

**Comments to Preferred Alternative 2B and Additional Environmental Analysis
for the
Upper Truckee River Restoration and Golf Course Reconfiguration Project**

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The following comments were originally submitted June 6, 2018, prior to the first comment period ending on June 15, 2018. As a result of the State Parks extending the public comment period from June 13, 2018 to July 30, 2018, we're resubmitting these comments with additional statements presented in *italics*.*

The hard copy notices sent out by mail, both for the first and extended comment periods, were in an envelope with the return address of AECOM, Imagine it Delivered, and a Sacramento address. The envelope looked like junk mail and could easily have been tossed before opening. There was no indication on the envelope this was an important mailing by the California State Parks. This is a subtle and deceitful way to discourage recipients from opening the envelope, and if a postal mailing is the only method which a concerned public receives an announcement by the State Parks, they could easily have missed an opportunity to submit their comments.

Section 1 Introduction Page 1-1

In the fifth paragraph where the primary purpose is stated, State Parks fails to comply with CEQA and NEPA by being inconsistent, deceptive, and false in proclaiming the proposed project analyzed in the PAAEA is to restore natural geomorphic and ecological processes along this reach of river. The obviously pre-decisional, driving purpose by State Parks is to extend the Lake Valley SRA golf course into Washoe Meadows State Park under the premise of river restoration. The statement that the current PAAEA is the best of the evaluated alternatives to meet the project's basic objectives is false because diverse environmentally sensitive habitat and land would be negatively impacted by the replacement of a water consumptive, monoculture vegetative golf course. Instead of lessening concerns of the general public, the extension of the golf course into Washoe Meadows SP would raise and has raised more concerns to a higher level in order to hold State Parks accountable for its actions.

In addition, the primary purpose fails to disclose the need to propose boundary changes between Washoe Meadows SP and Lake Valley SRA. This is a significant action and must be stated initially instead of a small consequential mention under Section 2.2.4. To date there is no General Plan for Washoe Meadows SP, and the public has been denied due recourse in participating in the process to determine the future of Washoe Meadows SP prior to its lands

being proposed for conversion to a golf course. The transparency with the State Parks using this proposal to conveniently change land classification of a State Park for the sake of extending the SRA golf course on the other side of the Upper Truckee River is devious. By including the proposed boundary change in this document, the State Parks are circumventing the legal procedure to adopt a General Plan for Washoe Meadow SP, which is inconsistent with CEQA and illegal. Therefore, the PAAEA is not a viable document. There are alternatives that have been analyzed in the EIR/EIS/EIS that would be reasonable in all matters to modify the existing 18 hole golf course entirely within Lake Valley SRA, stabilize sections of the Upper Truckee River banks that would be beneficial in the project area, and maintain natural geomorphic and ecological processes that are currently functioning naturally; keeping in mind natural forces are dynamic and stabilize naturally with minimal human impacts.

In the sixth paragraph it is not specifically disclosed how many acres of golf course are proposed to be constructed in Washoe Meadows SP. The semantics of language to imply the golf course footprint will be reduced is deceptive and false because extending the layout of the holes into a new area that's been in a natural state for decades is an expansion of the existing golf course impacts. This action would result in destruction to the natural environment as it is in Washoe Meadows SP and adjoining sensitive wetlands from construction and long-term maintenance of such development.

In the seventh paragraph where restrictions are stated as to what can be commented on, interested publics and those who may be new to this proposed project are being denied reasonable time and information to comment. There are no public meetings or field trips scheduled to explain more thoroughly the scope of this proposal and how it relates to the EIR/EIS/EIS. This is unreasonable and inconsistent with the intent of CEQA and NEPA, which provides by law full, true disclosure of a proposed project. Several years have passed since the comment period for the EIR/EIS/EIS closed (we submitted our comments October 23, 2010) and releasing what really is a new alternative to the CEQA/NEPA document eight years later for public review is disjointed, incomplete, unprofessional, and noncompliant. Alternative 2 in the EIR/EIS/EIS proposed relocation of nine holes to Washoe Meadows SP. Alternative 2B proposes to relocate five holes to Washoe Meadows SP. **Alternative 2B is a separate, new alternative that requires its own full analysis as part of the range of alternatives in the EIR/EIS/EIS.** Again, State Parks is attempting to use semantics of language to deceptively push through, by short-cutting the environmental process, to get what they want approved despite public outcry. A new EIR/EIS/EIS proposal needs to undergo a fresh start with different staff personnel who are objective and not associated with the litigation history of this CEQA/NEPA document and proposed Alternative 2B, or be completely abandoned by the State Parks. In view of the fact that golfer numbers are decreasing nation-wide demonstrates fiscal irresponsibility by State Parks to continue spending public funds on this proposal.

**Updated comments regarding the above paragraph: State Parks was immediately responsive by extending the comment period to July 30, 2018, the Draft and Final EIR/EIS/EIS Five Volumes were made available and comments could be submitted on the entire document during this period (although State Parks stated that new comments on the PAAEA would be most important), and an on-site tour was scheduled. While these attempts by State Parks has the appearance of accommodating the public during this review process, it further*

*complicated the preposterous review of the new proposal in context of the entire documents and subsequent Court determinations. **Of the most critical importance, the on-line copy of the EIR/EIS/EIS from the link provided in the public comment notice** (http://www.parks.ca.gov/?page_id=981 {click on “El Dorado County”}) **is incomplete!** The documents omit many public comments. There are blank pages where many public comments should appear; for example, our comments from October 2010 were not visible to view, although the State Park’s response is visible. The on-line link may be the only reasonable access to the complete set of documents for most interested parties to review and yet, not all of the public comments are available to be reviewed. This inadequacy alone nullifies this public comment period!*

The on-site tour did not provide clarification or attempt to simplify the complicated review process. Instead, it validated that State Park project leader and CEQA Coordinator, Cyndie Walck, has an arrogantly single-minded, self-fulfilling intent to implement the PAAEA proposal regardless of public input and concerns. Her statement on the tour that this project will be a better river restoration project than any from other agencies in the Lake Tahoe Basin undermines a cooperative public process and indicates she is not objective about a reasonable alternative that benefits the natural resource issues of the project site. The website included in the public comment notice, restoreuppertrukee.net under the heading ‘History and Background’, ‘Meet the Project Team’, posts the following statement from Cyndie Walck: “With the delay of more than 7 years due to litigation on CEQA technicalities, we have lost precious time to restore the river and habitat, sending more sediment into Lake Tahoe.” This statement and the one she made on the tour demonstrates an unprofessional, unethical, and short-sighted understanding of the project related issues in being non-objective and pre-decisional publicly through the CEQA and NEPA process. Her words and actions corrupt the environmental review procedures and this is unacceptable. In order to hold State Parks accountable through the environmental review of the proposed project, litigation occurred. Such statements by a State Park employee indicates that the State Parks are not taking responsibility for their actions and are impacting the public in a costly way. An appropriate remedy would be Cyndie Walck’s removal from the project and either the project abandoned or a complete fresh start of a new proposal with new staff.

*Therefore, the public comment period extension, allowing comments on the full document again, and one on-site tour did not lessen or clarify the confusion the State Park is creating, but instead exasperated the public’s effort to participate in a reasonable and fair environmental review. It’s apparent the State Parks have made a pre-decision on a CEQA and NEPA document and are trying to bully the public through the review process.**

The fact that State Parks has failed to be compliant with CEQA and NEPA in disclosing fully the true purpose and need of the proposed project, stating truthfully that Alternative 2B is really a new alternative separate from Alternative 2 in the EIR/EIS/EIS, and making it difficult, confusing, and complicated for the general public to participate and engage in a knowledgeable review of this document for commenting, nullifies this entire document as released to the public.

Section 2 Proposed Project/Preferred Alternative 2B: River Ecosystem Restoration With Reconfigured, Reduced-Footprint 18-Hole Regulation Golf Course

Page 2-1

Under footnote 1, the question presents itself as to what is the Superior Court's judgement? For this legal judgement to be referenced, it should be stated fully in the document; because the statement that Alternative 2B has been preliminarily planned to comply with the court judgment implies the Alternative is incomplete and in an early stage of planning. Therefore, the public is not provided full description of the proposal and future unknown modifications will not receive public review.

Section 2.1 Summary of Differences between Alternative 2, Alternative 2A, and the Proposed Project (Preferred Alternative 2B) Page 2-3

The same above applies in the first paragraph under Table 2-1 that the design plan for the proposed project is preliminary. A complete design plan is not provided and the public is asked to comment on a proposal that could change unknowingly in the future if approved. The public is denied full disclosure of the proposal which is suppose to assess direct, indirect, and cumulative effects on the environment. This document is incomplete for public review and should not have been released.

Section 2.2.2 Reconfigured 18-Hole Regulation Golf Course Page 2-23

Exhibit 2-3 indicates the golf course footprint in Washoe Meadows SP is located in Sand lily habitat (*Leucocrium montanum*) and in locations where plant occurrences are currently found. This species, at a minimum under TRPA Code of Ordinance, qualifies for protection under an uncommon plant community. Because this plant species is only known to occur in Washoe Meadows SP, the only location in the Lake Tahoe Basin and in El Dorado County, the proposed golf course footprint would result in destruction of this plant's habitat and individual plants. Any action that reduces the numbers of this unique and rare species in the Lake Tahoe Basin is a violation of TRPA Code of Ordinances. Therefore, implementation of Alternative 2B would violate

TRPA Code of Ordinances. The State Parks, under its responsibility to protect the unique and rare resources of the State of California, fails to take appropriate action in protecting this species. The same applies to TRPA in its failure to take action to protect this plant species under its own Code of Ordinances.

As shown in Exhibit 2-3, the proposed re-configured golf course footprint in Washoe Meadows SP would be in a stream environment zone. This is obvious when walking on site in the proposed golf course footprint area. During the 2016/2017 and 2018 winter/spring seasons, this area was flooded and user created trails were running streams.

This issue that the proposed golf course footprint in Washoe Meadows SP is located in a wetland is the most significant contradiction to the primary purpose to restore natural geomorphic and ecological processes along this reach of river. It's obvious that construction of a new golf course footprint in a wetland would destroy the existing, natural geomorphic and ecological processes in that wetland and adjacent sensitive areas. Clearly, the truth is that under Alternative 2B, the State Parks are proposing an exchange of portions of the SRA existing golf course footprint in a flood- plain to across the Upper Truckee River onto another floodplain in Washoe Meadows SP. There is no net gain in restoring sensitive lands under this proposal and the result of significant land disturbance from implementation of this project outweighs any benefits claimed by State Parks. This is not a reasonable or viable solution to restore the Upper Truckee River reach within the proposed project area. The ultimate consequence of implementing Alternative 2B would be loss of existing, functioning stream environment zones in Washoe Meadows SP. This is non-compliant with the mission of Federal, State, and local jurisdictions in the Lake Tahoe Basin.

In addition to negative consequences to stream environment zones from the proposed golf course footprint in Washoe Meadows SP under Alternative 2B, the adjacent fen would be affected directly, indirectly and cumulatively with its hydrologic functions and quality of existing diverse plant communities and wildlife species. This would be a result of not having an effective buffer zone proposed between the fen and the proposed golf course footprint. Typical mitigation measures required during construction are only temporary band-aids to protect the fen, but for long-term viability of the fen, the entire area from the fen to the Upper Truckee River would be the best and most effective buffer zone. However, the proposed golf course footprint intersects this zone and would cause a slow decline in the viability of the fen and the adjacent wetland habitat where the Sand Lily occurs.

Another issue omitted in the PAAEA document is reference to the 2013 report prepared by West Ecosystems Analysis, Inc. for State Parks titled, "Washoe Meadows State Park 2013 Bat Survey and Ecological Status Assessment". This report came after completion of the EIR/EIS/EIS and an analysis of the report's findings on the proposed Alternative 2B, as well as any of the other proposed alternatives, has not been conducted. Proposed modifications to existing habitat for bat species and other wildlife species that occur in Washoe Meadows SP, such as other mammal species, Northern Goshawk, Pileated Woodpecker, migratory bird species protected under the Migratory Bird Treaty Act (Federal legislation that must be addressed in accordance with NEPA), would have a detrimental effect if Alternative 2B is implemented. By altering the existing wetland and sensitive areas along the Upper Truckee River corridor, habitat for a myriad of species would be reduced and eliminated. Converting the existing habitat to a golf course reduces plant diversity, removes a significant portion of a functioning forest ecosystem, changes the natural hydrologic processes, which cumulatively results in negative impacts to the viability of wildlife species occurring in this important ecosystem. Since it's been at least 8 years when the EIR/EIS/EIS was completed, current biological survey protocols must be updated and conducted for a true analysis. **The PAAEA limits its updated information to vegetation mapping and mitigation measures. This is incomplete in view of the time span that's transpired for a current analysis of the PAAEA and CEQA/NEPA documents.** State Parks has failed to

address these issues in the PAEEA and the list of non-compliance with CEQA and NEPA grows excessively!

Updated comment regarding the above paragraph: The PAEEA does not include the cumulative volume of tree removal from the proposed project and the completed adjacent bike trail development along Sawmill Road (this project was completed after the EIR/EIS/EIS was completed). Already a significantly excessive volume of tree removal has occurred from the construction of over a mile of asphalt in the State Park when a bike trail could have been incorporated into the existing Sawmill Road shoulder. This would have eliminated and definitely reduced the volume of tree removal and habitat reduction along the eastern perimeter of Washoe Meadows SP. CEQA and NEPA require analysis of cumulative effects, direct and indirect and the PAEEA fails to address the cumulative tree removal and habitat alteration from the proposed project and recently completed adjacent projects.

Section 2.2.3 Trails and Recreation Pages 2-32

The first paragraph under this section acknowledges existing trails on the west side of the river (i.e. Washoe Meadows SP) are causal or volunteer trails and that no trails have been officially established or designated. Yet, State Parks has invested in-house/agency labor and public funds to improve a network of such user created trails in Washoe Meadows SP as though they are now adopted trails. However, this has been done without a General Plan and demonstrates State Parks inability to act accordingly to its own procedures. Although these trails are located outside the study area, many people use them for recreation and they lead to the proposed golf course footprint area. There is no disclosure or analysis as to how the proposed golf course footprint, and its operations in the future, on the Washoe Meadow SP side would affect such recreational users where these trails intersect with the proposed golf course.

Section 2.2.5 Project Construction Access, Staging, and Storage Page 2-43

This section states that street access to the study area would be provided via Chilicothe Street and it is further stated in the following paragraph that most of the construction area would be accessed through sites already disturbed by..... sewer maintenance routes. The State Parks fails to specifically address that this particular route from Chilicothe Street goes through National Forest Lands acquired under the authority of the Santini-Burton Act, Public Law 96-586. This Federal legislation states the “environmental quality of the Lake Tahoe Basin is seriously jeopardized by overdevelopment of sensitive land areas.” There was a valid reason why public funds were authorized to purchase this parcel adjacent to Washoe Meadows SP. In order for the State Parks to use this route for most of the construction of the proposed golf course footprint in Washoe Meadows SP, this would require the route to be upgraded to accommodate heavy construction equipment as a haul route. Consequently, that would require a hardened,

impervious surface, such as asphalt, resulting in creating a new road in a stream environment zone and floodplain instead of maintaining the existing sewer maintenance easement. In the event the State Parks and U.S. Forest Service enter into a transfer of this parcel, the Santini-Burton Act states that “appropriate deed restrictions to protect the environmental quality” shall be applied. This limits the nature and use of the route and therefore, the State Parks present another inconsistency with Federal law.

Updated comment regarding the above paragraph: The State Parks response to our comment in the Final EIR/EIS/EIS regarding the Santini-Burton acquired parcel mentions that pre-existing conditions can occur on the subject access route from Chilicothe Street. However, pre-existing conditions do not include access for commercial operations and maintenance of a golf course concessionaire. Pre-existing conditions include maintenance of a sewer line and access by an adjoining property owner. Any interpretation of pre-existing commercial use would be a violation of the Federal law and deed restrictions for the protection of environmental quality.

Restroom and Parking Area Construction Pages 2-44

The first paragraph under this section mentions that a 650 square foot restroom facility would be constructed near new hole 7 on the west side of the river (again... Washoe Meadows SP land). It's further stated that connection to the existing power and sewer lines at Chilicothe Street would be installed. The State Parks fail to state that such a connection would cross through the U.S. Forest Service Santini-Burton parcel. In addition, the State Parks fail to disclose what actions and disturbance would occur from construction of the sewer connection and restroom facility, and whether such activities are compliant with management of Santini-Burton acquired parcels. The specific location of the sewer connection and restroom facility is not provided on a map. Disclosure of the impacts of increased traffic through the residential neighborhoods via Chilicothe Street are also not provided. Any increase of traffic from proposed construction activities and long-term maintenance needs by State Parks and other agencies is a significant social issue. The nature of a tranquil residential neighborhood would be forever changed to a commercial access route and this is an unacceptable consequence. Omission of these issues is non-compliant with CEQA and NEPA by not fully disclosing the proposed actions and effects.

The second paragraph states the unpaved parking area north of the golf course entrance would be paved to create up to 89 additional parking spaces. Parking at the golf course has been unregulated by State Parks by allowing the concessionaire operator to have additional parking on native surface and what was wetland areas. By this practice over the years, increased use of the site exceeds its infrastructure capabilities and has compacted sensitive lands; other activities at the golf course include weddings, parties, memorial services, etc. In view of the recent increased traffic congestion in the south shore area that is diminishing the quality of life for its residents, resulting from the cumulative expansion of commercial activities in this region throughout the year, the State Parks must include in their analysis of a new Alternative 2B how this proposal contributes to the current traffic problems. The expansion of activities on State Park lands contributes to the increasing traffic issues in this community. Therefore, the proposal is incomplete and non-compliant with CEQA and NEPA. It's evident the State Parks are foregoing their responsibility as a trustworthy, respectable, conservation and recreation land managing

agency for the ultimate self-serving dollar extraction from the public; this is by proposing to spread the golf course into undeveloped sensitive lands at the expense of the taxpayers and the quality of life for the south shore community residents.

We contest that Alternative 2B is not viable and cannot be considered the best and preferred alternative. Based on these eight pages of comments presenting the lack of complete information and full transparent disclosure of issues in the EIR/EIS/EIS and PAAEA, the State Parks has acted unprofessionally and in a retaliatory manner as a result of litigation matters with the EIR/EIS/EIS. The publics, which the State Parks serve, demand right action!