

**Appeal by the Sierra Club Lake Group to the Board of Supervisors of the
October 22, 2009 Planning Commission certification of the Final Environmental Impact
Report on the proposed Cristallago Project.**

This appeal incorporates by reference all letters criticizing the EIR's analysis submitted into the record by the Sierra Club and other agencies, organizations, and individuals up to and including the Planning Commission hearing on October 22, 2009.

Reasons for Appeal

- (1) The EIR does not describe the Project in detail. Omissions include
- detailed descriptions of drainage systems, the fire station and emergency access and egress routes, potable water supply infrastructure, wastewater treatment facilities, and raw lake water infrastructure).
 - the environmental setting with respect to such critical resources as wetlands and waters.
 - the natural features of the project site, including biological resources
 - detailed information about project phasing, as the Lake County Code requires for planned developments

Because the information is omitted, impacts cannot be adequately evaluated

- (2) The FEIR fails to provide reasoned, good-faith responses to comments received on the draft EIR.

- (3) Under the pretext of being "programmatic," the EIR defers analysis of many project impacts. At the same time it claims to be a project-level review for some components of the Project, but those components are not specifically identified and the distinction between programmatic and project level evaluation is not clear.

- (4) The EIR fails to acknowledge uncertainty as to water supply or to acknowledge potential conflicts with the Geysers project during drought years. The source of a major portion of the Project's water (600 acre-feet annually to irrigate the golf course) was changed between the Draft and Final EIRs, but this change was not analyzed, nor were the impacts of drawing this water out of Clear Lake ever evaluated.

- (5) Traffic analysis and mitigation is inadequate, despite requests from the Department of Public Works and other responsible agencies. Cumulative impact analysis is inadequate and proposed impact fees do not meet CEQA's requirements.

- (6) Air quality analysis disregards comments received from the Air Quality Management District.

- the EIR ignores available background information for criteria pollutants and thus unreasonably concludes that the Project's emissions of ozone precursors would not be significant
- although project emissions of greenhouse gases are clearly cumulatively considerable, the EIR unreasonably finds them to be less than significant and fails to

propose appropriate mitigation.

(7) Mitigation measures for cultural and biological resources are inadequate.

(8) Alternatives analysis fails to provide essential information to enable decision makers to evaluate alternatives, such as impacts related to land use conflicts with neighboring property and to population and housing impacts, impacts that were identified as significant and unavoidable.

(9) Although the EIR acknowledges that the Project conflicts with many General Plan policies, which would thus make approval a violation of State law, it unreasonably fails to admit many other policy inconsistencies that have been identified by Community Development Department staff and members of the public.

For these reasons the Sierra Club believes that the County may not properly rely on the EIR to approve entitlements for the Project, and requests the Board of Supervisors to reverse the certification approved by the Planning Commission. We also request the County to prepare a revised Draft EIR that corrects the listed informational and analytic deficiencies, and to recirculate it for an additional public comment period before taking any action on the Project application.