

Sierra Club Lake Group

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October 16, 2007

Janet Palma, AICP - Assistant Project Manager
PMC
1440 Broadway, Suite 1008
Oakland, CA 94612

RE: Provinsalia Draft Environmental Impact Report, September 2007

Dear Ms. Palma:

The Sierra Club Lake Group appreciates the opportunity to comment on the current version of the Provinsalia Environmental Impact Report, and requests that our remarks be included in the formal record, and be addressed in the preparation of the final draft.

Before discussing errors, omissions, or other matters that may be in dispute, we want to emphasize our agreement with the conclusion that Provinsalia will result in numerous "significant and unavoidable" impacts. It will lead to the "loss of natural undisturbed open space and rural lands;" "increase human intrusion and activity levels in proximity to habitat areas;" "substantially alter the existing landscape" from "open space to a large suburban level of development;" "contribute to a cumulative increase in traffic" resulting in "unacceptable intersection service levels" in both Clearlake and Lower Lake; increase air pollution; impact cultural resources; "introduce substantial daytime and nighttime glare and light sources;" induce population growth and "contribute to the jobs/housing imbalance." Although we believe that the current draft underestimates or omits additional impacts and does not always propose appropriate mitigations (details below), even with these considerations left aside it is apparent that Provinsalia's construction will result in momentous consequences requiring the most careful evaluation by the City Council, which as the chosen representatives of the citizenry rightly holds the ultimate authority.

Inconsistencies between the Provinsalia Specific Plan and the General Plan of the city of Clearlake have also been detailed in a number of instances; we take these inconsistencies very seriously, and assume that the city government does so as well. There are good reasons for the designation of this property as Resource Protection, a designation intended to protect "hillsides, marshes, creeks, wildlife habitat areas, orchards and vineyards, and similar areas as valuable open space and contributing to the rural character of Clearlake"(p 4.10-11). These are priceless assets, amply recognized by the citizens of Clearlake whose wisdom has so recently been the motive force behind the preparation of the Vision Statement that will guide the city's new General Plan.

The bulk of our specific comments below follow the outline provided in the EIR itself, but we also have several more general concerns. First, we are disturbed at the lack of notice provided to Lake Group and other interested parties. We have been offering written and oral comments on this project since 2004, and have repeatedly requested to be informed when documents are available or public meetings held. No notice has ever been given to us, nor to other concerned groups such as the California Oak Foundation. The California Environmental Quality Act's mandate for *public* review of all stages of environmental analysis is negated when the public isn't informed about opportunities for participation. This lamentable sense of secrecy has been

heightened by the fact that neither the environmental documents nor an announcement of their availability is posted to the city's website (which has apparently not been updated since April 2007) or to that maintained by Pacific Municipal Consultants.

We are also disturbed by the impression of slipshod carelessness created by the minor errors speckled throughout the document. Middletown becomes "Middleton;" the Elem Colony of Pomo Indians becomes "Elem Indian Colony of Pomo;" Clear Lake State Park, on the other side of the lake and at least a half hour from the city, is included as a prominent segment of Clearlake's parkland; the Cache Creek Natural Area is sited "approximately 6 miles" from the Provinsalia site whereas the actual distance about a half mile; Mendocino County is placed on Lake County's northern border; the regional vicinity map leaves out both Middletown and Hidden Valley Lake altogether, and puts Lucerne in the wrong place; a bizarre reference to State Route 53 connecting "with SR 20 and 29 in the downtown area" is repeated twice, etc.

Another very important item has been left out of the discussion altogether. The Lake Group and others have repeatedly raised concerns about CEQA "piecemealing," meaning a failure to analyze the implications of a proposed project in a full and comprehensive manner. As of March 25, 2005, when formal application for development was made to the City of Clearlake, the property in question consisted not of 292 but of 510 acres, partly within the Clearlake city limits and partly in the unincorporated portions of the County of Lake but still one contiguous piece of land containing many interlaced habitats whose functions do not respect jurisdictional boundaries. Repeated requests for a comprehensive analysis of Provinsalia's potential impacts on the entire property have been ignored. Although the developers have declared that the land outside the city limits is not included in the Specific Plan, the mandate for a thorough examination of all possible environmental consequences still applies, and applies as well to neighboring tracts of land that are not now and never were under the control of the Provinsalia developers. This report fails to undertake any analysis whatsoever of the possible effects on these surrounding parcels, some of which are important wildlife habitat, of great scenic value, or currently in agricultural use.

This omission has become even more glaring because an entirely new "Provinsalia Avenue" traversing a vacant residentially-zoned area is now proposed as the project's primary access route. As stated in our comment letter on the Initial Study (November 30, 2006): "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." None of those highly predictable consequences of Provinsalia's development have been examined to date, which makes an accurate assessment of the project's cumulative impacts difficult if not impossible.

Comments on specific items follow.

3.0, Project Description

The assertion that "Land Uses proposed in the Specific Plan are consistent with General Plan's land use designation of Specific Plan"(p 3-12) is not only a circular argument, but also one that disregards the parcel's *current* designation of Resource Conservation. Since the preparation of

this EIR has been undertaken largely to provide the information needed to determine whether the General Plan should be amended, this distinction is a significant one.

We disagree with the statement (p 3.0-16) that “Steeper areas and areas which require resource protection are generally planned for development with larger, estate-type lots.” The minuscule increase in average lot size in phases 8 and 9 does not support this generalization, nor are any lots in the entire development of a size that could be reasonably described as “estate-type.”

An “interpretative center” is mentioned, with the admission (p 3.0-17) that “no design . . . has been proposed as yet.” What guarantees are there that this amenity will ever be constructed? The proposed “neighborhood parks,” foot and bike trails, and “wetland and other natural features within neighborhood boundaries” also need to be specifically identified and designated, with provisions for their continued maintenance incorporated into the Specific Plan.

The circulation plan description states that Provinsalia Avenue “would be constructed on property not currently owned by the project applicant. Therefore, right of way acquisition of property . . . would be required,” (p 3.0-18) Acquired how? By eminent domain, if necessary? Even the remote possibility of such an occurrence demands that appropriate notice be given to all property owners who might be affected. Since the proposal to construct this entirely new road was not made until *after* the November 2006 Notice of Preparation it seems most unlikely that they were informed at that time, but this omission should certainly be rectified before the approval process advances. The same considerations apply to the alternative access route proposed to connect via 18th Avenue: individuals whose property could be put at risk are entitled to fair warning, and to an opportunity to express themselves.

It is affirmed that the “City of Clearlake would have maintenance responsibilities for Dam Road and the interior circulation roads” (p 3.0-23) and presumably also for Provinsalia Avenue. This city has been in a desperate (losing) struggle to maintain its existing roads from the first day of its incorporation more than 25 years ago. Has its capacity to assume this additional burden been evaluated?

4.1 Land Use

The Executive Summary states that conflicts between the project and the city’s General Plan are less than significant, with “no mitigation required” but given the parcel’s current Resource Protection designation this is simply not true. The necessary mitigation is to adopt a Plan amendment, and the wisdom of taking such a momentous step deserves the most measured consideration.

As in the Introduction, the description of the surrounding countryside betrays the consultants’ unfamiliarity with the community. Anderson Marsh is listed as a “large body of water” apart from Clear Lake even though it is functionally a part of the Lake, but neither Indian Valley Reservoir nor Lake Pillsbury is mentioned. The outline of the city’s economic base grossly overstates its agricultural component by referring to “a variety of industries including agribusiness (grapes, pears, and walnuts).” To the best of my knowledge there are no commercial pear orchards inside the city limits and not many grapes; most of the walnut orchards have been converted to residential use.

The conclusion that land use incompatibilities with surrounding rural residential uses created by Provinsalia’s “suburban level of development” will be less than significant and require no mitigation is little short of incomprehensible. It is admitted that “implementation . . . will undoubtedly result in changes to the existing ambiance and character of the surrounding rural residential areas” and bring “increased traffic, noise, lighting, dust, and other impacts”: can such a profound upheaval of people’s lives be deemed “less than significant” merely because of buffering by a golf course and landscaping that will take years to mature? The “low housing

density” mentioned is low only by comparison to metropolitan standards, and extremely high when compared to the rural areas surrounding the project site.

4.2, Agriculture

The conclusion that Provinsalia’s direct and cumulative impacts to agriculture would be less than significant is not supported by the maps indicating that all the surrounding parcels in the unincorporated portion of Lake County are zoned Agricultural, and is put further in doubt by reliance on the 2003 county agricultural production data presented in Table 4.2-1, and which is very much outdated considering the high rate of change in local agriculture at the present time.

Although except for a few small patches neither the Provinsalia site nor surrounding properties are likely to have potential for any agricultural use other than low-density grazing, a vineyard south of Dam Rd bordering Cache Creek almost abuts the project site and could be adversely impacted, and certainly *would* have been so had the original proposal to provide primary access to the development by way of Dam Road been maintained. The agricultural value of the parcel immediately to the north of the site is further confirmed by the existence of a Williamson Act contract – a contract which will also make construction of a connection to 18th Ave through this land impossible.

4.3 Geology and soils

The Specific Plan assertion that “drainage courses will be preserved wherever practicable, consistent with the need to minimize flood and erosion hazards. Stream banks shall be stabilized with landscaping, rock,” but this theoretical intention is negated in practice by concrete plans to destroy the seasonal creeks on the site completely, and to replace them with “storm drain piping and retention basins” (p 4.4-3) thereby eliminating their habitat value altogether.

We also doubt that the Best Management Practices proposed can fully preclude substantial soil erosion and loss of topsoil, especially if heavy rains come before new vegetation becomes established. The risk of adverse consequences is especially severe because the entire site drains into Cache Creek immediately upstream from the Clear Lake Dam. Degradation of the creek from sedimentation, deplorable wherever it occurred, could in this case contribute to the premature end of the useful lifespan of the dam itself.

4.4 Water resources

The Lake County Surface Water Resources Setting again includes phraseology betraying carelessness and unfamiliarity: Cache Creek is described as “a large stream in Yolo County,” an imaginary “south fork of Clear Creek [sic!]” is introduced, and “Indian Valley Dam” is listed as a “reservoir” as is Clear Lake. The Conceptual Drainage Plan (fig 4.4-2) is presented on an old base map with Dam Road as primary access, a significant error given the integral relation between impervious roadbed surfaces and drainage patterns. The conclusion in Table 4.4-1 that the site is “far enough from Clear Lake that any increase in surface run-off would not affect water quality of the lake” is true enough, but seems oddly unnecessary given its location several miles *downstream* from the lake's outflow point.

Nonetheless, several potentially significant impacts to water quality from the golf course and urban runoff have been identified and mitigations proposed, including ongoing monitoring by the Planning and Public Works Departments. Who is going to pay for this?

4.5 Biological Resources

We are profoundly disturbed by the destruction of natural habitat on this pristine site that will take place if this project is constructed as proposed, and also disturbed by what appears to be consistent attempts to minimize that loss within the EIR.

Almost 50 acres of oak woodlands will be destroyed (*not* “approximately 30 acres” as misstated on p 4.5-41), but this substantial habitat loss is deemed less than significant if mitigated by a replanting program, a conclusion that we very seriously doubt. No matter how many inches of sapling oaks are planted (and replanted and then replanted again, after the extensive transplant death that is so notoriously predictable with native oaks) it will take not years but generations before they can provide a fraction of the habitat value of the woodlands that have been demolished. The anticipation that “many isolated blue and valley oaks would remain” on individual lots and be preserved by homeowners seems most unlikely given the small size of the lots and large size of the houses.

Offering a replanting program as the sole mitigation for this drastic loss of woodland habitat is furthermore in violation of CEQA guidelines. We strongly recommend adoption of the impact assessment and woodland mitigation process that has been devised by Placer County (the fastest growing county in California’s Hardwood Rangelands) in compliance with SB 1334. Although woodland disturbance totaling less than two acres can be mitigated by a replanting program based on inches of tree diameter, any site with two or more acres of oak woodland (defined as a vegetation community with at least 10 percent canopy cover and dominated by a *quercus* species) is subject to a new procedure. The amount of impacted woodland is first determined by superimposing the “development footprint” onto a vegetation map, and the total woodland area within the footprint is calculated and considered “lost” since its ecological functions will be irretrievably impaired even if some individual trees are preserved. Acceptable mitigation can occur through off-site permanent protection of equivalent woodlands or through payment of an in-lieu fee to be used by the county (or in this case, the municipality) to acquire equivalent habitat.

The destruction of 158 acres of native grassland is also considered less than significant, and the true scope of this loss is further minimized by an error in Table 4.5-4 that gives the false impression that substantial areas of grassland habitat (“93.0 acres” of 167.7 total) will be preserved. The correct figure is 9.3 acres. Arithmetical mistakes aside, the contention that elimination of substantial areas of grassland is inconsequential because similar habitat exists elsewhere is the kind of reasoning that has made the once-boundless prairies of the central United States the rarest and most fragmented ecosystem in the nation. We contend that nothing less than a mitigation requirement for *all* habitat loss no matter how “common” is appropriate, or will satisfy our obligations to future generations.

Furthermore some of these 158 acres are incorrectly characterized as “grassland,” as demonstrated by the aerial photo underlying the Habitat Types map (fig 4.5-1) A number of trees (most probably oaks) are scattered through parts of these grassy areas as an integral part of the habitat, providing among other things essential roosting and nesting areas for grassland birds (including raptors). This landform is more properly called “savannah” rather than “grassland,” and its abundance on the site also calls into question the validity of the “primary goal for oak conservation . . . reducing oak woodland habitat fragmentation”(p 4.5-39) This so-called “fragmentation” is actually a different habitat with its own special characteristics, neither woodland nor grassland but a special ecosystem in between.

Reference is made to two vernal pools totaling almost 14 acres (p4.5-6-7), but neither of these is specifically identified on the map. Impact 4.5.4, Wetlands, asserts that 99 percent of surveyed wetland areas will be preserved, but this claim is hard to reconcile with the proposal to demolish two-thirds of the riparian willow woodlands, as identified in Table 4.5-4. No

mitigation whatsoever seems to be proposed for the 4.5 miles of seasonal creeks that are to be destroyed.

Altogether, 215 acres of habitat used by “common wildlife species” will be disturbed, but the EIR concludes that this destruction will be less than significant because none of them would “drop below self-sustaining levels,” and therefore no mitigation is required. But unless we start considering these impacts on a cumulative basis and requiring each project to mitigate proportionally, the creatures that we now consider common will become rarities in their turn, and eventually there will be nothing left to protect. It is our contention that under most circumstances developers of wildlands should provide such mitigation by purchasing a conservation easement on similar undisturbed habitat (in the vicinity of the project site, if possible), or by paying an in-lieu fee to allow the public to acquire and preserve equivalent habitat.

In Table 4.5-2 a number of special status wildlife species are identified as “possibly” occurring on the site (some of them *certainly* are found there), including the elderberry beetle, Sacramento perch, Clear Lake hitch, Northwestern pond turtle, Coopers hawk, Great egret, Great blue heron, Western burrowing owl, Ferruginous hawk, Lawrence's goldfinch, Snowy egret, White tailed kite, Bald eagle, Loggerhead shrike, Lewis's woodpecker, Black-crowned night heron, Double-crested cormorant, Rufous hummingbird, Pallid bat, Townsend's big-eared bat, Pacific western big-eared bat, Long-legged myotis bat, and Yuma myotis bat. The Western yellow-billed cuckoo is not included because supposedly “outside of known range,” even though this species has been observed at Anderson Marsh barely a mile from the project site, and the golden eagle has also been omitted despite observations in the vicinity. Recorded occurrences of special status species within a mile of the project site (fig 4.5-2) again omits the cuckoo, and indeed fails to mention any birds at all even though a number of the special status species listed are known to occur at Anderson Marsh. We recommend consultation with local experts such as the Redbud Audubon Society who can provide specific sighting details.

This map also fails to mention hitch observations on Copsy Creek very close to the Provinsalia site during the 2005 spawning season, as recorded by the Chi Council for the Clear Lake Hitch and posted to the website maintained by that group.

Northwestern pond turtles were observed on the site in 2004 and can be presumed to live and breed there. Fencing off 50 ft buffers around wetlands during construction might help to protect turtle nests, but since “these turtles . . . maintain basking and nesting sites in grassland habitats” (Impact 4.5.6) and virtually all of these grasslands will be permanently destroyed, deleterious effects on their population seem inevitable.

Similarly, mitigation of impacts to raptors and other birds (Impact 4.5.7) and bats (Impact 4.5.8) is restricted to protection of active nests and nesting sites, and does not address the effects of loss of foraging territories and other habitat.

Discussion of the endangered Longhorn elderberry beetle begins by requiring a survey for the presence of their habitat (elderberry shrubs or small trees). We support the recommended mitigation protocols, especially the preference for avoidance, but are rather surprised at the necessity for a survey, since three substantial elderberry bushes have been positively identified on the site in the past. Are they still there?

The conclusion that Wildlife Movement Corridors will not be significantly impacted (Impact 4.5.10) can be supported only by a very restrictive definition of “corridor”. The important wildlife habitat that now occupies the entire project site is an integral part of a much larger natural area that includes substantial tracts of true wilderness to the north and east. Completion of this project will inevitably constrain the movement of a number of species, and sever their routes of travel between dry wooded hillsides and Cache Creek, which provides their only source of water during the dry summer months.

4.6 Transportation & Circulation

Although the technical traffic studies provided seem to be quite exhaustive, the narrowness of their scope greatly limits their value. Nothing is said about impacts to Highway 29 either north or south of Lower Lake, including the segment traversing Mt St. Helena. This stretch of highway already approaches the limits of its safe carrying capacity and would certainly be adversely affected by the increase in commuter traffic generated by Provinsalia. Impacts to Middletown, which is bisected by Highway 29 in the downtown area, are also ignored. A number of intersections are analyzed in detail, but the effects of increased traffic on Main Street in Lower Lake are not mentioned, except for the Post Office parking lot, where impacts are acknowledged to be “cumulatively considerable, significant, and unavoidable”. Parking is already in short supply on Main Street, especially when a funeral service is in progress, and the extra demand from Provinsalia could easily have such negative effects as to impede the growth of what is becoming a thriving village center. This could happen even without an increased demand for parking slots, since the extra traffic load itself could easily require the elimination of the present diagonal parking system for safety reasons. One possible mitigation for these effects might be a fair-share contribution to the purchase, construction, and maintenance of an off-street public parking lot.

Reference (p 4.6-2) to 18th Ave and its feeder streets as serving a “rural residential” area gives a misleading impression of this neighborhood, where Clearlake’s typical 50-ft lots predominate – hardly a “rural” density.

To describe 7th & 8th Avenues as “essentially ‘paper streets’ in that they have not been paved and are not a part of the City’s built roadway network” (p 4.6-2:) understates the actual situation, since these “streets” to all practical purposes do not exist at all. The “existing limited stretches of dirt road” in this area may or may not be within the street easements.

A reference to pedestrian traffic (p 4.6.13: “commercial and office uses along Court Street, Broadway, and Main Street are the primary areas of pedestrian travel”) seems to have been pasted in from another EIR referring to a different community altogether.

The provision for a “five-foot bike path” along each of the one-way segments of Provinsalia Avenue (p 4.6-19), conflicts with the CalTrans definition of “bike path” (p 4.6-12) that specifies a minimum width of 8 feet for this category.

Goal 3 of Clearlake’s General Plan (Table 4.6-4) is to keep visitor traffic out of residential neighborhoods. Visitors to Provinsalia’s public golf course will access the facility by way of Provinsalia Avenue, traversing currently vacant land that is certain to be developed into residential neighborhoods once provided with access and infrastructure. Furthermore, unless the clubhouse is carefully sited to avoid this result, this golf course traffic would also pass through residential neighborhoods in Provinsalia itself.

We agree that a new connector road between Provinsalia Ave and 18th Avenue is needed to meet public safety concerns (p 4.6-40). Specific plans for this road should be provided at this time, including its precise location and analysis of its impacts on 18th Avenue traffic (which the current study projects will be affected only negligibly) and also on the surrounding terrain. Until this route has been precisely located, owners of adjacent properties, some of whom may be subject to eminent domain, cannot adequately assess its effects on their lives and make appropriate representations to their elected representatives.

The consultants recommend that if conditions warrant after a supplementary traffic study at half buildout, a traffic light should be provided at the Jessie St/Highway 53 intersection (p 4.6-44). A better alternative might be closure of this intersection, but in this case the additional traffic load on the Main St/Lake St and Lake St/Highway 53/29 intersections needs analysis. Furthermore it is conceded that the implementation of mitigations that would reduce impacts to less than significant would depend on CalTrans approval, which cannot be guaranteed.

The construction standard for Provinsalia Avenue outside the project site (p 4.6-53) is considered acceptable “assuming no development is constructed adjacent to this roadway” -- an assumption that we believe unwarranted. To the contrary, once this new road is built the numerous platted but vacant lots in the surrounding area will become prime development prospects, and Provinsalia Avenue should be designed and built on this assumption.

As currently designed, some of Provinsalia’s interior roadways will exceed maximum grade limits, and many dead end streets exceeding 1000 feet will be created. The proposed mitigation (p 4.6-55) would rightly change the project design to conform to city standards, but we contend that this redrafting should be done at this time, before tentative approvals are considered. The same is true of public transit and school bus stop locations.

It is projected that despite all mitigations cumulative impacts traffic flow will be impaired unacceptably at Dam Rd / 53 and Dam Rd / DR Extension during peak hours (p 4.6-66) even *without* taking into consideration the extra traffic generated by future residential development along the Provinsalia Avenue corridor. With this extra traffic taken into account, how many of the other study intersections which this EIR does conclude can be mitigated to acceptable standards would instead move into the cumulatively considerable, significant, and unavoidable column?

4.7 Air Quality

The conclusion that the cumulative effects of Provinsalia and other developments in increasing greenhouse gas emissions and contributing to climate change are “less than cumulatively considerable” is not true, despite their apparent insignificance in relation to the massive scale of the global climate crisis. We believe that *every* straw weighs equally on the camel’s back, and that *every* development proposal should be subject to a requirement for carbon neutrality at the very least. One approach might be to provide solar hot water or photovoltaic systems as an option on all new residences, and to encourage builders to subsidize these systems by requiring that community facilities (such as the golf clubhouse) and a specified minimum proportion of residences be powered by renewable energy.

Furthermore, although AB 32 (the California Climate Solutions Act of 2006) is mentioned, the relation of the destruction of natural vegetation to greenhouse gas emissions and global warming is entirely ignored. The Attorney General has already determined that although the specific requirements of this legislation won’t be effective until 2010, under CEQA both cities and counties nonetheless have an obligation to determine how much carbon sequestration is eliminated when natural vegetation is lost consequent to development, and has threatened legal action for non-compliance. Removal of oak woodlands has a double impact, since the wood is ordinarily burned. Two questions must be answered, neither of which are posed at all in this EIR: (1) how much carbon will be released by removing the trees? and (2) how much carbon will be released when the wood is burned? No proposals to mitigate woodland habitat loss by replanting (or other more effective means) can negate the responsibility to provide this information. Aside from the effects of vegetation loss, the soil disturbance caused by the extensive grading proposed on this site will release a substantial amount of sequestered carbon into the atmosphere, and this contribution to global warming emissions must also be mitigated as prescribed by law. The first step towards mitigation – accurate measurement of the quantity of carbon that will be released -- is wholly absent from this EIR.

4.8 Noise

Noise impacts in this location should be evaluated not from a typical suburban perspective, but in relation to the near-wilderness quality of the site, and the deep tranquility prevailing there at the present time. This rare trait is integral to the quality of life of the surrounding neighborhood, and its loss must not be taken lightly.

4.9 Cultural Resources

We generally support the proposals to minimize disturbance of cultural resources on the site, and strongly support the position that the most effective mitigation is avoidance. We also hope that the perspectives of both local tribal communities and professional archeologists will be included, though unless comments were requested from these groups and individuals their participation seems improbable. Even more bothersome, although SB 18's requirement for tribal consultation on General Plan amendments potentially affecting cultural sites came into effect on March 1, 2006, the city did not initiate this mandatory process until February 20, 2007 (p 4.9.9), which seems extremely tardy considering that the machinery that could result in a General Plan amendment had already been rolling for nearly two years.

It is also disturbing to learn that even if implementation of all recommended mitigations – avoidance, capping of sites, conservation easements, strategically located greenspaces, and ongoing monitoring – manages to protect individual sites from direct impacts, these measures could not preserve their “connectivity to each other” or prevent “loss of the integrity of the entire district” and therefore impacts to cultural resources would be cumulatively considerable, significant, and unavoidable. (p 4.9-16)

4.10 Population/Housing/Employment

Table 4.10-11, analyzing the project's consistency with the Clearlake General Plan Housing Element, concludes that it would “accommodate a variety of special population groups, age groups, and socioeconomic groups,” which seems like a dubious conclusion since these houses will be beyond the means of any but the very richest people in the community. Provision for “multi family”(actually duplex) units doesn't change this fact.

Provinsalia's tendency to “Induce Substantial Population Growth” and contribute to Clearlake's existing jobs/housing imbalance is indubitable (also significant and unavoidable) (p 4.10-11): by 2030 the inhabitants of this single subdivision would represent *half* of the projected population increase for the city *as a whole*, and increase the total population of the city by 15 per cent.. Although it can be expected to provide a “significant amount” of short-term construction employment, very few long-term jobs would be created. Even though the proportion of retirees and vacation home owners is estimated to be high, substantial numbers of Provinsalia's residents are expected to commute out of the county.

We strongly agree with the conclusion that Provinsalia would also cause “indirect population growth” between Highway 53 and the project site, which the EIR deems “reasonably foreseeable” (p 4.10-12) and we would call inevitable. The seriousness of these impacts must also be weighed in the context of current designation of the project site and also some of the adjacent lands as Resource Protection, “not primarily intended for residential uses by the General Plan.”

4.11 Human Health Risks and Hazards.

Siting a massive residential development in a comparatively remote location surrounded by fire-prone wildlands will put life and property at risk no matter what mitigations are proposed. Wildfires move according to their own internal logic and can in the most extreme cases even create their own weather; they can certainly leap mere buffer zones with a single bound even when the buffers meet CDF standards, which the proposed twenty foot buffers do not. These concerns are exacerbated by the statement that the “Specific Plan does not identify an adequate water supply and fire flows for fire protection,” which would require 240,000 and 300,000 gallons of storage. (p 4.13-6)

Hazards from wild animals are not even mentioned. Both bears and mountain lions are known to exist on this site, and the lions at least are likely to remain, feasting on dogs and cats belonging to residents, and on the herds of deer attracted by the golf course. The possibility of injury or even death to human beings is obvious.

4.12, Recreation

We would very strongly oppose any suggestion that Provinsalia’s nine-hole golf course (that the area does not need) be presented to offset any portion of the deficit in Clearlake parkland created by the subdivision. Such a proposal would be unacceptable even without the maintenance costs accompanying the acquisition of such a white elephant.

4.13 Public Services and Utilities.

Adequate financial mitigations for increased police and fire services seem to be provided, but Provinsalia’s effects on the Konocti Unified School District have not been appropriately assessed. It is acknowledged that despite development fees the project will create a capacity expansion shortfall estimated at \$500,000-\$1,000,000, but this very substantial burden on the district as a whole is considered less than significant because of the very possibly unwarranted assumption that few school age children will be a part of the Provinsalia population. Many other complex impacts have also been neglected: the Lake Group strongly supports the September 28 comment letter submitted by KUSD board member Herb Gura.

4.14 Visual resources.

We certainly agree with the conclusion that Provinsalia would “substantially alter existing landscape characteristics” and that this impact would be both significant and unavoidable. The mitigations proposed (“design guidelines” planned to “avoid obstructing vistas” and incorporating vegetative “screening” to “blend project features into existing natural features” could reduce this outcome to no more than a slight extent considering the scope of the project, the large proportion of the site that is to be covered by buildings and pavement, and the high residential elevations: 35 feet, which means that the houses would be taller than the mature oak woodlands there now.

These permanent changes in the landscape would affect the lives of the surrounding residents quite drastically, and impact other Lake County residents and visitors as well since the subdivision would be clearly visible from Glasgo Grade and other vista points on Highway 29.

We also agree that no mitigations will be effectively prevent glare and light pollution from permanently altering the visual character of the “regional landscape,” and that this lamentable result will be cumulatively considerable, significant, and unavoidable.

6.0, Alternatives

Lake Group and others have repeatedly suggested that an alternative project design that replaces the golf course with a more natural rural landscape incorporating hiking, biking, and equestrian trails might alleviate some of the project’s adverse effects. The EIR acknowledges that this alternative “may have reduced or avoided the impact of some grading and/or oak tree removal” (p 6.0-2) without mentioning the additional advantages of eliminating demands on Cache Creek water and reducing release of chemical pollutants into our air and water, but nonetheless rejects it without analysis because it “does not meet the applicant’s objective” – namely, to build a golf course.

Three other Alternatives do receive formal consideration, with their environmental impacts briefly compared to those of the Specific Plan now under consideration. It is our considered opinion that any of the three is preferable in some respects, but that the CEQA-mandated Alternative 1, No Project, is in every respect by far the best, since it eliminates *all* negative impacts. The Lake Group strongly recommends that the City of Clearlake adopt this responsible alternative, and presents the summary list of comparative impacts provided in the EIR (pp 6.0-2-13) in support of this position.

Yours sincerely,

Victoria Brandon

Chair, Sierra Club Lake Group