



DELANO & DELANO

December 22, 2017

VIA HAND DELIVERY

John Helmer
Contract Planner
City of Escondido
201 North Broadway
Escondido, CA 92025

Re: Safari Highlands Ranch and Citywide Sphere of Influence Update: ENV 15-0009; SUB 15-0019 (SCH #2015091039)

Dear City of Escondido:

This letter is submitted on behalf of San Pasqual Valley Preservation Alliance in connection with the proposed Safari Highlands Ranch project (“Project”) and Draft EIR (“DEIR”).

I. Introduction

The California Environmental Quality Act (“CEQA”), Pub. Res. Code §§ 21000 – 21177, must be interpreted “so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.” *Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal. App. 3d 247, 259. If an EIR fails to provide agency decision-makers and the public with all relevant information regarding a project that is necessary for informed decision-making and informed public participation, the EIR is legally deficient and the agency’s decision must be set aside. *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692, 712. An EIR is “aptly described as the ‘heart of CEQA’”; its purpose is to inform the public and its responsible officials of the environmental consequences before they are made. *Laurel Heights Improvement Assoc. v. University of California* (1988) 47 Cal.3d 376, 392.

II. The DEIR’s Discussion of the Project and Existing Conditions is Deficient

The DEIR’s discussion of the Project and existing conditions is insufficient. “The adequacy of an EIR’s project description is closely linked to the adequacy of the EIR’s analysis of the project’s environmental effects. If the description is inadequate because it fails to discuss the complete project, the environmental analysis will probably reflect the

EVERETT L. DELANO III
Admitted in California and Colorado

M. DARE DELANO
Admitted in California and New York

104 W. Grand Avenue, Suite C
Escondido, CA 92025

(760) 741-1200 :: Office
(760) 741-1212 :: Fax

same mistake.” *Dry Creek Citizens Coalition v. County of Tulare* (1999) 70 Cal.App.4th 20, 31 – 32.

- The DEIR fails to provide an adequate description, including providing confusing information about the scope of Homeowner Association (“HOA”) duties. For example, the DEIR states the HOA will fund a Resource Management Plan and manage 629.09 acres of conserved open space, as well as manage 128.6 acres of native habitat. DEIR at 1.0-5. It claims the native habitat will “be thinned annually.” *Id.* But these descriptions are unclear and inconsistent.
- The Specific Plan says the HOA is responsible for “patrolling, periodic maintenance activities, removal of invasive species, and other activities as necessary to provide fire protection and habitat preservation.” Specific Plan at 16 – 19. It also says the HOA will be responsible for maintenance of 9.3 miles of public trails. *Id.* at 19 – 20. And Figure I-12 of the Specific Plan identifies, *inter alia*, 8 acres of detention basins, 6.2 acres of neighborhood parks, 38.5 acres of fuel modification Zone 1 areas, additional fuel modification Zone 2 areas, 41.21 acres of interior slopes, and 13 acres of parkway/streetway areas, all to be maintained by the HOA. The DEIR states there will be 66.8 acres of private streets, and that all of the roads in the community will be private. DEIR at 1.0-4 & 1.0-6. But the project description in the DEIR does not discuss the many HOA obligations discussed in the Specific Plan.
- Furthermore, even to the extent the DEIR does identify HOA duties, it remains unclear which measures will be taken when and how they will be funded and implemented.
- The traffic analysis claims there will be a “small commercial area.” DEIR at 2.12-45. But the project description does not discuss this area.

III. The DEIR’s Discussion of Project Impacts is Deficient

The DEIR fails to adequately analyze aesthetic and visual resource impacts.

- The General Plan contains several relevant goals and policies from the Land Use and Community Form Element, the Resource Conservation Element, and the Quality of Life Standards. But the analysis fails to address the Project’s inconsistency with these goals, policies, and standards.
- The DEIR fails to address the impacts associated with the substantial amount of cut and fill required by the Project. Indeed, the Project will result in grading over 4,600,000 cubic yards of material. DEIR at 1.0-11.
- The DEIR claims the Project is “designed to locate the majority of the development in both flatter portions of the site and lower slopes” DEIR at 2.1-13. This is incorrect. The Project clearly relies upon development along steep slopes and prominent ridges.

- The DEIR provides an overview of visual resources. DEIR at 2.1-5. It acknowledges prominent ridgelines. *Id.* at 2.1-1. It acknowledges “important views from scenic vistas.” *Id.* at 2.1-11. But it fails to provide an adequate analysis of the Project’s potential impacts.
- The DEIR acknowledges applicable Municipal Code provisions (DEIR at 2.1-7 to 8), but fails to provide analysis of the Project’s consistency or inconsistency with relevant provisions. For example, the Project appears to be inconsistent with several provisions, including the following:
 - Slope height requirements, Muni. Code § 33-1066(b);¹
 - Contour grading requirements, Muni. Code § 33-1066(f);
 - Requirements for the preservation of natural and cultural features, Muni. Code § 33-1066(g);
 - Hillside area requirements, Muni. Code § 33-1066(l);
 - Provisions applicable to hillsides and ridgelines, Muni. Code § 33-1067A – F;
 - Restrictions on the clearing of land and removal of vegetation, Muni. Code § 33-1068A – C; and
 - Vegetation and replacement standards, Muni. Code § 33-1069.

The DEIR fails to adequately analyze impacts to air quality.

- The Project likely would have concurrent operational and construction emissions. Indeed, grading along is likely to last at least 18 months. DEIR at 1.0-11. Yet the DEIR fails to adequately analyze their combined emissions.
- The General Plan contains several relevant goals and policies, including Mobility and Infrastructure policies and Air Quality and Climate Protection policies. But the analysis fails to address the Project’s inconsistency with these goals, policies, and standards.
- The DEIR acknowledges that projects “that propose development that is greater than the population growth projections and land use intensity of the adopted local general plan warrant[] further analysis” DEIR at 2.2-15. The Project proposes population and density greater than the County’s General Plan, which is the applicable general plan for the site currently, yet the DEIR fails to provide the further analysis called for.
- The DEIR acknowledges there are no proposed bus stops and bus service is not accessible. DEIR at 2.12-32. Yet it fails to analyze the impacts to air quality associated with these failures and the consequent greater reliance upon automobiles.
- The DEIR acknowledges significant and unmitigated air quality impacts. DEIR at 2.2-18 to 19. Yet it fails to provide mitigation that can be implemented to reduce those impacts. CEQA contains a “substantive mandate” that agencies refrain from approving a project with significant

¹ In fact, the Specific Plan acknowledges the site only allows 284 units with existing slope constraints. Specific Plan at 124.

environmental effects if “there are feasible alternatives or mitigation measures” that can substantially lessen or avoid those effects. *Mountain Lion Foundation v. Fish and Game Comm.* (1997) 16 Cal.4th 105, 134; Pub. Res. Code § 21002.

The DEIR fails to adequately analyze impacts to biological resources.

- The DEIR acknowledges impacts to on-site oaks. DEIR at 2.3-18 to 19. For example, it states there are a total of 889 oak trees on the site, and 417 will be removed or impacted. *Id.* at 2.3-48. But the analysis fails to clearly identify the scope of the potential impacts and losses.
- The DEIR appears to indicate that even with mitigation, there will be significant impacts to oak trees. DEIR at 2.3-48. CEQA contains a “substantive mandate” that agencies refrain from approving a project with significant environmental effects if “there are feasible alternatives or mitigation measures” that can substantially lessen or avoid those effects. *Mountain Lion Foundation v. Fish and Game Comm.* (1997) 16 Cal.4th 105, 134; Pub. Res. Code § 21002.
- The DEIR identifies significant levels of impacts to biological resources, totaling over 500 acres. DEIR at 2.3-35.
- The Project intends the community’s HOA to handle numerous activities, but there is inadequate evidence the HOA can actually handle these tasks. For example, at pages 16 to 19, the Specific Plan says the HOA will own the 629.09-acre preserve, fund implementation of the Resource Management Plan (including annual reporting), maintain a 128.60-acre “habitat open space including FMZ II to buffer the proposed development and reduce edge effects to conservation open space, and maintain fences and signage, as well as “patrolling, periodic maintenance activities, removal of invasive species, and other activities as necessary to provide fire protection and habitat preservation.” At pages 19 – 20, the Specific Plan says the HOA will also be responsible for maintenance of 9.3 miles of public trails. And Figure I-12 of the Specific Plan identifies 8 acres of detention basins, 6.2 acres of neighborhood parks, 38.5 acres of fuel modification Zone 1 areas, additional fuel modification Zone 2 areas, 41.21 acres of interior slopes, and 13 acres of parkway/streetway areas, all to be maintained by the HOA.
- The DEIR claims financing the “long-term management of the resource open space, including periodic surveys, monitoring of trails crossing the open space, fence and signage repair, removal of invasive species, and reporting to regulatory agencies” would be “the responsibility of either the [HOA] or an approved nonprofit conservancy” DEIR at 1.0-5. But it is impracticable to expect the HOA will have adequate funding to address all of the obligations identified in the Specific Plan, and there is insufficient analysis of what will happen when, as is likely, the HOA does not adequately address such management.

The DEIR fails to adequately analyze impacts to geology and soils.

- The DEIR acknowledges applicable Municipal Code provisions (DEIR at 2.5-9), but fails to provide analysis of the Project's consistency or inconsistency with relevant provisions (*id.* at 2.5-10 to 16). For example, the Project appears to be inconsistent with several provisions, including the following:
 - Slope height requirements, Muni. Code § 33-1066(b);
 - Contour grading requirements, Muni. Code § 33-1066(f);
 - Requirements for the preservation of natural and cultural features, Muni. Code § 33-1066(g);
 - Hillside area requirements, Muni. Code § 33-1066(l);
 - Provisions applicable to hillsides and ridgelines, Muni. Code § 33-1067A – F;
 - Restrictions on the clearing of land and removal of vegetation, Muni. Code § 33-1068A – C; and
 - Vegetation and replacement standards, Muni. Code § 33-1069.

The DEIR fails to adequately analyze greenhouse gas emission impacts.

- The DEIR relies primarily upon measures adopted by the State in order to meet its goals. But as the California Supreme Court has noted, such reliance is insufficient to ensure compliance – “That a project is designed to meet high building efficiency and conservation standards, for example, does not establish that its greenhouse gas emissions from transportation activities lack significant impacts.” *Center for Biological Diversity v. Dept. of Fish and Wildlife* (2015) 62 Cal.4th 204, 229.
- The DEIR averages construction emissions over the life of the Project. DEIR at 2.6-15. Such emissions should be calculated as they will actually occur, not averaged over a longer period of time. *See Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist.* (2013) 215 Cal.App.4th 1013, 1049.
- The California Air Resources Board Scoping Plan identifies several strategies to expand infill development. But the Project is inconsistent with virtually every one of these strategies, and the DEIR fails to discuss these inconsistencies.
- The DEIR acknowledges the Project “is proposing a higher density development than was planned,” yet fails to analyze adequately for the impacts of such density. DEIR at 2.6-23.
- The City's General Plan lists several relevant Air Quality and Climate Protection policies. General Plan at VII-29 to 30. Yet the DEIR fails to address these requirements, and the Project fails to comply with them. For example, there are no requirements to support public transportation improvements, expand public transit networks, or update the city's traffic signal synchronization plan.

- There are requirements for Transportation Demand Management strategies in the General Plan. General Plan at III-37 to 38. Yet the DEIR fails to address these requirements, and the Project fails to comply with them. For example, there are no requirements to improve transit access or support transit subsidies.
- On April 29, 2015, Governor Brown issued Executive Order B-30-15, which establishes a “new interim statewide greenhouse gas emission reduction target to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030” The DEIR does not address compliance with Executive Order B-30-15.

The DEIR fails to adequately analyze impacts to waters and drainages.

- The General Plan identifies several policies emphasizing the importance of protecting and restoring natural drainage systems. Yet the DEIR fails to discuss the Project in relation to these standards and requirements.
- The DEIR fails to analyze the impacts to water quality associated with the grading and other activities for the construction and development of a fire station. DEIR at 2.8-1.
- The attached comments from Dr. Richard Horner identify additional problems with the Project and DEIR.

The DEIR fails to adequately analyze land use and community character impacts.

- The General Plan contains several relevant goals and policies from the Land Use and Community Form Element, the Resource Conservation Element, and the Quality of Life Standards. But the analysis fails to address the Project’s inconsistency with these goals, policies, and standards.
- The Project is inconsistent with several relevant provisions of the City’s General Plan, including the including, which the DEIR fails to discuss:
 - Quality of Life Standards 1 through 10.
 - SPA 4 Guiding Principles for Specific Planning Area, Valley View SPA #4.
 - Community Character Policies 1.1, 1.6, 1.8, 1.9, 1.12, 1.14, and 1.15.
 - Residential Development Policy 3.9.
 - Residential Clustering Policies 5.2, 5.3, 5.4, 5.5, 5.6, 5.9, and 5.10.
 - Specific Planning Area Policies 11.2, 11.3, 11.4, 11.5, and 11.6.
 - Annexation Policies 16.2, 16.3, 16.4, and 16.5.
 - General Plan Review and Amendment Policy 17.6.
 - Complete Streets Policies 2.1, 2.3, and 2.8.
 - Pedestrian Network Policies 3.2, 3.3, 3.5, and 3.10.
 - Bicycle Network Policies 4.2, 4.3, and 4.7.
 - Transit System Policies 5.7, 5.8, and 5.9.
 - TDM Policy 6.1.
 - Street Network Policies 7.7 and 7.8.
 - Storm Drainage Policy 14.6.

- Housing Policies 1.3, 1.4, 1.5, 1.6, and 2.1.
- Parks and Recreation Policy 2.4.
- Library Services Policy 3.2.
- Fire Protection Policies 2.2, 2.6, 2.8, 2.12, 2.14, and 2.17.
- Biological and Open Space Resources Policies 1.2, 1.3, 1.6, 1.8, 1.9, and 1.11.
- Visual Resource Policies 3.1, 3.2, 3.3, 3.4, and 3.5.
- Air Quality and Climate Protection Policies 7.2, 7.3, and 7.5.
- The Project is inconsistent with the community character of the surrounding neighborhoods, which the DEIR fails to discuss, despite acknowledging that the existing zoning “would allow a theoretical buildout of 27 units.” DEIR at 2.9-2.
- The DEIR acknowledges Municipal Code provisions (DEIR at 2.9-8), but fails to provide any analysis of the Project’s consistency or inconsistency with these provisions (*id.* at 2.9-11 to 13). For example, there is no discussion of the requirements of the City’s grading and erosion control requirements.
- The DEIR fails to address the impacts associated with the substantial amount of cut and fill required by the Project.
- Section 2.5 of the DEIR specifically references Article 55, as well as other Municipal Code sections, but the DEIR fails to provide any analysis of the Project’s consistency or inconsistency with these requirements.
- The Project is inconsistent with the Design Criteria provisions of Municipal Code Section 33-1066, including:
 - Extensive slope areas that are easily visible outside the development.
 - Fill slopes that block views from surrounding properties.
 - Significant grading features that intrude into and disturb surrounding property.
 - Slope heights that are in excess of limitations.
 - Slopes that do not conform to the natural contours of the landscape.
 - Grading designs are not sensitive to natural topographic, cultural and environmental features.
- The Project is inconsistent with the provisions applicable to hillside and ridgeline protection of Municipal Code Sections 33-1067A – F, including:
 - The bulk, scale, density, and overall character of the proposed development is incompatible with the surrounding neighborhood and with the natural, cultural, scenic and open space resources of the area.
 - The location and design does not respect and preserve the natural landform, vegetation and wildlife of the site.
 - The location and design substantially alters the natural appearance and land form of the hillsides and ridges.
 - The location and design will not protect the safety of current and future residents, and will create a significant threat to life and property.
 - All grading has not been minimized, preserving the character of the property in order to have as minimal effect on the environment as possible.

The DEIR fails to adequately analyze noise impacts.

- The DEIR acknowledges significant road noise, but fails to consider adequate mitigation for noise impacts, such as rubberized asphalt. DEIR at 2.10-19. Such an option is discussed in the Specific Plan. Specific Plan at 54. CEQA contains a “substantive mandate” that agencies refrain from approving a project with significant environmental effects if “there are feasible alternatives or mitigation measures” that can substantially lessen or avoid those effects. *Mountain Lion Foundation v. Fish and Game Comm.* (1997) 16 Cal.4th 105, 134; Pub. Res. Code § 21002. The DEIR must develop mitigation to address road noise impacts.
- The attached comments from Papadimos Group identify additional problems with the Project and DEIR.

The DEIR fails to adequately analyze impacts to public services and facilities.

- The DEIR acknowledges the City is failing to meet the applicable standards for library facilities. DEIR at 2.11-11. But it fails to adequately address whether the Project would exacerbate this already failing condition. *See Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 718.
- The DEIR acknowledges that fire evacuation could take three hours, not accounting for other factors that might lead to additional delay. DEIR at 2.14-15. It acknowledges up to 1,210 vehicles evacuating at once, plus others from surrounding areas. *Id.* It acknowledges a fire could arrive in approximately 40 minutes. *Id.* at 2.14-16. Yet there is inadequate discussion of what impacts the fact that a fire could arrive in almost 2 ½ hours before an evacuation could be completed, including impacts to surrounding neighborhoods and areas associated with such problems.
- Nor is there discussion about what effect the closing of Rockwood Road might have on accessibility both for evacuation and for the arrival of emergency personnel.
- The DEIR says residents might have to stay in their homes despite the fact that the Project is not being designed to allow for sheltering in place. DEIR at 2.14-16.
- The DEIR acknowledges substantial risks associated with fire hazard, and acknowledges the lack of adequate fire facilities and personnel in the Project area. DEIR at 2.14-17. It says the “project does not comply with city’s response time standard.” *Id.* It notes: “no mechanism in place to fund personnel, maintenance, and operational costs.” *Id.* Yet there is inadequate discussion of the mechanisms to address these impacts.
- MM WF-1 provides for a “fair-share” payment toward the “costs for the staffing, equipment, and maintenance of the proposed fire station.” *Id.* at 2.14-18. But there is no guarantee that this measure will be sufficient to

address the significant impact, and there is no indication where all of the funding will be obtained to ensure adequate staffing, equipment and maintenance. *See Citizens for Responsible and Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1341.

The DEIR fails to adequately analyze traffic impacts.

- The DEIR fails to include an adequate study area. Additional freeway segments and ramps should be analyzed.
- The attached comments from Griffin Cove Transportation Consulting identify additional problems with the Project and DEIR.
- The DEIR acknowledges significant impacts to a segment of Felicita Avenue/17th Avenue, yet claims mitigation is “beyond the control of the applicant ...” DEIR at 2.12-37. However, the City cannot avoid this impact, as it is within its control and responsibility. *See id.* at 2.12-36 (acknowledging the City’s Capital Improvement Project). “[T]he Legislature has [] declared it to be the policy of the state ‘that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects ...’” *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 597 – 98 (citations omitted).
- The DEIR acknowledges there are no proposed bus stops and bus service is not accessible. DEIR at 2.12-32. Yet it fails to analyze the impacts to transportation associated with these failures and the consequent greater reliance upon automobiles.
- There are requirements for Transportation Demand Management strategies in the General Plan. General Plan at III-37 to 38. Yet the Project fails to comply with them. For example, there are no requirements to improve transit access or support transit subsidies.
- The DEIR acknowledges that “[r]eductions in VMT can be achieved through smarter land use choices that reduce the need to drive or other ways to discourage single-occupant vehicle trips.” DEIR at 2.12-44. The Project represents the exact opposite approach, demonstrating urban sprawl, yet the DEIR fails to analyze the impacts associated with not promoting such “smarter” choices.
- The DEIR lacks adequate analysis of construction traffic impacts.

The DEIR fails to adequately analyze growth inducing impacts.

- The DEIR notes that existing plans identify the “area where the proposed project is sited ... as suitable for residential development ... at a lower density than the project proposes” DEIR at 3.0-33. Yet it claims the Project will not lead to growth inducement because “the undeveloped lands surrounding the project site consist of steeply sloping terrain or environmentally constrained land.” *Id.* But the same should be said about the Project site, yet

the Project proposes 550 homes. As such, the DEIR should analyze the impacts of other projects that would apply a similar rationale to the Project's proposed justifications in order to develop nearby properties.

The DEIR fails to adequately analyze water supply impacts.

- There is an inadequate showing of water supply for the Project. The California Supreme Court recently identified three "principles for analytical adequacy under CEQA": (1) "CEQA's informational purposes are not satisfied by an EIR that simply ignores or assumes a solution to a problem of supplying water to a proposed land use project"; (2) "an adequate environmental impact analysis for a large project, to be built and occupied over a number of years, cannot be limited to the water supply for the first stage or the first few years"; and (3) "the future water supplies identified and analyzed must bear a likelihood of actually proving available An EIR for a land use project must address the impacts of likely future water sources, and the EIR's discussion must include a reasoned analysis of the circumstances affecting the likelihood of the water's availability." *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 430 – 32 (emphasis in original) (citations omitted). The DEIR acknowledges there is no current water supply for the site. DEIR at 2.13-2. It acknowledges there is no public water source, and the site is not within any water district currently. *Id.* at 2.8-15. Yet it fails to comply with the Supreme Court's mandates, particularly in light of recent severe water shortages throughout the State.
- This is particularly stark in light of the DEIR's acknowledgement of a potential water deficit in dry years. DEIR at 2.13-5.
- The DEIR's assertion that a shortage in dry years would require conservation from other parties (DEIR at 2.13-30) ignores the fact that the Project exacerbates the need for greater conservation by other parties to meet basic supply needs.

The DEIR fails to adequately analyze cumulative impacts.

- The DEIR acknowledges cumulatively considerable air quality impacts associated with construction. DEIR at 3.0-17. It also acknowledges cumulatively considerable noise impacts. *Id.* at 3.0-25. However, it fails to propose any mitigation for either impact, as required by CEQA. CEQA Guidelines § 15130.
- The DEIR claims the Project's contribution to cumulative traffic impacts would be "less than cumulatively considerable." DEIR at 3.0-27. But where a project will contribute to an already failing condition, an EIR must address the degree to which the Project would exacerbate this already failing condition. *See Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 718.

IV. The DEIR's Discussion of Alternatives is Deficient

The DEIR fails to adequately analyze alternatives.

- CEQA requires that an EIR “produce information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned.” *San Bernardino Valley Audubon Society v. County of San Bernardino* (1984) 155 Cal.App.3d 738, 750 – 51. “Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process.” *Laurel Heights Improvement Assoc. v. University of California* (1988) 47 Cal.3d 376, 404. The DEIR fails to comply. Indeed, the DEIR reads more like a sales piece for the Project, than a true analysis of impacts and alternatives to reduce those impacts.
 - The DEIR acknowledges the “Traditional Zoning Alternative would achieve the majority of the project objectives.” DEIR at 5.0-21. CEQA's “substantive mandate” requires agencies to refrain from approving projects with significant effects where there are feasible mitigation measures or alternatives that can lessen or avoid those effects. *Mountain Lion Foundation v. Fish and Game Comm.* (1997) 16 Cal.4th 105, 134. “[T]he Legislature has [] declared it to be the policy of the state “that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects ...” *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 597 – 98 (citations omitted). The City should adopt a reduced density alternative, even if it would not meet the Project objectives fully. Such an alternative would more appropriately respect the existing community, as well as General Plan requirements.
 - The DEIR claims the cost of the Traditional Zoning Alternative “would make this alternative infeasible.” DEIR at 5.0-21. But the DEIR fails to provide any analysis or evidence to support this assertion.
 - The Project and its objectives are defined too narrowly, thereby resulting in a narrowing of the consideration of alternatives to the Project. *City of Santee v. County of San Diego* (1989) 214 Cal.App.3d 1438, 1455.

V. The Need to Recirculate

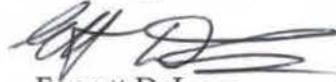
The DEIR is sufficiently lacking that the only way to fix these issues is to revise it and recirculate an adequate report.

VI. Conclusion

Thank you for your consideration of these comments.

Please ensure I am provided any notices regarding the Project and EIR.

Sincerely,

A handwritten signature in black ink, appearing to read 'Everett DeLano', with a stylized flourish at the end.

Everett DeLano

Enclosures:

1. Letter from Dr. Richard Horner (12/7/17)
2. Letter from Papadimos Group (11/20/17)
3. Letter from Griffin Cove Transportation Consulting (12/4/17)