



Mr. Arturo Interiano
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City of Newark
37101 Newark Blvd.
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September 18, 2023

**SUBJECT: COMMENTS ON MOWRY VILLAGE PROJECT DRAFT
ENVIRONMENTAL IMPACT REPORT**

Dear Mr. Interiano;

Grassetti Environmental Consulting (GECO) is submitting this letter on behalf of Citizens Committee to Complete the Refuge (CCCR). We have previously commented on the adequacy of the Areas 3 and 4 Specific Plan, and submit these comments in context of the Specific Plan EIR, with which it plainly conflicts.

As detailed below, the EIR is deficient in both its analysis of plan/policy conformance and certain environmental impact evaluations. It also fails to address alternatives that would conform more closely to the Areas 3 and 4 Specific Plan and reduce project impacts. Further, in considering the project site in isolation, it fails to address the larger environmental issues associated with developing in an area that will be mostly under water during the project lifetime absent construction of large areas of levees and dikes. That is to say, the EIR fails to address "the whole of the project", as required by CEQA (Guidelines Section 15378). Our comments are summarized below and detailed in Table A, following.

Discussion

The major deficiencies in the document are as follows:

- 1) **Failure to identify appropriate project objectives.** As detailed below, the proposed project doesn't even meet its own objectives.
- 2) **Failure to identify an adequate range of alternatives.** As detailed below, the EIR fails to identify alternatives that would reduce project impacts. Given the poor location of the site, the EIR determined that no alternative would reduce VMT to a less-than-significant levels. In this case, an off-site alternative is essential. The most obvious such alternative is to add density to the NewPark Place Specific Area Plan, where infrastructure already exists and the VMT impacts likely could be reduced.
- 3) **Inaccurate Water Supply Assessment.** As detailed below, the EIR assumes no impact to water supply because it erroneously assumed that the golf course planned for the site would use potable water when, in fact, it would use well water and recycled water.

- 4) **Inaccurate Air Quality analysis.** The air quality analysis uses an entirely unsupported and likely substantially underestimated 20 miles/haul truck in its calculation. Actual likely haul distances should be used instead.
- 5) **Failure to identify “the whole of the project”.** Sea-level rise will result in the project becoming an inaccessible island with non-functional utilities and services absent substantial additional infrastructure improvements, such as raised roadways, construction of new or raised levees, and other utility improvements. Given the anticipated life of a residential development project, the project description and EIR analyses must include all infrastructure improvements necessary to assure habitability of the project during its anticipated lifetime.
- 6) **Failure to adequately characterize the project’s potential growth inducing impacts.** The EIR assumes no growth inducement from roadway and utility extensions and improvements proposed by the project. Yet the project will open the surrounding City-owned parcel and Cargill parcels to potential urban development.
- 7) **Specific Plan non-compliance.** The project site includes 29 acres of the public open space for the Areas 3 and 4 Specific Plan. The EIR falsely claims that the designation for the site is residential when it is, in fact, as a golf course. Loss of this parcel’s potential recreational uses destroys the Areas 3 and 4 Specific Plan’s conformance with City park standards. This would be a significant new impact associated with the project.
- 8) **Non-Conformance with City’s own park standards.** As detailed in the specific comments below, the EIR falsely characterizes back yards and bio-retention basins, along with in-lieu fees, as contributing to meeting the City’s park standards.
- 9) **General Plan non-conformance.** As detailed below, the EIR mischaracterizes the project’s conformance with myriad general plan goals and policies. The project fails to substantially conform to those policies.

Conclusions

It is my professional opinion, supported by the facts summarized above, that the DEIR is inadequate to meet basic CEQA requirements. In addition, the project fails to meet most of the General Plan policies, and blows a hole in the Areas 3 and 4 Specific Plan land use balance. The City should revise and re-circulate the DEIR for the statutory 45-day minimum review period.

Sincerely



Richard Grassetto
Principal
Grassetto Environmental Consulting

Page	Topic	Comment
ES-1	Project Objectives	<p>One of the overarching concerns with the DEIR analysis is the confusion resulting from the DEIR's reference to the General Plan requirements and Specific Plan requirements. It is our understanding in 2015 the Superior Court of the State of California in and for the County of Alameda ruled that all references to the 2013 General Plan Tune Up Program EIR shall refer to the Newark Areas 3 and 4 Specific Plan Project Recirculated Environmental Impact Report, including all references to the Areas 3 and 4 Specific Plan EIR for the purposes of environmental baseline, environmental analysis and mitigation measures. The references to the General Plan further confuses the issue of what is the environmental baseline. The Mowry Village DEIR should clarify the environmental baseline for land use and zoning as instructed by the courts in 2015 (See attached court order). In reviewing the three documents there appear to be inconsistencies in land use and zoning designations that should be clarified for the 29 acres proposed for development.</p> <p>One of the Project Objectives is to, "Implement the City's [2013] General Plan by developing the site with low-density residential."</p> <p>The Specific Plan (first page) states, "The General Plan envisions "high quality" residential uses along with a 'golf course' ...and 'if development of the golf course is unfeasible as determined by the City, then residential may proceed with other recreation facilities acceptable to the City when a Specific Plan is adopted..."</p> <p>The General Plan, pp. LU-22 and 23, states: "A Specific Plan for the 636-acre area was adopted in 2010. The Plan calls for the development of up to 1,260 housing units, a major recreational facility such as an 18-hole golf course, and the dedication of conservation open space on some of the low-lying areas south of the railroad tracks."</p> <p>and</p> <p>"In the event a golf course is developed, it is envisioned as an 18-hole public course. A golf course could provide an amenity that is lacking in Newark today and would round out the range of recreational opportunities available to those who live and work in the city. It could also be an economic development asset that can attract</p>

		<p>businesses, executive housing, and higher quality retail uses nearby. Ancillary facilities such as a clubhouse, banquet facility, driving range, and maintenance buildings, could potentially complement such a facility. Construction of a golf course is contingent on its fiscal feasibility, market demand, and other factors. <i>In the event a golf course is not developed, another citywide recreational amenity should be provided here.</i>" [emphasis added]</p> <p>The City further acknowledges the site's intended land use in its draft 2031 Housing Element, p. 152, which states:</p> <p>A Specific Plan was adopted in 2010 and 2015 (Newark Specific Plan - Areas 3 and 4 of the General Plan). The Plan calls for the development of housing, <i>a major recreational facility such as an 18-hole golf course</i>, (emphasis added) and the dedication of conservation open space on some of the low-lying areas south of the railroad tracks. Areas 3 and 4 contain sub areas where development would be focused.</p> <p>The second paragraph of this DEIR, p. 2-7 and Figure 2-3 also acknowledge this designation.</p> <p>Further, the DEIR acknowledges that a Specific Plan Amendment would be required for the project to proceed (p. ES-2, third bullet).</p> <p>The implementing Specific Plan in no way anticipated residential development of SubArea D.</p> <p>This means that the project conflicts with its own goal of implementing the City's General Plan and fails to meet its own objective.</p> <p>The EIR's failure to even acknowledge the site's land use as mapped in the Areas 3 and 4 Specific Plan calls into question much of what follows in that document. As can be seen in our evaluation of the project's conformance with General Plan policies, below, the EIR fails to adequately and impartially address those as well.</p>
ES-1	Project Objectives	<p>The second objective is to "Support the City in meeting its Regional Housing Needs allocation...." However, the Draft Housing Element does not specifically identify the site as a potential housing location. Again, the project fails to meet its own objective.</p> <p>The third objective listed is to "provide high quality residential development including a mix of lot sizes". The project does not have a mix of lot sizes but rather has all lots of similar sizes. Again, it fails to meet its own objectives.</p>

ES-1	Project Objectives	The final objective listed on p. ES-1 sets forth the objective of integrating multi-modal transportation. However, the site would be relatively isolated, distant from goods and services, and the at-grade railroad crossing would subject residents attempting to visit other parts of the City (and beyond) to substantial hazards associated with the railroad crossing. Again, the project conflicts with its own objectives.
ES-1	Objectives-Alternatives	Project objectives are used to drive selection of alternatives under CEQA. In this case, an alternative for the site would reserve a major portion of the site for park and open space use; no such objective was even considered in the EIR. One needs to be added.
ES-3	Disagreement about Conclusions	The EIR states that “the City is not aware of any disputed conclusions at this time....”. How could there be any disagreement on conclusions before the conclusions were revealed to the public in the DEIR. Why is this statement even in the document – it’s absurd.
ES-3-4	Alternatives	<p>The range of alternatives presented do not reduce project impacts or preserve any park/open space. The alternatives do not describe any option that would lessen environmental impacts and that could be viewed as a preferred alternative. Specifically, the alternatives have been designed so that impacts are not reduced compared with the project. For example, Alternative 2 has increased number of units – why not an increased density alternative with the same number of units as the project, but which preserves some open space on the site? Similarly, the reduced density alternative should not have increased lot sizes, but rather attempt to conform to the existing GP and Zoning by preserving some open space/recreational lands on the site?</p> <p>The 100% Affordable Housing Alternative (Alternative 4) has zero relationship to physical environmental impacts and fails to meet even the most basic CEQA requirements for alternatives. It’s no different from Alternative 2. Why is it even in the EIR?</p>
ES-3-4	Alternatives-Off-Site	Given the significant unavoidable VMT impacts with the project, an Off-Site Alternative that reduces VMT must be considered. The most obvious such alternative is to add density to the NewPark Place Specific Area Plan, where infrastructure already exists and the VMT impacts likely could be reduced, leaving the project site as open space for recreation. Removing it removes much of the recreation from the overall Specific Plan.

		In addition, please add an alternative that's limited to the developed Pick 'n' Pull site, and does not extend to the triangular undeveloped area to the northeast.
ES-28	Impact HYD-2	<p>Mitigation GEO-3 is not relevant to, and does not mitigate, this impact.</p> <p><u>Further, the impact of the dewatering on the adjacent wetlands and creeks is not identified or addressed.</u></p> <p>The impact needs to consider the intrusion of salt water into the groundwater resulting from the dewatering employed to address geological hazards.</p>
ES Impact Table		The table is missing services and utilities impacts. The DEIR fails to analyze the impacts of the at-grade crossing of the UPRR tracks at Mowry as the single ingress/egress to the development and the impacts to the ability to provide adequate response times for police, fire and medical services.
Project Description	ADUs	The applicant recently informed community members that ADUs may be included in some of the units. Please update the services and utilities analyses, as well as trip generation/emergency access, to account for additional residents in the ADUs.
p. 2-25	Water Supply	The DEIR contends that the project water demand was addressed in the Area 3 and 4 EIR. However, a careful reading of that EIR indicates that it assumed that the golf course would NOT use potable water, but would instead use well water, to be replaced with recycled water when available. Therefore, the project's water demand was not previously considered, not is it adequately evaluated in this EIR.
p. 2-25	Water Supply	<p>This discussion states "Because the Specific Plan's demands are already factored into the 2020-2025 Urban Water Management Plan (UWMP), the development of these 203 homes which fall within the 1,260 residential units foreseen by the Specific Plan would not result in increased shortages....". This is flatly contradicted by the discussion on p. 2-7, which states, "Therefore, the development of the proposed project's 203 residential units would not be within the Specific Plan allocated residential units of 1,260 units and would be above the allowed number of units for the Specific Plan area."</p> <p>The increased number of units and the shift from recycled water to potable water must be evaluated in a revised DEIR.</p>
p. 2-24	Growth Inducement	The extension of water and wastewater services to the site, and roadway improvements, would induce growth in the area.

		<p>The project constitutes impermissible leapfrog development.</p> <p>What is the proposed use of the City's property and adjacent private parcels that surround the site?</p>
p. 2-29	Stormwater and Drainage	<p>How will the stormwater system function in light of anticipated sea level rise?</p> <p>At pad elevations of 13-14.2 feet, the project will likely be a raised island with no drainage ability, roadway access, or services, in a flood event with projected sea level rise and associated groundwater rise, and including flooding from tailwaters backed up on Flood Control Lines B and D.</p> <p>CEQA requires analysis of "the whole of the project", yet off-site levee and infrastructure improvements needed to protect the site and only access route, Mowry Avenue, from direct and indirect flooding associated with sea level rise projected during the project lifetime are not discussed. Please describe all necessary infrastructure and roadway improvements required to continue to service the site during the anticipated lifetime of a single-family residential development.</p>
Section 2-3	Project Objectives	See previous ES discussion of objectives - these are fatally flawed.
p. 3-10	Impact AES-3	<p>The project would clearly conflict with both the zoning and specific plan (GP) designations of the site with respect to scenic quality- a dense housing development does not have the same open space characteristics of a golf course. It would conflict with the current zoning. Also, please note that there is no case law supporting the significance criteria set forth in impact AES-3. It's just an IS checklist item added administratively by OPR – CEQA looks at impacts to the physical environment- this EIR also must, regardless of policies and zoning....</p>
Table 3.3-5	Construction equipment	<p>This table appears to omit the 25,000 truck loads (50,000 trips) delivering fill to the site, as well as the 4,000 additional trucks (8,000 trips) removing contaminated materials.</p>

P. 3-33	Modeling assumptions	<ol style="list-style-type: none"> 1. There are not 5 acres of landscaping and community open space planned on the 29-acre site; there are two detention basins and some street landscaping. 2. The existing emissions assume development on all of the site, but some of the site is undeveloped. 3. Modeling should be based on traffic counts to the existing facility, not assumptions based on possibly non-applicable alternative land uses. 4. The EIR assumes an existing 900 trips/day to the salvage yard – is that supported by counts? Why model existing conditions when you can count them?
Tables 3.3-7, 3.3-8	Project emissions	<p>A detailed review of the air quality calculation identified that they use the BAAQMD's default 20-miles/truck haul length. Using this assumption, the mitigated project is about 20% below the BAAQMD's NO_x thresholds. However, assuming 20 miles total for trucks leaving from their overnight storage facility, picking up loads of soil, and then depositing the soil at the site and returning to their overnight facility is unrealistic. Please identify potential soil source areas and provide a realistic calculation of haul distance. Note that it's not possible to mitigate emissions from haul trucks, so even a 20-30% increase in haul distance of the 25,000 trucks would result in exceedances of BAAQMD thresholds. Similarly, the approximately 4,000 trucks off-hauling contaminated soil would likely travel far more than 20 miles. Where would that soil be hauled to? Altamont, Forward, and John Smith Road landfills are likely candidates, and all are far more distant than 20 miles total trip. Realistically, the air quality analysis should assume a 30-40-mile total truck travel distance for each filled truck, which would result in a significant exceedance of BAAQMD's daily emissions thresholds. The unsupported use of a 20-mile travel distance for each truck load is arbitrary and not acceptable under CEQA.</p>
p. 3-80, 81	Burrowing owl mitigation	<p>"Passive relocation" means eliminating the owl's protective burrows from their use; what percentage of the ousted owls would then be lost to predation? Please note that CEQA requires that impacts of mitigation measures be addressed in EIRs.</p> <p>Additionally, if off-site habitat is to be preserved, this does not result in a no net loss of Burrowing Owl habitat. The environmental review of impacts must analyze impacts both individually and cumulatively. How would the cumulative adverse impacts of this project (and other past and reasonably foreseeable future projects) on the local Burrowing Owl population be mitigated?</p>

		Please note that just because an agency accepts certain procedures as mitigation under their regulatory authority, that may not be mitigation as defined by CEQA.
Bio Resources	Lighting impacts	The DEIR does not identify or evaluate the impact of new street lighting on wildlife. Thousands of shorebirds and waterfowl use the adjacent lands in the winter as part of the Pacific Flyway. Please address.
3-98	Archaeological Resources	The discussion vaguely states "...six prehistoric resources have been identified in the study area or within 0.5 miles..." The EIR needs to disclose if any of the mapped archaeological resources are, in fact, on the project site. If so, a more intensive archaeological resources study to determine importance of the feature must be undertaken. Additionally, given the high sensitivity of the site, a program of augering must be undertaken as part of the CEQA process, and not deferred to future studies as mitigation.
3-122, 3-163, 3-165, 3-171	Groundwater levels/sea level rise/drainage	<p>Please add a discussion of likely groundwater levels with anticipated sea level rise. The SFEI recently issued a report showing groundwater emerging at or near the surface on the project site with only 12' tidal elevation with sea level rise (https://www.sfei.org/projects/shallow-groundwater-response-sea-level-rise). How will it be possible to drain the site during rainfall events in this situation? Will the proposed detention basin work? Even if the site is raised such that floor levels are a few inches above sea level, what will keep it from being an island surrounded by water backed up from the storm drain channels, Line B and Ohlone Creek (Line D), that surround it on three sides?</p> <p>Please model potential future flooding on the site with anticipated 50-year sea level rise and back-ups from the surrounding storm drains. How will the adjacent stormwater channels drain in this scenario? How will the project site itself drain? How will roadway access be maintained? How will site runoff be addressed? At a minimum, the flooding hazards on the site in these scenarios must be described in the environmental setting, as housing projects typically have a minimum 50- to 100-year life (see, for example: https://link.springer.com/article/10.1007/s11367-011-0363-x)</p> <p>Similarly, please address the potential rise in groundwater levels associated with sea-level rise on the site's liquefaction potential.</p> <p>Also, please address the project's non-compliance with General Plan Policies EH-3.1, EH-3.2, and EH-3.3, as well as</p>

		CFS-5.5., (which requires use of pervious surfaces, which the project fails to do).
3-124	Sewage connection	Please discuss how this sewage connection would function under projected sea level rise and groundwater rise.
3-129	Table 3.8-1	Are the project's nearly 60,000 haul trips included in these calculations? What distance assumptions were used for these trips?
3-171, 3-177	Drainage/flood flows	This discussion states that the site will drain to ACFC&WCD Drainage Line B. Concerned citizens were recently informed by the applicant that the project detention basins would drain directly to the adjacent City-owned property. Where will the project drain? How will that function in the case of 2-5 feet of sea level rise? This section appears to view the world as static, when it's very dynamic.
Table 3.11-1	GP Consistency Analysis	<p>As detailed under our Project Objectives comments above, the project is clearly inconsistent with land uses allowable under the City's General Plan.</p> <p>In addition, the EIR's GP Consistency Analysis is biased and fatally flawed. Some examples:</p> <p>Goal LU-1 proposes a balanced mix of land uses; the project is cookie cutter small-lot houses. The consistency analysis somehow considers street landscaping and detention basins as comprising balanced land uses with the houses. Nonsense.</p> <p>Goal LU-1.14 requires that new development pay its own way. DEIR's statement that one-time fees will be paid applies only to construction costs, and not to operational costs. There's no evidence that operational costs to the City will be covered.</p> <p>Goal LU-4: Buffer from transportation facilities. The existing UPRR tracks are as close as 300 feet from the site, with rail service to increase to a train every half hour. Trains also back up here due to the adjacency of the switching yard located just to the north. How is that an "adequate" setback in terms of noise. Also, the only access to the site is via an at-grade crossing on Mowry – how will the site be accessed if that crossing is blocked by a train?</p> <p>Goal LU-7 requires 'Executive Housing'. Why are the project's small, small-lot houses considered "executive housing". The policy also requires "high-quality recreation". How are two small detention pond areas at the edge of the</p>

		<p>site providing “high quality” recreation? Project conflicts with this goal.</p> <p>Policy LU-7.1 establishes a maximum residential capacity of 1260 units for Areas 3 and 4, and the golf course or other recreational use proposed for the site was the largest recreational component of that Specific Plan. This project proposes to eliminate 29 acres of land zoned as park and open space. Yet the EIR inexplicably finds the project consistent.</p> <p>Policy LU-7.6 states “Policy LU-7.6 Open Space Amenities. Include a major open space and recreational amenity within the Southwest Newark Residential and Recreational Project boundary. The preferred amenity is an 18-hole golf course with clubhouse. The former solid waste disposal site at the west end of Mowry Avenue should be considered for inclusion in the Golf Course site. In the event a golf course is deemed infeasible, then another recreational use that is acceptable to the city shall be provided through developer fees. In addition, development in this area shall provide for neighborhood parks consistent with the ratios established by the General Plan.” Rather than include a recreational facility, the project eliminates the one specified in both the GP and SP. Yet the DEIR finds the project consistent with this policy because it includes some street trees and two detention basins; even while the recreation section of the DEIR finds that the project fails to meet the City’s own parks provision requirements.</p> <p>Goal CS-5. Project fails to meet requires VMT reductions, resulting in excess GHG emissions. Conflicts with this policy.</p> <p>Policy CS-5.8. As described above, project fails entirely to comply with this policy. Raising the site does not assure that essential infrastructure (including access roadways and drainage channels) would function with sea level rise (e.g. the improved Mowry Avenue is proposed to have an average elevation of 9’ NGVD). It’s a terrible location in that respect. Conflicts with this policy.</p> <p>Policy CS-6.5 requires minimizing surface coverage; project maximizes it. Conflicts with this policy.</p> <p>Goal PR-2 requires expanding and improving Newark’s parks and recreational facilities; this project eliminates 29 acres identified for park or open space use. Clearly in conflict.</p>
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		<p>Policy PR-2.2. As described in the DEIR, the project fails to meet City's park and open space requirements for residential development. Clearly inconsistent. Paying an in-lieu fee does not assure that the parks will be constructed. Same comment for PR-2.4 – no parks included in the project area; just some detention basins.</p> <p>Goal CSF-5 and Policy CSF-5.5. As discussed above with sea level rise, it appears that project-related on- and off-site infrastructure will not be able to serve the site.</p>
Table 3.11-2	Area 3 & 4 S.P. Consistency	<p>Policies 6-3 explicitly requires development of the golf course or other recreational use on the site. This is essential to balancing parks/open space and residential land uses proposed in the Specific Plan. The project blows this up by eliminating 29 acres of park/open space land. The DEIR states that this Policy is Not Applicable. It's entirely applicable, and the project is in direct conflict with it.</p> <p>Policies 6-6 and 6-8 state that residential development should be compatible with wildlife habitat. The project paves over the 10 acres of remaining undeveloped habitat within the project boundaries. It is in direct conflict with these policies.</p> <p>Note that this is just a sampling of the inconsistencies. Basically, this project is in conflict with every major land use and planning goal and policy applicable to the site because it converts the park and open space site uses to dense residential uses with almost no open space or habitat.</p>
P. 241	Indirect population growth	<p>This discussion states that the project is not growth inducing because, in essence, there's no land upon which growth may be induced. Please discuss the disposition of the surrounding city-owned and privately held lands that will now be served by the project infrastructure extensions. Please do not reply that they can't be developed because they're not designated for development in the General Plan- neither is the project site, and it's now proposed for development.</p>
P. 3-248-9	Parks	<p>The "analysis" claims back yards are the equivalent of public park and open space. They're not, and they're tiny. Neither are bio-retention areas. The project clearly does not meet even the City's most minimal park standards for the area. Please add mitigation to reduce the unit count to provide enough common park space to meet City standards. Please note that CEQA case law clearly states that merely contributing to an in-lieu fund does not assure mitigation, and cannot be considered mitigation absent a firm commitment to construct the funded facilities such that they</p>

		are operational at the time of project occupancy. There are no such assurances here.
p. 3-251, 354	Parks and recreational facilities	Project public open space does not comply with the Quimby Act; please show how it does, if that's your conclusion. Note that, as described above- payment of fees is not mitigation unless the facilities funded by the fees are guaranteed to be developed prior to project occupancy.
p. 3-263	Table 3.17-1	This table says that there are 920 existing trips – what is that based on? Please conduct counts rather than modeling.
pp. 3-268-9	Railroad crossings	The “analysis” inexplicably concludes that the project complies with the General Plan’s policies of grade-separated crossings despite the fact that it increases traffic over the only point of ingress and egress – an existing at-grade crossing of the UPRR rail lines. The DEIR does not identify the two rail plans proposed in the area, or the 2040 California Rail Plan. These plans include the possibility of double or triple tracking the segment from the Mowry Avenue crossing to Alviso and would impact the frequency of train service on the rail line crossing Mowry Avenue, may require raising the tracks to adapt to sea level rise, and increasing passenger rail traffic on the lines to one trip every 30 minutes, in addition to freight rail traffic traveling over Mowry Avenue. These train improvements should be factored into the safety and effectiveness of Mowry Avenue as the only point of ingress/egress route to the 203 housing units. The three plans include – the Capitol Corridor South Bay Connect Study exploring the rail corridor from San Jose to Oakland, the Alviso Wetland Railroad Adaptation Alternatives Study evaluating the rail corridor from Santa Clara to Newark, and the 2040 California Rail Plan.
Impact Trans-2	VMT	The section concludes that VMT cannot be effectively reduced to CEQA-mandated levels. This is because of the site’s location, distant from pretty much everything. The entire purpose of VMT analysis is to identify such sites and find alternatives to building on them. This can be done through Alternatives in an EIR. Yet the DEIR fails to address off-site alternatives that are located near existing services and public transit, so does not mitigate this impact. See additional discussion of this in specific comments on the Alternatives section, following.
pp. 3-282, 289-90, 4-19 (section 4.5-19)	Water supply	The analyses finds that, “Because Areas 3 and 4 Specific Plan’s [water] demand was already factored in to the UWMP, the development of these 203 homes would not result in increased shortages...” (p 3-282), and, “...the proposed project would not result in a substantial increase in water demand compared to if the project site were developed as a

		golf course.”(p. 3-290). This is false and misleading. As described in the Areas 3 and 4 FEIR (p. 203, Section 3.8.3.8), the golf course would not use potable water but, instead, would use well water until such time as recycled water is available. Therefore, the project could, in fact, increase potable water demand beyond what was considered in both the Areas 3 and 4 EIR and the UWMP. Please re-evaluate and re-circulate.
p. 5-5	Off-Site Alternatives	<p>The DEIR states, “There are no undeveloped sites within City limits that are large enough to accommodate a project of similar size and scale to the proposed project and in proximity to a transit hub.” However, the project itself is not proximate to a transportation hub. Given the significant unavoidable VMT impacts with the project, an Off-Site Alternative that reduces VMT must be considered. The most obvious such alternative is to add density to the NewPark Place Specific Area Plan, where infrastructure already exists and the VMT impacts likely could be reduced, leaving the project site as open space for recreation.</p> <p>An alternative site also may alleviate both the numerous land use policy conflicts of the proposed project and, possibly eliminate the project’s significant unavoidable VMT impacts.</p>
p. 5-5 through 5-32	Other Alternatives	<p>The Multi-family alternatives (both market rate and affordable options (2 and 4)) should have the same number of units as the project; this would allow additional open space and parks on the site, thereby reducing conflicts with General and Specific Plan policies, and reducing VMT exceedances (in terms of total VMT).</p> <p>The Reduced Density Alternative should be clustered and not large-lot development, thereby also allowing additional open space on the site and reducing General and Specific Plan conflicts.</p>
5-20	Pick-n-Pull VMT	What’s this number based on? Please conduct surveys of P&P customers and update.
5-27, 28	Relationship to Project Objectives	As detailed earlier in this letter, the project itself fails to meet the majority of its own objectives. Please revise the objectives, correct the erroneous impact analyses, and re-evaluate the alternatives in a recirculated DEIR.