



LATE DISTRIBUTION

DATE 10/20/2020 David

Public Comment #29

EDC COB <edc.cob@edcgov.us>

BOS 10/20/2020

10/20/20 Agenda Item 29, Writ of Mandate-Biological Resources

1 message

Kimberly Beal <kimberlyabeal@gmail.com>

Mon, Oct 19, 2020 at 4:45 PM

To: Brian Veerkamp <bosthree@edcgov.us>, Kimberly Dawson <edc.cob@edcgov.us>, John Hidahl <bosone@edcgov.us>, Shiva Frentzen <bostwo@edcgov.us>, Sue Novasel <bosfive@edcgov.us>, Lori Parlin <bosfour@edcgov.us>
Cc: Don Ashton <don.ashton@edcgov.us>, Tiffany Schmid <tiffany.schmid@edcgov.us>

Dear Members of the Board of Supervisors,

Please find attached a letter from the El Dorado County Association of Realtors (EDCAR), regarding item 29 on your 10/20/20 Agenda, Writ of Mandate on the Biological Resources / Woodland Policy / EIR.

EDCAR has concerns for property owners that are unable to obtain construction permits during the Writ, and request clarification on what types of permits might be allowed.

Please contact me if you have any questions.

Kimberly Beal
EDCAR Government Affairs Director
530-676-0161



EDCAR Letter to BOS Re File 20-1259 Writ-IBC-EIR 20-1019.docx

72K

October 19, 2020

To the El Dorado County Board of Supervisors

This is being Transmitted via Email to Clerk of the Board of Supervisors, edc.cob@edcgov.us

Re: BOS Agenda 10/20/20, EDC File # 20-1259, Writ of Mandate - Biological Resources/Oak Resources

Dear Chairman Veerkamp and Board Members,

The El Dorado County Association of Realtors (EDCAR) requests clarification on what types of construction permits may be issued on properties within the Highway 50 IBC, while the County is under the Writ of Mandate.

On July 27, 2020, the Court issued a Writ of Mandate and the last paragraph reads:

“b. Pending the Court’s final action on Respondent’s return to the writ of mandate, to suspend approvals of construction and Oak Woodland removal permits in the Highway 50 corridor, defined as the mapped Important Biological Corridors (“IBC”) running north to south of Highway 50 as depicted in the map attached hereto as Exhibit A.”

Through EDCAR’s members it was brought to my attention that county Planning and Building Services do not have a clear understanding of what construction permits may and may not be approved under the Writ of Mandate. Our member’s clients have been told they could not obtain permits for work such as remodeling an existing home, adding onto an existing home and more, though no oak trees / woodland were to be removed. However, permits to replace a roof and systems within homes have been approved. On October 2, 2020, I personally contacted people within Building and Planning Services and learned they had no written understanding of what permits could be issued under the Writ, and Planning then transferred me to the County Counsel’s office where a deputy director told me she would look into the matter and get back to me, but she has not yet done so.

In item 2 of the Agenda File, the Decertification Resolution, the fourth “Whereas” in part reads as follows:

“Whereas, after extensive briefing and argument, the trial court ruled in favor of the County with the exception of two narrow holdings, ... and suspended the County’s authority to grant certain approvals.”

Denying permits to remove Oak Woodland seems clear. However, denying construction permits is not clear; some have been issued while others were denied. **This situation has created a hardship for property owners.**

EDCAR kindly requests the County prepare a statement in writing, and made available to the public on your website, outlining the types of construction permits that may be approved under the Writ and the types of permits that cannot be approved under the Writ. If you do not feel comfortable preparing such a statement, we request you seek clarification from the Court.

We thank you for considering.

Kimberly Beal
EDCAR Government Affairs Director

Cc: Trent Andre, EDCAR President
Cc: Devin Woodard, EDCAR Executive Officer





EDC COB <edc.cob@edcgov.us>

Fwd: FW: FW: Highway 50 Corridor Project - Request for Allowance for A Pool Under Existing Const. Permit

2 messages

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

Tue, Oct 20, 2020 at 11:24 AM

On Mon, Oct 19, 2020 at 8:39 AM allanpriest1 via BS-BOSFour-m <bosfour@edcgov.us> wrote:

FYI Item 29. 20-1259

Good Afternoon Supervisor Parlin (and BOS/County Leadership):

Per the email below and subsequent correspondences with Ms. Schmid (including a call Friday with her and Ms. Kaye-Anne Markham) – there are many existing permits and ongoing construction activities within District 4 that are being unnecessarily halted by the vague requirements of the recent Writ of Mandate. As detailed below as just one case of an existing/nearly complete custom home construction project, this unfortunately places real financial and logistical hardships on existing or new County residents – especially where there is ZERO potential to impact the oak habitat. We understand this is a potentially unintended consequence of the Court's desire to stop all potential or real impacts to valuable oak woodlands. However, the County currently has no policy or process in place to allow the Planning Dept to reasonably exempt or event consider permits for project that have no potential to contradict the Writ. This is something you can help correct.

Therefore, as County Residents - we and our clients I would like to respectfully ask you and the BOS to immediately issue an **emergency ordinance** (or other appropriate action) that directs and allows Planning Dept staff to complete case-by-case evaluations and approvals of permit applications that have no potential to impact Oak Woodlands in the area covered by the Writ. This is a relatively straightforward yet important task that will remove the negative consequences created by the Courts' action – especially since there is no clear schedule on when this issue will be finally resolved (i.e., months or years). Doing so is the right action on behalf of our many neighbors adversely affected by this process.

Thank you for your leadership and consideration of this request.

Respectfully,

Allan J. Priest

ESI Builders & Remodelers

BRE Lic #01995198

(916) 716-1291 (cell)

On Mon, Oct 5, 2020 at 5:25 PM <allanpriest1@yahoo.com> wrote:

Hi Tiffany:

Golden Oak Investments, Inc.

BRE Lic #01995198

(916) 716-1291 (cell)

Allan J. Priest

ESI Builders &

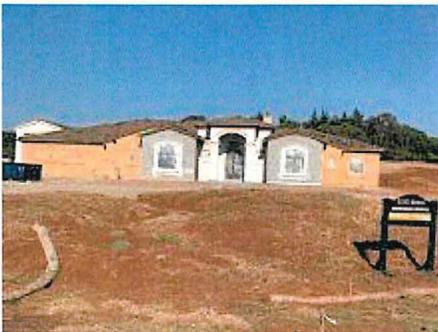
Golden Oak Investments, Inc.

BRE Lic #01995198

(916) 716-1291 (cell)

WARNING: This email and any attachments may contain private, confidential, and privileged material for the sole use of the intended recipient. Any unauthorized review, copying, or distribution of this email (or any attachments) by other than the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments.

4 attachments



5361 WW_Front 10_5_20.jpeg
104K



5361 WW_Poolsite_Lookingsouth.jpeg
93K

5361 WW_Rear_lookingeastto oaktrees.jpeg
92K



5361 WW_Rear_Poolsite_Lookingnorth.jpeg
140K

EDC COB <edc.cob@edcgov.us>

Tue, Oct 20, 2020 at 11:27 AM

To: Kathleen Markham <kathleen.markham@edcgov.us>, The BOSONE <bosone@edcgov.us>, The BOSTWO <bostwo@edcgov.us>, The BOSFIVE <bosfive@edcgov.us>, The BOSTHREE <bosthree@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>

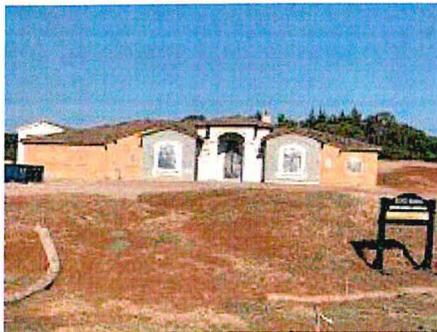
FYI Item #29

Office of the Clerk of the Board
El Dorado County
330 Fair Lane, Placerville, CA 95667
530-621-5390

CONFIDENTIALITY NOTICE: This electronic communication with its contents may contain confidential and/or privileged information. It is solely for the use of the intended recipient(s), except as otherwise permitted. Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, or authorized to receive for the intended recipient, please contact the sender and destroy all copies of the communication. Thank you for your consideration.

[Quoted text hidden]

4 attachments



5361 WW_Front 10_5_20.jpeg
104K

5361 WW_Poolsite_Lookingsouth.jpeg
93K

10/20/2020

Edcgov.us Mail - Fwd: FW: Highway 50 Corridor Project - Request for Allowance for A Pool Under Existing Const. Permit



5361 WW_Rear_lookingeastto oaktrees.jpeg
92K



5361 WW_Rear_Poolsite_Lookingnorth.jpeg
140K

