

DEPARTMENT OF TRANSPORTATION

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Governor's Office of Planning & Research

Aug 26 2020

STATE CLEARINGHOUSE

August 26, 2020

Ms. Quincy Yaley, Planning Director
County of Tuolumne
Community Resources Agency
2 South Green Street
Sonora, CA 95370-4618

TUO-120-PM 50.082
Terra Vi Lodge
Draft Environmental Impact
Report (Addendum)
SCH # 2019110286

Dear Ms. Yaley,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the development of Terra Vi Lodge, a master planned lodge located at 11262 Sawmill Mountain Road, Groveland, CA 95321. The Terra Vi Lodge will include one hundred (100) guest rooms, seven cabins with 26 guestrooms and five employee housing units, a market, a lodge, event space, emergency landing zone for a helicopter, and other support buildings. The project site consists of two parcels totaling 63.38± acres, APN 068-120-060 and 068-120-061. The parcels are zoned Commercial Recreation (C-K) and Open Space (O) under Title 17 of the Tuolumne County Ordinance Code. The project site is located at the northeast corner of the intersection of Sawmill Mountain Road and State Route (SR) 120.

Caltrans has responded to the previous routing of this project on December 27, 2018, May 20, 2019, October 28, 2019, December 12, 2019, and July 30, 2020. Caltrans has the following comments based on our previous letters and proposal for sight improvements at Sawmill Mountain Road for acceleration and deceleration lanes, including turning lanes on SR 120.

Right of Way:

- In reviewing the location TUO-120 PM 50.82 at Sawmill Mountain Road through TUO-120-PM 50.3, Caltrans has fee of ownership at the location where the break of access lies within an access-controlled right of way (ROW). At Sawmill Mountain Road TUO-120-PM 50.82, the request for highway improvements prompts a Decertification Process and would require the Private or Public requestor to submit a deposit with a

Decertification application.

- Caltrans rights are by easement only through U.S. Forest Service (USFS) lands within the proposed development post mile range. Our easement is limited to the operation and maintenance of SR 120 within 66' left and right of the centerline, together with any and all man-made features including drainages adjacent to and appurtenant to the existing SR 120.

Caltrans Right of Way Manual Section for Decertification

16.05.12.0 Requests to Decertify and Purchase

An adjoining owner or public agency may request the Caltrans to decertify a portion of operating right of way, sell, or otherwise convey access or other property rights not considered as excess land. Excess Land shall not initiate any action until the requesting party has deposited, as a minimum amount, the estimated costs of processing the request, including appropriate overhead assessments. Accounting for the overhead should be done pursuant to procedures set forth in the Accounting Manual. Project Development reviews requests for decertification and obtains approval from Federal Highway Administration (FHWA) where necessary. If the Private or Public requestor is requesting access within National Forest Service (NFS) lands, Caltrans does not have fee rights. Caltrans has only easement rights within NFS lands.

Since Federal funding was involved in the development of SR 120, then the improvements, commercial approach, left turn lane, acceleration, deceleration lanes, and utility crossing improvements would need to meet the design standards for the facility. Any design exception will require FHWA approval of sign-off and they would request National Environmental Policy Act (NEPA) clearance documentation in their evaluation.

8.18.18.00 Environmental Clearance

Requests for a federal land transfer may need an environmental document that assures compliance with NEPA of 1969 (42 USC 4332, et seq.), the Historic Preservation Act [16 USC 470(f)], and Preservation of Parklands Act [49 USC 1653(f)]. Under the Caltrans' NEPA assignment from the FHWA, Caltrans is the lead agency and author of the NEPA document for Federal-aid highway projects.

- For additional information regarding 16.05.12.0 Requests to Decertify and Purchase and 8.18.18.00 Environmental Clearance, please view the Caltrans website: <https://dot.ca.gov/programs/right-of-way/right-of-way-manual>

Environmental:

- Prior to Caltrans approval for work in our ROW, Caltrans needs to see approval from USFS for work in their ROW. Please note a NEPA document will be required from the USFS.
- Caltrans will need to see resolutions to all comments made in the draft EIR including the May 29, 2019 Calfire comment regarding the California Forest Improvement Program (CFIP) and public comments regarding pedestrian crosswalk across SR 120.

Encroachment Permit:

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

For project construction activities which will encroach into Caltrans ROW, the project proponent must submit an application for an Encroachment Permit to the Caltrans Permit Office. The NEPA and California Environmental Quality Act (CEQA) clearances must be submitted with the application for encroachment permit which address all improvements and soil disturbance activities within the SR 120 ROW. Copies of all appropriate environmental studies must be submitted with this application. These studies shall include analysis of potential impacts to any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans ROW at the project site. The permit package submittal must have a complete engineered set of plans that meets all Caltrans standards. For more information please visit the Caltrans Website.

<https://dot.ca.gov/programs/traffic-operations/ep/applications>

Ms. Quincy Yaley
August 26, 2020
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If you have any question or would like to discuss these comments, please contact Michael Casas at (209) 986-9830 michael.casas@dot.ca.gov or me at Kevin Schroder (209) 986-9635 Kevin.Schroder@dot.ca.gov

Sincerely,

Kevin Schroder

Kevin Schroder, Acting Branch Office Chief
Office of Rural Planning

Cc: State Clearinghouse