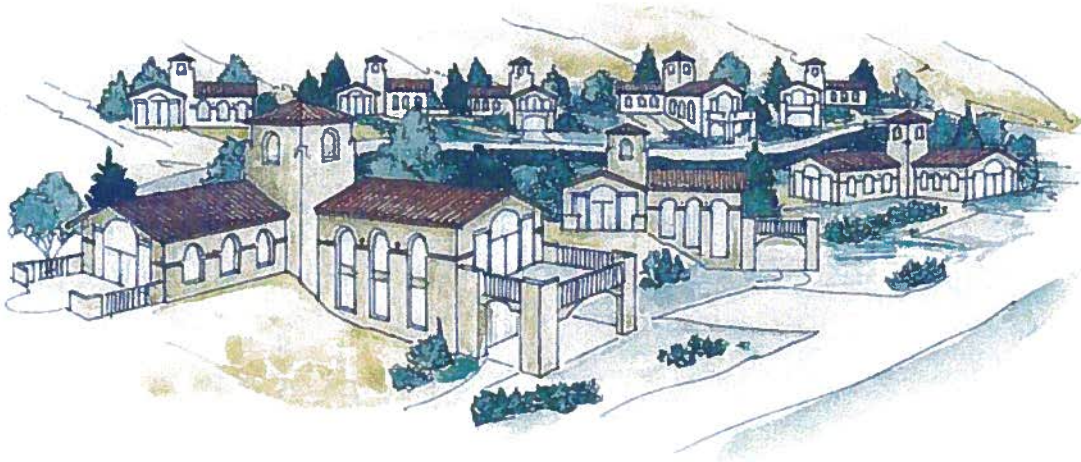


TUSCAN VILLAGE AT LAKE CHELAN

**A PLANNED DEVELOPMENT
AT LAKE CHELAN, WASHINGTON**



FINAL ENVIRONMENTAL IMPACT STATEMENT

September 2009

Chelan County
Department of Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801

FACT SHEET


DESCRIPTION OF PROPOSAL: The Tuscan Village at Lake Chelan is a proposed mixed use planned development that would include working vineyards and orchards, two wineries and an organic food center. Situated on 312 acres immediately upland from Lake Chelan the development plan features the Tsillan Cellars Winery, Tunnel Hill Winery, Sunshine Orchards and Sunshine Farm Market, all of which are on site. Portions of the site will be planted to expand the vineyards. Built elements of the project would be dispersed in and around the working vineyards and orchards. The project is intended to be pedestrian oriented, with trails and walkways connecting on-site residences, hotel, wineries, retail and open space areas.

Mixed use components of the plan would include a boutique hotel with up to 288 rooms associated with the Tsillan Cellars Winery; multifamily and single-family units aimed at the short term, extended-stay seasonal and second home tourist markets; and small scale retail associated with the wineries, orchards and resort hotel. Permanent single-family residences and retirement homes will make up the rest of the land use mix. Total number of hospitality and residential units is estimated at 954.

LOCATION OF PROPOSAL: Chelan County, Washington
Located on the south shore area of the City of Chelan UGA of Lake Chelan along HWY 97A immediately east of and adjacent to the intersection of HWY 97A and SR 971

LEAD AGENCY: Department of Community Development
Chelan County

PROJECT PROPONENT: Tuscan Properties, LLC
PO Box 7113
East Wenatchee, WA 98802

RESPONSIBLE OFFICIAL: Bill Bailey, Director 
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Tuscan Village at Lake Chelan
Final EIS
September 2009

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LOCATION OF FINAL EIS:

Copies of this Final EIS are available at the following locations:

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For more information, visit the County website at www.co.chelan.wa.us

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Exhibit C	Wastewater Reuse Memorandum, Esvelt Environmental Engineering, 8/14/09
Exhibit D	City of Chelan Comprehensive Plan Goals and Policies Analysis; in response to DEIS comment letter #8.
Exhibit E	Excerpts from City of Chelan Comprehensive Plan
Exhibit F	Excerpts from the Chelan County Comprehensive Plan
Exhibit G	Chelan Basin Regional Plan Compatibility, ELESCO, Ltd.
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Exhibit I	Tsillan Cellars Newsletter, Summer 2009
Exhibit J	Corrected DEIS Appendices 16A, B and C; Transportation Analyses
Exhibit K	Revised Draft EIS, September 2009
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I. INTRODUCTION

This Final Environmental Impact Statement (FEIS) has been prepared in accordance with the procedural requirements of WAC 197-11 SEPA and under the direction of Chelan County Department of Community Development. The primary FEIS requirement under SEPA is to respond to comments received during the DEIS comment period, and to provide clarifications and/or additional information where necessary. WAC 197-11-560 provides the rules for preparing an FEIS response to comments. SEPA rules allow for flexibility in how responses to DEIS comments are organized and how each comment may be addressed.

The County received thirteen comment letters and emails in response to the Draft EIS issued in June, 2009. Exhibit A of this FEIS contains a list of the comment correspondence received. They have been numbered and the responses to comments that follow are provided in the order indicated in Exhibit A.

Exhibits B through I of this FEIS contain additional information in support of responses to comments made below. Exhibits K is the revised DEIS, which contains a limited number of modifications. Exhibit J contains the DEIS transportation Appendices 16A, B and C.

Summary of Preferred Alternative

SEPA rules and Washington case law allow for examination of EIS alternatives at two levels. First, is the level of an overall project. This is where all of the elements of a development proposal are described, establishing project limits of population, traffic, utility and public service demand, project layout and uses, and associated physical environmental impacts. This is also the level at which the required No Action alternative is examined for comparison. The second is the level of individual project elements. Within a given development proposal there may be alternative means for providing specific facilities and/or services. A Preferred Alternative may be provided at both levels of EIS review.

The preferred alternative in this EIS at the overall project level is the Tuscan Village development proposal as described in the DEIS and the PDD/Preliminary Subdivision application materials.

At the facility level, alternatives have been reviewed for providing water and wastewater service and management. The preferred alternative here is for development of an on-site wastewater reclamation facility, with water service provided via one of the identified local adjacent water systems.

II. RESPONSES TO DRAFT EIS COMMENTS

1. Washington Department of Ecology (DOE) letter dated July 15, 2009:

DOE notes several general requirements related to Water Resources, Water Quality, Solid Waste management and Toxics Cleanup. These comments and suggestions relate to water rights, stormwater discharge during construction, erosion control, solid waste management opportunities, and possible residual concentrations of agricultural pesticides.

Response

The applicants are aware of the requirements noted by DOE will be included as mitigations as part of project approval and final designs. With respect to managing on-site organic debris, Sunshine Farms currently employs organic practices including limited or no use of pesticides and recycling/use of chipped woody debris as soil amendments. These practices would be expanded to include management of all on-site landscaping.

2. Bear Mountain Water District (BMWD); Peterson letter dated July 15, 2009:

BMWD comments note that they could accommodate the projected demand and have the ability to provide water service to the Tuscan Village project, subject to required approvals. They discuss how service could be achieved and have indicated a willingness to work with the applicants to provide service.

Response

The DEIS notes that the BMWD presently serves a portion of the site with water, specifically Sunshine Farms. A supplemental water report from Esvelt Environmental Engineering is attached as FEIS Exhibit B. They are engineers specializing in water systems and has identified that the BMWD system is presently capable of serving all of the project, with the addition of a storage facility on the Tuscan property.

Tuscan Village proponents appreciate the willingness of the BMWD to provide solutions for both water and sewer service.

3. Washington Department of Health (WDOH); Heather Cannon email dated July 15, 2009:

The Department of Health has pointed out several general requirements necessary to develop a water system, and has noted DEIS statements that need clarification.

Response (responses are numbered according to paragraphs numbers in comment email)

1. The applicants acknowledge the need for a water system plan for a public water supply to serve the area, and that project approval is conditioned upon having an approved plan in place and system operational prior to the filing of any final Planned Development District or final plat maps. Engineering-level environmental review will be conducted at the time a specific water system plan is proposed.
2. It is assumed that the reclaimed, Class A system water would be used for irrigation of site landscaping, as well as agricultural irrigation. No potable water is to be used for any irrigation, thus the assumption of 250 per ERU per day should remain valid.
3. The project proponents understands that additional storage would be required for any Little Butte or Bear Mountain expansion of service to the project site.
4. The BMWD advantage #6 on page 40 of the DEIS is in reference to supplying water to the first phase of development, which can be accommodated under the existing system. The disadvantage #1 is with respect to supplying the whole project, requiring system

upgrades and expansion. More recent information (see FEIS Exhibit B) suggests that the best approach is the construction of a storage facility to facilitate such an expansion of service.

5. The reference to a “local water system” option means one supplied from BMWD, Little Butte or development of an on-site system, as opposed to a remote source such as the City’s system.
6. Comment and requirements acknowledged and understood.
7. The Tuscan Village proponents have domestic water rights that would be transferred to the selected purveyor as part of an overall water system plan. It is acknowledged that coordination with WDOH and DOE is necessary to facilitate such a transfer of water rights.

4. Chelan County Public Works Department; DK Sharar comments dated July 16, 2009:

Chelan County Public Works has noted a list of information requests for the EIS and general requirements that should be incorporated as project mitigations.

Response (responses are labeled and numbered the same as in the comment letter)

Phase 1 Requirements

1. The EIS has been updated to reflect WSDOT comments for the improvements along HWY 97A. See Exhibit K Transportation section. Note that all WSDOT requirements must be met prior to final plat approval.
2. The primary road and trail system are to be constructed with Phase 1. This will be a condition on the preliminary subdivision requiring work to be done prior to final plat approval.
3. The roads, turnarounds and parking shall be designed and constructed to Chelan County Code. This would be a condition on the preliminary subdivision for final plat approval with provision for modification as permitted by Title 15.
4. Traffic Impact Analysis reports included in the DEIS (see FEIS Exhibit J) provide information relative to traffic impacts based on full occupancy. Boulevard geometrics will be proposed on updated preliminary subdivision map application materials.
5. The Planned Development District map shows the conceptual layout for both roads and trails. Those to be constructed in subsequent phases will be subject to a specific requirement that all developed properties be served by a connected trail to the primary trail system and road connections consistent with County Code for both access and emergency services. There is no “missing” section through the Tsillan Cellars piece. That property is presently the vineyard for Tsillan Cellars and part of the primary trail system. The trail is to be upgraded to provide for secondary access to the R&H property to the south and for emergency service access to both R&H and the Tsillan Cellars property, but public motorized traffic will not be permitted.

6. The preliminary subdivision map will be updated to provide crossing information on the first phase. Subsequent phases would be required to provide that information as a part of final approval.
7. Tuscan Village will comply with this requirement in an updated preliminary subdivision map.
8. Ingress and egress from the primary boulevard will depend on individual site-specific building plans. All such plans must conform to County standards for turning movements, and turn lanes may be required as part of any upgrade of phase that increases turning to the point one might be required.

Future Development Phases

- 1-6. All these comments are acknowledged and will be conditions of the preliminary subdivision approval and project development agreement.

General Comments

1. Acknowledged. The development shown on the PDD is conceptual and subsequent development must be consistent with County Codes and regulations, and addressed in the development agreement.
2. The primary roadway is a public road. As future phases are developed, roadways will be either all public or all private, but all roads will conform to County standards.
3. The connector between the R&H property through the Tsillan Cellars property is a primary pedestrian walkway and not intended for vehicular traffic. It is to be constructed to accommodate emergency service vehicles and provide an alternate exit in the event that the R&H or Tsillan exits are blocked. All traffic meets required LOS (see FEIS Exhibit J).
4. Roadway and trail interconnectivity are to be maintained at all times as development occurs. This requirement would be a condition of the preliminary subdivision for final plat and PDD approval and part of the development agreement.
5. Gated developments must meet the requirements of the Chelan County Code. Provision is made for all public trails to be linked and not gated. However, connection may be made to trails within the gated community for resident access, but would not be accessible to the public generally.
- 6-9. The conditions in Items 6-9 are acknowledged. These would be conditions on the preliminary subdivision for final plat approval.
10. All trails are to be limited to non motorized vehicles except those specifically approved for golf carts and handicapped accessible vehicles. All trails will be constructed to County standards, as well as WSDOT's where appropriate.
11. The preliminary subdivision will be updated to indicate the proposed locations for utility and snow storage locations.

5. Little Butte Property Owners' Water Association; letter dated July 17, 2009:

The Little Butte letter notes they have had conversations with the project proponents, the advantage of their proximity and have indicated a willingness to provide service should they be identified as the preferred purveyor.

Response

The applicants acknowledge the letter and appreciate the willingness of the Little Butte Property Owner's Water Association to work with the owners to develop an acceptable solution for water delivery.

6. Lake Chelan Sewer District (LCSD); letter dated July 17, 2009:

LCSD has several comments related to the use of the City wastewater system and observations about system advantages and disadvantages.

Response (responses are labeled and in the order the comments are provided in the letter)

Option 3, DEIS Page 3 (Costs relative to sewer service)

The DEIS identified the principal issue with the City sewer service connection is that the City at present has the capacity to serve only the first 150 ERUs. To serve project ERUs beyond that would require material upgrade to the existing City transmission lines, and approval and construction of the City's Phase II treatment plant upgrade (see February 29, 2008 letter from Gray & Osborne). The statement in the DEIS referenced above is intended to note only that the ***combined*** costs of upgrading the Lake Chelan Sewer District facilities, the City transmission lines and paying the general facility charges identified by the City for the project are higher when compared with the other alternative.

Wastewater Treatment Options, DEIS Page 36

Comment acknowledged. The DEIS is referencing the system noted in the Gray & Osborne letter dated February 28, 2008. Part of the requirement of an EIS is to disclose what solutions that are technically feasible in order to identify and compare the relative potential environmental impacts in order to determine alternatives that can meet programmatic requirements at lower environmental costs.

Wastewater Option #1, Page 39

The Class A wastewater would be discharged to infiltration trenches designed to WDOE standards for use when irrigation does not take all of the water. The system is designed to accommodate full build-out of 1,000 ERUs during peak use season, which corresponds with the peak irrigation season. Off-season occupancy would be approximately one-third of the peak and corresponds to the non-irrigation season. Supplemental study has confirmed the ability of the site to accommodate the infiltration without impact to the Lake (see FEIS Exhibit C).

Infiltration basins will require approximately 5-6 acres of the more than 90 acres of open space and buffers on the project site. The basins would likely be constructed in 10-15 separate zones to permit areas to rest between uses. Final designs and soils tests are required to be approved as part of a general sewer plan for a reuse system, and engineering-

level environmental review will be conducted to address site-specific conditions and limitations.

Wastewater Option #2, Page 39-40

Project proponents were advised by Mr. Van Epps that the LCSD system had approximately 400 units available for service in the existing City treatment system under the LCSD agreement with the City. He also indicated that upgrades in the City transmission system could be required for the Lake Chelan sewer lines leading to the City.

The City has clarified that the in-lake sewer transmission line was designed for the lake-bed location and represents little or no risk to the aquatic environment due to failures. The DEIS reference was to an overflow that occurred in 2007 into a parking structure near the water. While the risk is acknowledged as small, no such risk of exposure is associated with the on-site Class A system alternative, since no transmission lines would be located in or near the lake.

The disadvantage referenced has to do with the uncertainty surrounding the timing of upgrades to the City system, and not permitting and financing per se. It is acknowledged that an on-site system would have permitting and financing issues to work out. However, development of the on-site alternative has the advantage of greater certainty of service being available when it is needed, since it would be privately financed and designed to expand in discrete increments as the project develops. Additionally, it provides the environmental benefits of reclaiming and reuse of Class A water on-site, which is supported by WDOE.

Recommended Mitigation Conditions, Page 44

Comments and suggestions noted. Project proponents expect to work with the City and LCSD to identify a reasonable alternative. Their goal is to manage wastewater in a manner that provides reuse to off-set overall potable water demand, and water reclamation as envisioned by the State. If timely development of a City system could meet that programmatic goal, then that alternative would certainly be considered.

7. & 10. WSDOT letters dated July 20 2009; and suggested rewrites received July 27, 2009:

WSDOT has provided two comment letters: DEIS comment letters #7 and #10. The first (#7) contains general comments and notes several WSDOT requirements. The second (#10), contains suggested re-writes to the DEIS for purposes of clarification and expands on several of the comments made in letter #7. Responses to these two letters are combined below and generally follow the DEIS references in letter #10.

Response

General WSDOT Requirements

Comments noting clarifications, factual changes and requirements (e.g. access design consistency, Scenic Vista Signage Act) are acknowledged and are being incorporated into either the EIS mitigations and/or project application materials.

Stormwater

Comments noted. The project is being designed to accommodate stormwater on-site via a series of detention ponds incorporated into site landscaping and infiltration. No impact to HWY 97A is anticipated. It is acknowledged that a hydraulic analysis for the pavement widening of HWY 97A will be required.

Corrections/Inclusions to DEIS Figures 1 through 6 and Figure 10

The corrections and inclusions relative to junctions, lot numbers, HWY 97A right-of-way, road way dedications, etc. are acknowledged and revised figures are being included in the project application materials. Note that it is acknowledged that roadway widening will require dedications.

Sunshine Market/Tunnel Hill access substandard

WSDOT indicates this access will either need to be closed or upgraded, the latter which potentially requires moving of the Sunshine Market. Project engineers are confident that upgrades to this access can be accommodated within the project boundaries and will work closely with WSDOT to meet his requirement.

DEIS Page 48, Roadway Conditions, SR 971 & SR 150

Comments acknowledged. Changes have been made in the DEIS Exhibit K.

DEIS Page 48-49, Site Access, Safety and Circulation Issues

Suggested language change has been made in the DEIS Exhibit K. The additional statements regarding site access are acknowledged and incorporated.

DEIS Page 50, Intersection LOS Analysis

Comment acknowledged.

DEIS Page 51, Turn Lane Warrants

Comments noted. Project proponents will work and comply with WSDOT to establish final designs for turn lane improvements.

DEIS Page 52, Access Management Guidelines

Comments acknowledged. Table 16 has been updated to include Class 1 and Class 3 guidelines.

DEIS Page 53, HWY 97A Improvements Phasing

Comments are accepted and noted. HWY 97A improvements will require approval from WSDOT based on their standards.

DEIS Page 54, Mitigation Measures

Comments noted and mitigations have been included.

Appendix

Suggestion noted.

8. City of Chelan letter from Davis, Arneil Law Firm dated July 20 2009:

The City of Chelan has submitted a number of comments that cover three broad areas of the SEPA review: scoping items not addressed, general errors and insufficient coverage of some issues.

Response (responses are numbered the same as the comments provided in the letter)

1.1 Energy Usage – Water and Sewer.

Specific energy numbers would be part of a final engineering report once a system is selected and identified through a detailed engineering study. The numbers used are based on actual systems in operation. See supplemental reports FEIS Exhibits B and C.

1.2 Level of Dependability Redundancy – Water and Sewer.

Wastewater from the proposed wastewater reclamation facility (WRF) will meet all Washington Departments of Ecology (WDOE) and Health (WDOH) standards for Class A Reclaimed Water. Reliability and Redundancy Requirements from the “Water Reclamation and Reuse Standards,” Departments of Ecology and Health, Publication 97-23, Sept. 1997, latest edition are covered in Table E1-4, WDOE “Criteria for Sewage Works Design, Water Quality Program,” Dec. 1998, Publication 98-37.

For the proposed Tuscan Village WRF no storage of non-treated or under-treated (which would be out of compliance with Class A Reclaimed Water, Reuse, Requirements or system failure) will be used. Storage for effluent that meets all the conditions for Class A Reuse will be stored for use in drip irrigation and subsurface drip irrigation. During off-season when occupancy is down and irrigation cannot be used due to freezing conditions, treated Class A effluent will be discharged in dosing cycles to the subsurface drip irrigation system.

Reliability and Redundancy in the WRF will be addressed as follows:

Power Supply: alarm and standby power source

Effluent Storage: provision of approved subsurface drip and/or drainfield by WDOH and WDOE

Biological treatment: alarm and multiple biological treatment units capable of producing oxidized wastewater with one unit not in operation.

Secondary Sedimentation / Coagulation / Filtration: alarm and multiple units capable of treating the entire flow with one unit not in operation. Membrane treatment will be used to meet the requirements of all these units. One standby membrane unit will be available at all times [filled with water or mixed liquor if used for sludge thickening], if the turbidity increases to the alarm level (still below the violation level), the standby membrane basin will be automatically brought on line and the basin with the high turbidity in the effluent will be taken off-line, before there is a turbidity violation.

Disinfection: all disinfection unit processes will be provided with alarms and features for uninterrupted disinfectant feed with standby units for treatment of all flow with one unit out

of service, measurement of disinfectant or output and provision for automatic transfer to standby unit.

All equipment in the plant, such as fine screens, pumps and blowers, will have redundant units to treat the full flow if the largest unit out of service.

1.3 Facility Longevity – Water and Sewer.

Wastewater sewers, treatment facilities are designed for 20 years for structures, tanks, piping, electrical, etc. with process, mechanical and electrical equipment designed for 10 to 20 years, dependant upon the specific equipment. All are in accordance with good engineering practice with Engineering Reports, General Sewer Plan and project plans and specifications being approved by WDOE and WDOH.

1.4 Manpower Requirements – Water and Sewer.

The water treatment facilities and distribution system and the wastewater reclamation facilities, collection sewer facilities, Class A Reuse irrigation and disposal facilities, total manpower for both operation and maintenance, will require two (2) full time licensed operators plus periodic use of contract services for maintenance of portions of the facilities and/or equipment.

1.5 Construction Standards – Water and Sewer.

Wastewater treatment, collection and disposal facilities will be in accordance with WDOE and WDOH standards and requirements as listed in 1.2 above.

1.6 Odor Impacts – Sewer.

As presented above, there will be no storage of untreated sewage/wastewater to produce odors. All areas of the WRF that have the potential to produce odors, such as the headworks and sludge handling (except not the aerobic digesters, which will be aerated for digestion at all times to prevent obnoxious odors) will be contained and ventilation discharge will be put through a odor scrubber to remove offensive odors. The influent equalization basin (downstream of influent fine screening, flow measurement and sampling) will be aerated at all times for mixing and to keep the contents aerobic so no odors are produced.

1.7 Visual Impacts – Sewer.

The proposed WRF will be designed to fit into the site landscape and located and screened to mitigate any potential visual impacts, and will be a required mitigation. Note that such designs have been successfully implemented on projects elsewhere in the State.

1.8 Level of Service within the South Shore UGA – Water and Sewer.

Sewer—The City advised us that the LCSD has approximately 400 ERU available in the present system to serve other needs in the area. The noted shortfall arose only because of the size of the Tuscan project and current lack of City treatment and carrying capacity for the increased load. The EIS assumes the LCSD/City system presently in place serves existing homes in the area and would continue to serve the surrounding area. It is acknowledged that a regional system may be appropriate in the future.

Water—The City does not have a water line serving the area and does not currently have plans to provide service. If the Tuscan site is connected to the Bear Mountain site, it would become part of that system. If it connects to the Little Butte site, it would be part of that system. Whether

either system would be expanded initially to serve the remainder of the lakeshore area or adjoining lands is up to WDOH and WDOE, but is certainly both possible and practical. The other alternative is for the City to secure bulk water from either Little Butte or Bear Mountain and provide municipal water service to the area.

This is particularly true since the City water service plan makes no mention of providing water service to this area, so the City does not have a level of service established for this area. Since the precise manner of delivery is speculative, the issue is reserved for the later review on a specific water service and sewer service plan.

1.9 Impact to City's Utility Planning Efforts – Water and Sewer.

The City has no planning efforts in place to expand its water system. If the City becomes the provider, the water system plan developed for the project site would be part of the City comprehensive plan. If not, the City would bear no burden for planning for the area.

With respect to sewer, the City is in the process of updating its sewer plan. If the Tuscan site is planned for on-site recycled treatment, the City would have a full 20-year plan capacity even with the Tuscan development, so no material impact on the City present planning effort is anticipated. The Tuscan project would fund the planning and development for any reuse facility as part of its development costs. If the City is the selected provider, the reuse/recycling plan would become part of the City general sewer plan for providing utility service since the LCSD is principally a transport district at this time. LCSD could be the appointed operator, in which case there is minimal impact to the City planning, as would be the case if the Bear Mountain or Little Butte systems were to become the selected operator.

1.10 Connectivity of Streets.

The Tuscan project provides for full interconnectivity with four separate properties that would otherwise develop separately and would similarly have to provide interconnectivity.

Connections to off-site areas is problematic. Connection to the southwest (with Little Butte) and northwest (Bear Mountain) appear impractical due to steep elevations and the existence of an approved street system that already serves the project sites, which are outside the UGA. To the southeast is a parcel that already has access to Highway 97 and which has very steep and undevelopable lands adjoining the project site. The only apparent connection would be to the southeast, but this would require building a road through the middle of the proposed senior housing. Topography would seem to preclude any practical connection, but it is acknowledged that this will need to be demonstrated as part of WSDOT approval.

1.11 Project Trip Distribution.

Author's note: Transportation Appendices 16A, B and C were inadvertently commingled in the final assembly of the DEIS. As a result, updated trip distribution, pipeline projects and background growth were not readily apparent. The author apologizes for any confusion this may have caused. This has been corrected and these DEIS Appendices are included as Exhibit J of this FEIS.

Expanded trip distribution assumptions within the City of Chelan were identified in the DEIS, 6-16-09 based on the *Tuscan Village – Traffic Impact Study Addendum*, December 15, 2008, DEIS Attachment 16B. The Addendum stated the following:

“Overall general distribution patterns were approved by both the City of Chelan and WSDOT during traffic study scoping efforts in 2007. Generally, the split east/west on SR 97A was derived based on the mixed use nature of the project and the fact that most services would be available to future residents within the project. As such, only 40 percent of off-site trips are expected to be distributed east of the site (toward the downtown Chelan vicinity). In addition, approximately 50 percent of all traffic generated by the site would be from commercial uses. While some of this traffic would be captured from pass-by trips, other trips would be attracted from residential areas in the “Northshore” and “Manson” communities as well as residential neighborhoods north and east of downtown Chelan.

Based upon historical traffic volumes and patterns, the vicinity employment/service distribution within the area, traffic volumes generated by the proposed action would be generally distributed as follows:

- *12 percent northerly via SR 150;*
- *55 percent southerly via SR 97A;*
- *14 percent easterly via SR 97A; and*
- *5 percent northwesterly via SR 971;*
- *10 percent within other residential/commercial areas of Chelan; and*
- *4 percent locally within downtown Chelan. “*

A trip distribution figure is provided in the DEIS Attachment 16B (FEIS Exhibit J).

1.12 Background Growth and Pipeline Projects.

Traffic forecast assumptions were identified in the DEIS, 6-16-09 and Tuscan Village – Traffic Impact Study Addendum, December 15, 2008, DEIS Attachment 16B. The Addendum stated the following:

“A review was conducted by TENW of growth in traffic levels of study intersections within the City of Chelan between August 2004 and August 2008. At those study intersections previously studied within the City, only traffic levels at the intersection of Woodin Avenue and Sanders Road have increased since August 2004 (at an average annual rate of 6 percent per year). At the study intersections of Johnson Avenue/Columbia Street and at Woodin Avenue/Webster Avenue (SR 97A), traffic levels have either remained the same as in 2004 or have since decreased by an average annual rate of approximately 2 percent per year.”

As noted in the *October 12, 2007 Tuscan Village Traffic Impact Study*, traffic forecasts prepared by TENW resulted in traffic volumes that exceeded 2024 forecasts prepared by the City of Chelan by more than 15 percent (Source: *2005 Chelan Circulation Enhancement Study*). In scoping comments presented to Chelan County by the City of Chelan for the Tuscan Village EIS, the City requested that a new methodology for traffic forecasts be applied in evaluation of traffic impacts. In comparing this new forecast methodology with the forecasts previously prepared for the *2007 Tuscan Village Traffic Impact Study*, only baseline growth projects at the intersection of Woodin Avenue and Sander Road would be slightly higher than those forecasts previously used in past traffic studies. As such, updated level of service analysis with and without the proposed Tuscan Village project at this intersection were completed for 2020 (see the *Updated Level of Service Impact Analysis* section of this study addendum). A comparison summary of baseline forecast

comparisons at all study intersections is provided in the Attachment 16B. This methodology was discussed and approved between TENW and the City's traffic consultant.

2.1 Purpose of the City's Planned Development District Regulations.

The City attorney accurately quotes the purpose section, which does permit changes from the underlying zoning.

2.2 Incomplete Citation to CMC 17.52.020.

The City attorney accurately quotes CMC 17.52.020, which again references changes from the underlying zoning.

2.3 Incorrect Reference to the Application of the City's General Facilities Charge.

The City is correct that if project proponents constructed a portion of the facility identified by the engineers as being a component of the GFC, and thereby saving the City the cost of that item, a credit would be granted against the GFC. In the project engineers' opinion the GFC is not a material difference in the overall costs: the cost of the City system was only one element of consideration. More important to the project proponents is the ability to achieve and use Class A recycled water for irrigation on site, and the ability to be able to demonstrate a utility system fully capable of serving the entire program on a predictable schedule.

2.4 Distance to Chelan Should be Corrected.

The comments are noted, but does not result in a material change in the analysis.

2.5 References to Leaks in Lake Chelan.

The references are to the comparative risk, and comments about the integrity of the City system are acknowledged. The City has clarified that the in-lake sewer transmission line was designed for the lake-bed location and represents little or no risk to the aquatic environment due to failures. The DEIS reference was to an overflow that occurred in 2007 into a parking structure near the water. While the risk is acknowledged as small, no such risk of exposure is associated with the on-site Class A system alternative.

2.6 Public Works Standards.

The County deferred decision to adopt the City public works standards for the Tuscan UGA at a February 9, 2009 meeting. The matter was reheard at an August 11, 2009 Board of County Commissioner meeting at which the Board again deferred a decision and held the hearing open. As a result, according to the County, County standards are currently applicable to the Tuscan project.

2.7 Required Transfer of Water Rights.

At several meetings the City made it clear that it was their practice to require new development to either provide water rights sufficient to provide water to the project or to assess an additional charge to the development if such water rights were not available. The citations referenced are the specific authority for the "practice" referenced.

2.8 Amendment of PDD.

The project is in the County and as such the provisions are geared to the County Code as the "amendment" of the plan is procedural.

3.1 Description of the Relevant Planning Documents is Inaccurate and Incomplete.

The issue of compliance with the 1997 and 2007 agreements is a legal issue beyond the scope of the EIS, and is for the Hearing Examiner and/or County Commissioners to address. The other alternatives for water and sewer services are provided since they represent technically feasible options with corresponding environmental costs/benefits different from City service. SEPA requires disclosure of feasible alternatives to key environmental issues.

3.2 Consideration of Consistency with City and County Comprehensive Plans.

Both the City and County comprehensive plans support projects that focus on agriculture, tourism, attracting additional tourist interest and focus to the Lake Chelan area, and encourage support for broadening the tourist season, which the wine and harvest elements of the Tuscan program support. Excerpts from the City comprehensive plan supporting the program are attached as FEIS Exhibit E. Excerpts from the County comprehensive plan supporting the program are attached as FEIS Exhibit F.

Specific Comprehensive Plan provisions raised by the City are addressed in Exhibit D. Note that the County Staff Report to the Hearing Examiner will also contain a review of consistency with Comprehensive Plan goals and policies.

3.3 Cost Comparisons.

Costs are not directly tied to the environmental review. Final costs would be based on engineering reports depending on the precise method and manner chosen for service, which will be accompanied by engineering-level review to address project specific environmental consequences. The current materials demonstrate feasibility and environmental benefits of an on-site system compared with the physical development required to hook to the City sewer and water system and the loss of recycled water capability. See also FEIS Exhibit C.

3.4 Comparison of the Cost of Maintenance and Operations.

Again, operating costs are not directly tied to environmental review. See FEIS Exhibit C for discussions regarding operation of a similar system.

3.5 Financial Risk.

Financial risk is also not directly tied to environmental review. Several small systems are operating cost effectively and do not experience the concerns identified by the City. See FEIS Exhibit C).

3.6 Lower Lake Chelan Basin Regional Strategic Action Plan.

See FEIS Exhibit G, which provides comment from relative to Tuscan Village being compatible with the regional basin plan.

3.7 Fire Flow.

Fire flow is addressed by providing adequate on-site storage at an elevation sufficient to achieve fire flow pressure and storage capacity. Final engineering will be done at the time of construction. Little Butte has a water system storage facility located at an elevation well above the Tuscan site and which can be expanded. Sunshine Farms has identified a site for a larger water tower that can be served by the existing lines to the Sunshine Farms site and again provides the location for a storage tank to provide adequate water pressure and storage. Final

design and phasing dependent upon specific usage required (entire project or merely a pressure zone) to be constructed to meet DOH and fire district requirements.

3.8 Geology.

No septic systems are proposed. Project engineers have conferred on the adequacy of the site to handle infiltration in times when irrigation is not occurring (see FEIS Exhibit C).

Footings and foundations are required to meet County building codes, which include measures on frost proofing and adequate building stability. Under the proposed zoning ordinance no 100-foot buildings are contemplated. Final soils geology reports for any specific building are required as part of the building permit review for each building to be constructed to make sure that adequate engineering safeguards are built in to avoid problems.

The water reuse for irrigation is water treated to a level suitable for direct public exposure. The irrigation contemplated is no different than the irrigation used presently and in years past when the site was devoted to orchards (1.8-3 acre feet per acre in a 6 month irrigation season). There has been no evidence of off-site impacts or problem discharges.

3.9 Assessment of Groundwater Entering Lake Chelan.

Project engineers have identified that the site can safely meet all requirements for infiltration on site without the potential for contamination of Lake Chelan.

The proposed location is nearly 1/4 mile from the lake, allowing ample time for Class A effluent (which already meets groundwater standards) to enter the water table and ultimately transport to the lake through existing pathways without affecting water quality, water quantity, or temperature (see FEIS Exhibit C).

3.10 DOE Water Pollution Control Measures.

See response to 3.9 above.

3.11 The Disadvantages to the Use of the City Wastewater System are Misstated.

The City's comments and corrections on the materials used and likelihood of upset are noted and incorporated. The point is that any system depending on physical structures located on, under or near the lake require attention and can be susceptible to upset under certain conditions.

3.12 The Representation of the Intent of the Lake Chelan Sewer District to Serve the Area is Incorrect.

It is recognized that a portion of the area is included in area 6 of the City 2006 Sewer General Plan identified as a service area for the Lake Chelan Sewer District. Project proponents were advised by the City that the Lake Chelan Sewer District has transmission facilities only, and that treatment is being provided by the City. The point is not that the district will not serve the area, but rather that at present there is no plan in place and there is uncertainty when such increase in service capacity might be applied to the South Shore area.

3.13 *The Representation of the City's Reuse of Wastewater is Incorrect.*

Under the State's reuse/recycling priority, RCW 90.46.005 quoted below, the ability to use treated waste water for a secondary purpose, such as irrigation, is the type of reuse addressed in the EIS. Note particularly the intent to replace potable water in nonpotable applications. A suggestion by the City that a reuse/recycling capability be installed in the City main treatment plant on the River, and then piped more than four miles to the project site has both cost of construction and potential environmental issues in excess of an on-site facility.

*"It is hereby declared that the people of the state of Washington have a primary interest in the development of facilities to **provide reclaimed water to replace potable water in nonpotable applications**, to supplement existing surface and ground water supplies, and to assist in meeting the future water requirements of the state."* (author's emphasis)

3.14 *Impacts on Downtown Retail Core.*

Both the City and the County Comprehensive Plans contain policies about the need to foster agricultural tourism and economic development, specifically in the south shore area. The 2007 interlocal agreement with the County invited the Tuscan Village project to be developed in support of those goals and policies.

The comment, in part, relates to the City goal of concentrating new retail/commercial in the downtown core. This carries the concern of whether the 45,000 square feet of on-site commercial/retail use would be in direct competition with downtown development. Project proponents characterize the project as one that will attract additional people to the area, which in turn will benefit the City's businesses.

Most of the envisioned on-site retail is part of the winery businesses and organic fruit business already on the property, and to support on-site events and cultural activities. The incidental retail on the site is of the nature to support the tourist activities and users of the site, and is not intended to compete with the downtown. Events at the winery and increased tourist use of the site are designed to attract tourists and other visitors, who will necessarily require lodging, meals, staples, gas/oil and other services provided in the commercial core. The ability of the Tuscan site to increase cultural events during the "shoulder seasons" (April, May, September, October) helps to extend the season of activity in the general area. The project also provides for additional tourist-related and seasonal housing, which the City Comprehensive Plan identifies as a need in the area. Project proponents have requested a supplemental review of potential benefits to the local economy. FEIS Exhibit H contains comments from ELESCO, Ltd. that conclude there is a potential net benefit to the City's downtown economy from development of Tuscan Village. While socioeconomic issues are not required within an EIS, this information is provided here as means to demonstrate compliance with City Comprehensive Plan goals and policies.

3.15 *Impacts of Light – The Dark Sky Ordinance.*

The Dark Sky Ordinance dictates a final lighting plan consistent with the goals of eliminating excess light and glare, particularly off site. It is acknowledged that project lighting is required to meet ordinance requirements and are part of proposed project mitigations.

3.16 Potential Increases in Allowable ERUs.

The project as planned does not envision the inclusion of accessory dwelling units, due primarily to the nature of the housing provided (principally tourist and seasonal), which typically do not lead to a demand for accessory units. As noted they are not prohibited. If such a request were made, it would require additional review to ensure the project stays within the cap of 1,000 ERUs, and additional review relative to other impacts, most notably traffic. The latter since the EIS has been based on a total of 954 units of particular types and traffic generating profiles.

3.17 Impacted City Intersections.

Please see above Section 1.12 (Background Growth and Pipeline Projects) for an explanation of the impacted City intersections chosen. In July 2007, TENW organized a traffic scoping meeting with the City of Chelan, Chelan County, and WSDOT. During the scoping meeting, preliminary trip generation/distribution assumptions were presented to agency representatives and changes made for use in preparing a detailed traffic impact study for *Tuscan Village*. During the meeting, study intersections were identified as well as planning assumptions for use in the traffic study. Additional traffic counts were taken in August of 2007 and used in the evaluation of traffic operational impacts (FEIS Exhibit J, Attachment 16A). Subsequent traffic analysis requests by the City were incorporated into the December 2008 Addendum (FEIS Exhibit J, Attachment 16B), where additional intersections and background growth assumptions were identified and agreed to with the City's transportation consultant.

3.19 Road Adequacy.

It is unclear in what "adequacy" refers to in this comment. The traffic analyses were based on discussions with the City with inclusions of addition of intersections, updated growth assumptions and projects currently proposed or in process. See responses 3.17 above and 3.20 below.

3.20 Traffic Mitigation.

The proposed development will pay a proportional share estimate towards any improvements identified in the City's 2009-2013 Six Year TIP that are impacted by 10 or more p.m. peak hour project trips. At the time of submission of specific development applications within the project, a trip generation/distribution analysis will be conducted and a proportional share estimate made to satisfy this condition.

3.21 Impact to Parks.

The project would be providing approximately 90 acres of open space. It will have a recreation center associated with the wineries and the organic farm, a publicly available trail network and as the project is built out, small parks within the PDD. Since a number of recreation opportunities are envisioned for the site (see also response 3.22 that follows) it is anticipated that the overall demand for City park facilities would be significantly reduced over the development of more traditional residential subdivisions (i.e. the No Action Alternative).

SEPA acknowledges that there will varying levels of uncertainty relative to the information that can be reasonably provided at the time of EIS review. The author notes that reliable information relative to demand for local park use from a resort-like project and potential project increase in

demand for boating related facilities has not been readily available. No applicable studies were found relative to resort-like projects, and State, County and City sources did not have statistics specific to boating facilities use.

3.22 *Parks Mitigation.*

Swimming will be available in connection with the hotel, and may well be provided in the residential subdivisions as part of a community amenity as are tennis courts and other active and passive recreation elements. At the time a specific project is identified, the owner and the County would be in a better position to anticipate impacts on regional parks and pay impact fees if such have been adopted pursuant to RCW 82.02.050-090. The owners have also offered to donate lands for the community regional aquatic center should the City elect not to house the facility downtown.

3.23 *Police Protection.*

Correction is noted. Police protection is provided by the County Sheriff and the project is within the City UGA where the sheriff provides protection. No significant impacts have been identified in the DEIS. On-site festivals and event are required to coordinate with the Sheriff's Office on traffic and parking control.

3.24 *Additional Advantages to the Use of the City's Water Utility.*

The comments are noted. However, compliance with existing and future water quality standards is required regardless of who's system is used, and there does not appear to be any indication that risk of failure is any less than the other alternatives. The reference to level of service appears speculative. As to rates, the alternatives are expected to be comparable; but the issue is not environmentally related and outside the scope of the EIS.

3.25 *Disadvantages to the Use of the City's Sewer Utility are Misstated.*

Comments are noted. The ERU calculation for the City includes a City-wide average that is higher than modern systems and includes potential leakage (i.e. those that may be associated with older portions of the existing City system) or significantly higher irrigation rates than are expected in the project. Project proponents have been advised that pipe bedding may not be installed in freeze or freeze thaw conditions, which would limit construction access times.

3.26 *Cost of Upgrading the Bear Mountain/Lafferty System.*

See section 3.26 of FEIS Exhibit B.

3.27 *Ability of the Little Butte System.*

See section 3.27 of FEIS Exhibit B.

3.28 *Analysis of the No Action Alternative.*

The discussions of the No Action Alternative are sufficient under SEPA to provide a general comparison of impacts. The No Action Alternative is not required to undergo the same level of analysis as the project proposal, since it is not the one being designed and developed. Its purpose is to contrast and compare, and for many of the issues in this review it is sufficient to simply note the impact would be less than the proposal. The no action alternative looks at development

potential under the zoning present in the City without the changes or benefits of the planned development district. As such, residential densities would be much lower, existing uses would continue and overall environmental impacts less. Development under the No Action Alternative would necessarily have to comply with all of the mitigations that currently exist within the City or County development regulations, whichever is actually in place at the time.

3.29 Timing of Implementation.

The Development Agreement discusses phasing. Phase I of the plat and PDD are proposed for development within a five-year timeframe: both must be finalized within that time. The City and County specifically invited the Tuscan group to make its proposal in connection with the 2007 Interlocal Agreement, which put the property into the UGA and set the stage for urban scale development. The development is "urban" as a modest density (less than 4 units per acre overall), limited commercial primarily serving the tourist facility and accomplishes all of the City's specific goals for preserving agriculture, promoting winery and vineyards, promoting additional economic activity, and expanding the tourist base and season.

Relative to not evaluating postponing development of the project and developing the No Action Alternative, that would not be a "reasonable alternative" under SEPA for this project. The No Action Alternative is not comparable in meeting the project's development objectives, many of which further both City and County goals. Part of the City's comment could be taken to imply that the project does not represent "appropriate planned growth" for the South Shore. Project proponents have demonstrated ways to accommodate the development in an environmentally sound manner, and that the development conforms to City and County goals and policies (see Exhibits D, E and F).

Additionally, the timing of project approval appears appropriate given the Chelan area's recent designation as The Lake Chelan AVA. As pointed out in the Tsillan Cellars newsletter in FEIS Exhibit I:

- The Federal Treasury has authorized the AVA designation on all Chelan wines.
- AVA denotes American Viticulture appellation reflecting "unique grape growing qualities".
- Lake Chelan is only one of 11 designated regions in the state and reflects the area's unique combination of soils climate and tempering influence of the Lake.

Building on the AVA designation will focus attention on Lake Chelan and be a significant component of the marketing program to promote both Chelan wines and the tourist and economic opportunities of the valley as a whole. The proposal has been designed to provide environmentally sound economic development. Substantial delay, as suggested by the City, would appear to be counterproductive to the stated economic development goals of the City.

9. City of Chelan letter from Davis, Arneil Law Firm dated July 22, 2009:

The City has expanded on several of their comments submitted in their letter of July 20, 2009.

Response (responses are numbered in the same order as they appear in the submitted letter)

3.3 Comparison of Capitol Costs. (3.3.1-3.3.7)

Capitol costs address economic issues and are not scoped or required as part of the environmental review, except to the extent that the reuse/recycle program has the benefit of water savings and reduced construction impacts. References to capital costs are estimated based on similar projects and appear to be accurate in the current construction environment. They are provided in the EIS as one means to demonstrate relative feasibility between alternatives. Specific cost comparisons would be made at the time of the engineering-level review when a final system is selected and all costs can be specifically identified. See also FEIS Exhibit C.

The 60-90 day construction period is the engineers' estimate for construction of the proposed extensions and upgrades to existing city sewer and water facilities (see February 29, 2008 Greg & Osborne letter). Project proponents agree that the road closures necessary to achieve the required upgrades to the City system would be significant.

3.4 Operation and Maintenance

Operational costs are not scoped as an EIS item and would be addressed at the time of a specific engineering-level review depending on the size facility installed and loads requiring treatment.

3.4.4 Comments noted. The issue is one of greater risk being at the end of any system rather than the likelihood of occurrence. A risk may be material if the consequences may be great even though the likelihood of occurrence is small.

3.9 Assessment of Groundwater Entering Lake Chelan

See response to July 20 letter from City of Chelan; letter #8, comment #3.9

3.10 DOE Water Pollution Control Measures

See response to July 20 letter from City of Chelan; letter #8, comment #3.9. Phosphorous removal is specifically identified as an issue to be considered and addressed in facility design and infiltration plan to comply with the WDOE requirements for TMDL loadings. See also response to comment letter #12 below.

11. City of Chelan Public Works Dept., via Jeff Stevens comments per Dwane VanEpps email dated August 3, 2009:

Response (responses are numbered in the same order as in the submitted letter)

1. As noted elsewhere, costs for construction, operation and maintenance are not required issues within an EIS. The comparative costs provided in the DEIS are there to establish relative feasibility of alternatives. On-site system costs used are based on similar systems currently in operation. See also FEIS Exhibit C.
2. Comment acknowledged. The Department of Health and the Department of Ecology would have coordinated review and approval of proposed systems.
3. Please see response #1 above, as well as related responses to the City of Chelan letter #8, July 20, 2009.

4. The site has the capability of infiltrating the Class A effluent during non irrigation periods and the phosphorous requirements are noted and a part of any final engineering plan, which must be approved by WDOE to assure protection of the lake. See also FEIS Exhibit C.
5. The infiltration basins/trenches would be located based upon specific site designs at the engineering level, together with detailed soils tests demonstrating the feasibility of each site. Estimates are that infiltration will require approximately 5 to 6 acres of the 90 acres of proposed open space and with the soils present the engineers have concluded that infiltration meeting all state requirements is feasible on the site. Final engineering design, tests, engineering-level environmental review, and approval by state agencies is required and will be provided in the utility development phase of the program, which is required prior to final plat.
6. Project proponents have been advised that the effluent would be fully treated as the on-site plant would have to remain operational year around. Similar plants, such as the Squaxin, can operate cost effectively with very low flows, so this option would look at discharge in lieu of infiltration basins, but only of fully treated Class A water.
7. Please see FEIS Exhibit C.
8. Road closure comment acknowledged. With respect to the risk of transmission line upset, while the risk is small, the point made is that in as much as the project is at the end of the line. As such, those users at the end of the line have a higher likelihood of delay for return of service than those more centrally located.

12. City of Chelan Public Works Dept. #2 , via Jeff Stevens additional comment per Dwane VanEpps email dated August 3, 2009:

Public Works notes that phosphorous TMDL loading is not specifically addressed in the DEIS.

Response

Infiltration lagoons are not in the current plan. NPDES permits are required for purposes of point source discharges. The project engineers are aware of the TMDL issue, which would typically be addressed in a water discharge permit under Chapter 90.48 RCW. Should the need for an NPDES discharge permit be identified through the permitting and engineering-level environmental review process for the specific system chosen, such permit would be a requirement of any final project approval and construction.

13. Little Butte Water Association, Charles Waszkevitz letter dated July 15, 2009:

Little Butte notes the capabilities of their water system and expresses their willingness to work with project proponents to supply water service.

Response

Tuscan Village proponents appreciate the willingness of the Little Butte Water Association to provide solutions for water service.

III. PROPOSED AND IDENTIFIED MITIGATIONS

The following list of proposed mitigations are offered to generally identify actions that project proponents will undertake to meet applicable development regulations and design goals. Phase I and all future project development must be consistent with the EIS mitigations. It is noted that as the project proceeds through the permitting process that project mitigations will be identified and may exceed those proposed below. In particular, State agency, County and/or City development requirements will be specifically identified as part of the County staff report to the Hearing Examiner.

Earth

Project mitigations identified for earth related impacts, which primarily relate to construction, include the following:

1. Prior to any grading, develop an Erosion Control Plan based on Best Management Practices (BMP) and Chelan County standards.
2. Prepare a Fugitive Dust Control Plan for the construction phases of the project.
3. To the extent practical based on sound engineering practices utilize excavated on-site soil materials for on-site fill.
4. All structure foundations shall be designed by a licensed engineer to be suitable for the proposed structures and actual building site soil conditions.
5. Setbacks consistent with critical area guidelines shall be established from regulated steep slopes and the two unnamed drainages prior to any construction occurring on site.

Plants and Animals

The DEIS did not identify any impacts to on- or off-site plants and animals. No mitigation measures are proposed. However, site landscaping and proposed stormwater ponds may provide some modest habitat features for common birds, mammals and invertebrates.

Water and Wastewater

Tuscan Village proponents have the necessary water rights to supply the project. The DEIS identified several alternatives for provision of potable water and wastewater treatment. All are technically feasible. The environmental differences identified are primarily on- and off-site construction impacts and the ability to provide reclamation and reuse of wastewater. Mitigation is basically to ensure the chosen system configuration is in conformance to State requirements.

1. The applicant shall, as part of the final plat submission, demonstrate that plans and agreements are in place to provide both potable water and wastewater to the project. The systems shall be approved by WDOE and WDOH and shall meet all State standards for public water supply and public waste water treatment. The wastewater and water systems shall be subject to additional review at the engineering level to address system-specific issues.

2. Use of a wastewater reuse/reclamation facility is itself a form of mitigation in that it reduces the overall demand for potable water and meets State guidelines for reclaiming water for other beneficial, non-potable uses (e.g. irrigation).

Stormwater

The project stormwater system is being designed to ensure all stormwater is handled on-site. As such, stormwater mitigations include the following:

1. Low Impact Development strategies identified for the project include pervious pavement/pavers, retention of vegetation, bio-retention areas, bioswales, open spaces, narrow streets (if approved), green roofs and blue roofs
2. All stormwater will be collected into a series of detention ponds and infiltrated on-site.
3. Bioretention facilities will be planted with a combination of selected native plants and hardy cultivars.
4. Stormwater facility designs must meet the intent of adopted Chelan County standards.

Transportation

Identified traffic and transportation related impacts shall be mitigated as follows:

1. All HWY 97A improvements shall conform to WSDOT standards.
2. All internal roads and parking facilities shall conform to Chelan County design standards.
3. The proposed development will pay a proportional share estimate towards any improvements identified in the City of Chelan's 2009-2013 Six Year TIP that are impacted by 10 or more p.m. peak hour project trips. At the time of submission of specific development applications within the project, a trip generation/distribution analysis will be conducted and a proportional share estimate made to satisfy this condition.
4. Install a two-way, center left-turn lane or median channelization to improve operations of southbound left-turns onto SR 97A at the intersection of SR 97A and SR 971. As part of this project, re-channelize SR 97A to extend the two-way left turn lane westerly past the Western Driveway #1 proposed to Tuscan Village. Construct two-way left turn lane from SR 971 east to the Eastern Roadway #4. Improvements shall meet WSDOT standards.
5. The applicant will fully fund and construct or upgrade the necessary site access roadway, close existing access connections, and provide associated frontage improvements onto SR 97A per WSDOT standards and guidelines. Right of way dedication would be made where necessary to construct roadway improvements. A Reimbursable Agreement will be made with WSDOT to recover expenses relative to Access Connection Permits, Developer Agreement, real estate services, design review and field inspection.
6. Emergency vehicle access internal routes as well as the approved fire truck turnarounds proposed within the development shall provide adequate emergency vehicle access and circulation.

7. Construct an eastbound right-turn lane at the major site access locations, including Roadway #1 – Sunshine Farm Market & Tunnel Hill Winery, Roadway #2 – Rebuilt Access, and Roadway #4 – New East Driveway. Improvements shall meet WSDOT standards.
8. An integrated trail system will be constructed within the site to provide for non-motorized circulation throughout the project to avoid conflicts on SR 97A. Trail system components associated with project Phase I shall be in place prior to final plat approval.
9. At full build-out, consideration for transit stops/facilities within the development should also be considered in coordination with Link Transit.
10. Provide illumination at site access driveways #1 and #4. Illumination shall follow WSDOT guidelines.
11. The project shall follow the requirements within the Scenic Vista Signage Act.
12. Stormwater will be handled on-site so that no stormwater impact will occur to HWY 97A and will perform to pre-development conditions. A hydraulic analysis shall be completed as a part of HWY widening.

Hazardous Substances

The DEIS identified the presence of an existing, abandoned landfill on the project site and the history of agricultural use, which presumably included use of some pesticides. Proposed mitigations include:

1. The on-site landfill will be cleaned up in accordance to one of the two options discussed in the DEIS: Option #1 being a minimal removal of fill materials, and Option #2 involving a maximum removal of materials. The option chosen will depend on ultimate proximity of project built elements and potential for public access.
2. On-site soils will be tested at various on-site locations to ensure there are no concentrations of residual pesticides that would exceed State health standards.

Air Quality

The DEIS identified potential sources of air pollutants associated with residences, agricultural practices and construction activities. Identified mitigations include the following:

1. All interior spaces will be heated by electricity.
2. Residential units may be developed with individual fireplaces for interior ambiance. If so, they would be fueled by propane. This limitation will become part of project CC&Rs.
3. Actual wood burning stoves/fireplaces/ovens (if any) would be limited to certain public spaces such as restaurants, tasting rooms, and other public gathering spaces. Project CC&Rs shall include this limitation.
4. Chipping, composting, and/or hauling will be the preferred method for disposing of agricultural waste resulting from the routine operations of the on-site vineyards, orchards, and farm. CC&Rs should encourage residences and site landscaping management activities to follow the same disposal methods.
5. Project CC&Rs will contain prohibitions on outdoor burning for single-family residences.

6. Develop a Fugitive Dust Control Plan for site development activities.

Archaeology and Cultural Resources

The DEIS did not identify any probable significant archaeological or cultural resources on-site. However, the site is in an area that had historical Tribal use and early European settlers.

Mitigations include the following:

1. The technical memo entitled "*Archaeological Survey for the Root-Tuscan/US 97A Properties Subdivision, Chelan County, Washington,*" dated April 18, 2007 (Appendix 8) prepared by Western Shore Heritage Services, Inc. shall be circulated to the Office of the State Archaeologist at DAHP and the History/Archaeology office of the CTCR for concurrence with the findings prior to any ground-disturbing work on the project.
2. In the event that site preparation and/or other construction activities result in discovery of archaeological or historic resources, then work shall be halted in the immediate area of the discovery. Contact shall be made with the Office of the State Archaeologist at DAHP and the History/Archaeology office of the CTCR to report the discovery. Work in the immediate area of the discovery shall remain halted until such time as appropriate consultations and any further investigations are concluded.
3. In the unlikely event of the discovery of human remains, then the procedures required under RCW 27.44.055 shall apply. They would at a minimum included immediately ceasing work in the discovery area; covering and securing the remains against any further disturbance; and the discovery reported immediately to the Chelan County Sheriff's Office, City of Chelan Police Chief, DAHP, and CTCR. Work in the discovery area shall remain halted until any forensic and/or archaeological work is completed.

Parks

Identified mitigations relative to open space, parks and recreation include the following:

1. Develop on-site pedestrian trails and view points that would be accessible to the general public.
2. If there are non-motorized facilities developed along HWY 97A or on adjacent properties the on-site trail system shall connect to off-site systems in the future.
3. Impact fees for Riverwalk Park shall be paid appropriate and consistent with the Public Utility District plans.
4. Project proponents have indicated that they would be willing to provide land for a new Regional Aquatic Center if a Downtown location is not chosen or feasible.

Schools

Impacts to the local school system are expected to be minimal given the expected seasonal nature of the project population. Mitigation shall include the following:

1. Currently there are no impact fees or other mechanisms in place to directly mitigate any increase in school enrolment. If impact fees were adopted for schools in the future, then approval of permits for subsequent project phases would be required to pay those fees

Police

The DEIS did not identify a significant impact to police service. Possible mitigations could include the following:

1. Currently there are no impact fees or other mechanisms in place to directly mitigate any increase in demand for police service. If impact fees are adopted for police services in the future, then approval of permits for subsequent project phases would be required to pay those fees.
2. The ownership association provides on-site security personnel during peak use months. Project C,C&Rs shall include an applicable provision.
3. On-site festivals and event are required to coordinate with the Sheriff's Office on traffic and parking control.

Fire

The DEIS notes that while there may be an incremental potential increase in demand for fire control services, it is not likely to be significant. Potential mitigations may include the following:

1. Require sprinkler systems in all public and private buildings. New International Fire Codes are currently being adopted and will likely be in place at the time the project proceeds with permit approval, at which time sprinklers will be required for all buildings.
2. Water shut-off valves shall be separate from required sprinkler systems to ensure year-around protection.
3. During the peak summer season it may be advisable to have an on-site person(s) associated with the hospitality uses (i.e. hotel) available for limited first response capabilities. These individuals shall be trained in basic first aid and other emergency response skills as may be identified by the Fire Marshall.

Electricity

Chelan County PUD has indicated they have the capacity to serve the Tuscan Village project and would work with project designers to address conservation issues. Identified mitigations include the following:

1. Buildings will be constructed with materials that provide high insulation values to retain interior heat.
2. Low wattage/energy efficient lighting will be used for all built elements of the project.
3. All appliances used in residences, hospitality rooms, hotel laundries, restaurants etc. will be Energy Star rated.
4. On-site wastewater reclamation/reuse and using a local water purveyor is preferred to eliminate the need for multiple pumps that would be required for providing these services from the City.

Solid Waste

Mitigation of waste generated on-site shall include the following:

1. Encourage the use of recycled products.
2. Encourage the purchase and use of products that have minimal or no packaging.
3. Require separation of project generated waste into recyclables, compostables, and non-recoverable garbage for non-residential wastes. Project C,C&Rs shall encourage residences to follow the same practice. Facilities should be included into the design of the project to facilitate separation of waste materials.

Aesthetics

Aesthetics were not identified as a significant issue. Project mitigation features include:

1. A majority of the structures will be developed upslope and away from HWY 97A and nearby properties.
2. Additional vineyards (i.e. open space) may be planted adjacent to HWY 97A on the R&H and Precht properties.
3. Individual built elements will follow a common theme based on a Tuscan architectural style of small scale, clustered development.
4. Exterior lighting will be designed to ensure that light and glare does not impact adjacent properties or interfere with enjoyment of the night sky, as required by the Dark Sky Ordinance.