

G. Turnbo Open Forum Bos 1/26/16

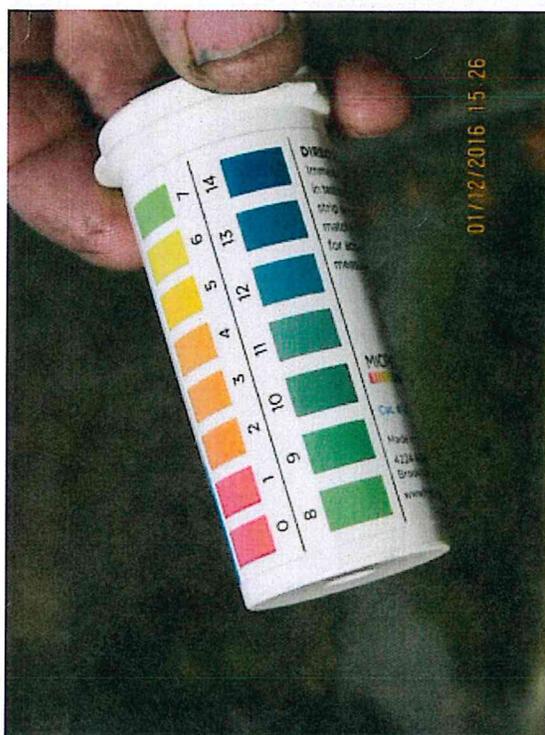
FIELD NOTES

Date: January 12, 2016 Weather: Clear, 59 degrees.

Personnel: George Turnbo, Don Nizolek, CHIMM, REPA

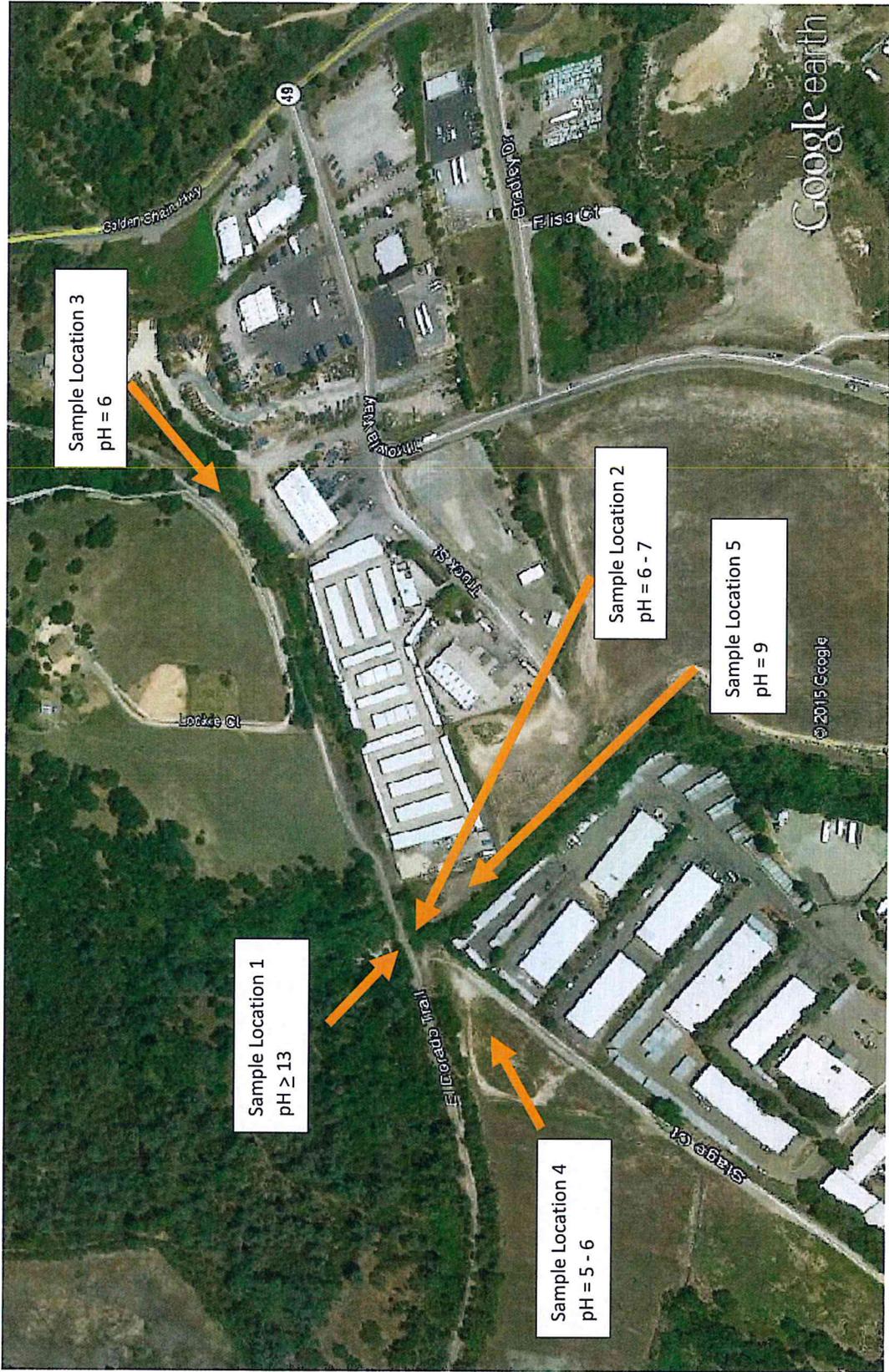
Sampled for pH using plastic pH Indicator Strips, 0.00 – 14.0. A common and reliable test method for environmental field work for pH indication.

Samples were taken at 5 locations. Sample locations identified on Google Earth Map for the area.





**Vicinity Map – Area of Concern, North Side of El Dorado Trail**



**Sample Locations**

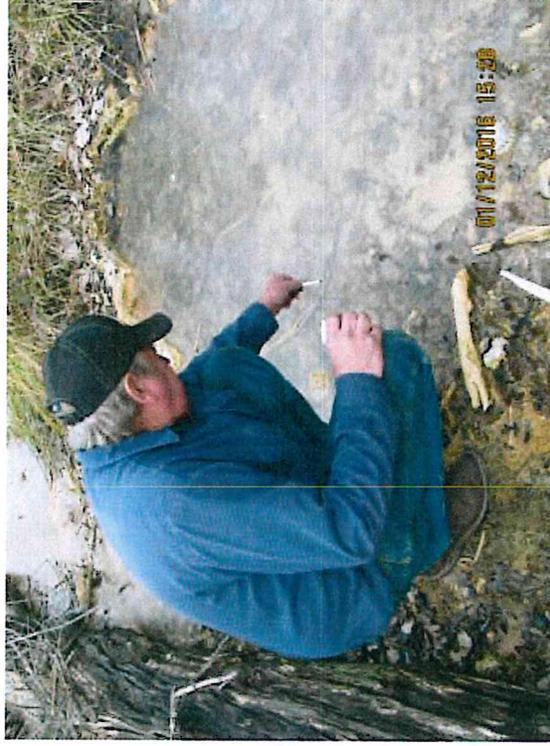
**Sample Location 1, Sample #1. North Side of El Dorado Trail. Area of Concern.**



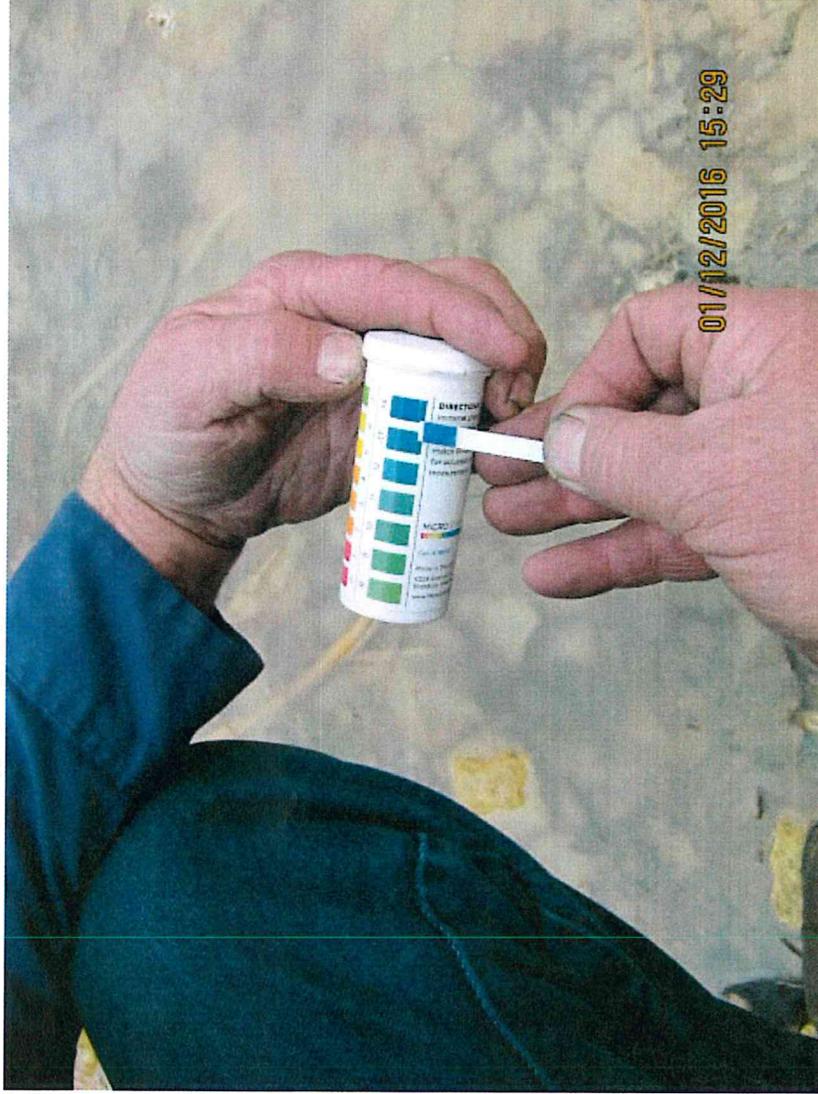
Embankment down to area of concern (~ 18 ft. drop).



**Sample Location 1, Sample #1. North Side of El Dorado Trail. Area of Concern (continued).**



Sample Location 1, Sample #1. North Side of El Dorado Trail. Area of Concern (continued).



Sample Result: pH  $\geq$  13

**Sample Location 1, Sample #2. North Side of El Dorado Trail. Area of Concern.**



Direction of normal stormwater flow within the culvert from the top of the levee during precipitation. No stormwater inflow was observed in the stormwater culvert at the time of sampling.

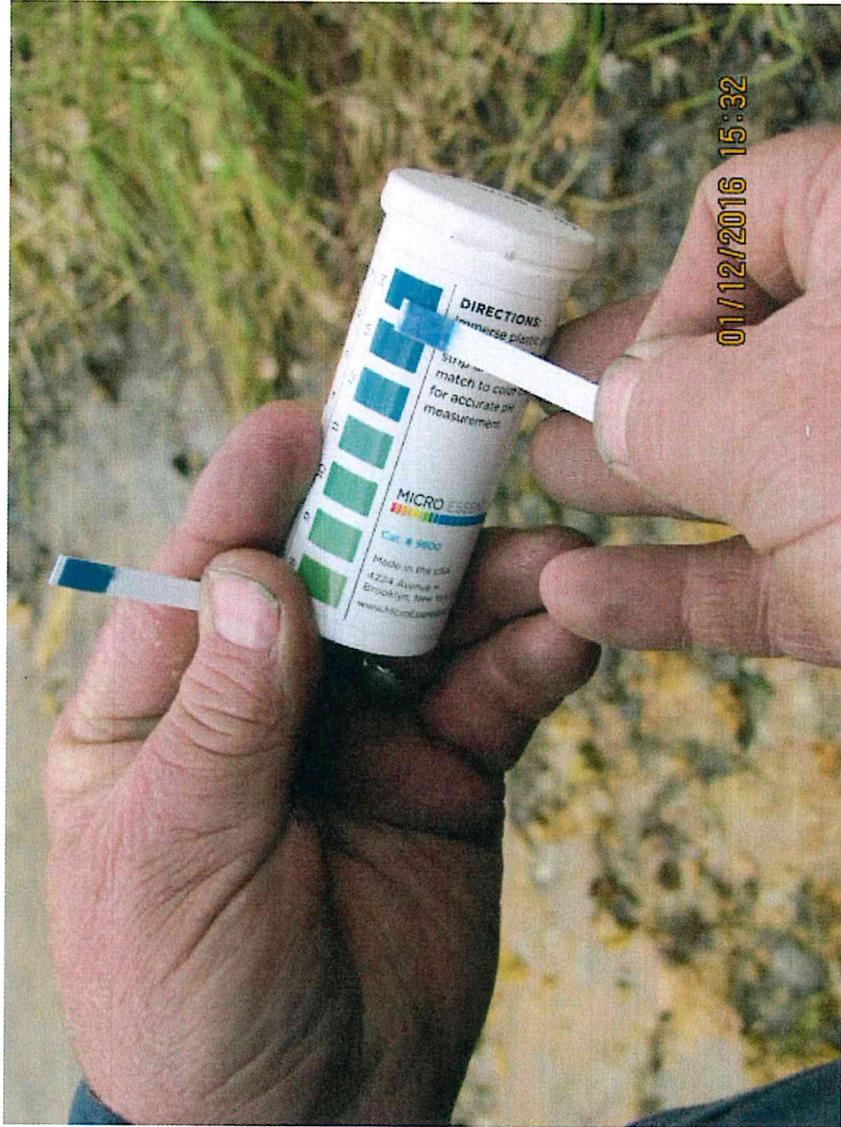
**Sample Location 1, Sample #2. North Side of El Dorado Trail. Area of Concern (continued).**



**Sample Location 1, Sample #2. North Side of El Dorado Trail. Area of Concern (continued).**



Sample Location 1, Sample #2. North Side of El Dorado Trail. Area of Concern (continued).

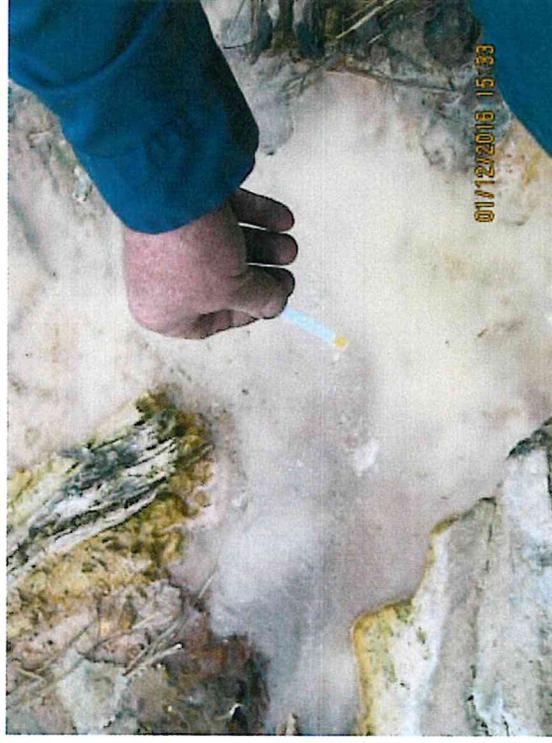


Sample Result: pH  $\geq$  13.

**Sample Location 1, Sample #3. North Side of El Dorado Trail. Area of Concern.**

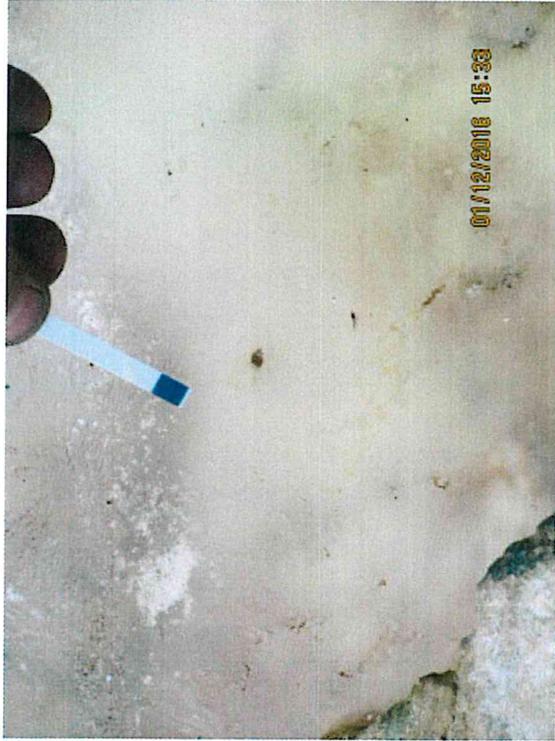


Low flow was observed at this sample location. No inflow was observed upstream from the levee or stormwater culvert to contribute to the observed flow, therefore, the water source could not be determined. pH measurements at 4 locations on the south side of the trail levee ranged between pH = 5-9. (see Map on page 3 – Sample Locations).

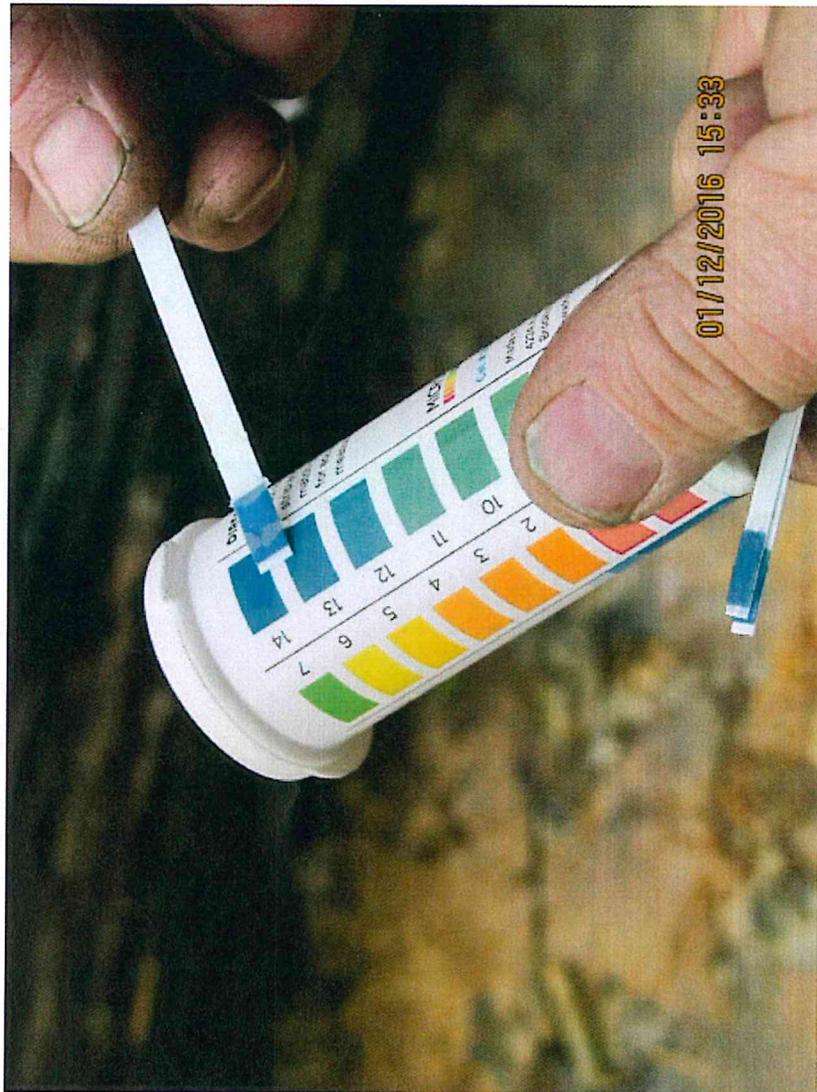


Prior to taking sample (yellow color).

**Sample Location 1, Sample #3. North Side of El Dorado Trail. Area of Concern (continued).**

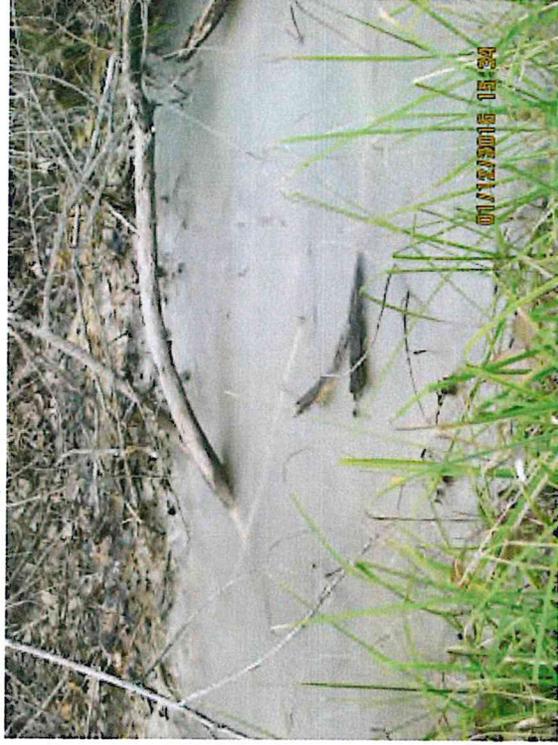


Sample Location 1, Sample #3. North Side of El Dorado Trail. Area of Concern (continued).



Sample Result: pH  $\geq$  13.

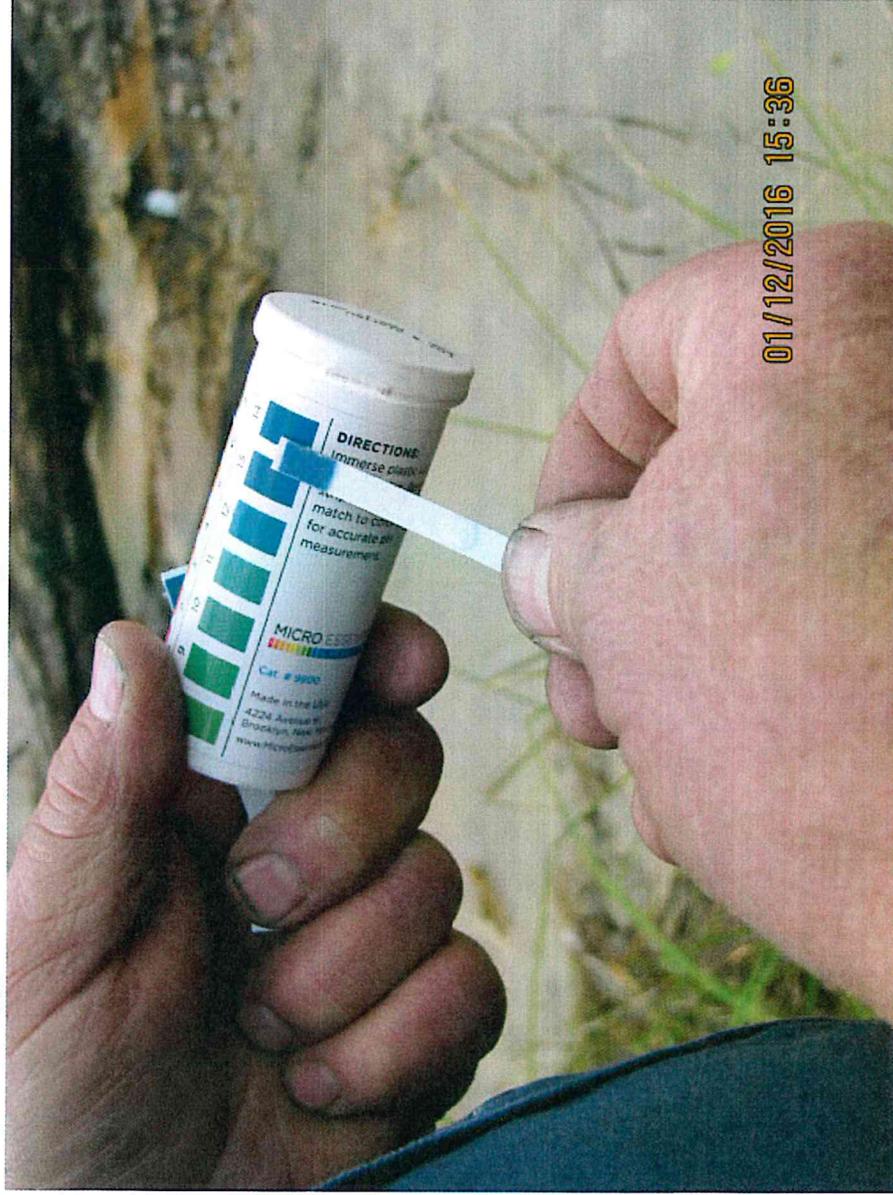
Sample Location 1, Sample #4. North Side of El Dorado Trail. Area of Concern.



Sample Location 1, Sample #4. North Side of El Dorado Trail. Area of Concern (continued).



Sample Location 1, Sample #4. North Side of El Dorado Trail. Area of Concern (continued).



Sample Result: pH  $\geq$  13.

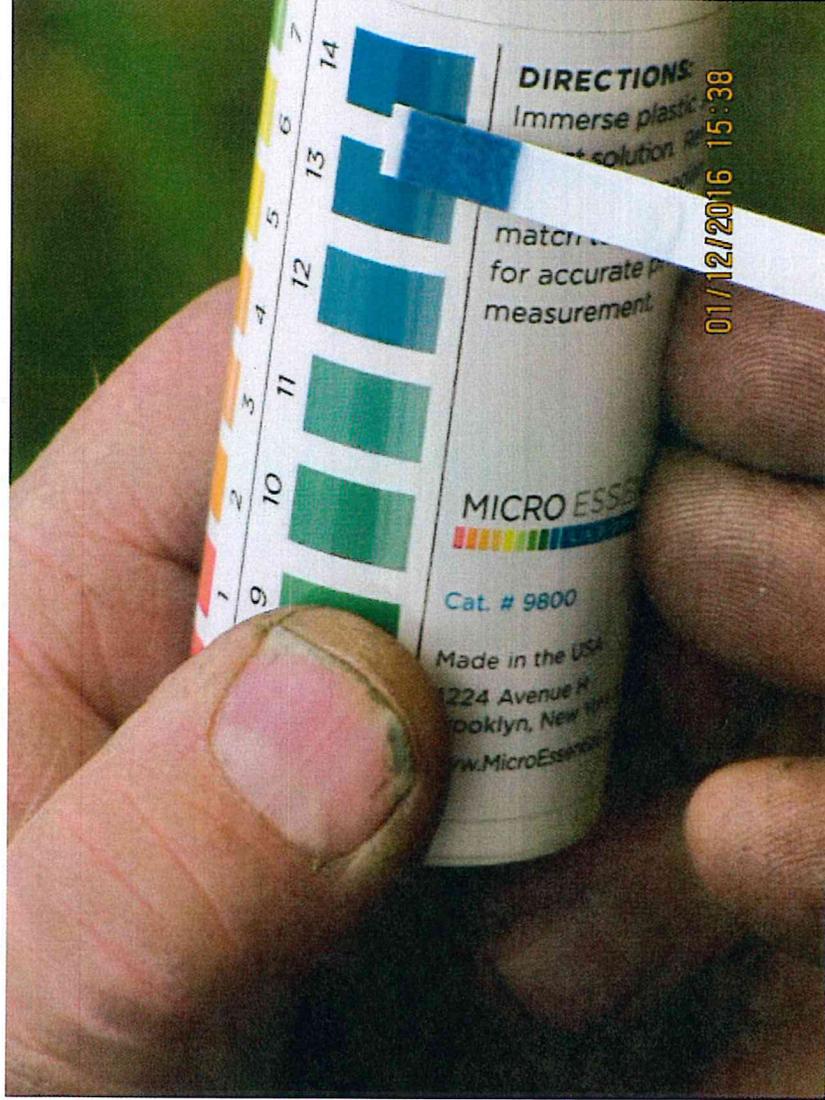
**Sample Location 1, Sample #5. North Side of El Dorado Trail. Area of Concern.**



**Sample Location 1, Sample #5. North Side of El Dorado Trail. Area of Concern (continued).**

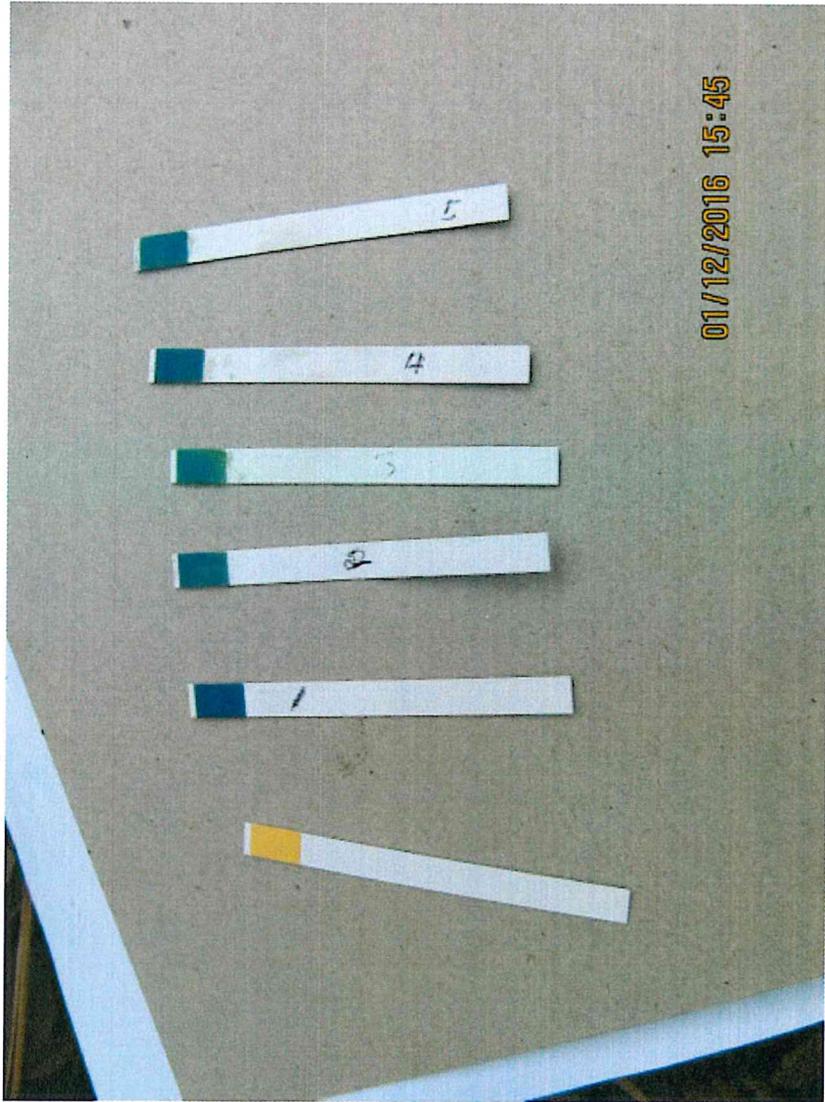


Sample Location 1, Sample #5. North Side of El Dorado Trail. Area of Concern (continued).



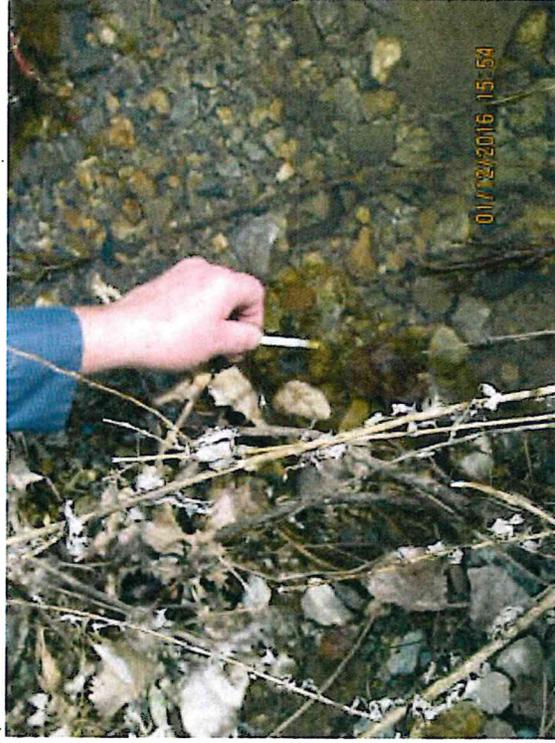
Sample Result:  $\text{pH} \geq 13$ .

**Sample Summary – 5 Samples**

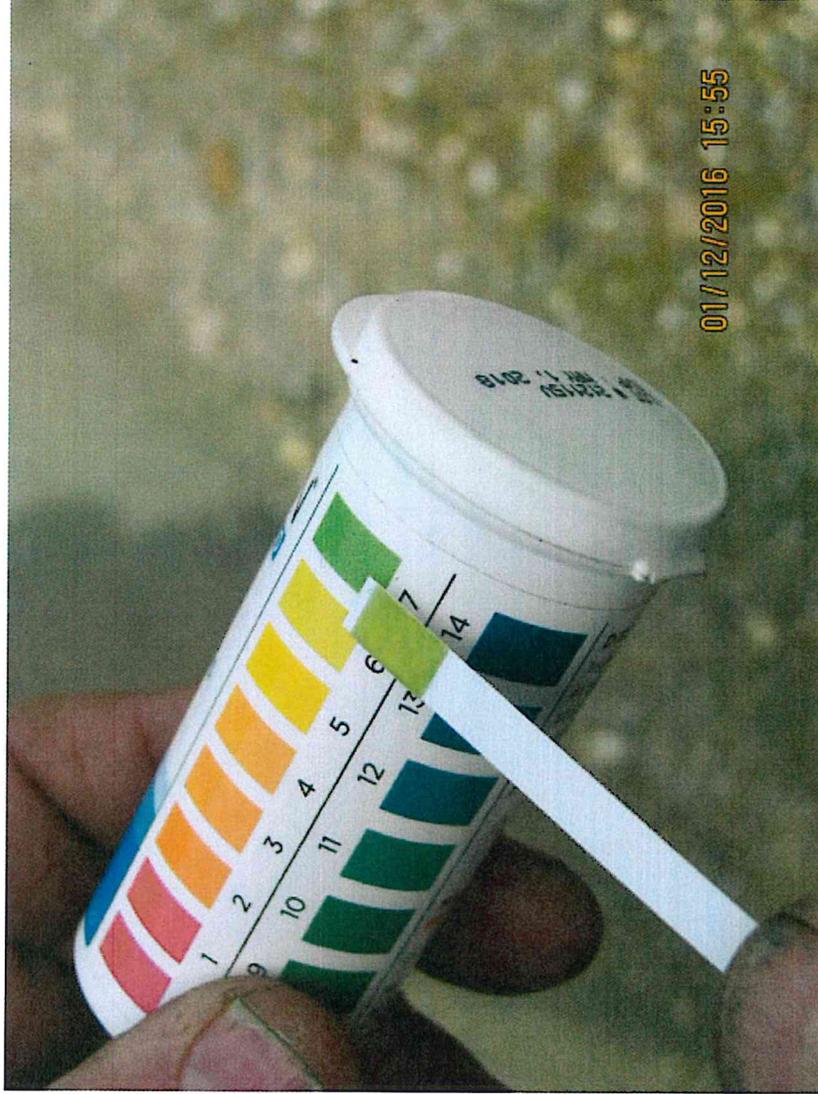


**Sample Result: 5 samples @ pH  $\geq$  13. (Clean yellow strip is baseline).**

Sample Location 2, Sample #1. South Side of El Dorado Trail.



Sample Location 2, Sample #1. South Side of El Dorado Trail.

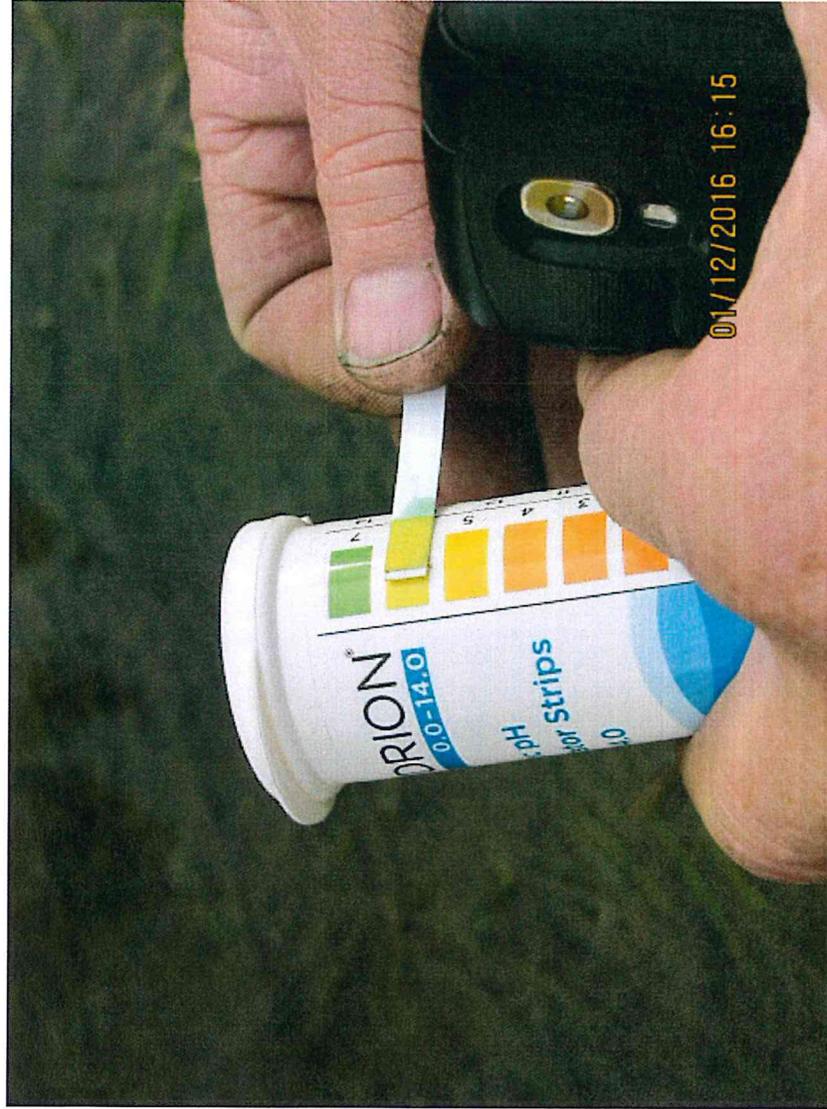


Sample Result: pH = 6 - 7.

**Sample Location 3, Sample #1. South Side of El Dorado Trail.**

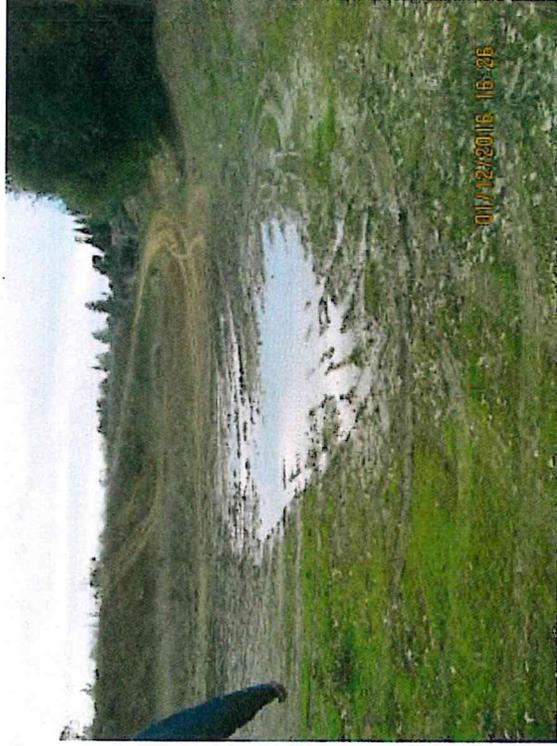


Sample Location 3, Sample #1. South Side of El Dorado Trail (continued).

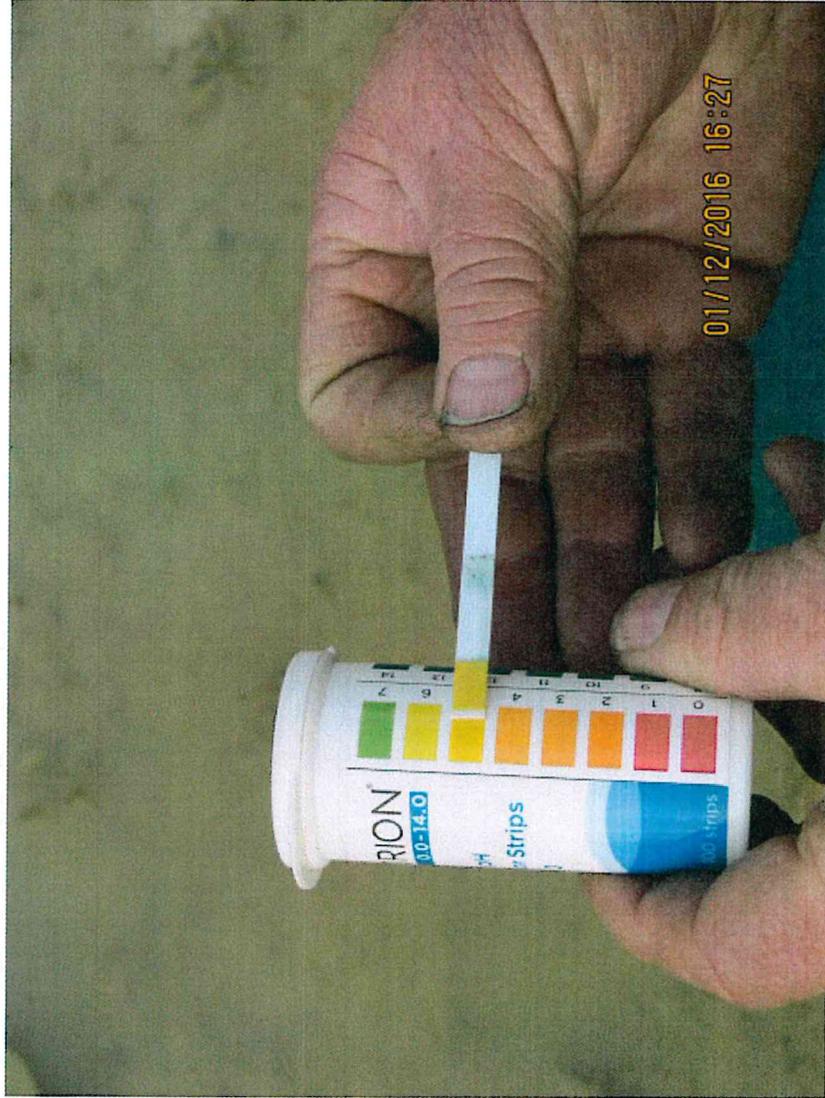


Sample Result: pH = 6.

Sample Location 4, Sample #1. South Side of El Dorado Trail.



Sample Location 4, Sample #1. South Side of El Dorado Trail.



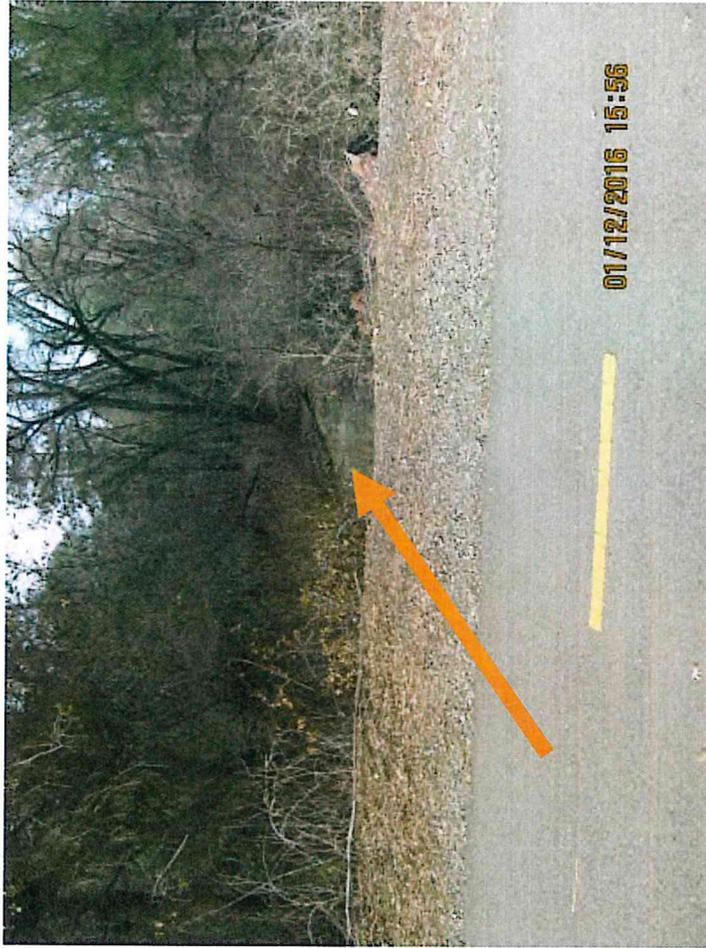
Sample Result: pH = 5 - 6.

**Sample Location 5, Sample #1. South Side of El Dorado Trail.**



**Sample Result: pH = 9.**

## Public Access Summary

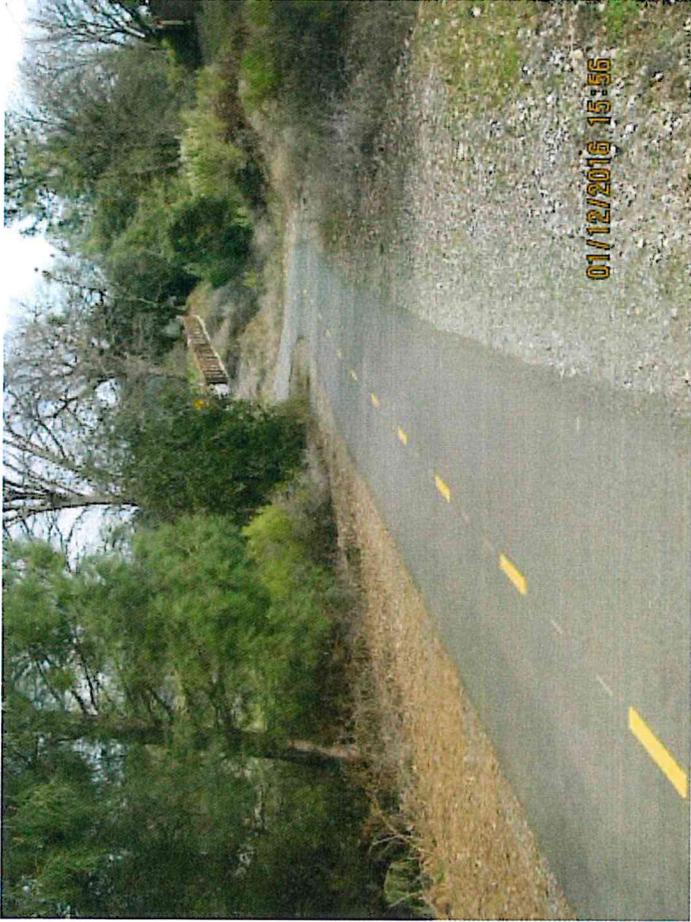


Public Access to High pH Area of Concern (pH  $\geq$  13).

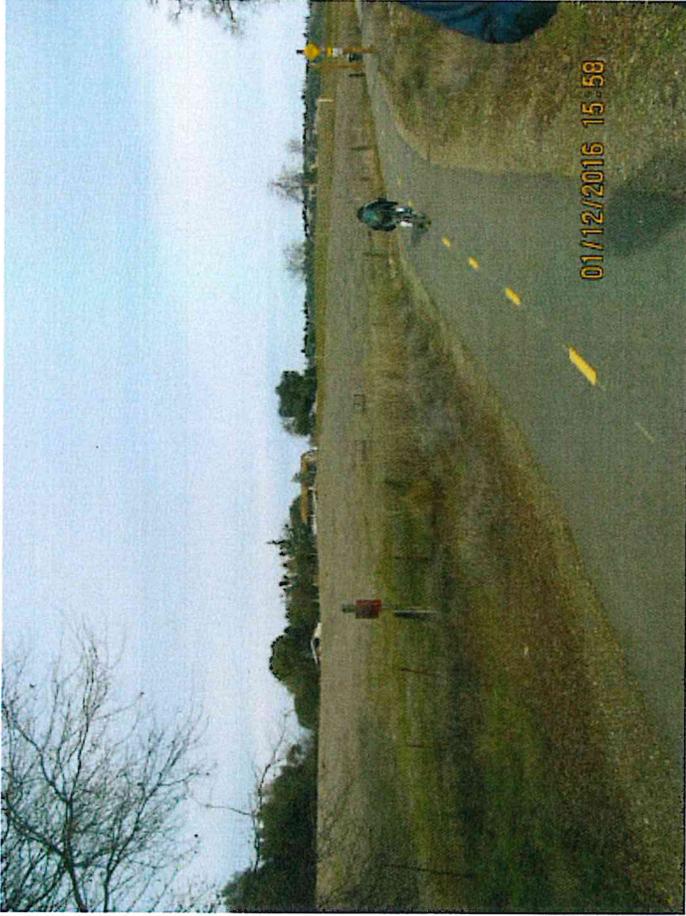


Public Access to Sample Location  
1. pH  $\geq$  13.

Public Access to  
Sample Location 2.  
pH = 6 - 7.



East of Sample Location 1. Looking East.



East of Sample Location 1. Looking East.



Looking East along El Dorado Trail at Sample Location 3. pH = 6.

Prepared by:

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Principal Consultant

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Certified Hazardous Materials Manager (CHMM - 0867)  
Registered Environmental Property Assessor (REPA – 398829)



DATE: January 12, 2016

Updated 1/15/16.

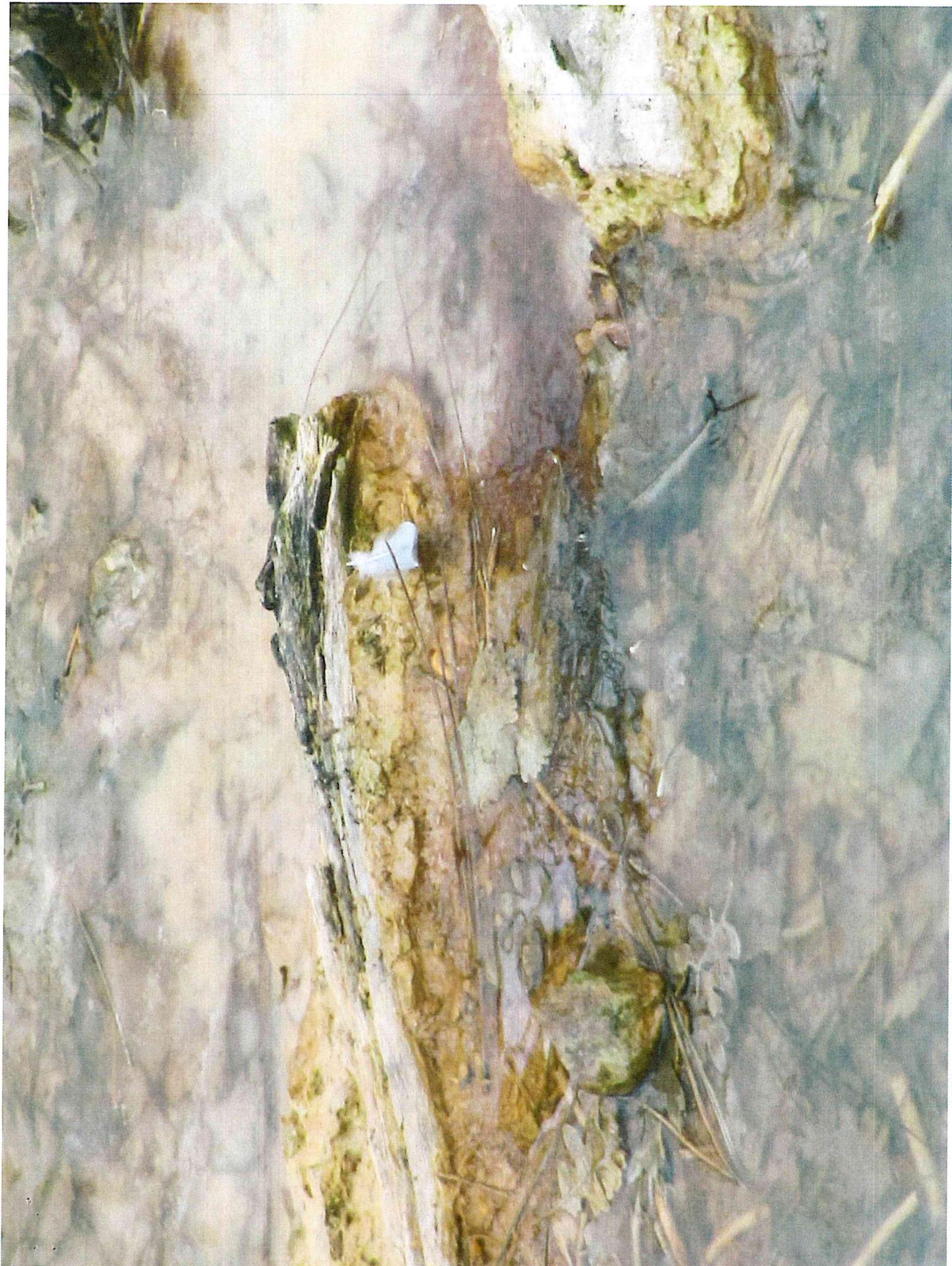














**EL DORADO COUNTY**  
**SOLID WASTE ADVISORY COMMITTEE**  
**SPECIAL PUBLIC MEETING MINUTES**  
**OCTOBER 9, 2014**

LOCATION: 2850 Fairlane Court, Conference Room 248, Placerville

MEMBERS PRESENT: Dickson Schwarzbach, Chair, County Rep. District 3  
Don Nizolek, Vice-Chair, County Rep. District 1  
Jeff England, El Dorado Disposal  
Pierre Rivas, City of Placerville  
Jeanne Lear, South Tahoe Refuse  
Nancy Spinella, County Rep. District 4  
Mary Cahill, Cameron Park CSD  
George Turnboo, County Rep. District 2

COUNTY STAFF: Greg Stanton, EMD Deputy Director  
Barbara Houghton, EMD Environmental Health Manager  
Michael Tilley, EMD Supervising Waste Specialist  
Amy Velasco, EMD Environmental Health Specialist  
Shaneen May, EMD Administrative Technician

MEMBERS ABSENT: Ray Jarvis, City of South Lake Tahoe  
David Kelly, County Rep. District 5

OTHER PRESENT: Sue VanDelinder, El Dorado Disposal  
John Marchini, South Tahoe Refuse  
Laurel Stroud, County Resident  
Judy Mathat, County Resident

**1. Call to Order**

Meeting called to order at 10:05 a.m. by Chair Dickson Schwarzbach

**2. Review of Legistar Item No: 14-1047, EDD Franchise Agreement**

Stanton provides overview of Franchise Agreement. The Legistar Agenda Item is a condensed summary (Provided to Committee). VanDelinder provides additional detail. The Solid Waste Management Plan strategies have been incorporated into the new Franchise Agreement.

NO FORMAL ACTION TAKEN.

**3. Adjournment:** Meeting adjourned by Chair Dickson Schwarzbach at 11:50 a.m.

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**1. Call to Order**

Meeting called to order at 10:05 a.m. by Chair Dickson Schwarzbach

**2. Review of Legistar Item No: 14-1047, EDD Franchise Agreement**

*Unrelated Discussion: Turnboo comments on old limestone processing plan – has leaching – sick children, unstable ground - possible (alleged) public concerns. Stanton clarifies that the land Turnboo is speaking of is not EDD property (not the location of new MRF), Cahill, Nizolek and VanDelinder also comment.*

Stanton provides history of Franchise Agreement. EDD provides services to the unincorporated area of El Dorado County. Stanton provides overview of Franchise Agreement. The Agenda Item is a good summary.

VanDelinder provides additional detail. The Solid Waste Management Plan strategies have been incorporated into the new Franchise Agreement.

Stanton explains that the Agreement has a five(5) year term – if facility is constructed within this five years – then Agreement is automatically extended for an additional ten (10) years (for a total of 15 years).

Turnboo requests why designs/plans have not been brought forth for review? Cahill comments.

Mathat discusses the possibility of a different facility (Wasatch Integrated Waste Management District). She is concerned that no movement has been made toward a JPA. She believes a waste energy plant would be more conducive to the County. She is concerned that this new Franchise Agreement (and new MRF) will not allow the County to grow – it will keep the County stagnant.

Turnboo discusses the possibility of a biomass facility, concerned that a new MRF at EDD will be outdated in the near future.

Stanton states that CDA/EMD staff will be recommending approval of the new Franchise Agreement to the Board of Supervisors.

VanDelinder discusses the language in the August 22, 2014 correspondence, and assures Nizolek and the Committee that the documents being presented to the Board will represent that plans will be established within 24 months.

#### Roundtable Comments:

Spinella: Excited about small “can” option and incentive of lower cost. Advanced Technologies are addressed in the Franchise Agreement– EDD is committed to accommodating new technologies as they become viable. She agrees that EDD should not begin plans until an Agreement has been signed.

England: No comment

Pierre: No comment

Turnboo: Feels that when Board agreed to work with current waste haulers that should have been incentive to bring new ideas.

Tilley: He suggests the Committee look into diversifying. We must have a plan to deal with complete wastestream. He is a big supporter of the MRF.

Lear – Appreciates hearing the comments.

Cahill: Supportive of moving forward with this Franchise Agreement. If Agreement approved she would like to see the marketing be broad-based throughout the County. She encourages use of publications (she has discussed in the past) for marketing. As to biomass – requires Federal support.

Nizolek: He would like to see “Performance Measures”. Pleased to see the necessary reporting listed in the Franchise Agreement. Section 14 – Performance Standards does not include specific criteria and possible penalties. He doesn’t agree with the Franchise Agreement being extended just because the new MRF is actually built within five (5) years, but only if the

expected diversion rate is being met. VanDelinder stresses that the strategies within the SWMP are included in the Franchise Agreement and the standards being set by CalRecycle are being offered. VanDelinder agrees there are things we need to do today to prep for the future of alternative technologies. Continued discussion between VanDelinder, Turnboo, and Mathat.

Schwarzbach: She would like to see SWMP included as an attachment to Franchise Agreement. Likes that the reporting is clearly identified in the Agreement, this will be very helpful to EDSWAC. Please to see there are provisions for Biomass and Alternative Technologies within the Agreement. Overall, believes the Agreement will help us to move forward. Commends EDD for their involvement with the County - believes that EDD's leadership and goals are in line with EDSWAC. She has not heard nor does she see any great discrepancies.

NO FORMAL ACTION TAKEN.

3. **Adjournment:** Meeting adjourned by Chair Dickson Schwarzbach at 11:50 a.m.

ARROVED:

\_\_\_\_\_  
Catherine Dickson Schwarzbach, Chair

\_\_\_\_\_  
DATE

## Environmental Effects of Lime

[http://www.griffinsoil.com/environmental\\_effects\\_of\\_lime](http://www.griffinsoil.com/environmental_effects_of_lime)

**Summary** The environmental effects of calcium oxide and calcium hydroxide are minimal when properly used. Calcium oxide (quicklime) reacts promptly with water to form calcium hydroxide (hydrated lime). Recarbonation by air or bicarbonate ion in surface waters converts calcium hydroxide to calcium carbonate, the same mineral in limestone. The high pH (12.45 @ 25°C) is naturally reduced to the 7.8 to 8.5 range. Normal precautions of working with chemicals must be taken to protect workers and the environment, but the reactions of lime moderate its effects. The principal hazards are (1) high temperatures of hydrating calcium oxide, (2) the irritating nature of lime dust to the eyes and lungs, and (3) alkaline chemical burn to mucous membranes and the eyes if splashed lime (dust or slurry) is not promptly washed off.

### BACKGROUND

Calcium oxide (CaO, quicklime) is an effective agent for soil stabilization and aggregate modification as well as drying up muddy construction sites and a wide variety of alkaline chemical neutralization applications. Calcium hydroxide (Ca(OH)<sub>2</sub> as hydrated lime) is effective as an additive to hot mix asphalt to improve adhesion between the cement and the aggregate, to reduce stripping, rutting, moisture damage and age hardening and to increase the retained tensile strength. This review of the chemistry of quicklime and hydrated lime explores the health and environmental effects. **PRINCIPAL REACTIONS - THE LIME CYCLE** Lime (CaO) is a product of high temperature calcination of pure limestone. It is a white, low density, porous solid which reacts more or less vigorously with water. Hydrated lime (Ca(OH)<sub>2</sub>) is a fine white powder with limited solubility in water. 1) Calcination of limestone: (Typically ~2000°F for calcite)  $\text{CaCO}_3 = \text{CaO} + \text{CO}_2$  Limestone or calcite (calcium carbonate) = Quicklime (calcium oxide) + Carbon Dioxide 2) Hydration of quicklime:  $\text{CaO} + \text{H}_2\text{O} = \text{Ca(OH)}_2 + \text{Heat (490 BTU/lb. CaO)}$  quicklime + water = hydrated lime (calcium hydroxide) + 272.8 cal/gram CaO 3) Recarbonation of calcium hydroxide:  $\text{Ca(OH)}_2 + \text{CO}_2 = \text{CaCO}_3 + \text{H}_2\text{O}$  calcium hydroxide + carbon dioxide = calcium carbonate + water In most applications, excess calcium hydroxide more or less promptly reacts with carbon dioxide from the air or bicarbonate ion in water to form calcium carbonate.  $\text{Ca(OH)}_2 + \text{HCO}_3^- = \text{CaCO}_3 + \text{OH}^- + \text{H}_2\text{O}$  calcium hydroxide + bicarbonate ion = calcium carbonate + hydroxyl ion + water 4) Dissociation of calcium hydroxide Calcium hydroxide has a very limited solubility in water (~1.5 g/L at 20°C) which decreases at higher temperatures. This controls the alkalinity and pH of water in contact with hydrated lime. The limited solubility restricts the amount of material that can be dissociated in the water, thus limiting the amount of hydroxyl ion available to raise pH.  $\text{Ca(OH)}_2 = \text{Ca}^{2+} + 2 \text{OH}^-$  Calcium hydroxide = Calcium ion + 2 Hydroxyl ions **LIME IN SOIL STABILIZATION** Quicklime is commonly used to stabilize clays through the pozzolanic reactions. Pozzolanic reactions convert the clays the cement-like compounds, initially through ion exchange and subsequently, through fundamental rearrangement of the alumino-silicate mineral structure. These reactions start at pH 12 and above and consume water and lime in the course of the reaction, resulting in a reduction both of moisture content and pH. These reactions have been in use since Roman times in a variety of construction applications. The quicklime can be applied dry or as a slurry, but the pozzolanic reactions all involve hydrated lime. **SAFETY AND HEALTH CONSIDERATIONS** A search of the scientific, health and safety literature on effects of calcium oxide and calcium hydroxide has yielded the following information: - Exposure to calcium oxide dust is regulated. The OSHA PEL (Permissible Exposure Limit) for 8 hour TWA (Time Weighted Average) is 2 mg/m<sup>3</sup>. The ACGIH also recommends a TLV (Threshold Limit Value) of 2 mg/m<sup>3</sup> as do fifteen nations. - Exposure to calcium hydroxide dust is regulated. The OSHA PEL (Permissible Exposure Limit) for 8 hour TWA (Time Weighted Average) is 5 mg/m<sup>3</sup>. The ACGIH also recommends a TLV (Threshold Limit Value) of 5 mg/m<sup>3</sup> as do fifteen nations. For comparison, the TLV or TWA for nuisance dusts or particulates not otherwise classified (PNOC) is 10 mg/m<sup>3</sup>, only two times the hydrated lime standard. - Quicklime is not a hazardous substance under federal highway, rail, water-borne transportation regulations. It is covered by DOT regulations as an ORM-B compound for air

transportation. This limits the shipment to 25 lbs or less unless special provisions are taken. - Hydrated lime is not a hazardous substance under federal highway, rail, water-borne or air transportation regulations. - Neither quicklime nor hydrated lime is a hazardous waste according to the RCRA 40 CFR 261 criteria. - California regulations also regard materials under pH 12.5 as non-hazardous. The Corrosivity Criteria, Section 66708 in the California Administrative Code(CAC) , states: "A waste, or a material, is corrosive and hazardous if ...its mixture with an equivalent weight of water produces a solution having a pH less than or equal to 2 or greater than or equal to 12.5." - Both quicklime and hydrated lime are hazardous substances as determined by the CAL/OSHA Director's List of Hazardous Substances. - Calcium hydroxide (as 100% dry powder) is classed as a "severe irritant or corrosive" to rabbit eye tissue based on the Draize test. - Neither calcium oxide nor calcium hydroxide is corrosive according to federally specified tests. Specifically, "No sign of dermal corrosion was noted at any of the treated sites (rabbit skin). Based on these results, the test material (concentrated calcium hydroxide slurry) is considered *non-corrosive* to the skin when applied as received." - Both calcium oxide and calcium hydroxide are on the Food and Drug Administration's (FDA) list of chemicals that are Generally Recognized As Safe (GRAS) for human consumption in foodstuffs. - Quicklime and hydrated lime are not carcinogenic, teratogenic or mutagenic according to federal government tests.

### **ENVIRONMENTAL CONSIDERATIONS**

Calcium oxide reacts with water or water vapor to form hydrated lime. Hydrated lime reacts with carbon dioxide or carbonate ions, forming sparingly soluble calcium carbonate (calcite). Any excess hydrated lime in the environment is naturally converted to harmless minerals. The normal pH of lime slurry (pH = 12.4 @ 25°C) is reduced as recarbonation converts the hydrated lime to calcite (pH ~ 7.8 - 8.3). The excess lime concentration and the access to carbon dioxide determine how rapidly the pH drops. Good exposure to air achieves near complete recarbonation in a few days.

### **AIR EMISSIONS**

Air emissions of quicklime and hydrated lime can occur during dry transfers.

**Transfer Operation:** Unloading quicklime or hydrated lime from a bulk truck to a storage silo

**Dust Control Measure:** Baghouse on silo; Good housekeeping and unloading procedures by trucker.

**Transfer Operation:** Transferring quicklime or hydrated lime to the slurry mixer

**Dust Control Measure:** Covered screws or belts; enclosed mixer; water spray to knock down and entrain any dust.

**Transfer Operation:** Dust generated from aggregate handling of cured aggregate stockpile material

**Dust Control Measure:** Generally none except 1) Most of the lime has reacted or is tightly adherent as a partially recarbonated film; 2) Residual moisture on the aggregate; 3) Minimizing handling and drop heights.

### **SOIL CONTAMINATION EFFECTS**

Handling lime treated aggregate inevitably generates some mineral fines through abrasion and crushing. This material will commonly contain calcium carbonate and calcium hydroxide. The calcium carbonate behaves like fine-grained limestone, a natural material that buffers groundwater pH and has a low solubility, causing water hardness. Calcium hydroxide has a higher solubility and pH. However, natural reactions in soils consume this alkaline material.

Calcium hydroxide reacts with a wide variety of finely divided siliceous materials (pozzolans) to form cement compounds. These "pozzolanic reactions" are the basis for soil stabilization construction practices that have been in use at least since Roman times. Pozzolanic materials include volcanic ash, clays, some glasses, fly ash, and many pulverized siliceous rocks.

Mixing a lime material with a soil can start the pozzolanic reactions. This will convert the clays (and other pozzolanic materials) in the soil to a cement type compound. These reactions consume water just as hydrating and curing a portland cement concrete does. The typical product is a poorly crystalline

zeolite-type mineral found in cured concrete, Tobermorite,  $\text{Ca}_5\text{H}_2(\text{Si}_3\text{O}_9)_2 \cdot 4\text{H}_2\text{O}$ . As the calcium hydroxide is consumed, the pH drops as the hydrous calcium aluminosilicate minerals form. The stable pH is comparable to concrete until the outer portion has developed an impermeable silicate/carbonate layer.

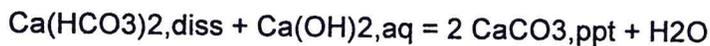
In the absence of pozzolanic materials, the calcium hydroxide undergoes recarbonation reactions as discussed above. This lowers the pH from the high 12.4 range of hydrated lime to the 7.8 to 8.4 range of limestone. This reaction is generally limited by the availability of carbon dioxide. This mitigates the long term effects of applying excess calcium hydroxide to a soil or water exposed to air.

### WATER POLLUTION CONCERNS

Naturally, every effort should be made to prevent contact with water and control runoff from the limed aggregate stockpiles. However, the reactions involving lime, water, air and soil materials ameliorate the effects of hydrated lime contamination.

Water that is saturated with calcium hydroxide will have a pH of 12.4. However, the low solubility means that rain water falling on a treated aggregate pile are unlikely to dissolve enough lime to significantly raise the pH of commingled run-on/runoff water from adjacent sites. Each ten-fold dilution by water brings a decrease of one pH unit for the mixed waters.

Calcium hydroxide in runoff water will initiate pozzolanic reactions with clays or muds in suspension or on the stream bed. This consumes the calcium hydroxide and lowers the pH. Carbonate and bicarbonate ions in rainwater and surface waters will also consume calcium hydroxide through standard water softening reactions:



Calcium bicarbonate + Calcium hydroxide = Calcium carbonate + Water

**SAFETY CONCERNS** Refer to a current MSDS for legally mandated information. Principal hazards associated with lime slurry are: - Personnel Safety: Dust exposure to the eyes or respiratory tract. - Personnel Safety: Splashes of lime slurry to the eyes. - Site Hazards: Slick surfaces from wet lime or lime slurry spills. - Site Hazards: Lime dust from vehicles driving through dry spills. - Transportation Hazards: Spills resulting from traffic or loading accidents. - Environment Protection: Discharge to streams or bodies of water. **PERSONAL SAFETY** The principal hazards associated with quicklime, hydrated lime and lime slurry are: - Thermal burns from contact with hydrating quicklime. - Thermal burns from spills or splashes of hot lime slurry when made from quicklime. - Chemical burns through extended contact with lime dust or concentrated lime slurry. - Dust irritation from quicklime or hydrated lime dust exposure to eyes, mucous membranes or sweaty skin. - Dust irritation from disturbed dried deposits of lime slurry. **Thermal burns** can be minimized by proper handling. Avoid contacting hydrating quicklime or equipment in which the hydration reaction occurs. Avoid getting quicklime on your clothes or body. Lime slurry produced from quicklime is in the 210° - 190°F (100° - 88°C) temperature range. The temperature remains high in large tank storage, but drops with time and as it is handled in pipes, pumps and smaller vessels. Lime slurry produced from hydrated lime remains at the water temperature. *First Aid:* If a person is exposed to lime dust, remove them from that situation, remove the dusty clothes and wash off the lime with copious amounts of water. Follow the provisions on the MSDS. If a person is exposed to large amounts of hot lime slurry, remove the wet clothing and wipe or wash off the slurry. Be especially careful to remove and wash slurry from the eyes first. Treat any thermal burns using normal burn treatment. Wash lime from any burn area. Obtain medical care. **Chemical burns** are rarely associated with lime slurry. Quicklime (calcium oxide) is more commonly involved in chemical lime burns than calcium hydroxide or lime slurry. Lime slurry has a pH of 12.4 and is not a hazardous waste by the RCRA Corrosivity Criteria. Lime slurry is not corrosive to intact skin, but should be washed off as a regular prevention. *First Aid:* Lime slurry splashes on the skin should be washed off. A skin lotion may be applied to counteract the drying tendency of calcium hydroxide. Wash lime out of any cut or laceration. **Lime dust** is an irritant to the eyes and mucous membranes. Control of lime dust during handling of dry lime products should be an integral part of any plant operations involving lime. *Lime dust is not generated in normal slurry handling operations.*

However, if a lime slurry spill is permitted to dry, calcium hydroxide cake forms. Traffic and handling over dried slurry solids may generate calcium hydroxide dust. This can be an irritant if breathed or if it contacts the eyes. The OSHA PEL is 5 mg/cu.m. Spills should be cleaned up promptly. *First Aid:* Wash off all lime material. Flush the eyes with clean water or eye wash solution. Obtain prompt medical attention. **SAFETY EQUIPMENT** Standard safety equipment for each person working in the slurry area should include: - Safety glasses with side shields or safety goggles, - Dry lined gloves for those handling slurry pipes or hoses. - Rubber boots with safety tread for work areas where slurry might be spilled. - Dust masks for those working in quicklime or dry hydrate handling areas and on clean up duty. Dust masks of OSHA category, N95, are appropriate, unless the dust concentration is very high. - Install eye wash stations convenient to the lime slurry handling and operations areas. A safety shower is recommended, but not required.

## SPILL PREVENTION AND CONTROL

The best control is spill prevention. Training and qualifying trucking firms and drivers minimizes accident and spill opportunities. Lime products, including lime slurry, are not hazardous materials under US DOT regulations for surface transport and placarding transport containers is *not* required.

Should an accident or spill occur, follow these guidelines:

- Remove persons from the accident scene to a safe place.
- Render first aid as appropriate.
- Remove any dry lime material in contact with a person by brushing or wiping the material away.
- After removal of most of the lime, wash the body parts exposed to the lime. Especially flood the eyes with water to dilute and remove the calcium hydroxide.
- Notify emergency personnel.
- Reroute or stop traffic from driving through spilled lime slurry. Lime slurry is slick and will reduce traction, possibly causing accidents.
- Contain the spill. Prevent people from contacting the lime. For quicklime, do not dispose large quantities to landfills without first fully slaking the lime (hydrating it to calcium hydroxide). Enough heat can be generated in special conditions to ignite flammable materials. Follow the MSDS provisions.
- Contain the spill. Block storm drains and access to streams using materials at hand, such as dirt, hay bales, plastic, etc. High solids slurries are viscous, assisting leak control.
- Clean up the spilled material with a front-end loader, vacuum truck or shovels, being careful to avoid excessive dust exposure.
- The small amount of solid material remaining at the spill site after clean up may, with permission, be flushed to sewer with sufficient water to reduce the pH below 9.5. or
- *The solids may be swept up and disposed of at a landfill. or - It may be permissible to dry and recarbonate to limestone dust, CaCO<sub>3</sub>.*

## FOR QUICKLIME SPILLS

- Do not add water to large quantities of quicklime. Clean up the bulk of the material in a dry form. Do not dispose of quicklime with flammable materials.
- Appropriate disposal of spilled quicklime depends on the local situation. It may be used in applications like soil stabilization, drying up construction sites, or waste acid neutralization. It may be necessary to return it to the production facility or terminal.

# EL DORADO COUNTY GRAND JURY 2013-2014

## *TOXIC POLLUTION SPREAD BY ILLEGAL GRADING*

### *ON DIAMOND DORADO*

Case Number GJ-13-16

#### REASON FOR REPORT

A citizen complained that El Dorado County was ignoring continuing pollution into Webber Creek from the former Diamond Lime Plant site.

#### SUMMARY

Two adjacent Assessor's parcels in Diamond Springs are located within the former Diamond Lime Plant site. They are also next to the present day Material Recovery Facility (MRF) on Throwita Way. The physical manifestations of the lime plant are long gone. However, the last vestige of the Diamond Lime Plant may be the lime waste that today continues to contaminate the property, surrounding area and adjacent waterways.

The property is currently under investigation by the California Department of Fish and Wildlife (CDFW), formerly the Department of Fish and Game, and the California Regional Water Quality Control Board. CDFW issued a citation with pending fines amounting to almost \$100,000 and was cooperating with the El Dorado County District Attorney who has since dismissed the underlying misdemeanor criminal case.

The owner has improperly and illegally graded the property without an El Dorado County grading permit in spite of a stop work order issued by the County Department of Transportation. In addition the grading was not done according to a conditionally approved grading and lime mitigation plan prepared by professional Engineers at the request of the owner.

The property is a portion of the proposed right of way for the County's Diamond Dorado Parkway. That part of the property has been offered to the County without charge for that purpose. The property is the entire site of the proposed Diamond Retail Center that will be adjacent to and front on the Parkway.

#### BACKGROUND

The Diamond Lime Plant was a lime production plant with lime kilns and sludge settling ponds that began operation prior to 1935 and continued until at least 1977. It processed lime from a quarry 6 miles away that was transported to the processing plant on an overhead cable transport system. The lime was processed in kilns then shipped out on the railway that ran alongside the site.

Citizens using the El Dorado Trail, a bike/pedestrian path on the former railroad right-of-way at the North perimeter of the property, reported white milky water and dead mammals in two tributaries of Webber Creek to the CDFW. CDFW documented lime discharge from the property on March 17, 2011. Testing showed alkalinity up to pH 12, equivalent to ammonia or oven cleaner, on the property. A CDFW violation case was filed with the County District Attorney.

The proposed Diamond Dorado Parkway and commensurate utilities will traverse the northern property and the proposed adjacent Diamond Dorado Retail Center will partially occupy the remainder.

## METHODOLOGY

- A representative of the California Regional Water Quality Control Board was interviewed.
- A representative of the County Department of Transportation was interviewed.
- Representatives of the El Dorado County District Attorney's office were interviewed.
- The *BRADLEY ROAD PROPERTY LIME KILN WASTE MITIGATION PLAN REPORT for APNs 051-25-51-100 And 051-250-54-100 Bradley Road And Throwita Way, Diamond Springs, El Dorado County, California* Prepared by Holdrege & Kull, Consulting Engineers – Geologists, dated June 4, 2012 was reviewed.
- The *Diamond Dorado Retail Center Project Final Environmental Impact Report* (State Clearinghouse No. 2008012004) was reviewed.
- The *Diamond Springs Parkway Project Final Environmental Impact Report* (State Clearinghouse No. 2007122033) was reviewed.

## DISCUSSION

The California Department of Fish and Wildlife (CDFW) recommended that the property be stabilized and a corrective action plan developed. Two corrective action plans submitted by the property owner to CDFW were determined to be incomplete, inadequate or insufficient.

A third plan, also submitted by the property owner, the *BRADLEY ROAD PROPERTY LIME KILN WASTE MITIGATION PLAN REPORT for APNs 051-250-51-100 And 051-250-54-100 Bradley Road And Throwita Way, Diamond Springs, El Dorado County, California* (Waste Mitigation Plan) prepared by Civil Engineer Don Olsen of Holdrege and Kull, was submitted to CDFW. Its corrective action plan for the lime waste pollution to state waters, including a grading plan, was conditionally approved.

The Grand Jury learned that the Holdrege and Kull grading plan was also submitted to the El Dorado County Department of Transportation (DOT). It was not reviewed by DOT personnel because a plan review fee was never paid by the applicant and a grading permit was never issued. When grading commenced without a permit, DOT issued a stop work order. Despite the stop work order, grading continued.

The Grand Jury learned that when a stop work order is not complied with and/or improper or illegal grading activity continues after a stop work order, there are escalating actions that can be taken to gain compliance. Legal enforcement remedies can be criminal action by the County District Attorney and civil action by the County Counsel. Another possibility is delineated in the County Grading, Erosion, And Sediment Control Ordinance Article IV. Enforcement Section 15.14.410 Corrective work. It allows that "... the Director may order County workers or contractors to immediately enter private property to abate hazards to public health and safety ...". The Section also allows direct cost recovery including "... a lien on the property." However, the Grand Jury could not identify any instance where the provision of Section 15.14.410 had been invoked! ***Instead, the County took no action and let the improper and illegal grading continue.***

When grading approached completion, a CDFW inspection of the site revealed several unauthorized activities and CDFW violations including a required El Dorado County Grading Permit was not obtained.

Subsequently, CDFW issued a citation and referred it to the El Dorado County District Attorney. The District Attorney initially pursued prosecution of the CDFW violation but eventually dismissed the underlying misdemeanor criminal case after the Grand Jury inquired about the status of the case.

Examination of the property afterward revealed that the grading did not approach the provisions of the Holdrege and Kull grading plan. Cut-off walls were not installed. The property was graded and filled in places with between 7 and 15 feet of contaminated material spread from other parts of the property. It essentially dug up contaminated soil and used it to cover up the worst lime waste deposits without proper remediation or possible mediation.

The grading raised the grade of the property creating a *dam* effect that completely obstructed the previous drainage pattern from the MRF. A substantial storm water drainage system was installed by MRF on a County easement between the MRF and the graded property to alleviate the problem. The storm water system was installed with a County Permit. Ironically, the need for it was caused by grading ***without a permit despite a stop work order!***

The owners initiated a project to construct the Diamond Dorado Retail Center on the property. The retail center would front on the proposed County Diamond Dorado Parkway that would partly occupy part of the property. The owners took steps to give part of their property to the County at no cost for the Parkway.

## FINDINGS

1. The unpermitted grading spread toxic limestone waste over the site causing dangerously high levels of pH in surrounding tributaries.
2. Toxic limestone waste continues to flow into adjacent waterways. Nobody is doing anything to stop it. Not the owner, not the County and not the State.
3. The property along with several adjacent parcels have become the site of two important County projects: Diamond Dorado Parkway and Diamond Dorado Retail Center.
4. El Dorado County has executed and recorded two CONSENT TO MAKING OF IRREVOCABLE OFFER OF DEDICATION, where it appears the owners have offered part of the property to the County without charge for rights-of-way for a portion of the Parkway. The offer can be accepted by the County until 5/25/2025.
5. The County did not enforce the Grading Ordinance, Title 15.14 of the County Code. It is the law. The law was not enforced.
6. It would be completely irresponsible of the County to allow the Diamond Dorado Parkway project to proceed without ensuring that all environmental issues and mitigations have been resolved.
7. Section 15.14.410 of the Grading Ordinance is an extremely valuable tool to enforce proper grading of property. It should be used.
8. It is somewhat disquieting that enforcement compliance can be predicated by payment of fines and fees by the offending party, particularly when environmental concerns are paramount.

## RECOMMENDATIONS

1. The Grand Jury recommends that El Dorado County immediately review whether spending public monies for the planning, engineering or improvements for Diamond Dorado Projects is wise given environmental concerns.
2. The County should engage an environmental consultant to measure the impacts of existing grading upon dispersal of limestone waste in consideration of up to date reports and water samples from State agencies including the Regional Water Quality Control Board and the Department of Fish and Game.
3. The County should ensure that all environmental issues and mitigations have been resolved before continuing with the development of the Diamond Dorado Parkway and the Diamond Dorado Retail Center.
4. Property owners adjacent to the Project or in the vicinity of the Diamond Lime Plane should be advised of the existing contaminations.
5. Planning Services and DOT should explore using County Grading, Erosion, And Sediment Control Ordinance Section 15.14.410 to achieve prudent results.
6. The County should enforce the provisions of the Grading, Erosion, and Sediment Control Ordinance, Chapter 15.14 of the County Code.

## RESPONSES

Responses to both findings and recommendations in this Report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to:

The Honorable Suzanne N. Kingsbury, presiding judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This Report has been provided to the El Dorado County Board of Supervisors, Development Services Department and Department of Transportation.

The Presiding Judge of the El Dorado County Superior Court additionally requests that the responses be sent electronically as a "Word" file or "PDF" file to facilitate the economical and timely distribution of such responses. Please email responses to the El Dorado County Grand Jury at: [courtadmin@eldoradocourt.org](mailto:courtadmin@eldoradocourt.org)

**ATTACHMENTS** [ Adobe Reader is required to view attachments ]

[DFG Lindeman Violation Notice](#)

[DFG Notice of Violation to District Attorney](#)

On Thursday, April 9, 2015 12:12 PM, Cheryl Bly-Chester <cherylblychester@aol.com> wrote:

Meeting at El Dorado County Environmental Management Department, Building C, April 8, 2015 9:30 am

Attending:

George Turnboo, member of the EDC Solid Waste Advisory Committee (SWAC)  
Laurel Stroud, EDC SWAC  
Barbara Houghton EDC Environmental Management  
Paul Halloway EDC Environmental Management  
Amy Valesco, EDC Environmental Management Dept  
Pete Minkle, Central Valley Regional Water Quality Control Board  
Mitch Good, CA Dept Fish and Wildlife  
Amy Phyllips, EDC Stormwater Protection  
Greg Stanton, Deputy Director of EDC Environmental Management  
Shenine May, Support Staff (also taking notes)  
Carol Oz, CA Dept of Fish and Wildlife  
Cheryl Bly-Chester, Rosewood Environmental Engineering

The meeting opened with Barbara Houghton going over the OES release report and Amy Valesco and Amy Phillip's report from the County on investigating the release report. Their report basically stated that there was no evidence of a release from the Plant Operations to Weber Creek. They looked primarily at the storm water pollution prevention plan and spill prevention plan elements and BMPs and said that everything was in place with no evidence of a release .

When he was given an opportunity to speak, Mr. Turnboo interjected that he was not reporting a release from the current operations, but rather from an "illegal" grading operation that caused a release to the surface, likely the subsurface, and to Weber Creek - originating from burned contamination for a prior operation. Turnboo received information from an interested party in the historic Diamond Lime Plant, a limestone kiln processing plant, that there was an environmental concern at the site and that people were reportedly getting sick from it . He reported the release conditions to the State Office of Emergency Services . Barbara Houghton cut him off to go on with her staff report with all the measures they observed at the site, with Amy Valesco continuing explaining where they walked and what the photos in the report depicted.

I (Bly-Chester) asked what the plant was permitted to process. Barbara Houghton said that is the State's business and not the County's so they can't answer that question - so I looked at Amy Phillips (EDC

1/25/2016 4:42 PM

Stormwater) and asked what processes were listed in the SWPPP and what pollutants were listed in the industrial SWPPP. I asked Amy if petroleum products were considered processing waste included in the permit activities. She readily could find the the SIC code (5093) in her notes, but not the pollutants so we agreed that we could find that in the SMARTS database for the Industrial SWPPP for the site. Barbara Houghton explained that there was a large, double wall containment, vaulted aboveground storage tank at the site. I asked if the plant had an oil/water separator. Amy Valesco volunteered that they had adsorbent pillows and booms to capture petroleum products and there was no sheen or staining in evidence. Amy Phillips answered that she did not know if they had an oil/water separator, but that there was metal structure in the pond at the site. Barbara Haute cut the discussion short.

Barbara Haute then turned the discussion to the DFW report. Mitch Good said that he had Carol Oz on the phone with him during his site walk and that he also did not see evidence of a recent release. He stated that he thought that reporting the release to OES caused a huge waste of resources and blamed it on the reporting party. He said that they normally receive an OES report, contact the reporting party to get the details and ascertain how urgent the release investigation is so that they can respond appropriately. When asked if he did call the reporting party, he said no he didn't. He was told by both Turnboo and Stroud that if he spoken to either of them he would have known that this was not an urgent matter, but one that had not yet been addressed. I asked Carol Oz if she knew if this was the same lime processing plant release to Weber Creek that was reported a few years ago. She said that she didn't know anything about it and had never been to the processing plant. I didn't think that was right, so I tried to jog her memory saying that it was in the Mountain Democrat and there was a Grand Jury Investigation about it. I said that I thought that it caused a fish kill. She said that she didn't know anything about it.

Stroud said that there was yet another Grand Jury investigation going on. All of the EDC Environmental Management people also said that they didn't know anything about it.

Despite the illegal grading operations and hazardous waste release, with clear impact on the surrounding area, Greg Stanton, the Deputy Director of the Environmental Management Department, stated that El Dorado County does not have a case file concerning the Diamond Lime Plant site. I asked if there was a case officer assigned to it - No there is not. I asked who was investigating this release - he said that no one is. I asked who is overseeing clean up - no one is. Then Barbara Houghton said that EMD doesn't have a *right* to investigate the release, as it is on private property and they can't enter private property under any circumstances and certainly not without hard data to put into a report.

I told Deputy Director St anton that my understanding of what raised alarm was that it appeared that Environmental Management Staff had intentionally erased all mention of Turnboo's report of a problem during the Advisory Meeting from the Conformed Meeting Minutes. That a brief mention of it had appeared in the Draft Minutes, but all mention of it was taken out in the final minutes. St anton's explanation was that they did not want to provide transcripts of the meetings and that the County did not have the resources for complete transcripts and if the Public wanted to listen to the transcripts, they could request them. I said that removing information from a draft of the minutes was not in anyway saving the County's resources, so that didn't make any sense. He then said that he didn't want to set a precedence of providing that much information about what was said during the meetings. I told him that as a member of the Public, I would appreciate one or two sentences just mentioning that a topic had been raised, so that I would know that there might be transcripts of interest to me. He said that a long-standing practice of the staff was to not include any discussion of topics raised unless they were on point for the agenda. I suggested that the staff should not omit such statements made by the Public or by Board Members, if they were within the jurisdiction of the Board. I told him that I found that practice by staff very troubling.

I asked several times what EDC Environmental Management's role was in this matter and were told, mainly by Barbara Houghton and Greg Stanton that they do not have a role in it at all. I asked if there had been any environmental investigations into historical recognized environmental concerns. Barbara Houghton said that there had not been and that the only way such investigations would be initiated was when there was a property transfer of some kind, then the banks would initiate it, but their Environmental Management Department would not and did not have a right to conduct any investigations or have any authority to over the environmental conditions at the historic Limestone quarry. The Environmental Management Department expressly said that they

do not have a file at all on the site.

Turnboo mentioned a Parkway project going through the Site - I flat couldn't believe it. I pointedly asked Barbara Houghton if this site was within the Planned Parkway Corridor - Yes it is. I then said that **of course** they had a right and even an obligation to investigate the environmental condition of any parcels being considered for a County right-of-way project and that they **MUST** be working on an EIR that **MUST** have information on the old Diamond Lime Processing Plant. Haute reiterated that they did not have any such information, that they did not have a file on the Site, and that only when they were acquiring the right-of-way would they even consider initiating such work. Stanton said that we should all wait to see what came out of the current Grand Jury Investigation. This was very frustrating for me, because in no County that I am aware of is the Environmental Management Department so disconnected from the Planning Department and function. Greg Stanton sardonically told me that I had an overblown impression of the reach of the Environmental Management's authorities and responsibilities.

After the meeting The two CDFW representatives were still trying to make their point about wasted resources on reporting the release to the OES. I told them that due to the Porter Cologne Act and other laws, A ny citizen or member of the public who has reasonable suspicion , knowledge , or belief of a release of more than five gallons of petroleum product or hazardous materials is obligated to make a report, which is the purpose of the Office of Emergency Services Spill Alert Hotline. I said that it is not the Citizen's responsibility to control the dispatch of government agencies. He first asked if he wasn't a citizen. I had to explain that, in this case, he was a civil servant and not a member of the Public at large. He said that the reporting party had an obligation to tell the truth, which I agreed with. Carol Oz said that she thought that this report should have been made to the County Environmental Health Department and reminded her that this all started when Turnboo reported it at the Solid Waste Advisory Meeting with the Environmental Management Department Staff taking the minutes and not only did they not take the report, but they did not open a file, assign an officer and expunged all reference to it being discussed from the minutes of the meeting. She acknowledged that that was what was said in the meeting.

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When I was back in my office, a very quick internet search revealed that the EIR for the Diamond Dorado Retail Center Required the following:

#### **Diamond Dorado Retail Center EIR**

**Mitigation Measure** requiring an onsite inspector for all construction activities (which would include grading) and if a hazardous materials release is found, then a remediation plan must be designed and implemented under EDC Environmental Management Authority.

**MM HAZ-3d:** A Registered Environmental Assessor (REA) that is certified by the California Department of Toxic Substances Control shall provide onsite monitoring of construction activities for parcels formerly part of the Diamond Lime Plant (APNs 051-250-51 and 54) to observe for the potential indication of hazardous materials releases, disposal areas or contaminated soils. If the REA identifies environmental conditions that require remediation or require further investigation, construction activities shall cease to allow the Project applicant to prepare and submit a site remediation permit application and draft work plan to the El Dorado County Department of Environmental Management. To document the implementation of the prescribed mitigation measure, the contracted REA must provide a memorandum of observations to the El Dorado County Department of Environmental Management.

This clearly gave the Environmental Management Department not only the means to initiate an investigation when grading operations revealed the hazardous materials, but also should have initiated a file on the Site. The EIR should have had a history section on the property. I contacted two different EDC DOT personnel familiar with the Site and they both said that, of course, anything remotely related to recognized environmental concerns would have been reviewed by Environmental Management and they were both confused that Environmental Management would disavow any knowledge about the problems at the Site or say that they did not have a file

on it. They thought maybe we didn't ask the question in a way that Environmental Management understood. I said that we asked it several times coming from every angle we could imagine and that Barbara Haute said they didn't have a right to investigate the private property. These Planning department people were quite confused by that, saying that this right-of-way and parkway project has been known for a very long time, that this is not new, and that Environmental Management is very aware of the project.

I also found on the Internet the attached Grand Jury Report. There was a Grand Jury hearing about the improperly regulated limestone waste release in 2013. (Case Number GJ-13-16, findings attached.) The El Dorado County Grand Jury found that the cause of the release was the former Diamond Lime Plant site, that the toxic limestone waste continued to flow into adjacent waterways with no attempt by any party to stop it, and that El Dorado County had not enforced grading and environmental ordinances in connection to the site. Stating squarely the following findings:

#### FINDINGS

1. The unpermitted grading spread toxic limestone waste over the site causing dangerously high levels of pH in surrounding tributaries.
2. Toxic limestone waste continues to flow into adjacent waterways. Nobody is doing anything to stop it. Not the owner, not the County and not the State.
3. The property along with several adjacent parcels have become the site of two important County projects: Diamond Dorado Parkway and Diamond Dorado Retail Center.
4. El Dorado County has executed and recorded two CONSENT TO MAKING OF IRREVOCABLE OFFER OF DEDICATION, where it appears the owners have offered part of the property to the County without charge for rights-of-way for a portion of the Parkway. The offer can be accepted by the County until 5/25/2025.
5. The County did not enforce the Grading Ordinance, Title 15.14 of the County Code. It is the law. The law was not enforced.
6. It would be completely irresponsible of the County to allow the Diamond Dorado Parkway project to proceed without ensuring that all environmental issues and mitigations have been resolved.
7. Section 15.14.410 of the Grading Ordinance is an extremely valuable tool to enforce proper grading of property. It should be used.
8. It is somewhat disquieting that enforcement compliance can be predicated by payment of fines and fees by the offending party, particularly when environmental concerns are paramount.

#### RECOMMENDATIONS

1. The Grand Jury recommends that El Dorado County immediately review whether spending public monies for the planning, engineering or improvements for Diamond Dorado Projects is wise given environmental concerns.
2. The County should engage an environmental consultant to measure the impacts of existing grading upon dispersal of limestone waste in consideration of up to date reports and water samples from State agencies including the Regional Water Quality Control Board and the Department of Fish and Game.
3. The County should ensure that all environmental issues and mitigations have been resolved before continuing with the development of the Diamond Dorado Parkway and the Diamond Dorado Retail Center.
4. Property owners adjacent to the Project or in the vicinity of the Diamond Lime Plant should be advised of the existing contaminations.
5. Planning Services and DOT should explore using County Grading, Erosion, and Sediment Control Ordinance Section 15.14.410 to achieve prudent results.
6. The County should enforce the provisions of the Grading, Erosion, and Sediment Control Ordinance, Chapter 15.14 of the County Code.

The Internet search revealed the following responses from the County

1. The Grand Jury recommends that El Dorado County immediately review whether spending public monies for the planning, engineering or improvements for Diamond Dorado Projects is wise given environmental concerns.

**County's Response:** The recommendation will not be implemented because it is not warranted. The County is spending "public monies" to construct the Diamond Springs Parkway which has benefits for a wide range of County residents. The Diamond Dorado commercial project is being proposed by private developers. The County prepared an Environmental Impact Report (EIR) for the Diamond Springs Parkway Project (Project), which was adopted by the Board of Supervisors in 2011. The EIR is a comprehensive document that identifies and evaluates potentially significant adverse environmental effects of the Project, as well as mitigation measures that would serve to avoid or reduce these impacts to a less-than-significant level. Through this process, pursuant to the California Environmental Quality Act (CEQA), the County determined that the Project would result in a less-than-significant environmental impact by implementing a Mitigation Monitoring and Reporting Plan.

TARGETS FOR SHEET OF TRAG SHOOTING

~~USED~~ IN LARGE PUTTY

SHORT FIBER REINFORCES



Line Dust

THE LEFT HAND SIDE

THE RIGHT HAND SIDE

THE BOTTOM SIDE

Approximate D. of Cut is 1000' or less C. oil 10.000 GAL Tank

January 18, 2016

To: Greg Stanton, Division Director  
Environmental Management Division, El Dorado County

Steve Dedretti, Director  
Community Development Agency, El Dorado County

El Dorado County Board of Supervisors

Vern Pierson, District Attorney, El Dorado County

From: Curtiss Weidmer, MD, MPH  
Former County Health Officer and Director of Health Services,  
El Dorado County

**Re: Your Failure to Protect the Public's Health and Safety**

What are my qualifications to address this public health hazard? I graduated from the University of California San Francisco Medical School and received a Masters of Public Health from the University of California Berkeley School of Public Health. I completed a residency in public health with the California State Department of Public Health. I am Board Certified in Public Health and Preventive Medicine. I have 30 years experience in public health, having worked at county, state, and federal levels with almost 20 years service in El Dorado County.

**Failure of Greg Stanton and Steve Dedretti to mitigate the hazard :**

The old Diamond Lime Plant site in Diamond Springs poses a hazard to the public. Lime is a caustic alkali that causes serious burns of the eyes, nose and skin. Blowing lime dust that is inhaled can cause irritation of the lungs and in higher concentrations severe damage to the lungs. The effluent from the lime plant site is a grossly turbid, yellow fluid which is flowing into a tributary of Weber Creek. Testing at the site has shown very strong alkalinity (Ph 12.8) which is known to be

associated with lime. This caustic level is comparable to oven cleaner and almost as caustic as Drano. The effluent may also contain a number of chemicals or other substance from the lime plant which are harmful to children, adults and animals. The Diamond Lime Plant site is adjacent to the walking trail in Diamond Springs. There is easy access to the site by children. Only after continued pressure from concerned citizens did you finally, last week, post a small hazardous warning sign. This single, 8 ½ X 11 inch sign and yellow ribbon are grossly inadequate to protect the public, and especially children. You have failed for several years in your duty to protect the public from the hazards at this site.

The area should be cordoned off, thoroughly marked, and fenced to prevent access to the site by children.

While this problem has only recently come to my attention, it has existed for years without mitigation:

March 17, 2011 California Department of Fish and Wildlife documented a lime discharge from the site. Testing showed alkalinity up to a pH of 12 (equivalent to oven cleaner). Fish and Game recommended corrective action. No corrective action was ever taken. Grading on the site was started without proper approvals. County Department of Transportation issued a stop work order. This was ignored and grading continued. The district attorney failed to intercede. The 2013 – 2014 Grand Jury Report states “The unpermitted grading spread toxic limestone waste over the site causing dangerously high levels of pH in surrounding tributaries.”

**El Dorado County Board of Supervisors’ Failed to Correct the Hazard and Obstructed the mitigation of the Hazard:**

The El Dorado County Board of Supervisors has been aware of the Diamond Lime Plant health hazard for several years. The grand jury addressed this problem in their 2013 – 2014 report. All county agency directors, department directors and division directors are responsible to the Board of Supervisors. There is no excuse for the Board not having taken action to correct the hazard. It appears that the Board actually obstructed the mitigation of this problem by (a couple of years ago) placing the Environmental Management Department under Steve Pedretti,

Director of the Community Development Agency. Steve Pedretti lacks expertise in public health hazards. Furthermore, lay administrators are much more easily intimidated by the Board of Supervisors than are certified environment health specialists, and especially physician health officers. The Board of Supervisors and business men want to move forward on the Diamond Springs Bypass and the commercial development that will follow, in complete disregard of the public health hazards that exist.

I have observed that in the past, when the Board of Supervisors wanted to move forward on a highly questionable development project in the face of serious health hazards, they transferred environmental health out of the health department, out of the direction of the County Health Officer, to another agency, so they could proceed with their development project without the County Health Officers interference. Big money was involved.

This ongoing, gross neglect of the health and safety of the public is deplorable.

**Failure of the District Attorney Vern Pierson to Take Corrective Action:**

It appears that that the district attorney has been negligent in failing to take action on complaints that have been brought to his attention on this matter over a period of several years.

It is of interest that Vern Pierson has time to maliciously prosecute his political enemies but apparently does not have the time or the interest to help mitigate the hazards to the public and the other problems existing at the Diamond Lime Plant.

Cc:

Assembly Member Frank Bigelow, State Capitol, Suite #6027, Sacto, CA 94249  
Senator Ted Gaines, State Capitol, Room 3070. Sacramento, CA 95814.  
Governor Jerry Brown, State Capitol, Suite 1173. Sacramento, CA 95814.  
Tax Payers Association El Dorado County, PO Box 13 Placerville CA 95667  
California State Department of Public Health, PO Box 997377, MS 0500  
Sacramento, CA 95899-7377  
California State Hazardous Waste, P.O. Box 806,

Sacramento, CA 95812-0806

California Environmental Protection Agency, 1001 I St, Sacramento, CA 95812

State Water Resources Control Board, 1001 I Street, Sacramento, CA 95814

California State Department of Hazardous Waste, P.O. Box 806,

Sacramento, CA 95812-0806

California Department of Fish and Wildlife, 1740 N Market Blvd, Sacto. CA

Mountain Democrat, mtdemo@mtdemocrat.net

Sacramento Bee 2100 Q. St. Sacramento, CA, 95816,

Internet News – Placerville, cris.alarcon@gmail.com

El Dorado County Grand Jury, grand.jury@edcgov.us

Two of you were on the Board of Supervisors when responses were compiled regarding Grand Jury Case Number GJ-13-16, the Toxic Pollution Spread by Illegal Grading on Diamond Dorado in 2014. However this is a matter of public safety that all of you need to be aware of.

#### HIGHLIGHTS OF GRAND JURY REPORT

I agree with Dr. Weidmer's letter that was sent to you, especially his statement that "this ongoing gross neglect of the health and safety of the public is deplorable."

Maybe we need to move the Environmental Management Division out of Development Services and back to the Health Department where it will not be under pressure to minimize health risks for the sake of development.

The Board's responses to the Grand Jury Report make it clear that this County favors so-called economic development for a special few at the expense of public safety.

As the ultimate decision makers in the County, the buck stops with you. Now that you are aware of the situation, you will be held accountable for any harm that comes to the public based on your inaction to deal with this hazard.

# EL DORADO COUNTY GRAND JURY 2013-2014

## TOXIC POLLUTION SPREAD BY ILLEGAL GRADING ON DIAMOND DORADO

Case Number GJ-13-16

### Reason for Report

A citizen complained that El Dorado County was ignoring continuing pollution into Webber Creek from the former Diamond Lime Plant site.

### Summary

Two adjacent Assessor's parcels in Diamond Springs are located within the former Diamond Lime Plant site. They are also next to the present day Material Recovery Facility (MRF) on Throwita Way. The physical manifestations of the lime plant are long gone. However, the last vestige of the Diamond Lime Plant may be the lime waste that today continues to contaminate the property, surrounding area and adjacent waterways.

The property is currently under investigation by the California Department of Fish and Wildlife (CDFW), formerly the Department of Fish and Game, and the California Regional Water Quality Control Board. CDFW issued a citation with pending fines amounting to almost \$100,000 and was cooperating with the El Dorado County District Attorney who has since dismissed the underlying misdemeanor criminal case.

The owner has improperly and illegally graded the property without an El Dorado County grading permit in spite of a stop work order issued by the County Department of Transportation. In addition the grading was not done according to a conditionally approved grading and lime mitigation plan prepared by professional Engineers at the request of the owner.

The property is a portion of the proposed right of way for the County's Diamond Dorado Parkway. That part of the property has been offered to the County without charge for that purpose. The property is the entire site of the proposed Diamond Retail Center that will be adjacent to and front on the Parkway.

### Background

The Diamond Lime Plant was a lime production plant with lime kilns and sludge settling ponds that began operation prior to 1935 and continued until at least 1977. It processed lime from a quarry 6 miles away that was transported to the processing plant on an overhead cable transport system. The lime was processed in kilns then shipped out on the railway that ran alongside the site.

2 of 8

CDFW. Its corrective action plan for the lime waste pollution to state waters, including a grading plan, was conditionally approved.

The Grand Jury learned that the Holdrege and Kull grading plan was also submitted to the El Dorado County Department of Transportation (DOT). It was not reviewed by DOT personnel because a plan review fee was never paid by the applicant and a grading permit was never issued. When grading commenced without a permit, DOT issued a stop work order. Despite the stop work order, grading continued.

The Grand Jury learned that when a stop work order is not complied with and/or improper or illegal grading activity continues after a stop work order, there are escalating actions that can be taken to gain compliance. Legal enforcement remedies can be criminal action by the County District Attorney and civil action by the County Counsel. Another possibility is delineated in the County Grading, Erosion, And Sediment Control Ordinance Article IV. Enforcement Section 15.14.410 Corrective work. It allows that "... the Director may order County workers or contractors to immediately enter private property to abate hazards to public health and safety ...". The Section also allows direct cost recovery including "... a lien on the property." However, the Grand Jury could not identify any instance where the provision of Section 15.14.410 had been invoked! **Instead, the County took no action and let the improper and illegal grading continue.**

When grading approached completion, a CDFW inspection of the site revealed several unauthorized activities and CDFW violations including a required El Dorado County Grading Permit was not obtained. DRAFT 5

Subsequently, CDFW issued a citation and referred it to the El Dorado County District Attorney. The District Attorney initially pursued prosecution of the CDFW violation but eventually dismissed the underlying misdemeanor criminal case after the Grand Jury inquired about the status of the case.

Examination of the property afterward revealed that the grading did not approach the provisions of the Holdrege and Kull grading plan. Cut-off walls were not installed. The property was graded and filled in places with between 7 and 15 feet of contaminated material spread from other parts of the property. It essentially dug up contaminated soil and used it to cover up the worst lime waste deposits without proper remediation or possible mediation.

The grading raised the grade of the property creating a *dam* effect that completely obstructed the previous drainage pattern from the MRF. A substantial storm water drainage system was installed by MRF on a County easement between the MRF and the graded property to alleviate the problem. The storm water system was installed with a County Permit. Ironically, the need for it was caused by grading **without a permit despite a stop work order!**

4 of 8

6. It would be completely irresponsible of the County to allow the Diamond Dorado Parkway project to proceed without ensuring that all environmental issues and mitigations have been resolved.

**Response:** The respondent agrees with the finding

7. Section 15.14.410 of the Grading Ordinance is an extremely valuable tool to enforce proper grading of property. It should be used.

**Response:** The respondent agrees with the finding

8. It is somewhat disquieting that enforcement compliance can be predicated by payment of fines and fees by the offending party, particularly when environmental concerns are paramount.

**Response:** The respondent agrees with the finding

### Recommendations

1. The Grand Jury recommends that El Dorado County immediately review whether spending public monies for the planning, engineering or improvements for Diamond Dorado Projects is wise given environmental concerns.

**Response:** The recommendation will not be implemented because it is not warranted. The County is spending "public monies" to construct the Diamond Springs Parkway which has benefits for a wide range of County residents. The Diamond Dorado commercial project is being proposed by private developers. The County prepared an Environmental Impact Report (EIR) for the Diamond Springs Parkway Project (Project), which was adopted by the Board of Supervisors in 2011. The EIR is a comprehensive document that identifies and evaluates potentially significant adverse environmental effects of the Project, as well as mitigation measures that would serve to avoid or reduce these impacts to a less-than-significant level. Through this process, pursuant to the California Environmental Quality Act (CEQA), the County determined that the Project would result in a less-than-significant environmental impact by implementing a Mitigation Monitoring and Reporting Plan.

2. The County should engage an environmental consultant to measure the impacts of existing grading upon dispersal of limestone waste in consideration of up to date reports and water samples from State agencies including the Regional Water Quality Control Board and the Department of Fish and Game.

**Response:** Recommendation has not yet been implemented but will be in the future. The County prepared an Environmental Site Assessment (ESA) for the Project, which

6 of 8

**Response:** Recommendation has been implemented. The Community Development Agency enforces the Grading, Erosion, and Sediment Control Ordinance to fullest extent possible within the language and limitations contained in the Ordinance and with the resources available to staff.

8 of 8

Our county lacks ethical, moral and spiritual leadership. We have endured years of this purposeful dismantling of our society. It is time for change--to the God-fearing, common sense we once had. Proverbs 29:2 says, "When the righteous are in authority, the people rejoice: but when the wicked bears rule, the people mourn." We are a county—and a nation--in mourning for bad choices in leadership.

Supreme Court Justice Louis Brandeis once warned, a silent, inert citizenry is the greatest menace to freedom. Brandeis provided a well-reasoned argument against government censorship in his concurring opinion in *Whitney v. California* (1927). It is boiled down to ten basic truths:

1. The purpose of government is to make men free to develop their faculties, i.e., THINK.
2. The freedom to think as you will and to speak as you think are essential to the discovery and spread of political truth.
3. Without free speech and assembly, discussion would be futile.
4. The greatest menace to freedom is a silent people.
5. Public discussion is a political duty, and should be a fundamental principle of the American government.
6. Order cannot be secured through censorship.
7. Fear breeds repression; repression breeds hate; and hate menaces stable government.
8. The power of reason as applied through public discussion is always superior to silence coerced by law.
9. Free speech and assembly were guaranteed in order to guard against the occasional tyrannies of governing majorities.
10. To justify suppression of free speech, there must be reasonable ground (a clear and present danger) to believe that the danger apprehended is imminent, and that the evil to be prevented is a serious one.

Perhaps the most important point that Brandeis made is that freedom requires courage. Citizens of EDC have been robbed of freedom by a bureaucratic system that

relies heavily upon County Counsel and taxpayer resources to manipulate, intimidate and bully residents into silent submission. That is a classic definition of tyranny.

Supervisor Ranalli, you have repeatedly said you won't refuse to meet with constituents, yet the same old bureaucratic shenanigans employed by Supervisor Briggs are still being utilized by you to avoid addressing public safety concerns within District 4. Your silence and game playing in response to multiple requests for a "Come to Jesus" meeting to include Roger Trout, Sheriff D'Agostini and MGD Superintendent Barry Smith are unacceptable. The agenda issues initially proposed last July remain the same:

1. Public safety – mine in particular
2. Code/Law Enforcement
3. Risk Management
4. Public Record Act requests
5. Transparency
6. Accountability

I will not relent. When will you accept the mantle of moral and ethical leadership as required by your Constitutional Oath of Office by scheduling this important meeting?

Madam Clerk: Please enter these documents into the public record:

1. This transcript
2. 1/25/16 @ 8:32 PM email to Ranalli re: Come to Jesus meeting

**From:** Melody Lane [mailto:melody.lane@reagan.com]

**Sent:** Monday, January 25, 2016 8:32 PM

**To:** 'Brenda Bailey'; michael.ranalli@edcgov.us

**Cc:** 'Paula Frantz'; 'Sheriff D'Agostini'; barry.smith@parks.ca.gov; 'Roger Trout'; 'Laura Lyons'; 'The BOSFIVE'; 'The BOSFOUR'; 'The BOSONE'; 'The BOSTHREE'; 'The BOSTWO'; Pamela Knorr; michael.ciccozzi@edcgov.us

**Subject:** RE: Request for a Come to Jesus meeting...

It is apparent County Counsel prepared this response to a request for a meeting concerning multiple public safety issues affecting Coloma-Lotus residents, particularly on Mt. Murphy.

It is also apparent Counsel has been representing a private non-profit organization (i.e. CL Fire Safe Council – Tim Kulton & Deborah Kruze) at taxpayers' expense.

This meeting cannot be perpetually avoided any longer.

Contrary to your claims, Barry Smith has already agreed to meet. The hang-up now is with Roger Trout and Sheriff D'Agostini who refuse to communicate and resolve these long-standing community issues.

Pam Knorr was forwarding emails on my behalf to the Sheriff, but she too has become silent and uncooperative.

The agenda issues initially proposed last July that need to be addressed are:

1. Public safety
2. Code/Law Enforcement
3. Risk Management
4. Public Record Act requests
5. Transparency
6. Accountability

As public servants it is your **duty** to respond to constituent concerns, and as Mr. Ranalli professed on several occasions, he has "never refused to meet." As usual another individual will accompany me. As has been the past practice we will need the BOS conference room.

Stop playing bureaucratic games and wasting valuable time. How do you propose to resolve this matter?

*Melody Lane*

Founder, **Compass2Truth**

Conservatives Serving God in Truth & Liberty

*Silence and inaction in the face of tyranny is consent.*

**From:** Brenda Bailey [mailto:brenda.bailey@edcgov.us]

**Sent:** Friday, January 15, 2016 4:58 PM

**To:** Melody Lane

**Cc:** Michael Ranalli; Paula Frantz; Sheriff D'Agostini; [barry.smith@parks.ca.gov](mailto:barry.smith@parks.ca.gov); Roger Trout; Laura Lyons; The BOSFIVE; The BOSFOUR; The BOSONE; The BOSTHREE; The BOSTWO

**Subject:** Re: Request for a Come to Jesus meeting...

3 of 5

Dear Ms. Lane,

Our office has received your recent communication addressed to Supervisor Ranalli in which you reference an earlier discussion in which you proposed a meeting with Sheriff D'Agostini, Development Services, State Parks Superintendent Barry Smith and Supervisor Ranalli.

These agencies and individuals are familiar with the efforts of the community fire safe councils and their meetings. Unfortunately, I have been unsuccessful in my efforts to schedule a separate meeting with these individuals. Should you pursue a meeting with these agencies and individuals, Supervisor Ranalli would be happy to attend.

Please contact me when you have identified a date and time when Sheriff D'Agostini, Development Services and Barry Smith are available to meet, and I will endeavor to make the necessary adjustments to Supervisor Ranalli's calendar to allow for his participation.

Thank you,

Brenda Bailey  
Assistant to Supervisor Michael Ranalli  
Board of Supervisors, District IV  
County of El Dorado  
(530) 621-6513

On Fri, Jan 8, 2016 at 4:22 PM, Melody Lane <[melody.lane@reagan.com](mailto:melody.lane@reagan.com)> wrote:

Dear Supervisor Ranalli,

During the 1/5/16 BOS Open Forum you refused to respond to a repeated request to schedule a meeting to discuss concerns pertaining to EDSO, OES and the Coloma-Lotus Fire Safe Council. For your reference I have attached a copy of my presentation.

However during the break you apparently reconsidered your on-camera remarks when you approached me at the rear of the room and indicated your willingness to meet as befitting your duty and Constitutional Oath of Office.

I understand you are powerless to force the Sheriff to participate, but that is no excuse for you to avoid addressing constituent concerns about public safety within District #4. The Sheriff may choose to delegate an EDSO representative in his place.

Barry Smith has indicated to me his willingness to attend this meeting. However Brenda has not yet provided me an update about any of the other participants availability to meet since my initial contact with your office stemming from my July 5th CLNews posting concerning the yearly illegal fireworks and related safety concerns at the Coloma Resort.

The request for this "Come to Jesus" meeting is the same as it was in July to meet with Sheriff D'Agostini, Roger Trout, Acting MGDSP Superintendent Barry Smith, and an active member of the CL FSC (myself). The purpose is to avoid unnecessary litigation at EDC taxpayer expense. This definition may be helpful to keep the prepared agenda on track:

**COME TO JESUS MEETING:** Basically, a conversation where painful/unpleasant truths are told.

4 of 5

The term refers to a serious meeting with an individual or group of people that involves an ultimatum, usually related to much-needed improvement and changes that must be made. It may even include a reprimand.

Other definitions for a “come to Jesus meeting” include confession time, coming clean, tell it like it is, or a time to sit down and reassess priorities.

By the way, Ron Mikulaco’s arrogant response was very disrespectful leaving little doubt about the necessity for Total Recall, *“If you get Jesus to show up at a meeting I’d like to be there.”*

In light of the 1/12/16 BOS agenda, the courtesy of your immediate response is appreciated. Thanks in advance for your anticipated cooperation.

Regards,

*Melody Lane*

*Founder - Compass2Truth*

**Conservatives Serving God in Truth & Liberty**

~ By identifying the people's sovereign will not with its latest but its oldest expression, the Framers succeeded in identifying the people's authority with the Constitution, not with the statutory law made by their representatives. ~

C. Lewis Open Forum BOS

1/26/16

January 26, 2016

El Dorado County Supervisors

Fair Lane Dr.

Placerville, CA 9566

Dear Supervisor Mikulaco, Frentzen, Veerkamp, Ranalli, Novasel

The El Dorado Council, a community based organization, has done extensive research on "Sovereignty", "Fee-to-Trust", and the Shingle Springs Band of Miwok Indians. In that investigation the Council has discovered disturbing major elements of inconsistencies and possible fraud. Two of these issues facing all California counties are not being addressed by our elected officials at the state or federal levels of government, "Sovereignty", "Fee- to- Trust lands" and its effects on surrounding communities.

In February of 2015, the Red Hawk casino tribe let it be known to the surrounding community that they intended to build a 29-lane outdoor gun range within a few hundred feet of homes, livestock, public trail, railroad, two schools, a church and directly parallel to highway 50. The community organized and fought back leaving a smaller commercial project with no professional oversight for tribal members and guests.

On August 1, 2015 the tribe opened a moto-cross track on the same land as the gun range, for commercial use (section 6 -7), creating the loss of all local community support, good will and land values even though their state compact states they are to be "good neighbors".

El Dorado County's casino tribe's real name is the Sacramento Verona Band of Homeless Indians originating from Sacramento, Sutter and Yolo Counties, NOT indigenous to El Dorado County. The Council believes this Verona Band purposely and fraudulently took the name of the Shingle Springs Band of Miwok Indians for personal gain. (Position Statement of the Board of Supervisors of El Dorado County dated April 2003 attached).

The Pacific Region Bureau of Indian Affairs has ignored this fact and the fact that this Verona Tribe is NOT a federally recognized tribe under the Indian Reorganization Act of 1934. The BIA has approved 100% of all applications that have come before it concerning "Fee-to-Trust" and has 52 applications for "Fee-to-Trust" in California for the year 2015. The lack of oversight and a sound policy process by the BIA has led to destruction of general plans, zoning (which is a major vehicle a county can protect its land use and the surrounding communities), and creation of disintegrating land values to area property owners.

The ability of "Off Reservation Trust Land" to become "Sovereign" should be stopped, a tribes economic viability should not depend on immunity to local, county and state laws. Any person, group or tribe should be able to own and operate on a level playing field when establishing a business or when buying land. When tribes can purchase lands over 20 or more miles from Rancherias, then apply for "Fee- to - Trust" and become "Sovereign," creates a devastating effect on communities and their property values. Over 11,600 acres in 2015 are being taken off the tax rolls and the Bureau of Indian Affairs rubber stamps all applications over protests of local counties and non-Indian residents.

The communities surrounding the Rancheria in El Dorado County, are asking for your representation and help as our elected officials.

1. Convey our message to other state and federal officials, both elected and appointed, request the federal government stop "Off Reservation Fee to Trust".
2. Demand the BIA give local cities and counties more say and time in the evaluation of applications before the Bureau and the Secretary of the Interior with no "Bait and Switch".
3. Demand they change the "Sovereignty" status to resemble "State Sovereignty" not "Nation Sovereignty". The law of the land should apply in "Indian Country" this will allow outside investment for more jobs and economic stability.

This Red Hawk casino tribe is not a "GOOD NEIGHBOR" required by their 1999 and amended 2012 compact with the State of California. The state required Rancherias to be occupied by October of 1988 to enter into a gambling compact. The Council has evidence that the Rancheria was NOT occupied in 1988 but much later (EID document recorded March 1989 attached), it appears they were not qualified for a state gambling compact.

This casino tribe is in the process of developing 34.6 acres of "Trust Land", designated by BIA application of 2003 for housing and a health clinic, now to be a massive commercial complex of 6 island gas station/car wash/mini-mart, 5 story hotel, retail strip mall, two fast food restaurants and possibly a convention center, theater or skating rink. All of this in the middle of a rural Shingle Springs neighborhood. (section 4-8)

Shingle Springs has become the national "POSTER CHILD" for the broken "Fee-to-Trust" system and sadly Shingle Springs is not alone. The new businesses proposed for the 34.6 acres west of Shingle Springs Dr. are not stand alone and some of the proposed businesses appear to be ancillary to the Red Hawk Casino against the tribe's compact with the state.

The information enclosed in this report demonstrates the lack of oversight by the BIA and the Secretary of the Interior. The acceptance of an Environmental Assessment of 2003 that was flawed in ignoring county recognition of asbestos in the area and the "BAIT and SWITCH" that occurred shortly after 4 parcels were taken into trust and the county's response that this would destroy the county's ability to control its general plan, land use and zoning (section 3).

We believe in property rights for everyone, not just an Indian tribe, we all live in and share a common community. When Native American Tribes buy "Off Reservation Land", they should be held to the same standards of rules, regulations and common law as non-Indians.

In conclusion, tens of thousands of acres of California land is and has been taken off the tax rolls. Tribe businesses have the advantage of NO STATE TAXES, NO INSURANCE REQUIREMENTS, NO SALES TAXES, NO BUSINESS LICENSING, NO EMPLOYEE WITH-HOLDINGS for tribe members as required for non-Indians is unfair competition to non-Indian businesses. As taxpayers, we have to have this burden shared, no one should be treated differently. When Native Americans living on Rancherias use the same services, road infrastructure, and schools everyone should contribute.

4. Off reservation acquisitions of land should NOT go into trust. County, cities and states should retain oversight in land use, zoning, health and safety. All government agencies who have oversight on health, safety and the environment should retain jurisdiction.

5. The "GIVING OF TAXPAYERS MONIES" to this tribe (2.6 million), and surrendering citizen's rights in contracts, such as MOU's, is malfeasants and needs to be rectified.

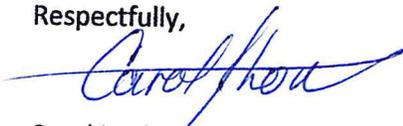
6. The 160 acres of Rancheria land is held in "FEE" not "TRUST" why is El Dorado County NOT COLLECTING PROPERTY TAXES?

Off reservation "Fee-to-Trust" lands are dividing communities under the present system. Treat reservations as states are treated, common law with state sovereignty. The residents of Shingle Springs, outlying Placerville, and Rescue are asking for your help and representation in stopping this abusive system. We believe most elected and appointed officials in every level of government are turning a "blind eye" to the abuse, PLEASE HELP EDUCATE THEM.

Senator Barasso of Wyoming, Chairman of the Select Committee on Indians Affairs, has a bill S. 1879 he is moving thru congress to fast-track the "Fee to Trust" process, please use your influence to amend or stop this legislation. Start the process in joining all California counties in petitioning the federal government to stop "OFF RESERVATION FEE- TO- TRUST".

At the present time a national coalition of tribal governments are moving toward legislation to exempt themselves from federal labor laws, again this is an "ABUSE OF SOVEREIGNTY". This legislation, regardless of your feelings of labor protections, is BAD for all working people. We believe in fairness "ONE LAND, ONE PEOPLE, ONE LAW".

Respectfully,



Carol Louis, El Dorado Council

Contact info: [info@eldoradocouncil.org](mailto:info@eldoradocouncil.org) 530 622-6763 [www.eldoradocouncil.org](http://www.eldoradocouncil.org)

Cc: Shingle Springs Community Alliance, Buckeye Rancheros South, Buckeye Rancheros North, Shingle Springs Drive Residents, Holiday Lake CSD, Grassy Run, Senator Dianne Feinstein, Senator Barbara Boxer, Congressman Tom McClintock, State Senator Ted Gaines, Assemblyman Frank Bigelow, Assemblywoman Beth Gaines, Joe Dhillon Sr. Advisor for Tribal Affairs - Office of Governor Brown, Don Young- Chairman of Subcommittee on Indians Affairs

T. LeMoncheck Open Forum  
Bas 1/26/16



## El Dorado County Finals

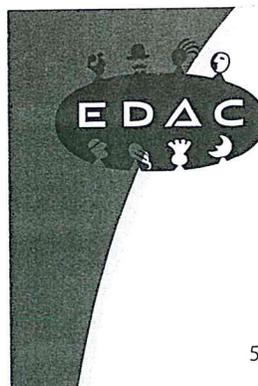
Come listen to El Dorado County high school champions bring classic poetry to life as they compete to advance to the **Poetry Out Loud** State Finals!

**When: Tuesday, February 9,  
7 - 9pm - doors open at 6:30**

**Where: Imagination Theater,  
100 Placerville Drive, Placerville -  
inside the county fairgrounds**



**Free, Inspiring, and Open to the Public!**



**EL DORADO ARTS COUNCIL**

**Terry LeMoncheck**  
Executive Director  
[tlemoncheck@eldoradoartsCouncil.org](mailto:tlemoncheck@eldoradoartsCouncil.org)

Location: 772 Pacific Street  
Mailing: PO Box 2400  
Placerville, CA 95667  
530.295.3496 • [EldoradoArtsCouncil.org](http://EldoradoArtsCouncil.org)