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Nevada County Board of Supervisors  
Hank Weston, Fourth District Supervisor  
950 Maidu Ave., Suite 200  
Nevada City, CA 95959

May 22, 2017

Dear Supervisor Weston,

I write to provide information concerning possible significant impacts of the proposed expansion of Ananda under the Ananda Village Master Plan, and the associated Zoning map changes. I am not opposing the plan, but am deeply concerned about the possibility of the plan moving forward with very little environmental review given its potentially significant impacts on availability of residential drinking water, potential for a significant impact on fire danger and on the capacity of the existing fire department to provide adequate services, and on transportation infrastructure particularly in case of emergency.

I do not think that it is appropriate or lawful for the project to move forward without an EIR because there is a **high likelihood of this project having significant environmental impacts, when considered in light of cumulative effects**. The application and associated Negative Declaration fail to address significant cumulative impacts of this and other nearby projects that have been proposed or that are likely. Because a significant impact is likely, the Board of Supervisors should require an EIR, or at least further study, and may not lawfully proceed with a mitigated negative declaration.

The specific other cumulative impacts that are significant, together with the proposed Zone change and expansion, include: 1) Proposed mining on adjacent land; 2) the fact that one large adjacent property surrounding another "hub," Mother Truckers Market, is on the market and likely to be developed (the Bollette Ranch); 3) the fact that numerous properties along the Tyler Foote corridor are also likely to be on the market (those owned by Charlie Hilkey); and 4) possible expansion of the old Cherokee Townsite.

The Neg. Dec. mischaracterizes the affected property as a "community hub" in a manner that ignores other community "hubs" and infrastructure that is likely to develop further and cause cumulative impacts. Specifically, much of the property surrounding Mother Truckers, a long-time community hub, is for sale and likely to

be developed in the next few years. Secondly, the San Juan Gold property has been the subject of a recent application. Third, the old Cherokee townsite has a number of uses likely to result in further development at some time. Because Ananda is a religious community, no development by businesses who are not members of their religious organization is permitted on that site, and thus it cannot properly serve as a hub for the whole community.

These cumulative impacts are very likely to result in a significant impact on available groundwater that is the source for all residential water supplies, and that serving the Medical Clinic and Mother Truckers Market and the Fire Department.

A more detailed discussion of specific impacts follows.

I. THE PROPOSED PROJECT CANNOT LAWFULLY BE APPROVED WITHOUT FURTHER ENVIRONMENTAL STUDY, AND PROBABLY AN EIR, DUE TO DEPARTURES FROM THE GENERAL PLAN THAT WOULD HAVE CUMMULATIVE IMPACTS ON THE ENVIRONMENT.

The Mitigated Negative Declaration does not take into account the numerous cumulative impacts of this project coupled with other likely adjacent projects. Specifically, impacts on water quantity and quality; on fire danger and infrastructure; and on traffic and transportation are likely to be significant and **have not been addressed in an EIR**, as this proposal amends Zoning proposed in the General Plan EIR without assessing additional cumulative impacts or proposals that have come to light since the adoption of the General Plan. Thus, the project may not move forward with a mitigated negative declaration at this time. The following potentially significant impacts should be evaluated and mitigated in an EIR.

II. AESTHETICS

The project would have a significant impact on local aesthetics. The project would have a substantial adverse effect on a scenic vista. The project would substantially degrade the existing visual character or quality of the site and its surroundings.

The project would result in significantly more people, possible building expansions and additional buildings at the eastern boundary of our property on the ridge top. Already there are large numbers of Ananda residents and visitors that cross over onto our land to utilize the view towards the west. This changes the pastoral nature of our property and view. One of the most significant vistas from our property is from the lower end up to the upper slopes on the ridge.

The project would create a new source of substantial light or glare in a very rural environment which would adversely affect day or nighttime views in the area.

The additional people, either residents or visitors and building expansions or additions would add light at night and glare during the day. We manage our property as an organic farm with a rural character. The additional people and development would result in many more lights from cars, flashlights or buildings that would disrupt the aesthetics. Ananda uses views of our side of the ridge in advertisement, yet the expansion would cause more use on our side of the ridge and disruption of that view. These impacts have not been sufficiently analyzed.

## II. AGRICULTURE RESOURCES:

The project would be likely to result in significant impacts to water supplies that provide water to nearby farms, thereby resulting in a conversion of farm land out of production.

Olala Farms has been in operation for over 43 years. It is currently active, with vegetable production, flowers, fruit orchards and livestock. We actively sell our produce to local markets and at the farmers' markets. Water supplies are critical to our farm and any decrease would cause economic harm and affect our way of life. The cumulative effects of climate change, predicted more extensive and severe drought have not been adequately addressed in the environmental analyses. While a hydrologic study was conducted on water availability for Ananda residents and visitors, it did not adequately address how the use would affect neighbors water supply and quality. The buffer area included in the study was very limited. The study did not address cumulative effects of climate change. The "mitigation" that growth would occur in stages and would be halted if there was not enough water does not ensure us that we would have sufficient water for our farm or residential use.

In addition, the project is in conflict with existing Agricultural zoning, and would convert AG land and farmland to PD zoning, in conflict with the General Plan and resulting in a potentially significant cumulative impact due to loss of farmland and agricultural land in our County and State.

## III. AIR QUALITY

The project has the potential to have a cumulatively significant increase in both emissions as well as greenhouse gasses, and thus on globally warming.

The project may conflict with or obstruct implementation of the applicable air quality plan, as the population in this region would increase significantly in a manner not anticipated in the General Plan.

## IV. BIOLOGICAL RESOURCES

The project is likely to have a substantial, cumulative and adverse impact on biological resources.

The project has the potential to reduce the water table because of the cumulative increase in residential water use, such that there may be substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

#### V. CULTURAL RESOURCES

The project may have a significant adverse impact on cultural resources, as this is an historic archeological site.

UC Berkeley conducted an archeological study on our property in 1960. This was determined to be a highly significant prehistoric site. The proposed expansion could cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5. It is certain that the archeologically significant site across our property extends at least up and on top of the ridge on Ananda land. Any additional use or development in this area would result in substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5. There could be direct or indirect destruction of unique paleontological resource or site or unique geologic features. Because of the high density of archeological artifacts found on our adjacent property it is highly likely that any further development and use would possibly disturb any human remains, including those interred outside of formal cemeteries.

#### VI. GEOLOGY AND SOILS

Because the project area was the subject of a very hot and large wildfire, soils are particularly susceptible to erosion. Thus, significant impacts are likely.

The soils in the areas proposed for expansion are highly erosive for several reasons. First, much of the area has soils that are developed from decomposed granite. These are highly erodible. Second, other areas that have soils derived from metasedimentary bedrock are on steeper slopes and are highly erodible.

The management practices of Ananda are heavily focused on mechanical vegetation removal and movement. These practices have resulted in removal of topsoil in many areas and the conversion of vegetation from productive conifer and hardwood forests to less productive hardwood-annual grassland vegetation. This further perpetuates lower soil productivity and high likelihood of erosion. In addition, these practices cause soil compaction which not only reduces soil productivity but also reduces water infiltration.

#### VII. HAZARDS AND HAZARDOUS MATERIALS

The project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan by adding traffic impacts to a significant artery.

Further, the plan would expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Tyler Foote Road is the primary evacuation route for over half of the residents on the ridge. During a wildland fire or other emergency requiring evacuation of residents, the additional Ananda residents and visitors would make it difficult if not impossible for residents to evacuate in a timely manner. Wildland fires move fast and there can be barely enough time for people to leave. Roads clogged by more Ananda residents and visitors could result in the injury and death of residents.

Although the Ananda Village site is considered a “safe zone” during a fire. It is not large enough to contain current Ananda residents according to National Interagency Wildland Fire definitions of Safety Zones. Further, while it is relatively safer, it does not meet the criteria of having no fuel in the center of where people would be there. There are structures and vegetation that would ignite.

#### VIII. HYDROLOGY AND WATER QUALITY

The project would be likely to have a cumulatively significant adverse impact on water quality and quantity by over-utilizing groundwater and by providing inadequate storage and treatment of wastewater and human sewage for a village of this size. This level of impact was not contemplated in the General Plan, and several significant new projects in the area have emerged since publication of the General Plan EIR.

As referenced in the Agricultural Impact comments, the cumulative impacts of climate change on ground water and groundwater outside of Ananda have not been adequately addressed. This plan could substantially deplete groundwater supplies in the event of a future drought or droughts. There is scientific consensus that there will be additional and more frequent and severe droughts in California. Similarly, increased temperatures alone are already impacting the hydrologic cycle and water supplies, including ground water. The Environmental Analysis does not adequately address these cumulative effects.

The project would likely adversely affect groundwater recharge and a lowering of the local groundwater table level. This is especially likely when considering the cumulative effects of other existing or planned uses. The gold mine near Grizzly Hill School is planning to re-open sometime in the future. This would be an additional cumulative effect on ground water of Ananda as well as our and other neighbors' water. When the gold mine was seeking to reopen recently, they monitored our well and others to get a baseline for potential effects. It is highly likely that the cumulative effect of the gold mine operation and Ananda growth would negatively impact our water table levels.

#### IX. LAND USE AND PLANNING

The project has the potential for significant impacts resulting from growth that was not planned or evaluated in the General Plan, and that does not change infrastructure to mitigate impacts on traffic, fire danger, groundwater depletion, and waste-and stormwater discharge.

The proposed project conflicts with Zoning designations in the General Plan, including converting Agriculturally zoned lands to Planned Development zoning; allowing much reduced parcel sizes and increased residential use with no real analysis on already overtaxed transportation and fire infrastructure. The plan further would eliminate protections provided in the Zoning ordinance for wildlife and other natural resources on large parcels and land zoned as Agricultural.

It would conflict with the deer management plan for this area. The concentrated area of development would include the area or adjacent to the area zoned as critical deer winter range. Removal of forest cover in this area for more than 50 homes could not be mitigated.

#### X. MINERAL RESOURCES

The project may have the impact on the capacity of adjacent landowners to extract mineral resources due to cumulative impacts on available water and increased potential for resulting dewatering of wells.

We own the mineral rights for our property and want to maintain the option of being able to exercise those rights. This potential impact has not been adequately addressed.

#### XI. NOISE

The project may have impacts on ambient and temporary noise in the project vicinity above levels existing without the project.

Although residents and visitors of Ananda are generally quiet verbally, the additional vehicle traffic on Maidu road above us would have significantly impair the quiet of our area. This includes not only residents and visitors driving by but also people driving to the parking area on the ridge directly above us. More and more people drive up there because it is marked by Ananda as a cell phone use area. This would be a significant additional car noise. This was not addressed in the environmental analyses.

They also intrude on our land to use their cell phones. This is added noise from people talking.

#### XII. POPULATION AND HOUSING

The project would result in significant adverse impacts by inducing a substantial population growth in the area without providing adequate mitigation to infrastructure. Because transportation and fire infrastructure are already overtaxed

in part due to storm damage to roadways serving the area, and because there is already a lack of fire infrastructure for this urban/wildland interface area, and because the water resource is already limited, this impact is cumulatively extremely significant.

### XIII. PUBLIC SERVICES

The project would have a significant impact on public services and access to public services.

The most significant impact would be access to the public to fire protection. While Ananda does hazard reduction around their structures and have said they would build an engine bay, this would dilute the fire protection services available for the rest of the ridge in two ways. We have a very good and hardworking Fire Department. But they are limited in number. More resources located at Ananda, such as a fire engine, means less available somewhere else on the ridge. Secondly, fire research has overwhelmingly shown that most wildfires in California are human caused. And the more people there are the more likely that human caused fires will occur. While Ananda does a careful job with fire prevention education, the hundreds of visitors are not all well-educated or aware of risks of fires. Further, inadvertent human caused fires can occur from sparks from vehicles. This potential cumulative impact on greater fire risk and public services has not been adequately addressed.

### XV. TRANSPORTATION/TRAFFIC

The project would have significant adverse impacts on transportation infrastructure that is already dangerously vulnerable and over-used.

The project would cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the road system, including increasing volume on roads and at intersections that are already very dangerous. Further, the existing road system on which medical vehicles arrive is already extremely overtaxed and susceptible to failure in emergencies such as flooding and fire. This last winter, Highway 49 closed down temporarily and for months has been limited to one-way traffic. This causes trips to town for basic services by residents to take one hour rather than a half an hour. Adding a large number of additional vehicles would cause these back-ups for roadwork to be even longer. This is a substantial impact that was not addressed.

### XVI. UTILITIES AND SERVICE SYSTEMS --

The project would result in significant adverse impacts to the environment as it exceeds wastewater discharge capacity of the area with septic tanks as infrastructure, does not provide for adequate water supplies when the cumulative impacts to groundwater are taken into account.

In the past, we have experienced wastewater overflow on our property from Ananda. This was a violation of Water Quality laws. They corrected it but with the increased volume of people, it is possible these issues could occur again and be worse. These impacts were not addressed in the environmental document.

#### XVII. MANDATORY FINDINGS OF SIGNIFICANCE

The lead agency must make a mandatory finding of significance because the project would have impacts that are individually limited, but cumulatively considerable, including impacts to groundwater availability, wastewater and stormwater discharge, impacts to wildfire prevention infrastructure, and impacts to transportation infrastructure from this and other proposed projects or likely projects not evaluated in the General Plan or the associated EIR. This project will have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

#### XVII. Notice:

I hereby ask to be informed of all future proposals and applications submitted by Ananda. As someone who has commented on past proposals, I believe I have made this request in writing in the past, yet received no notice of this project.

#### XIX. Conclusion

I request an Environmental Impact Report be prepared for this project and not a negative declaration.

Sincerely,

*Robyn Martin*

Nevada County Planning Commission  
Public Hearing Re. Ananda Church Master Plan Revision

April 27, 2017

Dear Members of Nevada County Planning Commission,

My name is Robyn Martin.

Thank you for this opportunity to speak before you and express my concerns.

I with my husband Arlo Acton, and family have been resident on our property, 200 acres at the end of Robinson Road, for 43 years. (parcel numbers 61-200-53, and 61-200-04) We grow flowers, fruits, vegetables, and livestock on our CCOF Certified Organic land. Our family has participated in a wide range of Services and Non-profit organizations in our community. We share borders on 2 sides of our property with Ananda.

We became residents of this community due to the rural quality of the region and the lifestyle associated with that. This proposed expansion of The Ananda Master Plan could threaten the quality and character of our property and our community.

A very limited number of property owners in the immediate and surrounding area received notice of this hearing or of the proposed Master Plan Expansion.

My community needs time to review existing documents and the history of the site in question. There should be more public hearings to provide a venue for questions and comments for community members.

I am concerned about the potential impacts to water resources, and the very limited infrastructure in this part of rural Nevada County to support this scale of development over the next 25 years.

The capacity of the roads to handle the increased numbers of visits, and residences described in their notice could have a negative impact on the evacuation plan in the event of fire, emergency assistance, or natural disaster. Fire Protection services and access could be compromised. If exemptions to County road standards within this proposal have been requested it would also affect those property owners who use deeded access through Ananda.

There is no public transit in this area and only one gas station on the San Juan Ridge.

I am concerned about the possible depletion of the region's groundwater, pollution of surface waters, and excessive pumping by this development. Although the Nevada County's General Plan provides development standards, they may not be easily applied in this community. I feel that this proposal is too large and should be

addressed at the end of 5 year intervals, rather than allowing first 15 years with the possibility of 2 further 5 year extensions.

I also have concerns about sewage systems for all of Ananda's proposed development. There are extreme elevations and extreme terrain effecting both drainages of the Middle and South Forks of the Yuba River and Shady Creek Drainage zone. The potential for septic systems to seep into the ground and surface water are a constant risk factor.

The movement of wildlife through areas that heretofore were classified as non-residential areas in Ananda's Planned Development will be affected by these newly proposed land uses.

So few people in our immediate area knew about this hearing or Ananda's proposal, I sincerely ask you to schedule more public hearings before you make any decisions.

Thank you for allowing me to express some of my concerns about Ananda's Proposed Master Plan Expansion.

Sincerely,

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