

March 30, 2020

VIA EMAIL AND REGULAR MAIL

RJ.Lott@co.chelan.wa.us

Chelan County Department of Community Development
ATTN: RJ Lott, Planning Manager
316 Washington St., Suite 301
Wenatchee, WA 98801

RE: Comments to Notice of Amended Application and Environmental Review
Project File No.: MPR 2018-128
Project Location: 6865 Forest Ridge Drive, Wenatchee, WA 98801
Assessor's Parcel Numbers: 21-20-19-000-000 and 21-20-30-100-050
Applicant/Owner: Tamarack Saddle, LLC, Attn: Larry Scrivanich

Dear Mr. Lott:

Thank you for the opportunity to provide comments on the proposed Master Planned Resort for the Mission Ridge Expansion Project (the "Project"). Due to the national COVID-19 health crisis¹, Chelan County Fire District No. 1 (the "District") has not had adequate time to review the amended application materials and prepare detailed comments on the impacts of the Project and the District's ability to provide fire protection and Basic Life Support (BLS) services to the Project, its residents, guests and employees. As commenting and review of a Master Planned Resort facility is not an essential activity under the Governor's Proclamation, Chelan County (the "County") Community Development staff should extend the comment period or provide an additional comment period. I understand that the comment period has been extended fourteen (14) additional days and the District anticipates providing further comments to supplement this letter. Without limiting the opportunity for the District to further comment on this Project, the District's comments are discussed in this letter.

The Developer Tamarack Saddle, LLC ("Developer") plans to develop the Project on real property commonly known as 6865 Forest Ridge Drive, Wenatchee, WA 98801 (identified as Assessor's Parcel Numbers: 21-20-19-000-000 and 21-20-30-100-050) (the "Expansion Area"). The Project envisions the creation of a ski resort and village with over 600 condominium and townhome units, 275 single family homes, 80 employee housing units, and 110,000 square feet of commercial and retail space.² The Expansion Area is not currently part of the jurisdiction or service area of the District. With the proposed new urban density development, there are corresponding increased demands for urban level emergency medical and fire response

¹ See Governor Inslee's Stay Home Stay Healthy Proclamation No. 20-25 issued February 29, 2020 ("Governor's Proclamation").

² The Mission Ridge Expansion Master Planned Resort Overlay and Development Agreement Application, dated January 17, 2020, pg. 5.

services. The Expansion Area is particularly demanding on District services, capital, and personnel because it creates new urban level density in a remote location that is accessible only by a single road and exposed to forest fires.

The District is not anti-growth; however, development that adversely affects the ability of the District to timely respond to calls for service within the current boundaries must be mitigated. The Project will increase demands on- and utilization of- the District's facilities, apparatus and equipment. More significant than the increased demands on the District's capital facilities, apparatus and equipment, are the increased demands on District staffing and volunteers caused by an unmitigated Project. Such an unmitigated increase in service level demands will cause a significant adverse impact to the District's existing residents and businesses.

One of the limiting factors of identifying appropriate mitigation at this time is the lack of adequate information in the application materials and State Environmental Policy Act ("SEPA") Checklist regarding the impacts of the Project on the District's fire response and BLS services. The Developer's application materials lack any analysis of how it will mitigate the impacts the Project on existing District levels of service and Delivery Standards ("LOS"). The District's Delivery Standards Policy, Article 1, Policy 7 denotes the standard applicable for this area as a response time of *8 minutes* or less for 90% of the incidents. With a full first alarm assignment for fire suppression - *10 minutes* for 90% of the incidents (3 engines, 1 ladder truck, 1 chief). As well as, an Incident Management Team of at least an IC, 1-Division/group Supervisor and 1 safety officer – within *15 minutes* for 90% of the warranted incidents. (i.e. working structure fires, wildland fires, rescues, hazardous material incidents.) These standards cannot be met by the District's existing apparatus, facilities, and staffing.

The Developer's SEPA Checklist states, without any analysis, that existing tax revenue will cover the increased service demands. The materials provided from the Developer, however, does not address the significant initial investment of extending services to the Expansion Area. As part of the SEPA and other regulatory processes, including annexation, the Developer must demonstrate that the Project is adequately served by fire response and BLS services. A more comprehensive analysis must be prepared for the County to be able to conduct an adequate review of the Project's impacts and prior to the County SEPA Responsible Official preparing a SEPA threshold determination.

I. DISTRICT BACKGROUND

The District was formed in 1943 to provide fire protection services to the unincorporated areas outside the City of Wenatchee. The District was the first fire district formed in Chelan County. In 1986, the Board of Fire Commissioners for Chelan County Fire District 2 (Malaga/Three Lakes) had reached a point in their operation where they were faced with growing challenges and fiscal demands to keep apparatus equipment current and well maintained. After evaluating several options, the Board of Fire Commissioners voted to merge with the District.

In 2015, the citizens in the District and the City of Wenatchee voted to combine their fire services. The District now protects over 70 square miles operating out of 4 fire stations staffed with full time paid career firefighter personnel 24 hours a day and 2 additional fire stations staffed by its volunteers. Volunteerism has seen a substantial decline nationally and the District has experienced this decline over the past 10 years. The District currently has a FEMA Grant funding a Volunteer Recruitment/Retention Coordinator. We are optimistic this position will obtain/retain a core of volunteers. A goal of the District, to serve areas outside the urban demand zone, is to have 5 volunteer stations serving the Wenatchee Heights, Mission Ridge,

Stemilt Basin, Malaga and the Colockum. The District currently has 2 volunteers for this entire area.

The District is an all-risk fire department. It currently responds to approximately 3,000 calls/emergencies each year and provides service to over 44,000 residents. The District responds to all types of emergencies including structure fires, wildland fires, vehicle fires, hazardous material spills, and emergency medical calls.

II. COMMENTS

A. ANNEXATION REQUIRED OR EMS AND FIRE PROTECTION SERVICE AGREEMENT IN LIEU OF ANNEXATION

The Project is located outside of and six (6) miles from the District's Boundaries. At the moment, there is no agreement in place between the District and Developer to serve the Project.³ Prior to approval, the District must annex the Expansion Area or the Developer must enter into an agreement with the District to assure adequate fire protection and BLS services are in place to serve the Project.⁴

As the Expansion Area is currently a "no-man's land", not served by any fire district, annexation or a service agreement with the District is a necessary condition of Project approval.⁵ At this time, the Developer has not yet submitted a petition for annexation or engaged in any substantial negotiations with the District for a service agreement.

B. CONCURRENCY REQUIREMENTS

The Growth Management Act (GMA) in RCW 36.70A requires that public facilities are in place or planned for at the time of development approval.⁶ The Chelan County Code ("CCC") 11.88.020(1) requires that no development permit may be approved without a written finding that "providers of Fire...protection serving the development have issued a letter that adequate capacity exists or arrangements have been made to provide adequate services for the development, concurrently with the demand for such services and facilities."⁷ The District has not issued any concurrency finding for fire protection and BLS services for the Project.

C. MASTER PLANNED RESORT DEVELOPMENT STANDARDS

The Development Standards required for Master Planned Resorts ("MPR") require the Developer to bear the costs related to governmental service extensions and capacity increases generated by development.⁸ These governmental service extensions include fire protection and BLS services. The Developer must also include in its MPR application an inventory of the

³ The District serves the Mission Ridge Ski Area pursuant to a contractual agreement.

⁴ Chapter 52.04 RCW.

⁵ Chelan County Code ("CCC") 11.89.050(10).

⁶ See RCW 36.70A.020(12).

⁷ See *Whatcom County Fire District No. 21 v. Whatcom County*, 171 Wn.2d 421 (2011), where the Washington Supreme Court rescinded the approvals of the development based on the lack of the required finding of concurrency under the Whatcom County that contained the identical language as in CCC 11.88.020(1).

⁸ CCC 11.89.050(10)

location and capacity of all existing capital facilities, including among other things, fire protection and other emergency services.⁹ The Developer has not done this.

Beyond the Developer's statement that it will coordinate with the District and will seek an annexation, the application materials submitted do not include an inventory of capital facilities or the requisite details about how the Developer intends to ensure that adequate fire protection and BLS services are extended to the Project.¹⁰ The Developer has not yet engaged the District in the detailed discussions that would produce this analysis. The District expected that the Developer would involve the District in a more substantive manner at this stage of the planning process as required by the County Code and development standards.

C. MITIGATION AGREEMENT / SEPA CONDITIONS

It is critical, and fundamentally a necessary part of the SEPA review process, that the County specifically address significant impacts of the Project as it affects the District and its resources. The SEPA Checklist requires the Developer to address public services, which include fire protection, fire suppression and emergency medical response.¹¹

The Developer has provided plans regarding mitigation measures it will take in the design and construction of the Project in order to comply with the International Fire Code ("IFC"), other applicable fire protection standards, and some, but not all provisions of the County Code. The SEPA Checklist and application materials do not adequately address how the Project will mitigate the increased demands that the Project will have on existing District fire protection and BLS services. The SEPA Checklist and application materials also do not address the new facilities and apparatus that the District will need to acquire to serve the Expansion Area. As such, the SEPA Checklist and application materials, as currently presented, are inadequate and do not meet the standards required by County Code or State law.

The County's SEPA Responsible Official must ensure through its environmental review processes that provisions for safety, fire and medical emergency responses are thoroughly reviewed and addressed. The SEPA process requires the Developer to fully analyze the impacts of its Project or to evaluate those impacts' significance, along with any mitigation measures necessary to ensure that the Project minimizes such impacts for the occupants of such facilities, the existing community, the District, and emergency responders. Such analysis must include, at a minimum, the following:

- Analysis of the District's ability to provide fire and emergency response to the Project – including the new lodge space, condominiums, townhomes, duplexes, single-family detached homes, commercial shops, restaurants, and entertainment facilities therein – in the event of a catastrophic event, be it fire, earthquake or other disaster;
- The capital and operational requirements for service to the Project;
- A review of the District's ability to meet the level of service requirements, including fire response and BLS response, not only to the Project but to all residents and taxpayers of the District after development for the Project is complete; and

⁹ CCC 11.89.080(1)(H)

¹⁰ See SEPA Checklist at Pgs. 6, 21, 27-28.

¹¹ WAC 197-11-960 (15).

- The appropriate mitigation measures.

The District is encouraged by the Developer's statement in the SEPA Checklist that it will coordinate with the District to ensure necessary facilities and services are in place for the Project as required by the County Comprehensive Plan Policy LU 13.6 and Chapter 11.89 CCC, and that it intends to petition the District for annexation. But other than an expression to coordinate, the SEPA Checklist does not provide many details about extending the District's services to the Expansion Area.

The SEPA Checklist fails to discuss the need to increase facilities except that a possible location for a future fire station was identified on a site plan. However, Page 9a of the Resort Base and Real Estate Schematic shows the District sharing the location of the fire station with a Ski Maintenance Facility, which the District cannot accept as it does not incorporate the minimum facilities required by the District. The location of the proposed fire station is just one example of why the Developer must engage in more substantive discussions with the District to address these shortcomings in the SEPA Checklist and current application materials with respect to EMS and fire protection services.

The Developer's Fire Protection Plan implies that the District has multiple apparatus in seven (7) stations to support fire protection at the Project.¹² But the District cannot feasibly serve the Expansion area from any of its existing stations (note the Plan is in error as the District only has six stations). The nearest station is the Fire Station 14 located approximately 6.7 miles from the Project. But this station is not equipped to serve the Project.¹³ The nearest station with the capacity to respond to Mission Ridge is Fire Station 13 located approximately 11.1 miles from the Expansion Area. Response from this station to Mission Ridge would take at a minimum 20 minutes – far outside the District's Delivery Standards for acceptable response times. Moreover, responding to calls at the Expansion Area would increase wear-and-tear on its current apparatus and equipment far in excess of the usage for which the District has planned. A response to a call for service at the remote location of the Project would significantly reduce the District's capacity to respond to calls in other areas of the District. The only solution for this Project is to have a dedicated fire station constructed in the Expansion Area.

The Developer indicated in its application materials that it will provide space for a new station; however, the Developer has not committed to paying for the costs to construct a new station. At a minimum, the new station must provide for sleeping quarters and space for three apparatus. A bare-bones station would cost in the range of \$1 million dollars. In addition to the facility, the District would require new apparatus for this station dedicated to serve the Project. This includes: one Type 1 Fire Engine (approximately \$670,000), one Brush Truck (approximately \$300,000), and one rescue squad (approximately \$200,000). As indicated above, none of the apparatus from the District's existing stations can be dedicated to this Project without significant adverse impacts on service levels within the current boundaries of the District. Equipping a new station dedicated to serving the Project would also require an initial investment of approximately \$100,000-\$150,000 for Personal Protective Equipment ("PPE") to outfit 14 firefighters, purchase office and living quarter furnishings, and other supplies required for the new station.

¹² Fire Protection Plan, Pg. 5.

¹³ Fire Station 14 was constructed as a two-bay station in the 1950s and is currently serviced entirely by volunteers. It would take too long for volunteers to respond to this station and then respond to the incident at Mission Ridge.

The Fire Protection Plan is in error where it indicates that the District has three helicopters to support fire protection at the Project.¹⁴ The District has one operational helicopter and is in the process of building a second, which are both intended to serve the current existing District – not the Expansion Area. If the Project increases the demand for helicopter protection, then the District would require additional mitigation as the expense of purchasing and operating a helicopter is significant. For example, the annual inspections on a single helicopter unit cost around \$100,000, which does not include operational, maintenance, and staffing costs that would be required for this single project.

In addition to a new station and additional apparatus and supplies, the District also requires volunteer and paid firefighters and EMTs to serve the Expansion Area. The application materials suggest the District will staff the station dedicated to serve the Project with volunteer firefighters. However, the Developer performed no analysis of how the District will recruit these volunteers or what contingencies the Developer has if the District cannot secure these volunteers. The District currently has little capacity to recruit and retain volunteers, which presents challenges, especially during the initial build-out of the Project.

Ensuring adequate firefighter and EMT personnel are available for the Project also impacts the Developer's bottom line as it influences insurance rates. Currently, there is no fire service for the Project, which would result in a Washington State Rating Bureau (WSRB) score of ten (10) – practically uninsurable. If the District can secure six (6) volunteers within a five (5) mile radius of the new station, along with the one career firefighter, then it would likely receive a community protection class (WSRB) score of five (5). It is incumbent on the Developer to notify its investors and lenders of this issue, not the District.

The need for the District and the Developer to engage in more detailed discussions and analysis of the potential significant adverse impacts of this Project may be best exemplified by considering recent fire activity in the Expansion Area. In 2012, the Wenatchee Complex Fire and Table Mountain Fire caused significant damage to this area. In that fire, the column of the fire collapsed right over the area including the Project, resulting in softball size flaming embers raining down on the Expansion Area. Even with the mitigation measures the Developer proposes for the Project, such an event could cause catastrophic property loss and significant life-safety threats. The entire District, as well as the Expansion Area, is classified as an embercast zone and the long history of serious wildfires must be considered in the analysis of adequate fire protection and BLS services for the Project. These are additional life-safety issues that must be addressed as part of the SEPA review.

The above approximations are conservative cost and personnel estimates for extending services to the Project. These considerations all require further analysis and should be part of the County's required actions during the SEPA review process. The future tax revenue from the Project will not offset the initial investment required to provide adequate facilities and staffing to service the Expansion Area. The District does not have sufficient funds to subsidize the Project's increased demands on its services. If the Developer does not engage with the District to create a detailed impact analysis prior to the threshold determination, the County must issue a Determination of Significance (DS) and require the Projects' impacts be addressed in an Environmental Impact Statement ("EIS").

¹⁴ Fire Protection Plan, Pg. 5.

III. SUMMARY

The District supports growth and new development, and it remains open to annexation of the Expansion Area. However, the District requires proportional mitigation, whether voluntarily or as conditions on the Project, in order to prevent significant adverse impacts to its fire protection and BLS services.

The District desires to meet with the Developer to analyze the impacts and costs of extending services to the Expansion Area. In this current state of emergency, the District's resources are substantially committed to responding to the COVID-19 pandemic. As noted at the outset, the District considers the review and processing of the Project Application as non-essential under the Governor's Proclamation. However, the District invites the Developer, and if desired, County planning staff, to coordinate a meeting subject to the social distancing measures mandated by the Governor's Proclamation and outline how to scope and proceed with the necessary analysis of the Project's impacts and necessary mitigation at a time that does not compromise the District's response to the COVID-19 emergency.

If you have any questions, please feel free to contact me at your convenience.

Sincerely,

CHELAN COUNTY FIRE DISTRICT NO. 1

Brian D. Brett

Fire Chief Brian Brett

Cc: Tamarack Saddle, LLC, Attn: Larry Scrivanich
Josh Jorgenson, Mission Ridge Ski Resort
Matt Paxton / Tim Schermetzler, Chmelik Sitkin & Davis, P.S.