway."*
- 3 Green Valley Road Home and Eastern Strawberry Entrance:** *"Line of sight to the west from both the 1840 Green Valley Road home access and the second entrance to the strawberry stand (coming from the west) is limited due to vegetation but could be improved with tree removal by the private property owner. ISD to the east is limited from the home driveway due to the vertical crest of the road."*
- 4 1855 Green Valley Rd:** *"ISD is limited in both directions due to vegetation to the west and vertical curvature to the east. ISD to the west for the unmarked access across the street is also limited due to vertical curvature."*
- 5 1870 Green Valley Rd:** *" ISD to the east was extremely limited due to the vertical crest in the roadway."*

Project violates GP Policy TC-xF (Measure Y)

Typical weekday morning commute on Hwy 50 at EDH Blvd.

Traffic added by the project worsens conditions that will not be corrected within 10 years, as required by General Plan policy TC-xF.



From the Caltrans letter to Long Range Planning dated 5/5/15:

- 3.9.2 Environmental Impacts, Project Impacts, Table 3.9-13 LOS Summary Table (Page 3.9-58)
– The LOS values reported for the existing conditions scenario differ from expected values on US 50. For example, according to PeMS the westbound US 50 segment between El Dorado Hills Boulevard/Latrobe Road and the El Dorado/Sacramento County line, currently operates at LOS F during the AM peak hour due to the high density of vehicles on US 50 and the weaving/merging traffic from the El Dorado Hills Boulevard/Latrobe Road on-ramp. Table 3.9-

Project density must be GREATLY reduced

Project NOT necessary to meet housing needs

The Statement of Overriding Considerations falsely asserts the project “*would provide needed housing*” as sufficient benefit for the adverse environmental impacts.

Per the EDC Housing Element:
16,791 surplus lots

Table HO28
 2013 Land Inventory Summary –El Dorado County

	Income Category			
	VL/L	Mod	Above	Total
Units approved or under construction	108	2	124	234
Entitlements (lots)*	--	--	5,762	5,762
Vacant land - residential	2,338	764	10,151	13,253
- West Slope	2,134	675	6,720	9,529
- East Slope	204	89	3,431	3,724
Vacant land – commercial/mixed use	257	--	--	257
Underutilized land – residential	925	148	0	1,073
Potential second units**	406	0	0	406
Subtotal	4,034	914	16,037	20,985
RHNA (net 2013-2021)	1,740	821	1,633	4,194
Surplus (Deficit)	2,294	93	14,404	16,791

Source: El Dorado County Community Development Agency, 7/2013
 * Includes Approved Specific Plans, Tentative and Parcel maps west slope only
 ** Estimated 4% of Vacant land – residential, “Above”

2013 Housing Element, Table HO28 is a summary of the “*inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites*”. The table shows that the County’s land inventory exceeds the net remaining RHNA (Regional Housing Needs Allocation) in ALL income categories.

Reduced density still meets EDC housing needs

Senior Housing is good, but..

- No “critical need” for Age Restricted housing in EDH
 - ✓ Four Seasons – 460 homes
 - ✓ Carson Creek – 800 homes
 - ✓ Versante – 100 homes
 - ✓ Heritage – 1000 homes
- Green Valley Rd is dangerous for *all* drivers
 - ✓ Windy road with heavy traffic exceeding 55mph speed limit
 - ✓ *Known* line of site problems exist that will be exacerbated by the projects’ added traffic, and drivers with slower reflexes.
 - ✓ no services available within walking distance
 - ✓ no transit lines extended to the site

Still wish to include the Age Restricted element of the project? ok ...

Reducing the Density will not prohibit the inclusion of Age Restricted Housing

Reduced Build Alternative – 192 units

This Alternative was rejected, falsely claiming objectives would not be met and that it may not be ‘financially feasible’:

Implementation of the Reduced Build alternative may not meet the following objectives:

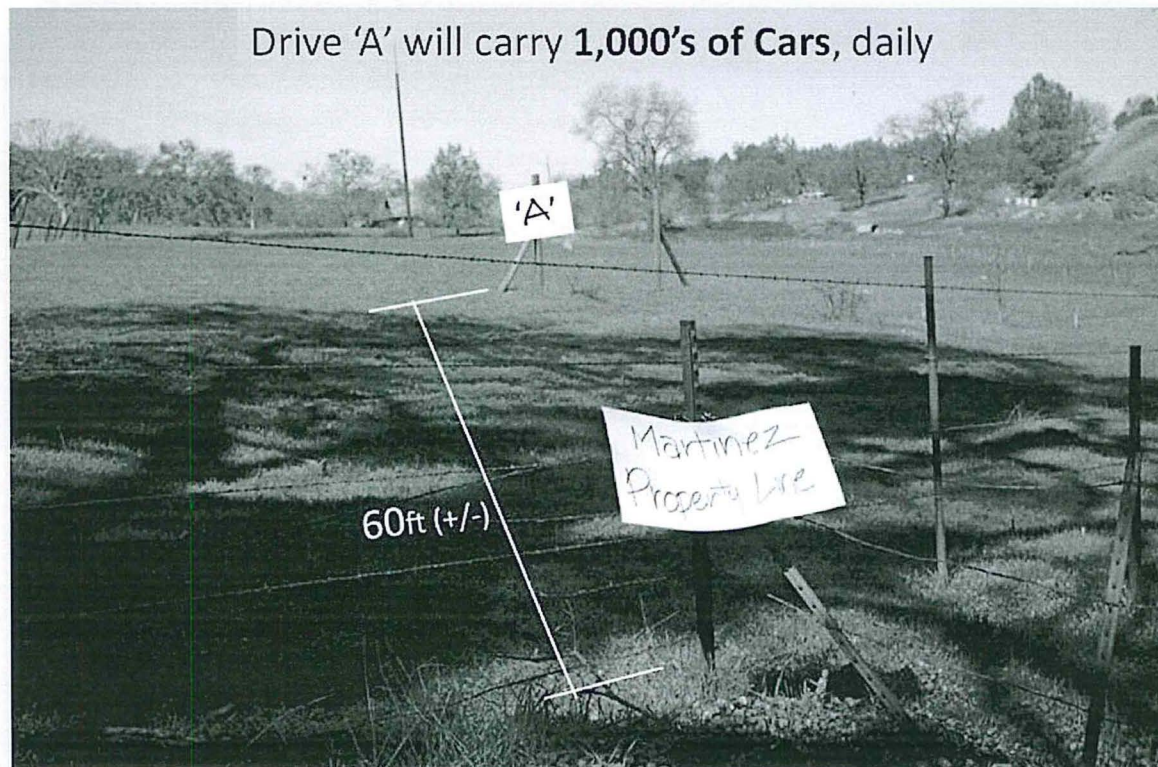
- Implement the County’s General Plan by providing urban/suburban type development within lands designated as Community Region in order to ensure the preservation of large expanses of open space and agricultural lands within the County. } *192 units is still ‘suburban’*
- Create an economically viable project that provides a fair-share contribution of infrastructure to the community through the payment of fees and/or construction of required capital improvements, including transportation improvements in accordance with the County’s General Plan. } *fair share contributions would still be required*
- Provide a broad range of residential product types. } *varied product types still possible*
- Offer a range of designs and amenities to meet the needs of the changing demographics of the County, including families, empty nesters and active adults. } *Age Restricted still possible*
- Provide a residential community containing open space and a range of passive and active recreational amenities for its residents and the community. } *Open space still required, and more easily provided*

Developer profit is not the Board’s priority or guide for approval.

Require the Reduced Build Alternative.

Noise

- Per the EIR, homes constructed within 294 feet of the center line of Green Valley Rd will require sound walls.
 - impact not analyzed for aesthetics, tree removal, wildlife migration, more.
- NEW transportation noise was not analyzed per Gen Plan policy 6.5.1.12 for at least one home-how many others were “missed”?
 - Drive ‘A’ is located within the Rural Region, will carry thousands of cars daily, and will pass within 60 ft of the property line of an existing home.



District 1 representation:

Dist 1 Planning Commissioner Stewart: **RECUSED**

Dist 1 Supervisor Mikulaco: **RECUSED**

EDH Area Planning Advisory Committee (APAC) position:
NON-SUPPORT

Adjacent residents overwhelmingly say
“the density is too high” & “Green Valley Rd will not be safe”

Support Dist 1 legitimate concerns: Reduce density

Summary

The project is *too large*. Reduced density will improve:

- traffic safety
- tree retention
- transition densities and
- preservation of rural character

The Development Agreement must include:

- Funds dedicated to benefit impacted area
- Safety improvements to direct-access driveways on Green Valley Rd
- upgrade of the bike lane

Respect the fact that District 1 is under-represented on this project, and listen to APAC and the adjacent residents who are greatly impacted.

**Do not approve the project as proposed.
Do not certify the EIR.**

Back up info and General Plan policies referenced follow.

BOS intentions to review Community Region Boundary changes

Legistar item 13-0510



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

WHEREAS, on December 9, 2014, the Board of Supervisors directed staff to prepare a Resolution of Intention to amend the General Plan Land Use Maps to contract the Community Regions Lines for Shingle Springs and the Green Valley Corridor using maps submitted by a member of the Shingle Springs community and a member of the northeast El Dorado Hills community, as depicted on the attached maps (Exhibits A-C); and

WHEREAS, the maps submitted identify amendments to the Community Regions of El Dorado/Diamond Springs, Cameron Park, Shingle Springs and El Dorado Hills; and

WHEREAS, Government Code 65300.5 requires internal consistency between General Plan elements as well as internal consistency within each element; and

WHEREAS, proposed revisions depicted on the attached maps (Exhibits A-C) may require other General Plan map, text or policy amendments to comply with Government Code requirements.

THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors will consider amending the General Plan Land Use Maps for the Shingle Springs, El Dorado/Diamond Springs, Cameron Park and El Dorado Hills Community Regions.

NOW, THEREFORE, BE IT FURTHER RESOLVED, upon the Board of Supervisors' determination of the scope and extent of proposed General Plan amendments required for consistency with State law, the Board of Supervisors will hereby authorize the Community Development Agency, Long Range Planning Division, to proceed with the completion of all required environmental review necessary to meet the California Environmental Quality Act requirements and the preparation of a public hearing.

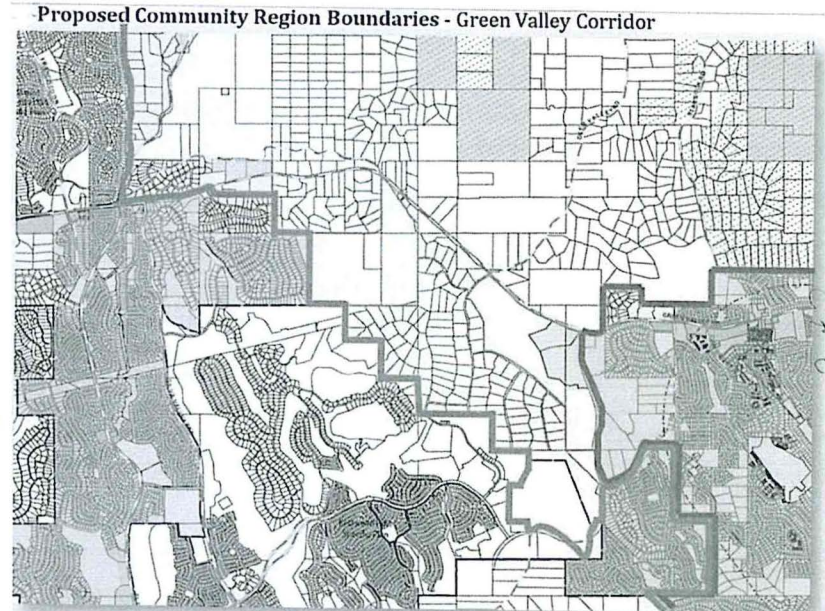
PASSED AND ADOPTED by the El Dorado County Board of Supervisors, at a regular meeting of said Board held February 24, 2015, by the following vote:

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 24th day of February 2015, by the following vote of said Board:

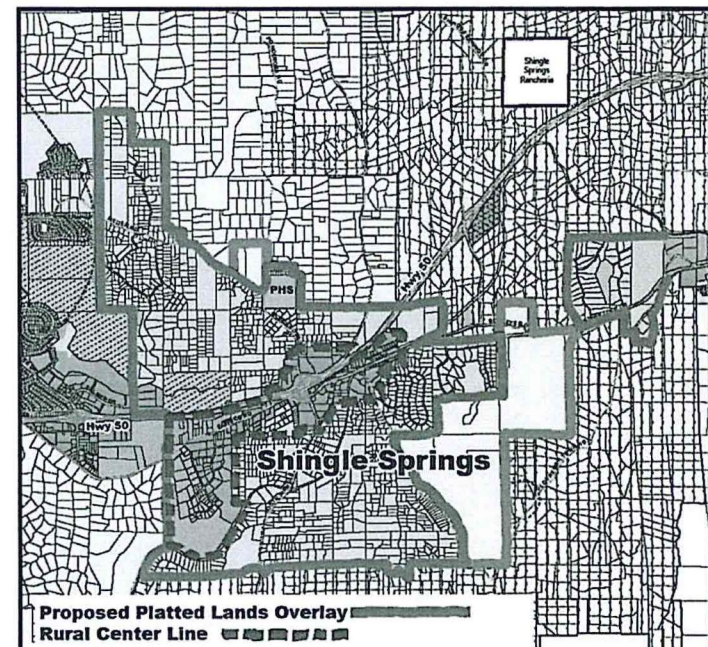
Attest: Ayes:
James S. Mitrisin Noes:
Clerk of the Board of Supervisors Absent:

By: _____
Deputy Clerk

Chair, Board of Supervisors



13-0510 Revised 6B 4 of 4
BOS Rcvd 2-20-15



BOS intentions to review Community Region Boundary changes

Legistar item 13-0510

Board of Supervisors

Minutes - Final

February 24, 2015

3:30 P.M. - TIME ALLOCATION

47. 13-0510

County of El Dorado - Action Details

Details

File #: 13-0510 Version: 5

Type: Agenda Item

Title: 12/09/14 CDA/LRP Community Region Boundary Lines

Mover: [Norma Santiago](#) Seconded: [Shiva Frentzen](#)

Result: Pass

Agenda note:

Minutes note:

Action: **Approved**

Action text: A motion was made by Supervisor Santiago, seconded by Supervisor Frentzen to direct staff to return to the Board with options as to funding the Resolution of Intention for the Community Region Boundary Lines as indicated in the previous motion. Staff is given the following as priorities from the Board (not in priority order and may be modified): Land Use Policy Programmatic Update (LUPPU) Sign Ordinance General Plan Biological Policy Review Community Region Boundary Lines

Votes (4:0)

Person Name	Vote
Ron Briggs	Yes
Norma Santiago	Yes
Ron Mikulaco	Recused
Brian K. Veerkamp	Yes
Shiva Frentzen	Yes

Approved

A motion was made by Supervisor Santiago, seconded by Supervisor Frentzen to direct staff to return to the Board with options as to funding the Resolution of Intention for the Community Region Boundary Lines as indicated in the previous motion. Staff is given the following as priorities from the Board (not in priority order and may be modified): Land Use Policy Programmatic Update (LUPPU) Sign Ordinance General Plan Biological Policy Review Community Region Boundary Lines

Community Development Agency, Long Range Planning Division, recommending the Board consider the following pertaining to General Plan amendments to the El Dorado Hills, Cameron Park, Shingle Springs and El Dorado-Diamond Springs Community Region Boundary Lines:

- 1) Endorse a final matrix or list that prioritizes all County-initiated land use and transportation projects managed by Long Range Planning and direct staff to return to the Board every six (6) months to provide an update and reprioritize as necessary;
- 2) Adopt Resolution of Intention **034-2015** (Attachment 6B; Exhibits A-C) prepared for proposed General Plan amendments to contract the Community Region lines for El Dorado Hills, Cameron Park, Shingle Springs and El Dorado-Diamond Springs, pending review and minor modification from County Counsel;
- 3) Discuss funding for processing this project as part of the Fiscal Year 2015/16 budget; and
- 4) Determine the Community Region Boundary Lines Project's priority and preferred method for processing based on staff and funding availability.

Funding: General Fund.

Public Comment on Action Item 1: L. Price, L. Parlin, S. Taylor, L. Weitzman, A. Marinaccio, F. Duchamp, R. Hargrove, R. Pimentel, B. Smart, T. McCann
Public Comment on Action Item 2: Public Comment: C. Lewis, E. Vandyke, L. Bowen, F. Duchamp, S. Ferry, L. Weitzman, R. Hargrove, L. Brent-Bumb, K. Calhoun, D. Schoff, B. Carlson, J. Williams, B. Smart, D. Manning, T. Gherardi, E. Mattson, A. Marinaccio, L. Parlin, J. Maynard, T. McCann, P. Chelseth, L. Mattson, B. Bakke, T. Costello, J. Pridemore, S. Taylor, R. Pimentel, N. Briel

A motion was made by Supervisor Frentzen, seconded by Supervisor Ranalli to Adopt the prioritization matrix as presented with the following change: Move "Community Planning" to be addressed before the "Infill Ordinance" (Attachment 6E).

Yes: 5 - Mikulaco, Veerkamp, Frentzen, Ranalli and Novasel

A motion was made by Supervisor Ranalli, seconded by Supervisor Novasel to direct staff to analyze, as a component of the next General Plan 5 year review, these maps and any other map considerations of Community Region Line alterations to reach the goals and objectives of the General Plan.

Yes: 4 - Veerkamp, Frentzen, Ranalli and Novasel

Recused: 1 - Mikulaco

General Plan Policies referenced on slide 2:

2.1.1.2, Goal 2.2, 5.2.1.9, 7.4.4.4 Option A, 2.2.5.3, 5.1.3.2

Policy 2.1.1.2 Establish Community Regions to define those areas which are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development within the County based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features, and the ability to provide and maintain appropriate transitions at Community Region boundaries. These boundaries shall be shown on the General Plan land use map.

GOAL 2.2: LAND USE DESIGNATIONS

A set of land use designations which provide for the maintenance of the rural and open character of the County and maintenance of a high standard of environmental quality.

Gen Plan policy 5.2.1.9 -requires that before the first grading permit, there be a guaranteed water supply to meet the projected demand associated with the entire approval, under a 20-year projection of the highest demand & including future uses within the area served. The Dixon EIR makes clear that is not possible.

Policy 5.2.1.9

In an area served by a public water purveyor or an approved private water system, the applicant for a tentative map or for a building permit on a parcel that has not previously complied with this requirement must provide a Water Supply Assessment that contains the information that would be required if a water supply assessment were prepared pursuant to Water Code section 10910. In order to approve the tentative map or building permit for which the assessment was prepared the County must (a) find that by the time the first grading or building permit is issued in connection with the approval, the water supply from existing water supply facilities will be adequate to meet the highest projected demand associated with the approval on the lands in question; and (b) require that before the first grading permit or building permit is issued in connection with the approval, the applicant will have received a sufficient water meters or a comparable supply guarantee to provide adequate water supply to meet the projected demand associated with the entire approval. A water supply is adequate if the total entitled water supplies available during normal, single, dry, and multiple dry years within a 20-year projection will meet

July 2004

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Public Services and Utilities Element

El Dorado County General Plan

the highest projected demand associated with the approval, in addition to existing and 20-year projected future uses within the area served by the water supplier, including but not limited to, fire protection, agricultural, and industrial uses, 95% of the time, with cutbacks calculated not to exceed 20% in the remaining 5% of the time.

Policy 7.4.4.4 For all new development projects (not including agricultural cultivation and actions pursuant to an approved Fire Safe Plan necessary to protect existing structures, both of which are exempt from this policy) that would result in soil disturbance on parcels that (1) are over an acre and have at least 1 percent total canopy cover or (2) are less than an acre and have at least 10 percent total canopy cover by woodlands habitats as defined in this General Plan and determined from base line aerial photography or by site survey performed by a qualified biologist or licensed arborist, the County shall require one of two mitigation options: (1) the project applicant shall adhere to the tree canopy retention and replacement standards described below; or (2) the project applicant shall contribute to the County's Integrated Natural Resources Management Plan (INRMP) conservation fund described in Policy 7.4.2.8.

Option A

The County shall apply the following tree canopy retention standards:

Percent Existing Canopy Cover	Canopy Cover to be Retained
80-100	60% of existing canopy
60-79	70% of existing canopy
40-59	80% of existing canopy
20-39	85% of existing canopy
10-19	90% of existing canopy
1-9 for parcels > 1 acre	90% of existing canopy

Under Option A, the project applicant shall also replace woodland habitat removed at 1:1 ratio. Impacts on woodland habitat and mitigation requirements shall be addressed in a Biological Resources Study and Important Habitat Mitigation Plan as described in Policy 7.4.2.8. Woodland replacement shall be based on a formula, developed by the County, that accounts for the number of trees and acreage affected.

Policy 2.2.5.3 The County shall evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions that would support a higher density or intensity zoning district. The specific criteria to be considered include, but are not limited to, the following:

1. Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;
2. Availability and capacity of public treated water system;
3. Availability and capacity of public waste water treatment system;
4. Distance to and capacity of the serving elementary and high school;
5. Response time from nearest fire station handling structure fires;
6. Distance to nearest Community Region or Rural Center;
7. Erosion hazard;
8. Septic and leach field capability;
9. Groundwater capability to support wells;
10. Critical flora and fauna habitat areas;
11. Important timber production areas;
12. Important agricultural areas;
13. Important mineral resource areas;
14. Capacity of the transportation system serving the area;
15. Existing land use pattern;
16. Proximity to perennial water course;
17. Important historical/archeological sites; and
18. Seismic hazards and present of active faults.
19. Consistency with existing Conditions, Covenants, and Restrictions.

Policy 5.1.3.2 The Capital Improvements Plan (CIP) of the County and other service purveyors shall emphasize capacity in providing infrastructure in Community Regions and Rural Centers. The CIP shall emphasize health and safety improvements over capacity in Rural Regions.

Referenced on slide 6:

Greg Giusti's Oak Woodland Impact Decision Matrix

From the DEIR comments:

Impact to an "Intact" Woodland

According to the *Oak Woodland Impact Decision Matrix*,⁶ the Dixon Ranch property oak woodland would be considered "intact":

Intact means, that the site is currently in a "wild state" being managed for grazing, open space, recreation, etc., where all of the ecological functions are still being provided, i.e., shade, ground water filtration, wildlife/fish habitat, nutrient cycling, wind/noise/dust

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⁶ Giusti, G., et al. 2008. *Oak woodland impact decision matrix: a guide for planner's to determine significant impacts to oaks as required by SB 1334 (Public Resources Code 21083.4)*. UC Integrated Hardwood Range Management Program, 2008.

From the Oak Woodland Impact Decision Matrix:

Intact?

The site is currently in a "wild state" being managed for grazing, open space, recreation, etc., where all of the ecological functions are still being provided, i.e., shade, ground water filtration, wildlife/fish habitat, nutrient cycling, wind/noise/dust abatement, carbon sequestration, etc. In this condition roads and buildings are rare across the site. Trees, both dead and alive, dominate the landscape and the site is capable of natural regeneration of oaks and other plant species. The site allows for movement of wildlife and the existing development is localized and limited to a small number of residences with service buildings or barns. The site is relatively undisturbed and is recognized as ***Intact***. Examples of an ***Intact*** woodland may include large to moderately (even relatively small parcels may qualify) sized private ranches; expansive oak woodlands zoned for agriculture, open space, scenic corridors, etc.

Referenced on slides 7 & 8 :
**Green Valley Rd traffic counts
 from the corridor traffic report**

4,931 ADT added from the project

Table 9. ADT along Green Valley Road Corridor (2010 - 2014)

Segment	Duration	Average Daily Traffic					Percent Change in 2014 from Prior Years			
		2010	2011	2012	2013	2014	2010	2011	2012	2013
1. County Line to Sophia Parkway	Mid-Weekday Avg	23,926	24,666	23,671	23,862	24,346	1.8%	-1.3%	2.9%	2.0%
	Weekly Avg	22,874	23,370	22,697	22,475	23,884	4.4%	2.2%	5.2%	6.3%
	Weekend Avg	20,115	20,162	19,913	19,470	21,469	6.7%	6.5%	7.8%	10.3%
2. Sophia Parkway to Francisco Drive	Mid-Weekday Avg	26,600	27,080	25,640	25,987	25,539	-4.0%	-5.7%	-0.4%	-1.7%
	Weekly Avg	25,161	25,610	24,675	25,881	25,001	-0.6%	-2.4%	1.3%	-3.4%
	Weekend Avg	21,946	21,830	21,702	21,699	22,861	4.2%	4.7%	5.0%	5.4%
3. Francisco Drive to El Dorado Hills Boulevard	Mid-Weekday Avg	-	-	-	14,857	15,889	-	-	-	7.0%
	Weekly Avg	-	-	-	14,467	15,871	-	-	-	9.7%
	Weekend Avg	-	-	-	13,324	15,410	-	-	-	15.7%
4. El Dorado Hills Boulevard to Silva Valley Parkway	Mid-Weekday Avg	14,522	14,682	14,195	12,334	14,527	0.0%	-1.1%	2.3%	17.6%
	Weekly Avg	12,925	14,341	13,665	12,033	14,565	12.7%	1.6%	6.6%	21.0%
	Weekend Avg	11,388	12,819	12,372	11,029	13,618	19.6%	6.2%	10.1%	23.5%
7. Deer Valley Road (West) to Bass Lake Road	Mid-Weekday Avg	9,963	10,970	10,997	10,759	10,871	9.1%	-0.9%	-1.1%	1.0%
	Weekly Avg	10,078	9,893	10,193	11,035	10,210	1.3%	3.2%	0.2%	-7.5%
	Weekend Avg	9,238	8,493	8,153	8,475	8,688	-6.0%	2.3%	6.6%	2.5%
8. Bass Lake Road to Cameron Park Drive	Mid-Weekday Avg	11,165	10,776	11,065	11,358	12,662	13.4%	17.5%	14.4%	11.5%
	Weekly Avg	10,194	10,732	10,439	-	11,970	17.4%	11.5%	14.7%	-
	Weekend Avg	8,559	9,394	8,913	-	10,199	19.2%	8.6%	14.4%	-
9. Cameron Park Drive to Ponderosa Road	Mid-Weekday Avg	6,337	6,832	6,692	-	6,290	-0.7%	-7.9%	-6.0%	-
	Weekly Avg	5,737	6,857	5,971	-	6,341	10.5%	-7.5%	6.2%	-
	Weekend Avg	4,901	4,965	4,448	-	4,884	-0.3%	-1.6%	9.8%	-
10. Ponderosa Rd to N Shingle Road	Mid-Weekday Avg	-	-	-	4,071	4,651	-	-	-	14.2%
	Weekly Avg	-	-	-	4,267	4,418	-	-	-	3.5%
	Weekend Avg	-	-	-	3,299	3,902	-	-	-	18.3%
11. N Shingle Rd to Lotus Road	Mid-Weekday Avg	7,282	7,605	7,091	-	8,349	14.7%	9.8%	17.7%	-
	Weekly Avg	6,586	-	7,019	-	7,979	21.2%	-	13.7%	-
	Weekend Avg	5,511	5,908	6,431	-	6,987	26.8%	18.3%	8.6%	-

Source: Kittelson & Associates, 2014

Mid-Week Average Daily Traffic

With exception to Segment #2 (Sophia Parkway to Francisco Drive) and Segment #9 (Cameron Park Drive to Ponderosa Road), the mid-week ADT along the corridor grew ranging from 2.5 percent to 17 percent relative to the prior year. Throughout the study period, Segment #2 (Sophia Parkway to Francisco Drive) had the highest ADT among all of the study segments, with 2013 registering the highest traffic volumes during mid-week days. The majority of commercial development along the study corridor is located on the north and south sides of Segment #2 and #3. In addition, Segment #2 serves many residential subdivisions that access Green Valley Road and provide accessibility to El Dorado Hills Boulevard, which provides a route to U.S. 50 to the south which runs parallel to Green Valley Road. As such, this segment provides one of the main routes into and out of the County and is subject to



from the *GV Corridor Traffic Report 2014* -

The county can add all the traffic they'd like to Green Valley Rd, but it is the property owners problem to fix it.

FINDINGS: CRASH ANALYSIS

"Over the three-year study period, 158 total crashes were reported within the study area, Green Valley Road from the County line to the Lotus Rd intersection.. Of the 158 reported crashes, 44 percent resulted in an injury and 4 percent resulted in a fatality."

Green Valley Road

Part D: Technical Data, Analysis and Results

October 2014

Field Review: Private Driveways

It should be noted that the County does not improve private driveways. Any improvements are the responsibility of the private property owner. During the field visits, an inventory of private property driveways on Green Valley Road between Sophia Parkway and Bass Lake Road was performed. A cursory evaluation of intersection sight distance (ISD)¹⁴ and stopping sight distance¹⁵ (SSD) was also performed at these driveways, whereas detailed measurements were collected at the locations with apparent intersection and stopping sight distance issues. Sight distance in and out of these driveways was assessed based on the latest version of the *California Highway Design Manual*¹⁶. The measured and/or observed sight distances were evaluated against the criteria contained in the referenced document and included in Table 2.

Referenced on slides 7 & 8 :

Direct access drives with line of sight issues from the *GV Corridor Traffic Report 2014*

Limited Intersection Sight Distance

The following access points had identified intersection sight distance issues:

- **The Purple Place Retail Center:** the eastern access has limited sight distance looking west, and the western access has limited sight distance looking east. The retaining walls and a vertical curve are primarily contributing factors limiting the sight distance for right and left out movements.
- **1072 Green Valley Road:** ISD is limited in both directions due to vegetation.
- **1530/1532/1540 Green Valley Road:** Line of sight for the right-turning vehicles looking west is limited due to the horizontal and vertical curvature of the road.
- **1680 Green Valley Road:** Line of sight to the east and west is limited due to vegetation and a horizontal curve. Trimming of the vegetation could improve ISD to the west, and all sight distances were acceptable when the vehicle position was moved to 10 feet from the edge of the roadway.
- **1840 Green Valley Road Home and Eastern Strawberry Entrance:** Line of sight to the west from both the 1840 Green Valley Road home access and the second entrance to the strawberry stand (coming from the west) is limited due to vegetation but could be improved with tree removal by the private property owner. ISD to the east is limited from the home driveway due to the vertical crest of the road.
- **1855 Green Valley Road:** ISD is limited in both directions due to vegetation to the west and vertical curvature to the east. ISD to the west for the unmarked access across the street is also limited due to vertical curvature.
- **Lexi Way:** ISD to the east is restrictive due to the vertical crest in the roadway.
- **1870/1880 Green Valley Road:** ISD to the east was extremely limited due to the vertical crest in the roadway.
- **1901 Green Valley Road:** ISD is poor in both directions due to the hillside, vegetation, and vertical and horizontal curvature.
- **Unknown Driveway (Lion Entrance):** ISD is limited to the west because of horizontal and vertical curves and vegetation.
- **1937 Green Valley Road:** ISD is limited to the east because of vegetation, but would be improved with the trimming.
- **1960 Green Valley Road:** ISD is limited in both directions due to the vertical crest in the road and vegetation.
- **2001 Green Valley Road:** ISD is poor to the west due to vegetation, hillside, and vertical curvature. ISD is limited to the east due to the vertical curve of the roadway.
- **2020 Green Valley Road:** ISD is limited to the west because of a vertical crest in the roadway.
- **2045/2046 Green Valley Road:** ISD is limited to the west because of a vertical crest in the roadway.
- **2321 Green Valley Road:** ISD is limited to the west due to the vertical curve in the road, and poor to the east due to vegetation and combined vertical and horizontal curvature. Trimming of vegetation will likely not improve ISD.

- **Driveway east of 2801 Green Valley Road:** ISD is limited to the east because of the hillside, but improves by reducing the setback distance to 10 feet from the edge of pavement.

Limited Stopping Sight Distance

The following access points were identified with the stopping sight distance issues:

- **1530/1532/1540 Green Valley Road:** SSD for eastbound approaching vehicles was limited due to the horizontal and vertical curvature of the road.
- **1680 Green Valley Road:** Stopping sight distance for eastbound approaching vehicles was limited due to the horizontal and vertical curvature of the road.
- **1870/1880 Green Valley Road:** SSD for westbound vehicles approaching the driveway from the east was poor due to the vertical crest in the roadway.
- **1901 Green Valley Road:** SSD is limited for westbound approaching vehicles due to the hillside, vegetation, and horizontal curvature.
- **1960 Green Valley Road:** SSD is limited for westbound approaching vehicles because of vertical curvature and vegetation.
- **2001 Green Valley Road:** SSD is limited for westbound approaching vehicles because of vertical curvature and vegetation.
- **2321 Green Valley Road:** SSD is limited for westbound approaching vehicles due to the vertical crest in the road.
- **Travois Circle:** SSD is limited for westbound approaching vehicles due to the horizontal curve of the roadway.

The Purple Place Retail Center

The Purple Place Retail Center is located on the north side of Green Valley Road east of Sophia Parkway. In the westbound direction, Green Valley Road provides a 2% to 3% downgrade near The Purple Place. Motorists traveling in the westbound direction and wanting to enter The Purple Place Retail Center must decelerate to negotiate tight right-turn radii at the driveway. As a result, trailing motorists in the outside lane either slow down or move into the adjacent lane. This could potentially reduce roadway capacity and pose safety issues. Corner sight distance at the western driveway looking east was observed to be limited, primarily due to a horizontal curve. The eastern driveway has limited corner sight distance looking west due to a retaining wall.

Weekday AM and PM peak hour traffic volumes indicate that the western driveway was used more frequently relative to the eastern driveway.

Referenced on slide 9:

General Plan policy TC-xF

Policy TC-Xe For the purposes of this Transportation and Circulation Element, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- A. A 2 percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
- B. The addition of 100 or more daily trips, or
- C. The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

Policy TC-Xf At the time of approval of a tentative map for a single family residential subdivision of five or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the County’s 10-year CIP.

For all other discretionary projects that worsen (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County’s 20-year CIP.

Water – Gen Plan policy 5.2.1.9 requires that before the first grading permit, there be a guaranteed supply to meet the projected demand associated with the entire approval, covering a 20-year projection of the highest demand & including future uses within the area served. The EIR makes clear that is not possible.

Policy 5.2.1.9

In an area served by a public water purveyor or an approved private water system, the applicant for a tentative map or for a building permit on a parcel that has not previously complied with this requirement must provide a Water Supply Assessment that contains the information that would be required if a water supply assessment were prepared pursuant to Water Code section 10910. In order to approve the tentative map or building permit for which the assessment was prepared the County must (a) find that by the time the first grading or building permit is issued in connection with the approval, the water supply from existing water supply facilities will be adequate to meet the highest projected demand associated with the approval on the lands in question; and (b) require that before the first grading permit or building permit is issued in connection with the approval, the applicant will have received a sufficient water meters or a comparable supply guarantee to provide adequate water supply to meet the projected demand associated with the entire approval. A water supply is adequate if the total entitled water supplies available during normal, single, dry, and multiple dry years within a 20-year projection will meet

July 2004

Page 89

the highest projected demand associated with the approval, in addition to existing and 20-year projected future uses within the area served by the water supplier, including but not limited to, fire protection, agricultural, and industrial uses, 95% of the time, with cutbacks calculated not to exceed 20% in the remaining 5% of the time.

Water – “first come first served basis” confirmed in the EIR

Response B25-98:

This comment is not directed to any specific analysis within the Draft EIR or its conclusions. The provision of water meters would not result in any impacts on the physical environment that requires analysis under CEQA. Furthermore, as described in the WSA prepared for the project, after accounting for water demand projections for the next 20 years, EID should have sufficient water to meet the demands of the proposed project and other service area demands for at least the next 20 years. The WSA was approved by the El Dorado Irrigation District Board of Directors on August 26, 2013, and is included in Appendix F of the Draft EIR. Please also see Master Response 5.

The current process for all discretionary projects that require public water service is that a Facility Improvement Letter (FIL) prepared by the water provider be submitted at the time of application, indicating the amount of existing water available and the amount required to serve the project. The FIL is not a commitment to serve, but an indication that there is enough at the time of application to move forward with the project.

In 1992, the Board of Supervisors established the requirement under Resolution 118-92 that prior to tentative subdivision or parcel map approval, the subdivider must present to the County a Water Meter Award Letter or similar assurance from the water purveyor guaranteeing water service upon demand to each of the parcels created by the subdivision, and establishing to the satisfaction of the County that an adequate water supply is available to meet the demand created by the subdivision. The Draft EIR identified a mitigation measure (Mitigation Measure UTL-1) consistent with this requirement (prior to approval of any final subdivision map for the proposed project, the applicant shall secure a “will serve” letter or equivalent written verification from EID demonstrating the availability of sufficient water supply for the project).

Water meters are issued by EID on a “first come first served” basis. Development of this project, or any project for that matter, is and has always been contingent on availability of water to serve the project prior to final map approval. EID will determine at that time if there is enough water resources available to allow the sale of water meters to serve the project. The applicant will then purchase the water meters and receive the necessary Meter Award Letter required by the County prior to Board approval of the final map. If meters cannot be awarded, then the project cannot develop until future water availability is secured. As to impacts on existing wells in the area, refer to

Water – from the EIR, *“there is a degree of uncertainty inherent in EID’s ability to meet the long term cumulative water supplies”*

Response B25-67:

The commenter references the Draft EIR Water Supply Assessment’s conclusions that the proposed project would contribute to the cumulative deficiency in the County’s water supply. Please refer to Impact UTL-1, discussed in the Draft EIR (Draft EIR, pages 307 through 317). In August 2013 EID adopted the WSA demonstrating sufficient water for this project. However, as explained in the Draft EIR, there is a degree of uncertainty inherent in EID’s ability to meet long-term cumulative water supplies, absent planned water supplies.

p321/676 (WSA EID);

Water supply Options

To enable comparison to the sufficient water supplies identified by the WSA, and summarized in Draft EIR Section IV.L, Utilities , this analysis identifies water supply options that have been developed to meet the 3,400 ac-ft shortfall and are assessed in this section:

- *Option 1 – Construct Alder Reservoir*
- *Option 2 – Construct recycled water seasonal storage and implement additional conservation*
- *Option 3 – Participate in regional groundwater banking and exchange programs*

Noise- new road impact not analyzed at the Martinez property per 6.5.1.12.

Policy 6.5.1.12 When determining the significance of impacts and appropriate mitigation for new development projects, the following criteria shall be taken into consideration.

- A. Where existing or projected future traffic noise levels are less than 60 dBA L_{dn} at the outdoor activity areas of residential uses, an increase of more than 5 dBA L_{dn} caused by a new transportation noise source will be considered significant;
- B. Where existing or projected future traffic noise levels range between 60 and 65 dBA L_{dn} at the outdoor activity areas of residential uses, an increase of more than 3 dBA L_{dn} caused by a new transportation noise source will be considered significant; and
- C. Where existing or projected future traffic noise levels are greater than 65 dBA L_{dn} at the outdoor activity areas of residential uses, an increase of more than 1.5 dBA L_{dn} caused by a new transportation noise will be considered significant.

School access – Both the elementary & high school have ‘0’ capacity for this development.

OBJECTIVE 5.8.1: SCHOOL CAPACITY

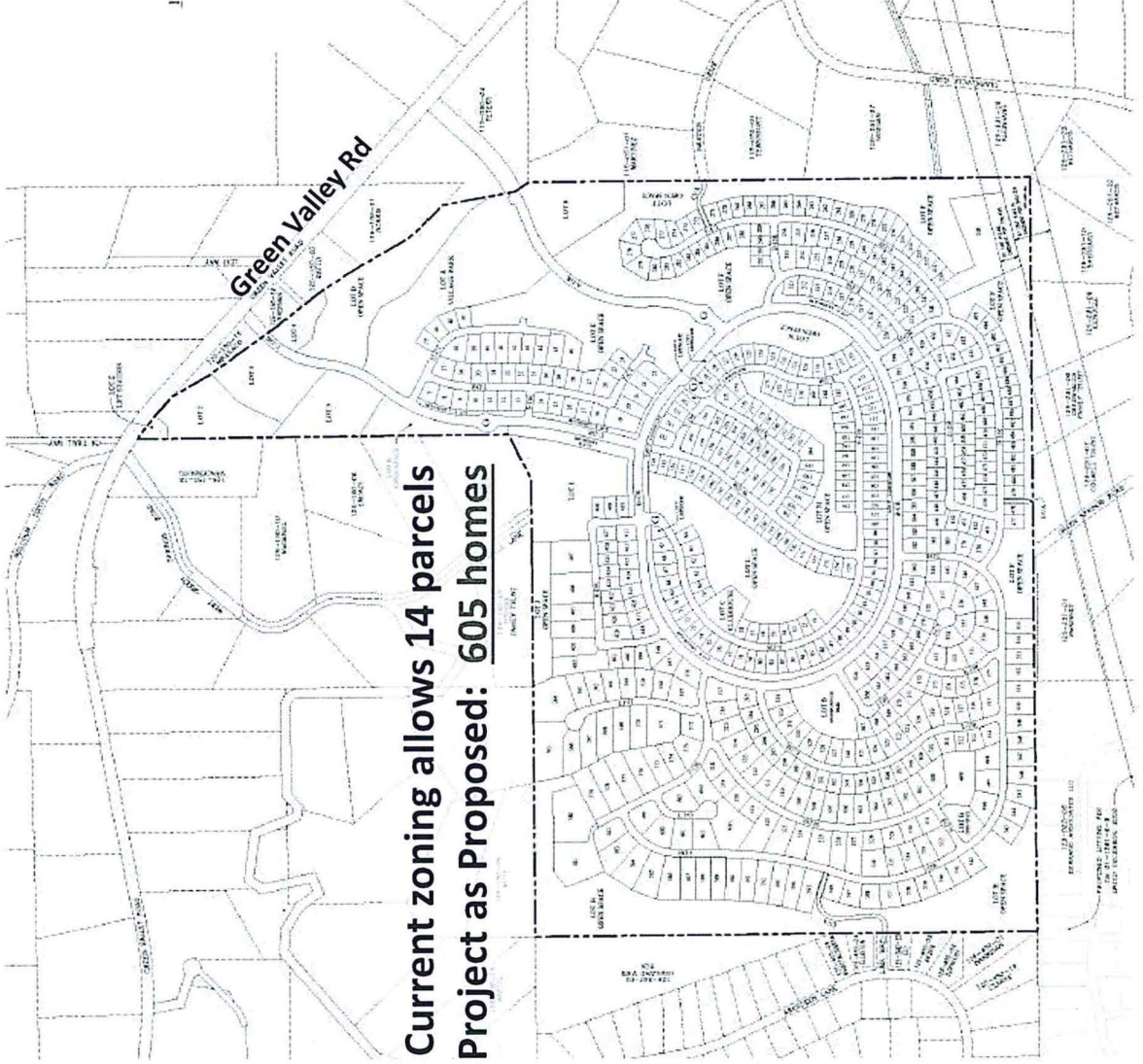
Require that adequate school capacity exists and/or appropriate mitigation consistent with State law to serve new residents concurrent with development.

Policy 5.8.1.1 School districts affected by a proposed development shall be relied on to evaluate the development's adverse impacts on school facilities or the demand therefor. No development that will result in such impacts shall be approved unless:

1. To the extent allowed by State law, the applicant and the appropriate school district(s) have entered into a written agreement regarding the mitigation of impacts to school facilities; or
2. The impacts to school facilities resulting from the development are mitigated, through conditions of approval, to the greatest extent allowed by State law.

SITE PLAN
DIXON RANCH

COUNTY OF EL DORADO STATE OF CALIFORNIA
MARCH 2013



Current zoning allows 14 parcels
Project as Proposed: 605 homes





EDC COB <edc.cob@edcgov.us>

Dixon ranch agenda item 34 file 14-1617

1 message

Susan McClurg <smcc6286@icloud.com>

Mon, Mar 7, 2016 at 5:12 PM

To: edc.cob@edcgov.us

Dear Board of Supervisors,

I am writing to express my opposition to the Dixon Ranch project, Agenda Item No. 34 (File 14-1617) on your March 8, 2016 agenda. I was unable to get the day off from work to attend the meeting but want to make sure my voice is heard.

I am a resident of Green Springs Ranch who moved to El Dorado County five years ago in order to live in a country environment on a five-acre lot. The site for Dixon Ranch is not suitable for high-density housing. The project is surrounded on all sides by rural, large lots (minimum 5 acres) and is located along a two lane road (Green Valley Road) that already has traffic and safety issues.

This project does not include the appropriate density transition, there are no services within walking distance, and it does not fit within the rural character of the surrounding area. The proposed project is too large at 605 units. Please do not approve the project as proposed. Please do not certify the EIR.

Susan McClurg



Rescue, CA



EDC COB <edc.cob@edcgov.us>

Dixon Ranch Request for Continuance

1 message

The BOSFOUR <bosfour@edcgov.us>

Mon, Mar 7, 2016 at 5:30 PM

To: Michael Ranalli <michael.ranalli@edcgov.us>, David Livingston <david.livingston@edcgov.us>, EDC COB <edc.cob@edcgov.us>

----- Forwarded message -----

From: **Green Valley Alliance** <gvralliance@gmail.com>

Date: Mon, Mar 7, 2016 at 5:24 PM

Subject: Re: Dixon Ranch Request for Continuance

To: Joel Korotkin <jkorotkin@gmail.com>

Cc: The BOSTWO <bostwo@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>

Hi Joel -

I appreciate the information. Unfortunately, the notice we received from the Board clerk was really clear that there was no commitment on the part of the County as to whether it would indeed be continued, and I had trouble getting a copy of your letter to know why the request had been made.

At this point, many people are aware of your request and are indeed planning to wait until April to attend. But there are also some who have committed to attending tomorrow, just in case the Board were to not continue the item (...you making the request does not guarantee it will be granted)

We would like to have the opportunity to make public comment tomorrow, and have requested that for ourselves and anyone unable to attend next month, but suspect the real 'party' will be in April.

Thank you for the heads-up; the request itself just put us in a bit of a spot! See you tomorrow-

-Ellen [Van Dyke]

On Mon, Mar 7, 2016 at 1:58 PM, Joel Korotkin <jkorotkin@gmail.com> wrote:

To Whom it May Concern at The Green Valley Road Alliance:

I am sending this e-mail to make sure that your members and followers have been informed that the Dixon Ranch project applicant has requested a continuance of the hearing on the project which was scheduled to be heard by the El Dorado County Board of Supervisors on Tuesday, March 8. We have requested that it be re-scheduled for the meeting to be held on April 5, 2016.

As a result of the request, we will not be preparing a presentation for the March 8 meeting, but will only be there to respond to any questions from the Board in connection with the request.

I know that notice was sent out on Thursday last week (March 3) by the Clerk of the Board, but I also wanted to send this in order to maximize the chance that your members and followers can avoid the inconvenience of attending the March 8 hearing, only to find that we have submitted the request.

Please feel free to call me with any questions.

--

Joel Korotkin
916.402.7611



EDC COB <edc.cob@edcgov.us>

Fwd: EDC BOS Meeting 03/08/2013 re: Dixon Ranch

1 message

Lillian Macleod <lillian.macleod@edcgov.us>

Tue, Mar 8, 2016 at 8:31 AM

To: EDC COB <edc.cob@edcgov.us>

You may have already got this, but just in case , , ,

Lillian MacLeod
Principal Planner

County of El Dorado
Community Development Agency
Development Services, Planning
2850 Fairlane Court
Placerville, CA 95667

(530) 621-6583 / FAX (530) 642-0508
lillian.macleod@edcgov.us

----- Forwarded message -----

From: **Don Larson** <ridgelinescouter@gmail.com>

Date: Mon, Mar 7, 2016 at 5:20 PM

Subject: EDC BOS Meeting 03/08/2013 re: Dixon Ranch

To: bosone@edcgov.us, bostwo@edcgov.us, bosthree@edcgov.us, bosfour@edcgov.us, bosfive@edcgov.us, Lillian.Macleod@edcgov.us

March 7, 2016

Dear Supervisors,

This is not a robo-letter, but a heartfelt appeal made to you on behalf of my family. We ask that you all vote against approval of the General Plan amendment that changes the proposed Dixon Ranch site from low-density residential to high-density residential.

My family and I are 23-year residents of the county and value its rural character and charm. We moved from El Dorado Hills to Rescue 17 years ago, to escape the encroachment of high-density housing, increased traffic, and the negative impact on quality of life.

My wife and I attended the Board of Supervisors meeting on 10/22/2013, when the BOS voted on the Wilson Estates project. The board members present voted unanimously to deny that proposed change in density. I recently viewed the video recording of that meeting to reacquaint myself with the reasoning that led to board's unanimous denial.

There were two sentiments shared by the board and cited by each member in their comments:

1. Consistency and Compatibility with the surrounding density and usage. The parcels on the north, east, and south sides of the Dixon Ranch site are all low-density residential and rural residential. The only exception is to the west, with the Highland Hills neighborhood being high-density residential. However, that development is on the west side of the ridge line, and not visible from the Green Valley Road corridor. Hence, the visible density and usage is low density. The project, as proposed, would wedge a Serrano-like development with ribbons of rooftops, between East- and West Green Springs communities of 5-10 acre parcels. This is neither consistent, nor compatible.

2. High Traffic Volume and Mitigation of Safety Concerns. During the Wilson Estates deliberation, Supervisor Mikulaco noted the skid marks near the Loch Way entrance to Sterlingshire, adding that beyond funding a study, no additional road improvements were scheduled, following the Deer Valley turn pockets. He noted the frequent appearance of car parts on the roadside by the LDS church. He stopped short of mentioning the several memorials that have appeared on this roadway between Silva Valley Parkway and Deer Valley Road in recent years. The increased traffic volume that will result from this project will make us all less safe, not to mention the impact of hundreds of more vehicles passing several schools to reach the Bass Lake or Silva Valley feeder roads to Highway 50.

The Supervisors also spent considerable time, on 10/22/2013, highlighting the need for consistency across planning documents and decision-making processes. The LUPPU process has helped fix certain inconsistencies in planning document tables and text noted on that date. And, while the membership of the board has changed since that October meeting, the values of the citizenry are unchanged, and the precepts that guide you in executing your responsibilities are unchanged.

What has changed is that the Dixon Ranch proposal is more than 10-times the size of the Wilson Estates proposal. The financial lure is 10 times bigger. The infrastructure cost is 10 times bigger, some portion of which is historically passed to the taxpayer. And, the unmitigated impact of many-100s of additional vehicles using that corridor daily multiplies the risk to the community.

Again, on behalf of my family, I ask that you all vote against approval of the General Plan amendment that changes the proposed Dixon Ranch site from low-density residential to high-density residential. If you voted to deny the Wilson Estates rezoning on 10/22/2013, I would expect your similar denial of this request, for the same reasons. And, if you campaigned with promises to oppose this and similar projects, I would again expect your vote of denial. Thank you.

Respectfully submitted,

Donald Larson (Rescue, District 4)



EDC COB <edc.cob@edcgov.us>

Fwd: Dixon Ranch Proposal

1 message

Lillian Macleod <lillian.macleod@edcgov.us>
To: EDC COB <edc.cob@edcgov.us>

Tue, Mar 8, 2016 at 8:33 AM

. . . and another.

Lillian MacLeod
Principal PlannerCounty of El Dorado
Community Development Agency
Development Services, Planning
2850 Fairlane Court
Placerville, CA 95667(530) 621-6583 / FAX (530) 642-0508
lillian.macleod@edcgov.us

----- Forwarded message -----

From: **Karen Jacobsen** <karenjacobse@gmail.com>
Date: Tue, Mar 8, 2016 at 12:13 AM
Subject: Dixon Ranch Proposal
To: Lillian.Macleod@edcgov.us

I oppose the Dixon Ranch Proposal for a number of reasons:

1. Water, water, water!!!! Here we have been in this huge drought and the board wants to add 605 homes!!!! Shame on you! According to the news, the drought isn't over yet.
2. As a retired teacher who still volunteers in the MLUSD, I can tell you that this additional set of homes is going to cause havoc with the school system. Children will be cheated because schools will not be able to keep up with the demand for classrooms, supplies, and teachers. New schools are costly projects.
3. I have lived in the county since 1978 and I am therefore privy to all the thought and work that went into the county plan. The Dixon Ranch project is a snub to all that work and a slap in the face to all those who worked on it. That area is supposed to be zoned for 14 parcels not 605 homes. Go back to the plan; do not violate it.
4. I am appalled that Green Valley Road is a main artery to the development. That road is narrow and twisty, dangerous, and unable to handle an additional 605 homes. Blood will be on your hands.
5. Where are all the trees going to go? Well, they will be gone just like the old oak tree on the corner of Forni Road and Missouri Flat when Walmart came.

I still miss that tree. According to the plan, only so many trees can be removed. We didn't move here to raise our children in the city. We still need "country" in the state of California.

6. Air quality will also go down as more and more cars drive to and from 605 new homes and more and more people burn wood for heat, and burn weeds, and perhaps even leaves if there are any trees left to bare leaves.

I strongly oppose the Dixon Ranch Proposal.

Sincerely,
Karen D. Jacobsen
El Dorado, CA



D. Larson #34 BOS 3/8/14

Don Larson <ridgelinescouter@gmail.com>

EDC BOS Meeting 03/08/2013 re: Dixon Ranch

4 messages

Don Larson <ridgelinescouter@gmail.com>

Mon, Mar 7, 2016 at 5:20 PM

To: bosone@edcgov.us, bostwo@edcgov.us, bosthree@edcgov.us, bosfour@edcgov.us, bosfive@edcgov.us, Lillian.Macleod@edcgov.us

March 7, 2016

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1 of 3

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Respectfully submitted,

Donald Larson (Rescue, District 4)

The BOSFOUR <bosfour@edcgov.us>
To: Don Larson <ridgelinescouter@gmail.com>

Mon, Mar 7, 2016 at 5:31 PM

Dear Mr. Larson,

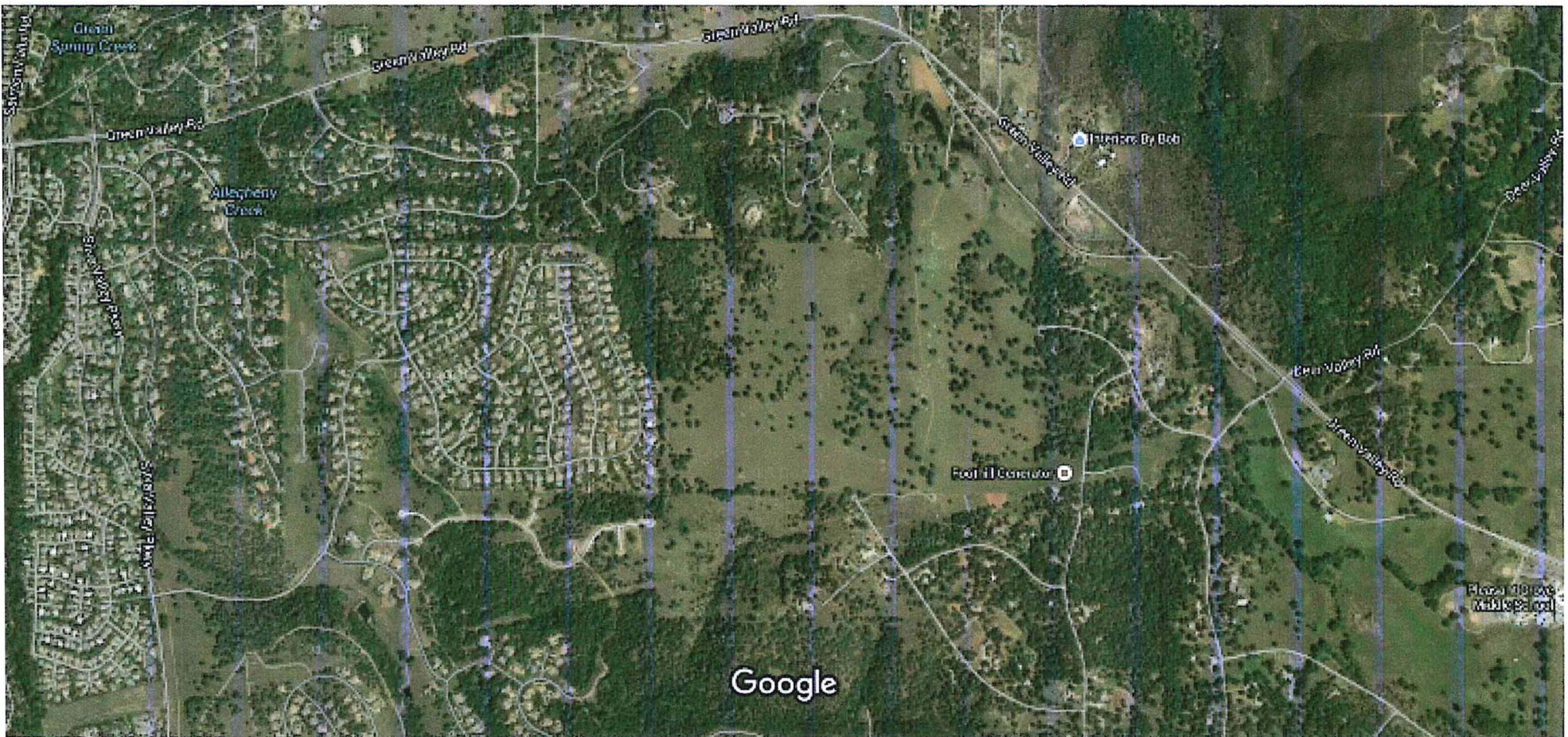
Our office has received your email correspondence regarding the proposed Dixon Ranch project and did forward your comments directly to Supervisor Ranalli for his review.

A copy of your comments will be included with his agenda materials for this item (Item #34) as part of the Tuesday, March 8, 2016, Board agenda packet.

Please note that the Clerk of the Board of Supervisors has received notification from the project applicant to request that the project be continued to the Tuesday, April 5, 2016, Board of Supervisors meeting.

As the project was publicly noticed for hearing on Tuesday, March 8, 2016, at 1:00 p.m. for a public hearing, it remains on the Board's agenda for the March 8th meeting at 1:00 p.m. At 1 pm, the Board will "call" the item.

2 of 3



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C. Langley #34 BOS 3/8/16

Public Comment
Board of Supervisors
March 8, 2016
Agenda Item # 34;
File No. 14-1617

Board Members:

Thank you for the opportunity to comment on the proposed **Dixon Ranch** residential project. I have the following concerns about water supply and water quality.

Water Supply

El Dorado Irrigation District's (EID) water supply is inadequate to serve this development. It has been made clear in the draft Environmental Impact Report (EIR) by EID that "...water supplies would not be sufficient to meet EID's existing water demands and the buildout water demands of the proposed project..."

Impact UTL-1: A degree of uncertainty is inherent in EID's ability to meet long-term cumulative water supplies, which could result in the need to construct new or expand existing water facilities, the construction of which could cause significant environmental effects, and/or could require new or expanded entitlements for water supplies (S).

As noted, EID's existing water supplies are reasonably certain to be available to serve EID's existing water demands (i.e., current customers and uses) and the water demands of the proposed project. However, as described in the WSA, EID's existing water supplies would not be sufficient to meet EID's existing water demands and the buildout water demands of the proposed project when combined with all other past, present and reasonably probable future uses.

Source: Dixon Ranch draft Environmental Impact Report, page 307.

The safe yield shortfall is estimated to be about 69,000 to 74,000 acre-feet per year (AFY) at buildout of the 2004 General Plan.

- Under long term safe yield planning assumptions, new supplies are needed for all West Slope purveyors at buildout of the 2004 General Plan, with approximately 69,000 AFY of additional water supply needed for the entire West Slope.
- The climate change hydrologic regime scenario confirms safe yield is the appropriate metric for assessing long term water supply need.

Source: El Dorado County Water Agency. 2014. 2014 West Slope Update Water Resources Development and Management Plan, (December, 2007); November 2014, page 123.

Table 7-2 West Slope Additional Surface Water Supply Need with State Mandated Conservation - Considering Safe Yield Supply (acre-feet)

	Existing Safe Yield Supply	Urban			Agricultural			Total Demand			Additional Water Supply Need	
		2012	2030	Build-Out	2012	2030	Build-Out	2012	2030	Build-Out	2030	Build-Out
El Dorado Irrigation District	59,955	40,237	51,403	79,316	7,977	9,515	19,218	48,214	60,919	98,534	964	38,579
Georgetown Divide PUD	10,541	3,001	4,120	9,581	7,121	7,621	10,349	10,122	11,741	19,930	1,200	9,389
Grizzly Flat CSD Total	165	153	187	313	—	—	—	153	187	313	22	148
Other County Areas	—	—	—	12,336	—	—	17,476	—	—	29,812	—	20,560
Western Slope Total	—	—	—	101,546	—	—	47,043	—	—	148,590	2,187	68,677

Reference Chapter 4 and 6 for detailed demand and supply projections by purveyor/area.

Source: El Dorado County Water Agency. 2014. *2014 West Slope Update Water Resources Development and Management Plan*, (December, 2007); November 2014, page 120.

Table 7-4 West Slope Additional Surface Water Supply Need Considering Safe Yield and Potential Climate Change Impacts (AFY)

	Existing Safe Yield Supply	Urban			Agricultural			Total Demand			Additional Water Supply Need	
		2012	2030	Build-Out	2012	2030	Build-Out	2012	2030	Build-Out	2030	Build-Out
El Dorado Irrigation District	56,216	40,237	52,688	81,299	7,977	9,991	20,179	48,214	62,680	101,478	6,464	45,262
Georgetown Divide PUD	9,487	3,001	4,223	9,821	7,121	8,002	10,866	10,122	12,225	20,687	2,738	11,200
Grizzly Flat CSD Total	149	153	187	313	—	—	—	153	187	313	39	164
Other County Areas	—	—	—	12,336	—	—	17,476	—	—	29,812	—	20,560
Western Slope Total	—	—	—	103,777	—	—	48,522	—	—	152,298	9,246	74,103

Reference Chapter 4 and 6 for detailed demand and supply projections by purveyor/area.

Note: 1) 25% of Other County Area urban demands and 100% of agricultural demands are included in the "Additional Water Supply Need." 2) 2012 agricultural demands do not include demand supplied from ground water or riparian sources.

Source: El Dorado County Water Agency. 2014. *2014 West Slope Update Water Resources Development and Management Plan*, (December, 2007); November 2014, page 122.

But there is another issue that impacts this documented shortfall: The Dixon Ranch project is not the only project on the planning horizon. The Senate Bill (SB) 610 report ¹ (Water Supply Assessment, or WSA) lists the following proposed projects which—including Dixon Ranch—**total approximately 5,600 residences:**

3.2 OTHER CURRENTLY PROPOSED PROJECTS

As mentioned in the previous section, El Dorado County is the Lead CEQA Agency for four additional proposed development projects and has requested EID to prepare WSA's for each development concurrent with this Proposed Project WSA. EID is currently drafting three of these four WSAs.¹⁸ The estimate of water demand for each WSA follows the same methods used in Section 2 of this WSA, with specific unit demand factors applied to each unique land use element. The other projects are:

- Central El Dorado Hills – located along El Dorado Hills Blvd north of Hwy 50, this projects is a planned infill mixed development with primarily residential units and some commercial space.
- Lime Rock Valley Specific Plan – located adjacent to the Village of Marble Valley, this development is a planned residential community with a variety of lot sizes and housing types.
- The Village of Marble Valley Specific Plan – located southeast of the Propose Project, this development features many additional complex water use elements such as vineyards, schools, parks, a large lake, and a diverse range of housing types and lot sizes.

Source: *SB 610 Water Supply Assessment for the Dixon Ranch Residential Project*, page 3-2.

Importantly, the list of proposed projects in the SB 610 report is far from complete. The following projects—**to name a few**—are on the planning horizon as well. (Source of proposed project information: El Dorado County Web site: “Pending Projects,” “Planned Developments,” by District, available at: <http://edcapps.edcgov.us/Planning/ProjectInquiry.asp>.)

- San Stino’s Mill Creek, 632 units
- Piedmont Oak Estates, 81 units
- McCann Subdivision, 72 units
- Stonehenge Springs, 331 units
- Diamond Dorado Subdivision, 109 units
- Durock Road Condos, 10 four story units that include 210 residential units
- Montano Master Plan, unspecified number of units
- Habitat for Humanity Condos, unspecified number of residential units

These projects add **over 1,400 additional (mostly residential) units;** this total is in addition to the approximate **16,000 residential-zoned parcels currently developable under ministerial rights in the County.** And this figure likely does not include that portion of 10,000 homes south of Highway 50 in Folsom that EID is planning to supply water to, as well as other commitments to supply water out-of-county that may be established as a result of that precedent-setting commitment. **Now we’re talking about approximately 23,000 planned residences, minus the portion of the Folsom homes that EID has committed to serve.**

¹ Tully & Young. 2013. *SB 610 Water Supply Assessment for the Dixon Ranch Residential Project*. August, 2013

Furthermore, the Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU) EIR acknowledges EID based its water usage estimate on “2004 General Plan land use assumptions...”

Future demand is based on the 2004 General Plan land use assumptions, using EID’s own assumptions for the future rate of growth. The County’s most recent study indicates that the growth rate under the General Plan is just over 1%. (BAE Urban Economics 2013) EID uses slightly higher growth rates than does the County for its El Dorado Hills, Western, and Eastern Regions, for three time periods, with those rates increasing in the future. EID has projected supply and demand to the year 2035, based on securing the Fazio water and the EDWPA supplemental water rights project supply (El Dorado Irrigation District 2013b).

Source: ICF International. 2015. *El Dorado County TGPA/ZOU Final Program EIR*, December, 2015, page 3.10-20.

But the TGPA/ZOU “intensifies” land use zoning and land uses—and associated water demand—over 2004 General Plan demand levels. Thus, the EID baseline used for the Dixon Ranch project SB 610 water usage assumptions is flawed—it underestimates demand.

Minus even this additional demand on water supply, the SB 610 for Dixon Ranch, and the Dixon Ranch Environmental Impact Report (EIR) reveal the water simply isn’t there to support Dixon Ranch when combined with past, present, and reasonably probable future uses. Where is the water to support this development going to come from? Residents are rationing water now.

Sources of Water Supply

While EID is hoping to acquire water rights to cover shortfall with the acquisition of multiple “planned water assets,” **there is no promise that EID will be able to acquire these assets. And, even if some or all of the water rights sought are acquired, it is uncertain if total acquisitions will be adequate to support Dixon Ranch when combined with “past, present, and reasonably probable future uses.”**

The SB 610 consultant could only say EID “**should**” have sufficient water available to meet the needs projected under the Dixon SB 610 through 2035 **if**:

The conclusion that EID should have sufficient water available to meet the needs of the Proposed Project, in addition to the other demands in its service area through 2035, rests on the following set of assumptions:

- EID, EDCWA, and EDWPA successfully execute the contracts and obtain the water right permit approvals for currently unsecured water supplies discussed in Section 4. Absent these steps, the water supplies currently held by EID and recognized to be diverted under existing contracts and agreements would be insufficient in 2035 to meet the Proposed Project demands along with all other existing and planned future uses.
- EID will commit to implement Facility Capacity Charges in an amount sufficient to assure the financing is available as appropriate to construct the necessary infrastructure as detailed in the March 2013 EID *Integrated Water Resources Master Plan*.
- Demand in single-dry years includes an additional 5 percent of demand over the normal year demand during the same time period. This conservative assumption accounts for the likelihood that EID customers will irrigate earlier in the season to account for dry spring conditions. This hypothetical demand augmentation may or may not manifest in dry years, but this conservative assumption further tests the sufficiency of water supplies during dry conditions.
- The estimated demands include 13 percent to account for non-revenue water losses (e.g. distribution system losses).

Source: *SB 610 Water Supply Assessment for Dixon Ranch Residential Project*, page 5-5.

Section 4 descriptions (mentioned in the preceding excerpt) of these unsecured water rights include pre-1914 water rights. However, pre-1914 appropriative rights—while relatively common—are also difficult to establish, and require evidence of *original use* prior to 1914 and *continued use* thereafter.² The appropriative right is lost by non-use; continuity of use is as important as the origin of the right.

And, regarding other “planned water assets,” what is the likelihood EID will be successful in its bid to acquire additional water rights in the face of competing interests within the State? Is EID likely to win its bid to support rooftops over other needs/interests? There is keen interest—statewide—in EDC’s water supply:

Finally, while not a purpose of this 2014 Update, Chapter 6 notes that there may be value in a specific climate change vulnerability assessment – of both supplies and demands – for the American River Basin supported by all water users reliant on such supplies. This includes all downstream water users (including environmental uses). It is clear that there is statewide interest in water supplies generated within the American River watershed. As noted in the 2007 report on climate change vulnerability by the California Urban Water Agencies, the combined effects of decreasing water supplies and increasing water demands are serious challenges for the future.

Source: El Dorado County Water Agency. 2014. 2014 West Slope Update Water Resources Development and Management Plan, (December, 2007); November 2014, page 123.

It is highly likely that EID **will not** be able to acquire water rights to support additional growth in the County because of need elsewhere in the State (especially in light of over-allocation and persistent drought).

A recent article in the Sacramento Bee describes this over-allocation issue:

“The state of California has handed out five times more water rights than nature can deliver... California’s total freshwater runoff in an average year is about 70 million acre-feet...but the state has handed out junior water rights totaling 370 million acre-feet.”³

In the face of water shortage, numerous California jurisdictions have denied development projects based on a lack of reliable water supply:

*Water authorities and other government agencies scattered throughout the state...have begun denying, delaying or challenging authorization for dozens of housing tracts and other developments under a state law that requires a 20-year water supply as a condition for building. **The water in our state is not sufficient to add more demand, said Lester Snow, the director of the California Department of Water Resources. And that now means that some large development can’t go forward.**⁴*

Likewise, because El Dorado County does not have the necessary water resources to support this high-density project, it should not go forward.

² Sawyers, G.W. Undated. *A Primer on California Water Rights*. Available at: http://aic.ucdavis.edu/events/outlook05/Sawyer_primer.pdf

³ Weiser, M. 2014. *Water is Way Below Allotments*. Sacramento Bee, August 20, 2014, pages B1 & B3.

⁴ Steinhauer, J. 2008. *Water Starved California Slows Development*. New York Times, June 7, 2008.

Violation of General Plan Objective and Policies

A General Plan objective—and multiple policies—are violated when discretionary projects are granted approval in the absence of an adequate water supply. These include:

- **Objective 5.2.1:** County-Wide Water Resources Program. “Establish a County-wide water resources development and management program to include the activities necessary to **ensure adequate future water supplies consistent with the General Plan.**”
- **Policy 5.2.1.1:** “The El Dorado County Water Agency shall support a County-wide **water resources development and management program** which is coordinated with water purveyors and is **consistent with the demands generated by the General Plan land use map.**”
- **Policy 5.2.1.2:** “**An adequate quantity and quality of water** for all uses, including fire protection, **shall be provided for with discretionary development.**”
- **Policy 5.2.1.4:** “**Rezoning and subdivision approvals** in Community Regions or other areas dependent on public water supply **shall be subject to the availability of a permanent and reliable water supply.**”
- **Policy 5.2.1.9:** “In order to approve the tentative map or building permit for which the [Water Supply Assessment] was prepared the County must find...**the water supply from existing water supply facilities will be adequate to meet the highest projected demand associated with the approval on the lands in question.**” This water supply will only be deemed adequate if “...the total **entitled** water supplies available during normal, single, dry, and multiple dry years within a **20-year projection will meet the highest projected demand associated with the approval, in addition to existing and 20-year projected future uses within the area served by the water supplier...**”
- **Policy 5.1.2.2:** “Provision of public services to new discretionary development **shall not result in a reduction of service below minimum established standards to current users...**”

Approval of the Dixon Ranch project will violate these General Plan policies and the objective; therefore, the project must be denied.

Implementation of SB 610 and SB 221

The applicant’s SB 610 report is inadequate. According to the *Guidebook for the Implementation of Senate Bill 610 & Senate Bill 221 of 2001*,⁵ SB 221 also applies to the Dixon Ranch residential project, and yet the requirements of SB 221 have not been met. Under SB 221, **approval of residential**

⁵ California Department of Water Resources.2003. *Guidebook for the Implementation of Senate Bill 610 & Senate Bill 221 of 2001 to Assist Water Suppliers, Cities, and Counties in Integrating Water and Land Use Planning*. October 8, 2003. Available at: http://www.water.ca.gov/pubs/use/sb_610_sb_221_guidebook/guidebook.pdf

subdivisions requires an affirmative written verification of sufficient water supply.⁶ SB 221 applies to “subdivisions,” as defined below:

Government Code section 66473.7

(a) For the purposes of this Section, the following definitions apply:

- (1) “Subdivision” means a proposed residential development of more than 500 dwelling units, except that for a public water system that has fewer than 5,000 service connections, “subdivision” means any proposed residential development that would account for an increase of 10 percent or more in the number of the public water system’s existing service connections.*

Source: Government Code section 66473.7(a)(1).

And, Dixon Ranch *is not* exempt from the requirements of SB 221. An exemption applies only in the following instance:

Government Code section 66473.7.

(i) This Section shall not apply to any residential project proposed for a site that is within an urbanized area and has been previously developed for urban uses, or where the immediate contiguous properties surrounding the residential project site are, or previously have been, developed for urban uses, or housing projects that are exclusively for very low and low-income households.

Source: Government Code section 66473.7(i).

The Dixon Ranch project **is not** in an urbanized area, as defined under Public Resources Code section 21071, which defines “urbanized” as:

(A) Completely surrounded by one or more incorporated cities, and both of the following criteria are met:⁶

Source: Public Resources Code section 21071(b)(1)(A).

Nor is it—despite its recent inclusion in a Community Region boundary line—located in a region that ***“allows urban uses on one side of the boundary and prohibits urban uses on the other side.”***

(B) Located within an urban growth boundary and has an existing residential population of at least 5,000 persons per square mile. For purposes of this subparagraph, an “urban growth boundary” means a provision of a locally adopted general plan that allows urban uses on one side of the boundary and prohibits urban uses on the other side.⁶

Source: Public Resources Code section 21071(b)(1)(B).

Thus, the requirements of SB 221 apply. But there is no documentation in support of compliance with SB 221 in either the Dixon Ranch EIR or SB 610 report. SB 221 is *mentioned* in the draft EIR for Dixon Ranch, but the project applicant does nothing to satisfy SB 221 requirements:

⁶ Department of Water Resources. 2003. *Guidebook for the Implementation of Senate Bill 610 and Senate Bill of 2001; to Assist Water Suppliers, Cities and Counties in Integrating Water and Land Use Planning*; October 8, 2003, page iii.

Senate Bill 610 and SB 221. In 2003, Senate Bill (SB) 610 and SB 221 were signed into law by Governor Gray Davis. SB 610 requires public water systems that supply water to proposed projects determine whether the projected water demand (associated with the proposed project) could be met when existing and planned future uses are considered. For the purposes of SB 610, Water Code Section 10912 (a)(2) requires all projects with a water demand equivalent to 500 or more dwelling units, or which include over 250,000 square feet of commercial office building, to obtain a Water Supply Assessment (WSA). In addition, SB 610 requires a quantification of water received by the water provider in prior years from water rights, water supply entitlements, and water service contracts. Under SB 221, approval by a city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply.

Source: Dixon Ranch draft Environmental Impact Report, page 294.

Because of this omission, determination of sufficient water supply—as required under SB 221—is not adequate. According to the SB 610 and SB 221 Guide, an agency “**...shall not approve any final map prepared for the subdivision until the agency governing body has received a written verification that satisfies the condition regarding a sufficient water supply...**”

Under SB 221, the definition of “sufficient water supply” is as follows:

Step One: Documenting supply

Government Code section 66473.7

- (a) (2) **“Sufficient water supply”** means the total water supplies available during normal, single-dry and multiple-dry years within a 20-year projection that will meet the projected demand associated with the proposed subdivision, in addition to existing and planned future uses, including, but not limited to, agricultural and industrial uses. In determining “sufficient water supply,” all of the following factors shall be considered:
- (A) The availability of water supplies over a historical record of at least 20 years.
 - (B) The applicability of an urban water shortage contingency analysis prepared pursuant to Section 10632 of the Water Code that includes actions to be undertaken by the public water system in response to water supply shortages.
 - (C) The reduction in water supply allocated to a specific water use sector pursuant to a resolution or ordinance adopted, or a contract entered into, by the public water system, as long as that resolution, ordinance, or contract does not conflict with Section 354 of the Water Code.
 - (D) The amount of water that the water supplier can reasonably rely on receiving from other water supply projects, such as conjunctive use, reclaimed water, water conservation, and water transfer, including programs identified under federal, state, and local water initiatives such as CALFED and Colorado River tentative agreements, to the extent that these water supplies meet the criteria of subdivision (d)

Source: Department of Water Resources. 2003. *Guidebook for the Implementation of Senate Bill 610 and Senate Bill of 2001; to Assist Water Suppliers, Cities and Counties in Integrating Water and Land Use Planning*; October 8, 2003, page 50.

When, as is the case with Dixon Ranch, it is determined the water supply would not be sufficient to meet existing water demands (past, present demands) and “*reasonably probable future uses*” (this term equals “*planned future uses*” in the definition above), the sufficiency analysis must follow the steps outlined below.

Water Code section 10911

(a) If, as a result of its assessment, the public water system concludes that its water supplies are, or will be, insufficient, the public water system shall provide to the city or county its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies. If the city or county, if either is required to comply with this part pursuant to subdivision (b), concludes as a result of its assessment, that water supplies are, or will be, insufficient, the city or county shall include in its water assessment its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies. Those plans may include, but are not limited to, information concerning all of the following:

- (1) The estimated total costs, and the proposed method of financing the costs, associated with acquiring the additional water supplies.
- (2) All federal, state, and local permits, approvals, or entitlements that are anticipated to be required in order to acquire and develop the additional water supplies.
- (3) Based on the considerations set forth in paragraphs (1) and (2), the estimated timeframes within which the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), expects to be able to acquire additional water supplies.

Source: Department of Water Resources. 2003. *Guidebook for the Implementation of Senate Bill 610 and Senate Bill of 2001; to Assist Water Suppliers, Cities and Counties in Integrating Water and Land Use Planning*; October 8, 2003, page 34.

And, when a project is subject to SB 221, the written verification must meet the requirements of Government Code section 66473.7(d):

(d) When the written verification pursuant to subdivision (b) relies on projected water supplies that are not currently available to the public water system, to provide a sufficient water supply to the subdivision, the written verification as to those projected water supplies shall be based on all of the following elements, to the extent each is applicable:

- (1) Written contracts or other proof of valid rights to the identified water supply that identify the terms and conditions under which the water will be available to serve the proposed subdivision.
- (2) Copies of a capital outlay program for financing the delivery of a sufficient water supply that has been adopted by the applicable governing body.
- (3) Securing of applicable federal, state, and local permits for construction of necessary infrastructure associated with supplying a sufficient water supply.
- (4) Any necessary regulatory approvals that are required in order to be able to convey or deliver a sufficient water supply to the subdivision.

Source: Department of Water Resources. 2003. *Guidebook for the Implementation of Senate Bill 610 and Senate Bill of 2001; to Assist Water Suppliers, Cities and Counties in Integrating Water and Land Use Planning*; October 8, 2003, page 50.

But there is an “out” here. Even if the water supply is deemed insufficient, a “local agency” *may make a finding* that additional water supplies not accounted for *will be available*; but **this finding must be made on the record, supported by substantial evidence**. The following excerpt identifies the relevant Government Code section requirements:

Section 15 - Code citations

If the projected supply is determined to be insufficient

Government Code section 66473.7

(b) (3) If the written verification provided by the applicable public water system indicates that the public water system is unable to provide a sufficient water supply that will meet the projected demand associated with the proposed subdivision, then the local agency may make a finding, after consideration of the written verification by the applicable public water system, that additional water supplies not accounted for by the public water system are, or will be, available prior to completion of the subdivision that will satisfy the requirements of this section. This finding shall be made on the record and supported by substantial evidence.

(d) When the written verification pursuant to subdivision (b) relies on projected water supplies that are not currently available to the public water system, to provide a sufficient water supply to the subdivision, the written verification as to those projected water supplies shall be based on all of the following elements, to the extent each is applicable:

- (1) Written contracts or other proof of valid rights to the identified water supply that identify the terms and conditions under which the water will be available to serve the proposed subdivision.
- (2) Copies of a capital outlay program for financing the delivery of a sufficient water supply that has been adopted by the applicable governing body.
- (3) Securing of applicable federal, state, and local permits for construction of necessary infrastructure associated with supplying a sufficient water supply.
- (4) Any necessary regulatory approvals that are required in order to be able to convey or deliver a sufficient water supply to the subdivision.

Source: Department of Water Resources. 2003. *Guidebook for the Implementation of Senate Bill 610 and Senate Bill of 2001; to Assist Water Suppliers, Cities and Counties in Integrating Water and Land Use Planning*; October 8, 2003, page 76.

The following excerpt identifies the relevant “agency action”:

Section 15 If the projected supply is determined to be insufficient

Agency Action

If the written verification provided by the water supplier, or by the agency, indicates that the water supply is insufficient to meet the projected demand associated with the proposed subdivision, then the agency may make a finding, after consideration of the written verification, that additional water supplies not accounted for in the verification are, or will be, available prior to completion of the subdivision that will meet the demands of the subdivision. This finding must be made on the record and supported by substantial evidence. Generally, if an agency identifies a supply that was not accounted for in the verification it will be a supply that is not currently available or not currently being used. In this situation, the substantial evidence supporting the finding should comply with Government Code 66473.7(d).

This means that the agency would have to provide information relating to:

- (1) Written contracts or other proof of valid rights to the identified water supply which identify the terms and conditions under which the water will be available to serve the proposed subdivision.
- (2) Copies of a capital outlay program for financing the delivery of a sufficient water supply that has been adopted by the applicable governing body.
- (3) Securing of applicable federal, state, and local permits for construction of necessary infrastructure associated with supplying a sufficient water supply.
- (4) Any necessary regulatory approvals that are required in order to be able to convey or deliver a sufficient water supply to the subdivision.

Source: Department of Water Resources. 2003. *Guidebook for the Implementation of Senate Bill 610 and Senate Bill of 2001; to Assist Water Suppliers, Cities and Counties in Integrating Water and Land Use Planning*; October 8, 2003, page 77.

Such findings have not been made in the case of the Dixon Ranch residential project. EID has not provided the necessary documentation to support “substantial evidence in the record” that additional water supplies not accounted for will be available.

For instance, it has been stated in the Dixon Ranch SB 610 that contracts are yet to be negotiated and executed, regulatory approvals and permits are pending, environmental compliance efforts are unsettled, and—in some instances—judicial action will be required. **There is simply not an adequate water supply to support this project; no “substantial evidence” exists.**

Water Quality

Failure to Comply with NPDES Requirements

The requirement that the project comply with State Water Resources Control Board (SWRCB) Order No. 2013-0001-DWQ has been wrongly eliminated.

*NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR
WASTE DISCHARGE REQUIREMENTS (WDRs)
FOR
STORM WATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM
SEWER SYSTEMS (MS4s)

ORDER NO. 2013-0001-DWQ
NPDES NO. CAS000004

This Order was adopted by the State Water Resources Control Board on:	February 5, 2013
This Order shall become effective on:	July 1, 2013
This Order shall expire on:	June 30, 2018

Source: SWRCB NPDES General Permit for Waste Discharge Requirements; Order No. 2013-0001-DWQ; February 5, 2013; page1.

Following is a description of the reasoning behind the dismissal of this legal obligation.

During incorporation of public review comments on the draft EIR, revisions were proposed to Mitigation Measure HYD-1 that would require the project to comply with the State Water Resources Control Board Order No. 2013-0001 DWQ effective July 1, 2013 (“Order”). However, under Section E.12.c of the Order (Regulated Projects) “Discretionary projects that have been deemed complete prior to the second year of the effective date of this Order are not subject to the Post-Construction Standards herein.”

The Dixon Ranch project was deemed complete on April 23, 2013, prior to the effective date of the Order. As such, staff recommends that the proposed revisions in the Mitigation Monitoring and Reporting Program and final EIR be revised again to reflect the language that was originally circulated with the Draft EIR. The language in the Draft EIR is sufficient to mitigate the project impacts under CEQA, and would require that the project comply with the El Dorado County West Slope Storm Water Management Plan (SWMP), which was the controlling regulatory document in place at the time the project application was deemed complete. The proposed revisions consistent with the Draft EIR are indicated by strikeout/underline text, as follows:

“Impact HYD-1: The construction period and operation period of the project could result in degradation of water quality in Green Spring Creek and downstream receiving waters by reducing the quality of stormwater runoff and increasing erosion/sedimentation.

Source: Staff Memo 4B; December 14, 2015, page 1.

But the actual language in Order No. 2013-0001-DWQ is as follows:

Effective Date for Applicability of Low Impact Development Runoff Standards to Regulated Projects: By the second year of the effective date of the permit, the Permittee shall require these Post-Construction Standards be applied on applicable new and redevelopment Regulated Projects, both private development requiring municipal permits and public projects, to the extent allowable by applicable law. These include discretionary permit projects that have not been deemed complete for processing and discretionary permit projects without vesting tentative maps that have not requested and received an extension of previously granted approvals. Discretionary projects that have been deemed complete prior to the second year of the effective date of this Order are not subject to the Post-Construction Standards herein. For the Permittee's Regulated Projects, the effective date shall be the date their governing body or designee approves initiation of the project design.

Source: SWRCB NPDES General Permit for Waste Discharge Requirements; Order No. 2013-0001-DWQ; February 5, 2013; page 51.

The Dixon Ranch project is not “complete,” nor has the “project design” been approved. SWRCB **Order No. 2013-0001-DWQ does apply, and must be implemented.** And at one point in the process, the applicant agreed they must comply with the Order (in a response to comments from the Central Valley Regional Water Quality Control Board [CVRWQCB]):

Response A4-2: The project is located entirely within El Dorado County and therefore would be subject to the requirements of the Waste Discharge Requirements (WDRs) for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems General Permit No. CAS000004 (Order No. 2013-0001-DWQ) (Small MS4 Permit) adopted by the State Water Board on February 5, 2013. Section E.12 of the Small MS4 Permit is the “Post-Construction Stormwater Management Program.” The proposed project qualifies as a “Regulated Project” as defined in Section E.12.c of the Order and therefore will be required to comply with the standards provided in the Order. Before approving any tentative map, the County (as permittee) will be responsible for ensuring the proposed project site design includes measures required under Sections E.12.a (Site Design Measures), E.12.d (Source Control Measures), E.12.e (LID Design Standards), and E.12.f (Hydromodification Measures). Other sections of E.12 address the County’s responsibilities for documenting compliance with the MS4 Permit.

Source: Dixon Ranch Residential Project Response to Comments Document, page 73 (page 77 of 444).

Has the CVRWQCB been consulted about this change? It does not appear as though Staff Memo 4B was sent to the CVRWQCB contact (Treavor Cleak, Environmental Scientist) for confirmation regarding the validity of the interpretation that the project applicant was not required to implement the Order.

Changes to mitigation measures HYD-1a and HYD-1b back to the language in the draft EIR—in part based on this interpretation of the non-applicability of the SWRCB Order—prompted County Staff to conclude changes to the mitigation measures do not result in “...any new significant environmental impacts...”, **but this is false.**

The revisions to the Final EIR, and specifically Mitigation Measure HYD-1a and HYD-1b, described in this memorandum are being made by the County to amplify and clarify material in the Final EIR subsequent to its publication and circulation. None of the changes or clarifications described in this memorandum constitutes significant new information added to the Final EIR, and the changes or clarifications presented do not result in any new significant environmental impacts, any substantial increase in the severity of previously identified environmental impacts, or the efficacy and feasibility of Mitigation Measures HYD-1a and HYD-1b to reduce significant impacts to a less-than-significant level.

Source: Staff Memo 4B; December 14, 2015, page 3.

Changes to mitigation measures HYD-1a and HYD-1b **do constitute a significant environmental impact. If the project applicant is allowed to evade compliance with SWRCB Order 2013-0001-DWQ, the EIR must be recirculated to establish effective mitigation.** (It also appears other important mitigation elements may have been deleted during this process of reverting to the draft EIR versions of HYD-1a and HYD-1b.)

Inadequacy of Wastewater Facilities

As described under impact UTIL-3,⁷ “There is currently inadequate wastewater infrastructure to serve the proposed project.” In this instance, the following General Plan policy applies:

- **Goal 5.3: Wastewater Collection and Treatment.** An adequate and safe system of wastewater collection, treatment, and disposal to serve current and future County residents.
- **Objective 5.3.1: Wastewater Capacity.** Ensure the availability of wastewater collection and treatment facilities of adequate capacity to meet the needs of multifamily, high-, and medium-density residential areas, and commercial and industrial areas.

Source: Dixon Ranch draft Environmental Impact Report, page 297.

And the alternatives have not been established; their viability is unknown.

b. Sewer Service. On-site sewer improvements are shown in a conceptual improvements plan included as Figure III-11. For sewer service, on-site sewer improvements would include a proposed lift station to be located within the proposed EID lot (Lot Z) at the north end of Lot 2, adjacent to Green Valley Road.
...
Three potential off-site sewer-improvement alternatives have been identified, and are briefly described below. EID considers these alternatives as conceptual alternatives at this time. EID was involved in the preliminary evaluation of these alternatives, but additional evaluation will be required before a final facility design is selected. The selected alternative will need to be fully developed in the future Facility Plan Report and Improvement Plans.

Source: Dixon Ranch Residential Project Response to Comments Document, page 419 (page 423 of 444).

⁷ LSA Associates. 2014. *Public Review Draft, Dixon Ranch Residential Project Environmental Impact Report*, November, 2014, page 31.

This lack of adequate wastewater facilities is designated as “significant” impact. While the project applicant has proposed three alternatives to rectify this inadequacy, no clear solution has been established. Because this matter remains unresolved, it requires project denial.

Conclusions

- **EID’s water supply is inadequate to serve this development.** EID must acquire “planned water assets” that are not yet secured to support the project into the future when combined with past, present, and reasonably probable future uses. **There is no promise EID will be able to acquire these assets.**
- The applicant’s SB 610 report is inadequate; the requirements of SB 221 must be met as well. EID has not provided the necessary documentation to support “substantial evidence in the record” that additional water supplies will be available.
- Multiple General Plan water supply policies that require adequate water supply will be violated if this project is approved.
- The requirement that the project comply with State Water Resources Control Board (SWRCB) Order No. 2013-0001-DWQ has been wrongly eliminated.
- Changes to mitigation measures HYD-1a and HYD-1b constitute “significant environmental Impact,” and thus require a recirculation of the project EIR to reestablish effective mitigation.
- Project wastewater infrastructure is inadequate; the viability of proposed alternatives has not been established.

Based on these project inadequacies, I ask you to deny this project.