



Demian Hardman
Contra Costa County
Department of Conservation and Development
651 Pine Street, 4th floor - North wing
Martinez, CA 94553
Submitted via email: demian.hardman@dcd.cccounty.us

Re: Comments on the DEIR for the Creekside Cemetery in Contra Costa County

Dear Mr. Hardman:

Thank you for this opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the proposed Creekside Memorial Park Cemetery Project ("project") in the Tassajara Valley area in unincorporated Contra Costa County (County file number (LP052096).

By way of introduction, Greenbelt Alliance is a membership-based, non-profit public benefit organization with over 4,000 active members in the San Francisco Bay Area. Our purpose is to protect and preserve open space within the nine-county Bay Area region and to promote the development of livable, walkable, transit-oriented communities in the region through public policy development, advocacy, and education.

Introduction

This project would develop approximately 58.7 acres into a cemetery complex, including Administrative Offices/Chapel Building, a storage corporation yard, four outdoor Mausoleums, one indoor Mausoleum, a parking area, a road circulation system, water tank and nearly 25 acres dedicated to ground entombment. The cemetery would consist of two main areas: a lower developed area with conventional landscaping and irrigation and a higher developed area located on a spur ridgeline above the main facilities with xeriscape landscaping. The project would be located in the Tassajara Valley in unincorporated Contra Costa County, stretching between Camino Tassajara and the Hidden Valley Open Space.

The approval of the proposed project would have significant negative effects for the environment and economy of Contra Costa County. By converting a portion of the rural Tassajara Valley to a cemetery, the project would conflict with Contra Costa County's goals and policies aiming to maintain the economically-viability of agriculture. The project design

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would unnecessarily impact rare and endangered species and open space amenities. It would also contribute cumulatively to local air pollution and global climate change, with resultant impacts on human health and welfare.

Unfortunately, while the DEIR addresses many of these issues, it fails to do so fully and completely, thereby failing to fulfill the mandate of the California Environmental Quality Act (Pub. Resources Code, § 21000, *et seq.*). In particular CEQA requires an EIR to describe all feasible mitigation measures that could minimize significant environmental impacts. (Cal. Code Regs., tit. 14, §15126.4.) According to CEQA statute and case law, these measures cannot be vague, unenforceable, and difficult to monitor. We therefore urge the County to revise the DEIR to address the following concerns:

**The DEIR inadequately addresses potential conflicts
with the County's goals to preserve agriculture**

The County's General Plan makes clear that the preservation of agricultural lands is a high priority (See, e.g., General Plan Policies 8-G, 8-H, 8-I and 8-J.) and establishes numerous policies to carry out these priorities. The DEIR fails to fully assess these policies and analyze and mitigate for the loss and fragmentation of agricultural land. For example, the project may have impacts on local water supply that could negatively impact the availability of water for natural uses and for local farming. In addition, the DEIR insufficiently addresses how the project may conflict with policies that aim to minimize conflicts between urban and agricultural uses.

The DEIR inadequately addresses impacts on rare and endangered species

The DEIR fails to sufficiently address the protection of rare and endangered species on the project site. For example, the DEIR relies on incomplete and out-of-date assessments of rare and endangered species. This includes conclusions that particular species such as Valley Elderberry Longhorn beetle are not on the site with only cursory explanation of how those conclusions were reached and inadequate assessment of impacts to the area's alkaline meadow and the potential presence of vernal pool fairy shrimp.

Some of the project design elements are particularly troubling: the division of the site into two portions connected by a 24' road and the proximity of the upper portion to the Hidden Valley Open Space present connectivity challenges for plant and animal species. These impacts could and should be mitigated by eliminating the upper portion of the project. The presence of large buildings and conventional landscaping in the lower portion of the site also disrupts habitat, introduces non-natives and pesticides, and interrupts connectivity.

Several of the proposed mitigation measures could also have adverse impacts for rare and endangered species. The translocation of endangered species is a technique with limited effectiveness and should be replaced by avoidance of impact. The Conceptual Landscape Plan may not be appropriate for the grassland ecosystem and riparian areas of the site, introducing a higher number of trees than suitable. Additional details about the management, funding, and monitoring of the conservation easements is needed to ensure that this measure is carried out effectively over the life of the project.

The DEIR inadequately addresses impacts on open space amenities

The DEIR fails to assess the full range of feasible measures to avoid and mitigate impacts on current and future open space amenities. These amenities include the adjacent Hidden Valley Open Space, Morgan Territory, the Brown Ranch, and the recently-acquired Doolan Canyon Tassajara Hills Regional Preserve, as well as the scenic corridor of Camino Tassajara. Feasible mitigation measures include eliminating project elements near the Hidden Valley Open Space, adding trail easements along the portion of the parcel fronting Camino Tassajara, and using appropriate native landscaping that helps to visually connect the site with the nearby open space areas.

The DEIR inadequately addresses impacts on air quality and greenhouse gas emissions

Any increase in greenhouse gas emissions and vehicle miles travelled negatively impacts the region's ability to achieve the environmental goals embodied in AB 32 of 2006 (Nuñez and Pavley), Executive Order S-03-05, and SB 375 of 2008 (Steinberg) as well as local goals embodied in Contra Costa County's own Climate Action Plan. Increases in air pollution negatively impact public health and can negatively impact vulnerable species.

The DEIR fails to consider the full range of sources of greenhouse gas emissions and air pollution – including embedded emissions – and measures that could mitigate these impacts, including funding for air quality reduction programs and public transportation. See the California Attorney General's website for an expansive list of climate change mitigation measures:

http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf.

The DEIR fails to adequately analyze the effects of climate change on the project area

The DEIR provides an incomplete analysis of the impacts of climate change on the project area. The DEIR should be revised to include an analysis of all documents related to the California Natural Resources Agency's *2009 California Climate Adaptation Strategy*¹, including its extensive bibliography, the California Energy Commission's Public Interest Research Program's climate science program, climate research by The Nature Conservancy, and the Stockholm Environment Institute's CalAdapt/Google Earth demonstration prototype. This analysis should include the full range of potential climate impacts on the project area, including changes to water supply and quality, public health risks from increased temperatures, threats to local agriculture from invasive species and other stressors, and impacts on habitats and species. This analysis should address the extent to which the effects of the project are more severe under changing climatic conditions (e.g. increased health impacts of air pollution and higher vulnerability of listed species under increased temperatures).

Conclusion

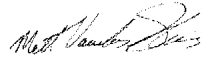
In conclusion, thank you for this opportunity to comment on the DEIR for the Creekside Memorial Park Cemetery Project. We look forward to reviewing a revised version of the DEIR that addresses the concerns outlined above. Together, we can ensure that the Tassajara Valley retains its environmental values and remains a strong example of the

¹ <http://www.climatechange.ca.gov/adaptation/>

County's tradition of agricultural protection. For more on the many values of the Bay Area's natural and working landscapes, please consult the Greenbelt Alliance publication *Golden Lands, Golden Opportunities*: <http://www.golden-lands.org/index.html>

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Matt Vander Sluis".

Matt Vander Sluis
Senior Field Representative, East Bay
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(925) 932-7776
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"Matt Vander Sluis"
<mvandersluis@greenbelt.org>

10/31/2011 09:53 AM

To <demian.hardman@dcd.cccounty.us>
cc
bcc
Subject [BULK] FW: Greenbelt Alliance comments on the Creekside Cemetery DEIR

FYI

Matt Vander Sluis
Senior Field Representative, East Bay

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From: Matt Vander Sluis [mailto:mvandersluis@greenbelt.org]
Sent: Friday, October 28, 2011 4:28 PM
To: 'demian.hardman@dcd.cccounty.us'
Cc: Jodi Bailey (jbailey@savemountdiablo.org); Seth Adams (sadams@savemountdiablo.org); Melissa Hippard (mhippard@greenbelt.org)
Subject: Greenbelt Alliance comments on the Creekside Cemetery DEIR

Demian,

Thank you for this opportunity to comment on the Creekside Cemetery EIR. Please contact me with any questions and include me on future notifications about this project.

Take care,

Matt Vander Sluis
Senior Field Representative, East Bay

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