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## Any response from HomeCA/Native Directions to Planning inquiry yet?

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Chris Silva <rcsilvmac@gmail.com>

Tue, Jun 4, 2024 at 5:20 PM

To: BOS-District IV <bosfour@edcgov.us>

Cc: "Karen L. Garner" <Karen.L.Garner@edcgov.us>, David A Livingston <david.livingston@edcgov.us>, Craig Sandberg <craig@sandberglaw.net>

Supervisor Parlin, Karen Garner and David Livingston (CC Craig Sandberg),

Thanks for allowing Rescue Deer Valley to review the May 17 response from HomeCA/NDI. It is our opinion that HomeCA/NDI did not sufficiently address the questions posed by Karen Garner, and we suggest the county move forward with the requirement of a Special Use Permit process, including the requirement for an independent EIR, for these two developments off Deer Valley Road. Here is a detailed reply to the points raised in the May 17 NDI response.

### **Zoning:**

NDI attempts to dismiss "Increase in the onsite development footprint" since the land is vacant. What this ignores is the fact that these particular parcels are zoned RL-10, which, as Ms. Garner pointed out, has significant limitations due to natural conditions of the parcels, such as high fire hazards ("Severe" in this case) and transition areas between LDR and NR. By definition, this zoning limits the "onsite development footprint" in order to ensure community, and resident, safety. The size and scope of the two proposed facilities clearly deviates from this limitation, which is why this condition of approval is critically important to enforce. As residents of this area, we rely on the county to enforce this zoning limitation to ensure our safety, and integrity of our properties, is maintained. This is also an important consideration for future patients/staff of these facilities as the high number of daily occupants of these two facilities significantly increase safety risks (2671 Sands - 40 patients + 10 staff; 3840 Deer Valley Ct 30 patients + 10 staff).

### **CEQA/Letter of Support:**

As the letter from Ms. Gardner states, the governing law for BHCIP, WIC 5960.3, clearly states right up front that "all conditions must be met" in order to be exempt from CEQA. The law further states that (5960.3(c)) that the "lead agency for the project publicly concurs" that the project is exempt from CEQA. This puts the decision into EDC control, not at the whim of the developer. This has been pointed out a number of times by Rescue Deer Valley and our consulting Land Use Attorney, Craig Sandberg. We believe DHCS is also explicitly stating this in their letter to Senator Alvarado-Gil, as Karen Garner pointed out in her note to NDI.

HomeCA/NDI argues that they are the "local public entity" for this project. Clearly EDC has jurisdiction over this land use and requirements. It is very hard to understand how NDI can claim jurisdiction as they are not "local" to El Dorado County. The "local" word is critical here because the significant safety issues that exist are clearly "local" and we must assume that NDI was naïve to circumstances surrounding their choices of parcels on which to develop these two facilities due to their current operation out of Manteca. To our knowledge NDI has no footprint in EDC. Their developer, HomeCA, has a post office box address in El Dorado Hills, but has never reported income per IRS filings. It is inaccurate to say NDI is "local."

Obviously this application has not received a "letter of support" from EDC, and as your letter March 29 to NDI stated, there are significant "facts" that an EIR would help ascertain. As Rescue Deer Valley has pointed out, many residents of this county have serious concerns about the safety of proposed patients transported to this facility from outside EDC, and the safety of the existing residents of this rural area. As we have noted prior, this developer has not been forthcoming, and in fact has stated numerous untruths in order to push this project through without proper diligence and consideration for patient and community safety.

### **NDI "letters of support" Included with this Reply:**

The "letters of support" submitted by NDI to EDC are either general statements of support for NDI's mission, which no one is debating, or written by individuals that have a vested interest in seeing this development happen. Not one of those letters come from anyone in this county, unless they have a vested financial/personal interest in this outcome. The requirement of support from the county behavioral health agency has been ignored. There has been no community engagement as far as the members of Rescue Deer Valley are aware. At the end of this note we will comment on each of the authors of each NDI letter of support.

### **Rescue Deer Valley Request**

Our request is to get these facilities moved out of Rescue/EDH, especially these poorly considered properties at 2671 Sands Rd and 3840 Deer Valley Ct. This area is NOT suitable for facilities of this size and scope and there are serious

safety issues that preclude this type of development on these parcels.

We depend on our county to help protect community safety, and ultimately protect the surrounding community from ill considered development. We believe this is why DHCS made a point to state that the Local Agency must support these projects. Any logical person would understand that El Dorado County is the local agency with jurisdiction on these proposed developments. That same logical person would understand that you can't develop high density commercial facilities on land that has significant fire risks, very poor road access and limited shared natural resources.

At a minimum we request EDC require a fully independent Environmental Impact Report for both HomeCA/NDI projects off Deer Valley Rd., prior to granting any permits. This independent, third party review, will drive independent analysis of the risks we have highlighted to the county. This independent review is critical to help allay future safety issues and possible future litigation from residents, or patients, should a serious incident occur after development of these proposed facilities. Once that review is complete we can then make an informed risk decision on implementation on either of these projects.

Thanks for your consideration and continued support of community safety and impact,  
Rescue Deer Valley  
Chris Silva, Spokesperson

Here are each of the submitters of support and some comments from Rescue Deer Valley on each:

**CCUIH** - Virginia Hedrick - San Francisco based and acknowledges support for NDI. I don't think anyone is stating that NDI's mission isn't beneficial.

**Art Martinez** - Resident of Carson City, NV; Again, no one is arguing that NDI doesn't have a good mission. What we are asking for is an appropriate location for their facilities.

**HomeCA** - the developer for the project. Gina Wasdyke, CEO, also owns 15 other business enterprises (that we could find) and a number of them profit from the operations of facilities like these. Gina, and HomeCA, has a personal financial interest in completion of these facilities under this grant money. According to IRS filings, HomeCA has not submitted income above \$50,000/yr since its inception in 2019 ([link](#)). The mailing address for HomeCA is a post office box in a Pak Mail in El Dorado Hills. The penned author, Deanna Pineda, is a board member on a number of these enterprises founded, or run by, Gina Wasdyke, including "Best Life for Natives, which also wrote a letter of support.

**6Beds, Inc** - Gina Wasdyke is a founder and executive director of 6Beds, Inc ([link](#)), along with Ron Simpson. We believe 6Beds, Inc will profit from the completion of these projects through consulting and financing agreements with Gina Wasdyke/HomeCA. The attorney who crafted this reply, Robert Naylor, is the attorney representing 6Beds in Sacramento on lobbying activities ([link](#)).

**Best Life for Natives** - This non-profit is also founded/run by Gina Wasdyke and Deanna Pineda is a director ([link](#)). This corporation has the same PO Box address as HomeCA. We haven't been able to find out any other information on this company. This letter again states support for NDI's mission, but doesn't comment on the choice of location, which is the crux of the issue.

**Ultimax Builder** - This is the builder for the project on Sands Road, so obviously they have a vested interest in seeing this grant money paid out. Gina Wasdyke's son, Vincent Amayun, is the CFO for this builder, so it seems Gina's family also has a personal interest in seeing this project constructed.

**Oxford Manor Management Group** - This company is listed as an "assisted care living facility" and is owned by Gina Wasdyke ([link](#)). It is likely a Senior Hospice house, maybe related to Gina's Encare company, which provides senior hospice services and owns a number of residences in the area.

On Wed, May 22, 2024 at 11:00 AM BOS-District IV <[bosfour@edcgov.us](mailto:bosfour@edcgov.us)> wrote:

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