

Sierra Club Lake Group

15995 Lucy Circle, Lower Lake, CA 95457

November 30, 2006

Ben Ritchie
Pacific Municipal Consultants
10461 Old Placerville Road #110
Sacramento, CA 95827

via email

RE: Initial Study, Provinsalia Specific Plan

Dear Mr. Ritchie:

Two important aspects of the Provinsalia Environmental Impact Report do not appear to be addressed in the Initial Study. The first relates to the newly proposed access route, which was undoubtedly omitted only because these plans were not formulated in time for inclusion. Although we certainly concur that from a strictly traffic-related perspective this new road has significant advantages over the originally proposed Dam Road access, and do not doubt that the traffic impacts of the new route will be thoroughly examined in the EIR, the consequences of cutting an entirely new road through land that hitherto has been vacant and inaccessible are by no means limited to traffic. We urge that upcoming biological, geological, and archeological studies conducted on the Provinsalia site be extended to the entire area traversed by the new road, and that the area investigated not be limited to the roadbed alone, but include everything that will be disturbed by construction and subsequent vehicular use and access. Furthermore, the inevitable growth-inducing impacts of providing access and infrastructure to this substantial tract must be addressed: several hundred additional homesites (over and above those in Provinsalia itself) will suddenly become eminently developable if these proposals become reality, and the impact of that growth on highways, schools, and public services needs consideration at this time.

Second, we hope that the EIR will include a diligent assessment of all reasonable alternatives to the project as now proposed. For example, how would its effects on the environment change if the golf course were eliminated and those 80 acres kept in their natural state, reserved for hikers and equestrians? What impacts would change if the project's density were drastically reduced, with (for example) 200 clustered units instead of 720?

The following specific comments follow the order of the Initial Study itself.

Aesthetics. The statement that the "project site is not visible from any state highway" is not correct: it can be seen from Highway 29 west of the Highway 53 intersection, on the steep slope known as Glasgow Grade. It is also visible from a number of viewpoints on higher ground surrounding the area, including portions of the newly designated Cache Creek Federal Wilderness and the Perkins Creek Ridge trail just outside the Wilderness boundaries. Some of these locations are easily accessible, others remote; some publicly owned, others private property. Although this terrain is quite rugged, it should be possible to use modern technology such as Google Earth to identify likely Provinsalia vista points. Since in its current state the project site is of near-wilderness caliber, the esthetic effects of construction will be profound and permanent.

Agriculture. Last year a suggestion that the then-proposed emergency access route via 18th Avenue could be converted to primary status was rejected on the grounds that the route traversed land under Williamson Act protection. Although that route has apparently been abandoned, that statement indicates that prime farmland lies in close proximity to the project site, and could be impacted not only by the subdivision itself but by the new proposed access route. Continuing residential development in the area after access and infrastructure are available is also very likely to affect this farmland.

Air quality. Aside from obvious potential impacts resulting from increased traffic, petrochemical use, etc, the possibility of asbestos-containing serpentine soils occurring on the site should certainly be investigated.

Biological resources. In general, we believe that avoidance of key habitat areas mitigates impacts to wildlife much more effectively than do attempts at restoration. Specifically, we question the appropriateness of the relocation of the three elderberry trees on the site, and also proposals to compensate for substantial destruction of oak woodland habitat by replanting young trees. These objections would persist even if the replanted trees were of the same species as those removed, and if the survival rate of replanted native oaks were greater than is in fact the case: if avoidance is not possible, a more appropriate mitigation would be the purchase of conservation easements on equivalent acreages of pristine habitat in the vicinity.

We also recommend that analysis of the Provinsalia site as natural habitat be conducted in a holistic manner: many woodland birds, for example, are dependent on adjacent grasslands for foraging territories, and will be impacted by a project that destroys the grasslands whether or not their nesting areas are disturbed.

Although lying within the limits of an incorporated city, this site provides habitat that is near-wilderness in character: both mountain lions and bears have been observed on the property. Investigation of effects on these top predators and other seldom-occurring species should not be restricted to the Provinsalia site alone, but should also extend to the consequences of fragmentation of surrounding contiguous habitat.

Possible impacts on the Clear Lake hitch (a Species of Special Concern) are mentioned: we recommend consultation with the Chi Council for the Clear Lake Hitch, which is a local CRMP that has been monitoring hitch spawning patterns for the past several years. Although no observations have been conducted on the project site, in past years hitch have been seen in quantity moving into tributaries to Cache Creek (not merely tributaries to Clear Lake itself), and in 2005 a Chi Council volunteer counted several spawning in Copsey Creek, which enters Cache Creek not far from the Provinsalia site. Chi Council observation records and contact information can be found at www.lakelive.org/chicouncil.

Cultural Resources. Archeological sites are known to exist on this property, and the extensive grading occurring during construction is very likely to reveal additional areas of cultural significance. We strongly recommend that further investigation and mitigation proposals include collaboration with reputable local tribal leaders of acknowledged expertise.

Geology and Soils. Investigation of these impacts should be conducted in full awareness that the site's location on the border of Cache Creek increases the potential negative consequences of erosion and landslides.

Hazards. The risk of wildland fire in this location is obvious (and will be addressed in the EIR): additional consideration should be given to its comparatively remote location, with road access subject to blockage by landslide in the case of Dam Road. The newly proposed access roads themselves traverse fire-prone woodland and chaparral.

Possible hazards arising from intensive chemical use on the golf course should also be investigated.

Hydrology. The developers propose to use Cache Creek water (purchased from the Yolo Flood Control and Irrigation District) to irrigate the golf course and perhaps to supply homeowners' landscaping requirements as well. It would be well to bear in mind that in some drought years inadequate water is impounded behind the Clear Lake dam, occasionally to the extent of forbidding (by existing court decrees) any releases whatsoever. The impact of Provinsalia's demands under these extreme conditions should be addressed.

Another aspect meriting investigation is the potential impact to Cache Creek water supplies from flooding, which could result in chemical substances entering the creek that would not ordinarily impinge upon it.

Land Use and Planning. We are extremely glad to learn that potential conflicts between the proposed dense residential uses and existing General Plan Resource Protection designation will be the subject of investigation.

Noise. Impacts should be considered not only as they relate to adjacent communities, but to surrounding wildlands, with particular attention paid to the nearby Wilderness.

Population and Housing. Aside from the projected population increase from Provinsalia itself, development of adjacent tracts can be anticipated once vehicular access and public services are available. The total impact will therefore be considerably greater than that of Provinsalia alone.

Public Services. The demand for services should also be considered within the context of total anticipated growth in the area, not solely from the perspective of this project taken singly.

Traffic. The new access road would alter the traffic picture considerably but would not reduce total impact. Effects on Lake Street (including but not limited to impacts to existing and potential bikeway access to the Konocti School District campus), central Lower Lake, and Highway 29 at least as far as Middletown and Mt St Helena still need to be addressed. So do effects on Old Highway 53, which would probably be the route of choice for many Provinsalia residents to access Clearlake's central business district and Clear Lake recreational facilities. Effects on existing bike, automobile, and public transit access to the Yuba College campus and neighboring Oak Hill Middle School are also inevitable, and would be increased rather than reduced if Provinsalia's main access road is constructed in the newly proposed location.

Utilities. Again, requirements should be analyzed within the context of total anticipated growth in the area.

Lake Group welcomes the opportunity to examine the completed EIR, and to participate in the subsequent oral and written commentary as fully as possible. Do please keep us informed.

Yours sincerely,

A handwritten signature in cursive script that reads "Victoria Brandon".

Victoria Brandon
Chair, Sierra Club Lake Group