

TO: GCS D Board of Directors

FROM: Peter Kampa, General Manager

DATE: December 8, 2020

SUBJECT: Agenda Item 4Aii. General Manager's Report

RECOMMENDED ACTION:

Staff recommends the following action:

Discussion item only, no action required at this time.

REPORT OVERVIEW

This report covers three topics to be presented by General Manager Kampa:

1. Terra Vi and Under Canvas Project approvals - This document includes copies of the letters submitted to Tuolumne County on November 18th, 2020 for the under canvas project, and on December 1st 2020 for the Terra Vi project. These letters were prepared as counterparts to the previously submitted letters to the County regarding the draft environmental impact reports for the above two projects. The obvious intent and purpose of our response is to draw attention to the increase in needed emergency response services in the region resulting from new development projects and to provide coverage for her local community. We continue to work closely with the County for solutions to ultimately increase fire and emergency response staffing on the highway 120 corridor to ensure that adequate resources are available to facilitate acceptable emergency response times. Although no board action is expected as part of this discussion there are obviously actions on her board's agenda today that coming to play in this matter in the future. GSD board members and staff as well as CAL FIRE chief officer staff attended these public hearings which lasted nearly five hours each, providing comments and clarifications as needed. The County Planning Commission ultimately approved both projects, and an appeal hearing on the under canvas project is scheduled for the Board of Supervisors during a special meeting scheduled for December 17th at 2:00 PM.
2. Water and Sewer Master Plans – GCS D operations, management and engineering staff have reviewed and commented extensively on technical memoranda produced by our consultant, Wood Rodgers, covering
 - a. Land Use Projections to be used for estimating future water and sewer demands and system capacity needs
 - b. Criteria for Analysis to be used in system evaluation and improvement recommendations

- c. Wastewater Treatment Plant Evaluation and Condition Assessment
- d. Water Treatment Plants' Evaluation and Condition Assessment
- e. Water Distribution and Sewer Collection System Evaluation and Condition Assessment

Wood Rodgers is currently finalizing evaluation of the sewer lift station evaluations and improvement recommendations, and water treatment plant operational evaluation to determine if it would be advantageous for the District to convert to a conventional filtration and chlorination system versus our current chloramination (chlorine and ammonia) and UV disinfection. The technical memoranda serve as the supporting basis for the final master plan narrative, improvement alternatives and recommended Capital Improvement Plan. We are excited to have the Master Plans completed in the next month or two for presentation to the Board.

3. State of the District/Management Performance Report – A written Performance Report will be provided for discussion at the Board meeting. This report provides the Board and public with a recap of accomplishments of the District over the past year, and is considered in conjunction with the annual performance evaluation of the General Manager. Performance Evaluation forms will be provided separately to the Board.

ATTACHMENTS:

1. Joint Utility Letter and Email in response to proposed County “Dig-Once Policy”
2. GCSD response letters in response to Under Canvas and Terra Vi projects' Final EIR
3. Performance Report (To be delivered prior to the Board meeting)

From: [Erik Johnson](#)
To: [Blossom Scott-Heim](#)
Cc: [Kim MacFarlane](#); [David Ruby](#); [Ed Pattison](#); [Pete Kampa](#); [Jamestown Sanitary District](#); [Dave Andres \(djand@comcast.net\)](#); [Tom Trott](#); [Gaddiel DeMattei](#); [brendatsd@frontier.com](#); [Luis Melchor](#); ["alfonso.manrique@am-ce.com"](#); [Cody Billings \(jsdchiefop@mlode.com\)](#); ["Ben Kikugawa"](#)
Subject: Draft Dig Once Policy Comments - Water and Sewer Agencies
Date: Wednesday, December 2, 2020 10:46:20 AM
Attachments: [TC Dig Once Policy - Unified Comment Ltr 12.2.20.pdf](#)

Good Morning Blossom:

On behalf of the water and sewer agencies of Tuolumne County, please find the attached unified comment letter related to the proposed Dig Once Policy. In light of our concerns, please consider revisions to the policy prior to presenting it to the BOS for adoption. We understand this item is tentatively scheduled for the December 15th Board Meeting. Please let us know if that changes. If you have any questions or wish to discuss this further, please feel free to contact me or any of the other agencies listed in the letter.

Respectfully,

Erik D. Johnson

District Engineer

Tuolumne Utilities District

p: 209-532-5536 x ext. 520

a: 18885 Nugget Blvd | Sonora, CA 95370

e: ejohnson@tudwater.com | w: www.tudwater.com



December 2, 2020

Tuolumne County Public Works
Attn: Mrs. Blossom Scott-Heim
2 South Green Street
Sonora, CA 95370

Dear Mrs. Scott-Heim:

On October 28th, the utility agencies of Tuolumne County received, via email, Tuolumne County's Draft Dig-Once Policy. It is our understanding County Staff intend to present the policy to the Board of Supervisors on December 15th and, if approved, the policy would take effect on July 1, 2021. Utility agencies recognize that implementation of the proposed policy, as written, would have significant fiscal impacts to our customers. Our collective comments and concerns are summarized in this letter.

As a governmental agency and public service provider, we are acutely aware of the challenges facing local governments to collect revenues sufficient to cover expenses for even the most basic services and to maintain critical infrastructure. Roads are critical infrastructure that are used by everyone in the County. In the absence of funding for wholesale rehabilitation of roads, County Staff should be applauded for pursuing new policies and procedures to slow the rate of deterioration and to maximize the useful life of existing roadways. We are not opposed to a policy that promotes accountability on behalf of utility agencies for their impacts to public roads. However, we believe the proposed Dig-Once Policy imposes *disproportionate* mitigations for the limited impact utility operations have on County maintained roads.

Utilities regularly trench within public roadways to repair, replace, or install new water or sewer pipelines. These activities are initiated under four broad categories: 1) emergency repair of leaks, 2) request by customers to establish service, 3) implementation of a project identified in the agency's capital improvement plan (CIP), and 4) relocation of existing utilities to accommodate County road projects. It is important to distinguish between the four reasons for excavating in a public road because reasons #1 and #2 are generally small in scale and occur with minimal advance notice. Project types #3 and #4 typically include advance planning and budgeting so that impacts to roadways can be minimized to the extent feasible.

In all instances, water and sewer agencies hire contractors to patch pipeline trenches in accordance with the conditions of the County issued Encroachment Permits. Currently, standard practice is to saw cut the existing asphalt on each side a minimum of 6-inches beyond the trench sidewall and placing asphalt paving at a thickness that meets or exceeds the County Ordinance Code Chapter 11.12 Section 0.20 for the road classification and traffic index. TUD and others have taken the added measure of backfilling trenches with concrete slurry to eliminate the concern about achieving proper compaction. Using concrete slurry adds expense, but it protects the road and provides a superior surface as compared to aggregate base for which to place asphalt.

Patching paving utility trenches is very expensive. In general, for larger scale water and sewer pipeline replacement projects, surface restoration is typically already on the order of 20% of the overall project cost. If additional full width or half width overlays are required in addition to the trench paving, the paving costs could approach 40% or more of the entire project cost. For budgetary purposes, many water and wastewater utilities assume an investment of approximately \$1 million per 1 mile of standard 6-inch or 8-inch diameter sewer or water main. Using the example above and under the proposed Dig Once Policy, an agency could be responsible for \$400,000 of additional paving expense. Paving would easily become the single largest cost item on pipeline projects. For this reason, we always seeks to place pipelines outside the roadway shoulder; however, many of the County's roads do not have sufficient right-of-way width to accommodate pipeline construction, especially given roadside drainage ditches and cut and fill slopes. Further, public utilities belong in public roads and not traversing private properties with limited access and difficult terrain. The very purpose of public roads is for the transportation of goods, including sewer, water, telecommunications, and power.

Standard practice in the construction industry is to repair or replace impacted facilities to equal or better condition. Requiring utility agencies to undertake ***full width or even half width pavement overlays is disproportionate to the impact of the trench excavation.*** Per the County's 2018 Pavement Management Report the average pavement condition index (PCI) for the road system is 33, corresponding to poor condition. Many, if not most, of the roads in poor condition do not even have water or sewer utilities within them. The poor condition of the County's roads was not caused by utility trenching, it was cause by lack of prescribed pavement maintenance. Road maintenance is simply underfunded. Utility agencies should not bear the consequences of years of deferred maintenance.

A few of the most concerning aspects of the policy along with our recommendations are discussed below and a detailed list of further comments is attached to this letter.

1. **Project Planning and Notification:** Advance notice of scheduled County road improvements is essential to the capital planning and budgeting process of each utility agency.

Recommendation: The County shall provide each agency a *5-year County Roads Capital Improvement Plan* indicating the current Pavement Condition Index (PCI) status of all County maintained roads along with the estimated PCI at the end of the 5-year planning period and the estimated date each road will be improved by the County. Each year prior to approval of the 5-year County Roads Capital Improvement Plan, the County shall hold a meeting with stakeholders to discuss the anticipated road improvements. Furthermore, as part of the encroachment permit issuance process, County Staff should meet with utility representatives at the proposed project site to evaluate road condition prior to permit issuance. Pavement Condition Indices are averages for specific road segments. Road segments are typically on the order of 2,500 feet in length. The section of pavement to be impacted by a specific project may not be indicative of the average PCI of the entire segment.

2. **Threshold of PCI 45:** Application of the policy to roads that have a PCI of 45 or greater is inconsistent with the County's own categorization of pavement condition of PCI 50 or less being considered "poor".

Recommendation: PCI threshold be increased to 50 or less.

3. **Retroactive Application of Policy:** The policy should not retroactively apply to roads paved within the last 3 years because it deprives agencies the ability to have proactively undertaken infrastructure improvements prior to or in conjunction with the County's past paving projects.

Recommendation: Policy should be "forward looking" and apply to roadways paved after the effective date of the policy.

4. **Half or Full Width Overlay is Excessive:** Imposing a requirement to overlay half or full width of the roadway is punitive to the utility. A prime example would be the 5-lane portion of Mono Way where a new water or sewer main trench is approximately 2 feet wide and contained entirely within one travel lane.

Recommendation: Reduce the requirement to half of one travel lane except when the trench traverses a travel lane and affects more than one wheel path, then it is reasonable to require a full lane be overlaid.

5. **Concrete Slurry Backfill:** Section 5.3 of the policy only references the use of concrete slurry backfill for trenches less than 1 foot in width.

Recommendation: The policy should be revised to allow utility agencies the flexibility to use concrete slurry backfill in-lieu of aggregate base material. Additionally, if concrete slurry backfill is used on a road that will be overlaid, the requirement to establish a T-trench and to patch pave the trench should be waived.

6. **Service Lateral Installation:** Section 6.11 of the policy applies to lateral trench installation for new utilities and stipulates a minimum spacing of 150 feet between lateral trenches to avoid repairing the entire section between the trenches. Due to parcel size, lot layouts, and field conditions it is not always possible to maintain a minimum of 150 foot spacing between service laterals crossing roads to serve properties. Furthermore, utility agencies are "stuck" with the spacing on already existing service laterals. We encourage the County to clarify that this condition only applies to "new" developments not replacement of existing service laterals and it should also exempt "in-fill" developments to a single home or parcel. The currently proposed policy could result in significant costs to owner/builders and spec homebuilders who are just building one or two homes.

Recommendation: Revise policy to clarify that the service lateral trench spacing only applies to new developments of 4 or more parcels and explicitly excludes service lateral replacement projects.

7. **Temporary Pavement:** Sections 6.5 and 8.1 require 2-inches of cold patch or “cutback” asphalt be placed as a temporary driving surface. TUD and others prefer to backfill with concrete slurry and use accelerants to provide a temporary driving surface. Requiring cold patch slows construction progress and increases impacts to the traveling public as multiple materials need to be handled and proper compaction provided. In addition, concrete slurry can be a more durable driving surface demanding less maintenance than cold patch.

Recommendation: Expand policy to allow utilities to use 2 or 3-sack concrete slurry backfill as an acceptable temporary driving surface.

8. **T-Trench Width and Minimum Asphalt Thickness:** Section 8.3 indicates requires utility agencies sawcut 1 foot wider on each side than the trench. Previously this requirement was 6-inches on each side of the trench. The additional 1 foot of width requiring surface restoration translates to an additional 25% of paving on a standard pipeline trench and will result in significant added expense. It is not clear that the additional cost and effort is justified. Additionally, it is not clear if the T-Trench applies to roads that will be overlaid anyway.

Section 8.3 also indicates that repaired sections shall be 1-inch thicker than the existing pavement thickness. This requirement seems arbitrary and unnecessarily assigns additional cost to the utility agency. The County has a history of maintaining roads by adding successive overlays of asphalt, creating sections of asphalt that are exceedingly thicker than what is required based on the traffic loads. The thick asphalt sections also make it difficult to sawcut. The structural section, including asphalt concrete thickness, should be governed by the traffic index in accordance with the County Code.

Recommendation: Revise the policy to require a T-Trench be established by saw cutting 6 inches outside of the trench sidewall. Pavement thickness should be 2” minimum or match the structural section required based on the traffic index per Section 11.12.020 of the County Ordinance Code.

9. **Paved Shoulders:** The policy makes no distinction between traffic lanes and paved shoulders, yet the County “strongly encourages” locating utilities in shoulders. Paved shoulders should be treated differently because their structural section does not need to equal the structural section of the traffic lane and they do not affect the roughness or rideability of the road.

Recommendation: Encourage trenching in the paved shoulder by waiving overlay or other surface restoration requirements for areas where the impact is entirely confined to the paved shoulder.

10. **In-Lieu Cash Contribution Option:** Section 8.4 outlines an option for the utility agency to contribute cash, in lieu of repaving or resurfacing, to the County for streets that are scheduled for work in the County's Capital Improvement Program (CIP). As a utility agency, why should it be contributing funds toward road improvements that are already included and planned as part of the County's CIP? This requirement constitutes a direct subsidy to the County's Road Fund by utility agencies. Furthermore, it is questionable if the utility should have to overlay a roadway at all if the County is already planning such work.

Recommendation: Omit the cash contribution requirement and overlay requirements for roads that are already scheduled for resurfacing or repaving in the County's CIP. If the County is not willing to omit this requirement entirely, in-lieu cash contributions shall be placed in a "trust account" to be specifically used for road improvements in the specifically affected area. If the improvements are not under construction within 3 years of the date the contribution was made, then the funds shall be returned to the agency.

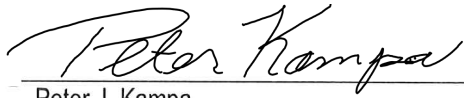
11. **Cumulative Pavement Removal:** Section 8.7 defines the 300-foot condition as the sum of all trenching on any individual segment or adjacent road, including service lateral trenches. Simply crossing a two-lane road with a water and sewer lateral trench, installing a fire hydrant line, and installing a tee at an intersection could easily surpass the 300-foot threshold.

Recommendation: Exclude lateral trenches in the cumulative pavement removal total and limit the total to individual road segments only.

The water and wastewater utilities of Tuolumne County request that the County Board of Supervisors consider the impacts this policy will have to the development community and to rate payers. While we understand and respect the intent of the Dig Once Policy; it should strike a balance between the need to provide affordable water and wastewater service while not compromising the County's ability to maintain its road system. In the past, the County organized and TUD hosted Utility Coordination Meetings where staff from each agency could alert the other about upcoming capital improvements. These collaborative meetings have not occurred for several years but need to resume to ensure each agency can prepare and budget in advance for various projects. In addition, and whenever possible and practicable, each agency will seek to maximize surface restoration in the scope of work submitted as part of its grant applications. All interested parties will be better served by leveraging grant funds for road and utility improvements. This includes allocations from Community Development Block Grants, for which the County has been extremely generous in the past.

Please feel free to contact any of the agencies listed below to further discuss the group's position on this issue.

Sincerely,



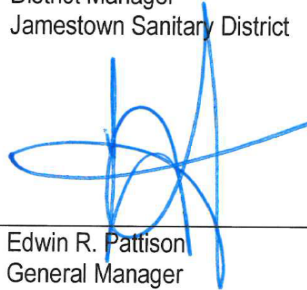
Peter J. Kampa
General Manager
Groveland Community Services District



Patti Ingalls
District Manager
Jamestown Sanitary District



David J. Andres
General Manager
Tuolumne City Sanitary District



Edwin R. Pattison
General Manager
Tuolumne Utilities District



Tom Trott
General Manager
Twain Harte Community Services District

ADDITIONAL UTILITY AGENCY COMMENTS

1. **General Comment – Director of Public Works Approval** – Numerous sections of the policy refer to prior approval by the Director of Public Works. It is onerous and inefficient to obtain these approvals for so many different components of a project. We encourage the County to streamline the process, reduce the number of approvals, and to insert language that authorizes the Director of Public Works, or “designee” to function in this capacity. Ideally the “designee” would be a field inspector who is familiar with the conditions “on the ground”.
2. **General Comment – Encroachment Permits** - Currently utility agencies obtain annual blanket utility encroachment permits for in-house, ministerial types of activities such as constructing service laterals, fixing leaks, etc. For larger scale capital improvements, frequently constructed by outside contractors, a separate encroachment permit is issued and fees are paid based on the lineal footage of trench. There is no apparent nexus between the fee amount paid and the labor hours, if any, of inspection provided by County Staff. For several years now the County has not provided any inspection of paving by utility agencies. Encroachment permit fees should be revisited and/or the County should provide inspection to ensure policies are properly implemented. It is recommended that the County consider eliminating the annual blanket utility encroachment permit process altogether and simply require each utility to follow this adopted policy. The County could continue to issue “project specific” encroachment permits for larger scale capital projects with discrete work areas and impacts to roadways.
3. **General Comment – Inspection** – Proper compaction is essential to ensuring a well-constructed roadway with a long-lasting driving surface. In years past, the County employed staff who were certified to operate a nuclear density gauge and regularly tested compaction in utility trenches. This service was invaluable to the various utility agencies and their contractors as it provided accurate information that could be acted upon in the field in real time. There is a limited supply of qualified technicians in the County who can provide this service. Aside from driving up the cost to the utility, it will be a logistical challenge to schedule a technician to travel from the valley up to the jobsite to take a few tests, which will likely take less than 20 minutes. We strongly encourage the County to consider funding a technician/inspector position with some of the Encroachment Permit fees collected from the utilities. An investment in inspection and compaction testing will yield a much greater benefit to County taxpayers than trying to enforce this policy from an office environment.
4. **Section 1.14 – Performance Period** – This will require agencies to obtain warranty/maintenance bonds from outside contractors for construction projects with a term of 2-years from the date of County acceptance. However, since the County doesn’t inspect the work, we question how the County, when it hasn’t in the past, will be able to effectively and timely process and issue “letters of acceptance” or other formal documentation to indicate approval of paving work.
5. **Section 1.15 – Trench Failure and Repair** – If the trench compaction and patch paving are inspected and accepted by the County, if trench settlement has not occurred after the 2 year performance period expires,

then the utility agencies should be relieved of any further obligations. This policy is too open-ended and imposes a perpetual liability to the agencies for road conditions above the trench.

6. **Section 1.18 – Appeals** – Per policy, the permittee may appeal to the Board of Supervisors. However, there should be a clearer dispute resolution process that first involves attempting to resolve the matter at a staff level before elevating the issue to the Board level. Additionally, the sections being referenced (12.04 and 1.10) appear to relate to erroneous sections of the document.
7. **Section 5.3 – Backfill Material** - The policy requires aggregate base material be used from 12 inches above the top of pipe to the bottom of the asphalt paving. This results in excessive amounts of aggregate base material for utility trenches that are deeper than the standard 36 inches of cover. There are many instances where sewer pipelines need to be deep or when water utilities need to be deeper to avoid vertical conflicts with other utilities such as culverts, etc. Requiring deep sections of aggregate base drives up construction costs with little benefit to the structural section of the road. Utilities should have the option to use screened native backfill material in the trench zone below 3 feet deep.

Conversely, there are areas where pipelines cannot achieve 36 inches of cover to avoid conflicts with other utilities. In these situations, cement slurry should be an acceptable backfill material to protect the pipe and provide structural integrity to the roadway.

8. **Section 6.2 – Depth of Installation** – The policy is unnecessarily rigid in requiring all pipelines have a minimum cover of 36-inches. This requirement should only apply to new construction and should incorporate flexibility to account for unforeseen field conditions. There are many existing pipelines in the County that have less than 36-inches of cover. When these pipelines are replaced, they will likely be constructed with the same depth of cover.
9. **Section 6.3 – Separation of Utilities** – The policy should not prescribe a separation and should defer wholly to State standards for utility separation.
10. **Section 6.4 – Pavement Removal** – The policy prohibits cold planning in-lieu of saw cutting. Cold planning should be allowed because it can be used to produce a clean joint, reduce construction time, and reduce impacts to traffic.
11. **Section 7.4 – Compaction Testing Frequency and Location** – The policy states, “The Director of Public Works shall determine the test locations.” This level of micromanagement is unrealistic, especially if the County will not be providing an inspector for the job. Additionally, we are concerned about the turnaround times and responsiveness of the County and if it may result in delays or stop work claims by the contractors to the utility agencies. In years past, the County had a staff member who was trained in operating a nuclear gauge and could conduct tests in the field to determine compliance with specifications for relative compaction. Without this service, utility agencies will need to depend on outside consultants. There is limited availability of local technicians who can perform this work and paying consultants from outside the

county to travel up to the job site could be expensive and logistically difficult for jobs with small amounts of trenching.

12. **Section 8.2– Temporary Pavement** – Placing a time limit of 30-days to complete final paving is unrealistic for larger scale projects as it would involve having a paving contractor mobilize and pave multiple times over the course of the project. It would be preferable to finish all trenching operations and then have the Contractor mobilize once to complete all the paving in a single sequence of operations.
13. **Section 8.5– Temporary Winter Repairs** – The policy authorizes the Director of Public Works to defer finish paving up to 3 months in the event of weather or other factors. George Reed’s Table Mountain Asphalt Plant closes during the winter season. The date of closure and when it opens again vary from year to year. Oftentimes the plant will be closed for more than 3 months at a time. A 3-month deferral period is not long enough to ensure the utility agency can complete final paving. A 6-month period is recommended.



G.C.S,D, Services - 209 / 962-7161
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www.gcsd.org

water • fire protection • parks • wastewater collection & treatment

18966 Ferretti Road P.O. Box 350 Groveland, CA 95321-0350

November 18, 2020

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

Re: Yosemite Under Canvas – Comments on Final EIR; also made verbally at Tuolumne County Planning Commission hearing of 11-18-2020

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

- GCS D provided a comment letter on both projects under consideration, Terra Vi Lodge and Yosemite Under Canvas, identifying both projects are outside the boundaries of Groveland Community Services District (GCS D) 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 project, the goal is to continue conversations with County staff regarding funding mechanisms for effective fire protection and emergency medical response within the County.
- GCS D 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.
- GCS D recognizes that consideration of some of the funding mechanisms are County policy level decisions and GCS D 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 GCS D boundaries and the Mutual/Automatic Aid Agreement boundaries, GCS D has no jurisdiction or resources to respond to calls at the Under Canvas project location.
 - Although the CEQA document identifies GCS D as having primary responsibility for providing all-hazard emergency response services, that is inaccurate. However, GCS D is open to negotiating a service agreement with adequate funding to provide those services. Absent an agreement, GCS D will not be in a position to respond to any calls for service to the projects.
- GCS D 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 to respond to Yosemite Under Canvas.

- GCSD was pleased to see the project conditioned with a fee to support emergency response. 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 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,

A handwritten signature in black ink that reads "Peter Kampa". The signature is written in a cursive, flowing style.

Peter Kampa
General Manager



G.C.S.D, Services - 209 / 962-7161
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18966 Ferretti Road P.O. Box 350 Groveland, CA 95321-0350

December 1, 2020

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

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

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

- GCS D 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 (GCS D) as well as the Groveland Fire Department response area boundaries contained in the Tuolumne County Fire Service Providers Mutual/Automatic Aid agreement.
- GCS D 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 (GCS D) 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.
- GCS D 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.
- GCS D recognizes that consideration of some of the funding mechanisms are County policy level decisions and GCS D 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 GCS D boundaries and the Mutual/Automatic Aid Agreement boundaries, GCS D has no jurisdiction or resources to respond to calls at the Terra Vi project location. Please see the attached GCS D Operational/Response Area Boundaries as contained within the Automatic/Mutual Aid Agreement referenced in the FEIR.

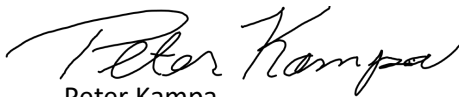
- Although the CEQA document identifies GCSO as having primary responsibility for providing all-hazard emergency response services, that is inaccurate. However, GCSO is open to negotiating a service agreement with adequate funding to provide those services. Absent an agreement, GCSO will not be in a position to respond to any calls for service to the projects.
- The County Fire Chief and Deputy Fire Chief were not authorized to act at a policy level on behalf of GCSO when meeting with the Consultant and County staff regarding whether or not GCSO 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, GCSO, to offer emergency response and fire protection services to the project site outside of the GCSO 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 GCSO 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 GCSO taxpayers while GCSO 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 (GCSO) General Manager has stated that within three years GCSO 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 GCSO resources, the GCSO 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 GCSO General Manager has consistently stated that the GCSO 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 GCSO Fire budget or provide additional funding for equipment or staffing.
 - Second, the GCSO 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 GCSO Board action to coordinate with the County had nothing to do with the current evaluation of several projects that could utilize GCSO resources (presumably Under Canvas and Terra Vi) as stated in the FEIR. In fact the GCSO 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 GCSO portion of the CAL FIRE contract; as being action

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.

- GCSO 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 GCSO fire budget. Relief from the cost of the Amador Contract does not provide additional resources to GCSO increase staffing or equipment or to respond to Terra Vi Lodge.
- GCSO 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 GCSO, the closest station to the project, to provide emergency services.
- GCSO is committed to being a good partner. However, GCSO 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, GCSO 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 – GCSO Fire Response Boundary

