

May 11, 2009

To: Lou Ann Texiera and LAFCO Commissioners

From: Kathy Gleason

RE: Los Medanos Hills and ridgeline

I am a resident of Concord, and founding member of the Concord Naval Weapons Station (CNWS) Neighborhood Alliance. The CNWS Neighborhood Alliance currently represents over 1,700 families, all of whom are concerned about the future of the Los Medanos hills and ridgeline.

The preservation or development of the CNWS and the Los Medanos hills and ridgeline is a regional issue.

We fully understand that the development of the CNWS is a regional issue, which will affect residents in many neighboring cities as well as throughout the entire bay area. We feel that the development of the Los Medanos hills and ridgeline is also a regional issue, one affecting neighboring cities as well as the entire bay area. In fact, due to their elevation, the development of the Los Medanos hills and ridgeline will have an even greater impact on the region than the development of the CNWS. Not only will there be a visual impact, there will be a huge environmental impact, affecting traffic, air quality, and established wildlife habitat as well as the wildlife corridor from Mt. Diablo to the Suisun Bay.

Our understanding of LAFCO

In researching LAFCO and its mission, we understand that first and foremost, LAFCO is expected to represent the best interests of the public at large and countywide. We also understand that LAFCO's objectives include preservation of agricultural land resources and the discouragement of urban sprawl. In addition to limiting the unnecessary loss of agricultural resources and open space lands, LAFCO is responsible for approving the extension of municipal services into appropriate areas. We do not believe that the Los Medanos hills and ridgeline represent an appropriate area for the extension of municipal services.

Recent decisions regarding Pittsburg hills and ridgeline

Because of our deep involvement in the development of the CNWS, we have become acutely aware of recent decisions regarding the Pittsburg hills. We note that the City of Pittsburg decided not to move forward on a Hillside

Ordinance, while at the same time the expansion of the Spheres of Influence for Delta Diablo Sanitation District and Contra Costa Water District are being discussed for this same area of the Los Medanos hills and ridgeline.

Sphere of Influence/CEQA

We understand that these Sphere of Influence expansions are part of water and wastewater Municipal Service Reviews conducted by LAFCO.

The Urban Limit Line, which is apparently the primary boundary being used to match to the expanded Spheres of Influence, was approved by voters with very limited information and no proper review under the California Environmental Quality Act. We want to know if any CEQA studies have been conducted specifically on the Los Medanos hills and ridgeline.

The Sphere of Influence expansions proposed for the sanitation and water districts do not, we believe, serve the spirit of the law that governs LAFCOs. While LAFCO states that the Sphere of Influence expansions do not indicate the inevitability of extension of services for a development, given that these services are for water and wastewater, all signs point to a future development and consequent invasion of agricultural land and open spaces. To do this without a full Environmental Impact Report, allowing adequate input from residents, citizens, and other agencies throughout the County, is wrong.

Further, the LAFCO approval of the expansion of the SOI is subject to CEQA (Pistoresi v. City of Madera (1982) 138 Cal. App.3d 284). The expansion of water and wastewater constitutes at the beginning of the development process as a "project" under CEQA (Bozung v. Local Agency Formation Com. (1975) 13 Cal.3d 263,282). Therefore, the negative declaration is inadequate because the expansion of SOI for the City of Pittsburg, CCSD and CCWD constitutes as a "project" under CEQA and the environmental impacts must be analyzed through an EIR. According to case law established by Bozung v. Local Agency Formation Com. The inclusion of 3,161.41 acres of land into the SOI is the first step toward the conversion of the land into developed uses. In that case, a full EIR is required.

We are asking LAFCO to follow the procedures of the law. Any decisions regarding the expansion of any Spheres of Influence pertaining to this area should take into consideration the Countywide impact—on the environment, traffic congestion, open space/habitat preservation, quality of life for all who live in Contra Costa County, and any other permanent negative effects of over-

development. We feel that a full Environmental Impact Report should be conducted to comply with CEQA.

Our request

A Negative Declaration is inadequate. We ask for a full Environmental Impact Report according to CEQA guidelines.

As a collective group of local residents representing Concord, Pittsburg and other surrounding cities, we ask that you represent *us* in making decisions regarding the Sphere of Influence of the Los Medanos hills and ridgeline We ask that you make your decisions in the best interest of the residents (that is, the voters and taxpayers) of the region. Our generation has a moral obligation to preserve land and resources for future generations. We ask that LAFCO and its Commissioners, as representatives for all of us, consider carefully and thoughtfully what will work best to preserve the open space and natural resources of the Los Medanos hills and ridgeline for our children, grandchildren, and generations to come.

On behalf of members of the CNWS Neighborhood Alliance, thank you.

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