Quincy Yaley

From:

David Ruby

Sent:

Tuesday, December 1, 2020 2:52 PM

To:

Quincy Yaley

Cc:

Blossom Scott-Heim; Kim MacFarlane; Darin Grossi

Subject:

FW: Terra Vi Lodge - Tuolumne County planning Commission Meeting

FYI, re Terra Vi. Touched base with Kevin Schroder prior to the Planning Commission meeting tonight; see below for dialogue.

Dave

David Ruby

Engineer / DBE Liaison Officer County of Tuolumne Public Works Department 2 South Green Street / Sonora, CA 95370 209.533.6629 office / 209.533.5698 fax

From: Schroder, Kevin@DOT < Kevin. Schroder@dot.ca.gov>

Sent: Tuesday, December 1, 2020 2:29 PM
To: David Ruby <DRuby@co.tuolumne.ca.us>

Subject: Re: Terra Vi Lodge - Tuolumne County planning Commission Meeting

Hi David,

I just spoke with my staff regarding this project. As of now, all our comments were addressed in the Final EIR including questions asked by Environmental and Traffic Operations. As you have stated Tuolumne County is are aware of the required Encroachment permit needed for accessing Sawmill Mountain Rd. As assistance, please see the comments from Encroachment Permits relating to Sawmill Mountain Rd.

- The permit applicant needs to provide a copy of the easement they have to Sawmill Mountain Road
 that is given to them from the property owner. The Permit Office grants permits only to abutting
 property owners to the state highway or a third party in case they have a legal easement to that
 property and the easement is defined.
- Caltrans comments that will be incorporated into the final conditions of approval are not approval of
 design plans for traffic mitigation improvements inside SR 120. Those design plans will be submitted at
 a future date.

Thank you

Kevin Schroder Acting Senior Planner

Office of Rural Planning

From: David Ruby < <u>DRuby@co.tuolumne.ca.us</u>> Sent: Monday, November 30, 2020 3:07 PM

To: Schroder, Kevin@DOT < Kevin.Schroder@dot.ca.gov>

Subject: Terra Vi Lodge - Tuolumne County planning Commission Meeting

EXTERNAL EMAIL. Links/attachments may not be safe.

I called to chat with you about the Terra Vi project, which is coming before the County's Planning Commission tomorrow evening, but your voice mailbox was full and not accepting any further messages.

Just wanted to touch base with you on that project. We recognize that SR120 will need some improvements, and that the Encroachment Permit for that will be subject to CT's full review. This project will be the one which provides for turn lanes in SR120, and which has an emergency vehicle access driveway off SR120.

Feel free to call me to discuss, if you like. The project conditions of approval are in https://www.tuolumnecounty.ca.gov/AgendaCenter/ViewFile/Agenda/ 12012020-1629. COA #6 identifies the anticipated Caltrans Encroachment Permit. #18 identifies lighting of the Sawmill Mountain/SR120 intersection, and #77 addresses signs along SR120.

Thanks, Dave

David Ruby

Engineer / DBE Liaison Officer County of Tuolumne Public Works Department 2 South Green Street / Sonora, CA 95370 209.533.6629 office / 209.533.5698 fax

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Groveland, CA 95321-0350

water · fire protection · parks · wastewater collection & treatment

P.O. Box 350

December 1, 2020

Ms. Natalie Rizzi Planner Tuolumne County 2 S. Green Street Sonora, CA 95370

Re: <u>Terra Vi Lodge – Comments on Final EIR; also made verbally at Tuolumne County Planning</u>
<u>Commission hearing of 12-01-2020</u>

18966 Ferretti Road

We have reviewed the Final EIR for the above referenced project, and submit the following additional comments:

- GCSD provided a similar comment letter to this during the Tuolumne County Planning
 Commissions consideration and subsequent approval of the Yosemite Under Canvas project on
 November 18, 2020 identifying that the project is located outside the boundaries of Groveland
 Community Services District (GCSD) as well as the Groveland Fire Department response area
 boundaries contained in the Tuolumne County Fire Service Providers Mutual/Automatic Aid
 agreement.
- GCSD provided comment letters on both projects under consideration, Terra Vi Lodge and Yosemite Under Canvas, identifying that both projects are outside the boundaries of Groveland Community Services District (GCSD) as well as the Groveland Fire Department response area boundaries contained in the Tuolumne County Fire Service Providers Mutual/Automatic Aid agreement.
- In commenting on the Under Canvas and Terra Vi projects, the goal is to continue conversations
 with County staff regarding fire service response standards and funding mechanisms for
 effective fire protection and emergency medical response within the County.
- GCSD is of the opinion there are options available to the County, and the fire protection
 agencies within the County, to support and improve fire services in addition to the special fire
 parcel tax currently being discussed for placement on the ballot next year. These options may
 rise in importance if the special tax is unsuccessful.
- GCSD recognizes that consideration of some of the funding mechanisms are County policy level decisions and GCSD is committed to continuing to work with staff on which options may be efficient and effective within the County long term.
- As these two projects are outside GCSD boundaries and the Mutual/Automatic Aid Agreement boundaries, GCSD has no jurisdiction or resources to respond to calls at the Terra Vi project location. Please see the attached GCSD Operational/Response Area Boundaries as contained within the Automatic/Mutual Aid Agreement referenced in the FEIR.

- Although the CEQA document identifies GCSD has having primary responsibility for providing all-hazard emergency response services, that is inaccurate. However, GCSD is open to negotiating a service agreement with adequate funding to provide those services. Absent an agreement, GCSD will not be in a position to respond to any calls for service to the projects.
- o The County Fire Chief and Deputy Fire Chief were not authorized to act at a policy level on behalf of GCSD when meeting with the Consultant and County staff regarding whether or not GCSD fire would respond to incidents at the project site under the mutual aid/automatic aid agreement; as described in the FEIR Response to Comments. The County Fire Chief and Deputy Fire Chief had not consulted with nor did they have the authority of their contracting agency, GCSD, to offer emergency response and fire protection services to the project site outside of the GCSD response area boundaries.
- Mitigation Measures PS-1 and PS-2 as contained in the FEIR incorrectly assumes that by hiring two emergency staff and providing required but yet unspecified equipment, Terra Vi will have alleviated GCSD service demands. The FEIR correctly recognizes that the project will exacerbate this existing (deficient) condition, however providing on-site emergency response personnel under the supervision, control and direction of the lodge owner is inadequate mitigation. PS-1 and 2 do not reduce the need for additional trained, professional staff and equipment located at a reasonable response distance from the project and staffed at a level adequate so as to not exacerbate the existing deficient condition which will result in an increased risk to the life and property of the GCSD taxpayers while GCSD resources are responding long distances to the project site(s). The addition of increased professional fire/emergency personnel and equipment on the Highway 120 corridor is the only mitigation adequate to reduce the potential increase and demand of the project(s) for fire protection services from Significant to Less Than Significant.
- The FEIR confuses the reader/issues as it identifies "The (GCSD) General Manager has stated that within three years GCSD will find themselves in a difficult place to financially afford to fund CAL FIRE contract for fire services that are provided at the CAL FIRE station at 11700 Merrell Road in Groveland. Due to the current evaluation of several projects that could utilize GCSD resources, the GCSD Board directed their General Manager to work with the County towards future fire revenues and/or services". The above paragraph stated in the FEIR is two separate issues, both of which were misstated:
 - First, the GCSD General Manager has consistently stated that the GCSD could afford BOTH the contract for services at the CAL FIRE station at 11700 Merrell Road in Groveland and its Schedule A agreement at Station 78 in Groveland. Relief of the cost of the CAL FIRE Groveland Amador agreement alone does not itself balance the GCSD Fire budget or provide additional funding for equipment or staffing.
 - Second, the GCSD Board directed its General Manager to work with the County towards future fire revenues and services related to our mutual need for additional fire services tax funding. The GCSD Board action to coordinate with the County had nothing to do with the current evaluation of several projects that could utilize GCSD resources (presumably Under Canvas and Terra Vi) as stated in the FEIR. In fact the GCSD Board recognized that we did not have the resources to respond to the project(s) unless additional staffing and equipment can be added to the local fire departments in Groveland.
- The statement in the FEIR is misleading regarding the County's allocation of \$263,466 for the Groveland Amador station to fund the GCSD portion of the CAL FIRE contract; as being action

Terra Vi Lodge FEIR Comments Page **3** of **3**

taken by the County Board to move towards its goal of providing additional first responder services along the Highway 120 corridor. The County funding of the CAL FIRE Amador agreement does not provide additional fire or emergency response equipment or staffing on the Highway 120 corridor; it only maintains the same existing condition, identified as deficient in the FEIR and does not provide additional firefighting resources to respond to incidents at the project location(s) which would have alleviated any exasperation of the deficient fire service condition.

- GCSD appreciates the County's assumption of the CALFIRE contract for the Groveland Amador station. However, the Amador station is seasonal, operated by CALFIRE to meet its statewide fire mission and financial relief from this obligation still does not balance the GCSD fire budget. Relief from the cost of the Amador Contract does not provide additional resources to GCSD increase staffing or equipment or to respond to Terra Vi Lodge.
- GCSD was pleased to see the project conditioned with a fee to support emergency response
 (Condition 57). However, a one-time fee will have limited impact and we question the ability of
 the County to impose a recurring annual fee. In addition, even if a fee is collected, there is
 nothing that obligates the County to contract with GCSD, the closest station to the project, to
 provide emergency services.
- GCSD is committed to being a good partner. However, GCSD cannot provide the requisite level
 of services to those within its boundaries and respond to calls outside its boundaries and
 existing mutual aid territory with limited district resources.

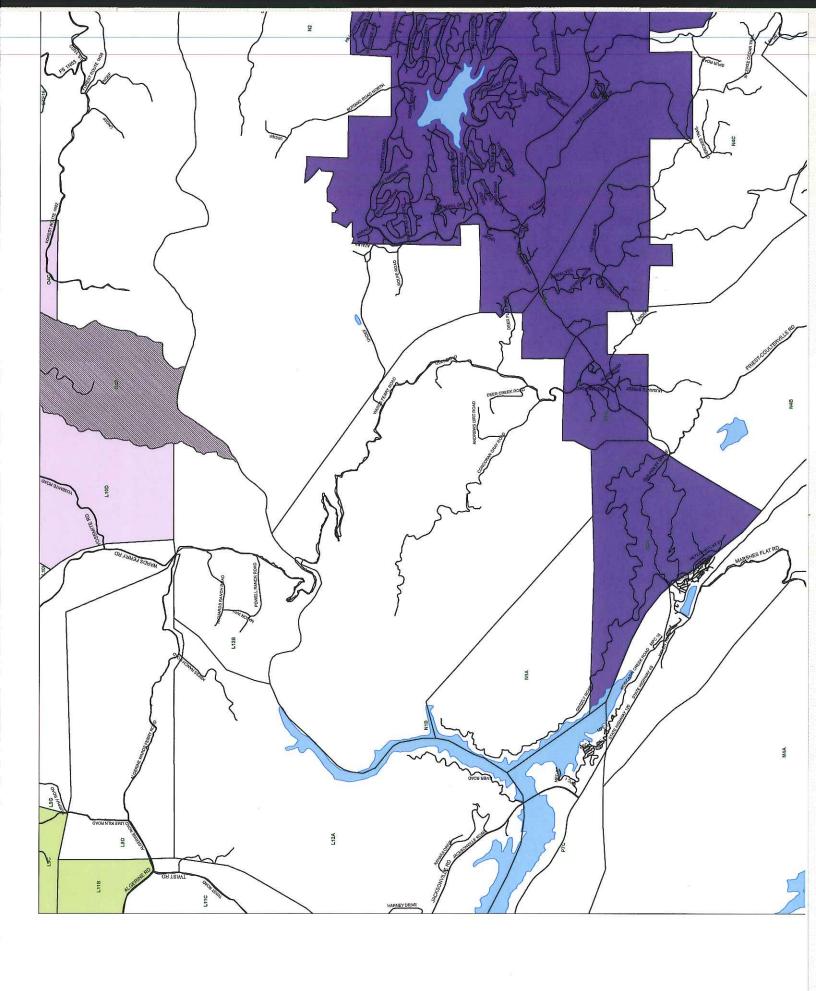
As each fire season grows in duration, GCSD is committed to finding ways to provide services and protect our residents. Part of our commitment is to continue to work with the County on a solution.

Sincerely,

Peter Kampa

General Manager

Attachment - GCSD Fire Response Boundary





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John Woolard

July 30, 2020

Tuolumne County Community Development Department 2 S. Green Street Sonora, CA 95370

Comments in response to Terra Vi Lodge Yosemite DEIR for SDP18-003

I submit these comments on behalf of the Tuolumne River Trust. We are concerned that the project does not adequately evaluate the impacts to water resources and elevated wildfire risk from the project.

- 1. Inadequate Public Review Period. In a letter dated July 14, 2020, we requested an extension to the minimum public review and comment period to provide an additional 30 days. Given the length of the document (1,866 pages) and the fact that the county published at nearly the same time the 1,263 page DEIR for the adjacent proposed Under Canvas project, this would have been an appropriate request to grant. Instead, the County decided to ignore TRT's and other similar requests and move forward with the minimum review period required under the California Environmental Quality Act (CEQA). This is disrespectful to Tuolumne County residents and does a disservice to the spirit of transparency in decision-making.
- 2. HYD-2. The DEIR claims that the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. We believe that this is an inaccurate assessment.

The project site is roughly 64 acres of forest land sloping away from the highway ridgeline. If anyone was arbitrarily picking where to choose to establish a commercial recreational development that would be totally reliant upon well water, then picking a sloping ridgeline area would be amongst the last choices.

The DEIS estimate of water use is based on a roughly 50% occupancy capacity, or 272 occupants. It is notable that in recent years, Yosemite has attracted more and more visitors, each year seemingly breaking previous records. As such, the 50% occupancy may be too low. As a more conservative estimation approach, the DEIS should estimate peak water use based on maximum occupancy, or 556 people, plus 20 resident employees and an unknown number of non-resident employees, and anticipate that peak use to extend for many months. Peak water usage may actually be closer to 32,000 gpd. The pump tests do not estimate capacity of the wells at peak pumping for extended periods during dry years, and as such the information presented in the DEIS is inadequate.

Current geological technology is inadequate to accurately assess or predict exactly where subsurface water in fractured bedrock lies beneath the soil surface. The DEIR, states that the Terra Vi property and the adjacent Yosemite Under Canvas property are "on different sides of a watershed boundary and likely accessing different fracture zones." (page 4.16-7). This is not accurate. The Terra Vi property actually straddles the ridge, with a portion of the property sloping away to the north, and the remainder sloping towards the Yosemite Under Canvas property to the south. Regardless, it is speculation to state that the fracture zones beneath the two properties are distinct because they are on opposite sides of a watershed boundary.

In fact, the DEIR does observe that onsite well-pumping impacts were observable in onsite and offsite monitoring wells to the north. One would expect these impacts to be more exacerbated during sequential dry years.

Additionally, although the DEIR states average annual rainfall, it makes no estimate of natural recharge of the area's groundwater and it is therefore impossible to assess whether natural recharge is sufficient to meet ongoing, year-round operations proposed by this project. In reality, there is very little upslope areas that would act as a recharge basin, so local recharge may be truly limited.

Furthermore, the well pumping tests were conducted in 2019, a very wet water year with 125% of average precipitation in the San Joaquin Basin (of which the Tuolumne Watershed is a subwatershed). The pumping tests do not provide an assessment of what groundwater conditions would be like during sequential dry or critically dry years.

There is no secondary water supply backup as an option at the project site. If the project's wells fail during a drought or during a year that has low overall precipitation, the project cannot simply shift to connect to the closest public water system, as was the solution for some sites with well failures during the recent multi-year drought. There is no close-by public water system available to connect to because this project and the neighboring Terra Vi Lodge proposal are leap-frog development far from public water or sewer.

No mitigation measures are proposed for groundwater usage because the DEIR erroneously concludes no significant impacts to groundwater. We disagree. Based on these facts described above, we believe that the projects impacts to groundwater supply would be significant.

The final DEIR should fully acknowledge that there is currently no solid evidence that during multiple dry water years or during a severe drought that the pumping of wells from the project site will be adequate to supply water to the Terra Vi project at a rate sufficient to meet water demands of the up to nearly 550 occupants on site, plus additional visitors to the market and restaurants, restrooms, kitchen, laundry, etc.

The final DEIR should also acknowledge that numerous DEIR statements purportedly describing the adequacy of the project's water supply are speculative assertions based upon unproven conjecture rather than factual evidence, and that in reality the limited water testing of wells to date does not

provide grounds for the County to approve project wells as a proven sufficient water supply – especially since there is no backup water supply alternative option.

3. HYD-1, HYD-3, HYD-5 – Water Quality concerns for the proposed project are significant in scope and represent a significant impact to the environment. The project proposes a number of features, including onsite sewage management through a septic system, many new, hardened structures and surfaces, etc. that, in combination, will generate significant additional runoff carrying pollutants downslope and downstream. The project site is situated atop the ridge dividing the South Fork and Middle Fork of the Tuolumne River. Any water, pollutants, sediment, sewage, etc generated at the project site will make its way downhill by force of gravity and has the potential to enter the Tuolumne River and/or groundwater.

Additional hardened surfaces will increase the amount of water that moves downhill rather than infiltrating groundwater areas. This has the double-impact of a) decreasing groundwater recharge; and b) increasing runoff and pollutants entering waterways. This is a significant impact. The project proponents have not proposed mitigation sufficient to address these impacts.

Furthermore, the overall size of the project that will accommodate tens of thousands of guests and employees each year will generate significant amounts of human waste. Due to the remote location of the project site, the project cannot connect with municipal utilities and wastewater treatment facilities. As such, the project proposes to rely on septic systems and associated leach fields to handle the waste. The DEIS does not provide sufficient assessment of how the effluent from the septic system may impact groundwater, which is a source of drinking water for nearby homes. The Highway 120 Corridor Soils Report is not actually a report. Rather, it is a 1-page statement with minimal information about design guidelines or limits to allow the public to understand what the site may or may not be able to accommodate. As such, this report is insufficient and the opinion that the site can accommodate the black water generated by the project is impossible to judge.

There is serious potential for the project to pollute nearby drinking water wells of adjacent properties. Additionally, runoff from septic effluent may make its way downstream to the Tuolumne River, pollute the river and cause algal blooms. This represents a significant impact.

4. PS-9, PS-10, PS-11, PS-12 – Impacts to Recreational Facilities. The DEIS states that impacts to park and recreational facilities will be less than significant because there will be a limited number of full time employees (33). While it may be true that the addition of 33 FTEs for operations of this project will not significantly impact recreational resources, the true impact will come from the potential demand that up to 556 guests per day, or up to nearly 196,000 guests per year, place on nearby recreation resources within the Stanislaus National Forest and Yosemite National Park.

The DEIS states that incorrectly states that the proposed project would simply accommodate people who are already planning to visit the area, and would therefore not represent an increase in visitor use. This is speculative. Furthermore, many of the people who do visit the area generally pass through on their way to Yosemite rather than stopping and lodging at this particular location, which is close to river

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access points along the Middle and South Forks of the Tuolumne, most of which are undeveloped, fishing and swimming holes. Of the 100,000-200,000 thousand guests staying at Terra Vi each year, a significant number will not only wish to enter Yosemite National Park, but also explore the nearby recreational opportunities along the rivers and forests to fish, swim, bike, hike, and enjoy other recreational activities. The Stanislaus National Forest has very limited developed recreational facilities in this locations and they are completely unprepared to handle a significant influx in visitor usage. Just over the past few months of summer during the Covid-19 pandemic, the Stanislaus National Forest (and indeed National Forest across the country) have experienced significant increase in visitation and stress on their facilities.

This lodging facility is highly likely to encourage and enable additional uses of nearby National Forest lands. The DEIS significantly underestimates this impact. In reality this will be a very significant impact, especially when considered cumulatively with the adjacent Yosemite Under Canvas and Thousand Trails/Yosemite Lake RV Expansion. The DEIS inadequately assesses these impacts. This is a significant impact.

Conclusion

The issues of water, wastewater, and recreation have not been properly addressed, nor have sufficient mitigation measures been considered and incorporated in the project. The County must require these issues be addressed prior to finalizing the EIR.

Sincerely,

Patrick Koepele

Executive Director

Quincy Yaley

From:

Kathleen Malloy <kathleenmalloy5050@gmail.com>

Sent: To: Tuesday, December 1, 2020 1:38 PM

Quincy Yaley; Natalie Rizzi

Subject:

Terra Vi

Please extend the research and comment period for the proposed Terra Vi project. In addition to the many concerns that have been voiced re: water, fire protection, disaster exit strategies, etc., I am also very concerned at the lack of follow through that the County shows to new developments. We have been left with a number of unfinished or abandoned projects that are toxic, (the gold mine in Jamestown), and scarred and denuded of vegetation, causing erosion. There should be repercussions for developers that rape and pillage our County.

I hope that this isn't just another meeting like the Under Canvas project mtg. where none of the comments were responded to, and the decision was already made, with total disregard to public opinion.

Thank You, Kathleen Malloy

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