

**Naples - Critique of CEQA “Confirming Analysis” (used to avoid recirculating the EIR):
September 25, 2008**

The newly-conceived (announced June 30, after EIR comment period was closed) Alternative 1B includes numerous **substantive changes** from the previously proposed Alternative 1A project which was analyzed in the FEIR, including:

- 24 additional acres of development in a highly constrained rural agricultural area
- Increased lot density in the inland area, which has steeper slopes and more geologic constraints and where agricultural suitability concerns are highest
- 14 residences relocated to the inland ridgelines
- Removal of 576 additional acres from Williamson Act contract
- Removal of 105 additional acres of prime agricultural land from Williamson Act contract
- Physical removal of six additional acres of orchards/prime farm land from residential lots
- Removal of beach access, and reliance on subsequent development projects to provide beach access
- Removal of the coastal loop trail, the only coastal trail proposed for the Project
- Additional removal of Coast-live Oak Riparian Woodland, Coast Live Oak Woodland vegetation, Coastal Scrub, and grassland habitats
- The complete redesign of project residences
- Two story residences permitted on the Coastal Bluff
- Increased hardscaping in ridgeline area, causing increased hydrologic and erosion concerns
- More vehicles using upper roads including emergency vehicles
- New Caltrans reconfiguration of freeway off ramp

Many of these changes, including substantial increases in development on the agriculturally sensitive and geologically unstable ridgelines, are not even analyzed in the Confirming Analysis, which is brief, insubstantial and conclusory.

Lacking this analysis, the FEIR is fundamentally inadequate as an informational document and cannot be certified by the Board in compliance with CEQA.

CEQA requires recirculation of an EIR when significant new information is added to the EIR after public notice of the draft EIR’s availability, but before certification. CEQA Guidelines § 15088.5 (a). Many of the changes introduced by Alt. 1B require recirculation.