

Sierra Club Lake Group

15995 Lucy Circle Lower Lake, CA 95457

January 13, 2011

Peck Ha
US Army Corps of Engineers
1325 J St, Room 1480
Sacramento, CA 95814-2922
via email, Peck.Ha@usace.army.mil

RE: Provinsalia Permit Application #SPK-2004-00904

Dear Mr. Ha:

The Lake Group represents some 400 Sierra Club members residing in Lake County, including several dozen who live in the City of Clearlake. We have been very actively involved in the debate about the Provinsalia project since it was first proposed more than six years ago, have testified at many public meetings and submitted comment letters on two separate Environmental Impact Reports (EIRs). Our familiarity with the Project is sufficient that we do not hesitate to comment on this application, even though the location and scope of the proposed work is not clearly apparent from the information contained in the Public Notice and attached maps. We would also like to note an omission in the first paragraph of the Notice, which as written states that the Project "would result in impacts to approximately 3.44-acres of waters of the United States, including wetlands, in or adjacent to ." The parcel in question is adjacent to Cache Creek (the outlet to Clear Lake and a State Wild and Scenic River) and includes some of the Creek itself within its borders.

The Notice states that "The applicant has provided information concerning project alternatives." Since no information about these alternatives is provided, meaningful comment is difficult, but we assume that they correspond to the four alternatives discussed in the Pacific Mutual Consultants (PMC) EIR (September 2007). Although as stated in our comment letter of October 16, 2007, all four are preferable to the Project in some respects, with Alternative 1, No Project, being in every respect superior. The Sierra Club and many others have also repeatedly maintained that a truly comprehensive list of viable alternatives was never considered. To mention just the most obvious, an alternative project design replacing the golf course with a more natural rural landscape incorporating hiking, biking, and equestrian trails could alleviate many of the Project's adverse effects, by reducing the need for grading and oak tree removal, eliminating demands on Cache Creek water and reducing release of chemical pollutants into the air and water. We recommend that the Corps evaluate this Alternative when considering this Permit application.

Even though the Project EIR sometimes underestimates impacts and does not always propose appropriate mitigations, a number of environmental impacts were acknowledged to be significant and unavoidable. The project 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;" "contribute to a cumulative increase in traffic;" increase air pollution; destroy cultural resources; "introduce substantial daytime and nighttime glare and light sources;" induce population growth; and contribute to the jobs/housing imbalance. It is important to remember that the Clearlake City Council approved the necessary Statement of Overriding Considerations by the narrowest of margins, and that it is by no means certain that the Council's current members would reach the same conclusion.

The Sierra Club is gravely concerned about the Project's potential to adversely impact water quality. Native vegetation will be completely removed from much of the site, which is both steep and immediately adjacent to Cache Creek. Strict conditions are needed to avoid calamitous erosion during construction, including limitations on the time of year that work may take place and requirements for effective erosion control methods. It is also questionable whether even the best management practices 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 under any circumstances, could in this case contribute to the premature end of the useful lifespan of the dam itself. Ongoing maintenance of the proposed golf course, which will of necessity include artificial irrigation and the application of an array of hazardous chemicals, also threatens water quality both in the immediate vicinity and to agricultural users in Yolo County, and perhaps even to the Sacramento River and Delta.

We are also profoundly disturbed by the destruction of natural habitat on this pristine site, including the loss of almost 50 acres of oak woodland and the elimination of three seasonal creeks. For additional habitat impacts, and a list of affected species of special concern, see the PMC EIR. As has been previously stated we do not consider the mitigations imposed by the EIR to be adequate. Nor do we support the proposal to "purchase mitigation credits at an approved bank located outside of the watershed." Full mitigation may not be feasible onsite, but conservation easements should be purchased or other mitigation measures implemented in as close geographical proximity as possible to the area of disturbance, and certainly not outside the affected watershed altogether.

The Provinsalia project has engendered a great deal of public controversy during the past six years. Many valid points of concern that were raised during public meetings may not have been recorded in writing, and it is a certainty that not all the citizens whose local expertise could benefit the Army Corps will submit written comments on this application. We therefore request that the Corps hold a public hearing in the city of Clearlake to gather additional testimony before deciding on the terms and conditions that should apply to the requested permit, or whether it should be refused outright.

Yours sincerely,

A handwritten signature in black ink that reads "Victoria Brandon". The signature is written in a cursive, flowing style.

Victoria Brandon
on behalf of the Sierra Club Lake Group