

November 14, 2005

Karen Mantele  
Community Development Director  
City of Clearlake  
14050 Olympic Drive  
Clearlake, CA 95422

Re: Provinsalia Draft PEIR

Dear Director Mantele:

The California Oak Foundation (COF) appreciates the opportunity to comment on the Provinsalia draft Program Environmental Impact Report (PEIR). We find that the oak woodland mitigation flaws proposed in the Specific Plan are repeated in the PEIR preferred alternative. In previous comments COF provided scientific evidence that the RMM tree planting scheme is infeasible as a Blue oak habitat mitigation measure. The current proposal will minimally reduce acknowledged oak woodland impacts and waste mitigation funds in the process.

The issue is not whether "special care has been taken to design the project in such a way as to reduce oak woodland fragmentation"; the issue is whether the PEIR provides "feasible" and "proportional" habitat mitigation. The oak woodland planning in the Provinsalia preferred alternative fails to meet these CEQA standards.

Despite a previous alert, the project does not appear to have utilized the services of a Registered Professional Forester to characterize oak woodland conditions and habitat impacts, as required by Public Resources Code § 750 *et seq.* and PRC § 15149. Therefore, the Provinsalia PEIR oak woodland findings are illegal.

#### Recommendation

In order to conform with CEQA, COF urges Clearlake to stipulate in the EIR that mitigation funds designated for Provinsalia oak woodland restoration instead be dedicated to the state Oak Woodlands Conservation Fund administered by the Wildlife Conservation Board.

Thank you for your consideration and cooperation in conserving oak woodland resources for future generations.

Sincerely,

Janet S. Cobb, President  
California Oak Foundation

Bcc: Al Wright – Wildlife Conservation Board