



EDC COB &lt;edc.cob@edcgov.us&gt;

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**Attachments to Item #17 - CIP & Transportation Work Plan 2/5/13 BOS Agenda**

1 message

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**Melody Lane** <melody.lane@reagan.com>

Fri, Feb 1, 2013 at 2:52 PM

To: edc.cob@edcgov.us, bosfive@edcgov.us, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us, Ron Briggs &lt;bosfour@edcgov.us&gt;

Cc: Kimberly Kerr &lt;kimberly.kerr@edcgov.us&gt;, Terri Daly &lt;terri.daly@edcgov.us&gt;, Dana Jorgensen &lt;dana.jorgensen@sen.ca.gov&gt;, Norman Gonzales &lt;norman.gonzales@mail.house.gov&gt;, Ross Branch &lt;Ross.Branch@mail.house.gov&gt;, Joe Ham &lt;joe.ham@edcgov.us&gt;, "Titus, Dave" &lt;Dave.Titus@asm.ca.gov&gt;, Sheriff DAgostini &lt;john.dagostini@edso.org&gt;, Jeremy McReynolds &lt;jmcreynolds@parks.ca.gov&gt;, Matthew Green &lt;mgreen@parks.ca.gov&gt;

Please ensure the attached materials and the entirety of this message are entered into the public record for Item #17 of the 2/5/13 BOS Agenda.

These materials are relevant to the 4 CIP bridge projects in the Coloma region, the Henningson-Lotus Park Conceptual Plan, and the Marshall Gold Discovery Historic State Park:

1. Mt. Murphy Road Bridge Project
2. Bassi Road Bridge
3. Bayne Road Bridge
4. Hwy 49 Bridge & Realignment

Of particular concern are the perpetual avoidance tactics, the lack of accurate data, security issues and private property easements affected by these projects. Assistant CAO Kim Kerr's written response to these concerns is long overdue.

Local residents should be the first, *not the last*, to be properly informed about these matters. As a reminder you work for us; therefore please give this the attention it deserves.

Respectfully,

*Melody Lane*

Founder – Compass2Truth

Conservatives Serving God in Truth and Liberty

***Democracy is two wolves and a lamb voting on what to have for dinner. Liberty is a well-armed lamb contesting the vote.***

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**2 attachments**



**Kerr DOT CIP-TIM Response 10-5-12.doc**

112K



**7-15-11 MGDG\_DOT\_EDSO.doc**

100K



# Compass2Truth

*Citizens Serving God, Truth and Liberty*

P.O. Box 598  
Coloma, CA 95613  
(530) 642-1670  
melodylane@calis.com

October 9, 2012

TO: Kim Kerr, Assistant CAO  
Supervisor Ron Briggs, District #4

CC: Terri Daly, CAO  
Don Spear, DOT Deputy Director  
Gerri Silva, Director Environmental Management  
Roger Trout, Director Development Services  
Board of Supervisors, Districts 1, 2, 3, & 5  
Jeremy McReynolds, MGD Superintendent  
Joe Ham, Auditor  
Sheriff John D'Agostini

**RE: DOT, CIP/TIM Fees and Parks/Recreation**

Dear Ms. Kerr,

Thank you for your letter dated July 13, 2012 in reply to topics stemming from our May 23, 2012 meeting. The relevant issues were delineated in the July 15, 2011 **COMPAS** letter submitted to DOT Director Jim Ware and MGD Superintendent Jeremy McReynolds. No response was received from either Jim or Jeremy.

Although a range of issues germane to DOT *processes* were covered in your reply, there still remain several issues in need of clarification regarding **financial data**. You provided a target date of **September 1<sup>st</sup>** to respond to inquiries that were addressed over a year ago. It is now the eleventh hour; an appropriate response is long overdue.

Once again I reminded you of specific issues at the 8/28/12 BOS meeting during the discussion of Capital Improvement Projects/Traffic Impact Mitigation. You'll recall the complex topics were aptly described by Supervisor Santiago as "*information overload, black widow spiders and lots of moving parts.*" Obtaining accurate information from county representatives appeared to be a problem for everyone involved. For this reason the CIP/TIM agenda item was again deferred to sometime in October. A reply to public and written inquiries was never received.

It was recently brought to my attention that CIP/TIM Update was slipped into the September 25<sup>th</sup> BOS agenda instead of scheduled for October. Apparently decisions had already been predetermined behind closed doors in violation of the **Brown Act and Bagley-Keene Open Meeting Act**. This is information EDC citizens have the right to know and publicly participate. (See attached RMAC correspondence at the end of this document.

**\*Note pertinent information was deliberately censored by Environmental Management from the public minutes.)**

Government transparency and accountability are reoccurring phrases frequently making headlines. This recent media excerpt regarding **SB 1003** is just one example:

***“Tulare County is passionate about the peoples’ right to know. Senate Bill 1003 clarifies and improves the existing Brown Act law and is a win-win for the public and local government. Had SB 1003 been in place when a lawsuit alleging Brown Act violations was filed against Tulare County, expensive, time-consuming litigation could have been avoided at a time when so many other issues demanded our attention and scarce funds.***

***Supporters of the new law argue it is a low-cost way for citizens to demand accountability and places the burden on the local government rather than the citizen.”***

It is apparent the decision-making process in El Dorado County is exclusively geared to meeting privately with special interest groups. Public concerns are thereby obfuscated or diverted giving citizens little opportunity to assimilate piles of confusing documents and misleading information. There is a tremendous amount of inconsistency making it difficult for anyone to intelligently participate in public discussion or to make properly informed decisions.

Kim, that last statement echoes the question I posed to you during the July 17<sup>th</sup> Tax Payers Association meeting. The same issues concerning the Amador County Grand Jury findings against you appeared in the September 3rd article tucked way back on page 11 of the Mountain Democrat:

***“The most direct and personal findings state that the “city manager (Kerr) for the fiscal period 2007-2011 did not demonstrate that she possessed the proper qualifications and expertise to perform the duties required for that position...the Grand Jury finds that on many occasions the city manager provided insufficient or misleading information, making it difficult or impossible for the City Council to cast intelligent votes.”***

It is only reasonable that taxpayers should inquire into the appropriation of funds as well as doubt the level of your expertise to handle the job of Assistant CAO. Hopefully a similar EDC Grand Jury investigation won't be necessary.

As you know **Compass2Truth** works in affiliation with several other Watchdog organizations. Most people can't attend all the county meetings, view them on-line, or glean much information from brief meeting minutes and biased media articles. The following recap of the issues we covered in previous meetings may be of assistance in submitting your written reply for timely public dissemination:

1. There are 4 bridge projects in the Coloma-Lotus region: Mt. Murphy Road, Bayne Road, Bassi Road and the Hwy. 49 Bridge at Lotus Road. **What are the funding sources and the total dollar amounts allocated for each bridge project?**
2. Per the audio of non-agenda items during the 8/9/12 RMAC meeting, it was announced by Howard Penn that the Bassi Road Bridge is on the same schedule as the Mt. Murphy Road Bridge project. DOT never responded to my inquiry during the 8/28 BOS presentation. **Which CIP schedule is the Bassi Road Bridge allocated – 5 year or 10 year schedule?**
3. Where is funding expected to come from for the **new** Mt. Murphy bridge, how is it allocated (DOT, CalTrans and/or CA State Parks), and when is it scheduled to be completed?
4. The **Hwy 49 bridge project at Lotus Road** was not contained within any CIP/TIM documents presented 8/28/12 to the BOS. This bridge is a significant expenditure for EDC, and at a minimum cost of \$17M, it is already generating controversy in the community. The 49 bridge is also a major component of the proposed Whitewater Park at Lotus-Henningson. That's another significant factor

impacting CEQA, budgets, taxes, roads, and property values. It is obvious by the correspondence included at the end of this document that this project is progressing under the covert direction of County Counsel, the Chamber of Commerce, American River Conservancy and CA State Parks. It is only appropriate that Supervisor Briggs or the CAO (not CalTrans as you indicated) provide the scope and schedule of these major projects. **What is the monetary breakdown of the 49 bridge project compared to the entire Hwy 49 realignment?**

5. Another project is a rumored **bridge** connecting the recently acquired 40 acre parcel across from Lotus-Henningson Park to the Marshall Gold Discovery Park. Concerns have already been expressed about hiking trails and **easements** connecting public land segments along the entire American River corridor. **What are the financial statistics, funding sources and schedule for this particular project?**
6. Also mentioned during the 8/9 RMAC meeting was the matter of the easement “given away by Supervisor Jack Sweeney.” This was made in association with the 2-lane Mt. Murphy Road Bridge project extending from New River Road to Bayne Road at Dutch Creek near the base of my property. **What easement was Dave Martinez (owner of American River Resort) referring to, and exactly which private property parcels will be affected by this new Mt. Murphy bridge project?**
7. **Which specific private properties will be impacted by easements associated with CIP/DOT/trail projects planned in the Coloma-Lotus region, how will residents be notified, and how will this affect property values?**
8. The majority of upper Mt. Murphy Road is hard-surface overlay while lower portions near the MGD Park remain dirt/gravel chipseal. Despite the annual grading & compacting process, the road is rapidly deteriorating. The reality is ADT traffic has increased creating dust and pot-holes which contribute to the poor condition of the lower section of this historic road. **Is it cost-effective to continue grading & compacting loose gravel/dirt versus utilizing a permanent hard-surface product that will require less maintenance just on the lower 1/3 mile of Mt. Murphy?**
9. Parking enforcement and collection of fines was inadequately addressed in your letter. I already understand the process. It’s the tracking of \$\$ that is the issue. This was a particular concern during the **fraudulent** April Meteorite Mania when our county roads and private properties were turned into a public hiking trails and parking lots. As the American River Trail corridor is expanded from Folsom, Coloma, Chili Bar and S. Lake Tahoe privacy & parking infringements will become of greater concern to residents adjacent to public lands. This will obviously impact property values. **Is Auditor Joe Harn the appropriate authority responsible to provide current data on the actual allocation of revenues generated by the issuance of parking citations/use fees within the American River Trail corridor? What is the feasibility of an outside audit?**
10. Relevant to Jeremy McReynolds recommendation of an MOU, the Rubicon Trail arrangement between EDSO, DOT and State Parks would be a logical extension encompassing the entire American River Trail corridor. It is my understanding that an MOU is indeed in process. **Why has this info been kept from the general public?**
11. Regarding the **Fee Waiver Policy B-2 at Lotus-Henningson Park**, my audio of the June 8, 2010 BOS meeting indicates that Gayle Erbe-Hamlin was given specific direction by Supervisor Briggs to amend the policy language. I had requested that item be pulled from Consent for public discussion after it was brought up during a Tax Payers Assn. meeting. The concern was that fees were being waived for special interest groups that did not qualify under the present language of the policy. **When and who authorized the fee waivers for the 2011 & 2012 American River Music Festival held at Lotus-Henningson Park?**

12. What easements & Eminent Domain rights does the Hwy 49 Realignment Project contain, and how does it impact private property adjacent to the Marshall Gold Discovery Park and the American River Trail corridor?
13. Per this 2010 BLM & American River Conservancy Press Release, *“One element of this conservation initiative has been the acquisition of 16 river front properties and the development of a 25-mile recreational trail between Folsom Lake and Highway 49 just north of Coloma. It is hoped in the near future that a trail corridor will be completed between Sutter’s Fort in downtown Sacramento and Sutter’s Mill within the Marshall Gold State Park in Coloma. With the completion of the south Fork American River Trail, 98.5% of that distance will be covered by existing recreational trail.”* This brings up concerns impacting private property rights and easements along the trail corridor. **In light of the recent CA State Parks scandal, what contracts/concessions does the county have with American River Conservancy and the Marshall Gold Discovery Park?**
14. Which government agency oversees fund management of #14 above thus assuring proper accountability? (Refer to AB42 concerns about NGO accountability contained in the 7/15/11 COMPAS letter to Jim Ware and Jeremy McReynolds.)

The above issues are relevant to the General Plan, Land Management and Economic Development of our historic region. They consequently impact public safety and property values. However legitimate community concerns have been met with stonewalling or total silence. What else is being hidden from the public?

**The real question is whether our meetings over the past 15 months with you, CAO Terri Daly, Roger Trout and the Marshall Gold Discovery Park were a deceptive ploy of government to take unfair advantage of El Dorado County citizens?**

Your timely response is anticipated. If further clarification is needed, please do not hesitate to contact me.

Sincerely,

*Melody Lane*

**Founder – Compass2Truth**

Attachment

Cc: Governor Jerry Brown  
Congressman Tom McClintock  
Senator Ted Gaines  
Assemblywoman Beth Gaines  
John Laird, Natural Resources Agency  
Janelle Beland, Acting CA State Parks Director  
Scott Nakaji, Gold Fields Superintendent  
Vern Pierson, District Attorney

**From:** Melody Lane [mailto:melodylane@calis.com]

**Sent:** Wednesday, September 12, 2012 5:21 PM

**To:** 'Roger Trout'; Kimberly Kerr; Gerri Silva

**Cc:** Terri Daly; Jim Wassner; greg.stanton@edcgov.us; Pierre Rivas; Sheriff DAgostini; Tim Becker; Jeremy McReynolds; bosfive@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us; Ron Briggs

**Subject:** RMAC, PLANNING, PARKS & EDSO

**Importance:** High

**Roger:** I've still not received the courtesy of your written response to the attached correspondence stemming from our 8/9 meeting in your office. You indicated due dates of **8/31** and then **9/7** meanwhile assuring *no stonewalling*. What's the excuse this time?

**Kim:** Your reply to related DOT/Parks & Recreation issues was due **9/1**. During the 8/28 BOS CIP/TIM presentation you were reminded about specific \$ figures associated with the **4 bridge projects in the Coloma-Lotus region**. What's the delay?

**Gerri:** Greg Stanton has been unresponsive to similar requests for information associated with RMAC. Of particular concern is his refusal to provide the Chili Bar Master Plan presentation made by Alan Ehrgott during the special 8/12/10 RMAC meeting held in the Marshall Gold Discovery Park Museum. That portion of the public meeting was deliberately censored from the audio provided by Environmental Mgt. Noah Rucker has been equally evasive in providing information even when requested in writing.

These issues were again the subject of our 9/4 meeting in Sheriff D'Agostini's office. They're also relevant to yesterday's BOS meeting when Lt. Tim Becker justified EDSO Boating expenditures for Search & Rescue equipment.

Of growing public concern are the obvious stonewalling tactics and lack of transparency & accountability to the citizens of EDC.

The Brown Act requires 72 hour public notification. Note the **8/9/12** minutes and **9/13** RMAC meeting agenda were distributed at 4:24 PM Tuesday 9/11. That's less than 51 hours public notice prior to the 9/13 meeting.

**The grossly censored and manipulated minutes by Environmental Management bear *no semblance whatsoever* to the audio of the 8/9 RMAC meeting.**

Note these excerpts from the draft minutes:

*Dave Martinez: **The Toe-Up Cup** at went well. No incidents occurred.*

*Stephen Liles: Suggested there must be a more cost effective way to rescue **drunk stranded inner tubers** off the river by the CHP helicopter. Utilizing the rafting companies or something else would have worked (non-life threatening EMS to use outfitters). **Asked County Staff for the amount of money spent out of the River Trust Fund for public projects like the purchase of HLP, building of HLP, purchase of Chili Bar, River Shuttle Matching funds, River Management Plan update, etc.***

*Marilyn Tahl: Said that **Parks Development has moved out of DOT and that there will hopefully be progress on the Chili Bar Master Plan/Park.***

Parliamentary procedure was totally absent. It's apparent there is a different standard of conduct when I'm absent compared to highly controlled & regimented meetings when I've been present.

Forty minutes of the 80-minute meeting was spent on **non-agenda** items. Some people were allowed 8-10 minutes to speak. Howard Penn monopolized **20+ minutes** of that time. What follows is just a small sample of the topics censored from the minutes:

- The Mt. Murphy Road bridge project on same schedule as the Bassi Road bridge
- Relocation of the Mt. Murphy Rd. bridge from River Rd. to Bayne Road
- Subsequent **easements** "given away" by Jack Sweeney
- Design retro-fit going to BOS in next few weeks
- Howard Penn's meeting with Jeremy McReynolds to discuss 2 lane Mt. Murphy Bridge complications similar to the Tennessee Bridge
- CofC and CA State Parks involvement in roads, bridges & park development
- **Creation of "Recreation Districts"** (i.e. Chili Bar to Cronan Ranch, etc.) Master Plan already suggests this move; **Discussion NOT yet open to public**
- Planning and Parks want to move to this model; funding issue > lobbyists
- Discussions with Bill Center, Nate Rangle, ARC staff re: County Chamber of Commerce or American River Music responsible for contract, then contract out for provider. Set up to have another agency to come in and take over.
- **Quiet Zone** is an alcohol free zone; discussion about ARR SUP & 100 ft. buffer for "dry" campgrounds;
- Briggs to meet re: private property **exempt** from alcohol buffer zone;
- Rafters Gone Wild; no alcohol permitted at LHP
- Rigid guidelines on public comment to stakeholders;
- Delays in swift water rescue @ Troublemaker Rapids on 8/1/12; kid stuck on rock; State Parks & EDSO involved; (pictures provided in 8/1 email)
- **White Water Park @ LHP** that will be Ron Briggs' "legacy" as he leaves office in 2 years
- Won't call it a "Whitewater Park" – **deceptive language to be used**; land acquisitions on other side of park for hiking, trails, parking, access
- Ron Briggs involvement with the Rubicon & F.O.R. – **not public**
- County Counsel Lou Green's retirement will decide whether to "elevate internally" or to go outside for "fresh thinking"
- Don't focus on campground business – **avoid public eye**
- River Shuttle vans > transfer ownership back to County with amendment to contract; new language necessary.
- **Covert RMAC meetings counseled by Ron Briggs how to surreptitiously get around Brown Act**
- Govt. code prohibits RMAC from doing business outside of the county
- LAFCO - "community oriented solution" and Delphi techniques
- How much \$ spent on Chili Bar River Shuttle, HL Park & River Management Plan?
- How much of the RMF \$ is public funded?

This information is necessary to conduct meetings with constituents & our affiliates. As previously discussed, we need to move forward on 2 campground SUP revocations with the Planning Commission. It's been over 10 years since the petitions were submitted to Planning. When may we expect your responses?

Regards,



*Melody Lane*

Founder – **Compass2Truth**

Conservatives Serving God, Truth and Liberty

Home – (530) 642-1670

***Democracy is two wolves and a lamb voting on what to have for dinner. Liberty is a well-armed lamb contesting the vote.***

**From:** Roger Trout [<mailto:roger.trout@edcgov.us>]

**Sent:** Friday, August 31, 2012 3:44 PM

**To:** Melody Lane

**Subject:** Re: 9/4 SUP Meeting Confirmation

Melody,

I have the meeting on my calendar.

On a related note, the DSD written response to your questions will be delayed into next week. We had some top priority issues come up this week and we don't have the document finished. **It will be done by next Friday, Sept 7.**

On Fri, Aug 31, 2012 at 11:14 AM, Melody Lane <[melodylane@calis.com](mailto:melodylane@calis.com)> wrote:

Thanks for your cooperation in pulling together this one hour meeting on 9/4.

**When:** Tuesday 9/4 @ 2:00 PM

**Where:** Sheriff D'Agostini's office

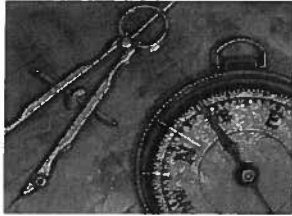
**Topic:** RMAC - SUPs - Code & Law Enforcement

This meeting is specifically relevant to the RMP, Coloma Resort & American River Resort. An agenda will follow to keep us on track.

Have a terrific Labor Day weekend!

*Melody Lane*

Founder – **Compass2Truth**



# COMPAS

*Citizens Organized to Monitor Protect And Serve, Inc.*

P.O. Box 598  
Coloma, CA 95613  
(530) 642-1670  
melodylane@calis.com

July 15, 2011

**TO:** Jim Ware, Director DOT  
Jeremy McReynolds, Superintendent Marshall Gold Discovery State Historic Park

**CC:** Sheriff John D'Agostini  
Congressman Tom McClintock  
Senator Ted Gaines  
Assemblywoman Beth Gaines

**RE:** Meeting 7/12/11 with Marshall Gold Discovery Historic State Park & DOT  
Proposed Meeting with EDC Sheriff's Office

Gentlemen,

Thank you for your time and consideration during our meeting and walking tour of Mt. Murphy on Tuesday morning. I appreciate the recap sent by Jeremy. However there remain several issues requiring further discussion and clarification highlighted below.

It was apparent during our excursion that both Mt. Murphy and Bayne Roads are degenerating into public hiking trails. This raises a valid concern about the effective utilization of property taxes to maintain county roads within our historic district. The number of times we had to get out of the path of vehicles underscored citizen concerns about safety, code and law enforcement.

The various aspects of public safety and land management that we discussed were initially broached during the 9/5/07 meeting held in the Marshall Gold Discovery Museum. With the support of Congressman Doolittle, representatives from the offices of Senator Cox, Assemblyman Gaines and CA State Parks were present. The primary purpose of our meeting was to coordinate services and improve community relations. It is significant that Supervisor Briggs, American River Conservancy, Sheriff Jeff Neves and Fire Chief Bill Holmes refused to participate in that important meeting. It's now been nearly four years without making any headway.

The topics we addressed are relevant to the River Management Advisory Committee (RMAC) and the execution of the River Management Plan (RMP). These matters are vetted at monthly meetings prior to RMAC representatives making their recommendations to the Board of Supervisors. As you've been made aware, these meetings have a long history of being very contentious. Pertinent information regarding public safety, transparency and accountability have been typically diverted, obfuscated or censored from the minutes thus depriving the public of their right-to-know. The public plays a crucial role in the RMP process; however residents have typically been intimidated and/or discouraged from participating in these public meetings where Bagley-Keene and Brown Act violations abound.

Lack of **Code and Law Enforcement** in the Coloma region is a primary concern of residents that has been frequently expressed during RMAC meetings but typically avoided. **For this reason I have copied Sheriff D'Agostini to encourage his active involvement in future meetings to address relevant issues.**

During our hike on Tuesday Jim indicated that he was not familiar with the function of RMAC. It is important to understand the RMP is a vital element of both the EDC General Plan and the Parks & Trails Master Plan.

A hard copy of the RMP may be obtained through Greg Stanton or Gerry Silva in Environmental Management, or you can refer to the RMAC website:

[http://www.co.el-dorado.ca.us/Government/EMD/Rivers/River\\_Advisory\\_Committee.aspx](http://www.co.el-dorado.ca.us/Government/EMD/Rivers/River_Advisory_Committee.aspx)

Note **Chapter 6 - RMP Elements** addresses the coordination of **Federal, State and local government** agencies as well as **non-government agencies** (NGOs) to fulfill the safety related elements of the RMP, specifically:

- **Bureau of Land Management**
- **Marshall Gold Discovery Historic State Park**
- **CA Dept. of Parks & Recreation**
- **EDC Sheriff's Department**
- **Department of Transportation**
- **Environmental Management**
- **Code Enforcement**
- **Planning Commission**
- **EDC Fire Protection District**
- **American River Conservancy**

### **DOT CONCERNS – Jim Ware**

1. The December 9, 2010 Planning Commission hearing regarding Special Use Permit #S08-0018 contains material relevant to DOT, Code and Law Enforcement on Mt. Murphy. I suggest you check with Pierre Rivas in Planning. He can provide detailed documentation of incidents concerning DOT maintenance on Mt. Murphy included in my appeal to the Commission dated November 26, 2010. You'll find that file also addresses your comments regarding Bill Center.
2. Residents were delighted with the 2006 improvements made to the lower portion of historic Mt. Murphy Road. The hard surface is safer, totally eliminates the dust clouds caused by increased traffic, doesn't erode into deep gullies or speed bumps, and lasts far longer than the inferior dirt & gravel composition. It stands to reason that it would be more cost efficient to utilize the superior materials especially since its durability would require less regular DOT maintenance. The cost comparison between loads of the inferior versus the superior recycled road materials would be most helpful in determining a cost efficient, long term solution for this historic icon. Thanks in advance for providing that information.
3. Jeremy's suggestion to provide "No Parking" signs and boulders within the DOT easement on Robinson's private property still does not address the problem of frequent intrusions and damages caused by vehicles using my driveway as a turn around. I've heard a lot about what DOT *won't do*, but I'd be interested to know what the county proposes as an effective resolution to this perpetual safety & security issue?

4. I pointed out that “No Parking” Signage is also needed at the corner of Mt. Murphy & Carvers Road where hikers and CDF crews park their vehicles. After a 2009 meeting in the Marshall Gold Discovery Park Supervisor Briggs indicated he would address this matter, but for two years he’s remained unresponsive to follow up inquiries. I acknowledged the CA State Parks staffing and maintenance deficit, but isn’t it actually the responsibility of DOT to provide signs and services that are **funded by our property taxes**?
5. Dumping has been a regular occurrence on Mt. Murphy. The ineffectiveness of the 8” x 10” sign posted up in the tree is apparent. A common sense solution would be to remove the absurd 4’ x 4’ signs located on Cold Springs Road and Lotus Road: “**Dogs worrying livestock will be shot.**” I suggest strategically relocating the signs after they’ve been repainted as “No Dumping” signs on Mt. Murphy Road.
6. Jeremy’s suggestion for DOT to look into an MOU for State Parks collecting use fees along county road right of way is a hot topic that came up at the November 2010 Annual RMAC meeting held in the Gold Discovery Park Museum. It again came up at another RMAC meeting in early 2011. The concern was expressed that RMAC representatives are in collusion with State Parks to find a means to get around the failed **Proposition 21** (DMV Fees/CA Parks Maintenance). Like many other important discussions, that issue was censored from the RMAC minutes. COMPAS would appreciate being included in discussions about an MOU *prior* to submission to RMAC and the BOS.

#### **MGDHSP – Jeremy McReynolds**

The safety and security of private property surrounded by *inadequately monitored public land* is a growing concern of El Dorado County residents. Five arson fires within eight years have threatened private property owners upon historic Mt. Murphy. In the event of another emergency, of primary concern is the vital need to address ample egress on one-lane county roads that are obstructed by parked vehicles, and the safety & security issues caused by increasing tourist traffic.

1. The problems with land management and Code & Law Enforcement existed long before the budget crisis exploded in 2007. As you are aware, these issues have been perpetually minimized or evaded by RMAC and the government agencies listed on page two of this memorandum. Commissioner Walt Matthews best expressed the situation during the December 9, 2010 Planning Commission hearing, “*The Park is the problem instead of part of the solution.*” The question remains: *When will the Park appropriately respond and contribute to the necessary solutions in the Coloma region?*
2. Clarification is necessary about the funding by CA State Parks to provide “No Parking” signage and their authority to issue citations on private property. My understanding from past dialogs with law enforcement is that CA State Parks has no authority on private property; they are limited to within the MGD Park boundaries.
3. Maintaining a defensible space was addressed in my correspondence dated November 20, 2010. It was my understanding that 24 hour notice would be given by CDF & Park maintenance crews to cut the fallen trees along our mutual boundary lines. Robert indicated the branches were to be stacked and burned during the winter, yet we are well into the fire season and the opportunity to burn has long passed. What plans does the Park have to address this potential fire hazard within a reasonable time frame?

4. During our walking tour I pointed out the cut fence on the east boundary towards Dutch Creek where trespassers frequently access my property. The NE boundary in the ravine along the miner's trench is also problematic since hikers utilize that path on my property to access the vantage point above Troublemaker rapids. It has been over four years yet requests for repairs to the fence erected by American River Conservancy have not been addressed nor have the "No Trespassing" signs been replaced. What plans does the Park have to utilize volunteers or Growlersberg crews to repair fences, replace signage, and address the problem of restoring fire access on my private property at Bayne Road?
5. Brief discussion was broached about an alternate trail to discourage trespassers from private property on Mt. Murphy. However this raises several questions about the size, wording and actual placement of the signs you proposed. I'd appreciate the opportunity to discuss this further before any action is taken.
6. Environmental Management has been uncooperative in providing public information regarding the Chili Bar Conceptual Plan and its relation to the **EDC Parks & Trails Master Plan**. Janet Postlewait and Kate Kirsh (Foothill Assoc.) have also been unresponsive to inquiries involving the Planning Commission, Parks & Recreation and land acquisitions by American River Conservancy. Transparency, safety and encroachments are valid concerns of residents adjacent to public land and trails. An appeal is now being made for CA State Parks to be forthright and cooperative in mitigating these matters.
7. Lack of privacy, security, Code and Law Enforcement on the S. Fork American River region historically has been cause of contention at RMAC meetings. No local representation has left residents feeling disenfranchised and frustrated with the "good old boys" network that has dominated our region. Since CA State Parks, Code Enforcement and the Sheriff's Office all share responsibility in the coordination of the RMP, it would therefore be advantageous for Sheriff D'Agostini to join us in a meeting to begin mitigating solutions for our river community. In anticipation of his support, I'll contact his assistant Lora Lyons to help coordinate a meeting.
8. Last but not least, the MOU-Management Plan that you proposed segued to the topic of our conversation in the parking lot regarding AB42. As you can ascertain, the RMP appears to be a major component in this Assembly Bill. Attached are concerns involving AB42 specific to the American River Conservancy and the Marshall Gold Discovery Historic State Park. It pretty well encompasses the purpose of our meeting and focus of this memo, matters that RMAC and Supervisor Briggs have taken great pains to circumvent.

Please let me know your thoughts about coordinating a follow up meeting to discuss these issues with representatives from the offices of Congressman McClintock, Senator Gaines and Assemblywoman Gaines.

Regards,

*Melody Lane*

Melody Lane  
President – *COMPAS, Inc.*  
Citizens Organized to Monitor Protect And Serve

## AB 42 (Huffman) CA STATE PARKS

Existing law gives control of the state park system to the Department of Parks and Recreation. Existing law authorizes the department to enter into agreements with an agency of the United States, a city, county, district, or other public agency or any combination thereof, for the care, maintenance, administration, and control by a party to the agreement of lands under the jurisdiction of a party to the agreement, for the purpose of the state park system.

This bill would authorize the department to enter into an operating agreement for the development, improvement, restoration, care, maintenance, administration, or operation of a unit or units, or portion of a unit, of the state park system, as identified by the director, with a qualified nonprofit organization, as provided. This bill would require the operating agreement to include, among other things, a requirement that the nonprofit organization annually submit a report to the department, to be available on the Internet Web site for both the department and the nonprofit organization. The bill would require the nonprofit organization and the district superintendent for the department to hold a joint public meeting for discussion of the report.

The bill would require the department to notify a Member of the Legislature of an intention to enter into an operating agreement relating to a park in the member's district, as well as notify specified committees of the Legislature. The bill would also require the department to report to the Legislature, on a biennial basis, the status of any operating agreement.

The bill would repeal these provisions on January 1, 2019.

### **PUBLIC CONCERNS RE AB42:**

- What type of **contract agreement** between a non-profit and the state would be created?
- How does the bill AB 42 provide for **public involvement** outside of the nonprofit?
- What **conflict of interest** considerations are provided for in AB 42?
- Is the nonprofit (s) volunteering regarding payment for work provided in such agreements? **If not who funds what?**
- Is the state looking to provide **grant money (public money) to private nonprofits?**
- The PPP's can be a very **insidious and dangerous channeling away of public ownership** of and input into our park systems. The precedent of a nonprofit essentially lobbying and making their own agenda driven decisions rather than the state agencies that the public has already paid and tasked with oversight is a potential nightmare for the public.
- **Nonprofits as private do not have the transparency or disclosure requirements of a state agency and thus black holes of accountability are further formed.**
- With the public already having paid millions, billions into propositions and bonds for conservation purposes and water conservation purposes--why doesn't the state park system utilize this public gift itself, **hire more staff--** rather than delegate it to **private parties?**
- We now have PPPs without contracts or formal agreements that are acting as state agents. **This ongoing apparent misrepresentation is confusing to the public and does not provide even the small measure of accountability that the public has from our state agencies.**

#17 2/5/13

**To:** Coloma-Lotus News**Sent:** Wednesday, January 30, 2013 10:46 AM**Subject:** [CLNews] Call to action: Part of Coloma's rich history may be destroyed**IMPORTANT - Please see below regarding Mt. Murphy Bridge ...**

The Community Development Agency, Transportation Division is considering tearing down the old, historic, wooden Mt. Murphy Bridge and building a new one a little ways away. El Dorado County's General Plan calls for all departments to conserve our rich history. I can't think of any place in this county that is more rich in history than Coloma, Sutter's Mill. It is famous around the world! And if that bridge were to be torn down, it would heavily impact the character of Coloma. There has to be another way!

Please let your groups know that there will be a meeting, hosted by the El Dorado County Community Development Agency, Transportation Division on:

Thursday, February 7th, 6:30-8:00pm

Gold Trail Grange Hall, 319 State Highway 49, Coloma

This workshop is the initial public scoping meeting for the Mt. Murphy Road Bridge Project Study Report.

For more information, all Anne Novotny at [530 621-5900](tel:5306215900)

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

Save Our History!

Thanks, Pam!

**Sent:** Tuesday, January 29, 2013 5:23 PM

**Subject:** Re: Mt. Murphy Bridge Public Workshop on Thursday, February 7, 2013

I told you last year...they already have this oked...just act like they give a shit about us citizens here. Us pip squeaks are kept in dark until they want to do us...same old story and its National...out of control...Dictator Fascist takeover in progress.

**Sent:** Monday, February 04, 2013 3:56 PM

Would it surprise you to learn that I heard there has been a request put out for bids on at least one of the bridge projects? Not sure but it may be the Bayne bridge, guess your frontage road will become a highway!!!!

**Sent:** Saturday, February 02, 2013 11:21 AM

**Subject:** Coloma's mysterious new bridge to nowhere?

Why do I get the overwhelming feeling that this new bridge is already funded, designed and going to be shoved up our ass brutally? Gosh, we have so much trust in the County of El Dorado and its father the Corrupt State of California. Brown will just create another fee to pay for it avoiding a tax vote or any way of stopping it like his fast rail from nowhere to nowhere.

**Sent:** Monday, February 04, 2013 8:11 AM

The term is Sodomy and comes from the Bible verse. You know they are worse than that even. That was one city, this is the whole country this time. We have the Anti Christ running all of this right down to the Mountain Demogod.

**Sent:** Sunday, February 03, 2013 9:10 AM

I will be there Thurs night. And does this bridge merely replace the old one for good reason or does it tie in with the proposed move of 49 out of the Park?..bet they do not explain that until you get hit with a Imminent Domain Notice...

**Sent:** Sunday, February 03, 2013 9:56 AM

Melody, the truth is I think all the meetings are a scam job and all is decided behind closed doors like everything else. I do not understand all the issues because we get bits and pieces like that big meeting before they got Cronin and then on the last page in small type stated they were going to allow hunting...the crowd got mad and the meeting ended immediately with a lot of unanswered questions of course...then endless meetings and drag-ons by the Fish and Game and BLM and they still did exactly what they said they would do in the first plan...thus the slaughter and the place has not and will not ever recover.

We went there to walk and the whole trail maze is a bunch of torn up mud from the thousands of horse people that are using it...I am sure they will pull the same shit they just did at the Confluence of the American River out of Auburn and drop a \$8 fee to park there with little fanfare.

Look at the park and the Association that can go to hell for all I care because of the lack of any respect for what they did, even want volunteers to pay to park now...give me a break!

**Sent:** Sunday, February 3, 2013 11:20:35 PM

**Subject:** FW: Business Alliance...Update 2-1-13

You may find the Business Alliance newsletter to be of interest. I was one of many citizens who packed the Board of Supervisors chambers last week for the General Plan-EDAC-LUPPU meeting referred to in the attached newsletter.

Twice that day I addressed the Supervisors, and as a result we finally landed a meeting with Supervisor Briggs that he's been avoiding for nearly 4 years. Our 2/13 meeting will include Kim Kerr & Don Spear regarding DOT, the Mt. Murphy Rd. Bridge Capital Improvement Project and other land use issues.

As it applies to Coloma-Lotus region that means the rafters, campgrounds, MGD Park and other businesses essentially have been given a cart blanche. Transparency & accountability are grossly lacking particularly when it comes to the distribution of grant monies used for special projects such as the Henningson-Lotus Park Conceptual Plan and the 4 Coloma-Lotus bridges:

1. Mt. Murphy Road Bridge
2. Bayne Road Bridge
3. Bassi Road Bridge
4. Hwy 49 Bridge & Road Realignment

These are prime examples of grant monies used to fund CIP projects which aren't properly accounted for. Private property easements and eminent domain factor into the bigger picture.

It is evident most citizens simply aren't aware that Environmental Management, DOT and the CAO are deliberately censoring minutes & falsifying data which is then submitted to the BOS. Therefore Supervisors are unable to make intelligent decisions based on inaccurate info...or else they are purposely ignoring constituent concerns. **In other words, the outcomes appear to have already been pre-determined prior to public input.**

Granted, *Economic Development* is important, but a balanced perspective is essential. Are you aware the Chamber of Commerce and CA State Parks affiliates are key advocates of plans to implement *Sustainable Development* (Agenda 21) in EDC? This is a liberal progressive movement, that if left unchecked, will severely impact your property rights.

In May 2012 fifteen of us voiced our concerns regarding the implementation of Agenda 21. The attached Resolution was put *indefinitely* on "hold" by a unanimous vote of the BOS. You can view the video here: [http://eldorado.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=72](http://eldorado.granicus.com/MediaPlayer.php?view_id=2&clip_id=72) (click on item #20 to go directly to that segment of the video).



Such actions by the BOS will negatively impact our residential property values & rural quality of life. That's why you are encouraged to speak up **now** in front of the BOS on Fair Lane, Tuesday Feb. 5th:

<http://eldorado.legistar.com/Calendar.aspx>

**2:00 - TIME ALLOCATION**

17. 13-0082 Transportation recommending the Board receive information on the proposed 2013 Capital Improvement Program (CIP) and Transportation Work Plan; and provide direction regarding the same. (Est. Time: 1 Hr.)

Hope to see you there.

*Melody Lane*

Founder – **Compass2Truth**

Conservatives Serving God in Truth and Liberty

***Democracy is two wolves and a lamb voting on what to have for dinner. Liberty is a well-armed lamb contesting the vote.***

**Sent:** Monday, February 04, 2013 11:42 AM

Hi Melody - Interesting. The many folks in our area - a really beautiful piece of the planet, are VERY fortunate to have you as a very brilliant spokesperson. You are a tremendous communicator, totally checked out on the history of the area problems, on to how the county "operates". etc.

**Sent:** Monday, February 04, 2013 7:46 PM

I think these jerks are going to build an \$8 million bridge to nowhere and use it to run buses down 193 then Bayne road to Coloma for the rafting business. I think we should look up the fraud & waste folks for the Feds.

River Management Advisory Committee Meeting  
July 16, 2009

I. RMAC Board Appointments

A. Business Rep – Dave Martinez

B. Outfitter – Steve Liles

C. Non-Commercial Boater – Hilde Schweitzer

D. Landowner/Resident – Martin Harris

\* → E. Parks and Recreation – Noah Rucker-Triplett – Environ. Mgt.

F. Member at Large – Marilyn Tahl

CA STATE PARKS – BILL DEITCHMAN & ERIC CARTER

II. RMAC Responsibilities

A. River Management Plan

B. Development Services - Planning

C. Code Enforcement

D. Law Enforcement

E. CA State Parks - GDPA

F. CLVCA – Harry Mercado

G. LAFCO

i. BLM

ii. American River Conservancy

— Parks & Trails — COLOMA.COM

— LAND ACQUISITIONS ≥ PARKS

III. Public Information Act

A. Meeting notices

B. Monthly minutes

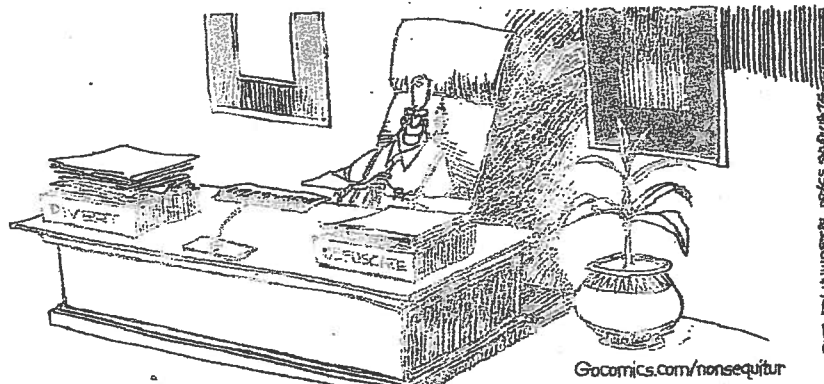
Advocate Act on People?  
who Do You Serve?

NON SEQUITUR by Wiley Miller

HOW THE ONES  
AT THE TOP  
STAY AT THE TOP

Wiley Miller 8-24

wileyink@earthlink.net



Gocomics.com/nonsequitur