



Yosemite West Property & Homeowners, Inc.

Land development and water news around Yosemite West – Summer 2020 update

This letter to Yosemite West Property owners provides some history of recent land issues, and essential news of pending development activities surrounding Yosemite West. The online version of this letter posted at http://yosemitewest.org/land_update_2020.pdf contains active links to other documents.

The boundaries of Yosemite West (YW) and the Yosemite West Maintenance District (YWMD, providing water, sewer, and road services) have for decades encompassed specifically the existing 294 lots in the 1967 subdivision and the YW condos. The central land surrounding the YW mailboxes has always been an “open-space” reserve since the formation of Yosemite West. Then in 2016, a corporation related to the original developer/subdividers (also known as “the doctors”) requested authorization to sell the central land, and applied to the County, who at a 12/02/2016 hearing permitted the central land to be sold in [3 parcels labeled in a Certificate-of-Compliance map](#). In 2018, the Yosemite Conservancy purchased the 32 acre [ParcelC](#) (at the same time as an adjacent 5 acres), and Ken LeBlanc (Scenic Wonders owner) also purchased the 7 acre [ParcelB](#) above the mailboxes (in addition to previous purchase of a 15 acre [ParcelA](#) below the mailboxes). All of these **parcels are zoned “Rural Residential”** with allowance for building one single-family home on each parcel (plus a secondary ADU, Auxiliary Dwelling Unit).

A [recent letter](#) from the Yosemite Conservancy gives some updates on their development plans, including their new application to the County applying for a **lot-line adjustment** that rearranges the [central 37 acres](#) into [a new map of 4 proposed parcels](#). This application does not include any change of YWMD boundaries, nor any rights to connect the new parcels to water/sewer of the YWMD beyond its previous boundaries. The Yosemite Conservancy proposes to build cluster-density “employee housing”.

Scenic Wonders submitted a building permit application in 2019 for their 7 acre parcel above the mailboxes with a [proposal](#) for a 3-structure 16-car check-in center, small retail store, and business/internet cafe. However, because the parcel is zoned “single-family” Rural Residential, the [application](#) was cut back to the single most residential-like of the proposed structures. Now in 2020, Scenic Wonders has just submitted a [full re-zoning application for a multi-phase 8-building 35-car business and mixed-use complex](#) with commercial laundry, and housing units for 46 staff persons. The developments for both this property and the Yosemite Conservancy property intend to build their own septic systems since the parcels are not part of YWMD and therefore cannot connect to the YW wastewater treatment facility (WWTF).

At the intersection of Wawona Road (Hwy 41) and the Hennes Ridge Road turnoff to Yosemite West, [NatureBridge](#) has built several buildings composing the “National Environmental Science Center” (NESC). NatureBridge is a non-profit organization that runs educational programs for schoolchildren throughout California and has had a long partnership with Yosemite National Park (YNP). Because it sits on land within YNP, the NESC relies on the National Park Service (NPS) to supply water, which had originally been planned from a well at Chinquapin. Unfortunately, flow from the Chinquapin well diminished to insufficient capacity, and the then-superintendent of YNP approached YW homeowners in June 2019 with a **proposal seeking to supply water from YWMD to NESC**. The original [request](#) led to many [questions](#), largely because our current well is already oversubscribed to provide enough water capacity for the full buildout of all Yosemite West parcels with the state-mandated 1.5x margin times Maximum Day Demand (MDD) of water laws. [Comparison tables](#) of water capacity were discussed at

several community [meetings](#). The NPS proposal did suggest benefits of shared water infrastructure development (finding additional well water sources, and pipeline maintenance) with YWMD, and sharing the tanks at NESC to provide more resiliency and backup of water supply. However, over the course of the last year, the specific [civil engineering report](#) took the view that jurisdictional issues for the proposed partnership are insurmountable, and recommended only a straight “metered-water” purchase by the NPS for NESC. If adopted, all the **risks of source capacity limitations** and infrastructure maintenance would end up falling back on YWMD and Mariposa County Public Works, without any benefits from shared pipeline responsibility and use of federal funding sources for capital improvements, and without any benefits to YWMD from the tank capacity at NESC. The most recent YW District Advisory Committee (YWDAC) [meeting](#) and [review](#) disagreed with the report’s conclusions and requested numerous corrections to the analysis.

In addition, both the Yosemite Conservancy and Scenic Wonders have also applied to become proposed customers of YWMD, though they have not quantified their potential consumption. There is not legal clarity on the approval process to expand YWMD to include new customers on any land outside the current service boundaries. Overall, the current proposal for a simple volume-based sale of water by YWMD to NPS **provides no shared infrastructure** benefits to YW homeowners, could set a precedent that would end up selling even more water to other external customers, and would **accelerate the time to when YWMD is not able to supply all the water** needed by its customers. Though there ought to be a series of public hearings before any actions or commitments, ultimately the decisions will be driven through the Board-of-Directors of YWMD, who are the individuals of the Mariposa Board of Supervisors. Homeowners of Yosemite West who are concerned about the YWMD running out of water can voice their concerns to our elected [Supervisor](#).

Lot owners in Yosemite West ought to be assured of **building permits** because they are already customers of YWMD paying standby fees, and [agreements for the YW WWTF](#) already state that issuance of building permits will not be gated by WWTF sewer capacity (which may also soon gain some expanded capacity with additional leach-fields) because the water usage per each lot (definition of an EDU, Equivalent Dwelling Unit) would just be decreased to allow for full YW build-out. But there is uncertainty about whether a building-permit could be denied in the future if the available source water capacity becomes insufficient. The insufficiency could occur either because of an unforeseen future diminishing of well capacity, or an overcommitment to users, including any added new customers not historically part of YWMD.

Future water capacity could be improved if **other water sources** become available to YWMD. In particular, the Yosemite Conservancy began drilling a well in late 2019, and work is continuing this summer. The new Yosemite Conservancy wellsite is located only 1600 feet away from our current YW well. If the new wellsite hits water, and turns out to provide sufficient flow while not diminishing the flow of our current YW well, then there may be proposals coming in the future for consolidation. There are also other wells on additional neighboring private properties, but their capacities are unknown.

Many [water laws](#) apply to any proposed water system expansion. Full **source-capacity planning study** is required for > 20% percentage expansions, such as the proposed 27% expansion for NESC (based on estimated NESC usage relative to average monthly YW usage). Further, the CA state Water Resources Control Board states that potential new customers requesting admission to or consolidation with (under SB1263) an existing water system can be required to contribute to supply capacity as a condition of acceptance, but the **current proposal of NPS to YWMD to supply water to NESC apparently does not contribute any supply capacity or infrastructure benefits to YW**. Many YW property owners believe expanding water service to any new customers (other than YW lots already paying standby fees) should only be considered after new water sources have been confirmed to assure sufficient capacity, all applying customers have quantified their expected usage, and the capacity is sufficient for the proposed usage.

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