

(Received from Brad Pearson
during hearing.)

ZA12-18-19
Item# 4.a.
(5pages)

INTRODUCTION

My name is Bradley Pearson, I live at 4521 Holiday Hill Court, Shingle Springs, CA. several hundred feet from the subject project.

I am here today to speak on behalf of the Holiday Lake Organizations in opposition to the proposed Sawmill Creek Subdivision project P 18-0004.

The comments presented here at this public hearing on December 18, 2019 reflect a summary of our detailed comment letter submitted to the County on November 15, 2019.

1.) THIS PROJECT IS IMPROPERLY DESCRIBED AND AS SUCH CANNOT BE APPROVED IN ITS PRESENT FORM.

2.) THE COUNTY OF EL DORADO FAILED TO NOTIFY AND INVOLVE THE HOLIDAY LAKE COMMUNITY SERVICES DISTRICT IN THE PROCESSING OF THIS PROJECT.

3.) THE COUNTY OF EL DORADO FAILED TO NOTIFY AND INVOLVE THE HOLIDAY LAKE NEIGHBORHOODS IN A TIMELY MANNER.

4.) HOLIDAY LAKE DAM IS PARTIALLY ON SAWMILL CREEK RANCH PROPERTY. The county cannot legally subdivide private property when a critical publicly owned facility (such as Holiday Lake Dam) partially sits on top of that same private property. It is the proper responsibility of the Holiday Lake Community Services District to fully control and operate the Holiday Lake dam. That duty to protect the public health, safety and welfare is compromised when a private property owner controls and owns a portion of the public dam.

5.) THE PROJECT DOES NOT ANALYZE THE EFFECT OF INUNDATION OF THE NEWLY SUBDIVIDED PARCELS FROM A CATASTROPHIC FAILURE OF THE HOLIDAY LAKE DAM.

6.) WELL DRILLING AND WELL WATER USAGE ON THE ADJACENT SAWMILL CREEK SUBDIVISION COULD SIGNIFICANTLY DRAW DOWN THE HOLIDAY LAKE UNDERLYING AQUIFER. It is our determination that this well usage allowance and requirement will be

growth inducing of additional well usage and will have a cumulative impact on the underlying Holiday Lake Aquifer that will artificially and significantly lower the lake levels of Holiday Lake.

7.) PYRAMID SUBDIVISION OF LAND. The Minor Land Division Ordinance of El Dorado County can be used to subdivide a large piece of land into 4 or fewer parcels and then subsequently take each of those 4 parcels and subdivide them each into another 4 or fewer parcels, and so on. In this manner 1 parcel becomes 4 that then divide into 16 and then into 32 and on and on.

We maintain that this is a land development strategy being employed by the County and applicant on this project. There is no environmental analysis of the cumulative impact of this process and the piecemeal approach to approvals that encourages it.

8.) THE PROPOSED PROJECT IS THE FIRST STAGE OF SUCCESSIVE PROJECTS LEADING UP TO A LARGE PROJECT WITH CUMULATIVE IMPACT. We believe that it is highly foreseeable and highly likely that this same piecemeal approach currently applied for in the case of the 134 acre Sawmill Creek Ranch will soon be used to piecemeal the development of the adjacent 227 acre White Ranch and adjacent 286 acre Scheiber Ranch. We believe this because the three ranches have cooperated in the past for subdivision of their entire 653 acres.

9.) WE STRONGLY OBJECT TO THE PROPOSED USE OF HOLIDAY LAKE DRIVE AS ACCESS TO THIS PROJECT'S SUBDIVIDED PARCELS. Holiday Lake Drive is a privately maintained, privately owned road that cannot be used to access neighboring parcels without the permission of the road's owners.

10.) WE STRONGLY OBJECT TO THE PROPOSED USE OF RIDGE DRIVE AND TULLE LANE AS ACCESS TO THIS PROJECT'S SUBDIVIDED PARCELS. It is inappropriate for this new subdivision and its successor minor land divisions and in fact the entire 653 acre combination of three ranches to dump their excessive traffic onto Ridge Drive and Tulle Lane.

11.) CEQA ANALYSIS AND DETERMINATION. We find that this project requires an Environmental Impact Report that analyzes potentially significant cumulative traffic impact, growth inducement and the intentional use of piecemealing to slow walk a small project into a much larger, more impactful project or series of projects while keeping cumulative impacts under the public radar.

We show the need for an environmental Impact report to analyze and disclose potentially significant impacts due to a.) inundation from dam failure and b.) drawing down the Holiday Lake Aquifer and c.) the Holiday Lake Dam being partially on private property.

12.) THE COUNTY OF EL DORADO IN APPROVING THIS PROJECT MUST MAKE TWO MANDATORY FINDINGS WHICH WOULD REQUIRE DENIAL OF THE APPLICATION TO SUBDIVIDE.

Section 120.44.030 of the El Dorado County Subdivision Ordinance stipulates: "The approving authority shall not approve a tentative map if the approving authority makes any of the following findings.

Finding E. "That the design of the division or the proposed improvements are likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat."

We have shown above that the project's reliance on and requirement to use water wells for domestic water supply will have catastrophic consequences on water levels in Holiday Lake with the potential to de-water the lake and cause "substantial and avoidable injury to fish or wildlife or their habitat".

Sawmill Creek, flows through Holiday Lake. Sawmill Creek is tributary to French Creek which is tributary to the Consumes River which flows into the San Francisco Bay Delta and the Pacific Ocean. Environmental impacts to Sawmill Creek and Holiday Lake have environmental consequences throughout this complicated aquatic system.

Finding F. "That the design of the division or the type of improvements is likely to cause serious public health hazards".

We have shown that the partial ownership of a public agency dam by the private land to be subdivided is dangerous to the safe operation of the dam by its public agency owner, Holiday Lake Community Services District. Creating a new subdivision of land that perpetuates private ownership of a portion of a dam can jeopardize the mission and the operations of the Holiday Lake Community Services District to maintain a safe dam for Holiday Lake. This violates State of California law and policy that entrusts the Holiday Lake Community Services District to protect the public health, safety and welfare.

SUMMATION

The major fatal flaw of this project's processing is that the County views this as an isolated, inconsequential minor land division of just 3 new lots on an existing 134 acre parcel.

We have shown in our comment letter dated November 15, 2019 that this project and other associated projects on the same property go back 30 years and that history is well known by the county yet nowhere acknowledged in the project description nor processing.

We show that it is well known that the landowner, his neighbors and successive sub dividers fully intend to develop a much larger project of 653 acres covering 3 ranches.

We show that the current minor land division of 134 acres is growth inducing by means of this 1st stage of that larger development that will slowly piecemeal its future subdivisions into an ever-larger development. This process will create cumulative impacts that are significant and avoidable.

Finally we show that the above scenario is foreseeable and predictable. It is foreseeable because it is legally possible and is a logical progression of the subdivision process utilizing pyramid minor land division. It is predictable because the landowners have clearly signaled their intentions in their past submittals to the county, intentions to subdivide the property into small parcels.

In the end we see that the above scenarios are preventable, by means of a project alternative which the County has failed to disclose or analyze, an

alternative we have proposed multiple times in the past: that the county, the applicant and the Scheiber and White ranches need to return to master planning the development of the entire 653 acres.

CONCLUSION

It is our determination that the county has no alternative but to deny the subject application P 18-0004 and direct the applicant to address our community concerns and start over with a master planned development on the 653 acres of all three contiguous ranches.

We have submitted a detailed 44 page comment letter from our combined 4 neighborhood organizations.

Should the County continue with the approval of this project we request from the County a point by point response to that comment letter.

Thank you for the opportunity to speak today on this project of great importance to the Holiday Lake Community.