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Yosemite Alpine Community Service District
P. O. Box 31
Fish Camp, CA 93623

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RWQCB-CVR
FRESNO, CALIF.

Mr. Douglas Patteson
California Regional Water Quality Control Board
1685 E Street
Fresno, CA 93706

August 22, 2007

Dear Sir and Board:

Enclosed are the comments and recommendations concerning the **denial** of the application of the PacificUS Real Estate Group, Silvertip Resort Village Wastewater Treatment Facility in Fish Camp, California.

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis of the State Water Board Resolution No. 68-16 "Statement of Policy With Respect to Maintaining High Quality Waters in California," or "Antidegradation Policy" that requires that waters of the State that are better in quality than established water quality objectives be maintained consistent with the maximum benefit to the people of the State. The application states several times that the water quality will degrade as result of this resort, a contradiction to the State Water Board Resolution No. 68-16.

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis that the design does not include all parcels that were used for the density formulation when the applicant put forward the Final Environmental Impact Report. The requirement that all parcels involved were to be hooked up to the wastewater treatment facility has not been demonstrated within this permit application. (Items 3 & 4)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **reconfigure** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis that the proposed three decorative ponds are a potential pollution source for the groundwater. Applications of pesticides to prevent mosquito development will have the capability of degrading the watershed. All areas of California are under advisement to help prevent West Nile Disease as well as other mosquito born diseases and this will increase the potential for mosquito breeding. (Item 5 h.)

The Yosemite Alpine Community Service District **needs** to know what level of Certified Wastewater Treatment Operator will be on duty when the required Grade III Certified Wastewater Treatment Operator is off duty. The plant will be running 24/7 and all hours of operation need to be covered by appropriately licensed personnel. (Item 8.)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis of no plans are put forth for when the secondary unit fails or when the power generator fails. Will the Resort and **all** associated units for forced to close and cease to produce effluent? (Item 12)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis that no plans are put forth for when the emergency 3-day storage basin fills or fails. Will the Resort and **all** associated units for forced to close and cease when the emergency 3-day storage basin is overfilled? (Item 13)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis of the planned wastewater reuse for irrigation. The Tenaya Lodge originally intended to use their tertiary treated effluent for irrigation purposes but they are unable to do so. The Tenaya has a long history of not being able to keep their tertiary treated effluent at a level to allow the application of their tertiary treated effluent to their landscaping areas. (Item 14)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis of the planned wastewater reuse for groundwater recharge. Due to the high water table and the amount of discharge water, the Tenaya Lodge leachfield experienced heaving of the soil and was subsequently abandoned and a new site was developed. IT is important to note that the land area that experienced the heaving is significantly less wet than the proposed site at the Silvertip Lodge. (Item 14)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on basis that they are proposing to infuse 36 acre feet of water in a meadow that will kill the native plants and trees that are the basis of coming "to the mountains". The native vegetation does not require such an influx of water – 36' of water is a lot of water. (Item 16)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis of the design for a spray field between the Yosemite Alpine Community Service District's 2 wells, identified on Attachment B as Y1 and Y2. The close proximity to the YACSD wells **will degrade** the water and that is not acceptable nor is it within the guidelines of the State Water Board Resolution No. 68-16. (Item 19)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on basis of the location of the leachfield upgradient to the Yosemite Alpine Community Service District wells Y1 and Y2, as per Attachment 2 of the permit. The proximity to the YACSD wells **will degrade** the water and that is not acceptable nor is it within the guidelines of the State Water Board Resolution No. 68-16. (Item 19)

The Yosemite Alpine Community Service District recommends that our name be corrected in Items 28, 30.

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis of the **lack of planned** remediation of groundwater contamination when detected by the planned monitoring wells. The location of a proposed monitoring well below the proposed spray field will detect contamination on its way to the YACSD Well No. 1. Water quality remediation plans need to be in place prior to contamination of the shared watershed. Plans to shut down the resort and **all** associated units need to be in place prior to the contamination and degradation of the shared watershed. (Item 35)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis of the lack of planned remediation of groundwater contamination when detected by the planned monitoring wells near the proposed leachfield. The location of proposed monitoring wells near proposed leachfield will detect contamination on its way to the YACSD Well No. 2 and ultimately YACSD Well. No. 1. Water quality remediation plans need to be in place prior to contamination of the shared watershed. (Item 35)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility, as designed with discharge of tertiary treated effluent into a leachfield and sprayfields, on the basis that discharge of tertiary treated effluent into Big Creek with a NPDES permit would be a **better solution** for the watershed. The location of the Wawona Wastewater Treatment Facility in Wawona (within Yosemite National Park) establishes the ability and appropriateness of such a facility. The Wawona WWTF is granted an operating permit by Order No. R5-2005-0155 with a NPDES permit # CA0081795 enabling the discharge of tertiary treated effluent into the South Fork of the Merced River. The proposed Silvertip Resort Village WWTF would follow the same constraints as the Wawona WWTF and thus **protect the watershed** that is vital to Fish Camp. (Item 36)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis that plans have not been developed for use of the emergency storage ponds during the winter time. The power goes out in the winter and when the backup generator fails after a couple days the emergency storage ponds will be full of snow thus limiting their effectiveness. A plan needs to be developed for the closing of the resort and **all** associated units until such time as all repairs are made. (Item 50)

The Yosemite Alpine Community Service district recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis the feasible alternate sites were not fully investigated. The location at Goat Meadow on the Mount Raymond Road would be a viable alternative – their own watershed to keep track of, no concern over light or noise pollution on neighbors, no building height restrictions (outside of the Fish Camp Specific Plan), just as many jobs could be held at that location, just as much generation of substantial revenue potential, and just as much evidence that market force support of such a project. (Item 51)

The Yosemite Alpine Community Service district recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis that the best interest of the people of the State is not in the best interest in the water of the State. Once a watershed is degraded the clean, high quality water that was once part of California will be no longer. High quality water is at a premium within California and the lowering of the water quality for the benefit of the market forces is unnecessary. (Item 52)

The Yosemite Alpine Community Service district recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis the protection of the high quality watershed is imperative and should be the guiding principle of the State Water Boards. Minimum state drinking water standards is not acceptable to an area with high quality water. (Item 53)

The Yosemite Alpine Community Service district recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis that provisions have not been included to ensure that the future water quality standards that are not yet established will become effective when they are established. The state guidelines for the detection of contaminants have become more restrictive as studies have shown potential for adverse effects on humans. As State and Federal regulations become more restrictive these same restrictions need to be imposed upon the proposed Silvertip Resort Village Wastewater Treatment Facility. These guidelines need to be included within the permitting process.

The Yosemite Alpine Community Service district recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis the location of sprayfields adjacent to the 40 cabins on the property. The requirement of no spray drift near dwellings, designated outdoor eating areas, or food handling facilities would preclude the location of a sprayfield near any of the 40 cabins or small conference centers. (See Attachment B for the location of sprayfields with the lack of cabins and conference centers for reference.) (Item 7 of Waste Discharge Requirements)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **modify** the PacificUS Real Estate Group's application for a wastewater treatment facility to include languages other than English and Spanish on the warning signs for non-potable water. There is a large influx of German, French, Japanese and Chinese visitors that need notification of the non-potability of the water. They may not know what the red line through the glass means. (Item D 2 Waste Discharge Requirement Order)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis of the **inability to comply** with the Use Area Monitoring requirements to conduct daily visual inspections for evidence of erosion, field saturation,

runoff, daylighting of effluent in the leach field area, and/or the presence of nuisance conditions during the proposed wintertime use of the leachfields. The presence of several feet of snow will preclude the ability to visually inspect the leachfield. Will the resort and all associated users be required to close when visual inspection is not possible? (Use Area Monitoring)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the proposed road connection with our District maintained Black Pine Way and Silvertip Lane for the purpose of grading, construction, pumping tanks or visually inspecting leach fields or inspecting spray fields. These are private roads self-maintained by the Yosemite Alpine Community Service District. (Use Area Monitoring)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis of not including the +/- 2 acre parcel as part of the wastewater generator flowstream. The Final Environmental Impact Report required all parcels that were used for calculation of the density and as part of the original land mass to use the proposed wastewater treatment facility. (Information sheet - Background)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis of the **prevention** of the increase salinity of the River Basin. The Silvertip Resort has several acres of planned irrigated areas and the resulting fertilizing of the landscape will increase the salinity of the water. A majority of landowners in Fish Camp do not plant grasses and this project will more that quadruple the amount of grass and associated chemicals that will degrade the watershed. (Information Sheet – Basin Plan, Beneficial Uses, and Regulatory considerations)

The Yosemite Alpine Community Service District recommends the California Regional Water Quality Control Board **deny** the PacificUS Real Estate Group's application for a wastewater treatment facility on the basis that the market research done for the project is outdated and there is no need for use a project and thus no need for a wastewater treatment facility. Since the market research was done there has been the incident on September 11, increased gas prices, and increased security concerns which have left many hotel / motels with empty rooms year round. There is no need for such a facility and the associated wastewater treatment facility. Fish Camp already is a "community center for this part of Mariposa County and the need for a wastewater facility is not needed along with the associated resort.
(Information Sheet – Antidegradation)

The Yosemite Alpine Community Service District reserves the right to all monitoring results for (A) discharge sampling points and (B) monitoring wells required of the proposed Silvertip Resort Village in Fish Camp.

As you have read there is a plethora of reasons to deny the PacificUS Real Estate Group's application for a wastewater treatment facility. The most outstanding one is the guidelines as set for in one of the State Water Boards own missives – **that waters of the State that are better in quality than established water quality objectives be maintained.**

Respectively submitted,



Karen Glendenning
Secretary
Yosemite Alpine Community Service District

Cc: Jack Hoover, Chair
Diane Bopp
Barry Green
Dick Ryon