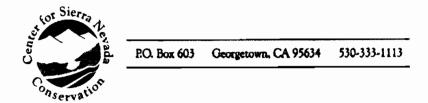
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PC 12/11/08
#126



December 10, 2008

El Dorado County Planning Commission 2850 Fairlane Court, Building C Placerville, CA 95667

Re: Z 08-0021, PD 08-0012, TM 08-1472, aka Indian Creek Subdivision

Dear Commissioners.

The proposed subdivision referenced above has several issues that were not mentioned or addressed in the Staff Report or any of the other biological, wetland or oak woodland reports, in violation of the disclosure requirements of the California Environmental Quality Act. You should be aware that the Oak Woodland Management Plan (OWMP), approved in May 2008, is currently subject to litigation which was filed in June 2008.

Approval of this project will render a mitigation measure included in the General Plan Draft EIR moot. The EIR adopted a scientific paper: The Potential Impacts of Development on Wildlands in El Dorado County, California (Saving and Greenwood, 2002) as being relevant to the assessment of impacts to wildlife from development in El Dorado County. (See Attachments 1 & 2)

The Saving and Greenwood paper stated that policy language was ineffective at preventing fragmentation of wildlife habitat. One alternative that could mitigate for fragmentation would be the purchase of conservation easements across the Highway 50 corridor. One area specifically mentioned in the paper was the Indian Creek area:

"Alternatively, we examined a limited parcel acquisition, or easement, strategy for areas of concern which removes key parcels from the potential development landscape. One such area is the Indian Creek Canyon region. Here, a stringer of oak woodlands presently connects the northern and southern wildland patches." (Pg. 457)

Approval of the Indian Creek Subdivision would fall directly in the lands proposed by both the Oak Woodland Management Plan and the Integrated Natural Resources Management Plan for mitigating wildland fragmentation. (Attachment 3) Such an action

would require an amendment to the General Plan and the General Plan EIR to legally be allowed to go forward. We urge you to deny this rezoning and subdivision request.

Sincerely,

S/s

Karen Schambach President

Attachments:

- 1 portion of the GPDEIR referring to Saving and Greenwood
- 2 abstract of Saving and Greenwood paper
- 3 portions of GPDEIR with Measures COI and COJ having to do with OWMP and INRMP

Attachment 1

Page 39, General Plan Draft EIR, Biological Resources section

The analysis prepared by Saving and Greenwood (2002) is relevant to the assessment of potential impacts on wildlife habitat described in this EIR because of its similarities with the 1996 General Plan Alternative. The authors modeled future development in western EI Dorado County to assess ecological impacts of expanding urbanization. They focused their analysis on what they termed "wildlands"—large areas of contiguous habitat composed primarily of oak woodland. Saving and Greenwood calculated habitat loss and fragmentation incorporating the effects of 1996 General Plan policies that were adopted to preserve and protect habitat. An in-depth description of the methodology used for this study has been published on the CDF-FRAP website (Greenwood and Saving 1999). The following paragraphs summarize the study results.

Saving and Greenwood concluded that implementation of the 1996 General Plan would have a substantial adverse effect on wildlands and that General Plan policies only marginally mitigated habitat loss and fragmentation. The authors found that much of the impact on wildlands was associated with habitat fragmentation. The modeling results predicted that the amount of oak woodland habitat types physically lost to urban development would be only about 4% of the total, but fragmentation would convert 40% of the remaining wildlands to what they termed marginal or urban woodlands. In other words, areas that once functioned under a more natural state and presumably provided functional habitat for wildlife would be degraded, either because of proximity to urban land uses or by isolation from larger patches of contiguous natural vegetation. These impacts would presumably increase when future agricultural development, not included in the modeling, is also considered. Connectivity between northern and southern wildlands was raised as a particular concern because increased urbanization along the corridor threatens to create a separation between large areas of contiguous habitat in the northwest and southwest portions of the county.

Saving and Greenwood also concluded that subdivision occurring before the development of the General Plan limited the effectiveness of the policies to mitigate the effects of prior habitat loss and fragmentation. The authors noted that the General Plan policies apply only when a parcel requires subdivision before development. In El Dorado County, 31% of vacant land open to development in the county (86% of parcels) was subdivided before the General Plan was adopted and is therefore not subject to most General Plan policies. These parcels currently require only ministerial review (i.e., a building permit) before construction can occur. Therefore, according to Saving and Greenwood, 1996 General Plan policies would not be effective at reducing impacts on biological resources on nearly a third of the land open to development in the county.

Attachment 3

EDAW El Dorado County General Plan EIR May 2003 5.12-47 Biological Resources

Measure CO-I directs the County to develop an integrated natural resources management plan. The management plan would address a number of issues related to protection of wildlife habitat. Specific elements of the management plan would include:

- < coordination among, local, state, and federal agencies having jurisdiction over natural resources within the county;
- < public involvement in natural resource management planning and implementation;
- < conservation and restoration of large and contiguous native habitats;
- < thresholds of significance for the loss of various habitats and/or resources;
- < connectivity of large and contiguous native plant communities, native habitats, and other important habitat features;
- < permanent protection of important habitat features through means such as use of Open Space and Natural Resource land use designations or zoning, clustering, large lot design, setbacks, or other appropriate techniques;
- < incentive programs;
- < monitoring of the plan's goals and objectives; and
- < adaptive management.

The integrated natural resources management plan would be developed within 5 years of General Plan adoption. Measure CO-J in the implementation plan for the Conservation and Open Space Element directs the County to adopt an oak woodland management plan that includes the following:

- < canopy protection standards;
- < thresholds of significance for the loss of oak woodlands;
- < requirements for tree surveys and mitigation plans for discretionary projects;
- < replanting and replacement standards; and
- < heritage/landmark tree protection standards.

The oak woodland management plan, which would be developed within 5 years of General Plan adoption, would reduce the loss of both oak woodland, through the application of canopy protection standards, and individual oak trees, through the heritage/landmark protection standards. Replanting and replacement standards would also offset impacts, but to a lesser degree because replacing mature large oaks with smaller trees generally does not fully mitigate the impact. The success of replanting and replacing oaks would not be measureable unless the oak woodland management plan included a long-term monitoring element.

Pg. 48

As with policies in the Conservation and Open Space Element, much of the focus of the measures in the implementation program is on identification of important biological resources and reduction of impacts on those resources. Compensating for those impacts by acquiring and protecting important habitat is addressed only indirectly and the measures would not require the County to fund, or otherwise attempt to achieve specific goals related to protection of wildlife habitat. Given the amount of habitat that is expected to be removed and fragmented by 2025, a substantial amount of compensatory mitigation (e.g., habitat purchased by the County to be preserved in perpetuity) would be needed in addition to avoidance and minimization measures to reduce this impact to a less-than-significant threshold.

Attachment 2

The Potential Impacts of Development on Wildlands in El Dorado County, California

Saving, S. C. and G. B. Greenwood Abstract

We modeled future development in rapidly urbanizing El Dorado County, California, to assess ecological impacts of expanding urbanization and effectiveness of standard policy mitigation efforts. Using raster land cover data and county parcel data, we constructed a footprint of current development and simulated future development using a modified stochastic flood-fill algorithm. We modeled combinations of constraints from the 1996 County General Plan and parcel data - slope, stream buffers, oak canopy retention, existing development, public ownership, regional clustering, and acquisition programs - and overlaid development outcomes onto the land cover data. We then calculated metrics of habitat loss and fragmentation for natural land cover types. Rural residential development erodes habitat quality much more than habitat extent. Policy alternatives ranging from existing prescriptions to very restrictive regulations had marginal impact on mitigating habitat loss and fragmentation. Historic land parcelization limits mitigation of impacts by the current General Plan prescriptions that only apply when a parcel requires subdivision before development. County-wide ordinances were somewhat more effective in preserving habitat and connectivity. These solutions may not offer enough extra protection of natural resources to justify the expenditures of "political capital" required for implementation. Custom, parcel based acquisition scenarios minimized habitat loss and maximized connectivity. Better analysis of public policy and planning design may be a more effective "smart growth" tool than generic policy prescriptions.

Introduction

Saving and Greenwood were interested in two topics: "1) ecological impacts on wildland habitat resulting from expanding urbanization under the County's General Plan; and 2) the effectiveness of commonly proposed land use policy initiatives to mitigate those impacts."

They recognized that in rural areas (5-40 acre parcels), to which the EDC General Plan allocates 23% of the County, the relative impacts of development could be mimicked through computer modeling of the development patterns. They then modeled impacts to wildland habitat quality from land development by comparing the extent, fragmentation and configuration of the remnant wildlands.

The model used 25 meter pixels representing intact wildland habitat, that would be altered to urban uses as the County builds out. To quantify the impacts to wildland habitat, intact habitat was assumed to be more than 50 meters from a developed parcel, in patches of greater than 100 hectares, and containing no constrictions less than 50 meters. If the patches were greater than 50 meters from development, but were less than 100 hectares or with constrictions of less than 50 meters, it was considered marginal habitat.

Results

The most apparent effect of build out on the extent of wildland habitat was the increase in the number of non-contiguous patches and the separation of habitat into separate north and south regions along the Highway 50 corridor.

They found that, "For oak woodland land cover types, 40 percent of wildland becomes marginal or urban woodland but only 4 percent is physically lost to development. In other words, areas that once functioned under a more natural state and presumably provided functional habitat for species are degraded, either due to proximity to urban land uses or by isolation from larger patches of contiguous natural vegetation.

To analyze the impacts to wildland habitat from development, Greenwood and Saving started from the current (2002) footprint of development and ran twelve different iterations of General Plan policies, starting with different assumptions about stream setbacks, percent slope limitations, and increased oak woodland canopy retention.

The different iterations applied different policy alternatives, and analyzed the effects of those policies on the fragmentation of wildland habitat in the County. When they found all of the scenarios ineffective at preserving connectivity across the Highway 50 corridor, they then tested the "Kitchen Sink" alternative, combining all of the most restrictive policies tested (50 m. stream buffers, 40% slope restrictions, oak canopy retention, plus clustering requirements). This alternative too failed to maintain connectivity across the Highway 50 corridor.

After the failure of all the policy alternatives to mitigate for impacts to oak woodlands across the Highway 50 corridor, they took an alternative approach, leaving all the General Plan restrictions intact, but expanding the non-developable by restricting selected parcels in key areas.

"This scenario represents a planned acquisition approach through the use of easements and/or outright purchase of development rights by the county. We selected several vacant parcels in the Indian Creek canyon area where it crosses Highway 50 between Placerville and Shingle Springs in an attempt to reconnect the northern and southern portions of wildland."

"Most importantly, however, scenario 543 comes the closest of all scenarios to maintaining a connection between the northern and southern wildland patches."

"The political expense in implementing ordinance-type solutions would seem to far outweigh the potential ecological benefits to oak woodlands."

"(W)e examined a limited parcel acquisition, or easement, strategy (scenario 543) for areas of concern which removes key parcels from the potential development landscape. One such area is the Indian Creek Canyon region. Here, a stringer of oak woodlands presently connects the northern and southern wildland patches. Although this scenario did not actually maintain the connection, several small patches do extend through the area indicating that the concept has the potential to maintain this critical corridor. This area of the county is highly desirable for development, therefore making this scenario potentially fiscally expensive. However, unlike the ordinance approach, an acquisition approach would encounter fewer stakeholders directly and would offer owners compensation for the loss of development rights on their property. Involving private conservation groups or land trusts could greatly reduce costs to the public sector."

"Most people can agree that high density urban and suburban development do not provide much high quality habitat for most species, but seldom can stakeholders, land managers, public officials, or even scientists agree on the thresholds or the degrees at which rural development begins to impact the landscape. As more of the landscape of California transitions from large extents of wilderness owned by relatively few private individuals to a landscape divided up amongst thousands of owners regularly dotted with houses every few thousand feet, understanding these impacts and enacting policies that are effective, fair, and feasible become ever more important and challenging."

PC 12/11/08 #126



Bob Jacobs <jacobs@computer.org> 12/08/2008 04:08 PM To Clerk of the Planning Commission <charlene.tim@co.el-dorado.ca.us>

cc Clerk of the Board of Supervisors <suzanne.allendesanch@edcgov.us>

bcc

Subject Indian Creek Ranch Subdivision proposal

4201 Jewel Way

Placerville CA 95667

December
8, 2008
Char Tim
Clerk of the Planning Commission
El Dorado County Planning Commission
2850 Fairlane Court
Placerville CA 95667

re: proposed Indian Creek Ranch Subdivision

Dear Planning Commission:

We are homeowners at 4201 Jewel Way, which is a short cul-de-sac intersecting Sundance Trail near El Dorado Road. As members of the Sundance Trail road association, we fully support the consensus letter of November 2 sent to you from Steve Allen, President of the Sundance Trail Zone of Benefit Board.

Sundance Trail is a narrow unstriped dead-end road about 1.5 miles long. Road access to homes along Sundance Trail, including our home, is limited to El Dorado Road at its intersection with Sundance Trail. Adding an emergency access through the proposed Indian Creek Ranch Subdivision is a good idea. Making that access open in either or both directions during times of non-emergencies is a bad idea.

Sundance Trail appears to have randomly evolved with little or no engineering over the past 30 years or so from a dirt road. As a result, it has curves and hills that do not provide sight lines sufficient for safe passage of a significant volume of traffic. Fortunately, not much traffic is present on the curviest, hilliest, narrowest 1 mile of Sundance Trail since only 25 residences exist there. Adding the traffic from the proposed 75 residences of the Indian Creek Ranch Subdivision has the potential to quadruple the volume of traffic on that portion of Sundance Trail.

Apart from safety, adding traffic will increase the maintenance needed on Sundance Trail. Because of its questionable history, Sundance Trail has questionable load-bearing capability. Any additional maintenance costs associated with additional traffic from the Indian Creek Ranch Subdivision should not be paid by the homeowners in the existing Sundance Trail neighborhood.

Both problems, decreased safety and increased maintenance, can be somewhat mitigated by rebuilding Sundance Trail. Unfortunately, only

part of this can be at the expense of the Indian Creek Ranch Subdivision developer. The months of noise, dirt, and inconvenience would be paid by the residents of the Sundance Trail neighborhood, as would the inconvenience of the modification of the Sundance parcels on which the road easements exist.

In short, the only good solution to both problems is to limit the access between the two neighborhoods to emergencies only.

Thank you for your kind attention to this matter.

Sincerely, Robert Jacobs & Gabriele Frei

cc: El Dorado County Board of Supervisors

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RECEIVED
PLANNING DEPARTMENT

To the El Dorado County Planning Commission And the elected Board of Supervisors

Re: Indian Creek Ranch Planned Development

Regarding the Indian Creek project, I would like to point to the fact that Sundance Trail has three side roads pouring into it that need to be considered with regard to the entrance being requested onto Sundance Trail. Our road, White Oak Ridge, has nine families residing on over forty acres of land. Sundance Trail is our ONLY access to El Dorado Road. We have been involved since the early 70's with the task and considerable expense of keeping our subdivision roads in good repair. We owners have done a good job. Now you are asking us to allow an extra 150 or more cars to use our already busy road. Such a plan would cause damage and severe traffic problems for each and every one of us on Sundance Trail and every road emptying into it. This is grossly unfair.

I think most of us feel that having an Emergency Exit from our subdivision would be a VERY GOOD thing. Please understand that we DO NOT WISH TO BLOCK our neighbors from developing their beautiful land. We simply ask that you make an EXCEPTION and allow an Emergency Gate that could be quickly removed or knocked down in case of fire or other dire emergency in EITHER ONE of our subdivisions.

Thank You for your careful and thoughtful consideration for both areas.

Sincerely,

M. Lee Upton

3500 White Oak Ridge

Cc: Steve Allen Cc: Ron Briggs

PC 12/11/08 #126

Myrna and Jack Augsburger 3520 White Oak Ridge Road Placerville, CA 95667 PLANNING DEPARTMENT

El Dorado County Planning Commission 2850 Fairlane Court Placerville, CA 95667

RE: Indian Creek Ranch Development

In 1997 we built a home at the intersection of Sundance Trail and White Oak Ridge Road. Even though White Oak Ridge Road was put in the wrong place (It splits our five acre parcel almost in half) we found the neighborhood charming with its quaint curvy, hilly roads and peaceful ambience and decided to purchase it anyway. We hoped that when the general plan was finalized we would be allowed to sell the 2 2/3 acres across the road. Our area is still zoned for 5 acre parcels so we have not tried to get a variance to sell this property due to the cost of doing so.

We now find that the Planning Commission has given The Indian Creek Ranch Development (Echo Lane Investors, LLC) approval to develop their 177 acres into 75 lots ranging in size from 1.00-2.53 acres. This development backs up directly to some of the homes on the south side of Sundance Trail. Such a large medium density zone is totally incompatible with our neighborhood.

As you are aware, Cynthia Shaffer of Echo Lane Investors has purchased a lot on Sundance that backs up to her development and has dedicated an easement to Echo Lane Investors so that there will be a road from that development providing access to Sundance Trail. Our narrow, curvy street was put in and is maintained by the homeowners in our Zone of Benefit Road Association. The traffic impact on our neighborhood will be horrendous and Sundance Trail will have to be rebuilt to handle the amount of use that will now be routed to our quiet neighborhood.

The Diamond Springs/El Dorado Fire Department has stated that this access cannot be gated allowing free flowing traffic in all directions. However, we understand that Indian Creek Ranch will be allowed, to have gates at the two entrances/exits on Echo Lane.

We feel these decisions are very unfair and to the detriment of our area. It appears that they were made without considering the impact (increased traffic, changing the character of our neighborhood and environmental damage) to our area. It is our view that a locked knock down gate or fire department controlled gate allowing emergency use only, would provide another exit for both developments in case of an emergency and would not totally disrupt our neighborhood.

We understand that following your tour of our street with Steve Allen on October 29th you have a better understanding of the above problems as they relate to an ungated entrance/exit and unrestricted traffic from Indian Creek Ranch. In the interest of fairness to all, please reconsider these decisions. We are not asking that the Indian Creek Ranch development be stopped, only that both communities be held to somewhat comparable lot sizes and protection of their rural character.

Sincerely,

Myrna Augsburger

Blease distribute to all Commissioners

PC 12/11/08 # 12b OBNOY-6 AM 9:32
PLANNING DEPARTMENT

Char Tim - Clerk of the Planning Commission **Development Services Department** El Dorado County Administration 2850 Fairlane Court Placerville, CA. 95667

November 2, 2008

Regarding Indian Creek Ranch Planned Development PD 08-0012

Dear Char:

Attached please find a letter addressed to the Planning Commission and subsequently to the Board of Supervisors regarding the above mentioned planned development off of Echo Lane in West Placerville.

This letter represents the official consensus of the property owners of Sundance Trail, a subdivision that will be negatively impacted by the proposed Indian Creek Ranch subdivision. Please distribute this letter and its attachments to the five commissioners, to be considered along with other impact documents related to this project.

Sincerely, Steve Allen

President - Sundance Trail Road Association, El Dorado County Zone of Benefit.

530-622-2856

stevealllen@sbcglobal.net

3361 Sundance Trail Placerville, CA. 95667

Consensus Letter

Regarding proposed Indian Creek Ranch subdivision and access to Sundance Trail Zone of Benefit roads.

November 2, 2008

To: The El Dorado County Planning Commission

and the Elected Board of Supervisors

From: Steve Allen, President of the Sundance Trail Zone of Benefit Board

3361 Sundance Trail, Placerville, CA 95667.

Based upon a unanimous vote by a duly constituted quorum of the membership at the Sundance Trail Zone of Benefit Board meeting held on Monday, October 20th, 2008, we declare and publish the following votes and approved conditions regarding the proposed use of Sundance Trail as a public route of access to the rear of the proposed Indian Creek Ranch Planned Development, PD 08-0012.

- The property owners on Sundance Trail represented by the road association OPPOSE any open intersection connecting Sundance Trail with a rear access road into the proposed Indian Creek Ranch Subdivision due to the increased traffic, exacerbated wear and tear, and resulting uncompensated damage to the roads in the privately maintained zone of benefit.
- 2. The property owners on Sundance Trail represented by the road association voted to approve a connecting road into and out of the proposed Indian Creek Ranch subdivision PROVIDED HOWEVER, that the connection road is gated and its use is restricted only to emergencies, and the cost of the improvements and the ongoing maintenance of the improvements (i.e., roadways, gates, etc.) is borne solely by the developer of the Indian Creek Ranch subdivision and the homeowners association that will be formed.
- That the emergency access approved by the property owners on Sundance Trail represented by the road association shall be restricted by means of an electronically controlled gate activated by competent authority, or a suitable set of removable bollards similar to those in use by the City of Roseville, plans of which are attached to this document. If used, the bollards shall be secured by a mechanism capable of being sheared under reasonable pressure, thereby causing the bollard to lay flat upon the roadway and rendering the emergency access drivable in both directions. Any access control device agreeable to the Fire Department, the developer of Indian Creek Ranch Subdivision, and the Sundance Train Zone of Benefit Road Association may be employed and, is not restricted to the options listed herein.

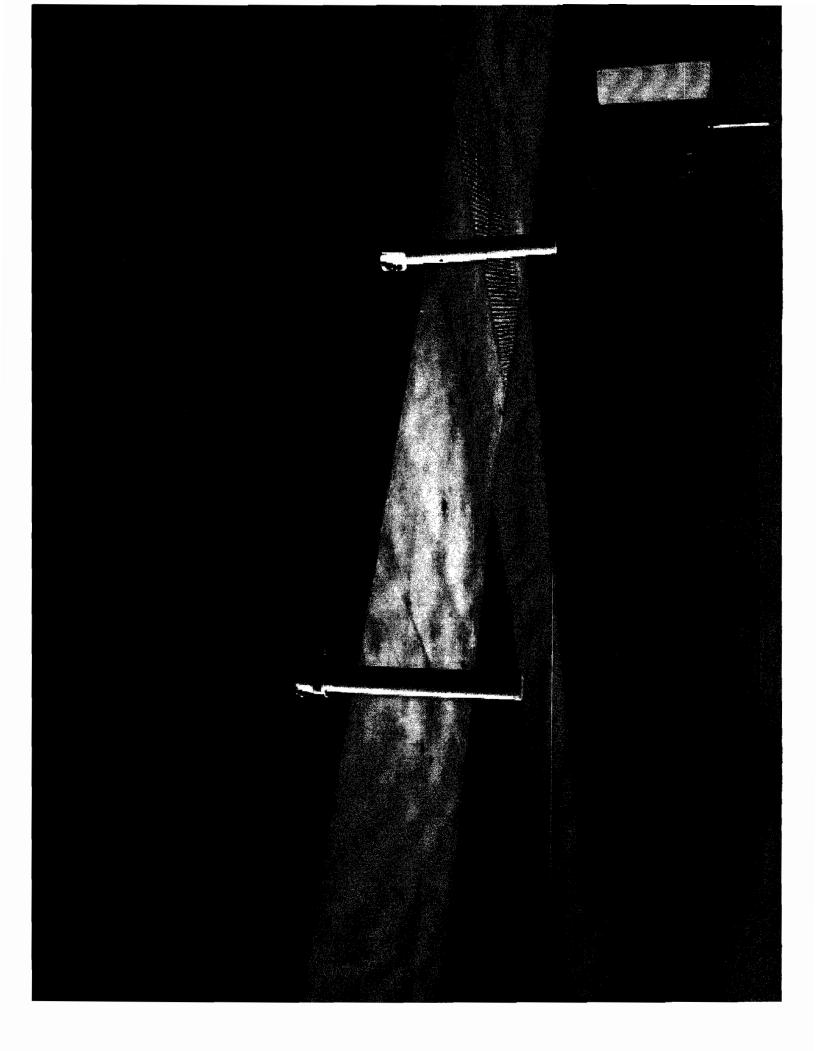
- 4. The property owners of Sundance Trail shall not be responsible for any construction costs or ongoing maintenance costs of the access road benefiting the Indian Creek Ranch Subdivision. The developer of the Indian Creek Ranch Subdivision and the homeowners association for that subdivision are jointly and severally solely responsible for the installation and maintenance of the access way and any required improvements to Sundance Trail.
- 5. A requirement to widen Sundance Trail to accommodate non-emergency traffic from Indian Creek Ranch Subdivision will create an increased risk of injury or death by increasing speeds and traffic on Sundance Trail, which suffers from blind corners and obstructions located immediately adjacent to the pavement in the form of trees, drainage ditches, telephone poles, etc.
- 6. A requirement to widen Sundance Trail to the Fire Department recommended width will destroy landscaping and structures constructed by property owners adjacent to the roadway. While these improvements are in the easement, the full cost of relocation or removal of them must be at the sole expense of the developer of Indian Creek Ranch Development, with a adequate escrow account established in advance to cover the reasonably-estimated costs of relocation or removal.
- 7. in conclusion, the Sundance Trail Zone of Benefit will not oppose the approval of the Indian Creek Ranch Planned Development only if the access conditions and restrictions and other conditions discussed above are incorporated in the final approval for the project and accepted by the developer of Indian Creek Ranch and made binding on the home owners association that will be formed by the developer..

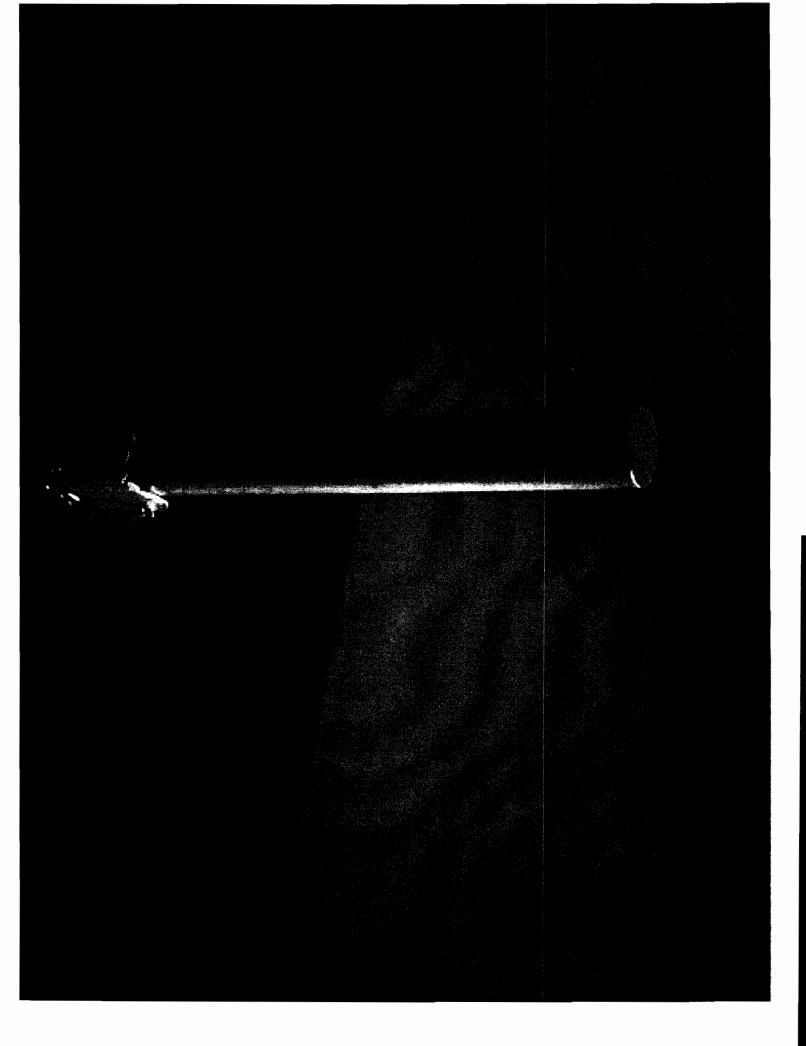
Signed by: Steve Allen – President

Gary Korton – Vice President

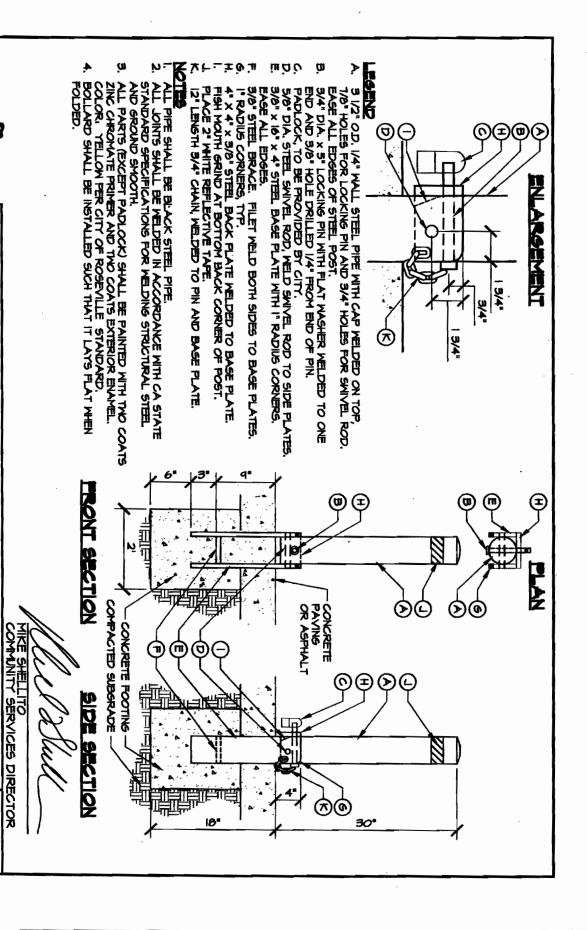
Myrna Augsburger- Secretary There Quasburger

Representing the Sundance Trail Road Association Zone of Benefit and the property owners of Sundance Trail and its adjoining feeder roads.









BOLLARD

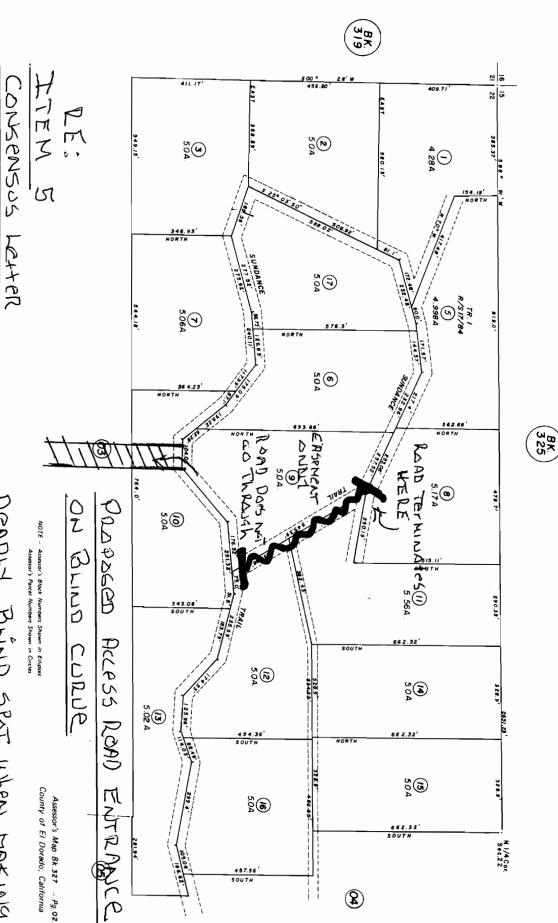
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SCALE: NOT TO SCALE

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