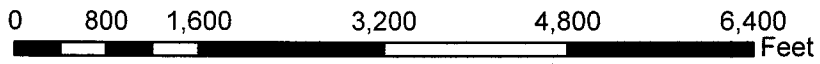
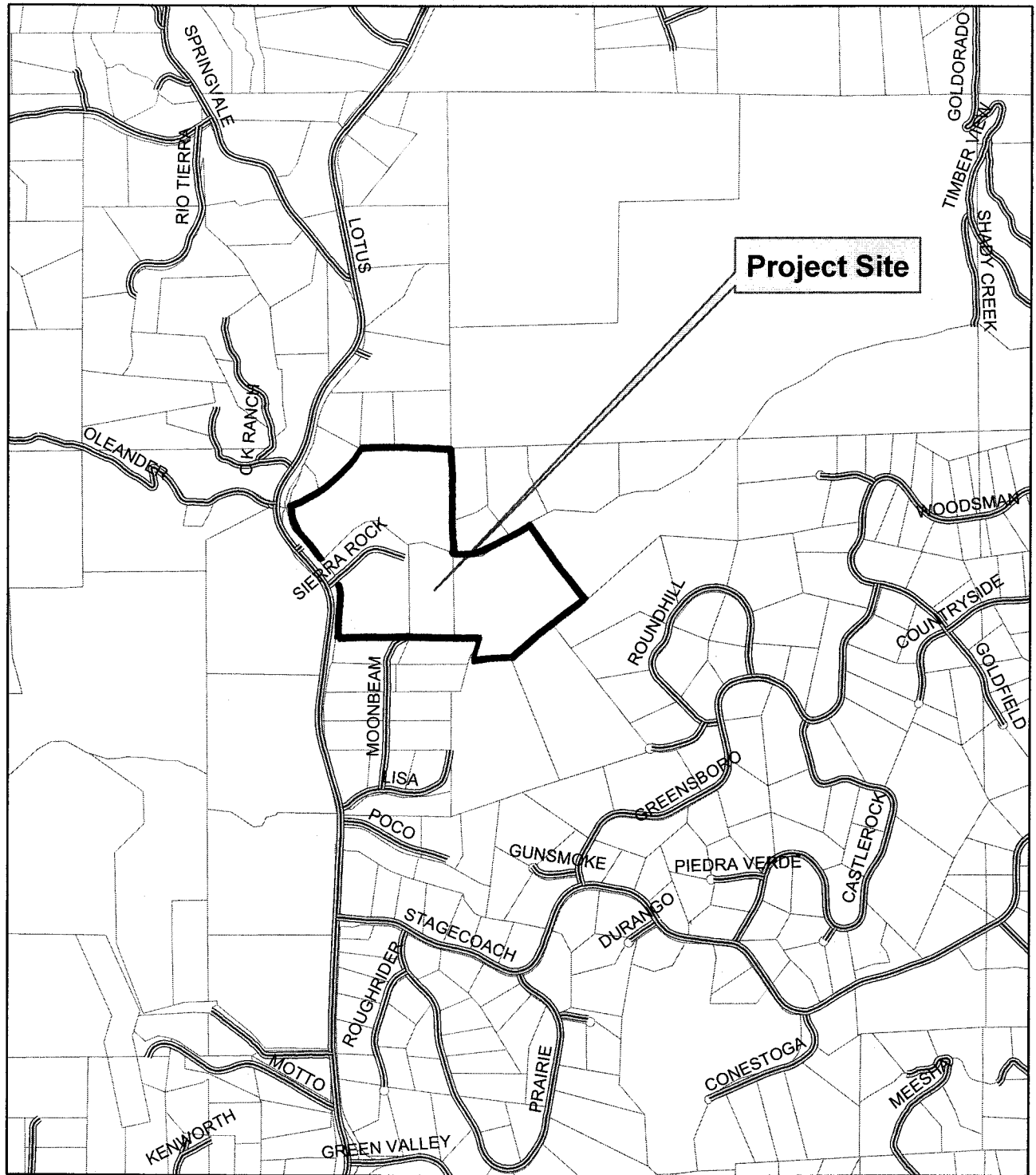


EXHIBIT A



Case No. Z08-0032
Vicinity Map

POR. SEC. 12, T. 10N., R. 9E., M.D.M.

Tax Area Code

102:15

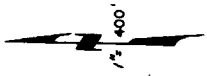
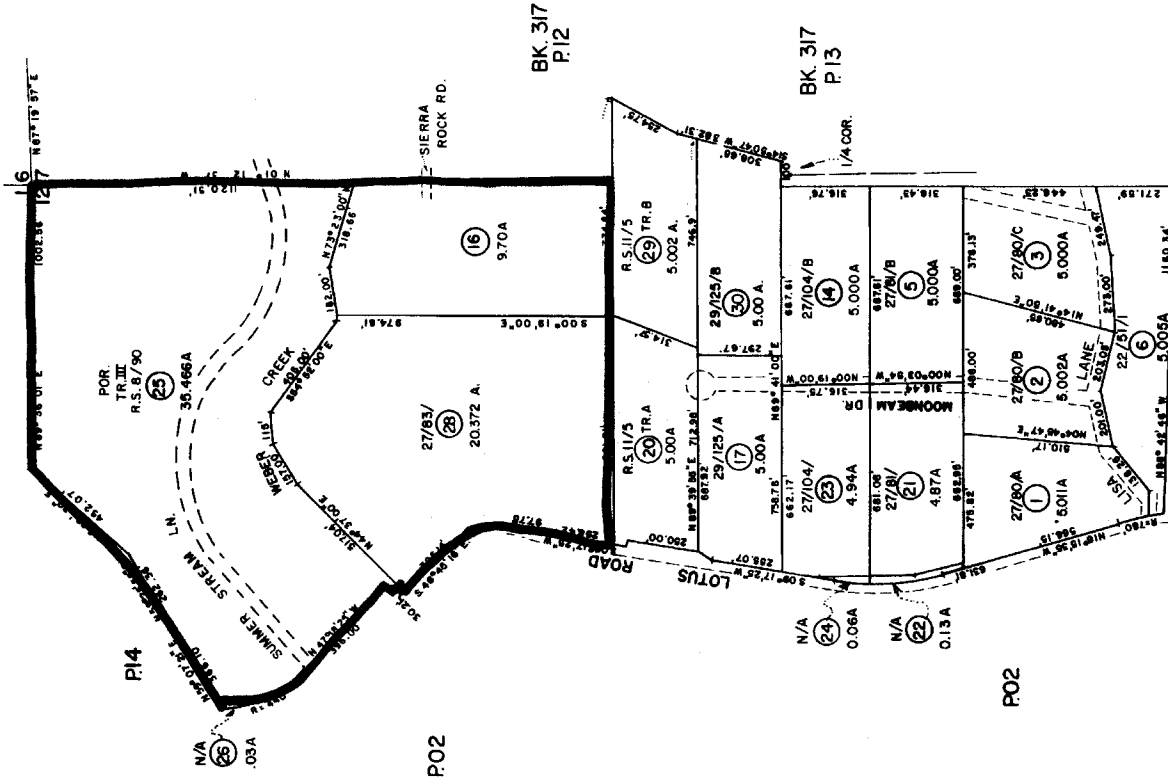


EXHIBIT B

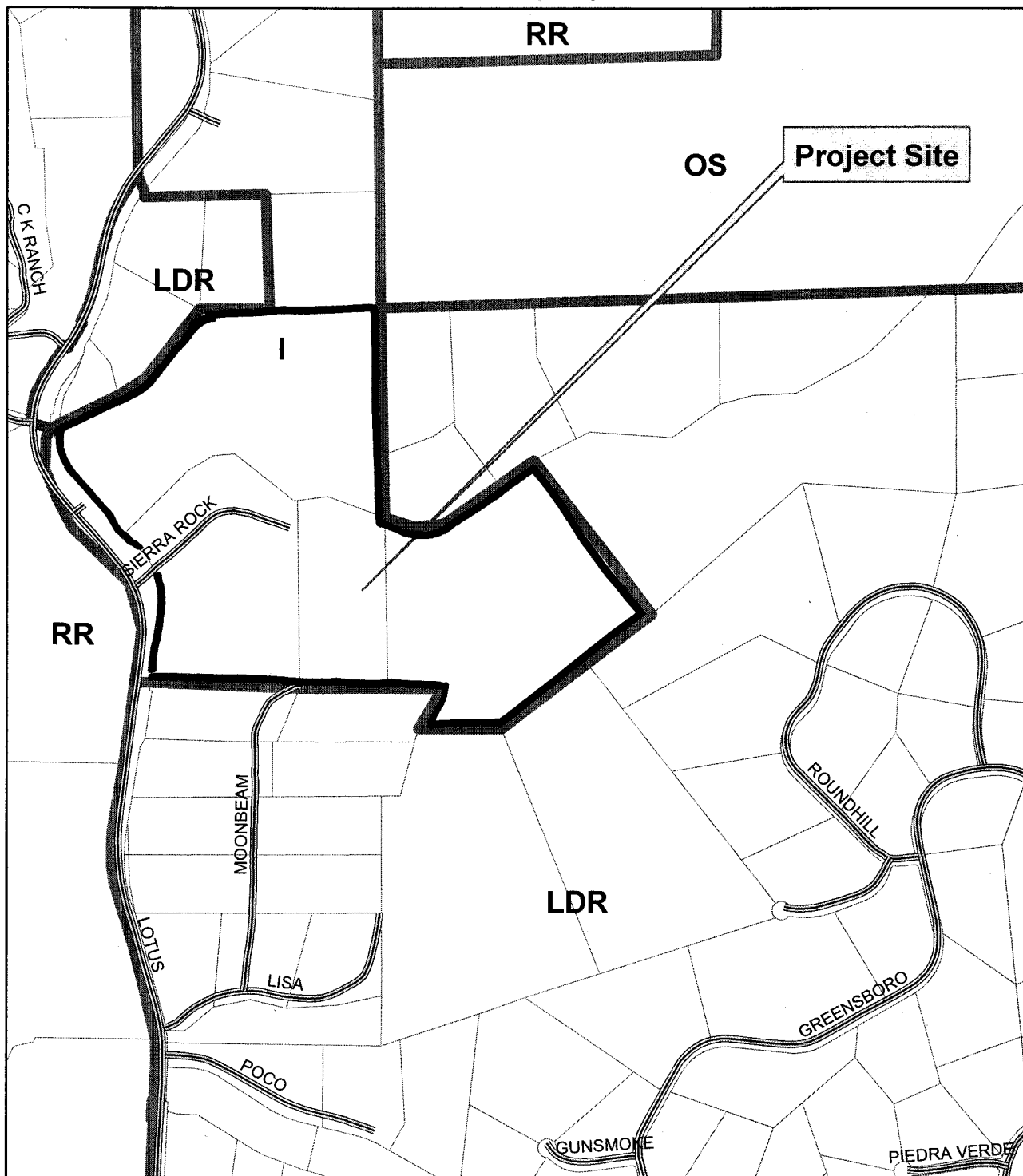
Assessor's Map Bk. 102 - Pg. 15
County of El Dorado, California



NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

P16

EXHIBIT C



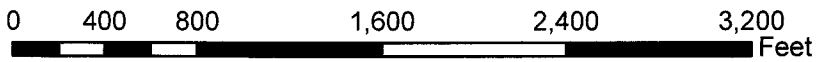
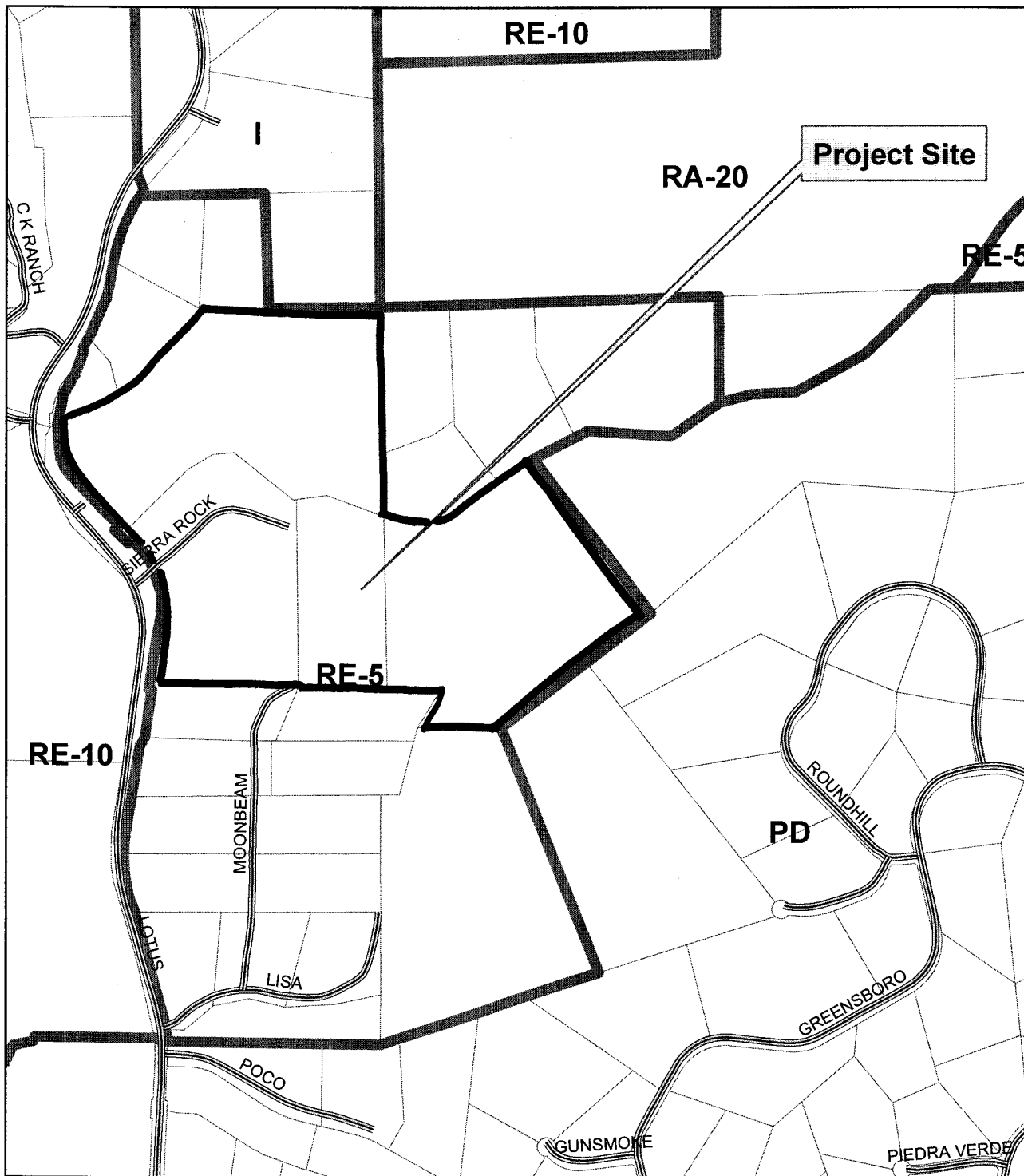
0 400 800 1,600 2,400 3,200 Feet

N

Case No. Z08-0032
General Plan Land Use Map



EXHIBIT D



N



Case No. Z08-0032
Zoning Map

EXHIBIT E

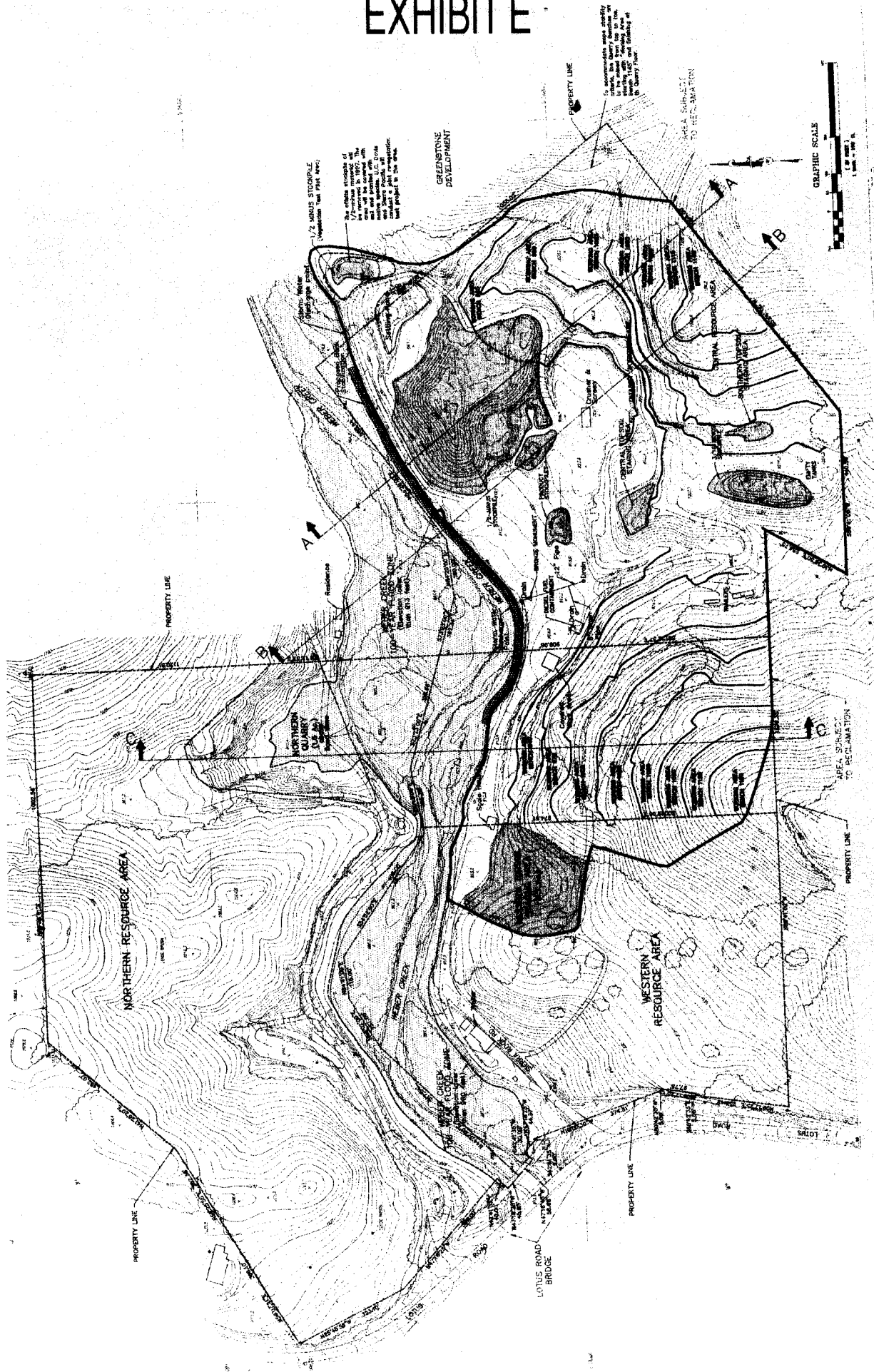


PLATE 4
PROPOSED WORKING AREAS OF
WEBER CREEK QUARRY

Sierra-Pacific Groundwater
Consultants, Inc.
Sierra-Pacific Groundwater
Consultants, Inc.
1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025



Sierra-Pacific Groundwater
Consultants, Inc.
1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025

Sierra-Pacific Groundwater
Consultants, Inc.
1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025

Sierra-Pacific Groundwater
Consultants, Inc.
1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025



AGRICULTURAL COMMISSION

311 Fair Lane
 Placerville, CA 95667
 (530) 621-5520
 (530) 626-4756 FAX
 eldcag@co.el-dorado.ca.us

Greg Boeger, Chair – Agricultural Processing Industry
Lloyd Walker, Vice-chair – Other Agricultural Interests
Chuck Bacchi – Livestock Industry
Bill Draper, Forestry /Related Industries
Ron Mansfield – Fruit and Nut Farming Industry
John Smith – Fruit and Nut Farming Industry
Gary Ward, Livestock Industry

MEMORANDUM

DATE: July 15, 2009
TO: Jason Hade, Development Services/Planning
FROM: Greg Boeger, Chair

SUBJECT: Z 08-0032; Weber Quarry Rezone

During the Agricultural Commission's regularly scheduled meeting held on July 8, 2009 the following discussion and motion occurred regarding Eric Brunius' request for a zone change from Estate Residential Five-Acre (RE-5) to Industrial (I). The property, identified by Assessor's Parcel Numbers 102-150-16, -25, -28, 317-120-08, consists of 95.0 acres, and is located on the east side of Lotus Road at Weber Creek, in the Rescue area. (District 4)

Staff conducted a site visit on June 23, 2009. The four parcels have a General Plan Land Use Designation of Industrial (I). The application is for a rezone from RE-5 to Industrial; a zoning consistent with its Land Use Designation. The current zoning around the subject parcels consist of Estate Residential Five-Acre (RE-5), Estate Residential Ten-Acre (RE-10), Industrial (I), Residential Agriculture Twenty-Acre (RA-20), and Planned Development (PD). The current land use designations around the parcels consist of Low Density Residential (LDR), Rural Residential (RR), Industrial (I) and Open Space (OS). The property has been an active rock quarry in the past and mineral extraction is considered a compatible use adjacent to agricultural zoning.

Bill Stephans stated that the only reason the Ag Commission is hearing this item is because the northern project parcel is touching a corner of RA-20 zoned land. Currently, there is no agricultural activity on the RA-20 zoned parcel.

Art Marinaccio gave an explanation of the application and stated that there are really no "agricultural issues" involved with the project. He stated that the zone change would be in compliance with the General Plan Land Use Designation of the parcels.

A neighbor questioned how the zone change would affect her property.

Jason Hade, from Planning Services, explained that it would be a rezone to bring the subject property into General Plan compliance and would not involve any physical change to her property.

Another neighbor gave a brief history of the local opposition to the project and stated that he feels the request could be a Trojan Horse for this "deceptively simple" request for a zone change since there does not appear to be any reason to change the zoning at this time. He suggested that a zone change should be considered when a specific project is proposed.

Greenstone Country Owners Association President, Van Dossey offered reasons for their opposition to the project. The association members are opposed to rezoning the quarry property to industrial usage because they are concerned it would provide the quarry owners with the basis to expand their operations to include activities that could have a negative impact on the quality of life of the Greenstone residents. He also submitted a letter of opposition from the association members and a letter of opposition from Bob Ayrest, President of Greenstone Country Community Services District.

A neighbor living within 500 feet of the property voiced her strong opposition to the rezone request. She feels that the applicants want the zone change for a use they are not actually stating. Several years ago the owners of the property wanted to site an asphalt batch plant on the property. If the zone is changed to Industrial now, then the owners could place the plant there by right. As a point of clarification, Bill Stephans stated that an asphalt batch would require a permit from the Air Quality Management District (AQMD) which would trigger a notice and hearing so the batch plant probably would not be able to be sited by right.

As a point of clarification, Bill Stephans reminded those in attendance that the findings that were made by staff were specific to agriculture and that many of the concerns expressed by the public are not pertinent to the Ag Commission's responsibilities. Also, in the 2004 General Plan, Policy 2.2.1.2 states, "...Industrial lands in Rural Regions shall be constrained to uses which support on-site agriculture, timber resource production, mineral extraction, or other resource utilization." Staff interprets this to mean that the quarry owners would be constrained to mineral extraction or resource utilization.

Jason Hade, Planning Services, concurred with Bill Stephans' interpretation of Policy 2.2.1.2.

It was moved by Mr. Walker and seconded by Mr. Draper to recommend APPROVAL of the request for a zone change from Estate Residential Five-Acre (Re-5) to Industrial (I), for APN'S 102-150-16, -25, -28, and 317-120-08, as the rezone is consistent with the existing Land Use Designation and all of the findings can be made for General Plan Policy 8.1.4.1 which states, "...the proposed use:

- A) Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities; and***
- B) Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and***
- C) Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands."***

Additionally, the Commission wishes to make it clear that this motion pertains only to Agricultural Issues.

Motion passed

AYES: Bacchi, Draper, Mansfield, Smith, Walker, Boeger
NOES: None
ABSENT: Ward

Jason Hade
Meeting Date: July 8, 2009
RE: Weber Quarry Rezone
Page 3

If you have any questions regarding the Agricultural Commission's actions, please contact the Agriculture Department at (530) 621-5520.

GB:na

cc: Eric Brunius
cc: Art Marinaccio

EXHIBIT G
GREENSTONE
C O U N T R Y E
OWNERS ASSOCIATION

JUL 19 AM 11:46
RECEIVED
PLANNING DEPARTMENT

June 26, 2009

Mr. Jason Hade
Project Planner
El Dorado County Planning Services
2850 Fairlane Court Building C
Placerville, CA 95667

RE: Z 08-0032 Weber Quarry Rezone

Dear Jason,

I am writing to you as an official representative of the Greenstone Country Owners Association. Greenstone Country is a residential development of 347 five acre parcels that has a common border with Weber Quarry. Our development began in 1980 and currently 330 of the parcels have occupied homes. It is governed by a group of five elected Board of Directors and supported by a Community Service District.

We are opposed to rezoning the quarry property to industrial usage because we are concerned it would provide them with the basis to expand their operations to include activities that could have a negative impact on the quality of life of Greenstone residents. Specific concerns include air, water and noise pollution. Weber Creek runs very close to the quarry and the valleys among the hills in the area carry noise and odors very effectively through the communities. Further, any expanded industrial presence so near our residential community could be expected to negatively impact property values.

Our concern regarding expanding future operations is based on prior history. Despite some concerns in the past, we have not challenged their current quarry operations even though they are operating in a Re-5 zone. In 2007, quarry owners notified us of their desire to operate a hot asphalt plant on quarry property which we respectfully opposed.

We would appreciate your thorough consideration of our concerns as you prepare a recommendation for the Planning Commission and ultimately the Board of Supervisors.

Sincerely,


Van Dossey
President, Board of Directors
Greenstone Country Owners Association
3451 Stagecoach Rd.
Placerville, CA 95667

✓
cc: Board of Supervisors

3451 Stagecoach Road • Placerville, CA 95667
(530) 642-9354 • FAX (530) 642-0367


GREENSTONE

Community Services District

RECEIVED
PLANNING DEPARTMENT

El Dorado County Planning Services
2850 Fairlane Ct.
Placerville, Calif. 95667
Attn: Jason Hade, Project Planner
RE: Z-08-0032-WEBER QUARRY REZONE

At the regular meeting of Greenstone Country Community Services District on July 8th 2009 the board voted on the proposed zone change from Estate Residential Five -Acre (RE-5) to industrial (I). The property identified by Assessor"s Parcel Numbers 102-150-16,-25,-28,317-120-08, consists of 95.0 acres, and is located on the east side of Lotus Road at Weber Creek, in the Rescue Area. The C.S.D. voted unanimously to **oppose** the proposed change. The proposed project will have a significant effect on the environment because of the increase in traffic, excessive noise, odor, and decrease in property values. The zone change should not be approved.

Thank You

Bob Ayrest
C.S.D. President

C C : El Dorado County
Board of Supervisors



"Kevin G. Long"
<kgl@seethebenefits.com>
07/06/2009 11:54 AM

To <jason.hade@co.el-dorado.ca.us>
cc
bcc
Subject Weber Quarry Rezone

Hello Jason

I am an attorney and resident of Greenstone Country, adjacent to the Webber Creek Quarry. From 1996 through 1999 I sat on the Greenstone Board and represented the Greenstone Owners Association (GCOA) regarding the various controversies concerning the Quarry. For example, in connection with the various special use permits, the Quarry's alleged vested status, and the Quarry parcels land use designations under the general plan, even though we were consistently told that site specific comments or requests would not be entertained that that time. We are now prepared to weigh in on these concerns.

Just taking a quick look at the application filed for this rezone indicates that it is being requested unnecessarily. It will in no way affect or improve the Quarry's rights or ability to operate. On the other hand, rezoning this land to industrial will create an island of such zoning surrounded by and adjacent to residential parcels and a day care facility. We have no opposition to the Quarry being there if operated in a lawful fashion; but this will not facilitate its operation.

If the Quarry ceased to exist, an industrial zoning would make even less sense. So, its both unnecessary now, and unnecessary for the future in this area.

The residents of Geenstone Country are once again interested, active and will be involved in opposing the requested rezone of the Quarry parcels. I am requesting that you notice me directly of any agenda items or meetings at any County level, involving this zoning issues.

Hopefully I will have a chance to interface with you at the upcoming Agricultural Commission meeting on Wednesday.

Items to be mailed can be sent to my office address below.

Regards

Kevin Long



CHANG RUTHENBERG & LONG PC
EMPLOYEE BENEFITS LAWYERS
200 YEARS SMART. 20 YEARS STRONG.

Kevin G. Long
California State Bar
Certified Specialist In Taxation
Chang, Ruthenberg & Long PC
620 Coolidge Drive, Suite 350
Folsom, CA 95630-3184
Direct Phone: (916) 294-3262
Main Phone: (916) 357-5660
Main Fax: (916) 357-5644
kgl@seethebenefits.com
www.seethebenefits.com

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06/30/09

Louis B. Green
Edward L. Knapp
El Dorado County
Office of The County Counsel
330 Fair Lane
Placerville, CA 95667

09 JUL -2 AM 11:44
RECEIVED
PLANNING DEPARTMENT

RE: Weber Quarry Rezone Z-08-0032

Dear Mr. Green and Mr. Knapp:

I am forwarding you the notice for the submission of comments from various agencies sent by the Development Services Department on June 12, 2009. I noticed that the Office of the County Counsel was not included in the list of concerned agencies, and in this case I feel that you certainly have critical information that should be passed on to those who need to make the decision as to whether or not it is in the best interest of the County and it's residents to rezone the Weber Quarry.

Upon review of the application I noticed several things it would be appropriate for County Counsel to advise the Technical Advisory Committee and the Planning Department on as follows:

A reclamation plan dated August 28, 1995 which includes parcel 102-150-25 is being presented to the County as "the approved reclamation plan". I know that the "Determination and Findings" of the vesting hearing held in 1997 clearly state that parcel 25 was not part of the vested operation, and this parcel was removed from the project before the approval.

I also know that as part of the approval process of the reclamation plan in 1997, the operator agreed to indemnify the County, then when the suit over the acceptance of the plan was over, he refused to pay up. The County had to sue, and then wound up settling for far less than what was owed. I believe the negotiated amount is still outstanding. I feel the TAC and the planning department should be aware of what kind of financial risk they may be placing the County and it's taxpayers in line for by approving any more projects for this operation. (El Dorado County Superior court case No. PC20010482)

There is also quite a history of compliance issues at the quarry, especially in relation to air quality. An explanation of those lawsuits the County was involved with to enforce air quality and their cost to the County is certainly relevant to this project. (PC 20030622, CIV 5-03-0620 DFL DAD)

Please respond to planning Services no later than July 13, 2009 with information including the vesting hearing "Determination and Findings", Case numbers listed above, and any other related legal issues.

Thank you for your attention to this matter.



Toni Johnson
4646 Summer Stream Lane
Placerville, CA 95667

Cc. Randy Andrus
Ron Briggs
Jason Hade
Kevin Long
Walter Mathews

EXHIBIT H

NEGATIVE DECLARATION

FILE: Z08-0032

PROJECT NAME: Weber Creek Quarry Rezone

NAME OF APPLICANT: Eric Brunius

ASSESSOR'S PARCEL NO.: 102-150-16; 25; 28; and 317-120-08 SECTION: 12 T: 10N R: 9E

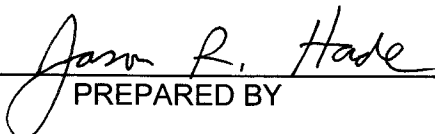
LOCATION: On the east side of Lotus Road north of the intersection with Weber Creek in the Rescue area.

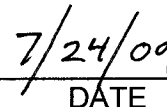
- GENERAL PLAN AMENDMENT: FROM: TO:
- REZONING: FROM: Estate Residential Five-Acre (RE-5) TO: Industrial (I)
- TENTATIVE PARCEL MAP SUBDIVISION TO SPLIT ACRES INTO LOTS
SUBDIVISION (NAME):
- SPECIAL USE PERMIT TO ALLOW:
- OTHER:

REASONS THE PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT:

- NO SIGNIFICANT ENVIRONMENTAL CONCERNS WERE IDENTIFIED DURING THE INITIAL STUDY.
- MITIGATION HAS BEEN IDENTIFIED WHICH WOULD REDUCE POTENTIALLY SIGNIFICANT IMPACTS.
- OTHER: The subject parcel's General Plan land use designation has been analyzed in the General Plan EIR. The project is a consistency rezone for an existing authorized mining operation with no additional development proposed. Future additional development would be subject to further CEQA review in which the specific impacts would be analyzed. There is no substantial evidence contained in the project record that would indicate that this project has the potential to significantly degrade the quality of the environment. Cumulative impacts are defined in Section 15355 of the California Environmental Quality Act (CEQA) Guidelines as "two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts." Based on the project record, it has been determined that the project would have no impact based on the issue of cumulative impacts. Based on the project record, this project would have no project-related environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly

In accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), State Guidelines, and El Dorado County Guidelines for the Implementation of CEQA, the County Environmental Agent analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Planning Department hereby prepares this NEGATIVE DECLARATION. A period of thirty (30) days from the date of filing this negative declaration will be provided to enable public review of the project specifications and this document prior to action on the project by EL DORADO COUNTY. A copy of the project specifications is on file at El Dorado County Planning Services, 2850 Fairlane Court, Placerville, CA 95667.


PREPARED BY


DATE