

Sierra Club Lake Group

15995 Lucy Circle Lower Lake, CA 95457

January 8, 2009

Richard Coel
Community Development Department
Planning Division
255 N. Forbes Street
Lakeport, CA 95453

RE: Cristallago Draft Environmental Impact Report

Dear Mr Coel:

The Sierra Club Lake Group appreciates the opportunity to comment on the Cristallago Draft Environmental Impact Report (DEIR), and requests that our remarks be included in the formal record, and be addressed in the preparation of the final draft.

Before commenting on specific items of discussion in the DEIR, we would like to take the opportunity to begin with a few more generalized remarks that cannot be easily categorized.

First, as mentioned in the Sierra Club letter of July 26, 2007 on the Cristallago Notice of Preparation, any environmental evaluation requires an assessment of the project's impacts on climate change with due consideration given to both carbon dioxide emissions and loss of carbon sequestration, within the present regulatory framework in the State of California. Although the DEIR does give a cursory glance at this subject in the Air Quality section, and although we commend the developers' willingness to seek creative mitigations by offering a solar power with each residential property as previously suggested, the requisite *numerical* comprehensive evaluation has not been performed, and climate change impacts are not even recognized among the Areas of Known Controversy. (p II-2) The loss of carbon sequestration resulting from woodland demolition has been particularly neglected. An example of the appropriate way to address woodland/forest conversions under CEQA has been provided by the proposed Preservation Ranch project in Sonoma County: "*it is expected that an analysis of the immediate emissions of CO2 associated with the conversion of forests to other uses and the associated loss of carbon sequestration potential will be conducted during the California Environmental Quality Act process.*" No analysis of this sort has been included in this DEIR.

Second, the July 2007 Sierra Club letter also recommended an evaluation of the potential environmental consequences of a project that cannot be completed because of adverse economic circumstances. The subsequent downturn in the national economy, the implosion of the credit system, the large number of residential properties now for sale here in Lake County, and our skyrocketing foreclosure rate, all make such an evaluation imperative. As a special factor applying to Cristallago, golf course construction would take place at an early stage of development, although it has been

asserted that completion of the residential component is necessary to make the course viable. If those “necessary” houses are not built, mechanisms must be established to protect the community from the need to clean up the consequences of a golf course that has become a physical and financial liability. Lake County cannot afford another paper subdivision, especially not one on this massive scale.

Third, the DEIR repeatedly makes several questionable references that for the sake of efficiency it is simpler to discuss all at once rather than at each occurrence.

- The “1981 Lake County General Plan” is mentioned throughout, with many impacts evaluated in the context of its policies. With the recent adoption of the General Plan Update the 1981 document was superseded, and its provisions are no longer operative. We have therefore made no systematic effort to address references to the 1981 Plan in the DEIR.
- Aside from the acreage devoted to the golf course, the project proposes to retain nearly 400 acres of open space, 366 of them described as a “nature preserve.” Although the provision of public open space and areas of natural vegetation is laudatory, a glance at the subdivision map reveals that most of this land exists in bits and pieces on the fringes of development rather than as substantial contiguous parcels. This fragmentation reduces its habitat value so markedly that the phrase “nature preserve” is misleading. Proposals to fence the perimeter of the property could further reduce habitat value, and we therefore recommend that this fence be constructed in a manner to minimize its impact on the free passage of wild animals.
- The developers propose to grant an easement creating a “one foot no access strip” along the southern and western edges of the property, with the objective of preventing Cristallago’s urban infrastructure from being extended into Scotts Valley agricultural and other rural lands. We support this provision of the proposal, but reject the repeated implication that it will play any role whatsoever in providing a physical buffer between ongoing agricultural activities on neighboring properties and the residential or resort uses proposed for the project site.
- Many references are made to the proposal to produce “Cristallago brand Extra Virgin Olive Oil” as part of the project’s continuing operations. As a practical matter, we question the feasibility of this proposal (as detailed in our July 2007 letter: among other considerations, olive pollen provokes an allergic reaction in many individuals) but whether or not it ever comes to fruition such an operation should properly be considered as a landscaping feature in harmony with the subdivision’s Tuscan theme, and not in any respect a mitigation for adverse impacts to local agriculture, including the loss of potential commercial productivity on the project site.
- Attempts to analyze cumulative impacts are consistently weak. Although the data upon which long-range cumulative effects are based must be considered speculative (and include assumptions that are in some cases wildly improbable, as discussed below) it is apparent that by the time of Cristallago’s projected buildout profound changes will have taken place throughout the North Lakeport region, where antiquated infrastructure is already inadequate to meet the need. Impacts in just about every category under investigation have to be considered

significant, and unavoidable without meaningful mitigations.

Our remaining comments reference specific pages and figures, in order of occurrence. Given the length of the DEIR and the many substantive questions that have arisen throughout, we have refrained from the temptation to list typographical errors, spelling mistakes, and similar minor errata such as “Clearlake” for “Clear Lake” and vice versa.

Section III, Project Description

Table III-1, Related Projects. This table refers to a proposed expansion of the North Lakeport water system in Community Services Area 21 (CSA 21) as ongoing under an approved negative declaration approved, even though this project has been suspended because of practical difficulties including fiscal constraints. Even if it were complete, only about a thousand new hookups would have been created, which is nowhere near the “additional 3774 connections” mentioned.

Golf course usage estimates (p III-22) should be evaluated in light of (a) the general decline of golf as a sport: in 2007 for the first time ever more American courses were closed than opened; (b) the many other courses in Lake County, and their shaky solvency; and (c) the phased nature of the project: until buildout of both the project’s resort and its residential components usage would be less, and in the early years *much* less. The broader subject of the project’s economic impacts would also depend largely on the timing of its resort component.

Cristallago’s full-service spa is to be built “on top of one of the highest points on-site” (p III-23). This siting would make it particularly obtrusive visually, with special screening and perhaps other mitigations needed under the design review favored in the current Lake County General Plan (p 9-25, Implementation Measure 6.0).

The proposed equestrian facility (p III-23) would provide stabling for merely 12 animals, which considering the opportunities for both on-site and off-site trail riding and the increasing popularity of recreational horseback riding seems inadequate in proportion to the large size of the project,

The project would include 325 resort units with a variety of physical and ownership characteristics (p III-24). In many locations throughout the United States changing circumstances have resulted in the conversion of resort time-share units to residential condominium properties. If this pattern were repeated here it would create a drastic alteration of the nature of the project and its impacts upon the community, and we would therefore suggest the imposition of legal constraints upon such conversion in perpetuity as a condition of project approval.

The parking facilities described in Table III-2, Project Development, seem very inadequate, with the curious exception of the “real estate sales area” at the project entrance. For example only 56 spaces are allotted to the golf course clubhouse, which will include a 200-seat coffee shop, and only 135 total spaces are provided to serve the Tuscan Village with its 65 hotel rooms, 75-seat restaurant, commercial space, and conference center for up to 350 people. The 63 timeshare units and 107 “condominium hotel” units have exactly one space per unit—a ratio that would be inadequate in any case, since family members and friends sharing such units commonly arrive separately,

and would become even more untenable if ownership privileges include a “lock-off” option to divide a single multi-bedroom unit into two or more units as is commonly practiced in timeshare resorts elsewhere. This table provides no apparent provision for staff parking whatsoever. Although this subject is addressed later (p III-26), proposals to meet this need with “remote parking” must include specifics about the size and locations of these lots, and the means of transporting staff members to their jobs.

The assumption that “domestic water would be provided by the County of Lake CSA 21” (p III-27) must be assessed in light of CSA 21’s current inability to service existing entitlements (including 100 connections on the project site), suspension of plans to increase treatment capacity, and the location of portions of the site outside the CSA 21 service area. Water requirements would depend to a marked extent (varying by more than 50 percent) on whether proposals to use treated effluent for golf course irrigation can be put into practice. Since this proposal is in conflict with contractual obligations to supply the wastewater to the Geysers geothermal facilities the viability of this diversion cannot be taken for granted.

Similarly, the proposal to dispose of wastewater by connecting to the nearby Lake County Sanitation District (LACOSAN) treatment plant (p III-28) would depend on annexation of the southern portion of the project site into the service area, a substantial increase in capacity, and the acquisition of entitlements in an area where none now exist.

Grading would include “flattening the tops of the serpentine ridges” (a drastic aesthetic impact!), while proposing to “balance the cut and fill on-site”. (p III-28) This combination implies that the excavated soil is to be used as fill elsewhere on the site, even though it may be laden with asbestos. Before any grading permits are contemplated a monitoring plan must be in place that identifies the specific areas where these toxic soils are to be deposited, with provisions for capping with clean soils, permanent mapping of the location of any potentially hazardous materials, details about appropriate safeguards should it be necessary to handle contaminated soil in the future, and appropriate disclosure to potential purchasers.

Project objectives include the construction of a Visitors Center aimed at promoting the whole region, not just Cristallago (p III-31-2). We believe that such a center would be far more useful to the community and inviting to our visitors if it were located in a population center (ideally, in downtown Lakeport or Clearlake) than on a comparatively remote site ancillary to a private facility, especially one that has been gated to preclude public access.

Referring to the Smart Growth tenet of creating “walkable neighborhoods” the project “proposes locating some housing within walking distance” of services & recreation (p III-32). A glance at the map reveals that “some” would translate in the real world to “practically none,” since the residential areas are configured in long narrow blocks with most housing too far from recreational and commercial services to encourage actual pedestrians. Truly “walkable” neighborhoods involve a design that clusters residences in the immediate vicinity of commercial centers and may even include some housing (eg second story apartments) actually *within* commercial districts.

Section IV, Environmental Impact Analysis

A. Aspects Found to be Less than Significant

Agricultural Resources. We disagree with the conclusion that conversion of farmland to non-agricultural uses is less than significant (p IV-A-1) Even though by *state* definitions no prime soils exist on the site, according to *Lake County* standards the 80 acres of Class III soils are considered important agricultural land, with additional *prima facie* evidence of their agricultural viability provided by the previous protection of these parcels under the Williamson Act. The first goal of the Agricultural Element of the current General Plan is to “preserve and maintain a viable and diverse agricultural industry within Lake County,” a goal inconsistent with the conversion of farm land to non-agricultural uses. If good and sufficient reasons exist to allow such conversion on a particular property, appropriate mitigation for the loss should invariably be required

Transportation and traffic. As stated in our July 2007 letter, we do not agree that “the project would not be expected to increase levels of traffic at the airport” (p IV-A-4). Cristallago’s affluent target market for both residential customers and resort guests can reasonably be expected to include individuals who come to Lake County by private plane, with a likely traffic spike on weekends and holidays. Lampson Field, the county’s only airport, is a small general aviation facility that could easily become overburdened. Analysis is needed to determine the probable resulting level of airport use, to assess what facility enhancements might be needed, and to determine whether a fair share of upgrade costs should be required from this project.

B. Aesthetics.

Although Highway 29 has not been officially designated as “scenic” by the State of California (p IV B-8), its eligibility for that status indicates more than average aesthetic values. Furthermore, Lake County zoning maps provide a special “SC” combining district to designate scenic corridors, which encompass practically all the rural, non-commercially zoned land along the highways. Typically such a corridor extends 500 feet from the highway centerline in both directions, but can be much wider in places where expansive views predominate. The “SC” zoning attached to four of the 12 parcels comprising the Cristallago site confirms their importance to the viewshed.

Intentions to develop “most of the ridges of the proposed site” (p IV B-14) may conflict with provisions of the newly adopted General Plan. Policy OSC-2.15 prioritizes the development of specific guidelines for ridgeline /hilltop protections, and in the meantime discourages ridgeline construction, encourages viewshed protection, and mandates design review with “appropriate case by case mitigations to minimize adverse visual impact.” As mentioned on page 3 above, the intention to locate the spa on one of the highest points on the site makes design review particularly imperative in that case.

The Sierra Club strongly supports the conclusion that “impacts related to visual character or quality would be *significant and unavoidable*. (Impact AES-3, p IV B-14)

Impact AES-4. The conclusion that by minimal mitigations in design—planting some tree planting, installing low-intensity light fixtures—the project would “not create a new source of substantial light or glare” (p IV B-14) seems contradicted by the assessment

immediately above that it would be highly visible from Highway 29, with significant and unavoidable visual impacts. The profound darkness currently existing in this location will be permanently altered, with scattered lights visible in some places and extensive areas of illumination in others.

Potential inconsistency with General Plan policy OSC 2-15 is cited (p IV B-21, but the quoted language was not included in the Plan when adopted. See above for specifics. We disagree with the conclusion that aesthetic impacts of ridgeline development within the project site are comparatively insignificant because “the views of the major ridgelines of the Mayacamas Mountains would not change:” Besides the General Plan provisions already cited and the Scenic Combining Overlay on portions of the site, Policy 3.4.1.a of the Lakeport Area Plan also provides a mandate to “protect scenic viewsheds from public roads to the greatest extent possible” Since the “change to the viewshed” is acknowledged to be “unavoidable” in this “designated Scenic area” we concur with the conclusion of inconsistency. (p IV B-21)

We would also like to repeat our earlier request for an evaluation of the aesthetic impacts of the project’s golf course. Although many people find golf courses visually appealing, these bright swathes of irrigated greens and fairways will create a glaring discontinuity with the natural California landscape surrounding it, especially during the summer months, and result in a permanently artificial impression.

C. Agricultural Resources

Fig IV C-1 shows prime farmland to be located immediately adjacent to the southern boundary of the project site, and also extending along the adjacent western border, though oddly enough the land *inside* the property line is classified “other land.” This distinction seems anomalous since this is a surveyor’s border not corresponding to any natural feature. The classification seems inconsistent with Fig. IV C-3 where this same “other land” is labeled “Prime Agriculture – Non-Renewal.” The Williamson Act Zone of Influence shown on this map (encompassing not only the entirety of the project site but also extensive surrounding areas that include two additional Williamson Act properties) also demonstrates the agricultural significance of the vicinity. Project plans would site portions of the golf course on this “other land,” in close proximity to parcels now in active agricultural production across the property line.

An extensive description of a standard Land Evaluation and Site Assessment (LESA) process for evaluating the significance of conversion of agricultural land to other uses (p IV C14-15) concludes that use of this model “is not required” and therefore “was not performed.” Given the high priority given to agricultural preservation in primary Lake County planning documents, the conflicting designations on the project site, and the ongoing agricultural uses on adjacent parcels, we request that a systematic evaluation according to this model be performed during the preparation of the Final EIR.

Impact AG-1 concludes that the project “would not conflict with existing zoning for agricultural use” (p IV C-18). Agricultural zoning on APN 005-12-33 is considered immaterial because this parcel has a Suburban Residential Reserve (SRR) General Plan designation, even though the SRR designation no longer allowed outside Community Growth Boundaries and is therefore in itself inconsistent. Acceptance of the argument that Agricultural zoning can be disregarded when General Plan designations are not Agricultural, makes Agricultural zoning as a category irrelevant, since it would follow

that if a parcel has an A designation, then A zoning is unnecessary; if it does not, then A zoning is immaterial. (We also note that a similar argument recently convinced a narrow majority of the Board of Supervisors to deny a Sierra Club appeal of approvals granted to a nearby project, with the assurance that no precedents were being set.)

123 acres of identified Class III-IV soils are present on the site, which has been used for grazing and irrigated pasture in the past, but the impacts of converting this land to non-agricultural uses is considered less than significant because “these soils are not considered Farmland under CEQA” (p IV C-20) But as stated previously, this category *is* considered farmland by the standards incorporated in the Lake County General Plan, the provisions of which govern development decisions in this jurisdiction.

A minimum 300-ft setback from all off-site pear farming operations is repeatedly mentioned in this section, but is not shown on the General Plan of Development map (Fig III-11). Although portions of the golf course are indeed located in this area, it could not be expected to serve as an adequate buffer from the noise, spray drift, etc that accompanies pear farming, since golfers would be as likely as homeowners to object to these agricultural “nuisances” and to exert pressures that could be detrimental to continuing agricultural uses. We can only conclude that the “300-foot buffer” refers to portions of adjacent properties that are not being farmed at the present time, areas that are now designated “Agriculture” and would so remain. Using these areas as buffer zones removes them from the potential of future production, and evidence of the purchase of easements from their present owners should, at a minimum, be required before their acceptance for this purpose.

D. Air Quality

As stated above, we do not believe that the cursory evaluation of the project’s impacts on greenhouse gas emissions adequately meets the requirements of the State of California, nor is the discussion of the regulatory setting (p IV D-7-8) up to date. Mention of the absence of “project-level significance standards for GHG emissions” (p IV D-12) is based on action measures adopted by the Air Resources Board in June 2007, which have subsequently been augmented by additional administrative guidelines (for example, the June 2008 Technical Advisory Report issued by the Governor’s Office of Planning and Research) and court action, such as the August 6, 2008 Riverside County Superior Court invalidation of a project EIR in the Coachella Valley. We request that the project’s impacts on climate change be reassessed during the preparation of the final EIR in the context of this changed regulatory framework. At a minimum, such a re-evaluation must make a meaningful effort to *quantify* the CO₂ emissions associated with the project, and the loss of carbon sequestration resulting from activities such as grading and loss of woodlands, and to make a good faith effort to mitigate for these impacts. We would also like to point out that since California has designated GHG a grave human health risk, local jurisdictions do not have the option of invoking CEQA “overriding considerations” to disregard inadequately mitigated GHG emissions resulting in significant and unavoidable impacts.

The conclusion that the “project would be consistent with all feasible and applicable strategies to reduce GHG emissions in California” (Impact AQ-4, GHG, p IV D-29) is completely reliant on an analysis of the 2006 CAT Report. As stated above, this conclusion should be re-evaluated in the context of more recent scientific data on the pace of global warming and revised state guidelines. The sections of Table IV D-7

referring to Department of Forestry policies are not germane to the issue: the proposed destruction of 95 acres of oak woodlands on the site will release sequestered carbon immediately (whether the trees are burned or chipped) and diminish the future carbon-sequestration of the site on a long term basis. The conservation of additional tracts of woodlands on the site cannot compensate for this loss, nor can planting young trees offer meaningful CO2 mitigation value within the 2020/2050 time frames established by AB 32.

Table IV D-7 also refers to a Department of Water Resources policy to reduce water use as promoting GHG goals (p IV D-31), and cites the proposal to use treated wastewater to irrigate the golf course as consistent with this policy, while omitting to state that this wastewater is currently sent to the Geysers where it increases the viability of the geothermal steamfield, an energy source that does not contribute to GHG emissions.

“Smart Land Use” is cited as another tactic to positively affect GHG emissions (Table IV D-7, p IV D-31) by encouraging proximity between housing and jobs, transit-oriented development, and high-density residential uses along transit corridors. We strongly disagree with the conclusion that this project is consistent with those objectives. Far from representing infill, this is a sprawling development at the fringe of the community, whose residents will have to drive for miles in order to obtain anything beyond the most rudimentary goods and services. Furthermore the cited “jobs/housing proximity” will apply to no one besides the 15 (15!) staff members who live the rental apartments in the Village area. Every one of the other more than 500 permanent Cristallago employees will have to commute to the site.

We rely on the expertise of the Lake County Air Quality Management District (AQMD) to analyze asbestos hazards, and support the relevant control measures listed in the DEIR (pp IV D-19-28) as well as any additional mitigations AQMD chooses to impose during environmental review. We would also like to point out that since these include special restrictions (including the requirement to obtain a grading permit, with signoff from AQMD, in order to move more than a mere *two cubic yards* of soil) that would continue after the project is occupied, an ongoing (permanent) mitigation monitoring plan is necessary. We also note that the special asbestos disclosure requirement made to potential purchasers can hardly improve this subdivision’s competitive sales advantages. See also comments on the on-site use of asbestos-containing soil as fill, page four above.

Table IV D-7 concludes that Department of Agriculture GHG reducing strategies (p IV D-33) are “not applicable” because there are “no agricultural components associated with the project”. We agree with that assessment, but would like to point out that it is inconsistent with the repeated references to “organic olive trees” and “Cristallago Extra Virgin Olive Oil” as a mitigation for the loss of agricultural land on the site

E. Biological Resources

Attempts to identify rare plants have relied on various biological surveys at assorted dates ranging from May 20 to July 6. (p IV E-9). None of these investigations took place early enough in the season to identify a number of early blooming annual plants that could reasonably be expected on this site, which may explain the conclusion that “the serpentine rock outcrops do not support a higher dominance of native species than [sic] the adjacent annual grasslands” (p IV E-14) and also be the reason that the surveys “did

not locate any special-status plant species on the site.” (p E 26) Additional protocol-level surveys are needed to form reliable conclusions. MM BIO-1a (p IV E-62) requires focused surveys for special status plants prior to construction activities, but this requirement is meaningless without specifying the species-specific timing of the surveys since the visible presence of some of these plants is highly seasonal.

Table IV E-2, Special Status Animals, states that the peregrine falcon has only a “moderate” potential for on-site occurrence because “the project does not support suitable nesting habitat. Lake County’s animal rescue group SpiritWild sent a letter in response to the Cristallago Notice of Preparation (July 23, 2007) stating, to the contrary: “We know for a fact that this area is home to at least one Peregrine Falcon nest site. SpiritWild recovered one adult, 1 juvenile and 1 fledgling from that area within the past 7 months. All three were released back into the area following rehabilitation.”

We agree with the conclusion that the destruction of 95 acres of oak woodlands is a significant and unavoidable impact despite mitigations (p IV E 88-9), and therefore inconsistent with General Plan Policy OSC-1.2, but believe this conclusion to be contrary to the assessment (p IV E 90) that the project is consistent with OSC-1.12 (“the County shall support the conservation and management of oak woodland communities and their habitats”). Efforts to preserve “heritage” oaks on the site, and placement of a conservation easement on 84 remaining woodland acres do not fully (or even mostly) compensate for the loss of 53 percent of the site’s woodlands. Similarly, we argue that the acknowledged inconsistency with Lakeport Area Plan policy 3.3.2.f (“encourage new subdivisions to cluster lots outside of oak woodlands”) makes the conclusion of its consistency with 3.3.1.d (“preserve and maintain native trees in new development projects”) logically impossible.

F. Cultural Resources

The assertion that Robinson Rancheria is located on Lyons Creek (p IV F-8) is incorrect. Our resolve to ignore apparent typographical errors crumbled before the statement on the same page, in reference to Cristallago Site Number One: “This historic site includes two loci consisting of a nut and fruit numerous rock walls . . .” which as it stands is so opaque as to approach meaninglessness.

Mitigation measures MM CULT-1b (unrecorded archeology) and MM CULT-2 (paleontology) rely on the same basic tactic: “Should archeological [paleontological] materials be discovered” then a competent professional must be called to evaluate them (p IV F 16-17). The trouble with this procedure is the probability that the “discovery” of such materials would be in the course of large-scale grading with heavy earthmoving equipment, which makes it most unlikely that artifacts would be noticed in time to prevent their destruction.

H. Hazards and Hazardous Materials

Impact HAZ 3, Wildland Fire (pp IV H 12-3) concludes that the project would not expose people or structures to significant risk, even though the residential areas in the western and northern parts of the property in the most fire-prone areas (as defined by the Susceptibility Map, Fig. IV H-1), are also those most distant from either of the two Cristallago egress points, and are accessed by long dead end streets. Since (as

acknowledged in Table IV.H-2) this design is inconsistent with General Plan policy HS 7-2 the conclusion that impacts related to wildland fire would be less than significant seems untenable.

Although hazards related to the asbestos-laden serpentine soils on the site are discussed under Air Quality above, we would also note that the potential risks posed by this material are not entirely limited to their effects on ambient air. Handling these soils, eating garden produce that has been grown in them, or allowing children to play in them can all pose hazards to human health and safety.

The unusual abundance of rattlesnakes on this site has been mentioned repeatedly, but is not addressed in the DEIR at all.

J. Land Use and Planning

The Local Agency Formation Commission (LAFCO) would have discretionary approval for the project since its annexation into CSA 21 would be necessary (pp IV J-12-3). LAFCO policies include “orderly growth and development,” with preservation of open space and prime agricultural land, and mandate that development should first be guided into areas “within the existing jurisdiction” of a local agency before approvals resulting in the development of open space lands outside those areas. Since this project is contrary to all those principles it is hard to see how annexation could be justified.

The proposed General Plan designations (Fig IV J-3) indicate that with the exception of resort commercial areas and two Rural Residential segments in the extreme western portions of the property, the whole site would be designated Suburban Residential Reserve. According to the Lake County General Plan (p 3-11) “this designation is located inside of Community Growth Boundaries” except for existing subdivisions. The only possible additional expansion of this designation outside CGB is provided in Policy LU-6.12 (Permitting for Mixed-Use Resorts): “Mixed use resort proposals requesting increased residential density may be considered outside of Community Growth Boundaries provided that the *primary* scope of the project is resort commercial, the residential component is *secondary and subordinate*, and applications are submitted as Planned Developments.” [emphasis ours] Although this application is indeed being submitted as a Planned Development the balance between its resort and residential components is plainly weighted towards the residential side: 325 resort units compared to 665 residential units, with 67 acres zoned PDC/CR compared to 153 acres zoned PDR/single family residential. The residential portion of the application obviously does not satisfy the “secondary and subordinate” standard that would allow its approval outside Community Growth Boundaries to be consistent with planning policies of the County of Lake, and we therefore contend that an additional significant and unavoidable Land Use impact will be created.

The proposed General Plan designations and zoning (Figs IV J-3 and IV J) indicate the anomalies created on several parcels outside the project site .by the formation of islands of Rural Residential areas surrounded by other designations, with the peninsula of RR land southeast of the project site along Leal Dr probably coming under particularly strong pressure for greater density even though it too is outside the North Lakeport CGB. Fragmentary zoning of this sort makes a mockery of the comprehensive, orderly planning that will allow growth to take place wisely and well.

We agree with the conclusion that a “substantial increase in density compared to existing surrounding land uses” would create a significant and unavoidable impact (p IV J-20) but (as detailed above) completely disagree with the parallel conclusion that “the project is generally consistent with the applicable policies related to land use and planning” (p IV J-21) and therefore impacts are less than significant with no mitigation required.

The analysis of General Plan policies (Table IV J-4) finds numerous inconsistencies:

- LU 2.3: Maintain Urban Edge. The project is outside the North Lakeport urban boundary, and would furthermore place high density residential uses adjacent to agriculture.
- LU 2.6: Community Growth Boundaries. As above
- LU 3.8: Rural Residential. Approximately 50 houses would be constructed in RR designated areas. Slopes exceeding 30 percent in part of this area restrict densities to a maximum of one unit per 10 acres.
- LU 3.9: Suburban Residential Reserve: most of the site would be so designated, although lot sizes of 3 acres or greater are normally required when slopes exceed 30 percent. Possible landslide risks, which could further increase minimum sizes to 5 acres, have not yet been evaluated. As stated above, the creation of new parcels with this designation outside CGB is not normally allowed in any case
- LU 6-12: Mixed Use Resorts. The project is found to be only “potentially” inconsistent because it “appears” that “the project's residential units may not be subordinate to its resort units.” As stated, in our view this inconsistency is obvious and irrefutable.

We also find several additional General Plan inconsistencies:

- LU 1.1: Smart Growth. This project is in no sense infill and does not direct growth toward existing communities. To the contrary, it epitomizes sprawl, by allowing dense residential growth to penetrate undeveloped areas, and by extending infrastructure to those areas will be growth-inducing outside defined community boundaries. We furthermore contend that calling these strung out neighborhoods “walkable” stretches that term beyond recognition.
- LU 1.15: Mixed Use Development. Although the project does incorporate various uses, they do not meet the intent of this policy, which is to make it possible for individuals to have homes and workplaces in close proximity. Since (except for the lucky inhabitants of the 15 staff rental apartments so frequently mentioned) none of Cristallago's employees could be expected to live within the subdivision it fails to meet this criteria.
- LU 2.1: Available Infrastructure. This policy encourages “residential growth to locate in existing urban areas” where infrastructure is available. The project is obviously inconsistent since the site is not in an urban area, CSA 21 does not now have the capacity to service the development (or any new construction), and part of the site does not even lie within its service boundaries.
- LU 2.4: Agricultural/Residential Buffers. Are these buffers *on the project site*? Expecting neighboring farmers to provide buffer space is not consistent with county policies.
- LU 3.1: Residential Development. “The County shall encourage major new residential development to locate in close proximity to existing infrastructure and opportunities for employment, services, and recreation.” The operative word is “existing”: proposals to extend infrastructure and other services to an area where they do not currently exist do not qualify. As stated above, the existence of employment opportunities within the subdivision doesn't qualify either, since the subset of residents and employees will not overlap

- LU 7.4: the cited “Tuscan” theme has nothing to do with “Lake County's heritage.”

Various inconsistencies with the policies of the Lakeport Area Plan are also acknowledged in the analysis:(Table IV J-5):

- 3.4.1.b: Encourage development on soils (other than Class I-IV) within or contiguous to existing development and public services. (a) the site contains Class III-IV soils; (b) it is not within an existing developed area, and contiguous only to a marginal extent; (c) some essential public services are not available.
- 3.4.1.c: Encourage infill development. The (obvious) conclusion that “the project would not be considered infill” contradicts its assessment as “smart growth” above.
- 6.3.1.c: Allow no Scotts Valley agricultural land with Class I-IV soils to be rezoned.

We also find two additional Lakeport Area Plan inconsistencies:

- 4.4.1.h: Form a buffer zone between agricultural and residential areas. The operative consideration is the nuisance impact of farming operations on residents (or golfers!) leading to negative pressures on agriculture. As previously stated, the one foot no-access easement is irrelevant in this context.
- 6.3.1.a: Form an agricultural buffer zone by providing low-density zoning in Scotts Valley. Project designations cannot be considered “low-density.”

K. Noise

Impact NOISE –1. The acknowledged temporary increase in noise and vibration levels during construction (p IV K-11-13) must be evaluated in the context of the proposed phased development of the project. The mitigations provided will mute the nuisance and limit it to daylight hours (mostly), but this “temporary” noise can be expected to continue off and on for twenty years—a whole generation. Golfers and other resort guests might find the racket particularly objectionable, to an extent that could lessen the economic viability of the resort component, and its value as an asset to the community.

Impact NOISE-3. The conclusion that the project will result in no “substantial permanent increase” in noise levels (p IV K-15) is simply incredible, especially in light of the previously stated threshold of significance: “a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project” (p IV K-9). Evidence provided in Table IV K-9 reinforces this incredulity. Although making the dubious assertion that the project would not significantly affect off site noise level at most places, the Table *does* indicate a 12.2 dBA increase at Park Way east of Hill Rd, which is *far* more than the previously established 5.0 dBA standard of significance and even greater than the level (10.0 dBA) which would represent a perceived doubling of the noise level. The Table lists a 5.9 dBA increase north of the project access road as well, but considers both these increases to be less than significant because they “would not exceed the established 65 dBA threshold for residential uses”. This conclusion is inconsistent with the standard provided in Table IV K-5, which sets the threshold for “normally acceptable” residential noise levels at 55 dBA. To the contrary, 65 dBA is the maximum “conditionally acceptable” noise level, requiring adaptations such as permanently closed windows to be considered tolerable.

L. Population and Housing

The discussion of vacancy rates in Lake County (p IV L 5-6) ignores an important local contributory factor, since the large number of secondary homes here would appear in census results as “vacant” even though unavailable for sale or rental.

We question the utility of calculating a housing needs deficit categorized by income levels on the basis of pre-2003 data. (pp IV L-8-10) Cristallago’s possible contribution to the shortage of “affordable” housing furthermore requires an attempt to evaluate nature of the 560 permanent jobs that would be created (pp IV L 12-13). It seems highly probable that the great majority of these jobs would fall into the “low” or “very low” category, and with a mere 15 employee housing units provided on site these low-paid employees have the potential to put an additional strain on the housing deficit in these categories.

The total number of project residents (not counting resort users) is projected to be 1,562 in 665 units, with a five percent vacancy rate (p IV L 13.), which is very much lower than that prevailing in the rest of the county. Since it seems probable that many of these units would be occupied as secondary residences, a higher rate seems more probable. The unlikely assumption that all staff members would come from outside the county (p IV L 14) may also add to an overestimate of the total project-related population increase (of 1192 households containing 2122 people).

On the other hand, the degree to which the project will distort the housing patterns of the North Lakeport area is not addressed. Although the contention (frequently made by Cristallago’s developers) that project residents would not come to Lake County at all without the project may hold true for many or even most, it is most unlikely to apply to all. How much of the growth in housing demand *inside* North Lakeport’s community boundaries, where it is planned and welcomed, will be diverted *outside*, to this project?

The analysis of the General Plan Housing Element (Table IV L-14) relies on some strange logic. The project is deemed inconsistent with Goal HE-1 (encourage new development to meet the projected need of all economic segments), because with the exception of 15 staff rental units Cristallago’s total housing stock would be priced above moderate levels. It would also be inconsistent with HE 1.6 (encourage innovative design to promote new affordable housing) because affordable housing would not be included, and likewise inconsistent with HE 2 (maintain affordability). We agree with these conclusions, but wonder how it is then possible to find the project consistent with HE-1.3 (encourage and support affordable housing for all economic segments within all communities); HE 1.9 (prioritize new rental housing), HE 1.17 (promote mixed use and mixed income housing in the same development), and HE 7.3 (encourage “development of housing near jobs” and “increase affordable housing”) all because of the existence of those meager 15 units of staff rental housing, which are proportionally inconsequential in comparison to both the number of jobs created by the project and the total number of (non-affordable) units it will add to Lake County’s housing stock. Strangely enough when evaluating consistency with Lakeport Area Plan policy 5.2.1.c (encourage “diverse housing development” including affordable housing (Table IV L-15) the analyst comes to a conclusion of inconsistency *despite* those 15 units. How can the same 15 small apartments sometimes harmonize with planning guidelines and sometimes fail to do so, when the objectives are identical?

We disagree with several additional conclusions in this section.

- HE 3.10: Project design must “reflect the relationship of the project to surrounding uses” Despite the cited inclusion of organic olive trees in Cristallago’s design, project features would not be consistent with surrounding agriculture, and its visual impact would provide a startling discontinuity in the landscape
- Goal HE 7: “provide a well-balanced and diverse economy that provides an adequate number of jobs to support the local population.” Cristallago will indeed create a sizable number of jobs, but also create a much larger population increase. And workers could not afford to live there.
- HE 7.2: “seek high quality and higher paying jobs.” The project is clearly not consistent with this objective.

M. Public Services

Fire protection. Current staffing and facilities are not adequate to service the site, according to the Lakeport Fire Protection District. Mitigation measure MM PS3a requires the construction of an onsite facility or fair-share payment towards additional off-site facilities supporting at least two additional trained personnel, 24/7. Does this requirement cover construction costs only, or will the applicant also be asked to pay a fair share towards ongoing operations? MM PS-3.b requires LFPD review and approval of the size and location of water storage tanks before the first grading permit is issued. Why hasn’t this analysis been done already, as part of the DEIR?

Policy HS 7.2 in the General Plan encourages cluster development in high fire areas. (Table IV M-6) DEIR analysis considers project design consistent with this policy even though the two residential areas in the steep, densely vegetated western part of the site characterized as being at Very High Risk of wildland fire are both accessed by long dead-end streets, with the houses strung out along the roadway and backed by wooded and brushy terrain. This is a prescription for catastrophe. Policy PFS 8.3 requires all road networks to provide emergency access for fire equipment and “an alternate route for evacuations.” Although portions of the project roadways appear to fall short of this standard, the EIR considers the project consistent because the road networks “would be submitted to the County for design review.” Again, we think this review should take place *now*, as a part of the overall environmental analysis.

The Lakeport Area Plan (Table IV M 7,) also requires lots to be clustered (4.3.1.c, bullet point 4) “to take advantage of fuel breaks and improved access,” but the lot layout in the northern and western segments does nothing to provide for either. Section 4.3.1.e requires subdivisions in high fire risk areas to “include provisions for adequate water storage,” which the EIR finds consistent despite immediately previous doubts about the adequacy of the proposed 500,000 gallon storage tank, and “either looped or double-access road systems as escape routes,” for which no provision has been made.

Parks and Recreation.

Table IV M-12, Park and Recreation Facilities in Lake County, does not describe local parklands appropriately. More than 80,000 of the 88,950 total acres are found in Mendocino National Forest land surrounding Lake Pillsbury, but if this whole vast area is considered a “recreation area” then why doesn’t the BLM property at Cow Mountain appear in the table? Why is Wilderness land in the Cache Creek area listed at 1.5 acres

when the trails access many thousands of acres? The recently-dedicated Nylander Park in Clearlake Oaks is also omitted, as is (naturally enough) the land on Mt Konocti that the county is now in the process of purchasing. Although we agree that large tracts of wildlands are among Lake County's most precious recreational assets, these tracts are not relevant when calculating requirements for *community* parks, which county policy seeks to maintain at a ratio of five acres per 1000 residents. This would work out to 325 acres of parkland at the present time, compared to an actual 191 acres of community parks owned by the County. Even including the 94 acres of city parks in Clearlake and Lakeport, a deficit still exists in this category.

Analysis of Impact PS 8 concludes that the project would require the construction or expansion of 8.2 acres of recreational facilities. (p IV M 34) and goes on to say that onsite recreational facilities would far more than offset this requirement. We believe that no portion of these onsite facilities offsets the parkland deficits, since they would not be open to the public, but only to residents and resort guests, and therefore strongly recommend that the County require an equivalent payment of in-lieu fees. We also note that despite the major recreational facilities included in the project, "community parks" planned within the subdivision will barely total more than one acre, rather than the 8.2 acres the residential population (leaving resort guests out of the calculation altogether) that equivalency would demand.

The project is deemed consistent with Lakeport Area Plan policy 5.4.1.h, to establish additional lake access in North Lakeport (Table IV M -16) because it "would include lakefront access" even though no details about this access are provided. Furthermore all references indicate that this access point would be in the form of a private marina or similar facility available only to project residents and visitors. We therefore do not agree with this finding of consistency.

Other public facilities: Libraries. It is apparent that the Lakeport branch of the Lake County Library is barely clinging to the fringes of adequacy, facilities at Middletown and Upper Lake are woeful, and that the population increase associated with the project would require expansion of library facilities to maintain acceptable service levels. (Impact PS 11) Mitigation MM PS-11 requires the developers to negotiate with the Lakeport library on a fee to cover increased demand for services, or "alternatively, a library facility shall be provided on the project site to serve the future residents of the proposed project." Especially since this project will be a private, gated facility with no public access, we urge that this second alternative be conclusively rejected, and that the first alternative be restructured as a requirement to come to a fee agreement with the *County library system* rather than the Lakeport library. This could open an option to spend the money on upgrades to the Upper Lake library, which with 8400 books in 800 square feet is obviously grotesquely inadequate—and which is furthermore considerably closer to the project site than is the Lakeport main branch.

N. Transportation/traffic

The analysis provided in this study is far too limited to be useful. We learn many details about four similar intersections in the immediate vicinity of the project's main entrance, but no attempt whatever is made to discover what impacts might occur to traffic (*and* parking) in downtown Lakeport, or to the Highway 29/11th St, Highway 29/Lakeport Blvd, and Highway 29/Highway 20 intersections. Without this basic information it is impossible to guess what improvements in signalization or other upgrades might be

required as a result of the project's share of cumulative impacts, when those upgrades will be needed, and what fair-share payment should be made by project developers.

The DEIR concludes that "transit demand is expected to be minimal due to the rural location of the proposed project and the lack of bus routes in the immediate vicinity of the study area. The project is therefore expected to have essentially no impact on transit service." (p IV N-14) We believe that whenever a large residential subdivision is created in a rural area outside urban boundaries extension of public transit to the site should be mandatory, with an appropriate fair-share of the cost borne by the applicants. Strangely enough analysis of General Plan policies (Table IV N 12) finds the project consistent with Policy T 2.3, Encourage Public Transit, because "transportation alternatives" include internal "bus stops, golf carts, walking and biking paths and a community shuttle." Except for the bus stops (which contradict the assertion of "essentially no impact" on transit service) none of these amenities are relevant to the policy.

We note that analysis of parking requirements (p IV N-16-17) agrees with our assessment that the number of spaces provided in the general plan of development is inadequate, but the subject of staff parking is still not addressed. See comments on page three above.

General Plan policy T 4.2 encourages the provision of bike access and bike parking. The boilerplate text provided to support the conclusion of consistency mentions that bike paths will be constructed, but says nothing about bike parking. For bicycles to provide a useful means of transport rather than merely a recreational opportunity, bike parking facilities should be established at all commercial and recreational areas in public use.

O. Utilities

1. Water

The information provided in this crucial section is so fragmentary and in places contradictory, and shifts so frequently between different units of measurement (EDUs, ADD, MGD, acre-feet) that evaluation is needlessly burdensome. The most basic facts—a breakdown of projected demand by type of use over time—are not even provided until page IV O-24, and since this very instructive table is measured in acre-feet rather than EDUs a separate series of calculations is needed to derive vital information about the timing of requisite treatment plant capacity expansion. It is acknowledged from the beginning that the North Lakeport Water Treatment Plant (NLWTP) needs substantial upgrades before servicing *any* additional growth in its service area, whether at Cristallago or in the urban areas east of Highway 29, and also acknowledged that construction of an entirely new plant at Robin Hill (RHWTP) will be required before the project reaches buildout, but nowhere is it stated at what point in the project's phases would RHWTP have to come on line to allow construction to proceed.

Something else that is not stated, but which is a certainty needing no statistical manipulation to be obvious, is that orderly growth in the North Lakeport area demands that the construction of RHWTP must begin *before* the upgraded NLWTP reaches capacity, meaning that the full complement of NLWTP hookup fees will not yet have been collected. Thus a significantly greater deficit in RHWTP construction costs than the currently acknowledged \$.6 million (to be met from unspecified "other

sources.”) will be created, at least on a temporary basis. Where is this money to come from?

Assumptions about projected growth in North Lakeport (p IV O-14) are extremely shaky. It is stated that “short-term annual growth rates of 5-10 percent or more reasonably can be expected in upcoming years,” with modeling based on an average 3 percent growth rate. These assumptions are wildly unrealistic under current conditions. Even before the financial market collapsed in the summer of 2008, Lake County’s population was increasing at the categorically more leisurely pace of half of one percent annually, giving us a ranking of twelfth from the bottom of California’s 58 counties. Since that time foreclosures have skyrocketed: in November, in an ironic numerical coincidence, with 470 properties affected by some kind of foreclosure action (a 658-percent rise over the previous year), we ranked twelfth from the *top* for most foreclosures per capita. The stock of unsold houses is increasing proportionally: this writing there were 4789 homes for sale in Lake County, with hardly any market for any of them except at fire sale prices.

Accurate growth rate estimates are necessary to evaluate the true fiscal impacts of the necessary water treatment upgrades in the area, because each stage of capacity expansion will have to take place as a unit, *before* any new connections are made or any hookup fees collected. If growth is markedly less rapid than these projections, the time lag between construction and eventual repayment will also be markedly longer than anticipated, adding to the potential burden on existing CSA 21 customers and Lake County taxpayers in general.

The Tables on p IV O-16 evaluate potential water use reductions in one or several dry years, with conservation efforts expected by residents and resort operators but for some unaccountable reason *not* expected from the golf course. We think this inequity is unacceptable. Whether or not the proposal to irrigate the golf course with recycled wastewater can be put into practice (see below for more comments on this subject), a drought management plan including meaningful reductions in water use during times when this most vital of resources is in short supply must be included in any project approvals, and the effectiveness of that plan evaluated during environmental review.

The amount of water treatment capacity needed to service this project is dependent to a very large degree on whether or not tertiary treated effluent can be used to irrigate the golf course, as has been proposed. (p IV O-19). With an annual requirement of 576 acre-feet, the Cristallago golf course will use more water during its first year of operation than all the single family residences in the whole CSA 21 service area combined. Even at buildout (assuming a 3 percent growth rate, which we assert is unreasonably high) it will suck up almost a quarter of the water in CSA 21. To put it slightly differently, if the golf course is irrigated with potable water, it will consume 576 out of the total 1002 annual acre-feet of water used by the Cristallago development as a whole when fully builtout—well over half. (Table IV 0-7)

Irrigation with potable water would be extremely expensive even without including usage charges: hookup fees alone would total \$14,239,313 (576 acre-feet annually translates to 1419 EDUs, times \$10,036). No wonder that the developers instead propose to construct a tertiary treatment facility on the Northwest Regional Wastewater Treatment Plant (NWRWWTP) property “sized to provide the proposed golf course’s peak irrigation demands” of just over 2 million gallons a day (p IV O-20) Construction costs for this facility do not appear to be calculated on a comparable basis to that for

potable water, but a 20-year cost (including operations and maintenance) of \$7.2 million has been provided. Although much less than the expense of providing the same amount of potable water, this remains an extremely large sum of money, with no source identified: “financing for the tertiary treatment system would come from an alternate [unspecified!] funding source.” We believe that \$7.2 million is far too much money to be left in the vague “alternate funding” category, and that since provision of an alternative source of golf course irrigation is integral to the fiscal framework of the project, the construction costs for the tertiary treatment facility must be evaluated within the total cost of water service.

The problems involved in using wastewater for irrigation are not merely financial. Even at buildout, the wastewater generated by the project’s residential, commercial, and resort components would not be anywhere near enough to irrigate the golf course even without considering the substantial portion of residential water that is used for landscaping, and never enters the wastewater stream. Much of the golf irrigation requirements must be supplied from off-site sources, and in the first years the course is in operation, virtually all of them. To complicate matters, in Lake County’s unique disposal system, our wastewater is not “wasted,” but put to beneficial use by being piped to the Geysers to replenish the geothermal steamfield. And since the county does not generate enough wastewater to fully meet this need, supplementary water must be drawn directly from Clear Lake, meaning that irrigating Cristallago’s golf course with effluent rather than clean water would not diminish the amount of water pumped out of the lake at all. Contractual agreements with geothermal operators and the Yolo County Flood Control and Water Conservation District govern these arrangements, making the investment of \$7.2 million in tertiary treatment facilities seem even more questionable.

We note that whatever system is adopted for golf course irrigation, potable water sources would be used for the rest of the project landscaping. Two minor mitigation measures are provided to lessen landscaping water requirements (p IV O-26), and the proposal to plant “all fringe areas of the development with native plants requiring no irrigation” is also cited as a water conservation measure. Much more effective, in our opinion, would be a stipulation that wherever feasible *all* project landscaping (not merely that on the “fringes”) employ native or native-adapted plants with minimal irrigation needs.

The Impact UTIL –1 conclusion that “the proposed project would not require or result in the construction of new water facilities or expansion of existing facilities” is absurd. Even if, as maintained, the hookup fee structure would meet the costs of upgrading the existing water treatment plant and building a new one, the expansion itself will still be necessary. Furthermore the costs of the water distribution system, including not only a network of pipes but also a new pumping station and storage tanks (p IV O-21) have not been addressed.

2. Wastewater.

As it is stated, the proposal “to use secondary treated effluent from the project treated to tertiary reclaimed water standards for irrigation of the golf course” is misleading because as stated above even after full buildout the wastewater “from the project” will not be enough for this purpose. Portions of the stream from elsewhere in the service area will have to be treated to a tertiary standard also—and diverted from the Geysers

pipeline.

Since the project “could require the construction of new wastewater treatment facilities or expansion of existing facilities” (Impact UTIL-5) the applicant is required to conduct a periodic capacity analysis, and to pay a fair-share of the costs of and necessary NWRWWTP upgrades, but nowhere does this section address the cost of constructing the tertiary treatment facility needed for golf course irrigation. We continue to wonder who is going to come up with this \$7.2 million.

4. Energy conservation.

Is the idea of irrigating the golf course with treated effluent a definite proposal, or just a trial balloon? A remark in this section indicates the latter: “while not currently a part of the proposed project, there is the potential that future phases of project development could include irrigating the proposed golf course with reclaimed wastewater effluent.” (p IV O-62) In either case we disagree with the assertion that this scheme “could save energy” (260,000-320,000 kw annually) now used to pump the wastewater to the Geysers. No net energy gains would result, because the same amount of water in some form (wastewater or lake water) would still have to be sent down the pipeline. An additional (unspecified, though surely much smaller) amount of energy would also be used to pump the treated effluent to the Cristallago site for golf irrigation purposes.

Section V, General Impact Categories

We agree with the conclusion that the project would create “significant and unavoidable” impacts: in Aesthetics (“impacts to public and scenic views and visual character”; in Biological Resources (loss of oak woodlands): and Land Use and Planning: (“impacts to density compared to existing surrounding land uses”). As detailed above, we also believe that the project will create numerous other significant impacts that are either unavoidable or have not yet been adequately mitigated. These include: additional significant impacts to aesthetics, biological resources, and (especially!) land use than those recognized in the DEIR, and also significantly impact climate change, agriculture, air quality, cultural resources, hazards, noise, housing, public services, traffic, and utilities.

Section VI, Alternatives

Inconsistently with the list provided in the previous section, project Alternatives are evaluated on the basis that “significant and unavoidable” impacts are limited to Aesthetics and Biological Resources. (p VI-1) Land Use and Planning seems to have gotten lost between one section and another, an omission that is particularly unfortunate since as argued above Land Use impacts are both momentous and far more extensive than the single minor instance cited.

The conclusion that Alternative B, Development under the Existing General Plan (134 residential units with no resort, commercial space, or golf course) would be environmentally superior to the rest of this restricted set of choices seems logically untenable. Clearly Alternative A, No Project, which eliminates *all* project impacts to the physical environment and creates *no* incompatibilities with Lake County planning

policies, would be preferable.

We also regret that the Alternative suggestions presented in our July 2007 letter on the Notice of Preparation were not evaluated, since these could potentially allow development to occur on the project site in a way that is beneficial to the developers and the community, environmentally responsible, and consistent with Lake County policies. A low-impact resort, with all the visitor services provided in the current proposal *except* the golf course, could be designed to meet increasing demand for healthful recreation and eco-tourism in a beautiful setting by offering equestrian, biking, and hiking facilities, with ample connections to existing and proposed trail systems. By working with the best of what Lake County has to offer, such a resort, accompanied by a residential component that was truly “secondary and subordinate,” could be placed on the site in manner that avoids oak woodlands and serpentine ridges, creates a “nature preserve” in more than name only, and reduces aesthetic impacts to a genuinely less-than-significant level while using far less water, generating a minimal chemical load, and in many other ways providing an imaginative model for growth that fits the patterns of the future rather than those of the past.

In their letter of November 13, 2008 the Community Development Department specifically asked for our comments regarding the general plan and rezone proposals requested by the applicants. We would strongly oppose approval of those entitlements at the present time, but could possibly support them on behalf of a low-impact resort development along the lines briefly sketched above.

The Lake Group requests to be advised of any further opportunities for public comment that arise in connection with this project.

Yours sincerely,

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

Chair, Sierra Club Lake Group