

Subject: Save the Ridge Now!

Date: Friday, February 10, 2023 at 3:22:12 PM Pacific Standard Time

From: Mary Christopherson

To: Pittsburg City Council

****External Sender: Use caution before opening links or attachments****

Pittsburg City Council,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing. This is not democracy!

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

I voted against all incumbents in the last election, and I will continue to do so until there is a set of honest, generous people on this elected body!

Mary Christopherson

[REDACTED]

[REDACTED]

Pittsburg, 94565

Subject: Save the Ridge Now!

Date: Friday, February 10, 2023 at 2:36:14 PM Pacific Standard Time

From: Elaine Whiteley

To: Pittsburg City Council

****External Sender: Use caution before opening links or attachments****

Pittsburg City Council,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

Elaine Whiteley



Pittsburg, California 94565

Subject: Save the Ridge Now!

Date: Friday, February 10, 2023 at 1:24:04 PM Pacific Standard Time

From: Barbara Carlen

To: Alice Evenson

****External Sender: Use caution before opening links or attachments****

City Clerk Alice Evenson,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

Barbara Carlen

[REDACTED]

[REDACTED]

Pittsburg, California 94565

Subject: Save the Ridge Now!

Date: Friday, February 10, 2023 at 9:00:14 AM Pacific Standard Time

From: Patrick Lalor

To: Alice Evenson

****External Sender: Use caution before opening links or attachments****

City Clerk Alice Evenson,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

Patrick Lalor

[REDACTED]

[REDACTED]

Pittsburg, California 94565

Subject: Save the Ridge Now!

Date: Friday, February 10, 2023 at 4:21:23 AM Pacific Standard Time

From: Cynthia Zamora

To: Alice Evenson

****External Sender: Use caution before opening links or attachments****

City Clerk Alice Evenson,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

Cynthia Zamora

[REDACTED]

[REDACTED]

Bay point, California 94565

Subject: Save the Ridge Now!

Date: Thursday, February 9, 2023 at 10:13:33 PM Pacific Standard Time

From: Aaron Smith

To: Alice Evenson

****External Sender: Use caution before opening links or attachments****

City Clerk Alice Evenson,

How is this being submitted again without a proper land assessment and detailed layout of the housing vs open space placement? Seeno already has a questionable reputation, suspiciously received a unanimous approval on a borderline illegal project plan in terms of quality and detail. The room addition to my home went through more reviews than this project. An intelligent decision would be to reject.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

Aaron Smith

[REDACTED]

[REDACTED]

Bay Point, California 94565

Subject: Save the Ridge Now!

Date: Thursday, February 9, 2023 at 9:27:57 PM Pacific Standard Time

From: Carrie Locatelli

To: Alice Evenson

****External Sender: Use caution before opening links or attachments****

City Clerk Alice Evenson,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

Carrie Locatelli

[REDACTED]

[REDACTED]

Pittsburg , California 94565

Subject: Save the Ridge Now!

Date: Thursday, February 9, 2023 at 8:50:45 PM Pacific Standard Time

From: Annette Benton

To: Alice Evenson

****External Sender: Use caution before opening links or attachments****

City Clerk Alice Evenson,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

Annette Benton

[REDACTED]

[REDACTED]

Pittsburg , California 94565

Subject: Save the Ridge Now!

Date: Thursday, February 9, 2023 at 8:05:22 PM Pacific Standard Time

From: kristin tanyag

To: Alice Evenson

****External Sender: Use caution before opening links or attachments****

City Clerk Alice Evenson,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

kristin tanyag



Pittsburg, California 94565

Subject: Save the Ridge Now!

Date: Thursday, February 9, 2023 at 5:51:35 PM Pacific Standard Time

From: Patricia Colmenares

To: Alice Evenson

****External Sender: Use caution before opening links or attachments****

City Clerk Alice Evenson,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

Patricia Colmenares

[REDACTED]

[REDACTED]

Pittsburg, California 94565

Subject: Save the Ridge Now!

Date: Thursday, February 9, 2023 at 5:16:32 PM Pacific Standard Time

From: Henry Martinez

To: Alice Evenson

****External Sender: Use caution before opening links or attachments****

City Clerk Alice Evenson,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

Henry Martinez

[REDACTED]

[REDACTED]

Pittsburg, California 94565

Subject: Save the Ridge Now!

Date: Thursday, February 9, 2023 at 5:09:24 PM Pacific Standard Time

From: Shane Nilsson

To: Alice Evenson

****External Sender: Use caution before opening links or attachments****

City Clerk Alice Evenson,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

Shane Nilsson



PITTSBURG, California 94565

Subject: Save the Ridge Now!

Date: Thursday, February 9, 2023 at 5:04:29 PM Pacific Standard Time

From: GERARD GARCIA

To: Alice Evenson

****External Sender: Use caution before opening links or attachments****

City Clerk Alice Evenson,

Please protect Pittsburg's hills, the ridge between Pittsburg and Concord, and the neighboring Thurgood Marshall Regional Park. Open space, habitat for wildlife, and the community's scenic views are incredibly important, and Pittsburg's residents deserve access to nature.

Seeno/Discovery Builders and the City of Pittsburg are trying to jam a bad project through without people knowing.

Even though changes to Faria's environmental review were legally required, the City of Pittsburg and Seeno are trying to rush through a new document that doesn't give the public time to review it and doesn't require a response to comments.

That's not right—the public deserves an answer, especially because the Faria project and its environmental review were so deficient that the project needed to be overturned.

There's still no site plan, just a blob showing where the project would be without any detail. The project's footprint remains unchanged—it's still threatening Thurgood Marshall Regional Park next door and destroying Pittsburg's ridge.

Hundreds of previous comments from Pittsburg residents and agencies such as LAFCO opposing the project have been ignored.

Faria in its current form breaks Pittsburg's own General Plan. Requirements that development in the hills be sensitive to natural terrain are gutted.

Carbon pollution that contributes to disastrous global warming would be a significant and unavoidable impact of this project. Development should be moved off the ridge and closer to existing services to reduce carbon pollution.

Nearly 13,000 daily car trips would be generated by this project. Why does Pittsburg want housing so far away from the city center so that anything and everything requires a car to do?

The Pittsburg City Council needs to do what other communities in the Bay Area have already done: treat their hills as a public good to be protected rather than something to be flattened and paved over.

Please change the project so that the ridge is saved.

Pittsburg residents deserve to have their hills protected, like so many other Bay Area communities already do. And they deserve the same access to Thurgood Marshall Regional Park that Concord residents have.

GERARD GARCIA

[REDACTED]

[REDACTED]

Pittsburg, California 94565

February 8, 2023

VIA E-MAIL jfunderburg@pittsburgca.gov

John Funderburg
Assistant Director of Planning
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Re: Revised and Updated Final EIR for the Faria/Southwest Hills Annexation Project

Dear Mr. Funderburg:

On behalf of our client, Discovery Builders, Inc. (DBI), this letter is submitted in response to recent comments from Save Mount Diablo's legal counsel (SMD), alleging that the Revised and Updated Final Environmental Impact Report (RUF EIR) for the above-referenced project must be circulated for public review and comment. In this case, however, the RUF EIR made only minor revisions to the original Draft EIR and Partially Recirculated Draft EIR (Draft EIR). Here, the provisions of the California Environmental Quality Act (CEQA) are clear: the RUF EIR's minor revisions to the Draft EIR do not warrant recirculation.

Under CEQA, only the draft EIR must be circulated for public review and comment. (See Pub. Res. Code § 21091-21092; 14 Cal. Code Reg. §§ 15087, 15105, 15205.) A lead agency *may*, but is not legally required to, provide an opportunity for public review of a final EIR. (14 Cal Code Reg. § 15089(b).) In some cases, after a draft EIR is published for public review and comment, but before the final EIR is certified, recirculation can be required if "significant new information is added to the EIR." (14 Cal. Code Reg. § 15088.5.) On the other hand, recirculation is not required if "the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an [otherwise] adequate EIR." (14 Cal. Code Reg. § 15088.5(e).) Ultimately, an agency's determination not to recirculate an EIR is given substantial deference and is presumed to be correct if it is supported by substantial evidence. (*Beverly Hills Unified Sch. Dist. v. Los Angeles Cnty. Metro. Transportation Auth.* (2015) 241 Cal.App.4th 627, 661, citing *W. Placer Citizens for an Agric. & Rural Env't v. Cnty. of Placer* (2006) 144 Cal.App.4th 890, 903.) As such, courts must resolve any reasonable doubts in favor of upholding the agency decision. (*Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal. 4th 1112, 1135; 14 Cal. Code Reg., § 15088.5(e).)

In this case, the revisions in the RUF EIR merely clarify the EIR's existing findings regarding project impacts; they do not result in any new significant impacts, or in a substantial increase in the severity of the significant impacts addressed in the Draft EIR.

SMD incorrectly asserts that section 15088.5 does not apply, and that public review of the RUF EIR is “mandatory,” citing *Mountain Lion Coalition v. Fish & Game Comm.* (1989) 214 Cal.App.3d 1043, 1052. SMD’s letter failed to note, however, that the superior court in *Mountain Lion Coalition* expressly ordered that the EIR be recirculated, in the final writ that was issued to the lead agency. (*Id.*, at 1047-48.)¹ Notably, the EIR in *Mountain Lion Coalition* originally included no cumulative impact analysis. In response to the writ, the lead agency merely provided a four-page, conclusory summary that there would be no cumulative impacts associated with its proposed decision to allow the hunting of mountain lions. (*Mountain Lion Coalition*, supra, at p. 1046.) The appellate court found the lead agency’s response to be “woefully inadequate” and directed the agency to comply with the clear order on the writ, to provide substantial evidence and empirical evidence to support the cumulative impact analysis. (*Id.*, at 1047-48.)

Ultimately, section 15088.5 of the CEQA Guidelines incorporated the holding from *Mountain Lion Coalition* into the definition of “significant new information”:

“Significant new information” requiring recirculation include[s], for example, a disclosure showing that... (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish & Game Com.* (1989) 214 Cal.App.3d 1043).

(14 Cal. Code Reg. § 15088.5(a)(4).) SMD’s claim that section 15088.5 does not apply therefore has no merit, and is contradicted by SMD’s own citation to *Mountain Lion Coalition*, supra.

Further, in this case, the final writ (which was ordered by the court and ultimately prepared by SMD) did not expressly require recirculation of the EIR or preparation of a supplemental EIR. Moreover, the court did not find the EIR in this case to be fundamentally inadequate. In fact, the opposite is true: *the court rejected the vast majority of SMD’s claims and found the EIR to be adequate on nearly every claim raised by SMD.* A writ was issued to rescind the project approvals based on a few, limited issues: (1) a provision in the development agreement that required the construction of 150 ADUs within the project area was not included in the EIR project description; (2) in turn, ADUs were not properly accounted for in the EIR’s analysis of water supplies for the proposed project; (3) the Draft EIR did not include an up-to-date baseline description of biological resources [although this portion of the order has since been superseded by recent case law]; and (4) the greenhouse gas mitigation measures were not sufficiently enforceable.

In response to the court’s order, the only substantive change made to the project is that the contractual requirement to build 150 ADUs in the project area was removed from the development agreement. As such, ADUs need not be described in the EIR project description, or in its water supply analysis. In addition, minor revisions were made to the analysis in the EIR, to provide further support for the analysis of project-related impacts and mitigation measures for greenhouse gases and biological resources. As noted in detail in the RUF EIR, none of the

¹ Likewise, in *Galante Vineyards v. Monterey Peninsula Water Mgmt. Dist.* (1997) 60 Cal. App. 4th 1109, cited by SMD, the court expressly ordered the lead agency “to prepare a focused supplemental EIR on viticultural issues prior to further consideration of permit approval” for the proposed New Los Padres Dam and Reservoir project. No such order to prepare a supplemental EIR was included in the final writ in SMD’s challenge to the Faria project.

revisions to the EIR resulted in new significant impacts that were not previously analyzed, or the substantial severity of previously analyzed impacts, or feasible mitigation measures that the City is opting not to adopt. As such, none of the findings have been met that would require recirculation of the EIR. (See 14 Cal. Code Reg. § 15088.5(a)(1)-(4).)

As the RUF EIR noted, revisions were made to the Draft EIR to address the Superior Court's comments related to Accessory Dwelling Units (ADUs), the level of detail included in the Draft EIR's mitigation to address potential air quality and greenhouse gas (GHG) emission impacts, the Draft EIR's baseline description of biological resources, and the adequacy of the Draft EIR's water usage analysis. The technical reports attached to the RUF EIR provide the substantial evidence necessary to support a finding by the City that recirculation of the RUF EIR and Draft EIR are not required.

Ultimately, SMD's argument that section 15088.5 does not apply has no merit. SMD's purported reliance on *Mountain Lion Coalition* and *Galante Vineyards* is misplaced, and section 15088.5 is clearly the applicable CEQA guideline section for evaluating whether recirculation is required. In addition, SMD's reference to *Woodward Park Homeowners' Assn., Inc. v. City of Fresno* (2007) is irrelevant, as SMD lifted the quoted language from the introductory paragraph, which has no legal bearing on the court's actual ruling in that case.

In summary, our office has reviewed the RUF EIR and all attached exhibits and, in the context of the above authorities, recirculation of the RUF EIR or Draft EIR is not warranted in this case.

Sincerely,

Hanson Bridgett LLP

Robin R. Baral
Senior Counsel

RRB

cc: Donna Mooney, City Attorney
Ginetta Giovinco, Special Counsel
Client

SHUTE MIHALY
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

WINTER KING
Attorney
King@smwlaw.com

February 1, 2023

Via Electronic Mail

John Funderburg
Assistant Director of Planning
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565
Tel: (925) 252-4043
Fax: (925) 252-4920
E-Mail: jfunderburg@pittsburgca.gov

Re: Revised and Updated Final EIR for the Faria/Southwest Hills Project

Dear Mr. Funderburg:

My firm represents Save Mount Diablo in litigation challenging the Faria/Southwest Hills Annexation Project. I learned yesterday that the City has prepared a “Revised and Updated Final Environmental Impact Report” (“RUF EIR”) for the Project. However, I was not provided notice of this document from the City. Moreover, the City does not appear to be circulating this document for public review and comment according to the procedures required by the California Environmental Quality Act (“CEQA”).

The failure to provide adequate notice and opportunity for public engagement on this document, in light of the Superior Court’s ruling that the original EIR was invalid, violates CEQA. *See, e.g., Woodward Park Homeowners Assn., Inc. v. City of Fresno* (2007) 150 Cal.App.4th 683, 690 (where an agency’s actions violate CEQA, “it must do the environmental review process over if it wants to approve the project”).

While the RUF EIR asserts that no recirculation is required under CEQA Guidelines Section 15088.5(a) (RUF EIR, 1-7), this provision does not apply. Instead, where the initial EIR is found legally inadequate, public review of the revised environmental analysis is mandatory. *See Mountain Lion Coalition v. Fish & Game Com.* (1989) 214 Cal.App.3d 1043, 1052 (deficient analysis could not be “bolstered by a

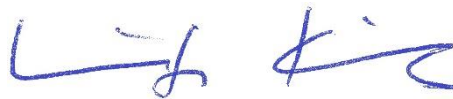
John Funderburg
February 1, 2023
Page 2

document that was never circulated for public comment”); *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1124–1125 (where “original EIR is inadequate,” the “procedures for addressing postcertification changed circumstances or new information are inappropriate” and the agency must “void its certification of the EIR and [] prepare a supplemental EIR”).

In short, we are requesting that you circulate the revised environmental analysis for a **45-day comment period**, just as you did the draft EIR, and postpone the Planning Commission meeting, which is currently scheduled for February 14, 2023, until after that comment period has closed. In addition, please provide me with the current project documents, including the current Master Plan and Development Agreement, as those are necessary for evaluating the new environmental analysis. Finally, since it appears I am not on your notification list for this Project, please add me to that list.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in blue ink, appearing to read 'Winter King', is written over the typed name.

Winter King

WK:WK

cc: Donna Mooney

1612978.1