August 2025 | **Public Draft**

The Mosaic Project Final EIR

for Alameda County




COUNTY OF ALAMEDA
CALIFORNIA

August 2025 | **Public Draft**

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for Alameda County

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1. Executive Summary

This Final Environmental Impact Report (EIR) has been prepared to provide an assessment of the potential environmental consequences of approving and implementing The Outdoor Project Camp from the Mosaic Project (proposed project). This executive summary includes the conclusions of the environmental analysis contained in the Revised Draft EIR and presents a summary of impacts and mitigation measures identified. The remainder of this Final EIR contains corrections and clarifications to the text and analysis of the Revised Draft EIR, where warranted, along with a response to comments matrix and a list of commenters. For a complete description of the proposed project, see Chapter 3, *Project Description*, of the Revised Draft EIR. For a complete discussion of alternatives to the proposed project, see Chapter 5, *Alternatives to the Proposed Project*, of the Revised Draft EIR.

The Revised Draft EIR addressed the environmental effects associated with approval and implementation of the proposed project. The California Environmental Quality Act (CEQA) requires that local government agencies, prior to taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An EIR is a public document designed to provide the public, local, and State governmental agency decision-makers with an analysis of potential environmental consequences to support informed decision-making.

The Revised Draft EIR was prepared pursuant to the requirements of CEQA[1] and the State CEQA Guidelines[2] to determine if approval of the proposed project could have a significant effect on the environment. The County of Alameda, as the Lead Agency, reviewed and revised as necessary all submitted drafts, technical studies, and reports to reflect its own independent judgment, including reliance on applicable County technical personnel and review technical reports. Information for the Revised Draft EIR was obtained from on-site field observations; discussions with public service agencies; analysis of adopted plans and policies; review of available studies, reports, data, and similar literature in the public domain; and specialized environmental assessments (e.g., air quality, biological resources, cultural resources, geology, greenhouse gas emissions, noise, transportation, and utilities).

1.1 ENVIRONMENTAL PROCEDURES

The Revised Draft EIR, in conjunction with this Final EIR, has been prepared to assess the environmental effects associated with approval and development of the proposed project. The main purposes of the documents as established by CEQA are:

- To disclose to decision-makers and the public the significant environmental effects of proposed activities.

[1] The CEQA Statute is found at California Public Resources Code, Division 13, Sections 21000 to 21177.

[2] The CEQA Guidelines are found at California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 to 15387.

- To identify ways to avoid or reduce environmental damage.
- To prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
- To disclose to the public reasons for agency decision of projects with significant environmental effects.
- To foster interagency coordination in the review of projects.
- To enhance public participation in the planning process.

An EIR is the most comprehensive form of environmental documentation identified in the statute and in the CEQA Guidelines. It provides the information needed to assess the environmental consequences of a proposed project, to the extent feasible. An EIR is intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts. An EIR is also one of various decision-making tools used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Prior to approving a proposed project, the lead agency must consider the information contained in the EIR, determine whether the EIR was properly prepared in accordance with CEQA and the CEQA Guidelines, determine that it reflects the independent judgment of the lead agency, adopt findings concerning the project's significant environmental impacts and alternatives, and adopt a Statement of Overriding Considerations if the proposed project would result in significant impacts that cannot be avoided.

1.2 REPORT ORGANIZATION

This Final EIR is organized into the following chapters:

- Chapter 1: Executive Summary. Summarizes environmental consequences that would result from implementation of the project, describes recommended mitigation measures, and indicates the level of significance of environmental impacts before and after mitigation. Underlined text in Table 1-1, *Summary of Impacts and Mitigation Measures*, represents language that has been added to the impacts and mitigation measures in the EIR; text in ~~strikethrough~~ has been deleted from the EIR.
- Chapter 2: Introduction. Provides an overview describing the use and organization of this Final EIR.
- Chapter 3: Revisions to the Revised Draft EIR. Contains corrections to the text and graphics of the Revised Draft EIR. Underlined text represents language that has been added to the EIR; text in ~~strikethrough~~ has been deleted from the EIR.
- Chapter 4: List of Commenters. Lists the names of agencies and individuals who commented on the Revised Draft EIR.
- Chapter 5: Comments and Responses. Presents comments received from agencies and the public on the Revised Draft EIR alongside responses to each comment. Also contains "master responses" that provide comprehensive responses to key issues raised by several comments.

- Appendix: The appendix for this Final EIR contains the following:
  - Appendix D: Revised Biological Resources Information. This appendix has been revised to include the updated California Natural Diversity Database Summary Table.
  - Appendix E: Revised Geotechnical Engineering Investigation Report. This appendix has been revised to add the memo confirming validity of the Geotechnical Engineering Report.
  - Appendix G: Revised Water and Wastewater System Reports. This appendix has been renamed from "Hydrology Reports" to "Revised Water and Wastewater System Reports." It has also been revised to include the most recent version of the NorthStar *Basis of Design Report for the Mosaic Project*, add the acceptance letter from State Water Resources Control Board Division of Drinking Water, the Preliminary Technical Report for a New Public Water System, and the onsite wastewater treatment system feasibility study approval from the Alameda County Environmental Health Department.
  - Appendix K: Revised Williamson Act Compatible Use Plan. This appendix has been revised to include the updated Compatible Use Plan, which removed the provision of pigmy goats.
  - Appendix L: Comment Letters. This appendix contains all comments received during the public review period for the Revised Draft EIR in their original format along with annotations that identify each individual comment number.
  - Appendix M: Safety Guidelines for Mosaic Camp Life. This appendix contains project-applicant-provided safety guidelines for the proposed project.
  - Appendix N: Civil Engineering Drawings and Creek Setback Calculations. This appendix contains the creek setback calculations prepared in July 2024.
  - Appendix O: Agricultural Plans. This appendix contains additional information on the agricultural component of the proposed project.
  - Appendix P: Castro Valley Unified School District Letter. This appendix contains the agreement letter from Castro Valley Unified School District for the provision of buses to transport students.
  - Appendix Q: Landscaping and Vegetation Plans. This appendix contains the proposed landscaping and vegetation plans.

The Revised Draft EIR is available online and incorporated here by reference. It constitutes part of the Final EIR.

1.2.1 TYPE AND PURPOSE OF THE EIR

According to Section 15121(a) of the CEQA Guidelines, the purpose of an EIR is to:

> Inform public agency decision makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

The EIR was prepared as a project EIR, pursuant to Section 15161 of the CEQA Guidelines. As a project EIR, the environmental analysis discussed the changes in the environment that would result from the development of proposed project. The Revised Draft EIR examined the specific short-term impacts (project construction) and long-term impacts (project operation) that would occur as a result of project approval by the Alameda County Planning Department, along with cumulative impacts. The conclusions made in the Revised Draft EIR are listed in Table 1-1 of this Final EIR, below.

1.2.2 DRAFT EIR

Pursuant to CEQA Guidelines Section 15088.5, a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review under CEQA Guidelines Section 15087 but before certification. The Notice of Availability was published on October 5, 2022, initiating the 45-day public review period for the Draft EIR, which closed on November 21, 2022. A public hearing was held on November 9, 2022, to receive public comments on the Draft EIR. Based on comments received on the Draft EIR, Alameda County recirculated the Revised Draft EIR prepared for the proposed Outdoor Project Camp. The following summarizes the revisions made to the October 2022 Draft EIR:

- Chapter 1, *Executive Summary*. This chapter was revised to include the provisions of the CEQA Guidelines related to recirculating a Draft EIR prior to certification, and a summary of the revisions made to the Draft EIR.
- Chapter 2, *Introduction*. This chapter was revised to include the provisions of the CEQA Guidelines related to recirculating a Draft EIR prior to certification, and a summary of the revisions made to the Draft EIR.
- Chapter 3, *Project Description*. This chapter was revised to reference the properties along the western boundary of the project site as agricultural instead of residential, and include an additional required permit for the project.
- Chapter 4.1, *Agriculture and Forestry Resources*. This chapter was revised to provide additional details regarding Williamson Act compliance and include reference to Appendix J, *Williamson Act Compatibility Plan*, of the Revised Draft EIR.
- Chapter 4.4, *Cultural Resources*. This chapter was revised to include reference Appendix K, *Cultural and Tribal Resources*, of the Revised Draft EIR.
- Chapter 4.8, *Hydrology and Water Quality*. This chapter was revised to replace Figure 4.8-4, *Proposed Septic Layout*, of the Draft EIR with an updated figure that would not relocate the culvert and update references to the renamed Appendix G, *Hydrology Reports*, of the Revised Draft EIR.
- Chapter 4.13, *Tribal Cultural Resources.* This chapter was revised to include reference Appendix K, *Cultural and Tribal Resources*, of the Revised Draft EIR.
- Chapter 4.14, *Utilities and Service Systems*. This chapter was revised to update references to the renamed Appendix G, *Hydrology Reports*, of the Revised Draft EIR.

- Chapter 5, *Alternatives to the Proposed Project*. This chapter was revised to rename the "Reduced Development Alternative" to the "Reduced Capacity Alternative" and include analysis of the newly added "Reduced Building Footprint Alternative."
- Appendix A, *Notice of Preparation*. This appendix was revised to include comments received during the scoping process.
- Appendix E, *Geotechnical Engineering Investigation Report*. This appendix was revised to include Appendix C, *Exploratory Trench Logs,* of the Geotechnical Engineering Investigation Report.
- Appendix G, *Hydrology Reports*. This appendix was renamed from "Wastewater Basis of Design" to "Hydrology Reports" and was revised to include the reports referenced in Chapter 4.8, *Hydrology and Water Quality*, and Chapter 4.14, *Utilities and Service Systems,* of the Draft EIR.
- Appendix J, *Cultural and Tribal Cultural Resources.* This appendix was added to include the Cultural Resources Study and Tribal Outreach Letters.
- Appendix K, *Williamson Act Compatibility Plan*. This appendix was added to include the Williamson Act Compatibility Plan.

The Revised Draft EIR was recirculated pursuant to CEQA Guidelines Section 15088.5(f)(1). The entire document was recirculated, and the County of Alameda, as the lead agency, requested that reviewers submit new comments. Responses to comments on the October 2022 Draft EIR will not be provided in this Final EIR, though they are part of the administrative record. New comments on the recirculated Revised Draft EIR were required to be submitted for response in this Final EIR. Those who previously submitted comments on the October 2022 Draft EIR were encouraged to resubmit their comments.

1.3 SUMMARY OF THE PROPOSED PROJECT

The Mosaic Project, the project applicant, proposes The Outdoor Project Camp to develop an outdoor recreation facility in unincorporated Alameda County that would consist of demolishing an existing 7,500-square-foot garage, improving trails and miscellaneous dirt or gravel roads, and constructing the following components: twelve 400-square-foot camping cabins; a two-story, 40-foot-high, 8,500-square-foot central meeting and dining hall; a 1,025-square-foot restroom/shower building; and a two-story, 2,600-square-foot dwelling. A 1,200-square-foot caretaker's unit would remain from existing conditions. The project also includes water storage and treatment tanks along with sewer infrastructure that includes an on-site wastewater system with a leach field dispersal system. Refer to Figure 3-4, *Proposed Project Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR for the proposed project's site plan.

1.4 SUMMARY OF PROJECT ALTERNATIVES

The Revised Draft EIR analyzes alternatives to the proposed project that are designed to reduce the significant environmental impacts of the proposed project and feasibly attain some of the proposed project objectives. There is no set methodology for comparing the alternatives or determining the environmentally superior alternative under CEQA. Identification of the environmentally superior

alternative involves weighing and balancing all of the environmental resource areas by the County. The following alternatives to the proposed project were considered and analyzed in detail:

- No Project Alternative
- Reduced Capacity Alternative
- Reduced Building Footprint Alternative

Chapter 5, *Alternatives to the Proposed Project*, of the Revised Draft EIR, includes a complete discussion of these alternatives and of alternatives that were considered but not carried forward for detailed analysis.

1.5 ISSUES TO BE RESOLVED

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR identify issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. With regard to the proposed project, the major issues to be resolved include decisions by the County of Alameda as lead agency related to:

- Whether the Revised Draft EIR adequately describes the environmental impacts of the proposed project;
- Whether the benefits of the proposed project override environmental impacts that cannot be feasibly avoided or mitigated to a level of insignificance, if any;
- Whether identified mitigation measures should be adopted or modified; and
- Whether there are any alternatives to the proposed project that would substantially lessen any of the significant impacts of the proposed project and achieve most of the basic objectives.

1.6 AREAS OF CONCERN

The County issued a Notice of Preparation on November 19, 2021, and held a scoping meeting on November 30, 2021, to receive comments. During the 30-day scoping period for this EIR, which concluded on December 19, 2021, responsible agencies and interested members of the public were invited to submit comments as to the scope and content of the EIR. Additionally, as detailed in Section 1.2.2, *Draft EIR*, responsible agencies and interested members of the public were also invited to submit comments pertaining to the environmental analysis presented in the October 2022 Draft EIR, which were then addressed in the Revised Draft EIR. While every environmental concern applicable to the CEQA process is addressed in the Revised Draft EIR, this list is not necessarily exhaustive; rather, it attempts to capture the concerns that are likely to generate the greatest interest based on the input received during the scoping process. The comments received include those focused on the following issues:

- Potential impacts to the safety of on-site and surrounding residents in case of a wildfire.
- Impacts on law enforcement from increased population and students on-site.
- Impacts on water availability for groundwater wells.

- Conflicts with zoning and land use designation.
- Concerns of waste discharge from septic facilities.
- Impacts of farm animals on natural habitat.
- Potential for project, including fire pits, to increase risk of wildfire.
- Evacuation concerns for on-site and off-site residents with increased population within a confined canyon.

1.7 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Under CEQA, a significant impact on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.

As determined in the Revised Draft EIR, the proposed project has the potential to generate significant environmental impacts in a number of areas. Pursuant to Section 15126.2(b) of the CEQA Guidelines, an EIR must describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. As shown in Table 1-1, all significant impacts would be reduced to a less-than-significant level if the mitigation measures identified in the Revised Draft EIR are adopted and implemented. As described in detail in Chapter 6, *CEQA-Mandated Sections*, of the Revised Draft EIR, the proposed project would have no significant impact on aesthetics, agriculture and forestry resources, energy, mineral resources, or population and housing due to existing conditions in the project area. Accordingly, these topics were not analyzed further in the Revised Draft EIR.

Table 1-1 summarizes the conclusions of the environmental analysis contained in the Revised Draft EIR and presents a summary of impacts and mitigation measures identified. It is organized to correspond with the environmental issues discussed in Chapters 4.1 through 4.15. Table 1-1 is arranged in four columns: 1) environmental impact; 2) significance without mitigation; 3) mitigation measures; and 4) significance with mitigation. For a complete description of potential impacts, please refer to the specific discussions in Chapters 4.1 through 4.15.

<u>Underlined</u> text in Table 1-1 represents language that has been added to the impacts and mitigation measures in the EIR; text in ~~strikethrough~~ has been deleted from the EIR.

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
AGRICULTURE AND FORESTRY RESOURCES			
AG-1: The proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract.	LTS	N/A	N/A
AG-2: The proposed project would not conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).	No Impact	N/A	N/A
AG-3: The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use.	No Impact	N/A	N/A
AG-4: The proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.	LTS	N/A	N/A
AG-5: The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to agriculture and forestry resources.	LTS	N/A	N/A
AIR QUALITY			
AQ-1: The proposed project would not conflict with or obstruct implementation of the applicable air quality plan.	LTS	N/A	N/A
AQ-2: The proposed project could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or State ambient air quality standards.	S	**AQ-2:** The project construction contractor shall comply with the following the Bay Area Air Quality Management District's best management practices for reducing construction emissions of uncontrolled fugitive dust (coarse inhalable particulate matter [PM_{10}] and fine inhalable particulate matter [$PM_{2.5}$]): ▪ Water all active construction areas at least twice daily or as often as needed to control dust emissions. Watering shall be sufficient to	LTS

N/A = Not Applicable; NI = No Impact; LTS = Less than Significant; S = Significant; SU = Significant and Unavdoiable

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
		prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water shall be used whenever possible. ▪ Pave, apply water twice daily or as often as necessary to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. ▪ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). ▪ Sweep daily (with water sweepers using reclaimed water if possible) or as often as needed all paved access roads, parking areas, and staging areas at the construction site to control dust. ▪ Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material. ▪ Hydro-seed or apply non-toxic soil stabilizers to inactive construction areas. ▪ Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (e.g., dirt, sand). ▪ Limit vehicle traffic speeds on unpaved roads to 15 miles per hour. ▪ Replant vegetation in disturbed areas as quickly as possible. ▪ Install sandbags or other erosion control measures to prevent silt runoff from public roadways. These measures shall be noted on grading plans. The construction contractor shall implement these measures during ground disturbing activities. The project applicant shall verify compliance that these measures have been implemented during normal construction site inspections.	
AQ-3: The proposed project would not expose sensitive receptors to substantial pollutant concentrations.	LTS	N/A	N/A

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
AQ-4: The proposed project could result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	S	**AQ-4:** The project applicant shall prepare and implement an Odor Management Plan (Plan) to ensure compliance with BAAQMD Regulation 1, Rule 1-301, Public Nuisance. The Plan shall control odors generated by manure collection and storage from the farm animals to ensure odors would not constitute a public nuisance. The Plan shall be prepared to the satisfaction of the Alameda County Community Development Director or their designee prior to occupancy permits. At minimum, the Plan shall include the following: ▪ A sufficient buffer zone shall be implemented between the sensitive receptors and sources of odors ▪ Soiled bedding shall be removed and replaced with new bedding (e.g., straw, wood shavings, wood pellets, etc.) on a daily basis. ▪ Manure spills shall be cleaned upon occurrence. ▪ The moisture content of stockpiled manure shall be minimized to reduce the potential for release of odorous compounds during storage (e.g., use of a tarp to cover stockpiled manure). ▪ Dust suppression measures shall be implemented to prevent the release of odorous compound-carrying fugitive dust.	LTS
AQ-5: Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, could cumulatively contribute to air quality impacts in the Air Basin.	S	**AQ-5:** Implement Mitigation Measures AQ-2 and AQ-4.	LTS
BIOLOGICAL RESOURCES			
BIO-1: The proposed project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.	S	**BIO-1.1:** Adequate measures shall be taken to avoid inadvertent take of bird nests of native species protected under the federal Migratory Bird Treaty Act and State Fish and Game Code when in active use. This shall be accomplished by taking the following steps: ▪ If tree removal and initial construction is proposed during the nesting season (February 1 to August 31), a focused survey for nesting raptors and other migratory birds shall be conducted by a qualified biologist within 7 days prior to the onset of tree and vegetation removal in order to identify any active nests on the site and surrounding area within 100 feet of proposed construction. The proposed development area of the	LTS

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
		project site shall be resurveyed to confirm that no new nests have been established if vegetation removal and demolition has not been completed or if construction has been delayed or curtailed for more than 7 days during the nesting season. ▪ If no active nests are identified during the construction survey period, or development is initiated during the non-breeding season (September 1 to January 31), tree and vegetation removal, building demolition, and project construction may proceed with no restrictions. ▪ If bird nests are found, an adequate setback shall be established around the nest location and vegetation removal, grading, and other construction activities restricted within this no-disturbance zone until the qualified biologist has confirmed that any young birds have fledged and are able to function outside the nest location. Required setback distances for the no-disturbance zone shall be based on input received from the CDFW, and may vary depending on nest location, species, and sensitivity to disturbance. As necessary, the no-disturbance zone shall be fenced with temporary orange construction fencing if construction is to be initiated on the remainder of the proposed development area on the project site. ▪ A report of findings shall be prepared by the qualified biologist and submitted for review and approval by the County prior to initiation of vegetation removal, building demolition, grading and other construction during the nesting season (February 1 to August 31). The report shall either confirm absence of any active nests or should confirm that any young are located within a designated no-disturbance zone and construction can proceed. Following approval by the County, tree removal, building demolition, and construction within the nest buffer zone may proceed. No report of findings is required if vegetation removal and other construction is initiated during the non-nesting season (September 1 to January 31) and continues uninterrupted according to the above criteria. **BIO-1.2:** Adequate measures shall be taken to avoid inadvertent take of special-status bat species if present in trees within the proposed	

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation

		development area on the project site. This shall be accomplished by taking the following steps:
		▪ A qualified biologist shall visually inspect trees to be removed and buildings to be demolished for bat roosts within 7 days prior to their removal. The biologist shall look for signs of bats including sightings of live or dead bats, bat calls or squeaking, the smell of bats, bat droppings, grease stains or urine stains around openings in trees, or flies around such openings. Trees with multiple hollows, crevices, forked branches, woodpecker holes, or loose and flaking bark have the highest chance of occupation and shall be inspected the most carefully.
		▪ If signs of bats are detected, confirmation on presence or absence shall be determined by the qualified biologist, which may include night emergency or acoustic surveys.
		▪ Due to restrictions of the California Health Department, direct contact by workers with any bat is not allowed. The qualified bat biologist shall be contacted immediately if a bat roost is discovered during project construction.
		▪ If an active maternity roost is encountered during the maternity season (April 15 to August 31), the CDFW shall be contacted for direction on how to proceed and an appropriate exclusion zone established around the occupied tree or structure until young bats are old enough to leave the roost without jeopardy. The size of the buffer would take into account:
		  ▪ Proximity and noise level of project activities;
		  ▪ Distance and amount of vegetation or screening between the roost and construction activities; and
		  ▪ Species-specific needs, if known, such as sensitivity to disturbance.
		
		BIO-1.3: Adequate measures shall be taken to avoid inadvertent take of San Francisco dusky-footed woodrats on the project site. This shall be accomplished by taking the following steps:
		▪ A qualified biologist shall be retained to conduct a preconstruction survey for San Francisco dusky-footed woodrats, to determine whether	

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
		any stick nests are present in the vicinity of proposed vegetation removal and development. The survey shall be performed within 30 days prior to initiation of vegetation removal and grading. ▪ If any nests are encountered within the limits of proposed grading and development, a trapping and relocation effort shall be conducted outside the breeding season (March 1 through August 31) to ensure any young are not inadvertently lost due to the destruction of the protective nest. ▪ Any nests within the construction zone shall be relocated to locations retained as undeveloped open space and individual woodrats released into their relocated nests. The trapping and relocation effort shall preferably be conducted within 7 days prior to grubbing and vegetation removal to prevent individual woodrats from moving back into the construction zone. **BIO-1.4:** Adequate measures shall be taken to avoid inadvertent take of Alameda whipsnake, California red-legged frog, and western pond turtle during construction. This shall be accomplished by taking the following steps: ▪ A qualified biologist shall be retained by the applicant to oversee construction and ensure that no inadvertent take of Alameda whipsnake, California red-legged frog, or western pond turtle occurs as a result of grading and other habitat modifications to the proposed development area on the project site. ▪ Prior to any grading or grubbing, the qualified biologist shall conduct a preconstruction survey to confirm absence of any Alameda whipsnake, California red-legged frog, or western pond turtle in the vicinity of construction and areas to be graded. ▪ The qualified biologist shall train the on-site monitor (such as the construction foreman) in how to identify Alameda whipsnake, California red-legged frog, and western pond turtle, and procedures to follow as part of construction monitoring. The qualified biologist shall visit the site at least once a week during initial construction and confer	

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
		with the trained on-site monitor for at least one month until the construction area is stabilized and to confirm that the exclusionary fencing installed to prevent access into areas of disturbance has been properly maintained. ▪ All construction workers shall be trained regarding the potential presence of Alameda whipsnake, California red-legged frog, and western pond turtle prior to initiating any construction, and instructed that these species are to be avoided, that the foreman must be notified if any individuals are encountered, and that construction shall be halted until the qualified biologist arrives and makes a determination on possible presence. ▪ The qualified biologist shall oversee initial vegetation clearing and installation of wildlife exclusionary fencing to prevent Alameda whipsnake, California red-legged frog or western pond turtle from entering the construction area. The wildlife exclusionary fencing material and design shall meet with latest standards called for by the USFWS and CDFW, and shall include one-way funnels to allow for snakes and other small wildlife to exit the fenced construction zone. The exclusionary fencing shall be maintained and remain in place for the duration of construction until the qualified biologist has determined that it is no longer needed. ▪ Vegetation clearing shall be performed by hand and all slash shall be removed from the construction zone to remove any protective cover that could attract snakes and other wildlife. Operation of grading equipment shall not occur until vegetative cover has been completely removed from the fenced construction zone and the qualified biologist has performed a pre-grading survey to confirm absence of any Alameda whipsnake, California red-legged frog, or western pond turtle in the vicinity of construction and areas to be graded. ▪ During the construction phase of the project, the qualified biologist or trained on-site monitor shall check to ensure that the exclusionary fencing is intact. The fenced construction area shall be inspected by the qualified biologist or trained on-site monitor each morning and evening of construction activities for possible presence of Alameda whipsnake,	

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
		California red-legged frog, or western pond turtle. This includes checking holes, under vehicles and under boards left on the ground. ▪ During construction, any holes or trenches greater than 6-inches shall be covered with plywood or similar non-heat conductive materials and ramp larger trenches that cannot be readily covered at end of each work day to allow escape of any animals. ▪ Use of monofilament plastic for erosion control or other practices shall be prohibited on the site to prevent possible entrainment. ▪ All food waste shall be removed daily from the site to avoid attracting predators. ▪ If any western pond turtle is encountered within the proposed development area, construction shall be halted until the qualified biologist relocates the individual to secure habitat along Cull Creek. ▪ If any Alameda whipsnake or California red-legged frog are found within the proposed development area, construction shall be halted until they disperse naturally, and the monitor shall immediately notify the qualified biologist in charge and representatives of the USFWS and CDFW. Construction shall not proceed until adequate measures are taken to prevent dispersal of any individuals into the construction zone, as directed by the USFWS and CDFW. ▪ Subsequent recommendations made by the USFWS and CDFW necessary to avoid take of Alameda whipsnake and/or California red-legged frog shall be followed. Only an agency-approved biologist is allowed to handle or otherwise direct movement of Alameda whipsnake or California red-legged frog, and all others shall not handle or otherwise harass the animal(s). The qualified biologist and the on-site monitor shall be aware of all terms and conditions set by USFWS and CDFW on the project, if that becomes necessary.	
BIO-2: The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.	LTS	N/A	N/A

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
BIO-3: The proposed project would not have a substantial or adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	LTS	N/A	N/A
BIO-4: The proposed project could interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.	S	**BIO-4:** Measures shall be taken to prevent disruption of native wildlife movement opportunities and potential native wildlife nursery habitat. These shall include the following: ▪ Fencing which obstructs wildlife movement shall not cross the Cull Creek channel or form a barrier between the creek and the woodlands to the west of the proposed development area on the project site. ▪ Fencing to control and protect livestock shall be restricted outside the Cull Creek corridor away from the top of bank and shall allow for passage of wildlife around at least one side of the enclosed perimeter. ▪ New lighting shall be carefully designed and controlled to prevent unnecessary illumination of natural habitat on the site, particularly the Cull Creek corridor and undeveloped woodlands to the west of the proposed development area. Lighting shall be restricted to building envelopes and the minimum level necessary to illuminate pathways, parking areas, and other outdoor areas. Lighting shall generally be kept low to the ground, directed downward, and shielded to prevent illumination into adjacent natural areas. Lighting from the Cafeteria/Mess Hall building shall be turned off after staff/employees leave the structure at the end of the day or evening, except the minimum necessary for security purposes. ▪ Dogs and cats shall be confined to the proposed development area or leashed and under voice control at all times to minimize harassment and loss of wildlife along the Cull Creek corridor and undeveloped woodlands to the west. ▪ All garbage, recycling, and composting shall be kept in closed containers and latched or locked to prevent wildlife from using the waste as a food source.	LTS

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
BIO-5: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	LTS	N/A	N/A
BIO-6: The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.	No Impact	N/A	N/A
BIO-7: The proposed project, in combination with past, present, or reasonably foreseeable projects, would not have a cumulative significant impact in regard to biological resources.	LTS	N/A	N/A
CULTURAL RESOURCES			
CULT-1: The proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.	No Impact	N/A	N/A
CULT-2: The proposed project could cause a substantial adverse change in the significance of an archeological resource pursuant to CEQA Guidelines Section 15064.5.	S	**CULT-2:** If archaeological resources are encountered during excavation or construction, construction personnel shall be instructed to immediately suspend all activity in the immediate vicinity of the suspected resources and the County and a licensed archeologist shall be contacted to evaluate the situation. A licensed archeologist shall be retained to inspect the discovery and make any necessary recommendations to evaluate the find under current CEQA Guidelines prior to the submittal of a resource mitigation plan and monitoring program to the County for review and approval prior to the continuation of any on-site construction activity.	LTS
CULT-3: The proposed project would not disturb any human remains, including those interred outside of dedicated cemeteries.	S	**CULT-3:** In the event a human burial or skeletal element is identified during excavation or construction, work in that location shall stop immediately until the find can be properly treated. The County and the Alameda County Coroner's office shall be notified. If deemed prehistoric, the Coroner's office would notify the Native American Heritage Commission who would identify a "Most Likely Descendant (MLD)." The archeological consultant and MLD, in conjunction with the project sponsor, shall formulate an appropriate treatment plan for the find, which	LTS

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
		might include, but not be limited to, respectful scientific recording and removal, being left in place, removal and reburial on site, or elsewhere. Associated grave goods are to be treated in the same manner.	
CULT-4: The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to cultural resource.	LTS	N/A	N/A
GEOLOGY AND SOILS			
GEO-1: The proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; ii) Strong seismic ground shaking; iii) Seismic-related ground failure, including liquefaction; iv) Landslides, mudslides, or other similar hazards.	LTS	N/A	N/A
GEO-2: The project would not result in substantial soil erosion or the loss of topsoil.	LTS	N/A	N/A
GEO-3: The proposed project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.	LTS	N/A	N/A
GEO-4: The proposed project could be located on expansive soil, as defined by Table 18-1-B of the Uniform Building Code (1994), however would not create substantial direct or indirect risks to life or property.	LTS	N/A	N/A
GEO-5: The proposed project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.	LTS	N/A	N/A

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
GEO-6: The proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	S	**GEO-6:** In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery, as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The plan shall be submitted to the County for review and approval prior to implementation.	LTS
GEO-7: The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less-than-significant cumulative impacts with respect to geology and soils.	LTS	N/A	N/A
GREENHOUSE GAS EMISSIONS			
GHG-1: The proposed project would generate greenhouse gas emissions, either directly or indirectly, that result in a significant impact on the environment.	S	**GHG-1.1a:** The project applicant shall design and construct all new buildings to use all electric energy systems, meaning that electricity is the primary source of energy for water heating; mechanical; heating, ventilation, and air conditioning (HVAC) (i.e., space-heating); cooking; and clothes-drying. Prior to the issuance of building permits for new development projects within the project site, the project developer(s) shall provide documentation (e.g., site plans) to the County of Alameda Community Development Director or their designee, to verify implementation of the of the design requirements specified above in this mitigation measure. Prior to the issuance of the certificate of occupancy, the County shall verify implementation of the design requirements specified above.	LTS

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
		~~**GHG-1.1b:** The project applicant shall purchase 450 voluntary carbon credits. The project applicant shall provide proof of offset credit retirement on the relevant registry – including certificate numbers or a transaction ID that match the quantity purchased – along with a clearly identified purpose and the beneficiary of the retirement – prior to issuance of an occupancy permit for each development phase to the County.~~ ~~Local Prioritization. The project applicant shall prioritize local (within the Northern California region) and in-state credits over national credits. Credits shall be third-party verified by a major registry recognized by the California Air Resources Board (CARB) such as Climate Action Reserve (CAR). If sufficient local and in-state credits are not available, the project applicant shall purchase CARB-conforming national credits registered with an approved registry~~ ~~Purchase of Voluntary Carbon Offsets. The project applicant shall purchase CARB-verified GHG credits to achieve the measure performance standards for each development phase.~~ ~~The project applicant may purchase GHG credits from a voluntary GHG credit provider that has an established protocol that requires projects generating GHG credits to demonstrate that the reduction of GHG emissions are real, permanent, quantifiable, verifiable, enforceable, and additional (per the definition in California Health and Safety Code Sections 38562(d)(1) and (2)). Definitions for these terms are as follows:~~ ~~▪ Real: Estimated GHG reductions should not be an artifact of incomplete or inaccurate emissions accounting. Methods for quantifying emission reductions should be conservative to avoid overstating a project's effects. The effects of a project on GHG emissions must be comprehensively accounted for, including unintended effects (often referred to as "leakage").[1]~~ ~~▪ Additional: GHG reductions must be additional to any that would have occurred in the absence of the Climate Action Reserve, or of a market~~	

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
		~~for GHG reductions generally. "Business as usual" reductions (i.e., those that would occur in the absence of a GHG reduction market) should not be eligible for registration.~~ ~~▪ Permanent: To function as offsets to GHG emissions, GHG reductions must effectively be "permanent." This means, in general, that any net reversal in GHG reductions used to offset emissions must be fully accounted for and compensated through the achievement of additional reductions.~~ ~~▪ Quantifiable: The ability to accurately measure and calculate GHG reductions or GHG removal enhancements relative to a project baseline in a reliable and replicable manner for all GHG emission sources, GHG sinks, or GHG reservoirs included within the offset project boundary, while accounting for uncertainty and activity-shifting leakage and market-shifting leakage.~~ ~~▪ Verified: GHG reductions must result from activities that have been verified. Verification requires third-party review of monitoring data for a project to ensure the data are complete and accurate.~~ ~~▪ Enforceable: The emission reductions from offset must be backed by a legal instrument or contract that defines exclusive ownership and the legal instrument can be enforced within the legal system in the country in which the offset project occurs or through other compulsory means. Please note that per this mitigation measure, only credits originating within the United States are allowed.~~ ~~GHG credits may be in the form of GHG offsets for prior reductions of GHG emissions verified through protocols or forecasted mitigation units for future committed GHG emissions meeting protocols. All credits shall be documented per protocols functionally equivalent in terms of stringency to CARB's protocol for offsets in the cap-and-trade program.~~ ~~Prioritization of Emissions Reduction Commitments.~~ ~~The project applicant shall identify GHG credits in geographies closest to the project site first and only go to larger geographies (i.e., California, United States) if~~	

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
		~~adequate credits cannot be found in closer geographies, or the procurement of such credits would create an undue financial burden.~~ ~~The project applicant shall provide the following justification for not using credits in closer geographies in terms of either availability or cost prohibition.~~ ~~• Lack of enough credits available in closer geographies (i.e., Northern California).~~ ~~• Prohibitively costly credits in closer geographies defined as credits costing more than 300 percent the amount of the current costs of credits in the regulated CARB offset market.~~ ~~• Documentation submitted supporting GHG credit proposals shall be prepared by individuals qualified in GHG credit development and verification and such individuals shall certify the following.~~ ~~• Proposed credits meet the criteria in California Health and Safety Code Section 38562(d)(1) and (d)(2).~~ ~~• Proposed credits meet the definitions for the criteria provided in this measure.~~ ~~• The protocols used for the credits meet or exceed the standards for stringency used in CARB protocols for offsets under the California cap-and-trade system.~~ GHG-1.2: Site plans submitted to the County shall identify parking stalls with electric vehicle (EV) capable charging stations consistent with the 2019 California Green Building Standards Code (CALGreen) voluntary Tier 2 nonresidential measures to provide four electric vehicle (EV) charging stations for the 15 proposed parking spaces, as seen on Table A5.106.5.3.2 of the 2019 CALGreen. Prior to the issuance of building permits for new development projects within the project site, the project developer(s) shall provide documentation (e.g., site plans) to the County of Alameda Community Development Director or their designee, to verify implementation of the of the design requirements specified above in this mitigation measure. Prior to the issuance of the certificate of occupancy,	

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
		the County shall verify implementation of the design requirements specified above.	
GHG-2: The proposed project would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.	LTS	N/A	N/A
GHG-3: The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to greenhouse gas emissions.	S	**GHG-3:** Implement Mitigation Measures GHG-1.1~~a, GHG-1.1b,~~ and GHG-1.2.	LTS
HAZARDS AND HAZARDOUS MATERIALS			
HAZ-1: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plans.	LTS	N/A	N/A
HAZ-2: The proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.	LTS	N/A	N/A
HAZ-3: The proposed project would not, in combination with past, present, or reasonably foreseeable projects, result in a significant cumulative impact with respect to hazards and hazardous materials.	LTS	N/A	N/A
HYDROLOGY AND WATER QUALTY			
HYD-1: The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.	LTS	N/A	N/A
HYD-2: The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	LTS	N/A	N/A

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
HYD-3: The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) result in substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows.	LTS	N/A	N/A
HYD-4: The proposed site is not located in a 100-year floodplain, dam inundation, tsunami, or seiche zone and would not release pollutants due to inundation from a flood hazard.	No Impact	N/A	N/A
HYD-5: The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	LTS	N/A	N/A
HYD-6: Implementation of the proposed project would not result in impacts relating to hydrology and water quality that are cumulatively considerable when viewed in connection with the effects of past, current, and reasonably foreseeable projects.	LTS	N/A	N/A
LAND USE AND PLANNING			
LUP-1: The proposed project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	LTS	N/A	N/A
LUP-2: The proposed project would/would not, in combination with past, present, or reasonably foreseeable projects, result in a significant cumulative impact with respect to land use and planning.	LTS	N/A	N/A

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
NOISE			
NOI-1: Implementation of the proposed project would not result in the generation of temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards.	LTS	N/A	N/A
NOI-2: Implementation of the proposed project would not result in generation of excessive groundborne vibration or groundborne noise levels.	LTS	N/A	N/A
NOI-3: Implementation of the proposed project would not expose people residing or working within two miles of a private airstrip or airport to excessive noise levels.	No Impact	N/A	N/A
NOI-4: Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in a significant cumulative impact with respect to noise or vibration.	LTS	N/A	N/A
PUBLIC SERVICES			
PS-1: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services.	LTS	N/A	N/A

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
PS-2: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services.	LTS	N/A	N/A
PS-3: The proposed project would not combination with past, present, or reasonably foreseeable projects, result in a significant cumulative impact with respect to fire protection or police protection services.	LTS	N/A	N/A
TRANSPORTATION			
TRAN-1: The proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.	LTS	N/A	N/A
TRAN-2: The proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).	LTS	N/A	N/A
TRAN-3: The proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	LTS	N/A	N/A
TRAN-4: The proposed project would not result in inadequate emergency access.	LTS	N/A	N/A
TRAN-5: The proposed project would not, in combination with past, present, or reasonably foreseeable projects, result in a significant cumulative impact with respect to transportation.	LTS	N/A	N/A

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TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
TRIBAL CULTURAL RESOURCES			
TCR-1: The proposed project could cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is: (a) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or (b) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resource Code Section 5024.1 for the purposes of this paragraph, the lead agency will consider the significance to a California Native American tribe.	S	**TCR-1.1:** Implement Mitigation Measure CULT-2: CULT-2**:** If archaeological resources are encountered during excavation or construction, construction personnel shall be instructed to immediately suspend all activity in the immediate vicinity of the suspected resources and the County and a licensed archeologist shall be contacted to evaluate the situation. A licensed archeologist shall be retained to inspect the discovery and make any necessary recommendations to evaluate the find under current CEQA Guidelines prior to the submittal of a resource mitigation plan and monitoring program to the County for review and approval prior to the continuation of any on-site construction activity. **TCR-1.2:** Implement Mitigation Measure CULT-3: CULT-3: In the event a human burial or skeletal element is identified during excavation or construction, work in that location shall stop immediately until the find can be properly treated. The County and the Alameda County Coroner's office shall be notified. If deemed prehistoric, the Coroner's office would notify the Native American Heritage Commission who would identify a "Most Likely Descendant (MLD)." The archeological consultant and MLD, in conjunction with the project sponsor, shall formulate an appropriate treatment plan for the find, which might include, but not be limited to, respectful scientific recording and removal, being left in place, removal and reburial on site, or elsewhere. Associated grave goods are to be treated in the same manner.	LTS
TCR-2: The proposed project, in combination with past, present, or reasonably foreseeable projects, would not result in a significant cumulative impact with respect to tribal cultural resources.	LTS	N/A	N/A

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Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
UTILITIES AND SERVICE SYSTEMS			
UTIL-1: The proposed project would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.	LTS	N/A	N/A
UTIL-2: The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.	LTS	N/A	N/A
UTIL-3: The proposed project would not require or result in the construction of new wastewater facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.	LTS	N/A	N/A
UTIL-4: Implementation of the proposed project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.	LTS	N/A	N/A
UTIL-5: Implementation of the proposed project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.	LTS	N/A	N/A
UTIL-6: Implementation of the proposed project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.	LTS	N/A	N/A
UTIL-7: The proposed project, in combination with past, present, or reasonably foreseeable projects, would not result in a significant cumulative impact with respect to utilities and service systems.	LTS	N/A	N/A

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Environmental Impact	Significance without Mitigation	Mitigation Measure	Significance with Mitigation
WILDFIRE			
WF-1: The proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan.	LTS	N/A	N/A
WF-2: The proposed project could, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.	S	**WF-2:** Prior to issuance of building permits, the applicant shall submit revised landscape plans as well as a vegetation management plan to the Alameda County Fire Department for review and approval. The project site plan shall be revised, if necessary, to conform to the revised landscaping plan and vegetation management plan.	LTS
WF-3: The proposed project could require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.	S	**WF-3a:** Implement Mitigation Measure WF-2. **WF-3b:** The proposed Fire Safety & Emergency Response Guide shall include education information regarding the wildfire risks associated with vehicle fires. In addition, signage shall be posted at or near the entrance to the project driveway to inform occupants of entering vehicles of current fire danger levels and the dangers of roadway sparks.	LTS
WF-4: The proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	LTS	N/A	N/A
WF-5: The proposed project would not, in combination with past, present, or reasonably foreseeable projects, result in a significant cumulative impact with respect to wildfire.	LTS	N/A	N/A

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2. Introduction

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations, Title 14, Section 15378[a], The Outdoor Project Camp is considered a "project" subject to environmental review because its implementation is "an action [undertaken by a public agency] which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment." The assessment in this Final Environmental Impact Report (EIR) is intended to inform the County's decision-makers, other responsible agencies, and the public-at-large of the nature of the proposed project and its effect on the environment.

2.1 PROPOSED PROJECT

The Mosaic Project, the project applicant, proposes The Outdoor Project Camp to develop an outdoor recreation facility in unincorporated Alameda County that would consist of demolishing an existing 7,500-square-foot garage, improving trails and miscellaneous dirt or gravel roads, and constructing the following components: twelve 400-square-foot camping cabins; a two-story, 40-foot-high, 8,500-square-foot central meeting and dining hall; a 1,025-square-foot restroom/shower building; and a two-story, 2,600-square-foot dwelling. A 1,200-square-foot caretaker's unit would remain from existing conditions. The project also includes water storage and treatment tanks along with sewer infrastructure that includes an on-site wastewater system with a leach field dispersal system. Refer to Figure 3-4, *Proposed Project Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR for the proposed project's site plan.

2.2 EIR SCOPE

This Final EIR identifies and analyzes site-specific potential impacts of the project which were determined in the Revised Draft EIR. The analysis of the Revised Draft EIR discloses the specific short-term impacts (construction) and long-term impacts (operation) that would occur as a result of project approval and implementation.

2.3 ENVIRONMENTAL REVIEW PROCESS

2.3.1 DRAFT EIR

Pursuant to CEQA Section 21080(d)[1] and CEQA Guidelines Section 15063,[2] the County determined that the proposed project could result in potentially significant environmental impacts and that an EIR would be required. In compliance with CEQA Section 21080.4, the County circulated the Notice of Preparation (NOP) of an EIR for the proposed project to the Office of Planning and Research State Clearinghouse and interested agencies and persons on November 19, 2021, for a 30-day review period. A public Scoping Meeting was held via remote broadcast on November 30, 2021, at 10:30 a.m., with the meeting-specific link to the Zoom meeting included on the project web page on the County of Alameda's website. The NOP and scoping process solicited comments from responsible and trustee agencies as well as interested parties regarding the scope of the Draft EIR. Appendix A, *Notice of Preparation*, of the Revised Draft EIR contains the NOP, which includes an Initial Study for the project and the comments received by the County in response to the NOP.

The scope of this EIR was established by the County of Alameda through the EIR scoping process and includes an analysis of both the proposed project's impacts and cumulative impacts in the following areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Transportation
- Utilities and Service Systems
- CEQA- Mandated Assessment Conclusions:
  - Impacts Found Not to Be Significant
  - Significant Unavoidable Impacts
  - Growth-Inducing Impacts
  - Significant Irreversible Changes

Pursuant to CEQA Guidelines Section 15088.5, a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review under CEQA Guidelines Section 15087 but before certification. The Notice of Availability was published on October 5, 2022, initiating the 45-day public review period for the Draft EIR, which closed on November 21, 2022. A public hearing was held on November 9, 2022, to receive public comments on the Draft EIR. Based on comments received on the Draft EIR, Alameda County recirculated the Revised Draft EIR prepared for the proposed Outdoor Project Camp. The following summarizes the revisions made to the October 2022 Draft EIR:

- Chapter 1, *Executive Summary.* This chapter was revised to include the provisions of the CEQA Guidelines related to recirculating a Draft EIR prior to certification, and a summary of the revisions made to the Draft EIR.

[1] The CEQA Statute is found at California Public Resources Code, Division 13, Sections 21000 to 21177.
[2] The CEQA Guidelines are found at California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 to 15387.

- Chapter 2, *Introduction*. This chapter was revised to include the provisions of the CEQA Guidelines related to recirculating a Draft EIR prior to certification, and a summary of the revisions made to the Draft EIR.
- Chapter 3, *Project Description*. This chapter was revised to reference the properties along the western boundary of the project site as agricultural instead of residential, and include an additional required permit for the project.
- Chapter 4.1, *Agriculture and Forestry Resources*. This chapter was revised to provide additional details regarding Williamson Act compliance and include reference to Appendix J, *Williamson Act Compatibility Plan*, of the Revised Draft EIR.
- Chapter 4.4, *Cultural Resources*. This chapter was revised to include reference Appendix K, *Cultural and Tribal Resources*, of the Revised Draft EIR.
- Chapter 4.8, *Hydrology and Water Quality*. This chapter was revised to replace Figure 4.8-4, *Proposed Septic Layout*, of the Draft EIR with an updated figure that would not relocate the culvert and update references to the renamed Appendix G, *Hydrology Reports*, of the Revised Draft EIR.
- Chapter 4.13, *Tribal Cultural Resources.* This chapter was revised to include reference Appendix K, *Cultural and Tribal Resources*, of the Revised Draft EIR.
- Chapter 4.14, *Utilities and Service Systems*. This chapter was revised to update references to the renamed Appendix G, *Hydrology Reports*, of the Revised Draft EIR.
- Chapter 5, *Alternatives to the Proposed Project*. This chapter was revised to rename the "Reduced Development Alternative" to the "Reduced Capacity Alternative" and include analysis of the newly added "Reduced Building Footprint Alternative."
- Appendix A, *Notice of Preparation*. This appendix was revised to include comments received during the scoping process.
- Appendix E, *Geotechnical Engineering Investigation Report*. This appendix was revised to include Appendix C, *Exploratory Trench Logs,* of the Geotechnical Engineering Investigation Report.
- Appendix G, *Hydrology Reports*. This appendix was renamed from "Wastewater Basis of Design" to "Hydrology Reports" and was revised to include the reports referenced in Chapter 4.8, *Hydrology and Water Quality*, and Chapter 4.14, *Utilities and Service Systems,* of the Draft EIR.
- Appendix J, *Cultural and Tribal Cultural Resources.* This appendix was added to include the Cultural Resources Study and Tribal Outreach Letters.
- Appendix K, *Williamson Act Compatibility Plan*. This appendix was added to include the Williamson Act Compatibility Plan.

The Revised Draft EIR was available for review by the public and interested parties, agencies, and organizations for a 50-day comment period starting on December 1, 2023, and ending on January 19, 2024. During the comment period, the public was invited to submit written comments via mail or e-mail on the Revised Draft EIR to the County of Alameda Planning Department.

The Revised Draft EIR was recirculated pursuant to CEQA Guidelines Section 15088.5(f)(1). The entire document was recirculated, and the County of Alameda, as the lead agency, requested that reviewers submit new comments. Responses to comments on the October 2022 Draft EIR, although part of the administrative record, will not be provided in this Final EIR. New comments on the recirculated Revised Draft EIR were required to be submitted for response in this Final EIR. Those who previously submitted comments on the October 2022 Draft EIR were encouraged to resubmit their comments.

2.3.2 FINAL EIR

Upon completion of the 50-day review period for the Revised Draft EIR, the County reviewed all comments received and prepared written responses for each comment. These letters are included in Appendix L, *Comment Letters*, of this Final EIR. This Final EIR includes written responses for each comment received during the public review period. This Final EIR consists of the Revised Draft EIR, the comments received on the Revised Draft EIR, and the responses to those comments, and describes any changes to the Revised Draft EIR that have resulted from the comments received.

The Final EIR will be presented at a Castro Valley Municipal Advisory Council (MAC) hearing at which the Council will provide a recommendation to the West County Board of Zoning Adjustments (WCBZA) on certification of the EIR and approval of the proposed project. However, the Castro Valley MAC will not take final action on the EIR or the proposed project. Instead, the WCBZA will consider the Castro Valley MAC's recommendations on the Final EIR and the proposed project during a noticed public hearing and will take the final action with regard to certification of the Final EIR and approval of the proposed project.

If the WCBZA determines that the project can be approved, it will certify this Final EIR and adopt and incorporate into the project all feasible mitigation measures identified in the EIR and may also require other feasible mitigation measures as conditions of approval.

However, the WCBZA may also find that the project does not satisfy the required findings for approval and decide to reject the project on that basis. In that case, the WCBZA is not required to certify the EIR.

The decisions regarding the EIR and project approval would be appealable to the Alameda County Board of Supervisors, an elected body, which would then decide on both the EIR and project.

2.3.3 MITIGATION MONITORING

Public Resources Code Section 21081.6 requires that the lead agency adopt a monitoring or reporting program for any project for which it has made mitigation findings pursuant to Public Resources Code 21081. Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR. The Mitigation Monitoring and Reporting Program for the proposed project will be completed and available to the public prior to certification of this EIR.

3. Revisions to the Revised Draft EIR

This chapter presents changes to the Revised Draft Environmental Impact Report (EIR) that resulted from preparation of responses to comments, or from staff-directed changes, including corrections and clarifications. In each case, the page and location on the page in the Revised Draft EIR is presented, followed by the text or graphic revision. Underlined text represents language that has been added to the EIR; text in ~~strikethrough~~ has been deleted from the EIR. The revisions in this chapter do not require recirculation of the Revised Draft EIR because they do not constitute "significant new information" under Section 15088.5 of the CEQA Guidelines. All changes to the Revised Draft EIR's Table 1-1, *Summary of Impacts and Mitigation Measures*, are included in Chapter 1, *Executive Summary*, of this Final EIR.

CHAPTER 3 PROJECT DESCRIPTION

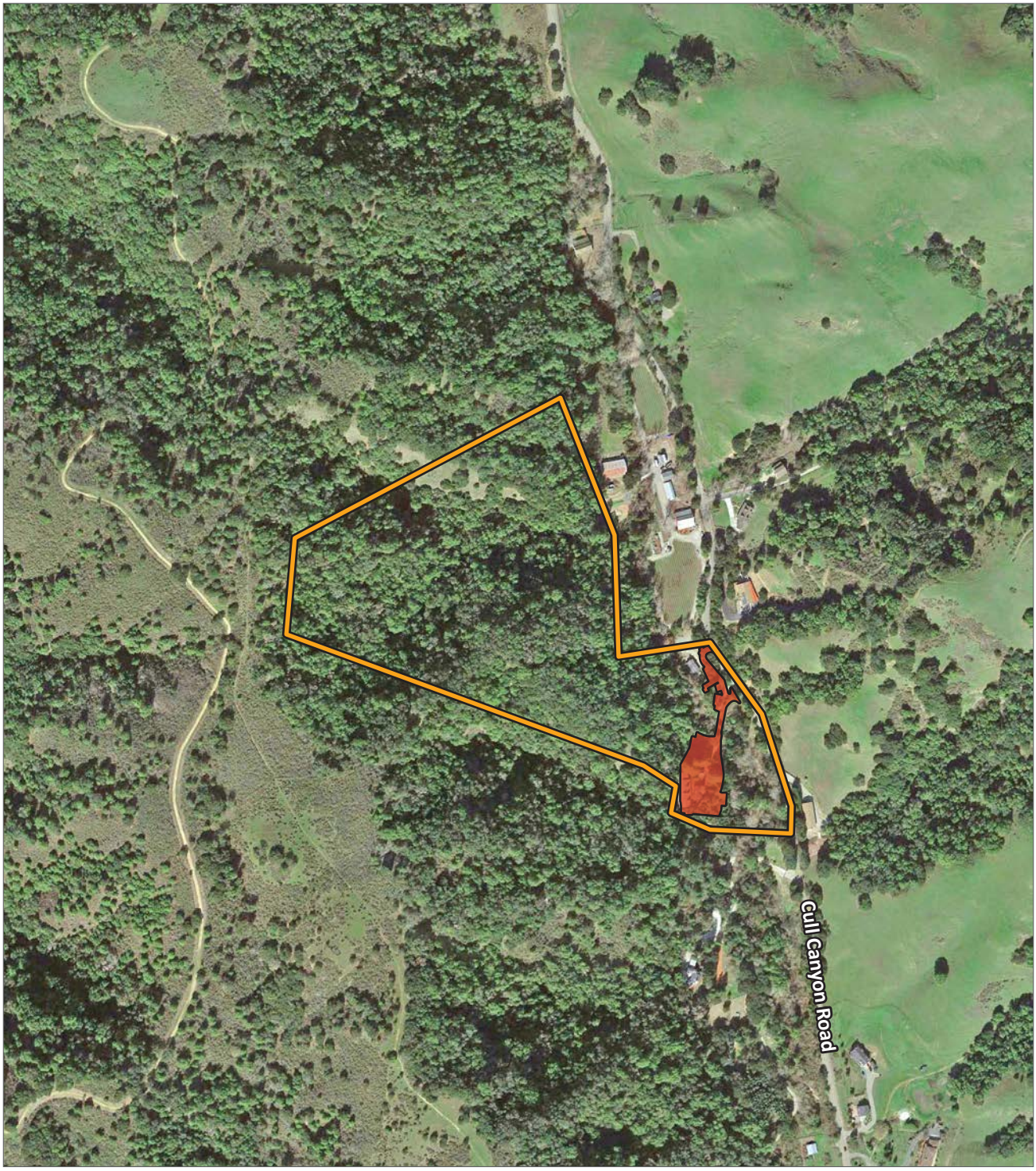
The first paragraph under Section 3.1, *Project Site Location and Characteristics*, on page 3-1 of the Revised Draft EIR is hereby amended as follows:

The proposed project is located on a 37-acre site at 17015 Cull Canyon Road near the unincorporated community of Castro Valley, in Alameda County, California, approximately three miles north of Interstate 580 (I- 580). The site is identified by the Alameda County Assessor's Office as Assessor's Parcel Number (APN) 085-1200-01-16. 1 The site is bounded by Cull Canyon Road to the east, Twining Vine Winery to the north, ~~Cull Canyon Regional Recreational Area~~ Eastbay Regional Parkland adjacent to the agricultural properties to the west, and residential property to the south. Figure 3- 1, Regional Location, shows the location of the project site.

The text under Section 3.1.2, *Surrounding Land Uses*, on page 3-2 of the Revised Draft EIR is hereby amended as follows:

Figure 3-2a, *Local Context*, shows the immediate vicinity of the project site. The project site is within a largely undeveloped area. Residential land uses are located east, south, and west of the project site; the Twining Vine Winery ~~and Event Center~~ is located to the north; and East Bay Regional Parkland is adjacent to the agricultural properties located along the western boundary. Within the Eastbay Regional Parkland, and bordering the project site to the west, is the Juan Bautista de Anza Historic Trail that stretches from the San Francisco Bay Area to Nogales, Arizona.

Figure 3-2, *Local Context*, on page 3-5 of the Revised Draft EIR is hereby revised and renumbered to Figure 3-2a and a new figure (Figure 3-2b, *Proposed 2-Acre Development Area*) is hereby added after page 3-5:



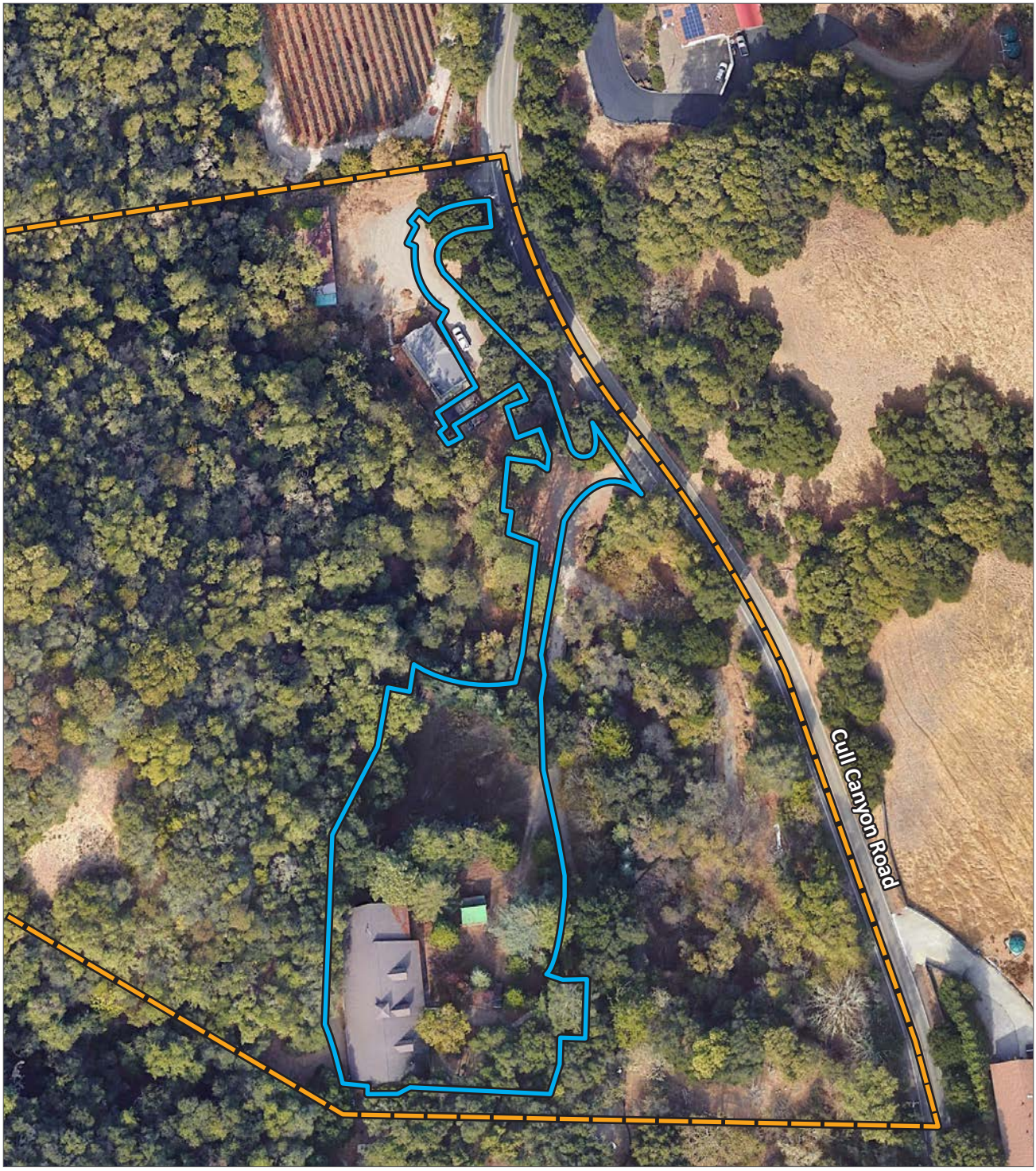
Source: Google Earth, 2021. PlaceWorks, 2021.

0 700
Scale (Feet)

Approximate Project Site Boundary

Approximate Proposed
2-Acre Development Area

Figure 3-2a
Local Context



Source: Google Earth, 2024. PlaceWorks, 2024.

0 100
Scale (Feet)

Approximate Project Site Boundary

Approximate Proposed
2-Acre Development Area

Figure 3-2b
Proposed 2-Acre Development Area

The bulleted list under Section 3.2, *Project Objectives*, on page 3-6 of the Revised Draft EIR is hereby amended as follows:

The project applicant has developed the following project objectives:

- Provide state-of-the-art experiential educational programs.
- Develop a project focused site within 30 miles of the majority of the partner elementary schools.
- Provide chickens ~~and goats~~ as a learning experience for the youth in the program ~~as well as natural maintenance of the property~~.
- Provide an organic garden for the site and program. Produce from the garden would be used in student meals and sold to the community. Students would learn about the history of cultivation in the area and the growing of produce.
- Provide improved pedestrian trail and site maintenance. Dirt roads and trails exist on the property and extend within the bay/oak woodland habitat that covers the slopes on the western side of the project site. These existing roads/trails would be repurposed to serve as a recreational pedestrian trail system~~, with undergrowth maintained by the goats housed on the property~~.
- Provide a caretaker's residence to watch over the facilities and animals when not in session.
- Meet the development standards of the Alameda County Castro Valley Jurisdiction, including fire access, storm water management, and site development restrictions.
- Provide parking to meet Alameda County's standards.
- Replace existing utilities to accommodate the proposed project including a small private water system and expanded private wastewater system.
- Provide a greywater irrigation system that can be used as a test project for Alameda County Environmental Health.

The text under Section 3.3.1.6, *Staff House*, on page 3-9 of the Revised Draft EIR is hereby amended as follows:

A 2,600-square-foot 6-bedroom staff house, or "family" dwelling (Figure 3-7, Staff House), would be constructed to the north of the cabins on the western portion of the project site to serve as the project staff's permanent home.

The text under Section 3.3.1.9, *Agricultural and Farming Activities*, on page 3-9 of the Revised Draft EIR is hereby amended as follows:

Farm animals consisting of up ~~to five pigmy goats and forty~~ twenty chickens, would be kept on-site with a proposed yard on the northern portion of the project site adjacent to Cull Canyon Road. The animals would be used for ~~natural property maintenance,~~ food~~,~~ and as an educational experience for the campers. ~~The animals would graze on the property with the main purpose of understory vegetation maintenance.~~ An additional goal of the agricultural and farming activities is for The Mosaic Project to earn income to

support its activities from selling ~~goat's milk~~ forest products, eggs, and vegetables~~, as well as from renting out the goats for grazing for fuel reduction and fire abatement~~.

The second bulleted list under Section 3.4, *Required Permits and Approvals*, on page 3-26 of the Revised Draft EIR is hereby amended as follows:

In addition to the above, other permits or approvals that may be required for the proposed project include:

- Permit Registration Documents and Stormwater Pollution Prevention Plan to the State Water Resources Control Board for compliance with the Construction General Permit for disturbance of land totaling one acre or more
- Stormwater Checklist for C.6/C.3 Compliance to the Alameda County Public Works Agency prior to the issuance of grading and building permits
- Consultation with the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife for construction of stormwater outfalls into Cull Creek, if re-routing of the existing culvert requires construction of stormwater outfalls
- Authorization under Sections 404 and 401 of the Clean Water Act from USACE and the San Francisco Bay RWQCB, if re-routing of the existing culvert requires construction of stormwater outfalls
- Resource Recovery Base Agreement for delivery of materials to East Bay Municipal Utility District, a Material Acceptance Permit, and proof of general liability insurance and auto and worker's compensation insurance

CHAPTER 4.1 AGRICULTURE AND FORESTRY RESOURCES

The second paragraph under impact discussion AG-1 on page 4.1-3 of the Revised Draft EIR is hereby amended as follows:

As described in Chapter 3, *Project Description*, of this Draft EIR, the proposed project would be an outdoor recreation facility with agricultural uses. Farm animals consisting of up to ~~five pigmy goats and forty~~ twenty chickens, would be kept on-site. The animals would be used for ~~natural property maintenance,~~ food, as an educational experience for the campers, and to earn income through selling of ~~goat's milk and~~ eggs~~ and renting out the goats for grazing for vegetation reduction and fire abatement~~. The proposed project would incorporate an organic garden site, with produce used in student meals and sold to the community.

CHAPTER 4.2 AIR QUALITY

The last bullet point under the "Regional Emissions Modeling" subheading in Section 4.2.3, *Impact Discussion*, on page 4.2-23 of the Revised Draft EIR is hereby amended as follows:

- Construction. While the start of construction depends upon reaching fundraising goals, the proposed project is anticipated to be constructed over an approximately 18-month period from ~~June 2023 through December 2024~~ June 2026 through December 2027. Construction would entail demolition and debris haul, site preparation, grading, building construction, paving, and architectural coating on approximately 2 acres of the 37-acre site. The construction activities are based on information provided by the applicant. Construction equipment mix is based on CalEEMod defaults, as are worker and vendor trips. Vendor trips have been adjusted to account for additional water truck trips.

The paragraph under the "Operation" subheading in impact discussion AQ-4, on page 4.2-31 of the Revised Draft EIR is hereby amended as follows:

The proposed project would involve the construction and operation of an outdoor recreation facility that would house up to ~~five goats and up to 40~~ twenty chickens. Farm animals housed at the project site have the potential to generate odors, primarily associated with manure. The manure produced onsite would remain onsite and would be composted rather than transported offsite. The primary sources of odors from manure are odorous raw materials, hydrogen sulfide, and ammonia released from materials containing nitrogen and anaerobic (without oxygen) decomposition. Under anaerobic conditions, methane gas, carbon dioxide, and sulfur compounds (e.g., hydrogen sulfide) are produced. The proposed yard for the ~~goats and~~ chickens is approximately 700 feet away from the nearest existing receptor and would be closer than the BAAQMD odor screening distance for a confined animal facility of one mile. As a result, odors from manure generated from the farm animals onsite have the potential to be *significant* in the absence of implementation of a manure management plan to ensure that odors from manure composting would not become a nuisance to nearby sensitive land uses.

The paragraph under impact discussion AG-5 on page 4.2-32 of the Revised Draft EIR is hereby amended as follows:

A project that exceeds BAAQMD's significance criteria in the context of emissions from all other development projected within the entire SFBAAB would cumulatively contribute to impacts. Project-related construction activities would not generate exhaust emissions that exceed BAAQMD's regional significance thresholds for criteria air pollutants but would generate fugitive dust during ground-disturbing activities and could expose sensitive receptors to substantial pollutant concentrations of TACs. Furthermore, construction of the proposed project would exceed the Air District's cancer risk threshold of 10 in a million. Because the project operation would house ~~five goats and 40~~ up to twenty chickens, proposed project would generate odors from manure management. Therefore, in combination with past, present, and reasonably foreseeable projects, the project would result in a *significant* cumulative impact with respect to air quality.

CHAPTER 4.3 BIOLOGICAL RESOURCES

The first paragraph under Section 4.3.1.2, *Existing Conditions*, on page 4.3-7 of the Revised Draft EIR is hereby amended as follows:

As shown on Figure 3-2a, *Local Context*, and Figure 3-2b, *Proposed 2-Acre Development Area*, in Chapter 3, Project Description, of this Draft EIR, the majority of the 37-acre property consists of oak-bay woodland and scrub on the steep slopes adjacent to the proposed development area, dominated by coast live oak (*Quercus agrifolia*) and California bay (*Umbellularia californica*). The understory in the woodland varies, with some locations supporting grassland and scrub species. Where the tree cover is dense, understory species are typically sparse, consisting of poison oak (*Toxicodendron diversilobum*), twinberry honeysuckle (*Lonicera involucrata*), snowberry (*Symphoricarpos albus* var. *laevigatus*), toyon (*Heteromeles arbutifolia*), California blackberry (*Rubus ursinus*), false Solomon's seal (*Maianthemum stellatum*), and bedstraw (*Galium* spp.).

The paragraph under the "Fish and Invertebrates" subheading in Section 4.3.1.2, *Existing Conditions*, on page 4.3-15 of the Revised Draft EIR is hereby amended as follows:

Suitable habitat for the fish and invertebrate species reported in the CNDDB from the Castro Valley vicinity is generally low to absent from the project site. Suitable aquatic habitat for special-status fish such as steelhead (*Oncorhynchus mykiss*) is absent from the reach of Cull Creek on the project site due to downstream barriers at Cull Canyon Reservoir. Crotch bumblebee, western bumblebee, and obscure bumblebee, which have been reported from the Castro Valley vicinity in the past and are found in a variety of habitats., ~~, technically do not have any legal protective status under the State or federal Endangered Species Acts, but records on their distribution in the western United States~~ They are now being more closely monitored by the CNDDB and other data bases because of a dramatic decline in numbers and distribution over the past two decades. Following a legal challenge to the California Fish and Game Commission determination in 2019 that listing for four species of bumble bees as endangered "may be warranted," candidacy status was reinstated in 2022 for Crotch bumble bee and western bumble bee under the CESA. As candidate species, these two species receive the same legal protection afforded to endangered or threatened species. Obscure bumble bee has no conservation status under CESA or FESA but is monitored by the CNDDB because of noted declines in abundance and distribution. Due to declines, the western bumblebee has experienced a considerable range contraction and is now considered to be confined to higher elevations in the Sierra Nevada range and portions of the Northern California coast and is no longer suspected to occur in the Castro Valley vicinity. Similarly, Crotch bumble bee has experienced a substantial decline in the northern part of its range and is now believed to occur primarily in coastal areas of California. Crotch bumblebee and obscure bumblebee are typically known from grassland and scrub habitat, making their possible presence within the proposed development area on the project site highly unlikely given the extent of past and on-going disturbance to the remaining areas of ruderal grassland cover and the dominance of woodland habitat. Obscure bumble bee is now commonly known as fogbelt bumble bee and generally occurs in open grassy coastal prairies and meadows along the Coast Range and is not found on the project site. The presence of any of these three bumblebee species on the project site, either foraging or nesting, is highly unlikely.

The second paragraph under impact discussion BIO-1 on page 4.3-18 of the Revised Draft EIR is hereby amended as follows:

As discussed above in Section 4.3.1.2, *Existing Conditions*, the habitat suitability analysis conducted as part of the field surveys by the EIR biologist determined that suitable habitat for most special-status animal species is absent from the proposed 2-acre development area on the project site. While mountain lion may occasionally forage and pass across the site and possibly through the proposed development area, no major disruption to individual movement opportunities is anticipated, and no significant impacts to this species are anticipated. However, the potential for disturbance of suitable habitat for the San Francisco dusky-footed woodrat, roosting habitat for several special-status bats, and active bird nests protected under federal and State regulations tree removal, building demolition and other disturbance could affect suitable habitat for San Francisco dusky-footed woodrat, roosting habitat for several special-status bats, and active bird nests protected under federal and State regulations, if present within the proposed development area during construction. In addition, there is a remote possibility that Alameda whipsnake could disperse across the proposed development area or that California red-legged frog or western point turtle could disperse along the Cull Creek corridor and could be inadvertently harassed or injured. The following section provides an assessment of the potential impacts on these special-status species, together with recommended measures where potentially significant impacts could occur.

CHAPTER 4.6 GREENHOUSE GAS EMISSIONS

The impact statement and mitigation measures under impact discussion GHG-1 on page 4.6-22 of the Revised Draft EIR is hereby amended as follows:

Impact GHG-1.1: The proposed project would use propane for the proposed structures ~~and fire pit~~ and therefore may generate GHG emissions that may have a significant impact on the environment.

> Mitigation Measure GHG-1.1~~a~~: The project applicant shall design and construct all new buildings to use all electric energy systems, meaning that electricity is the primary source of energy for water heating; mechanical; heating, ventilation, and air conditioning (HVAC) (i.e., space-heating); cooking; and clothes-drying. Prior to the issuance of building permits for new development projects within the project site, the project developer(s) shall provide documentation (e.g., site plans) to the County of Alameda Planning Director or their designee, to verify implementation of the of the design requirements specified above in this mitigation measure. Prior to the issuance of the certificate of occupancy, the County shall verify implementation of the design requirements specified above.[43]
>
> ~~Mitigation Measure GHG-1.1b: The project applicant shall purchase 450[2] voluntary carbon credits. The project applicant shall provide proof of offset credit retirement on the relevant registry – including certificate numbers or a transaction ID that match the quantity purchased – along with a clearly identified purpose and the beneficiary of the retirement -prior to issuance of an occupancy permit for each development phase to the County.~~

~~Local Prioritization~~. ~~The project applicant shall prioritize local (within the Northern California region) and in-state credits over national credits. Credits shall be third-party verified by a major registry recognized by the California Air Resources Board (CARB) such as Climate Action Reserve (CAR). If sufficient local and in-state credits are not available, the project applicant shall purchase CARB-conforming national credits registered with an approved registry~~

~~Purchase of Voluntary Carbon Offsets~~. ~~The project applicant shall purchase CARB verified GHG credits to achieve the measure performance standards for each development phase.~~

~~The project applicant may purchase GHG credits from a voluntary GHG credit provider that has an established protocol that requires projects generating GHG credits to demonstrate that the reduction of GHG emissions are real, permanent, quantifiable, verifiable, enforceable, and additional (per the definition in California Health and Safety Code Sections 38562(d)(1) and (2)). Definitions for these terms are as follows.~~

- ~~Real: Estimated GHG reductions should not be an artifact of incomplete or inaccurate emissions accounting. Methods for quantifying emission reductions should be conservative to avoid overstating a project's effects. The effects of a project on GHG emissions must be comprehensively accounted for, including unintended effects (often referred to as "leakage").[1]~~
- ~~Additional: GHG reductions must be additional to any that would have occurred in the absence of the Climate Action Reserve, or of a market for GHG reductions generally. "Business as usual" reductions (i.e., those that would occur in the absence of a GHG reduction market) should not be eligible for registration.~~
- ~~Permanent: To function as offsets to GHG emissions, GHG reductions must effectively be "permanent." This means, in general, that any net reversal in GHG reductions used to offset emissions must be fully accounted for and compensated through the achievement of additional reductions.~~
- ~~Quantifiable: The ability to accurately measure and calculate GHG reductions or GHG removal enhancements relative to a project baseline in a reliable and replicable manner for all GHG emission sources, GHG sinks, or GHG reservoirs included within the offset project boundary, while accounting for uncertainty and activity shifting leakage and market shifting leakage.~~
- ~~Verified: GHG reductions must result from activities that have been verified. Verification requires third-party review of monitoring data for a project to ensure the data are complete and accurate.~~
- ~~Enforceable: The emission reductions from offset must be backed by a legal instrument or contract that defines exclusive ownership and the legal instrument can be enforced within the legal system in the country in which the offset project occurs or through other compulsory means. Please note that per this mitigation measure, only credits originating within the United States are allowed.~~

~~GHG credits may be in the form of GHG offsets for prior reductions of GHG emissions verified through protocols or forecasted mitigation units for future committed GHG emissions meeting protocols. All credits shall be documented per protocols functionally equivalent in terms of stringency to CARB's protocol for offsets in the cap-and-trade program.~~

~~Prioritization of Emissions Reduction Commitments. The project applicant shall identify GHG credits in geographies closest to the project site first and only go to larger geographies (i.e., California, United States) if adequate credits cannot be found in closer geographies, or the procurement of such credits would create an undue financial burden.~~

~~The project applicant shall provide the following justification for not using credits in closer geographies in terms of either availability or cost prohibition.~~

- ~~Lack of enough credits available in closer geographies (i.e., Northern California).~~
- ~~Prohibitively costly credits in closer geographies defined as credits costing more than 300 percent the amount of the current costs of credits in the regulated CARB offset market.~~
- ~~Documentation submitted supporting GHG credit proposals shall be prepared by individuals qualified in GHG credit development and verification and such individuals shall certify the following.~~
- ~~Proposed credits meet the criteria in California Health and Safety Code Section 38562(d)(1) and (d)(2).~~
- ~~Proposed credits meet the definitions for the criteria provided in this measure.~~
- ~~The protocols used for the credits meet or exceed the standards for stringency used in CARB protocols for offsets under the California cap-and-trade system.~~

Impact GHG-1.2: The proposed project does not meet the CALGreen Tier 2 requirement for number of EV charging stations and therefore may generate GHG emissions that may have a significant impact on the environment.

Mitigation Measure GHG-1.2: Site plans submitted to the County shall identify parking stalls with electric vehicle (EV) capable charging stations consistent with the 2019 California Green Building Standards Code (CALGreen) voluntary Tier 2 nonresidential measures to provide four electric vehicle (EV) charging stations for the 15 proposed parking spaces, as seen on Table A5.106.5.3.2 of the 2019 CALGreen. Prior to the issuance of building permits for new development projects within the project site, the project developer(s) shall provide documentation (e.g., site plans) to the County of Alameda Community Development Director or their designee, to verify implementation of the of the design requirements specified above in this mitigation measure. Prior to the issuance of the certificate of occupancy, the County shall verify implementation of the design requirements specified above.

Significance with Mitigation: Less than Significant. With implementation of Mitigation Measure~~s~~ GHG-1.1~~a and GHG-1.2~~, the proposed buildings would use all electric energy systems~~ and voluntary carbon offsets would be purchased to offset propane use~~. Implementation of Mitigation Measure GHG-1.2 would provide the required four EV charging stations; and therefore, the proposed project would implement the BMPs identified in the Justification Report.

~~Footnote 43: The caretaker's unit would remain without alteration or expansion, including its ongoing use of propane.~~

The impact statement and mitigation measure under impact discussion GHG-3 on page 4.6-27 of the Revised Draft EIR is hereby amended as follows:

Impact GHG-3: The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to greenhouse gas emissions.

Mitigation Measure GHG-3: Implement Mitigation Measures GHG-1.1~~a, GHG-1.1b,~~ and GHG-1.2.

Significance with Mitigation: Less than significant. Implementation of Mitigation Measure GHG-1.1~~a and GHG-1.1b~~ would reduce GHG emissions by requiring that the proposed buildings would use all electric energy systems~~ and purchasing of voluntary carbon offsets~~. Mitigation Measure GHG-1.2 would reduce GHG emissions by providing four EV charging stations on the project site. Therefore, the project related GHG emissions and their contribution to global climate change would not be cumulatively considerable, and GHG emissions impacts less than significant with implementation of mitigation measures.

CHAPTER 4.8 HYDROLOGY AND WATER QUALITY

The second paragraph under impact discussion HYD-2 on page 4.8-23 of the Revised Draft EIR is hereby amended as follows:

The project would have an impact on groundwater supplies if these wells would result in a decrease in groundwater supply for the area surrounding the project site. The area surrounding the site is sparsely populated, with scattered agricultural properties to the south and east and the Twining Vine Winery~~ and Event Center~~ to the north. The project site and surrounding area are not in a designated groundwater basin and therefore are not subject to the requirements of a groundwater sustainability plan. The on-site groundwater wells will be pumped on an intermittent basis, typically less than 150 days/year, when the camp is in session. The average daily demand is 1.5 gpm and the maximum daily demand is 2.76 gpm, whereas the rated capacity of the wells is 7.7 gpm. Given the low pumping rates, the drawdown radius would not extend to or impact the neighboring properties. The project site is located in the Agriculture (A) zoning district of Alameda County and future dense residential development is not anticipated in this area. A detailed discussion of groundwater availability for the project, existing development in the area, and future foreseeable development is provided in Chapter 4.14, *Utilities and Service Systems*, of this Draft EIR.

CHAPTER 4.9 LAND USE AND PLANNING

The first paragraph under the "Surrounding Land Uses and Context" subheading in Section 4.9.1.2, *Existing Conditions*, on page 4.9-3 of the Revised Draft EIR is hereby amended as follows:

As shown in Figure 3-2a, *Local Context*, and Figure 3-2b, *Proposed 2-Acre Development Area*, in Chapter 3, *Project Description*, of this Draft EIR, the project site is within a largely undeveloped area. Residential land uses are located east, south, and west of the project site; the Twining Vine Winery ~~and Event Center~~ is located to the north; and East Bay Regional Parkland is adjacent to the agricultural properties located along the western boundary. Within the Eastbay Regional Parkland, and bordering the project site to the west, is the Juan Bautista de Anza Historic Trail that stretches from the San Francisco Bay Area to Nogales, Arizona.

The following paragraph is hereby added before the "Municipal Code" subheading under impact discussion LUP-1 on page 4.9-4 of the Revised Draft EIR:

Measure D

The project site has a land use designation of Resource Management (RM) and is therefore subject to the provisions of Measure D. Measure D allows a maximum building intensity of 0.01 FAR, but not less than 20,000 square feet, for non-residential buildings, which includes agricultural buildings. A maximum of 12,000 square feet is allowed for residential and residential accessory uses. As shown in Table 3-1, *Proposed Project Buildout,* in Chapter 3 of this Draft EIR, development of the proposed project would result in 3,842 square feet of residential buildings and 14,331 square feet of non-residential buildings, resulting in a non-residential FAR less than 0.01.[6] Measure D also requires all buildings to be located on a contiguous development envelope not to exceed 2 acres, except they may be located outside the envelope if necessary for security reasons or, if structures for agricultural uses, necessary for agricultural use. As shown in Figure 3-4, *Proposed Project Site Plan*, in Chapter 3 of the Revised Draft EIR, the contiguous 2-acre building envelope includes the existing bridge and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria building, bathroom buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home and the proposed garden yard and Council Ring. Because the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Council Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope. Therefore, the proposed project would be in compliance with Measure D requirements.

Footnote 6: The 37-acre parcel translates to 1,610,000 square feet. Therefore, 14,331 square feet of non-residential development on a 1,610,000-square-foot parcel would result in a FAR of 0.0089.

CHAPTER 4.10 NOISE

The second paragraph under the "Garden Yard" subheading in impact discussion NOI-1, on page 4.10-17 of the Revised Draft EIR is hereby amended as follows:

In addition to gardening activities, the project would also house up to ~~five pigmy goats and forty~~ twenty chickens~~ and would graze on the property with the main purpose of understory vegetation maintenance~~. The animals would be used for ~~natural property maintenance,~~ food~~,~~ and as an educational experience for the campers. Noise associated with ~~goats and~~ chickens would be minimal and would overall not change the existing rural ambient noise characteristics of the project site and neighboring properties. Impacts would be less than significant.

CHAPTER 4.11 PUBLIC SERVICES

The first paragraph under impact discussion PS-1 on page 4.11-6 of the Revised Draft EIR is hereby amended as follows:

The ACFD would provide primary fire protection services for the proposed project. The proposed project would add a maximum of ~~108~~ 114 people on-site at a given time, including students, counselors, and permanent residents (e.g., site caretaker). The amount of people on-site would fluctuate throughout the year depending on when programs are in session. As described in Chapter 3, *Project Description*, of this Draft EIR, most occupants would be on-site temporarily during one of the 23 5-day programs or 12 weekend programs per year. Counting 3 days for the weekend programs, this amounts to 151 days per year (about 41 percent of the time) that would have the maximum or close to the maximum number of people on-site. The rest of the time would be in-between programs in which only staff and the on-site caretakers may be on-site, dramatically reducing the on-site population. The overall increased population on-site in comparison with existing conditions could result in an increased demand on ACFD services. However, the proposed project does not introduce significant new populations into the region, as camp-goers would be students from the Bay Area, and some if not all of the employees would likely come from the region as well.

Impact discussion PS-2 on page 4.11-8 of the Revised Draft EIR is hereby amended as follows:

As described in impact discussion PS-1, the proposed project would add more people on-site than currently exist, which could increase the likelihood that police services would be needed on-site. However, the amount of people on-site would fluctuate throughout the year depending on when programs are in session; the most amount of people on-site would be up to ~~108~~ 114, occurring during one of the 23 5-day programs or 12 weekend programs per year. In-between programs, site occupants would be limited to staff and the on-site caretakers. Additionally, the proposed project would not introduce new populations into the area, as it would serve students in the area, and would therefore not introduce substantial new populations that the Alameda County Sheriff's Office would need to serve. The proposed project is also located in close proximity (5 miles) to the nearest Sheriff's office, and therefore would not require expanding the Sheriff's Office territory or require a new facility in order to serve the area.

Because the proposed project would not introduce new populations into the region as a whole, it would not require police services to expand facilities, the construction of which could cause significant environmental impacts. Therefore, impacts would be *less than significant*.

Significance Without Mitigation: Less than significant.

CHAPTER 4.12 TRANSPORTATION

The first sentence under the "Roadways and Intersections" subheading in Section 4.12.1.2, *Existing Conditions*, on page 4.12-5 of the Revised Draft EIR is hereby amended as follows:

Roadways near the project site are shown on Figure 3-1, *Regional Location*, and on Figure 3-2a, *Local Context*, in Chapter 3, *Project Description*, of this Draft EIR.

CHAPTER 4.14 UTILITIES AND SERVICE SYSTEMS

Table 4.14-2, *Water Demand Assumptions*, under impact discussion UTIL-1 on page 4.14-6 of the Revised Draft EIR is hereby amended as follows:

TABLE 4.14-2 WATER DEMAND ASSUMPTIONS

Water Use Category	Per Capita Water Demand	Demand Type	Peak Occupancy
Campers and Counselors	25 gpd per person[1]	Temporary stay	108 persons
Facility Type	**Daily Water Demand Per Bedroom[2]**	**Demand Type**	**No. of Bedrooms**
Caretaker House	150 gpd/bedroom[2]	No. of bedrooms	3
Permanent Dwelling Residence (up to 3 bedrooms)	150 gpd/bedroom	No. of bedrooms	3
Permanent Dwelling (up to 5 additional bedrooms)[3]	~~150~~ 75 gpd/bedroom	No. of bedrooms	5

Notes:
1. Based on previous estimate by NorthStar for similar camp operations and EPA's OWTS manual for camps.
2. Conservative estimate of 150 gpd/bedroom based on the ACDEH standards for dwellings.
3. Permanent dwelling proposed to have 6 bedrooms but providing a conservative estimate of 5 additional bedrooms for a total of 8 bedrooms.
Source: SRT Consultants, March 2022, *The Mosaic Project – Water System Conceptual Design Report* (see Appendix G, *Hydrology Reports*, of this Draft EIR).

The introductory sentence of the first bulleted list under impact discussion UTIL-1 on page 4.14-8 of the Revised Draft EIR is hereby amended as follows:

The proposed facilities for the public water system (PWS) would include the following:

The third paragraph under impact discussion UTIL-2 on page 4.14-10 of the Revised Draft EIR is hereby amended as follows:

One ~~38,000~~approximately 44,000-gallon tank would be provided for fire protection. The tank has been sized to support a fire flow demand of 1,000 gpm. This system would use raw well water. Once the tank is filled, the demand will be minimal with use occurring only with system testing, passive system losses, and possibly needed repairs.

Impact discussion UTIL-3 on page 4.14-13 of the Revised Draft EIR is hereby amended as follows:

The project proposes a new on-site wastewater treatment system (OWTS) and associated leach field dispersal system. The initial design for this system was developed by NorthStar and was submitted to the ACDEH for review. The basis of design follows the Alameda County *Onsite Wastewater Treatment Manual* dated June 2018. To obtain approval/clearance for the proposed project, the project applicant must submit a Service Request Application (SRA) and fees to the ACDEH Finance Department. Upon receipt of the SRA and fees, ACDEH staff will review the files and provide the applicant with a written *File Summary Review and Estimated Regulatory Path and Fees for Project Approval/Clearance* within 15 days of the submittal. Depending on the project complexity, ACDEH may schedule a consultation meeting with the project applicants and their consultants/contractors.

Wastewater flow predictions are based on the following design parameters:

- Central Meeting and Dining Hall. This 8,500 square foot multi-purpose building would be constructed south of the cabins on the southern portion of the project site. It would be used for indoor activities and will contain restrooms, a medic room, kitchen, pantry, dining area, meeting space, laundry, restrooms, shows, and offices.
- Restroom/Shower Building. A 1,025 square foot restroom/shower building would be constructed just north of the camping cabins.
- Family Dwelling. A 2,600 square foot staff dwelling would be constructed to serve as Mosaic staff's permanent home and would be located north of the cabins on the western portion of the project site.
- Camping Cabins. Twelve 400 square foot camping cabins would be placed in the southwestern portion of the project site. The cabins would have no plumbing fixtures.
- Caretaker's Unit. The existing 1,200 square foot structure would remain as the caretaker's dwelling on the northern portion of the project site and would be served by the existing septic system. Therefore, wastewater flow from this unit is not included in this analysis.

A conservative design flow of 25 gpd/person/day was determined for this project, based on water flow meters at a similar facility which registered an average water use of 19 gpd/person. The 2002 USEPA Onsite Wastewater Treatment Manual has a typical vale for "Pioneer Camps" of 25 gpd. However, compliance with the CalGreen Building Code for new construction, which was not considered in the USEPA flow rate, would result in at least a 20 percent reduction in water usage. Therefore, a value of 25 gpd/person is conservative. The predicted wastewater flow rates are provided in Table 4.14-6, *Predicted Wastewater Flow Rates.*

TABLE 4.14-6 PREDICTED WASTEWATER FLOW RATES[1]

Occupant Type	Maximum Daily Occupants	Flow per person (gpd)	Total Gallons/Day
Campers	~~95~~ 120	25	~~2,375~~ 3,000
Day Staff	~~13~~ 8	25	~~325~~ 200
Family Dwelling Residence	~~8~~ 6 bedrooms	NA	~~825~~ 675
Total			~~3,525~~ 3,875

Notes: The proposed project would have a maximum occupancy of 114 but the report provides a conservative estimate of 128.
1. Based on estimate by Northstar for similar camp operations and EPA's OWTS manual for camps.
Source: Northstar, ~~2020~~ June 3. 2023, *Basis of Design Report for the Mosaic Project* (see Appendix G, ~~*Hydrology Reports,*~~ *Revised Water and Wastewater System Reports,* of this ~~Draft~~ Final EIR).

The total design flow of ~~3,535~~ 3,875 gpd was used for the sizing of the septic tanks, treatment system, and leach field dispersal system. An average design flow was assumed to be 80 percent of the total design flow, or ~~2,820~~ 3,100 gpd. Blackwater flow reductions with future greywater use for landscape irrigation were not subtracted from the design flow, except in analyzing the impacts on secondary treatment sizing.

At this conceptual phase of the project, it is assumed that there will be primary and secondary treatment of effluent. This will require, at a minimum, grease interceptor tanks, septic tanks, secondary treatment equipment, and surge/dosing tank with pumps and controls to move wastewater ~~evening~~ evenly and consistently to dispersal zones on the site.

The secondary wastewater treatment will be accomplished using an Orenco AdvanTex® textile filtration system with an AX100® treatment pod or a AXMax™ configuration. The proposed secondary treatment configuration will be provided as part of the final design report. Two scenarios for treatment sizing were evaluated:

- Scenario 1 – No greywater diversion and full blackwater flow. This scenario models when a greywater system is not active ~~or present~~, primarily when regulations limit the use of greywater in high precipitation conditions.
- Scenario 2 – Reduced blackwater flow with greywater diversion. This scenario models the results when a greywater system is active, lowering the daily flow rate and potentially increasing the organic loading.

The preliminary sizing results for the treatment system are provided in Table 4.14-7, *Conceptual Wastewater Treatment System Sizing.*

TABLE 4.14-7 CONCEPTUAL WASTEWATER TREATMENT SYSTEM SIZING

Component	Size	Notes
Septic Tank	20,000 gallons	May be multiple tanks serving various locations
Secondary Treatment	~~175~~ 225 square feet of filter area	Scenario 2~~ organic loading governs~~ Average Flow Organic Loading Governs; may be reduced with pre-treatment conditioning in final design phase
Dosing Tanks	~~5,000~~ 6,000 gallons	~~May be reduced with pre-treatment conditioning in final design phase~~ In conjunction with 2,200 gallons of capacity in AX Treatment System

Source: Northstar, ~~2020~~ June 3. 2023, *Basis of Design Report for the Mosaic Project* (see Appendix G, ~~*Hydrology Reports,*~~ *Revised Water and Wastewater System Reports,* of this ~~Draft~~ Final EIR).

The leach field dispersal system would apply secondary treated effluent to pressure dosed chambered trenches in an area between the proposed staff house and the cabins and restroom/shower building. Soil maps indicate the presence of Yolo loam and Danville silty clay loam beneath the site. Percolation test results from the proposed leach field area had rates ranging from ~~8 to 48~~ 10 to 192 minutes/inch, with an average percolation rate of ~~33~~ 18 minutes/inch. The 192 minutes/inch is considered an outlier, and additional percolation tests were conducted to confirm this.

The conceptual design for the leach field is based on a peak flow rate of ~~3,535~~ 3,875 gpd and a soil application rate of ~~1.03~~ 1.2 gpd/square foot and ~~5.0~~ 6.6 square feet of infiltrative area per lineal foot. With these conservative assumptions, the total lineal footage for the original dispersal field is approximately ~~480~~ 489 lineal feet of pressure dosed trenches. The conceptual design shows 639 lineal feet, which is 30 percent larger than required. Because secondary effluent treatment is proposed, the final design may incorporate infiltrative area in the design.

~~There are two planned locations for the replacement area.~~ The ~~primary~~ replacement area would be in the spacing between the proposed pressure dosed trenches. This would use the same configuration as the original dispersal system with ~~480~~ 630 lineal feet of pressure dosed chambers, which is more than 25 percent larger than required. ~~A backup repair alternative would be to use a drip dispersal area on the sloped areas of the property. Using a 3,535 gpd design flow and an application rate of 0.4 gpd/sf, an area of approximately 9,000 square feet for drip dispersal would be required.~~ The details for the leach field dispersal system are provided in Table 4.14-8, *Conceptual Dispersal System Sizing.*

TABLE 4.14-8 CONCEPTUAL DISPERSAL SYSTEM SIZING

Dispersal Method	Application Rate	Size	Notes
Pressure Dosed Chambers	~~1.0~~ 1.2 gpd/sf at ~~5~~ 6.6 sf/lf	~~480~~ 489 minimum lf	~~Conservative a~~Application rate using enhanced application rates and infiltrative surface area
~~Pressure Dosed Chambers~~	~~1.0 gpd/sf at 8 sf/lf~~	~~300 lf~~	~~Conservative application rate and infiltrative surface area increased to 8 sf/lf per Chapter 27.C.3~~
~~Drip (only for replacement option on slope)~~	~~0.4 gpd/sf~~	~~9,000 sf of surface area~~	~~Future only for replacement field~~

Notes: sf = square feet, lf = lineal feet
Source: Northstar, ~~2020~~ June 3. 2023, *Basis of Design Report for the Mosaic Project* (see Appendix G, ~~*Hydrology Reports,*~~ *Revised Water and Wastewater System Reports,* of this ~~Draft~~ Final EIR).

Based on the classification of the project as nonresidential with a design wastewater flow of over 2,500 gpd outside the Upper Alameda Creek Watershed above Niles (Impaired Area), a groundwater mounding analysis and groundwater nitrogen loading analysis are required. The results are presented in the ~~2020~~ 2023 Northstar report titled *The Mosaic Project Basis of Design*, which is provided as Appendix G, ~~*Hydrology Reports,*~~ *Revised Water and Wastewater System Reports,* of this ~~Draft~~ Final EIR.

The results of the groundwater mounding analysis showed that groundwater could mound up to ~~17~~ 18.7 feet and could be ~~10~~ 8.3 feet below the bottom of the proposed dispersal trenches. However, this distance is much greater than the allowable separation distance of 5 feet and therefore, groundwater mounding would not cause a significant impact. The criterion for evaluating nitrogen loading from the proposed OWTS is that it shall not exceed a concentration of ~~7.5~~ 7.0 mg/l of nitrate-nitrogen in groundwater beneath the site. The results show ~~than~~ less than a ~~25~~ 34 percent nitrogen reduction is needed from the treatment system to satisfy this requirement. An additional analysis showed that if the nitrogen concentrations were 1.5 to 2.0 times higher than residential strength nitrogen with a potential greywater system increasing the loading concentrations, the nitrogen removal percentage that the system would need to achieve is approximately ~~50~~ 60 percent. This is well within the capability of the proposed Orenco AdvanTex® system without additional denitrification enhancements.

In summary, the OWTS and dispersal system would be sized to accommodate a ~~3,525~~ 3,875 gpd maximum design flow and ~~2,820~~ 3,100 gpd average daily flow, with a domestic strength waste (BOD) ~~less than 30~~ between 300 mg/l and 500 mg/l, and a nitrogen input ranging from 70 mg/l to 140 mg/l. The system components are as follows:

- Septic tank with a volume of 20,000 gallons
- An Orenco AX MAX textile filter system with ~~175~~ 225 square feet of media and associated recirculation volume providing 30 mg/l BOD and 30 mg/l TSS and 50 percent nitrogen removal
- A 6,000-gallon dosing tank with the capacity to hold 1.5 days of design flow and delivery of secondary treated effluent to a subsurface dispersal field
- ~~400~~ 489 lineal feet of ~~24~~ 36-inch wide by 24-inch deep pressure dosed chambered dispersal trenches.

The proposed project would not result in the construction of new regional wastewater treatment facilities, because all generated wastewater would be retained onsite. The OWTS would be installed and monitored in accordance with the requirements of the Alameda County Onsite Wastewater Treatment Systems Ordinance and would be permitted and approved by the ACDEH. A final design report will be submitted to the ACDEH for review and approval and an installation permit will be issued by the ACDEH prior to the start of construction. Upon implementation of these regulatory requirements, the impact would be *less than significant.*

Significance without Mitigation: Less than significant.

Table 4.14-9, *Solid Waste Generation Rates*, under impact discussion UTIL-5 on page 4.14-26 of the Revised Draft EIR is hereby amended as follows:

TABLE 4.14-9 SOLID WASTE GENERATION RATES

Category	No. of People	Solid Waste Generation Rate (lb/person/day)	Solid Waste Generated (lb/day)	Total Days Per Year	Solid Waste Generated (lb/year)
Campers and Counselors	108	1.81	195	146	28,540
Family Residence[1]	8	2.13	17	350	5,964
Caretaker's Residence	3	2.13	6	350	2,237
Total			**219**		**36,741**

Note:
1. Permanent dwelling proposed to have 6 bedrooms but providing a conservative estimate of 5 additional bedrooms for a total of 8 bedrooms.
Source: The Mosaic Project, 2022; USEPA, 1971, Solid Waste Management in Recreational Forest Areas.

The third paragraph under impact discussion UTIL-5 on page 4.14-27 of the Revised Draft EIR is hereby amended as follows:

In addition, these calculations conservatively assume that all solid waste generated by the project would be transported to the local landfill. Over 59 percent of the waste generated by outdoor recreation facilities is food waste that can be recycled and composted. The project would incorporate solid waste reduction features, including a composting program and a food waste program. The proposed composting program would use manure from the chickens ~~and goats~~ mixed with food waste and green waste to provide mulch for an organic garden. Because the composting operation would store less than 500 cubic yards of materials at any given time and would process less than 5,000 cubic yards per year, it would be exempt from the SWRCB's Waste Discharge Requirements for commercial composting operations.

The first paragraph under impact discussion UTIL-7 on page 4.14-28 of the Revised Draft EIR is hereby amended as follows:

Regarding water supply impacts, the project is proposing to develop its own public water system, using two on-site groundwater production wells. The project would have a cumulative impact if these wells would result in a decrease in groundwater supply for the area surrounding the project site. The area surrounding the site is sparsely populated, with scattered agricultural properties to the south and east and the Twining Vine Winery ~~and Event Center~~ to the north.

CHAPTER 5 ALTERNATIVES TO THE PROPOSED PROJECT

The last bullet point under Section 5.3, *Overview of Project Alternatives*, on page 5-3 of the Revised Draft EIR is hereby amended as follows:

- **Reduced Building Footprint Alternative.** Under the Reduced Building Footprint Alternative, the site layout and building sizes would be modified. The Council Ring would be relocated out of the creek setback of 2:1 slope to the east side of the access road, near the proposed Staff Lodging House. The sheds located adjacent to the caretaker's unit would be removed so that there are no structures

within the Cull Creek setback area. The staff house building would be reduced in size by 22 percent (2,015 square feet versus ~~2,577~~ 2,636 square feet under the proposed project). The multi-use building would be reduced in size by 15 percent (7,273 square feet versus 8,506 square feet under the proposed project). The operating schedule and the number of students (95) and staff (13) would remain the same. Figure 5-1, *Reduced Building Footprint Alternative Site Plan*, shows the modified site layout and building sizes.

The text under Section 5.5.3, *Reduced Building Footprint Alternative*, on page 5-16 of the Revised Draft EIR is hereby amended as follows:

Under the Reduced Building Footprint Alternative, the site layout and building sizes would be modified. The Council Ring would be relocated out of the creek setback of 2:1 slope to the east side of the access road, near the proposed Staff Lodging House. The sheds located adjacent to the caretaker's unit would be removed so that there are no structures within the Cull Creek setback area. The staff house building would be reduced in size by 22 percent (2,015 square feet versus ~~2,577~~ 2,636 square feet under the proposed project). The multi-use building would be reduced in size by 15 percent (7,273 square feet versus 8,506 square feet under the proposed project). The operating schedule and the number of students (95) and staff (13) would remain the same. Figure 5-1 shows the modified site layout and building sizes.

The bulleted list under Section 5.6, *Objectives Assessment*, on page 5-21 of the Revised Draft EIR is hereby amended as follows:

As listed in Chapter 3, *Project Description*, of this Draft EIR, the project applicant has developed the following project objectives:

- Provide state-of-the-art experiential educational programs.
- Develop a project focused site within 30 miles of the majority of the partner elementary schools.
- Provide chickens ~~and goats~~ as a learning experience for the youth in the program~~ as well as natural maintenance of the property~~.
- Provide an organic garden for the site and program. Produce from the garden would be used in student meals and sold to the community. Students would learn about the history of cultivation in the area and the growing of produce.
- Provide improved pedestrian trail and site maintenance. Dirt roads and trails exist on the property and extend within the bay/oak woodland habitat that covers the slopes on the western side of the project site. These existing roads/trails would be repurposed to serve as a recreational pedestrian trail system~~, with undergrowth maintained by the goats housed on the property~~.
- Provide a caretaker's residence to watch over the facilities and animals when not in session.
- Meet the development standards of the Alameda County Castro Valley Jurisdiction, including fire access, storm water management, and site development restrictions.
- Provide parking to meet Alameda County's standards.

- Replace existing utilities to accommodate the proposed project including a small private water system and expanded private wastewater system.
- Provide a greywater irrigation system that can be used as a test project for Alameda County Environmental Health.

APPENDICES

Appendix D, *Biological Resources Information*, of the Revised Draft EIR has been revised to include the updated California Natural Diversity Database Summary Table, and is included as Appendix D, *Revised Biological Resources Information*, of this Final EIR.

Appendix E, *Geotechnical Engineering Investigation Report*, of the Revised Draft EIR has been revised to add the memo confirming validity of the Geotechnical Engineering Report, and is included as Appendix E, *Revised Geotechnical Engineering Investigation Report*, of this Final EIR.

Appendix G, *Hydrology Reports*, of the Revised Draft EIR has been renamed to "Water and Wastewater System Reports" and revised to add the acceptance letter from State Water Resources Control Board Division of Drinking Water, the Preliminary Technical Report for a New Public Water System, and the onsite wastewater treatment system feasibility study approval from the Alameda County Environmental Health Department, and is included as Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR.

Appendix K, *Williamson Act Compatible Use Plan*, of the Revised Draft EIR has been revised to include the updated Compatible Use Plan which removed the provision of pigmy goats, and is included as Appendix K, *Revised Williamson Act Compatible Use Plan*, of this Final EIR.

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4. List of Commenters

Comments on the Revised Draft Environmental Impact Report (EIR) were received from the following agencies, organizations, and individuals. Letters are arranged by category, name, and date received. Each comment letter has been assigned a number, as indicated below. These letters are included in and responded to in Table 5-1, *Responses to Comments Received on the Draft EIR*, of this Final EIR. Comments are presented in their original format in Appendix L, *Comment Letters*, of this Final EIR along with annotations that identify each individual comment number.

4.1 COMMENTS ON THE DRAFT EIR

4.1.1 GOVERNMENTAL AGENCIES

GOV1 Castro Valley Unified School District, Parvin Ahmadi, Superintendent, January 18, 2024

GOV2 California Department of Fish and Wildlife, Erin Chappell, Regional Manager, January 23, 2024

4.1.2 NON-GOVERNMENTAL ORGANIZATIONS AND PRIVATE COMPANIES

ORG1 East Bay Municipal Utility District, David J. Rehnstom, Manager of Water Distribution and Planning, December 19, 2023

ORG2 Friends of San Lorenzo Creek, Bruce King, January 17, 2024

ORG3 Greenfire Law on behalf of Friends of Castro Valley Canyonlands, Susann Bradford, January 19, 2024

ORG4 NorthStar, Mark Wolfe, January 19, 2024

4.1.3 MEMBERS OF THE PUBLIC

PUB1 Lois Ingellis, January 6, 2024
PUB2 Sandra Schnieder, January 6, 2024

PUB3 Terry Britt, January 10, 2024

PUB4 Shiekh Ellahi, January 15, 2024

PUB5 Jon & Alana Koski, January 15, 2024

PUB6 Jon Koski, January 16, 2024

PUB7 Rex Warren, January 16, 2024

PUB8 Brooke Kasl-Godley, January 17, 2024

PUB9 Guy Warren, January 17, 2024

LIST OF COMMENTERS

PUB10 Ruth Bley, January 18, 2024
PUB11 Robert and Linda Fusinati, January 18, 2024
PUB12 Keith Seibert, January 18, 2024
PUB13 Teddy Seibert, January 18, 2024
PUB14 Chuck Shipman, January 18, 2024
PUB15 Kathy Warren, January 18, 2024
PUB16 Justin Filan, January 18, 2024
PUB17 Norma Franchi, January 18, 2024
PUB18 Diana Hanna and Dick Schneider, January 18, 2024
PUB19 Tom & Kathy Hunt and Jim & Carolyn Millen, January 18, 2024
PUB20 Wayne Mindle, January 18, 2024
PUB21 James Panico, January 18, 2024
PUB22 Kent Woodell, January 18, 2024
PUB23 Zherebnenkov Family, January 18, 2024
PUB24 Albert Chan, December 31, 2024

5. Response to Comments

This chapter includes a reproduction of, and responses to, each comment letter received during the public review period on the Revised Draft Environmental Impact Report (EIR). Comments are presented in their original format in Appendix L, *Comment Letters*, of this Final EIR along with annotations that identify each individual comment number.

Responses to individual comments are provided in this chapter alongside the text of each corresponding comment. Letters are categorized by:

- Governmental Agencies
- Non-governmental Organizations and Private Companies
- Members of the Public

Letters are arranged by category, date received, and name. Where the same comment has been made more than once, a response may direct the reader to another numbered comment and response. Where a response requires revisions to the Revised Draft EIR, these revisions are shown in Chapter 1, *Executive Summary*, and Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. Table 5-1, *Reponses to Comments Received on the Revised Draft EIR*, presents comments received on the Revised Draft EIR and responses to each of those comments.

5.1 MASTER RESPONSES

Certain topics raised by commenters require a lengthy response, and certain topics addressed in this Final EIR require a detailed explanation. In addition, certain topics were raised repeatedly, albeit in slightly different forms, in comments on the Draft EIR. To minimize duplication in responses and to provide a more comprehensive discussion, "master responses" have been prepared for some of these issues. Responses to individual comments reference these master responses as appropriate. A particular master response may provide more information than requested by any individual comment. Conversely, the master response may not provide a complete response to a given comment, and additional information may be contained in the individual response to that comment. Master responses in this Final EIR address the following issues:

1. Standards for Responses to Comments
2. Project Clarifications
3. Creek Setbacks
4. Agricultural Uses
5. Hydrology and Utilities
6. Fire Safety and Evacuation

MASTER RESPONSE 1: STANDARDS FOR RESPONSES TO COMMENTS

PROJECT MERITS

Often during review of an EIR, the public raises issues that relate to qualities of the project itself or the project's consequences or benefits to the community, personal well-being and quality of life, and economic or financial issues (referred to here as "project merits"), rather than the environmental analyses or impacts and mitigations raised in the EIR. However, consistent with the California Environmental Quality Act (CEQA) Guidelines Section 15131, *Economic and Social Effects*, the Draft EIR is not meant to address these project merits; rather, the purpose of CEQA and the Draft EIR is to fully analyze and mitigate the project's potentially significant physical impacts on the environment to the extent feasible.

In accordance with CEQA Guidelines Section 15088, *Evaluation of and Response to Comments*, and Section 15132, *Contents of Final Environmental Impact Report*, a Final EIR must include a response to comments on the Draft EIR pertaining to environmental issues analyzed under CEQA. Several of the comments provided in response to the Revised Draft EIR express an opinion for or against the proposed project, but do not address the adequacy of the analysis or conclusions in the Revised Draft EIR. Rather, these opinions relate to the merits of the project.

Lead agency review of environmental issues and project merits are both important in the decision of what action to take on a project, and both are considered in the decision-making process for a project. However, as part of the environmental review process, a lead agency is only required by CEQA to respond to environmental issues that are raised. The County will hold public hearings to consider action on the merits of the proposed project for adoption. The County will consider both the EIR and project merit issues that have been raised prior to any action to adopt the proposed project.

CEQA Guidelines Section 15204, *Focus of Review*, provides direction for parties reviewing and providing comment on a Draft EIR, as follows:

> In reviewing Draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

Therefore, in accordance with CEQA Guidelines Section 15204, the County is not required to respond to comments that express an opinion about the project merits, but do not relate to environmental issues

covered in the Revised Draft EIR. Although such opinions and comments on the project merits received as part of the EIR process do not require responses in the EIR, as previously noted, they do provide important input to the process of reviewing the project overall. Therefore, merits- and opinion-based comment letters are included in the EIR to be available for consideration by the County's decision makers at the merits stage of the project. County decision makers may consider these letters and issues as part of their deliberations on the merits of the project and whether to adopt, modify, or disapprove the project.

SPECULATION WITHOUT SUBSTANTIAL EVIDENCE

Some commenters assert or request that impacts should be considered significant but fail to provide substantial evidence in support of their assertion. Predicting the project's physical impacts on the environment without substantial evidence based on facts to support the analysis would require a level of speculation that is inappropriate for an EIR.

CEQA Section 21082.2, *Significant Effect on Environment; Determination; Environmental Impact Report Preparation*, requires that the lead agency "shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record." CEQA Guidelines Section 15384, *Substantial Evidence*, clarifies that

> ... "substantial evidence"… means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment, does not constitute substantial evidence.

CEQA Guidelines Section 15384 goes on to state that "substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." Where there are no facts available to substantiate a commenter's assertion that the physical environment could ultimately be significantly impacted as a result of the project, the County, acting as the lead agency, is not required to analyze that effect nor to mitigate for that effect. Section 15204, *Focus of Review*, of the CEQA Guidelines advises reviewers that comments should be accompanied by factual support:

> Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Under CEQA, the decision as to whether an environmental effect should be considered significant is reserved for the discretion of the lead agency based on substantial evidence in the record as a whole. The analysis of the Revised Draft EIR is based on scientific and factual data, which has been reviewed by the lead agency and reflects its independent judgment and conclusions. CEQA permits disagreements of opinion with respect to environmental issues addressed in an EIR. As Section 15151, *Standards for*

Adequacy of an EIR, of the CEQA Guidelines states, even "[d]isagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts."

CEQA Guidelines Section 15145, *Speculation*, provides that, "If, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact."

ADDITIONAL ANALYSIS

During the review period for the Revised Draft EIR, members of the public submitted comments that requested additional analysis, mitigation measures, or revisions that are not provided in this Final EIR for reasons more specifically addressed in the individual comments. As described previously, Section 15204 of the CEQA Guidelines provides that CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.

Section 15003, *Policies*, of the CEQA Guidelines also explains the emphasis of CEQA on good-faith efforts at full disclosure rather than technical perfection:

> (i) CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure. A court does not pass upon the correctness of an EIR's environmental conclusions, but only determines if the EIR is sufficient as an informational document. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692)
>
> (j) CEQA requires that decisions be informed and balanced. It must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement. (*Laurel Heights Improvement Assoc. v. Regents of U.C.* (1993) 6 Cal.4th 1112 and *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553)

Sections 15204 and 15003 reflect judicial interpretation of CEQA. Under CEQA, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, so long as a good-faith effort at full disclosure is made in the EIR.

MASTER RESPONSE 2: PROJECT CLARIFICATIONS

PROJECT CLASSIFICATION

As stated in Chapter 3, *Project Description*, of the Revised Draft EIR, the proposed project would develop an outdoor recreational facility in unincorporated Alameda County. Many comments on the Revised Draft EIR assert that the proposed project should be classified as a school rather than an outdoor recreational facility. As detailed in Section 3.3, *Proposed Project*, of the Revised Draft EIR, The Outdoor Project Camp would facilitate several classes of 4th- or 5th-grade students, approximately 75 to 95 students total (not to exceed 95), who will be transported by bus to the project site from their schools for a five-day, four-night outdoor recreation program in nature. Students would typically arrive on Monday morning and depart on Friday afternoon. The students would remain members of the schools that referred them. Accordingly, the County has determined that the proposed project is a recreational outdoor facility.

NEARBY BUSINESSES

Many comments also expressed concern for the Twining Vine Winery north of the project site. This concern pertains to project merits rather than the environmental analyses or impacts and mitigations raised in the Revised Draft EIR (see Master Response 1, *Standards for Responses to Comments*, regarding project merits). The California Department of Pesticide Regulation provides regulations to address pesticides used near public K-12 schools and child daycare facilities.[1] Additionally, the California Alcoholic Beverage Control (ABC) Act says that the ABC may deny any retail license located (a) within the immediate vicinity of churches and hospitals, or (b) within at least 600 feet of schools, public playgrounds and nonprofit youth facility.[2] Generally, ABC will deny a license in the above situations when there is evidence that normal operation of the licensed premises will be contrary to public welfare and morals. Mere proximity by itself is not sufficient to deny the license. While "nonprofit youth facility" is not defined in the ABC Act, it is likely the proposed project would be considered such, given other examples in the Act, such as Girl Scouts, Boy Scouts, or Campfire Girls. As an existing Licensee, the Twining Vine Winery would not be affected by the proposed project since license renewals or transfers are not reviewed the same as a new license application. Alameda County Planning Department staff has contacted ABC to confirm the reading of the ABC Act. While not a CEQA impact, consideration of the proposed project's impact on Twining Vine Winery and its retail license will be addressed in the Staff Report.

STUDENT SAFETY

Many commenters expressed concern regarding student safety due to the creek that runs through the project site and the occurrences of potentially dangerous wildlife in the project area. The California Supreme Court decision regarding the assessment of the environment's impacts on projects *(California Building Industry Association (CBIA) v. Bay Area Air Quality Management District (BAAQMD), 62 Cal. 4th 369 (No. S 213478)* issued December 17, 2015), ruled that CEQA does not generally require consideration of the effects of existing environmental conditions on a proposed project's future users or residents. Nonetheless, in response to comments on the Revised Draft EIR, the project applicant has provided additional information regarding student safety, included as Appendix M, *Safety Guidelines for Mosaic Camp Life*, of this Final EIR.

To ensure creek safety, campers are never near creeks without adult supervision, and wading or swimming in creeks is always prohibited. Campers are also required to wear close-toed shoes or sandals with deep tread when walking near creeks to prevent slipping at the top of bank or exposure to sharp objects.

The chances of wildlife interaction are likely due to project location. Wild animals are to be observed from a safe distance using binoculars or cameras. Campers will not be allowed to approach or attempt to touch

[1] Department of Pesticide Regulation, January 24, 2018, *Regulation to Address Pesticides Used Near Schools and Child Day Care Facilities: Guidance for County Agricultural Commissioners*, https://www.cdpr.ca.gov/docs/enforce/school_notify/guidance.pdf, accessed October 3, 2024.

[2] California Alcoholic Beverage Control, October 7, 2022, *2023 California Alcoholic Beverage Control Act*, https://www.abc.ca.gov/wp-content/uploads/2023-CA-ABC-Act.pdf, accessed October 3, 2024.

wild animals. Campers will be prohibited from feeding wild animals because it habituates them to human presence and leads to aggressive behavior. Food will be stored securely to prevent wildlife from accessing it. Campers will be taught to respect wildlife by giving them space and not disturbing their natural behaviors. Campers will be educated about local wildlife species and their habitats as well as how to recognize signs of wildlife presence, such as tracks, scat, or calls, and will be instructed on how to react if they encounter wildlife unexpectedly—back away slowly. Campers will be encouraged to report any sightings of injured, sick, or distressed wildlife to camp staff immediately. Handling or approaching injured animals without proper training and authorization will be prohibited.

To promote general safety, staff will carry walkie talkies where there is no cell coverage and carry well-stocked first aid kits and administer basic first aid for common injuries such as cuts, scrapes, insect stings, or sprains. Campers will be required to stay on designated trails and paths when hiking or exploring nature. Weather forecasts will be monitored. Campers are encouraged to be prepared for changing conditions and dress in layers and pack rain gear or sun protection as needed. Campers will also be encouraged to drink plenty of water throughout the day to stay hydrated, especially during outdoor activities in hot or humid weather, and apply sunscreen with a high SPF rating and wear hats, sunglasses, and lightweight clothing to protect against sunburn and heat exhaustion. Insect repellent containing DEET or picaridin to deter mosquitoes, ticks, and other biting insects is also encouraged, as well as wearing long sleeves, pants, and socks to minimize exposed skin.

In terms of environmental stewardship, campers will be taught the principles of Leave No Trace ethics, including minimizing their impact on the environment by packing out trash, staying on designated trails, and respecting wildlife. Campers will also be educated about the importance of conserving natural resources such as water, soil, and biodiversity, and discuss the effects of pollution, habitat destruction, and climate change on ecosystems and wildlife. Nature walks, wildlife observation outings, and educational workshops will be part of the program to foster a deeper appreciation and understanding of the natural world.

Additionally, in the event of an emergency, protocols shall be followed as listed in the Fire Safety and Emergency Response Plan (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR). Emergency and medical procedures and policies will be detailed in the Staff Manual, and staff will be trained in these procedures and policies bi-annually. Staff will also be trained in CPR, first aid, and wilderness medicine techniques to respond effectively to medical emergencies in outdoor settings. Emergency contacts, including camp leadership, local authorities, medical facilities, and emergency services, will be listed in the Staff Manual and posted in camp offices and the infirmary. Regular emergency drills will be conducted to practice evacuation procedures.

MASTER RESPONSE 3: CREEK SETBACKS

Recent Storms

Many comments expressed concerns regarding the recent storms and how they may have affected the project site conditions. A period of over 2 years has elapsed since the preparation of the proposed project's Geotechnical Engineering Investigation (GEI) Report (see Appendix E, *Geotechnical Engineering Investigation Report*, of the Revised Draft EIR). Accordingly, NV5, the GEI Report preparer, has reviewed

the GEI Report for compliance with the proposed site improvements, current site conditions, and regulatory requirements and has confirmed that the recommendations presented in the GEI Report for earthwork and structural improvements remain suitable. As noted in Chapter 3, R*evisions to the Revised Draft EIR*, of this Final EIR, Appendix E of the Revised Draft EIR has been revised to include the memo confirming validity of the GEI Report.

Creek Setback Calculations

Many commenters asserted that the proposed setbacks from the creeks were incorrectly calculated, and existing and proposed buildings encroach into the setback. Alameda County Municipal Code (ACMC) Section 13.12.320 requires development adjacent to a watercourse within properties where the one-hundred-year base flood elevation is contained within the channel to be 20 feet horizontally, measured from top of bank, as shown in a diagram on file with the director of Public Works. The top of the bank is defined as the point in a cross-section of the channel where the slope of the channel approaches the horizontal. For a natural channel where the bank is steep, as is typically the case for Cull Creek, the top of the bank is defined as the daylight point where a line projected upward from the toe of the bank at a slope of 2:1 (horizontal:vertical) intersects the ground surface. Therefore, the setback distances vary along Cull Creek depending on the creek configuration at that location. The drawings provided in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR, specifically Drawings C-2 and C-4, show the Building Setback Line (BSL) 2:1 slope setback, and Drawing CS-1 shows the creek cross-sections.

In consideration of the recent storms, NorthStar, the project engineers, went back to the project site in April 2024 to resurvey the creek in its current configuration and revise the creek setbacks as needed to ensure compliance with the Alameda County Watercourse Protection Ordinance. Creek setback drawings and calculations, updated July 2024, are included as Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. These exhibits depict the existing top of the bank, toe of the bank, and varying 25-, 50-, 100-, and 150-foot setbacks. Drawings C-2 and C-4 show the BSL setbacks required by the Alameda County Watercourse Protection Ordinance. Drawing C-3 shows the various setbacks to comply with regulations regarding distance from a public groundwater supply well to septic field (150 feet), distance from a septic field to the creek bank (100 feet), distance from wastewater treatment units to the creek bank (50 feet), and distance from wastewater disposal (25 feet). The previous exhibit also indicated a 20-foot from the top of bank well setback, which is a typo and has been eliminated in the latest drawings. While the existing barn and mobile home outbuildings encroach into the BSL 2:1 slope setback, the Watercourse Protection Ordinance does not apply to existing construction that was previously permitted, pursuant to ACMC Section 13.12.070. Also, agricultural activities are exempt from the ordinance requirements, pursuant to ACMC Section 13.12.190. Although a portion of the proposed main roadway is within the BSL 2:1 slope setback, it is in the same location as the existing roadway that runs through the site and will require minor modifications to meet the current Fire Code regulations. The Alameda County Public Works Department has reviewed the setback determination and will require a set of improvement plans in order to issue a permit to modify the existing roadway. The proposed Council Ring is also within the setback; however, the Council Ring would only consist of benches and a fire pit set on natural ground and would not involve excavation or disturbance of the existing surface. Therefore, it does not meet the Alameda County Watercourse Protection Ordinance definition of “development” and would not be subject to the creek setback requirements. Therefore, within the required creek setbacks

the proposed project is in compliance with the Watercourse Protection Ordinance. Furthermore, the Alameda County Department of Public Works has reviewed and approved the site plans and creek setback calculations.

MASTER RESPONSE 4: AGRICULTURAL USES

ZONING

As discussed in Section 3.1.4, *General Plan Land Use Designation and Zoning*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the project site is zoned as Agricultural (A), which permits outdoor recreation facility as a conditional use. The proposed project would require a Conditional Use Permit as established in ACMC Section 17.54.130, which is required for uses that are generally consistent with the purposes of the zoning district where they are proposed but require special consideration to ensure that they can be designed in a manner that will not interfere with the use and enjoyment of surrounding properties. Chapter 17.04, *Definitions*, of the ACMC defines an outdoor recreation facility as "park, or a playing field for active games, a golf course, a swimming pool, a camp or picnic grounds, a vacation resort or guest lodge, or a neighborhood recreation area, together with such buildings or uses as are accessory to the recreational use."

Additionally, the staff house and caretaker's unit are permitted under the Agricultural zoning. However, as mentioned under impact discussion LUP-1, in Chapter 4.9, *Land Use and Planning*, of the Revised Draft EIR, the caretaker's unit is subject to a Site Development Review (SDR) as an agricultural caretaker dwelling pursuant to ACMC Section 17.06.090. An SDR is a Planning Director approval, and as an existing permitted structure, the caretaker unit has demonstrated compliance with existing County code. Action on the SDR will occur on the same timeline as the Conditional Use Permit. These approvals are the two land use entitlement permits needed to construct the project.

MEASURE D

The Save Agriculture and Open Space Lands Initiative (Measure D) placed limits on the type and amount of development allowed in the rural areas of the County, specifically parcels with General Plan land use designations for Large Parcel Agriculture (LPA) or Resource Management (RM), to preserve and enhance agriculture and agricultural lands, and to protect the natural qualities, the wildlife habitats, the watersheds and the beautiful open space of Alameda County from excessive, poorly located, and harmful development.[3] As discussed in Section 3.1.4, *General Plan Land Use Designation and Zoning*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the project site has a land use designation of Resource Management (RM) and is therefore subject to the provisions of Measure D.

Measure D allows a maximum building intensity of 0.01 Floor Area Ratio (FAR)[4] but not less than 20,000 square feet for non-residential buildings, which include agricultural buildings. A maximum of 12,000

[3] Alameda County Community Development Agency Planning Department, September 8, 2022, *Frequently Asked Questions About Measure D 2022*, https://www.acgov.org/cda/planning/documents/BallotMeasureFAQs-FINAL9822.pdf, accessed October 3, 2024.

[4] FAR is the ratio of the gross building square footage permitted on a parcel to the square footage of the parcel.

square feet is allowed for residential and residential accessory uses. As shown in Table 3-1, *Proposed Project Buildout,* in Chapter 3 of the Revised Draft EIR, development of the proposed project includes 14,331 square feet of non-residential buildings, resulting in a non-residential FAR of less than 0.01.[5] The project complies with the floor area provisions of Measure D.

Measure D also requires all buildings to be located on a contiguous development envelope not to exceed 2 acres, except they may be located outside the envelope if necessary for security reasons or, if structures for agricultural uses, necessary for agricultural use. As shown on Figure 3-4, *Proposed Project Site Plan*, in Chapter 3 of the Revised Draft EIR, the contiguous 2-acre building envelope includes the existing bridge and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria building, bathroom buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home and the proposed garden yard and Council Ring. As the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Council Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope.

Therefore, the proposed project would be in compliance with Measure D requirements. The analysis presented in this section has been added to the Revised Draft EIR, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR.

WILLIAMSON ACT

The project site is subject to Williamson Act Contract No. 2016-56, as authorized by the Board of Supervisors on May 3, 2016. There is no existing commercial use on the project site. Concurrent with the application for a development permit, Conditional Use Permit, and site development review, the project applicant will apply for and obtain a Compatible Use Determination from the County. As discussed under Section 4.1.1.2, *Existing Conditions*, in Chapter 4.1, *Agriculture and Forestry Resources*, of the Revised Draft EIR, the 37-acre parcel is considered non-prime agricultural land. Additionally, as stated in Appendix K, *Williamson Act Compatible Use Plan*, of the Revised Draft EIR and Appendix K, *Revised Williamson Act Compatible Use Plan*, of this Final EIR, the proposed project falls under the passive recreation guidelines.

Under Section II.B.2 of Uniform Rule 1, for parcels of land defined as non-prime land, the minimum parcel size within a Williamson Act contract is 40 acres; however, an exception shall be made for land that can meet the revenue and land coverage thresholds for substandard size non-prime parcels established in Section II.C.3.b. of Uniform Rule 1.[6] For land that is less than 40 acres in size and is being used for dryland farming, grazing of livestock or livestock production, and/or other types of agricultural pursuits, Section II.C.3.b. requires agricultural production to yield an annual gross revenue equal to or exceeding $10,000, as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County, and, if compatible use is proposed, at least 50 percent of the

[5] The 37-acre parcel translates to 1,610,000 square feet. Therefore, 14,331 square feet of non-residential development on a 1,610,000 square-feet parcel would result in a FAR of 0.0089.

[6] County of Alameda, October 11, 2011, *Alameda County Uniform Rules and Procedures, Uniform Rule 1 – Eligibility Requirements*, https://www.acgov.org/cda/planning/landuseprojects/documents/Uniform_Rule_1_Agriculture_10-11-11.pdf, accessed October 3, 2024.

parcel must be used for commercial agriculture to ensure that any development is incidental to the agricultural use. As shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR, Appendix K, *Williamson Act Compatible Use Plan*, of the Revised Draft EIR, has been revised to reflect the updated compatible use plan to meet these thresholds. The proposed project will utilize at least 50 percent of the 37-acre site for the harvest of sustainable and regenerative wild harvest of oak woodland forest products such as acorns, bay nuts, mushrooms, and miner's lettuce. The project site will also include an organic garden and chicken coop. The Mosaic Project plans to register as a California Certified Community Supported Agriculture (CSA) direct marketing producer and plans to sell 20 annual CSA box subscriptions for $1,000/each with forest products, chicken eggs, and produce. Sales of these boxes will surpass the $10,000 threshold.

As noted under Section I of Uniform Rule 2, uses of the land for other than agricultural uses must be compatible with the agricultural use and in a scale that maintains agriculture as the primary use of the land. Section I.A requires that use of the land not significantly compromise the long-term productive agricultural capability of the contracted property or on other contracted lands in agricultural preserves; significantly displace or impair current or reasonably foreseeable agricultural operations on the contracted property or on other contracted lands in agricultural preserves; result in the significant removal of adjacent contracted land from agricultural use or open-space use; or result in the significant increase in the density of the temporary or permanent human population that could hinder or impair agricultural operations on the contracted property. As discussed under Section 3.3.1, *Proposed Site Improvements*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the proposed project would only develop 2 acres of the 37-acre project site. The remaining 35 acres of the project site would remain undeveloped, aside from existing trails that would be maintained. Therefore, the proposed project would not significantly compromise the long-term productive agricultural capability of the contracted property or other contracted lands. Because there are no existing agricultural operations on the project site, the proposed project would not significantly displace or impair current or reasonably foreseeable agricultural operations on the land. Please see Master Response 2, *Project Clarifications*, regarding nearby businesses.

The proposed project would not significantly displace or impair current or reasonably foreseeable agricultural operations on other contracted lands. The proposed project would be confined to the 2-acre building envelope within the project site boundaries and would not result in significant removal of adjacent contracted land from agricultural use or open-space use. The proposed project would utilize at least 50 percent of the 37-acre site for the harvest of sustainable and regenerative wild harvest of oak woodland forest products such as acorns, bay nuts, mushrooms, and miner's lettuce. While the proposed project would introduce students and staff to the project site, it would not hinder or impair agricultural operations on the contracted property. As noted in Section 3.2, *Project Objectives*, in Chapter 3 of the Revised Draft EIR, the agricultural operations of the proposed project would be integrated into the program curriculum to serve as learning experience for the students.

Section 1.B.2.a of Uniform Rule 2 requires each legal/buildable parcel have a building envelope, generally rectangular in shape, not to exceed 2 acres.[7] Buildings may be located outside the envelope if necessary

[7] County of Alameda, October 11, 2011, *Alameda County Uniform Rules and Procedures, Uniform Rule 2 – Compatible Uses*, https://www.acgov.org/cda/planning/landuseprojects/documents/Uniform_Rule_2_Compatible_Uses_10-11-11.pdf, accessed October 3, 2024.

for security reasons or, if structures for agricultural use, necessary for agricultural use. Section I.B.3.c of Uniform Rule 2 allows compatible non-agricultural uses that do not qualify as buildings to be located outside the 2-acre building envelope but cumulatively restricted to more than 10 percent of the contracted property, or 10 acres, whichever is less. These uses shall be clustered in an area set aside for this purpose so that the remaining land may be devoted to agriculture, to uses accessory to agriculture, and to open space. Where clustering is not feasible due to land features, siting of non-agricultural compatible uses shall avoid locations where they can potentially interfere with agricultural operations. Section I.B.3.d of Uniform Rule 2 notes that passive recreation uses on non-prime land may occur anywhere on the contracted property except where and when that activity would interfere with the primary agricultural use. Section II.C.2 of Uniform Rule 2 requires passive recreational uses to be limited to land in its agricultural or natural state, and any facilities or structure necessary to support such uses are also required to meet all zoning requirements, including a conditional use permit, and conditions and standards that are found necessary to maintain compatible agricultural land uses.

Permanent structures necessary to support such uses shall be located within the 2-acre building envelope. As shown on Figure 3-4, *Proposed Project Site Plan*, in Chapter 3 of the Revised Draft EIR, the contiguous 2-acre building envelope includes the existing bridge, and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria building, bathroom buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home, and the proposed garden yard and Council Ring. Because the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Council Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope. While Uniform Rule 2 notes that the building envelope is generally rectangular in shape, the County has no specific shape or configuration requirements for a contiguous 2-acre building envelope; the ultimate shape is anticipated to be highly variable depending on context. The 2-acre building envelope of the proposed project is not rectangular, but it is contiguous, consistent with County requirements.

Section II.A.1.a of Uniform Rule 2 notes that residential dwelling units are considered an allowable compatible use only when occupied by the owner, the owner's immediate family, agricultural employee(s), seasonal farm laborers, or caretakers. Section II.A.2 of Uniform Rule 2 allows for a primary single family dwelling unit and an additional single family dwelling unit where at least one occupant of the dwelling unit is the owner, the owner's immediate family, agricultural employee(s), or caretaker(s). As shown in Table 3-1, *Proposed Project Buildout,* in Chapter 3 of the Revised Draft EIR, only the staff house and the caretaker's unit are considered residential buildings. The staff house will be occupied by project staff, also considered agricultural employees, and the caretaker's residence will be occupied by a caretaker who will watch over the facilities and animals when not in session.

Uniform Rules 3 and 4 are not applicable to the proposed project, as they relate to open space and recreation contracts.[8]

[8] County of Alameda, October 11, 2011, *Alameda County Uniform Rules and Procedures, Introduction*, https://www.acgov.org/cda/planning/landuseprojects/documents/Introduction_Uniform_Rules_10-11-11.pdf

AGRICULTRUAL PRODUCTION

Many comments on the Revised Draft EIR questioned the details of the agricultural components of the proposed project. This concern pertains to project merits rather than the environmental analyses or impacts and mitigations raised in the Revised Draft EIR (see Master Response 1, *Standards for Responses to Comments*, regarding project merits). The proposed project will utilize at least 50 percent of the 37-acre site for the harvest of sustainable and regenerative wild harvest of oak woodland forest products such as acorns, bay nuts, mushrooms, and miner's lettuce. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. The proposed project will include 20 free-range chickens, and the project site will include a chicken coop and an organic garden. As shown on Figure 3-4, *Proposed Project Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the structures related to agriculture and farming are proposed in the northern portion of the project site.

As discussed in Section 3.3.1.9, *Agricultural and Farming Activities*, in Chapter 3 of the Revised Draft EIR, the agricultural and farming activities would allow The Mosaic Project to earn income to support its activities from selling forest products, eggs, and produce. The Mosaic Project plans to sell 20 annual CSA box subscriptions for $1,000/each. A CSA box will be delivered to customers or be available for pick up at Mosaic's Oakland office, every other week providing eggs, Oak Woodland Forest products, and seasonally grown produce. Off-site sale of chicken eggs will be conducted in accordance with all California regulatory requirements. The sale of chicken eggs will be in accordance with the California Department of Food and Agriculture's (CDFA's) Egg Program and will require a registered egg handler permit. Additional information on the farming program is provided in Appendix K, *Revised Williamson Act Compatible Use Plan*, of this Final EIR. CSA boxes would leave the project site via passenger/pickup vehicles for delivery to customers or to the Mosaic's Oakland office for pickup. As it is unknown who will be purchasing CSA box subscriptions, delivery routes cannot be provided at this time.

MASTER RESPONSE 5: HYDROLOGY AND UTILITIES

WATER SUPPLY AND DEMAND

Pursuant to the requirements of the State Water Resources Control Board (SWRCB) Division of Drinking Water (DDW), the Mosaic Project submitted a Preliminary Technical Report in October 2022 to the DDW as part of the application process for a new non-transient, non-community water system. The DDW reviewed the preliminary report and stated in a letter dated December 1, 2022, that the report contained all of the necessary information for the proposed water system, complied with the California Health and Safety Code Section 116527, and was considered complete. DDW will require a complete permit application to be submitted for approval prior to construction of the water system. As shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR, Appendix G, *Hydrology Reports*, of the Revised Draft EIR[9] has been updated to include these documents.

[9] As noted in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR, Appendix G, *Hydrology Reports*, of the Revised Draft EIR has been renamed to Appendix G, *Revised Water and Wastewater System Reports*.

Many of the commenters mentioned that California Code of Regulations (CCR), Title 17, Section 30710 requires a dependable supply of potable water adequate to furnish 50 gallons of water per person per day (gpd/person) for an organized camp. The California Health and Safety Code Section 18897 defines an organized camp as "a site with program and facilities established for the primary purposed of providing an outdoor group living experience with social, spiritual, educational, or recreational objectives, for five days or more during one or more seasons of the year." The proposed weekday program of the project would only be four days in duration, with half days on Monday and Friday and three full days on Tuesday through Thursday. In addition, CCR Title 17, Section 30710, was originally enacted in 1968, and the 50 gpd/person has never been revised even though there have been significant reductions in water usage with the implementation of California Green Building Standards (CALGreen) and the California Plumbing Code, which require low-flow fixtures. Nevertheless, assuming that the five days or more applies to the proposed project, the project site has a dependable water supply that could serve 50 gpd/person. Assuming there would be a maximum of 114 people on site at 50 gpd/person, that equates to 5,700 gpd. One groundwater well, pumping at the rated capacity of 4.7 gallons per minute (gpm) (which is 50 percent of the pump test capacity) would produce 6,768 gpd, meeting the criterion.

Several commenters also questioned the assumption of the average water demand based on 25 gpd/person and the use of the "pioneer camp" category that was cited from the United States Environmental Protection Agency (USEPA) Onsite Wastewater Treatment System (OWTS) Manual. The 25 gpd/person figure was only used for the campers and counselors, whereas 150 gpd/bedroom was used for the caretaker house and the staff residence, as further discussed below. CCR Title 22, Section 64554(4), states that if daily and annual water uses for the facility are not available, use records from a system that is similar in size, elevation, climate, demography, etc. can be used to determine the average water use. The rationale for 25 gpd for campers and counselors is based on multiple factors:

- Comparative Flow Analysis – A design flow per person of 25 gpd/person was determined for this project based on our experience in designing similar systems and the following factors. Water use was measured via the water system flow meter at the current camp facility in Spring 2018. During a ten-day period with 124 staff and campers on site, the average water use recorded was 19 gpd/person. It should be noted this facility has an aging water infrastructure, which may have resulted in higher calculated water use than actual use by campers and staff.
- Review of EPA OWTS Manual (February 2002) – As shown on Table 3-6, *Typical wastewater flow rates from recreational facilities shows typical values for camps*, typical values for "Pioneer Camps" and "Children's Camps" are 25 gpd and 45 gpd respectively, with the average of these two flows at 35 gpd/person. The way The Mosaic Project camp is operated is in line with a Pioneer Camp. Table 3-10, *Comparison of flow rates and flush volumes before and after U.S. Energy Policy Act*, shows a reduction of flow for water saving fixtures at approximately 50 percent potential reduction in water used. This is consistent with what is seen across the state in residential and school settings. Accounting for this, a 50% reduction in design flows for modern fixtures results in a predicted average water use per person at under 20 gpd/person.

It should be noted that the USEPA OWTS Manual was dated 2002 and the calculated wastewater flow rates in the USEPA OWTS Manual are based on outdated plumbing fixtures. For example, toilets and showers were assumed to use 3.5 gallons/flush and 17.2 gpm, whereas the 2022 CALGreen code requires toilets to not exceed 1.25 gallons/flush and showerheads to not exceed 1.8 gpm. A 2007 study by the United States Forest Service that examined water use at various recreational facilities states that the

organization camp included in the study had an average water use rate of 21.2 gpd/person. Therefore, based on the results of metered data at a similar organization camp and current references for this land use category, the assumption of 25 gpd/person for campers and counselors is valid and conservative.

This water demand number for the dwelling units at the project site of 150 gpd/bedroom is also considered conservative and is based on the Alameda County Department of Environmental Health's (ACDEH) standard for residential OWTS. ACDEH allows a 20 percent reduction with water conserving plumbing fixtures, which will be installed at the project site pursuant to CALGreen requirements. This would reduce water usage to 120 gpd/bedroom. However, this reduction wasn't used in the water demand calculations. The calculated water demand in the technical report also assumes that all the bedrooms would be occupied throughout the year, which is not likely to be the case. Based on the project design, there would be 3 bedrooms per dwelling unit, which would result in 450 gpd/dwelling unit. In comparison, the East Bay Municipal Utility District (EBMUD) residential indoor water use per dwelling unit is about 172 gpd.

Many commenters expressed concern about the cumulative impact of groundwater withdrawal at the proposed project on neighboring groundwater wells and on Cull Creek. The Preliminary Technical Report states that the project site is situated near a tightly folded northwest-plunging anticline and is underlain primarily by fractured, consolidated sedimentary rocks. Three groundwater wells previously drilled on the property were determined to not be suitable as a source for the potable water system and are planned to be removed pursuant to State and County protocols. Four wells were drilled on the project site by Maggiora in 2017 and 2020; however, only two wells were deemed suitable with a high enough yield to be considered a potable drinking water source. This illustrates the difficulties of drilling in the fractured formation in Cull Canyon and finding a location that produces a sufficient yield. The two wells that have sufficient yield were drilled into the underlying, confined to semi-confined aquifer system within the folded bedrock and draw groundwater from the bedrock fractures. Both wells were situated in close proximity to the USGS-delineated Quaternary normal fault. Faults can often serve as conduits for groundwater and its storage.

Some commenters stated that the wells should have been drilled in the dry season instead of measuring production during the wet season. The wells were tested and pumped in November 2020, which was late into the dry season of a dry year. The total rainfall in 2020 was 9.9 to 10.6 inches based on the weather stations at Las Trampas and South Oakland, as compared to an average of 24 to 26 inches. While the 10-day pump test was conducted in one well, groundwater levels in the other well were monitored. The wells are located approximately 160 feet apart. No drawdown was observed in either well when the other well was being pumped. This indicates that these wells are drawing groundwater from separate fractured bedrock aquifers. To confirm this assumption, major ions were analyzed from the groundwater samples in each well. One of the wells is characterized as sodium bicarbonate groundwater while the other well is characterized as calcium to neutral bicarbonate groundwater. Two of the other wells on the property had different groundwater chemistry and are characterized as sodium chloride groundwater. The fact that there was no drawdown in adjacent wells during the pump tests and different groundwater chemistry confirm that the wells are drawing from separate aquifers. Transmissivity in the two wells also differs, with one well calculated to have a transmissivity of 224 gpd/feet and the other well at 40 gpd/feet.

In addition, the effect of groundwater pumping on Cull Creek was evaluated during the pump tests. A recharge boundary, resulting in reduced drawdown, forms if the cone of depression during a pump test encounters a stream, lake, or leakage from an overlying perched groundwater aquifer. No recharge boundaries were encountered during the pump tests of both wells. This indicates that the groundwater pumping will have no impact on Cull Creek. Similarly, the lack of drawdown in either well during the pump tests indicates that groundwater withdrawal at the project site will not have an impact on neighboring groundwater wells. Although the results of the groundwater pump tests at the project site did not show any connection between the fractured bedrock aquifer from which the wells are drawing and Cull Creek, it is possible that groundwater wells in the surrounding area that are drilled in shallower aquifers could have a connection with Cull Creek.

The Preliminary Technical Report also contains a 20-year projection of water supplies during normal, single-dry, and multiple dry years, as pursuant to SB 1263 requirements. The analysis included a basinwide review of gaged baseflow from a streamflow station on Cull Creek, which is approximately 1.67 miles downstream from the project site, and an assessment of the monitored recovery process in both wells following the pump tests. The two on-site wells were developed and tested at the end of the extreme dry year 2020, and their recharge was monitored through the end of 2020 and during the extreme dry year 2021. During 2021, Cull Creek was dry starting in May and continued to have no flow throughout the dry season. The total rainfall in 2020 was 10.6 inches, as compared to an average of 24 to 26 inches. One of the wells was completely recharged in 2021. The other well did not fully recover and is more likely to be impacted by multiple dry year conditions. This would likely provide limited water use during an extreme dry year and consecutive dry years. Balance Hydrologics recommends an adaptive management pumping monitoring program that would be beneficial to better understand the upper use limits of the wells. However, the proposed project has a 20-year no-growth projection and can modify its use of the site, depending on water demand and groundwater conditions. Alternatively, the proposed project can import water to meet demands, as with other projects in the area.

Some commenters expressed concerns regarding the water supply required for firefighting. Fire flow calculations have been added to Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. Originally, the storage tank was sized at 38,000 gallons; however, it has since been upgraded to approximately 44,000 gallons. The basis for this design was determined in consultation with the Alameda County Fire Department and follows the National Fire Protection Association's (NFPA) NFPA 1142, *Water Supplies for Rural Firefighting*, standards. For structures with unattached exposure hazards, the water supply is calculated based on a formula that considers total volume of the structure, the occupancy hazard classification number, the construction classification number, and a safety factor of 1.5. The water delivery rate for a water supply greater than 20,000 gallons must be 1,000 gpm. There is no designated time period in the regulation in terms of minutes or hours for which the 1,000 gpm must be sustained. There are two fire hydrants located on the project site, and a Class A fire hydrant is designed for a flow rate of 1,000 gpm. Once the storage tank is filled with raw well water, the demand will be minimal, since it will only be used for system testing and refilling as needed due to evaporation.

Although the Alameda County Fire Department (ACFD) determined that the site would be a "C" camp occupancy overall, the individual structures must comply with an "R" (residential) or "B" (business) occupancy. Since the project site is in a State Responsibility Area (SRA), it must comply with current State

and Fire Code requirements, including Title 14. Fire department access will also need to be installed and meet the requirements of Title 14; site plans will be reviewed and approved by the ACFD. All structures will require the installation of fire sprinklers, and a fire alarm system must be installed in any multiple-residential occupancy building. All building materials and construction must comply with the requirements in Chapter 7A of the California Building Code, *Materials and Construction Methods for Exterior Wildfire Exposure*. The ACFD will review the site plans and fire evacuation plan prior to construction to ensure that the proposed project meets the code requirements.

Another concern raised in the comments received was that the water demand calculations didn't account for the amount of water needed for the agricultural components of the proposed project. For mixed annual vegetables and cut flowers, the project is proposing to use approximately 5,500 square feet enclosed by fencing and including a greenhouse. This will be supplied by a rainwater harvesting system. Assuming that rain gutters are placed on the dining hall, staff house, and restroom buildings (12,167 square feet) and that the site receives 25 inches of rain per year, this would equate to about 189,501 gallons of rainwater available. Assuming a dry year with only 10 inches of rain, this would still yield about 75,800 gallons of rainwater. Assuming vegetables in the summer require one inch of water per week over the surface area of the garden bed and that irrigation water would only be needed half of the year, this would equate to about 89,100 gallons of water. This could be supplied in normal years and would likely even meet the water demand in dry years. Details regarding the proposed rainwater harvesting system will be submitted with the final site plans.

Greywater would be used for the irrigation of the orchard, which includes walnut trees and fruit trees. This will be a pilot project conducted in conjunction with ACDEH. Greywater will be collected from washing machines, showers, and restroom sinks and can be safely used to water landscape plants and orchard trees but cannot be used to water edible gardens. The greywater can be released into a mulch basin or into a drip irrigation system. Greywater was estimated to be about 30 percent of the total wastewater flow rate, which is more than sufficient to supply the landscape areas and orchard. Design of the greywater system will require compliance with the 2022 California Plumbing Code, Chapter 15, *Alternate Water Sources for Nonpotable Applications,* and the proposed greywater system will need to be reviewed and approved by ACDEH prior to the start of construction.

Regarding the water demand for the goats and chickens, as shown in Appendix K, *Revised Williamson Act Compatible Use Plan*, of this Final EIR, the proposed project would have 20 free range chickens within a one-acre area with fencing and a 200-square-foot coop. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. Chickens require one to two cups of water per day, but egg layers require about two to four cups/day. Assuming all of the chickens will be egg layers, this would be about 5 gallons/day for 20 chickens. Therefore, the total water demand for the animals would be 5 gallons/day, which is less than the water demand for one camper.

ON-SITE WASTEWATER TREATMENT SYSTEM

The Mosaic Project submitted the Preliminary OWTS Design Plans and the Basis of Design Report for the Mosaic Project to the ACDEH for review. The ACDEH reviewed the preliminary reports and stated in a letter dated June 18, 2025, that the wastewater generated at the project site can be managed using the

OWTS and provided a feasibility approval of the preliminary OWTS design. The ACDEH's final approval of the OWTS will be based upon the Alameda County OWTS Ordinance and Manual in effect at that time and will be conditioned upon approval of the OWTS design documents and receipt of copies of associated project permits/approvals by other agencies. As shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR, Appendix G, *Hydrology Reports*, of the Revised Draft EIR[10] has been updated to include these documents.

As described in Section 3.3.4.3, *Sanitary Sewer Service*, in Chapter 3, *Project Description*, of the Revised Draft EIR and detailed in the NorthStar *Basis of Design Report for the Mosaic Project* in Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR, the proposed project would include an OWTS. However, the proposed OWTS is not the standard OWTS with a septic tank and leach field that is commonly installed in rural residential settings. The proposed system is considered by Alameda County to be an advanced OWTS because it provides primary and secondary wastewater treatment prior to discharge to pressurized chambered trenches. The system has been designed in accordance with the ACDEH OWTS Manual and is subject to review and approval by ACDEH prior to the start of construction. A completed Service Request Application must be submitted to ACDEH the required fees and supporting documentation. Upon receipt of the Service Request Application and fees, ACDEH staff will review the files and provide the applicant with a written File Summary Review and Estimated Regulatory Path and Fees for Project Approval/Clearance within 15 days of the submittal.

Also, the OWTS was sized and designed using conservative assumptions about the amount of effluent generated, because it is also planned to install a greywater system for irrigation of the orchard, and the amount of greywater is estimated to be about 30 percent of the total effluent.

In place of a standard septic tank, the OWTS would provide primary and secondary treatment, including grease interceptor tanks, septic tanks, secondary treatment equipment, and surge/dosing tanks with pumps and controls to move wastewater evenly and consistently to dispersal zones on the site. The dispersal concept includes applying secondary-treated effluent to pressure dosed chambered trenches to the septic field, set back 100 feet from Cull Creek's top of bank and 150 feet from the groundwater wells, pursuant to the ACDEH requirements. As shown on Figure 3-4, *Proposed Project Site Plan*, in Chapter 3 of the Revised Draft EIR, the proposed septic control building and wastewater treatment facility would be placed in the northwestern corner of the 2-acre building envelope, near the proposed staff lodging house. The proposed septic area would be approximately 7,663 square feet, located east of the camping cabins, as shown on Figure 4.8-4, *Proposed Septic Layout*, in Chapter 4.8, *Hydrology and Water Quality*, of the Revised Draft EIR.

Several commenters asserted that the OWTS analysis is based on incorrect water demand estimates and that the OWTS analysis for camps should be 45 gpd. This is incorrect. The ACDEH OWTS Manual provides a wastewater flow design criterion of 35 gpd for overnight camps, with flush toilets and showers and a flow design criterion of 25 gpd for overnight camps with flush toilets and no showers. However, the ACDEH OWTS Manual also states that a 20 percent design flow reduction can be applied where water saving devices such as low flow plumbing fixtures are used, such as toilets, urinals, faucets, and

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showerheads. All plumbing fixtures will meet this criterion through compliance with CALGreen and the California Plumbing Code. This reduction of 20 percent would reduce the flow design criterion of 35 gpd to 28 gpd/person, which is close to the value of 25 gpd/person that was used in sizing the OWTS. The ACDEH OWTS Manual further states that an adjustment to the minimum criteria can be made based upon flow monitoring data. As previously discussed above, metered water usage was conducted for a similar overnight organization camp with flush toilets, showers, and a kitchen, and the water demand was determined to be 19 gpd/person. Therefore, it was determined that 25 gpd/person would be a conservative assumption.

The sizing analysis for the proposed OWTS also used the value of 150 gpd/bedroom, pursuant to the ACDEH OWTS Manual. No credit was taken for the use of low-flow plumbing fixtures, which would reduce the value to 120 gpd/bedroom. The vendor of the secondary treatment system, Orenco, concurred that based on their experience, the influent flows that were calculated by NorthStar are consistent with what they have observed for similar campground systems. In addition, the OWTS design was conservatively sized assuming that 100 percent of the wastewater generated at the facility would flow through the treatment system, whereas up to 30 percent of the wastewater would be greywater that could be diverted.

The OWTS is an advanced treatment system compared to a conventional septic tank system used by residential properties. There will be a grease interceptor tank and a 20,000-gallon septic tank for primary treatment. Wastewater will then flow into an Orenco Advantex® secondary treatment system sized for both hydraulic and organic loading. The system will have a recirculation tank and 225 square feet of filter media that will result in significant reductions in biochemical oxygen demand, total suspended solids, and nitrogen. This system has been installed in similar settings in campgrounds and public beaches in California. The effluent from the system at Point Dume State Beach is clean enough that it is dispersed directly into the sand. The effluent will then flow into a 6,000-gallon dosing tank, which will distribute it evenly into the pressure dosed chambered dispersal trenches. The vendor of the wastewater treatment system, Orenco, provides installation and operator training, assistance with technical specifications, installation and operation manuals, and lifetime technical support.

The dispersal field consists of approximately 630 lineal feet of trenches and was designed in accordance with the ACDEH OWTS requirements. The pressurized system ensures that the treated effluent will be evenly distributed throughout the field at the rate of 1.2 gpd/square foot. The pressurized dispersal system provides a more even distribution of effluent in the drain field and prevents soil from becoming oversaturated, as can happen with a conventional leach field. The wastewater effluent is pumped to the drain field, which consists of a series of perforated PVC pipes fitted with balancing valves to ensure even distribution. The dosing tank pumps a specified amount of effluent into the distribution network, ensuring that the drain field is never inundated with wastewater to the point that it becomes too saturated. The design of the drain field and the fact that the treated wastewater is percolating downward into the soil where naturally occurring soil bacteria provide further treatment will ensure that the system will not have an impact on Cull Creek and adjacent riparian areas.

One commenter expressed concern that there were hydric soils present that could impact the septic dispersal system. Hydric soils form under conditions of saturation, flooding, or ponding and develop anaerobic conditions. The archaeologists who performed the cultural survey reported hydric soils in the

upper two feet in one of the two test pits that was advanced in the area of the staff housing (see Appendix J, *Cultural and Tribal Cultural Resources*, of the Revised Draft EIR). This could be due to proximity to the creek. The exact location of the test pit was not reported and the area where the test pits were advanced is not in the area where the dispersal field is planned. The geologists who conducted the geotechnical engineering investigation and the percolation tests did not report hydric soils in any of the test pits excavated to a depth of 7 feet below ground surface (bgs). Although the GEI Report states that the soils were slightly moist to moist, it is further reported that the moisture content of each soil unit was consistent with the natural moisture within the vadose zone (see Appendix E, *Geotechnical Engineering Investigation Report*, of the Revised Draft EIR). The pressure trenches will be installed at a depth of three feet bgs, which is below the depth of the hydric soils encountered by the archaeologists, and the system has been designed in accordance with the ACDEH OWTS Manual based on the results of the percolation tests.

ACDEH also requires an evaluation of cumulative impacts for large non-residential OWTS, which was included in the NorthStar *Basis of Design Report for The Mosaic Project* (see Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR). This cumulative impact analysis addresses the concern of commenters about the effect of the effluent on the on-site groundwater wells. The groundwater mounding analysis assumed a depth to groundwater of 30 feet bgs, based on information provided in the GEI Report. However, this is somewhat misleading because when a well is drilled in a confined to semi-confined aquifer, water levels rise above the top elevation of the aquifer because of a pressure gradient. The screened interval in one of the wells at the project site is 95 to 135 feet bgs; however, the water level in the well rose to about 40 feet bgs after well completion. Nevertheless, conservatively assuming that the water table is only 30 feet bgs, the worst-case groundwater mounding analysis assumes that the design flow occurs 365 days per year. The groundwater mound height would still be 10 feet below the drain field, which is greater than the 5 feet of separation required by ACDEH. Assuming there is a shallow groundwater aquifer at 30 feet bgs, this would not be impacted by effluent dispersal in the drain field. Also, the effluent that is being discharged has been treated to reduce BOD concentrations to less than 30 milligrams per liter (mg/l), TSS concentrations to less than 30 mg/l, and nitrogen concentrations to less than 7.0 mg/l.

In addition, there are sanitary (cement) seals on the two on-site groundwater wells that extend 60 feet bgs. Because of the distance from the nearest well to the drain field (150 feet) and the presence of the sanitary seal, treated effluent that is released to the drain field will not impact the water quality of the groundwater wells. In addition, the water system is required to do monthly testing for bacteriological quality and annual preparation of a Consumer Confidence Report that shows test results and compliance with all primary and secondary drinking water standards.

Another cumulative impact that was considered is nitrogen loading, which could impact groundwater quality in shallow wells. Predicted nitrogen concentrations in design flows were determined, and the percent removal required by the secondary treatment system was calculated to meet the ACDEH standard for groundwater concentration in areas served by individual wells of 7.0 mg/l. To be conservative, it was assumed that nitrogen concentrations in the wastewater at the site would be 1.5 to 2.0 times higher than residential strength effluent. Under this assumption, a 60 percent nitrogen removal would be required by the OWTS package treatment system, which is well within the capability of the standard Orenco

Advantex® system without additional denitrification requirements. Therefore, the proposed leach field system would not adversely affect groundwater quality at the site.

Although the wastewater treatment system was sized assuming that all effluent would flow through the system, the project plans to install a 2,500 gpd greywater collection, treatment, and pump system for drip irrigation of landscape areas around the cabins and a 100 gpd passive filtrations and laundry-to-landscape system for drip irrigation of the orchards. These uses are approved for greywater systems. Collectively, the greywater systems are estimated to reuse 380,000 gallons/year for irrigation demands. Greywater will be collected from washing machines, showers, and restroom sinks. The system would comply with the code requirements in CCR, Title 22, the California Plumbing Code, and the California Health and Safety Code. The drip irrigation dispersal system would be 50 feet from Cull Creek and 100 feet from the water supply wells, as required by the Plumbing Code. The proposed greywater system will need to be reviewed and approved by ACDEH prior to the start of construction.

A few commenters questioned the extension of the proposed roadway onto the flood control easement and existing septic system and leach field. The Alameda County Flood Control District (ACFCD) has two easements, and one is an access easement providing access to a larger creek easement that follows the centerline of the creek (see description of E-2-2353, below). The access easement extends into the property from Cull Canyon Road with an 18-foot-wide easement, creating a link between the road and the creek, as shown on Drawing C-1 in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. The proposed driveway and ACFCD's access easement overlap, but since they both provide access to the project site, no conflict exists. The grant of access easement dated 1992 states that the ACFCD has the right-of-way for ingress and egress of pedestrians, vehicles, and equipment for the purpose of installing, maintaining, and inspection of the adjacent flood control channel. The proposed modifications for this project would not violate the terms of the easement agreement.

The ACFCD also has an easement referred to as E-2-2353 along the creek within the project site. The easement is 50 feet wide, or 25 feet measured from the creek centerline on each side. No work is proposed in this ACFCD easement, and the creek setbacks extend beyond the ACFCD easement. The existing bridge, which is approximately 70 feet long, would remain in its current configuration and would not impact the ACFCD easement.

It is not currently planned to replace the existing OWTS and leach field near the caretaker unit. Because of space constraints in this area of the site, the proposed roadway has been moved north to remain clear of the existing leach field (see sheet WW2 of the NorthStar *Basis of Design Report for the Mosaic Project* included in Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR). If the existing OWTS and leach field fail with this configuration, a new system will be installed in accordance with ACDEH OWTS standards and approval. The existing barn and the proposed garden yard for chickens will be located west of the existing leach field and proposed roadway. There are no setback restrictions for animal raising near leach fields.

As detailed under impact discussion HYD-1 in Chapter 4.8 of the Revised Draft EIR, the OWTS is designed in accordance with the ACDEH OWTS Manual and would comply with the requirements of ACDEH and ACMC Chapter 15.18, *Onsite Wastewater Treatment Systems*. The ACDEH has reviewed and approved the feasibility of the preliminary OWTS system design (see Appendix G, *Revised Water and Wastewater*

System Reports, of this Final EIR). The final system design will be submitted to the ACDEH for review and approval prior to the start of construction in order to obtain a permit.

MASTER RESPONSE 6: FIRE SAFETY AND EVACUATION

As analyzed under impact discussions HAZ-1 and HAZ-2 in Chapter 4.7, *Hazards and Hazardous Materials*, of the Revised Draft EIR, the proposed project would be required to comply with the provisions of the California Fire Code (CFC) and the California Building Code (CBC) adopted through ACMC Chapter 6.04, *Alameda County Fire Code*, and Chapter 15.08, *Building Code*, respectively. Compliance with the CBC and CFC would ensure that building and life safety measures are incorporated into the proposed project and would facilitate implementation of emergency response plans. Development of the proposed project would comply with all Alameda County requirements, including fire flows, on-site hydrants, and backflow assemblies. Project design and construction would comply with requirements for building materials and construction methods for new buildings in a fire hazard severity zone (FHSZ) set forth in CBC Chapter 7A. The proposed project would also comply with CFC Chapter 49, which sets forth requirements generally parallel to those in CBC Chapter 7A, including clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas and material requirements for new buildings within a FHSZ.

The proposed project also includes a Fire Safety and Emergency Response Plan (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR) to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities. Under the proposed Fire Safety and Emergency Response Plan, the proposed project would implement the following procedures related to emergency response and emergency evacuation:

- All staff and employees would be trained in evacuation and notification procedures. All staff would be required to attend a training session yearly to learn and practice evacuation procedures.
- Project staff would be tested to verify that they know how to evacuate their work areas and perform their fire drill duties during an emergency.
- An emergency drill would be held within the first 24 hours of the beginning of each program session.
- When conducting the emergency drill, project staff would identify people needing special assistance and put in place any necessary special accommodations.
- Project staff would conduct interactive role plays to practice how to respond during different scenarios. Prior to the role plays and drills, the following measures would be implemented:
  - Ensure that staff is familiar with the location of all fire alarms and extinguishers, evacuation routes, and Safety Zones.
  - Demonstrate how to properly use fire extinguishers, fire blankets, and fire hoses.
- The Mosaic Project subscribes to Zonehaven AWARE “ACALERT '' used by Alameda County Emergency Services to report zone-specific emergencies, e.g., area wildfires.
- When evacuation is required, the project would employ all available notification methods to notify occupants (e.g., intercom, alarms, walkie talkies).

- At least once per quarter, the project would invite a fire department representative to review the fire drill exercise to verify its effectiveness.
- Copies of a project-specific Fire Safety & Emergency Response Guide would be kept easily accessible for all on-site staff. Staff would review and update the Guide and its procedures a minimum of once per calendar quarter.
- Emergency numbers would be posted in easily visible places throughout the site. All buildings would have posted written fire evacuation procedures, including detailed instructions and numbers for contacting emergency personnel. All buildings would also have posted maps of evacuation routes that indicate the locations of fire alarms, fire extinguishers, and safe gathering zones.
- Appropriate safety signage would be posted near each building and throughout the site.
- Through an emergency evacuation agreement that was established between the proposed project and the Castro Valley Unified School District, in case of the need for emergency evacuation, the Castro Valley Unified School District will provide two available school buses. Each school bus holds 50 individuals and would bring the campers to Canyon Middle School, located seven minutes away from the proposed project. In the event that Canyon Middle School is not a safe evacuation site, another Castro Valley Unified School District facility will be used.[11]
- Prior to their child's session, parents would be given the following instructions in case of an emergency: "Do NOT come in individual cars to pick up your child. This would cause traffic and disrupt evacuation procedures. We will utilize nearby school buses to quickly evacuate everyone to a nearby school. Your child's school will arrange further transportation."
- When there is a need to evacuate, all staff and campers would gather in the parking lot. If this area is not accessible, everyone would gather between the creek and the road on the south side of the property. Campers would line up according to their cabin group (as practiced in the emergency drills) and assigned staff would conduct a roll call.
- Staff would comply with all emergency direction as provided by the County of Alameda Fire Department.
- If deemed safe, the project site and project buildings may be utilized as a shelter center for local residents to secure safety in the event of an emergency.

As detailed under impact discussion PS-1 in Chapter 4.11, *Public Services*, of the Revised Draft EIR, the Alameda County Fire Department would provide primary fire protection services for the proposed project. The proposed project does not introduce significant new populations into the region, as camp-goers would be students from the Bay Area, and some if not all of the employees would likely come from the region as well. Compliance with the CFC, CBC, and the proposed Fire Safety and Emergency Response Plan would reduce the need for fire protection services by reducing the risk of a need for emergency fire protection services. The proposed project is also in close proximity (3 miles) to the Alameda County Fire Station Number 6 at 19780 Cull Canyon Road. The proposed project would also adhere to fire protection-related regulations and emergency procedures applicable within Alameda County. Emergency vehicle

[11] See Appendix O, *Castro Valley Unified School District Letter*, of this Final EIR.

access to the project site would be provided via two driveways on Cull Canyon Road and a 20-foot-wide fire access lane extending through the site to the proposed cabin area of the project.

Furthermore, as discussed under impact discussion WF-1 in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, during an evacuation event, project occupants would evacuate to the south via Cull Canyon Road, as Cull Canyon Road does not provide through access to any roadways to the north. The proposed project would not alter the existing project area in a way that could result in emergency evacuation impairment, such as by adding a significant permanent population to the area or altering traffic routes. Many comments expressed concern regarding the proposed project's impacts on evacuation in the project area for existing residents. Pursuant to CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, in assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published.

While the project area may be considered at risk of landslide and liquefaction, as noted in Chapter 4.5, *Geology and Soils*, of the Revised Draft EIR, the Geotechnical Engineering Investigation Report prepared for the proposed project (see Appendix E, *Geotechnical Engineering Investigation Report*, of the Revised Draft EIR) found that the project site lacks the characteristics that would promote liquefaction, and the potential for the occurrence or recurrence of a landslide hazard within the proposed building areas is low. Therefore, the proposed project would not exacerbate liquefaction and landslide hazards in the area. In addition, as Cull Canyon Road is currently the only evacuation route for the project area, the inherent difficulties of evacuation would not be significantly affected by the proposed project. Taking into account project staff and delivery vehicles, the proposed project is expected to generate 51 maximum daily trips. Cull Canyon Road has a daily volume of 420 vehicles; therefore, the proposed project's maximum daily trip volume represents only 12 percent of Cull Canyon Road's daily volume. Additionally, as described under Section 3.3.5, *Emergency Evacuation*, in Chapter 3, *Project Description*, of the Revised Draft EIR, if deemed safe, the project site and project buildings may be utilized as a shelter center for local residents to secure safety in the event of an emergency.

5.2 COMMENTS AND RESPONSES

Responses to individual comments are provided in this chapter alongside the text of each corresponding comment. Letters are categorized by:

- Governmental Agencies
- Non-governmental Organizations and Private Companies
- Members of the Public

Table 5-1 presents comments received on the Revised Draft EIR and responses to each of those comments. Letters are arranged by date received. Where the same comment has been made more than once, a response may direct the reader to another numbered comment and response. Where a response requires revisions to the Revised Draft EIR, these revisions are shown in Chapters 1 and 3 of this Final EIR. Comments are presented in their original format in Appendix L, *Comment Letters*, of this Final EIR along with annotations that identify each individual comment number.

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
Governmental Agencies		
GOV1	**Castro Valley Unified School District, Parvin Ahmadi, Superintendent, January 18, 2024**	
GOV1-1	We are excited to see the recently released Mosaic Project's Recirculated Draft EIR. Given the environmentally sustainable design and the environmental education component, our students will learn to appreciate and care for nature through the project. I write this letter on behalf of our governance team to share our enthusiastic support for the Mosaic Project. The Mosaic Project's mission is aligned with our school district's vision and mission. We are extremely excited about our students being able to take full advantage of the programs the Mosaic Project offers right here in Castro Valley. The Mosaic Project serves as a model center fostering empathy, equity and effective communication by bringing young people of diverse backgrounds together in a peaceful, natural setting. Castro Valley is the perfect home for The Mosaic Project, because it provides students in Alameda County and neighboring counties a unique opportunity. The Mosaic Project's mission and work could not be more vital than at this critical moment in history. The Mosaic Project has already provided extraordinary resources and programs to our schools through professional development, sharing materials, and internships for our high school students. We are excited to work side by side with the Mosaic Project to create a better future for the children of Castro Valley and beyond. The Castro Valley Community Alliance, a collaborative group of Castro Valley community and educational leaders, students, and families advocating for compassion, understanding and acceptance outlines in his vision the following: "Castro Valley is a diverse community that is welcoming and inclusive where everyone is safe, respected and valued. In our schools, staff and families experience and value diversity as a catalyst for unity." This again is fully aligned with the mission of the Mosaic Project. We look forward to having the Mosaic Project in Castro Valley where students from various school districts have the opportunity to learn how to work together, communicate effectively, have compassionate dialogues and hold space for one another's opinion in order to create a better world.	The comment expresses support for the proposed project. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
GOV2	**California Department of Fish and Wildlife, Erin Chappell, Regional Manager, January 23, 2024**	
GOV2-1	The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of The Mosaic Project Recirculated Draft Environmental Impact Report (RDEIR) from Alameda County for the Outdoor Project Camp (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines. Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code. In an email from you dated January 17, 2024, CDFW received an extension to provide comments on the RDEIR from January 19 to January 24, 2024.	The comment serves as an introduction to the comment letter. Please see Responses GOV2-2 through GOV2-16 below.
GOV2-2	CDFW ROLE CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by state law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.	The comment provides information about the California Department of Fish and Wildlife (CDFW). The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
GOV2-3	PROJECT DESCRIPTION SUMMARY Proponent: The Mosaic Project Objective: The objective of the Project is to develop an outdoor recreation facility in unincorporated Alameda County for use as a youth educational camp.	The comment summarizes the Project Description presented in the Revised Draft EIR. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. The comment does not address the adequacy

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	Project activities include demolition of existing infrastructure; improvement of trails and miscellaneous dirt or gravel roads (pedestrian and vehicle access); and construction of multiple structures including cabins, a meeting and dining hall, a restroom/shower building, a dwelling, and parking to accommodate 15 cars. The proposed Project also includes replacement of a private water system; expansion of a private wastewater system; installation of stormwater bio-retention basins to capture surface runoff and storage tanks to provide graywater for irrigation; goat and chicken husbandry; installation and operation of an organic garden and orchard space; installation of associated lighting, fencing, signage, and landscaping/planting; and vegetation maintenance with goats for fuels reduction. Project activities may include potential reroute of a 24-inch diameter drainage culvert on a tributary to Cull Canyon Creek. At peak operation, the approximately two-acre facility would provide overnight accommodation for up to 95 fourth- and fifth-grade campers and 10 staff, operating year-round, with short breaks between sessions. Location: The proposed Project is located on a 37-acre property at 17015 Cull Canyon Road, near the unincorporated Community of Castro Valley in Alameda County, approximately three miles north of Interstate-580. Timeframe: unclear (construction and operation).	of the analysis in the Revised Draft EIR; therefore, no response is warranted.
GOV2-4	COMMENTS AND RECOMMENDATIONS CDFW offers the comments and recommendations below to assist Alameda County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the potential for the Project to have a significant impact on biological resources, CDFW concludes that an Environmental Impact Report (EIR) is appropriate for the Project.	The comment serves as a summary of the comments to follow. Please see Responses GOV2-5 through GOV2-13 below.
GOV2-5	I. Project Description and Related Impact Shortcoming Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)? COMMENT #1: The CEQA Guidelines (§§15124 and 15378) require that the draft EIR incorporate a full Project description that contains sufficient information to evaluate and review the Project's environmental impact.	The comment asserts that the project description and conceptual site plan do not clearly depict several components of the proposed project outside of the contiguous two-acre building envelope. As discussed in Section 3.3.2, *Open Space and Amenities*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the footprint of the pedestrian trail and road upgrades are limited to the existing dirt roads and trails. There is no map of the existing roads and trails on the project site. Proposed vegetation maintenance buffers and landscaping plans have been

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	Sections: Chapter 3 Project Description, Pages 3-1 through 3-25. Issue: The RDEIR includes inconsistencies in its provision of relevant details of the Project Description across sections including the summaries in Chapter 1 and Chapter 2 and the various subsections of Chapter 4 Environmental Analyses. Related to this, the RDEIR does not clearly present a Project timeline for construction and duration for operation. For example, the Project Description does not describe in sufficient detail and Figure 3-4 does not clearly depict several components of the proposed Project outside the identified "contiguous two-acre building envelope" (two-acre "developed area" referred to in RDEIR text) on the 37-acre property such as the footprint of the pedestrian trail and road upgrades, vegetation maintenance buffers, landscaping/ plantings, upgrades to water and sewer lines (or other necessary piped infrastructure), and to water tank foundations. The Project Description also lacks sufficient detail related to vegetation management (fuels maintenance), potential culvert reroute, planting plan, and agricultural activities for CDFW to assess impacts to sensitive wildlife and plant resources that may be present in the Project area. Some of these Project components such as installation of a culvert could potentially affect the bed, bank and/or flow of Cull Canyon Creek and its undergrounded tributary. The Project Description does not present a construction schedule tied to Project construction activities or provide an estimated duration of construction. Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming) Mitigation Measure #1: The Project Description and Project plans (Figures 3-3 and 3-4) should be revised to provide more detail about all components of the Project as well as timing (start and end dates of Project construction and operation activities) and location of each major Project activity.	included as Appendix P, *Landscaping and Vegetation Plans*, of this Final EIR. However, as discussed under Impact Discussion WF-2 in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, the proposed landscaping plans are not consistent with required wildfire hazard reduction features, and the proposed project would be required to comply with Mitigation Measure WF-2 to submit revised landscape plans as well as a vegetation management plan to the Alameda County Fire Department for review and approval prior to the issuance of building permits. As shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR, Mitigation Measure WF-2 has been revised to add additional details regarding required maintenance buffers. The proposed infrastructure upgrades are discussed in Section 3.3.4, *Utilities and Service Connections*, in Chapter 3 of the Revised Draft EIR and are shown on Figure 4.8-1, *Proposed Planting Plan*, Figure 4.8-2, *Proposed Storm Drain Layout (North)*, Figure 4.8-3, *Proposed Stormdrain Layout (South)*, and Figure 4.8-4, *Proposed Septic Layout*, in Chapter 4.8, *Hydrology and Water Quality*, of the Revised Draft EIR. The proposed project is still in preliminary design, and the pipe network for water, drainage, and sewer and building and tank foundations have not been designed to date, but all facilities will be designed to meet code requirements.
GOV2-6	COMMENT #2: The RDEIR does not describe and define temporary and permanent Project impacts to the environment. Section: Chapter 3 Project Description, Pages 3-1 through 3-25. Issue: Lack of categorization of Project impacts in the RDEIR as temporary or permanent affects CDFW's ability to assess and recommend avoidance, minimization, or mitigation measures to reduce the Project's impacts on sensitive biological resources to less than significant levels.	The comment states that the Revised Draft EIR lacks categorization of project impacts as temporary or permanent. Construction impacts would be temporary and operational impacts would be permanent. Chapter 4.3, *Biological Resources*, of the Revised Draft EIR provides a detailed assessment of the potential impacts of the proposed project on biological and wetland resources. These are organized by significance criteria from Appendix G of the CEQA Guidelines. As described in Section 3.3.1, *Proposed Site Improvements*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the proposed project would develop approximately 2 acres of the 37-acre site.

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming) Mitigation Measure #2: The EIR should provide accurate acreages of temporary and permanent impacts resulting from implementation of the Project for each habitat type. CDFW recommends presenting the impact amounts in tabular form and clearly depicting areas of each type of impact in figures representing the 37-acre Project area.	The proposed project would be sited in areas that have already been developed, with an estimated 44 trees proposed for removal. Riparian vegetation and habitat along Cull Creek would be avoided, and new structures would generally be sited in openings within the forest and planted tree cover. Therefore, only minor incursion into existing woodland cover is anticipated. Most of the 2-acre development area would be disturbed during construction, although mature trees would be avoided where feasible. Table 3-1, *Proposed Project Buildout*, in Chapter 3 of the Revised Draft EIR provides a summary of the proposed building footprints that would represent a permanent change to existing conditions, with a total footprint of 18,173 square feet. The existing main building on the site which occupies an estimated 7,500 square feet would be demolished as part of the proposed project, for a net increase of about 10,673 square feet of building footprint.
GOV2-7	II. Environmental Setting and Related Impact Shortcoming Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS? COMMENT #3: The Environmental Analysis determines a low probability of occurrence of state-threatened Alameda whipsnake (Masticophis lateralis euryxanthus) within the Project area. Sections: Section 4.3.1.2 Existing Conditions of Section 4.3 Biological Resources, Pages 4.3-7 through 4.3-9; and Figure 4.3-2 Special-Status Animals and Critical Habitat, Page 4.3-11. Issue: The Project area contains habitat features (scrub intermixed with woodland and small patches of grassland) in close proximity to Alameda whipsnake sightings, including, less-than one mile based on Figure 4.3-2 with some sightings as recent as 2017 based on the California Natural Diversity Database (CNDDB) review, and is within a few hundred feet of federally-designated Alameda whipsnake Critical Habitat (Page 4.3-9). The Biological Resources summary (Subsection 4.3) of the RDEIR concludes low ("remote") potential for occurrence of Alameda whipsnake within the Project footprint due in part to presence of ruderal grasses and existing low-impact development as well as dense oak-bay woodland described as separating the development area from adjacent scrublands and	The comment expresses concern over the occurrence of Alameda whipsnake in the project site vicinity. As shown on Figure 4.3-2, *Special-Status Animals and Critical Habitat*, in Chapter 4.3, *Biological Resources*, of the Revised Draft EIR, designated critical habitat for Alameda whipsnake is located within a few hundred feet west of the project site. However, the proposed development area is located on the eastern portion of the 37-acre project site and is over a quarter mile from the designated critical habitat. Dense oak bay woodland separates the chaparral and scrub habitat within the designated critical habitat that is preferred by Alameda whipsnake from the proposed development area in the southeastern corner of the site along the valley floor along Cull Creek. The aerial of the project site and vicinity on Figure 3-2, *Local Context*, in Chapter 3, *Project Description*, of the Revised Draft EIR shows the presence of high quality chaparral and scrub habitat within the designated critical habitat to the west of the project site, but the further southeast and downslope from this suitable habitat along the ridge crest, the denser and more widespread the oak-bay woodland up until the proposed development area in the southeastern corner of the site where the footprint of

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	ongoing vegetation maintenance activities. However, department records indicate that Alameda whipsnake can use and move through similar habitat features and have shown at least some tolerance of vegetation treatment (USFWS 2020). Similar Alameda whipsnake behavior is documented more generally in other literature (for example, Hammerson 1979; Swaim 1994; USFWS 2002; Alvarez and Miller 2016). Additionally, Alameda whipsnake can move substantial distances within home ranges which have been reported to encompass between at least 1.9-8.7 hectares depending on sex and length of tracking (Swaim 1994; USFWS 2002). Given close proximity of recent, known occurrences (i.e., CNDDB AWS Occurrence Nos. 135, 178 and 179, shown unlabeled to northwest and southeast of the Project footprint on Figure 4.3-2, Page 4.3-11) and close proximity of Critical Habitat for this species, it is likely that Alameda whipsnake are present within dispersal distance of the Project area. Furthermore, throughout the year, Alameda whipsnake may be present but difficult to detect in a given area due to their secretive behavior. During their inactive season (roughly November through February/March, dependent on weather conditions), Alameda whipsnakes will use rodent burrows or crevices in rock outcrops for brumation (Hammerson 1979; Swaim 1994; USFWS 2002). During their active season (roughly February/March through October, dependent on weather conditions; Swaim 1994; USFWS 2002; Alvarez et al. 2021), Alameda whipsnake will utilize rodent burrows and other refugia (e.g., rocks, rock outcrops, logs, vegetation piles, or cracks between cement foundation and native substrate) to oviposit, thermoregulate, estivate and/or evade potential threats including people. Alameda whipsnakes will also use vegetation structure (e.g., shrubs or other similar vegetation), rocks and open soil to bask on the ground or within the shrub layer (Swaim and McGinnis 1992; Swaim 1994; Miller and Alvarez 2016; Alvarez and Murphy 2022). Alameda whipsnake have also been observed on a few documented occasions in trees (e.g. 15 feet up, Shafer and Hein 2005 in Alvarez and Murphy 2022). Analysis of existing data has found that a minimum of 30-days focused drift-fence funnel trapping during peak activity (typically April-May, though dependent on weather conditions) may be necessary to assess presence/ absence of this species (Richmond et al. 2015). For these reasons, single-day visual surveys are not adequate to detect or determine absence from a location for this species.	existing structures is visible. As shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR, Figure 3-2 has been revised and renamed to Figure 3-2a and a new figure (Figure 3-2b, *Proposed 2-Acre Development Area*) has been added. These figures clearly identify the proposed 2-acre development area in relation to the project site and the aerial surroundings. As described in Chapter 4.3 of the Revised Draft EIR, a habitat assessment was conducted by the EIR biologist as part of the field surveys of the proposed development area to determine the potential for presence of special-status species on the project site. A discussion of the potential for occurrence of Alameda whipsnake in the vicinity of the project site is provided under Section 4.3.1.2, *Existing Conditions*, and an assessment of potential impacts of proposed development is provided under impact discussion BIO-1 in Chapter 4.3 of the Revised Draft EIR. Alameda whipsnake is not expected to occupy the proposed development area on the project site because of an absence of suitable habitat conditions, where the existing cover is dominated by mowed non-native grassland, paved and graveled roadways, existing structures, and dense woodland with little to no understory and protective cover, and conditions that don't support high numbers of suitable prey species such as western fence lizard. While Alameda whipsnake are known to move through a number of different cover types, including grasslands and woodlands, dense scrub and chaparral with a high prey base are essential for permanent occupation by this species. Again, the proposed development has been too disturbed by past construction, and lacks suitable cover and prey opportunities to attract and retain Alameda whipsnake on this portion of the project site. Nevertheless, Mitigation Measure BIO-1.4 as listed in Chapter 4.3 of the Revised Draft EIR would be required to take adequate measures to avoid inadvertent take of the Alameda whipsnake and ensure impacts would be minimized.
GOV2-8	Therefore, for the reasons stated above, Alameda whipsnake may be more likely to occur within the Project area than currently indicated in the RDEIR and therefore likely to be impacted by Project activities. The RDEIR biologist's recommendation to utilize wildlife	The comment asserts that the Alameda whipsnake would be impacted by the proposed project and references Mitigation Measure BIO-1.4. Please see Response GOV2-7 regarding

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	exclusion fencing as an Avoidance and Minimization Measure to reduce potential for take of this species (as well as state Species of Special Concern (SSC) California red-legged frog [Rana draytonii], state SSC western pond turtle [Emys marmorata], and state-endangered foothill yellow-legged frog [Rana boylii]) by the Project appears to acknowledge risk of impacts to this (and other) sensitive reptile and amphibian species by Project activities. Specific impact: Potential take of Alameda whipsnake under CESA (Fish & G. Code § 2081). Why impact would occur: Take of Alameda whipsnake may occur directly or indirectly through ground-disturbing activities, including grubbing, grading, excavation (including for wildlife exclusion fence installation and planting/landscaping), removal of existing concrete pads and/or other foundation materials, vehicle passage, vegetation removal (shrubs and trees from the root or above-ground structure), and from changes to physical habitat structure (e.g., changes in refuge or basking resource availability) including to vegetation structure through introduction of non-native species. Non-native plant species may be introduced through transport of seeds inadvertently in contaminated dirt or erosion control materials (e.g., straw), from goat defecation, disturbance to the ground which can favor germination and colonization by opportunistic non-native invasive species, or directly by introduction of horticultural varietals during construction and operation. Potential impacts to Alameda whipsnake due to increased human (and pet) activity and noise levels during both construction and operation (in particular by the large number of campers and staff anticipated consistently onsite) include effects to behavior and spatial use of habitat that could affect survival and reproduction/recruitment. These same activities, as well as physical changes to the site, may reduce availability of prey to Alameda whipsnake, thereby also affecting Alameda whipsnake behavior and spatial use of habitat that could affect survival and reproduction/recruitment. Evidence impact would be significant: Take of a listed species is a significant impact.	impacts to Alameda whipsnake. As discussed under impact discussion BIO-1 in Chapter 4.3, *Biological Resources*, of the Revised Draft EIR, habitat conditions within the proposed development area are unsuitable for permanent occupation by Alameda whipsnake and the other special-status animal species. Direct and indirect impacts on Alameda whipsnake and other special-status species of concern are not anticipated as a result of changes within the proposed development area, which is already largely disturbed by past development and ongoing maintenance activities. Required implementation of Mitigation Measure BIO-1.4 as detailed in Chapter 4.3 of the Revised Draft EIR would ensure avoidance of inadvertent take of these species in the remote instance an individual were to disperse into the proposed development area on the site from surrounding habitat, and includes recommendations for preconstruction surveys, installation of temporary wildlife exclusion fencing to preclude access into the construction zone, and monitoring by a qualified biologist, all standard avoidance measures. By isolating the construction zone and confirming no species of concern are present, the remote potential for injury or loss of one of these species is avoided. While the intensity of human activity within the proposed development area on the site has varied over time, it has included occupation by humans. The adjacent private properties to the north, east, and south of the proposed development area on the site are also developed with existing structures and residences, with human activity to which any animals in the area have acclimated, together with vehicle traffic and bicycle activity along Cull Canyon Road. Most of the human activity on the project site from future campers and staff would be concentrated within the proposed development area, which does not contain suitable habitat for occupation by Alameda whipsnake and the other special-status species of concern. Hiking and exploration in the upper elevations of the site would take place on existing roads and trails under the supervision of staff and is not expected to result in any substantial impact on Alameda whipsnake or other wildlife. Any pets would be restricted to the proposed development

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
		area or would be leashed or under voice control as called for in Mitigation Measure BIO-4 in Chapter 4.3 of the Revised Draft EIR. Furthermore, the provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR.
Non-Governmental Organizations and Private Companies		
ORG1	**East Bay Municipal Utility District, David J. Rehnstom, Manager of Water Distribution and Planning, December 19, 2023**	
ORG1-1	East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Recirculated Draft Environmental Impact Report (EIR) for the proposed Mosaic Project located at 17015 Cull Canyon Road in unincorporated Alameda County. EBMUD commented on the Draft EIR for the project on November 15, 2022. EBMUD's original comments (see enclosure) still apply regarding water service and wastewater planning. If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.	The comment serves as an introduction to the comment letter and notes that the comments submitted on November 15, 2020 on the October 2022 Draft EIR still apply. Please see Responses ORG1-2 through ORG1-4, below.
ORG1-2	East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the proposed Mosaic Project located at 17015 Cull Canyon Road in unincorporated Alameda County. EBMUD has the following comments.	The comment serves as an introduction to the attachment of Comment Letter ORG1 and is the comment letter submitted on November 15, 2020, on the October 2022 Draft EIR. Please see Responses ORG1-3 and ORG1-4, below.
ORG1-3	WATER SERVICE The proposed project would rely on groundwater obtained on-site to supply potable water to the project; therefore, EBMUD has no comments regarding water service.	The comment points out that the proposed project would rely on groundwater and would therefore not raise any concerns regarding water service. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
ORG1-4	WASTEWATER SERVICE The project proposes to discharge backwash and Reverse Osmosis waste to the EBMUD Resource Recovery Trucked Waste Program (RRTWP). EBMUD requires submittal of permitting application materials that may be found on EBMUD's website at https://www. ebmud.com1wastewater/commercial-wastel trucked-waste. Acceptance of waste discharges to the RRTWP are not guaranteed and the project sponsor should contact EBMUD's Resource Recovery section (rrwaste@ebmud.com) to discuss the application and approval process. If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.	The comment points out that the proposed project would discharge backwash and reverse osmosis waste to the East Bay Municipal Utility District Resource Recovery Trucked Waste Program that would require a permit application. The necessary steps to obtain a permit will be taken at the time of project implementation. As shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR, the list of required permits and approvals in Chapter 3, *Project Description*, has been updated to include this.

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
ORG2	Friends of San Lorenzo Creek, Bruce King, January 17, 2024	
ORG2-1	This email, its attached email string, and three attached files all provide the comments from Friends of San Lorenzo Creek (FSLC) on the Mosaic project recirculated draft EIR. In Oct 2022, FSLC provided similar comments on the draft EIR.	The comment serves as an introduction to the comment letter. Please see Responses ORG2-2 through ORG2-19, below.
ORG2-2	GENERAL OVERVIEW COMMENTS Friends of San Lorenzo Creek (FSLC) does not recommend approval of this project. The current proposed plans and documents (e.g., Project Description and dEIR) add to and do not address noncompliant and/or unmitigated impacts to Cull Creek and the riparian corridor. These noncompliant and/or unmitigated impacts are detailed in the October 22 FSLC initial comments on the dEIR in the email below along with attachments to this email. Creek setbacks are obviously not calculated correctly and unallowed WPO-defined "developments" are within the minimum 20-foot creek seback. When the creek setback line shown on the plan is less than 20 feet from the top-of-bank, it's obvious the min creek setback is not correctly calculated. When proposed and unpermitted developments are within the minimum creek setback, it's obvious the WPO is being violated. In 2018, 2020, 2021, and 2022 FSLC requested that the county and project address and respond to these impacts, noncompliances, and incorrect creek setback calculations. FSLC.	The comment serves as a summary of the comments that follow. Please see Responses ORG2-3 through ORG-12, below.
ORG2-3	FSLC also made email and public records requests for copies of or posting of county and public comments on this project and Initial Study. The county has not responded with copies of comments.	The comment asserts that the County did not reply to requests for comment letters in the NOP. Appendix A, *Notice of Preparation*, of the Revised Draft EIR includes written and oral comments received on the NOP.
ORG2-4	MORE SPECIFIC CONCERNS The topics of most of the below comments were also provided in previous FSLC comments in 2018, 2020, and 2021.	The comment serves as an introduction to the comments to follow. Please see Responses ORG2-5 through ORG2-12, below.
ORG2-5	Project Not Recommended FSLC does not recommend approval of this project. The current proposed plans and documents add to and do not address noncompliant and/or unmitigated impacts to the creek and riparian corridor. The creek banks and corridor have been damaged by past development and human activity, proposed development will cause further impacts, and there are no proposed environmental enhancements and protections for the creek and riparian corridor. The project also involves substantial human activity very close to the creek system with significant stress on the land and habitat (e.g., water pumping, leach field, human and animal damage to soils and plants).	The comment asserts that the proposed project would cause further impacts to the creek banks and corridor that have been damaged by past development and human activity. Please see Master Response 3, *Creek Setbacks*, regarding creek setback calculations. None of the existing or proposed buildings and structures would encroach the required 20 feet creek setback from top of bank and the proposed project is consistent with the Watercourse Protection Ordinance.

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
ORG2-6	Non-Compliant Creek Setbacks 20-foot minimum creek setbacks shown in the plans are still not correctly calculated and developments that are not allowed under the Watercourse Protection Ordinance (WPO) are within the creek setbacks. Excerpts of WPO requirements along with site plans with my conclusions and notes are attached to this email. My notes on the site plan indicate proposed (P) and existing (E) WPO-defined "developments" that are not allowed within creek setbacks. These unallowed developments include: all proposed grading needed for developments, camp-area roadway (P & E), campfire area (P), demolition of nine trees along roadway (P), four gray and wastewater storage tanks (P), parking area between Cull Canyon Road and bridge (P), unpermitted caretaker mobile-home dwelling & sheds & propane tanks (E), unpermitted barn and storage containers (E), and proposed yard and fences for goats and chickens (P). The WPO does not generally allow the Director of ACPWA to issue WPO permits for these developments because they do not meet the purposes of the WPO and they are not in the public interest.	The comment asserts that the creek setbacks shown in the plan were calculated incorrectly. Please see Master Response 3, *Creek Setbacks*, and Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR for the latest revisions and cross-sections. Existing structures do not apply to the Watercourse Protection Ordinance, pursuant to ACMC Section 13.12.070. See Master Response 3, *Creek Setback Calculations*, for a discussion of existing and proposed structures within the creek setbacks. Alameda County Department of Public Works has reviewed and approved the site plans and creek setback calculations and the proposed project is in compliance with the Watercourse Protection Ordinance.
ORG2-7	Developments Without Permits that are Non-Compliant Developments and structures (including developments and structures as defined in the WPO) that do not have proper permits through the county and other agencies in the past should not be permitted in this new development when they are not compliant with standards (e.g., WPO has been in effect since ~1982). Listed below are developments without permit documentation that are non-compliant and impact the creeks. • Caretakers Mobile Home. Existing caretakers mobile home & sheds & propane tanks & fences are wholly or partially within the minimum creek setback. The mobile home was reportedly constructed sometime after 1993, but no construction permits are listed in the documents. The county did grant a CUP for the agricultural caretaker dwelling in 1996 and 2000, but those CUPs have expired. • Barn and Storage Containers. The existing barn and adjacent storage containers are within the minimum creek setback, but no construction permits are listed in the documents. • Camp Roadway. A portion of the roadway to the existing garage and the proposed camp is within the minimum creek setback. The garage was reportedly constructed sometime after 1993, but no construction permits are listed in the documents. • Culvert. There is an existing 24-inch culvert that runs west to east on the southern edge of the project site under the graded pad of the existing garage, undergrounds an ephemeral stream that is protected by State and Federal laws (e.g., Clean Water Act), and has an outfall in the bank of Cull Creek. The garage was reportedly constructed sometime after 1993, but no construction, grading, or stream-alteration permits are listed in the documents. The proposed project states that this culvert may need to be re-routed with required county, CDFW, Water Board, and/or Corps permits. But if this culvert was never appropriately permitted, then the project cannot assume that the existing culvert design and outfall will be allowed, does not need modification, and/or does not need a mitigation plan for hard-scape "fill" in the waters of the U.S.	The comment lists developments without permit documentation that are noncompliant and impact the creek. Please see Master Response 4, *Agricultural Uses*, regarding zoning. The proposed project would be required to comply with all County zoning requirements.

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
ORG2-8	Unpermitted Creek Bank Hardscaping The project and county need to assess unpermitted hardscaping of the creek banks and require some restoration of creek banks, bed, and flow. The dEIR states that a previous property owner did extensive hardscape modifications to the creek banks. There is no record that this hardscaping was permitted by the county, Water Board, and CDFW. Such hardscaping is typically not allowed since it is considered "fill" into the waters of the U.S. If approved by agencies, such hardscaping would require unkind restorative mitigations. More specifically, this project proposes continued use of the (permitted?) vehicle bridge that is depending on npermitted concrete rubble for bank/bed stability. The dEIR states the following: "...the banks of Cull Creek have undergone extensive modifications as part of past erosion control efforts by a previous property owner. Much of the western creek bank is armored by a post and open cable system that was presumably installed to help prevent severe erosion. Concrete rubble has been installed along the creek bed in some locations, particularly near the existing bridge crossing."	The comment questions whether the previous extensive hardscaping of the creek banks was permitted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
ORG2-9	Wildfire and Vegetation Management Vegetation management plans and operations should not significantly impact habitat and must not include the riparian corridor. The WPO does not generally allow removing natural materials (i.e., development that is not allowed) from the creek and setback areas. Vegetation management plans and required fuel reduction areas are reportedly not yet developed and approved by the Fire Department. On-site goats (5) are proposed for use in vegetation, but there is no plan for where the goats will and will not be allowed to graze and how their movement into native habitat and the riparian corridor will be prohibited (e.g., fencing). So, impacts, mitigations, and/or required plan changes cannot be determined until vegetation management, goat, and riparian corridor protection planning is coordinated and completed.	The comment raises concerns over potential adverse impacts of vegetation management on the Cull Creek riparian corridor. Mitigation Measure BIO-4, as outlined in Chapter 4.3, *Biological Resources*, of the Revised Draft EIR, includes provisions to ensure protection of the riparian habitat along Cull Creek, including restrictions on fencing for animal grazing outside the top of bank. Similarly, removal of woody riparian habitat for fire fuel management purposes is not anticipated given the setback between most structures and the creek corridor. Invasive plant species would be removed from the creek corridor as part of future vegetation management activities, but this would benefit the existing habitat values. Implementation of Mitigation Measure BIO-4 would ensure less-than-significant impacts on the riparian habitat of Cull Creek and no additional mitigation measures are considered necessary. Furthermore, the provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR.
ORG2-10	Pedestrian Management In Riparian Corridor The project describes more than 100 staff and students at the site throughout the year. Without pedestrian controls (e.g., fences, designated paths), the creek top-of-bank, bank, and bed areas are likely to be eroded and habitat trampled by some of the people who will want to enter these areas. No pedestrian controls are included in the plans.	The comment points out that no pedestrian controls are included in the plans and raises concerns about erosion and habitat destruction. Please see Master Response 2, *Project Clarifications*, regarding student safety. Campers are never near creeks without adult supervision, and wading or

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
		swimming in creeks is always prohibited. Campers will also be taught the principles of Leave No Trace ethics, including minimizing their impact on the environment by packing out trash, staying on designated trails, and respecting wildlife.
ORG2-11	Trees The project's conceptual tree plan provides insufficient detail, quality, and quantity for habitat replacement and restoration. The project's conceptual tree plan proposes replacing existing trees at a minimal ratio of 1.3 planted for every 1 removed. In addition, half of the proposed species to be replanted are not locally native trees. An effective restoration plan needs to: a) replant at a ratio of 3 planted for every 1 removed with a maintenance and monitoring plan over a period of years, b) replant with locally native trees, and c) replant in areas where trees have been removed or disturbed in the past or part of this project. In addition, trees proposed for removal within the minimum creek setback (i.e., along the road to the camp area) must not be allowed. Lastly, tree coverage and tree conditions within the creek corridor were not assessed and there is no plan for tree restoration in these areas.	The comment asserts that the project's conceptual tree plan provides insufficient detail, quality, and quantity for habitat replacement and restoration. A detailed assessment of potential impacts of the proposed project on existing trees is provided under impact discussion BIO-5 in Chapter 4.3, *Biological Resources*, of the Revised Draft EIR. Implementation of the proposed project would require removal of an estimated 44 trees as indicated on Figure 3-3, *Existing Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR. None of the trees proposed for removal are regulated under the Alameda County Tree Ordinance (ACMC Chapter 12.11), which pertains solely to street trees. While the proposed number of trees to be removed is notable, it represents a very small percentage of the hundreds of trees on the 37-acre project site. The proposed Landscape Plan includes considerable tree, shrub, and groundcover plantings concentrated along the Cull Canyon Road frontage, along the southern boundary, and around proposed buildings. As proposed, the landscape planting palette consist of 59 trees to be planted, consisting largely of native Oregon ash, coast redwood, vine maple, Pacific madrone, big leaf maple, and California sycamore trees, many of which are indigenous to the area. As concluded under impact discussion BIO-5, in Chapter 4.3 of the Revised Draft EIR, the landscape plantings would serve to replace the trees proposed for removal at a greater than 1:1 ratio and, together with preservation of the riparian woodland and most of the oak woodland on the site, they would mitigate adverse impacts on tree resources and ensure consistency with the intent of the relevant Castro Valley General Plan Policy 7.3-2, Native Environment.
ORG2-12	Written Comments not Published	The comment asserts that written comments received on the NOP were not included in Appendix A, *Notice of Preparation*, of the Revised Draft EIR. Please see Response ORG2-3 regarding comment letters in response to the NOP.

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	The county has not provided the public copies of written comments submitted by the public, county staff, and other jurisdictions on this project. The NOA of a dEIR for the Mosaic Project states that "…Appendix A of the Draft EIR contains the NOP, and written comments received on the NOP." But no written comments have been provided. FSLC requested that these written comments be made available on Oct 7, 2022 with no response from the Planning Department.	
ORG2-13	Here's an update. It appears that the Mosaic Project draft EIR has a proposed project site plan (Fig 3-4) that I assume is more current (i.e., than the 2020 site plans that I was recently provided). So, I just assessed the creek setback lines and developments as shown on the dEIR Fig 3-4 site plan. An excerpt of this site plan with my conclusions and notes is attached to this email. Some creek setback line locations are still incorrect and there are many WPO-defined "developments" that are not allowed because they are within the 20-foot minimum creek setback. Here is the text of my conclusions: Figure 3-4 Proposed Project Site Plan in the dEIR might show correct creek setbacks when the bank slope is greater than a 2:1 slope, but this site plan does not show correct setbacks in many locations when the bank slope is less than 2:1. There are at least ten WPO-defined "developments" that are not allowed within creek setbacks. • Black dots I added to the site plan indicate locations where the proposed creek setback line is less than 20 feet from the creek top of bank (TOB). When setback lines are correctly calculated using WPO criteria, the setback lines are always 20 feet or more from the TOB. The actual WPO creek setback line is therefore further back from the location shown on this plan. • Asterisks I added to the site plan indicate proposed (P) and existing (E) WPO-defined "developments" that are not allowed within creek setbacks. These unallowed developments include: all proposed grading needed for developments, camp-area roadway (P), campfire area (P), demolition of nine trees along roadway (P), four gray and wastewater storage tanks (P), parking area between Cull Canyon Road and bridge (P), unpermitted caretaker dwelling & propane tanks (E), unpermitted barn and storage containers (E), and proposed yard and fences for goats and chickens (P). ACPWA review is still needed.	The comment is part of the email chain sent by the commenter in Comment Letter ORG2 and asserts that the creek setbacks were incorrectly calculated. Please see Master Response 3, *Creek Setbacks*, and Appendix N*, Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. Master Response 3 explains how the creek setbacks were derived, and Appendix N of this Final EIR provides cross-sections and site plans that show the creek setbacks. Alameda County Department of Public Works has reviewed and approved the site plans and creek setback calculations, and the proposed project is in compliance with the Watercourse Protection Ordinance.
ORG2-14	This is a request for ACPWA to review the creek setbacks and proposed developments within these setbacks for the proposed Mosaic Project. I recommend that ACPWA conduct this creek setback review and issue some findings before the draft EIR for this project is heard at the WBZA on November 9.	The comment is part of the email chain sent by the commenter in Comment Letter ORG2 and asserts that the creek setbacks were incorrectly calculated. Please see Master Response 3, *Creek Setbacks*, regarding creek setbacks and Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. Alameda County

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	Friends of San Lorenzo Creek (FSLC) finds that the creek setbacks shown in the plans are not correctly calculated and developments that are not allowed under the WPO are within the creek setbacks. This concern has been expressed and detailed in FSLC comments on this project in 2018, 2020, and 2021. The following bullets summarize how creek setbacks shown in the plans are not consistent with the WPO and what needs to be corrected. • The WPO requires a 20-foot-minimum creek setback from the actual top-of-bank when the creek bank slope is less than 2:1 (26.6 degrees) and a 20-foot-minimum setback from an imaginary 2:1 slope line when the bank slope is greater than 2:1. • The Mosaic project plans incorrectly calculate and display the 20-foot-minimum creek setback lines. The project plans a) did not add a 20-foot creek setback to the imaginary 2:1 slope line when the creek bank slope was greater than 2:1, b) inappropriately used a 20 or 25-foot setback from the actual creek top-of-bank even when the creek bank slope was greater than 2:1 • The 2:1 +20 foot creek setback lines required in the WPO are actually further back from the creek than what is shown on the plans. • Significant existing and proposed WPO-defined developments are within the creek setback, do not meet the purposes of the WPO, are not in the public interest, and therefore are not allowed under the WPO. • The project plans should include frequent cross sections of the creek bed, creek toe, creek bank, creek top-of-bank, minimum creek setback, and location of proposed developments. For example, these cross sections should show the difference in the location of minimum creek setback in locations where the actual creek bank slope is greater and less than a 2:1 slope.	Department of Public Works has reviewed and approved the site plans and creek setback calculations, and the proposed project is in compliance with the Watercourse Protection Ordinance.
ORG2-15	The documents listed below are attached and provide additional detail. The first document that is listed provides a specific example FSLC developed to show how the creek setbacks are not correctly shown in the Mosaic Project plans. • 2022 Oct 16 FSLC Mosaic Project Creek Setback Example and Corrections • 2022 Oct Mosaic Project Plans used for the draft EIR and dated 2020 May • 2021 Dec 17 FSLC Comments on Mosaic Project Notice of Preparation (NOP) of the Initial Study (IS) • 2020 July 3 FSLC Comments on Application to Allow an Outdoor Recreation Facility and Caretaker Dwelling • 2018 Nov 4 FSLC Comments on Application to Allow a Caretakers Dwelling Planning documents for this project are at http://www.acgov.org/cda/planning/landuseprojects/currentprojects.htm. Sonia Urza is the planner.	The comment lists the documents attached to the email chain sent by the commenter in Comment Letter ORG2. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	This is a request for ACPWA to review the creek setbacks and proposed developments within these setbacks for the proposed Mosaic Project and issue some findings before the draft EIR for this project is heard at the WBZA on November 9.	
ORG2-16	*IMAGE* Watercourse Protection Ordinance Requirements. The WPO requires a 20-foot-minimum creek setback from the actual top-of-bank when the creek bank slope is less than 2:1 (26.6 degrees) and a 20-foot-min setback from an imaginary 2:1 slope line when the bank slope is greater than 2:1. See diagram of setback criteria from the WPO on the next page. The Mosaic project plans incorrectly calculated and displayed the 20-foot-minimum creek setback lines. See example below. The project plans: • Did not add a 20-foot creek setback to the imaginary 2:1 slope line when the creek bank slope was greater than 2:1, and • Inappropriately used a 20 or 25-foot setback from the actual creek top-of-bank even when the creek bank slope was greater than 2:1 What needs to be corrected? Creek setbacks must be corrected on Mosaic project plans. In addition, existing unpermitted and proposed “developments” and “structures” that are defined in the WPO must be removed from the creek setback. The “developments” and “structures” shown on the project plans that are within the creek setback are not allowed under the WPO requirements and cannot be permitted because they are not in the public interest and are not consistent with the purposes of the WPO (e.g., riparian area protection and restoration). See excerpts of WPO requirements, definitions, and purposes on the next page.	The comment is part of an attachment within the email chain sent by the commenter in Comment Letter ORG2 and asserts that the creek setbacks were incorrectly calculated. Please see Master Response 3, *Creek Setbacks*, regarding creek setback calculations. None of the existing or proposed buildings and structures would encroach the required 20-foot creek setback from top of bank, and the proposed project is consistent with the Watercourse Protection Ordinance.
ORG2-17	*IMAGE* Alameda County General Ordinances, Chapter 13.12 Section 13.12.040 - Jurisdiction This chapter shall apply to the unincorporated area of Alameda County. Section 13.12.320: Setback Criteria (Excerpts only) Section A - Typical where 100-year storm flow is contained within banks of existing watercourse. *IMAGE* Section 13.12.310: Requirements (Excerpts only)	The comment is part of an attachment within the email chain sent by the commenter in Comment Letter ORG2 and highlights ACMC sections pertaining to setbacks. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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Comment #	Comment	Response
	• The purpose of setbacks is to safeguard watercourses by preventing activities that would contribute significantly to flooding, erosion or sedimentation, would inhibit access for watercourse maintenance, or would destroy riparian areas or inhibit their restoration. Accordingly, no development shall be permitted within setbacks, except as otherwise provided herein. • In certain situations, where, in the opinion of the director of public works, it would be in the public interest to permit limited development within a setback, the director of public works may grant a permit for said development provided that the above-specified purpose would be satisfied. • The director of public works shall make the determination as to setback limits and any permitted development within a setback. In addition, WPO Section 13.12.030 defines the following terms: • "Development" means any act of filling, depositing, excavating or removing any natural material, or constructing, reconstructing or enlarging any structure, which requires a permit issued by the director of public works. • "Structure" means any works or constructions of any kind, including those of earth or rock, permanent or temporary, and including fences, poles, buildings, pavings, inlets, levees, tide gates, spillways, drop structures and similar facilities. • "Permit" means a permit issued by the director of public works pursuant to the provisions of this chapter. [Click here to see copy of ACFCWCD Water Course Permit]	
ORG2-18	Sonia, This email contains a response and comments from Friends of San Lorenzo Creek (FSLC) on the Notice of Preparation (NOP) of an Initial Study (IS) for the Mosaic Project that you emailed on November 19, 2021. Previous 2020 FSLC Comments Please refer to FSLC Comments on this project dated July 16, 2020 (attached to this email) for additional explanation regarding the comments FSLC is now providing on this NOP in this email. Also, please include the FSLC July 16, 2020, comment letter in the record of comments responding to this NOP. Note that the County and project have not responded to or addressed previous FSLC comments on this project. Conflicting Project Plans with Insufficient Detail The "Project Description" provided in Planning's Nov 19 email contains a washed out site plan in Fig 3-4 that does not provide sufficient detail to comment on this NOP, is not consistent with the more-detailed site plans proposed in 2020, and contains an unexplained and significant "50 Creek Setback Top of Bank." On Nov 28 and Dec 13 FSLC made a public records request for copies of current proposed site plans, but this request was not addressed by the County. FSLC	The comment is part of an attachment within the email chain sent by the commenter in Comment Letter ORG2 and is in response to the NOP. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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Comment #	Comment	Response
	and the public cannot properly comment on the preparation of the IS with plans that lack sufficient detail and setback criteria.FSLC protests this lack of County response and provision of insufficient and conflicting site plans. I. Aesthetics All of the existing site developments and activities between Cull Canyon Road and Cull Creek that required permits to construct but did not get permits at the time of construction are visible from the road and should be considered potentially significant aesthetic impacts. Example permits include building permits and Water Course Protection Ordinance (WPO) permits. Note the WPO's broad definition of "development" that cannot generally be permitted under the purposes of the WPO. Unpermitted developments including removal of native vegetation within the riparian areas and creek setback is a significant visual impact that is seen from the road. Mitigation for unpermitted developments that do not meet requirements (e.g., WPO since 1980) should be removal of the development and plant restoration. Examples of unpermitted and existing structures and developments include the caretakers dwelling, dwelling fence, LP gas tank, barn, barn attachments (e.g., shipping storage containers behind the barn), sheds near bridge (212 ft2), gravel/dirt parking areas, the chain link fence along the road, and possibly the bridge. In addition, new proposed developments such as bus and car driveways and parking in this area are also potentially significant aesthetic impacts. Lastly, the following statement in the draft IS is not true and should be deleted from the IS: "Public views from Cull Canyon Road towards the project site are generally obstructed by existing ground vegetation and trees along the roadway." IV. Biological Resources This project will have potentially significant impacts on biological resources. These impacts need to be eliminated and mitigated. • IV.1 WPO and Unpermitted Developments. This project will have a substantial adverse impact on riparian habitat (IV.b) and the creek/wetlands (IV.c) and will conflict with the WPO (IV.e) . Existing unpermitted developments and proposed new developments (developments as defined in the WPO) within the creek setback have and will remove native vegetation and impact the creek. The creek setback is still not correctly calculated or shown on any site plan. When the setback is correctly determined, these developments need to be eliminated and mitigated. Developments within the creek setback should not be allowed and existing unpermitted disturbances and removal of native vegetation need mitigation with native plant restoration. • IV.2. Water Pumping, Creek, and Riparian Habitat. This IS needs to qualitatively and quantitatively assess the potentially significant impact this project will have on creek flows, summer creek pools, and riparian habitat and wildlife by pumping substantially more groundwater than other activities in the Cull Creek watershed (IV.b and IV.c). The creek and	

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	well water supplies in the watershed are already limited and stressed. Impacts to creek flow are not an acceptable impact. • IV.3. Special Status Species. This IS needs to assess the presence of special status species and potentially significant impacts (IV.a) • IV.4. Pedestrian Impacts on Habitat. This IS needs to assess and mitigate potentially significant impacts on habitat of a large number of people (e.g., children) walking around and exploring the site and possibly within the creek and setback areas (IV.a and IV.b). Mitigations are needed to control movement of people (e.g., designated paths, wild-life friendly fencing, signs). • IV.5. Goat Impact on Habitat. This IS needs to assess and mitigate potentially significant impacts grazing goats will have on habitat, the creek, and runoff/erosion. Goats can be useful for fuel load management, but they are also very destructive to native habitat. Goat limits, management, and control is required. Goats should not be allowed in riparian, creek setback, and any other sensitive habitat areas (IV.a, IV.b, and IV.e). • IV.6. Gray Water Irrigation and Septic System Impacts on Habitat. This IS needs to assess and mitigate potentially significant impacts on habitat of significant gray water irrigation and septic system use on native trees, habitat, and the creek. Watering may impact native habitat/trees. VII. Geology and Soils This IS needs to assess and mitigate for potentially significant impacts resulting in soil erosion and loss of topsoil (VII.b), especially within creek setback areas. Uncontrolled pedestrian, goat, and vehicle movements are examples of impacts provided previously. VIII. Greenhouse Gas Emissions This IS and project should seriously consider (require if appropriate) no use of LP gas (e.g., the proposed 449 gallon LP tank). Electrical appliances and equipment are appropriate to reduce carbon emissions and climate impacts. IX. Hazards and Hazardous Materials This IS needs to assess and mitigate for potentially significant impacts resulting from the presence of a 449 gallon LP tank that could be involved in a wildfire incident. XX. Hydrology and Water Quality • XX.1. Water Pumping, Creek, and Riparian Habitat. This IS needs to qualitatively and quantitatively assess the potentially significant impact this project will have on creek flows, summer creek pools, and riparian habitat and wildlife by pumping substantially more groundwater than other activities in the Cull Creek watershed (IV.b and IV.c). The creek and	

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Comment #	Comment	Response
	well water supplies in the watershed are already limited and stressed. Impacts to creek flow are not an acceptable impact. • XX.2. Septic and Gray Water Systems in Proximity to Creek. This IS needs to assess any impacts resulting from a septic system and gray water irrigation system in proximity to the creek. XX. Wildfire This IS needs to assess and mitigate for potentially significant impacts resulting from a wildfire in Cull Canyon. How would a large group of camp occupants escape an advancing wildfire in a dead-end canyon? What transportation would be available to escape? This is the end of FSLC comments on the NOP and draft IS. Also see attached FSLC Comments on this project dated July 16, 2020. This is a second request for: a) copies of the current Mosaic project plans; and b) copies of comments the County has provided the developer on the project. I requested these copies on November 28. Please consider this urgent public records request. As I described in my November 28 email... The public is expected to have its comments on the EIR by December 19, but It appears the project plans were revised (e.g., as shown in Fig 3-4, Proposed Project Site Plan in project description) since July 2020 and the revised plans were not distributed to the community. For example, Fig 3-4 now shows a "50' creek setback top of bank" which I don't understand. I need to see the current plans and understand how the County is directing the applicant. Friends of San Lorenzo Creek (FSLC) and the community provided comments on this project in July 2020 (see attached). The County or developer does not appear to have addressed or responded to most of the comments that FSLC provided that should be approaching resolution at this point in the project. Addressing comments is often done by distributing revised plans and project descriptions. It appears the project plans were revised (e.g., Fig 3-4, Proposed Project Site Plan in project description) since July 2020 but were not distributed to the community. This is a request for you to email copies of the current project plans. I am also requesting copies of comments the County has provided the developer on the project as proposed in 2020.	

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Comment #	Comment	Response
	Some key issues that FSLC noted in July 2020 include defining the correct creek setback on the plans, removing development from the setback that did not get original construction permits, and not allowing new development within the creek setback. The NOP and EIR documents you provided do not provide sufficient detail or criteria to determine how the creek setback was determined and its correct location. The updated project plan that was provided is Figure 3-4 that shows washed-out images on the plan and a dashed line on some (not all) of the project site that is labeled a "50' creek setback top of bank." What County ordinance criteria was used to define this "50' creek setback top of bank" and what development is not allowed within this unusual setback? The ordinance and criteria for which I am most familiar is in the Watercourse Protection Ordinance (WPO). Attached are the Setback Criteria diagrams from the WPO. Which WPO setback criteria are being applied on this project? Why has the County not addressed the list of unpermitted "developments" and "structures" as defined in the WPO that are on this site, are within the creek setback, and are proposed to remain as described in this project? Attached please find the Notice of Preparation, the Project Description, and the Initial Study for the proposed Outdoor Camp Project located at 17015 Cull Canyon Road in Castro Valley. The Notice of Preparation contains information about the Scoping meeting to be held for this project. The attachments are also available on the Alameda County Planning Department website. Click here for easy access.	
ORG2-19	This letter provides comments made on the behalf of the Friends of San Lorenzo Creek (FSLC) on a project referral (PLN2020-00093 dated 7/3/20) for an application to allow construction and operation of an outdoor recreation facility, including camping cabins, shower/restroom facilities, a multi-use building, and an agricultural caretaker dwelling located at 17015 Cull Canyon Road. FSLC comments focus on environmental concerns including ensuring the creek and riparian areas are protected from development and restored to a healthier riparian corridor. • Primary comments are provided in the body of this letter. • Attachment A discusses general riparian area concerns and requirements. • Attachment B provides excerpts of the Watercourse Protection Ordinance setback and development requirements. • Attachment C shows excerpts from the application's site plans.	The comment is an attachment within the email chain sent by the commenter in Comment Letter ORG2 and is in response to the project application. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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	PROJECT MISSION FSLC appreciates the mission and work of the Mosaic Project. Bringing together children of diverse backgrounds, providing them with essential community building skills, empowering them to become peacemakers, and doing this in a setting that exposes them to the natural world is a worthy mission. PROJECT IMPACTS This project proposes significant human activity and development in a Resource Management area that has some limited resources and ability to deal with impacts and concerns related to this proposed development. These FSLC comments (and the comment letter from Dick Schneider, Jewell Spalding, Glenn Kirby) detail many such impacts and concerns that the County and applicant need to address. The project scope and impacts need to be assessed to determine if this project is appropriate for this site and Cull Canyon. EXPIRED PERMIT It appears there are no current, conditional use permits. Permits have expired. Existing structures and developments such as the caretakers dwelling, dwelling fence, LP gas tank, barn, barn attachments (e.g., shipping storage containers behind the barn), sheds near bridge (212 ft2), gravel/dirt parking areas, and possibly the bridge do not have permits. TWO-ACRE DEVELOPMENT ENVELOPE Buildings and structures that are not shown in the plans as being within the required, two-acre development envelope include: three ADA parking spots near Cull Canyon Road, existing barn and any barn attachments, shipping storage containers near or behind the barn that are not shown on the plans, reported sheds near bridge (212 ft2), and campfire area. Measure D may require such developments to be included within the two-acre development envelope. CREEK SETBACKS AND DEVELOPMENT No Developments in Creek Setback Existing and new “developments” should not be permitted in the minimum, 20-foot, creek setback area as defined and required in the Watercourse Protection Ordinance (WPO). Note definitions and requirements in Attachment B. Creek Setback Calculation The minimum creek setback does not appear to be calculated correctly in at least some locations. In some places (e.g., near caretakers unit) the minimum creek setback line shown on the plans appears to be very close (e.g., less than 20 feet) to the top-of-bank. When calculated	

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	in accordance with the WPO, the minimum creek setback should always be 20 feet or more from the top-of-bank. Note: the setback is calculated differently depending whether the actual creek bank slope is greater or less than a 2:1. Creek and Setback Cross Sections The project plans need to include frequent cross sections of the creek bed, creek toe, creek bank, creek top-of-bank, minimum creek setback, and location of proposed developments. For example, these cross sections should show the difference in the location of minimum creek setback in locations where the actual creek bank slope is greater and less than a 2:1 slope. Proposed Developments Not Allowed in the Setback The following is an example list of developments that should not be allowed in their existing or proposed locations if they are within the properly-calculated, minimum creek setback: • Existing caretaker dwelling (1,220 ft2) • Existing caretaker dwelling fence and LP tank • Existing barn (967 ft2) and any attachments to the barn such as shipping storage containers • Existing sheds (212 ft2) near the bridge • Proposed parking areas near caretakers dwelling • Propose garden yard for goats and chickens • Propose campfire area OTHER ENVIRONMENTAL CONCERNS Habitat Protection and Fences • Goats The project description proposes having a herd of goats and allowing the goats to graze on about 50% of the site for their food and fire vegetation management. The impact of goats on habitat should be assessed and prevented/controlled. If goats are allowed, it seems their numbers and range of grazing should be controlled to protect habitat and creek areas. Grazing areas, habitat protection areas, and creek areas should be identified. • Fences for Creek Areas Allowing camp participants and goats into the creek setback areas will damage the riparian vegetation, creek banks, and creek bed. Creek setback areas should be protected from human and domestic animal activity, while allowing the passage of and not creating a hazard to wild animals. Fences and signage designed to control people and domestic animals, and allow safe wild animal movement, should be installed to protect creek areas. Consult fence standards and experts to achieve these objectives.	

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	Landscaping and Restoration • Landscape Plan No landscape plan was provided. The landscape plan should include significant use of local and endemic native plants and replacement of trees to be cut down with significantly more new native trees. Plan C1 shows the proposed cutting of roughly 50 or more trees. • Gray Water Irrigation The plan proposes to irrigate areas near the cabins with gray water. Impact of this quantity of water on the existing thirteen native trees in this area should be assessed. • Creek Area Restoration Native vegetation on some creek banks and top-of-bank areas has been damaged or removed (e.g., near bridge and caretaker's dwelling) by past human activity and current development. In addition, new developments such as a wider bridge or stormwater outfalls in the creek areas will require Stream Bed Alteration permits and mitigation. The project should include a plan to restore creek bank and top-of-bank areas with appropriate native and riparian plants for the creek areas. • Vegetation Fire Management Any required fire-break areas should be shown on the plans. Creek setback areas should not be used as fire-break areas. Riparian and native vegetation in creek areas should be conserved. Ground Water Use and Creek Flow This camp operation will use ground water from onsite wells. This project application should assess the sufficiency of this water source for the camp operation and ensure that there will not be an impact on the flow of Cull Creek which is an intermittent stream. Note Appendix A of the Castro Valley General Plan provides excerpts of Measure D pertaining to the Castro Valley canyonlands. This appendix includes "Policy 236: The County shall approve new development only upon verification that an adequate, long-term, sustainable, clearly identified water supply will be provided to serve the development, including in times of drought." ATTACHMENT A GENERAL CONCERNS AND REQUIREMENTS Cull Creek, Riparian Areas, and Setbacks ATTACHMENT B Excerpts of the Watercourse Protection Ordinance Setback and Development Requirements ATTACHMENT C Excerpts of Site Plans Taken from the Application	

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ORG3	**Greenfire Law on behalf of Friends of Castro Valley Canyonlands, Susann Bradford, January 19, 2024**	
ORG3-1	Thank you for the opportunity to comment on The Mosaic Project Recirculated Draft Environmental Impact Report (R-DEIR). The following comments are submitted on behalf of Friends of Castro Valley Canyonlands (FCVC). FCVC is an association of concerned citizens and Alameda County residents who advocate for the protection and preservation of the agricultural character and unique qualities of the Castro Valley Canyonlands. FCVC is extremely concerned that Cull Canyon is an unsuitable location for the Mosaic Project's proposed Outdoor Project Camp ("the Project") due to risks and constraints of the geographical setting. The Project is likely to have significant impacts on the environment, expose children and residents to significant health and safety risks, and is also inconsistent with planning and zoning restrictions and other legal requirements. Moreover, none of these issues are adequately evaluated in the R-DEIR and the majority of impacts cannot be adequately mitigated due to constraints of the physical setting. Proceeding with this location in spite of its serious limitations threatens to cause significant damage to natural resources, harm existing residents and businesses, and jeopardize the health and safety of children and other Project participants. This comment letter supplements previous comments submitted by FCVC concerning deficiencies of the October 2022 Draft Environmental Impact Report (DEIR).1 Because many of the issues identified in the previous comments have not been addressed and also apply to the RDEIR, that letter is appended and incorporated herein as Appendix A. This comment also identifies additional deficiencies of the R-DEIR, including new inaccuracies stemming from outdated information and issues overlooked in our previous comments. The R-DEIR, like the preceding DEIR, fails to provide an analysis sufficient to inform decision-makers and the public of the potentially significant environmental impacts of the proposed Outdoor Project Camp ("the Project"). The R-DEIR also fails to consider important site restrictions, omits supporting evidence for several conclusions, downplays or misrepresents inconsistencies with applicable land use plans, ordinances and other legal restrictions, fails to evaluate safety risks related to the proposed site, and fails to provide a meaningful analysis of alternatives.	The comment serves as an introduction to the comment letter. Please see Responses ORG3-2 through ORG3-99, below.
ORG3-2	**I. The R-DEIR Fails To Provide an Adequate Analysis of the Proposed Project's Potential Environmental Impacts.** Pursuant to the California Environmental Quality Act (CEQA), the purpose of preparing an Environmental Impact Report (EIR) is to "[i]nform governmental decision makers and the public about the potential, significant environmental effects of proposed activities." CEQA Guidelines § 15002(a)(1).2 In order to achieve this, an "EIR must include detail sufficient to	The comment cites the CEQA Guidelines and serves as an introduction to the comment comments to follow. Please see Responses ORG3-2 through ORG3-54, below.

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	enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project."3 Cleveland Natl. Forest Found. v. San Diego Ass'n of Gov'ts, 3 Cal. 5th 497, 511 (2017). As explained below, the R-DEIR fails to provide adequate information in several subchapters of its assessment of potential environmental impacts.	
ORG3-3	**A. The analysis of the Project's potential impacts to water resources is inadequate.** The R-DEIR fails to support its conclusion that the project's proposed water use will have no significant impact on area groundwater and surface water, fails to provide an accurate estimate of water demand, and fails to analyze the adequacy of proposed fire flows.	The comment serves as a summary of the comments to follow. Please see Responses ORG3-4 through ORG3-22, below.
ORG3-4	**1. The R-DEIR fails to show that the proposed water source is reliable and will not impact Cull Creek or neighboring water users.** The R-DEIR fails to provide evidence that the Project has an adequate and reliable water supply. See Appendix B, Water Supply Comments by Roux Associates. Like the previous draft, the R-DEIR asserts that the project has an ample water source consisting of two on-site wells, but provides no data or analysis to support the conclusion that heavy use of these wells will not adversely impact flow levels in Cull Creek or impair groundwater levels affecting other wells in Cull Canyon. R-DEIR, § 4.14.1.2. This issue was also raised in previous comments addressing the DEIR, which included comments by a certified hydrogeologist who examined the record and found no evidence that potential groundwater impacts and groundwater-surface water interconnection had been adequately evaluated. See App. A, Attachment (Roux Associates, Inc. (Nov. 17, 2022)). Despite FCVC's repeated requests that this information be released, the RDEIR makes the same exact claims, and again provides no supporting data or analysis. App. A, at pp. 1-2; R-DEIR, § 4.14, pp 5-6. The R-DEIR does not acknowledge these prior requests, and does not explain why this information continues to be withheld from public review.	The comment asserts that the Revised Draft EIR fails to show that the proposed water source is reliable and will not impact Cull Creek or neighboring water users. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The Mosaic Project submitted a Preliminary Technical Report describing in detail the proposed water system to the SWRCB's Division of Drinking Water. After review of the preliminary report, the DDW stated in a letter dated December 2022 that the report contained all of the necessary information for the proposed water system in compliance with the California Health and Safety Code Section 116527. The two on-site wells are drawing from separate fractured bedrock aquifers, with no drawdown detected in either well when the other well was being pumped. The two wells on the property also had different groundwater chemistry and different transmissivity values. Given that the two wells are located approximately 160 feet apart with no apparent interconnection between the two aquifers, this indicates that withdrawal of water from the two wells would not have an impact on neighboring groundwater wells. Also, the effect of groundwater pumping on Cull Creek was also analyzed during the pump tests. No recharge boundary was encountered during either pump test, which indicates that the well drawdown did not encounter a stream, lake, or leakage from a shallow groundwater aquifer above the intake levels of the pumping wells. This indicates that the groundwater aquifer that will be used for the drinking water system is isolated and separate from these influences. Therefore, the proposed water system and pumping rates

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		from the two on-site wells would not impact Cull Creek or neighboring water users.
ORG3-5	Like the previous draft, the R-DEIR states only that Balance Hydrologics conducted groundwater exploration and well testing for the Project and asserts on this basis the water supply is adequate. R-DEIR, § 4.14.1.2. But as explained in Appendix B, this is not adequate because neither the R-DEIR nor any of its Appendices provides sufficient information to support its conclusions. App. B at p. 1, 4. For example, there is no indication as to when the wells were tested, how seasonal variations were assessed, or whether the existing draw on the aquifer was evaluated. Id. at pp. 2-3. There is also no indication that potential contamination from the nearby septic system and proposed grey water irrigation system, both upstream from the source wells, was at all evaluated. Id. Without more detail, there is no way to assess whether the proposed water supply will be reliable. Id.	The comment asserts that the Revised Draft EIR is not adequate because it does not provide sufficient information to support its conclusions. Please see Response ORG3-4 and Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. Regarding the seasonal variations, the wells were tested and pumped in November 2020, which was late in the dry season of a dry year, with a total rainfall of 8.8 to 10.6 inches compared to an average of 24 to 26 inches/year. The Preliminary Technical Report also contains a graph showing the seasonal variation in water demands and also includes a 20-year projection of water supplies during normal, single-dry, and multiple dry years, pursuant to SB 1263 requirements. In addition, the proposed project has a 20-year no-growth projection and can modify its use of the site, depending on water demand and groundwater conditions.
ORG3-6	Notably, while the R-DEIR adds more pages to Appendix G: Hydrology Reports (formerly titled Wastewater Basis of Design), these additions do not provide additional substantive information to remedy the lack of substantial evidence concerning when and how the hydrologic analysis was conducted. The added pages include a cover letter from Balance Hydrologics, which merely asserts that the work was completed in compliance with 22 C.C.R. § 64554, and states that the results were accurately reported. R-DEIR App. G, *1.4 No further details regarding the actual data, well reports, or test results are provided. There is also no indication that seasonal variations in the water supply were at all examined. Nor does the RDEIR provide any information concerning the rationale for the well-test used, historical use of the aquifer, or data from monitoring of other local wells -- all of which are required by § 64554. Notably, such documentation should be available, since it is supposed to be reported to the State Water Board pursuant to § 64554 (e) and (g).	The comment asserts that Appendix G, *Hydrology Reports*, of the Revised Draft EIR does not provide substantive information. Please see Responses ORG3-4 and ORG3-5 and Master Response 5, *Hydrology and Utilities*, regarding water supply and demand, the hydrologic analyses, seasonal variations in water supply, etc. As stated in the Preliminary Technical Report, the water system was sized for the average daily demand (ADD), maximum daily demand (MDD), and peak hourly demand (PHD), in compliance with CCR, Title 22, Section 64554. The Preliminary Technical Report has been reviewed by DDW and deemed complete and in compliance with California Health and Safety Code Section 116527, which details what is required in a preliminary technical report. The proposed project is also in compliance with CCR, Title 22, Section 64554 for new and existing public water systems.
ORG3-7	Further, as explained in FCVC's previous comments, incorporated herein, one of the project's proposed water sources, well 20-1, is only 100-feet from Cull Creek at places, which may allow well draw-down to impact creek flows. See R-DEIR, Fig. 4.8-4; App. A, § I.A.2. There is no evidence in the R-DEIR that this was adequately examined. In addition, Cull Canyon is a terminal canyon with many water users already relying on a limited aquifer for well water for	The comment asserts that the Revised Draft EIR does no adequately examine the impact to creek flow due to well draw-down. Please see Response ORG3-4 and Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. Both well 20-1 and well 17-1 were pumped to

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	residential use, agricultural use, and some commercial uses. Id. In fact, comments submitted by local residents indicate that well-water is already at risk in the canyon and subject to seasonal variations that can adversely impact agricultural uses.5 For example, local landowner Rex Warren reported drilling two new wells recently that both came up dry, which forced him to reduce the number of cattle he produces.6 Id. There is no evidence in the R-DEIR that impacts on neighboring wells was adequately examined. Accordingly, the R-DEIR is inadequate to support the conclusion that the project's proposed water use is sufficient to meet the needs of the project.	determine if there was an interaction with Cull Creek, as determined by a recharge boundary. During the pump test, if the cone of depression encounters a stream or leakage from an overlying groundwater aquifer, there is reduced drawdown because the pumped well is encountering another water supply source. No recharge boundary was encountered during either pump test, indicating that the groundwater wells are not impacting creek flows. We recognize the issues that neighboring residents have encountered with their on-site groundwater wells and the difficulty of drilling wells in fractured bedrock aquifers. Three of the on-site groundwater wells were deemed inadequate to meet supply demands, and two additional wells were drilled on-site that had inadequate supply capacity before the current two wells (20-1 and 17-1) were drilled and determined to have an adequate water supply. The fact that neither of the two wells showed any drawdown during the pump tests and that they have different groundwater chemistry and transmissivity values indicates that although the wells are only 160 feet apart, they are drawing water from different fractured aquifers. The lack of drawdown in the two wells in close proximity to each other shows that the proposed water system at the project site will not impact neighboring wells or aquifers.
ORG3-8	Failure to disclose the basis for the R-DEIR's conclusion that the proposed project – a residential camp serving 108 people in addition to caretakers and residents, plus new agricultural uses – would have no impact on other water users and creek flows is inconsistent with the purposes of CEQA.	The comment asserts that the Revised Draft EIR fails to disclose the basis for its conclusions and is therefore inconsistent with CEQA. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand.
ORG3-9	**2. The R-DEIR fails to provide an accurate estimate of the project's water demand.** The R-DEIR also fails to provide an accurate estimate of the project's expected water demand. The estimate set forth in section 4.14 and Appendix G appears to underestimate the water demand from the camp operations, and completely omits any water use estimate for the proposed agricultural activities, which includes livestock, chickens, and a production garden sufficient to supply a Community Supported Agriculture (CSA) program and provide the camp program with eggs and seasonal produce. R-DEIR App. K. There is also no analysis of how much water is necessary to maintain adequate fire flows for the facility.	The comment asserts that the Revised Draft EIR underestimates the proposed project's water demand and does not consider water required for the proposed agricultural activities and fire flow. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. The agricultural component of the proposed project includes 20 free range chickens. The total water demand for 20 chickens is about 5 gallons/day, which is less than the

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		water demand of one camper and could be supplied by the rainwater harvesting system or the potable water system. The water for the production garden (mixed annual vegetables and cut flowers) will be supplied by rainwater harvested from the roofs of the main buildings. The capacity of the rainwater harvesting system would meet the supply demand. The orchard, which includes walnut trees and fruit trees, would be irrigated using greywater, which is an acceptable use for orchards, and there is a sufficient supply of greywater to meet this demand. Originally, the fire flow storage tank was sized at 38,000 gallons, but it has since been upgraded to approximately 44,000 gallons. Once the 44,000-gallon tank is filled, the water demand will be minimal, since it will only be used for system testing and refilling as needed due to evaporation.
ORG3-10	Pursuant to California Department of Health regulations, an organized camp is required to provide "[a] dependable supply of potable water adequate to furnish 50 gallons of water per person per day." 17 C.C.R. § 30710. The R-DEIR acknowledges this but nevertheless calculates the project's water demand based on only 25 gpd per person. R-DEIR § 4.14-6; App. G (SRT Report, p. 2). This much lower demand rate is based on a report by NorthStar consulting and an EPA wastewater treatment manual. Id. These sources do not focus on water demand but examine the capacity required for an onsite waste treatment (septic) system. App. G at *18-19 (NorthStar Report pp. 2-3). While the NorthStar report includes an anecdotal description of the average water use based on ten days of meter readings at another unspecified camping facility, no details are provided from which to assess the degree of similarity. Id. However, even if the facilities are similar, this estimate is wholly inadequate: the adequacy of the water supply is not based on average flows but requires sufficient reliable source capacity to meet the Maximum Daily Demand (MDD). 22 C.F.R. § 64554. The regulation requires MDD estimates based on averages from a similar facility to calculate average daily usage based on the most recent ten years of data from that source – not ten days – and then to "multiply [that average] by a peaking factor of 2.25." Id., subd. (b)(3) and (4). NorthStar gave a rough estimate based on ten days that does not account for seasonal and annual variations, and clearly does not comply with the water supply regulation.7 Neither the R-DEIR nor the SRT Report explains this discrepancy – or the decision to disregard the 50 gpd per person requirement set forth in 17 C.C.R. § 30710.	The comment questions the Revised Draft EIR's calculation of the proposed project's water demand. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand for a detailed discussion as to how the 25 gpd/person was derived and a discussion regarding CCR Title 17, Section 30710. CCR Title 22, Section 64554(4), states that if daily and annual water uses for the facility are not available, use records from a system that is similar in size, elevation, climate, demography, etc. can be used to determine the average water use. Therefore, the water usage for campers and counselors was based on a similar camp facility that metered water usage over a 10-day period and included showers, flush toilets, and a kitchen. The camp had 124 staff and campers and the average water use was 19 gpd/person. This facility had an aging water infrastructure, so compliance with CALGreen and the California Plumbing Code for the proposed project should result in even less water use per person. This number was only used to estimate water demand for the campers and counselors. A larger number, 50 gpd/person, was used as the demand for the caretaker house and staff residence. Pursuant to CCR Title 22, Section 64554, the average daily demand (ADD) is calculated as the total annual water

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		demand divided by 365 days, which is what was used as the ADD. Calculating the Maximum Daily Demand (MDD) is unique to this project in that most public water systems have multiple connections and that all of its customers will be using the system at the same time, hence the peaking factor. For this project, the MDD can be determined as there is only one service connection and the MDD would be the total water demand based on maximum occupancy. The peak hourly demand (PHD) was calculated as the MDD multiplied by a peaking factor of 1.5. The DDW has reviewed the Preliminary Technical Report and these calculations and have determined it to be in compliance with CCR, Title 22, Section 64554. CCR, Title 17, Section 30710 was originally enacted in 1968 and states that "a dependable supply of potable water adequate to furnish 50 gpd/person shall be available." This was before the implementation of CALGreen and the California Plumbing Code, which has substantially reduced the water demand for the new construction of residences and outdoor camps with the required installation of low-flow plumbing fixtures. Nevertheless, an adequate water supply to furnish 50 gpd/person is available based on the pumping capacity of one on-site well. For this project, the water system was sized using more realistic water demands, which was acceptable to the DDW who reviewed and approved the Preliminary Technical Report.
ORG3-11	The NorthStar report also cites tables from an EPA OWTS manual, which states that the typical wastewater flow for children's camps with central toilet/bath facilities, like the proposed project, is 45 gpd per person. App G. at *73. However, instead of adopting this figure, NorthStar averages this rate with a lower rate (25 gpd) listed for "pioneer type" camps, and then reduces this average further, assertedly to adjust for water-saving fixtures. App. G at *18-19, 73. NorthStar provides no explanation for its assumption that the Mosaic Project is operated like a pioneer type camp, which is undefined but commonly refers to primitive camping.8 And again, there is no calculation of MDD or consideration of peaking factors.	The comment claims that the water demand rates were reduced and unjustified. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand for a detailed discussion as to how the 25 gpd/person was derived. The USEPA OWTS Manual was published in 2002 and contains outdated wastewater flow rates because it does not consider the low-flow plumbing fixtures that are required in California with compliance with CALGreen and the California Plumbing Code. The commenter incorrectly stated that the rate of 25 gpd/person was further adjusted to account for water saving fixtures. This is not true; the rate of 25 gpd/person was used in sizing the water system for

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		campers and counselors, while a value of 150 gpd/person was used for the caretaker and staff housing. There is a calculation of MDD in Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR, and there is a calculation of peak hourly demand (PHD) in the Preliminary Technical Report submitted to the DDW.
ORG3-12	In addition, neither the R-DEIR nor Appendix G provides any estimate of water demand necessary to operate livestock and gardening operations. The DEIR assumes without analysis that collected rainwater and greywater will be adequate to support the proposed agricultural uses throughout the growing season. R-DEIR at 4.14-10. There is no estimate of how much water is necessary to raise goats and chickens, and operate a production garden sufficient to fill CSA boxes, bottle fresh goats' milk, and also provide the camping program with vegetables. See RDEIR App. K. Moreover, since greywater is unsuitable for vegetables and livestock watering, these activities would need to rely solely on rainwater or be abandoned, which seems contradictory to the proponent's assertion that agricultural use is the "primary purpose" of the proposed project. R-DEIR App. K. There is also no analysis of how goats' milk will be handled and provided to customers, and whether health standards require the animals to be cleaned regularly, and bottles to be sanitized. Nor is there any analysis of how much rainwater can be reasonably anticipated based on average local rainfall, and whether this will even fill the proposed irrigation tanks.	The comment asserts that the Revised Draft EIR does not provide any estimates of water demand necessary to operate livestock and gardening operations. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand for proposed agricultural activities. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. The agricultural component of the proposed project includes 20 free range chickens. The total water demand for 20 chickens is about 5 gallons/day, which is less than the water demand of one camper and could be supplied by the rainwater harvesting system or the potable water system. Water will be supplied with a rainwater harvesting system for the vegetables and cut flowers. Greywater will be used to supply the orchard (walnut trees and fruit trees), which is considered an acceptable use for greywater. The greywater system will be designed in consultation with the ACDEH and the requirements of the 2022 California Plumbing Code. There is more than an adequate supply of greywater for this use, since it is estimated to comprise about 30 percent of the total wastewater flow. The greywater system will be designed in consultation with the ACDEH and the requirements of the 2022 California Plumbing Code. Please see Master Response 4, *Agricultural Uses*, regarding agricultural production and required regulations.

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ORG3-13	The R-DEIR also provides no analysis of water demand necessary to maintain adequate fire flows. For example, the 2016 California Fire Code recommends fire flow capacity of 1,500 gpm (gallon per minute) for a duration of two hours for buildings with (multi-level) floor area between 3600 sq. ft. and 22,700 sq. ft. See Cal. Fire Code (2016), App. B, § B105. The R-DEIR indicates only that "[o]ne 38,000-gallon tank would be provided for fire protection," and that this "has been sized to support a fire flow demand of 1,000 gpm." R-DEIR, 4.14-10. The R-DEIR conjectures that this tank would be filled between campingprograms and then generate little demand. However, it provides no analysis to establish the adequacy of this quantity of water to provide for the project's 14 residential buildings and 8500 sq. ft. multi-purpose building. There is no description of how the proposed 1,000 gpm flow rate will be achieved – and no consideration of what happens after this tank empties in 38 minutes. Id. At minimum, some analysis is needed to assess the adequacy of the proposed water supply to provide for fire flows, but this is lacking.	The comment asserts that the Revised Draft EIR does not provide analysis of water demand necessary to maintain adequate fire flow. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand for fire flows. Originally, the fire flow storage tank was sized at 38,000 gallons, but it has since been upgraded to approximately 44,000 gallons. The commenter is citing the wrong fire code, the 2016 California Fire Code, for the analysis. The tank was sized in consultation with the Alameda County Fire Department and in accordance with NFPA 1142, Water Supplies for Rural Firefighting. The water delivery rate is 1,000 gpm, which can easily be obtained with a Class A fire hydrant. There are two fire hydrants on the project site, as shown on Figure 3-4, *Proposed Project Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR. Once the storage tank is full, there will be no withdrawal or use of the tank, except for required system testing. The Revised Draft EIR does not conjecture or state that the tank will be filled between camping programs.
ORG3-14	The R-DEIR's water supply calculations also fail to factor in the high volume of wastewater generated by the onsite water treatment system. The report estimates that backwash and brine from the reverse osmosis (RO) system will total nearly 20,000 gallons of water every two weeks. R-DEIR at 4.14-9. Assuming the estimates are correct, this comes out to an average of 1,415 gallons per day, or nearly a gallon per minute, that will be unusable. Thus, even supposing optimistically that the two wells do reliably produce 7.7 gpm, an estimated 13% of this water will not be available to meet the Project's demand.9 This water is completely omitted from the R-DEIR's estimate of peak water demand. Id., at 4.14-7, Table 4.14-3. The plan to haul wastewater away from the site is also problematic due to weight restrictions on Cull Canyon Road. Even a small tanker truck is likely to exceed the road's 7-ton weight limit, since 2000 gallons of water weighs more than 8-tons, not including the vehicle weight. See supra § I.C.	The comment asserts that the water supply calculations of the Revised Draft EIR fails to factor in wastewater generated by the OWTS. The generation of backwash and brine from the water treatment system is estimated to be 20,000 gallons every two weeks, assuming two back-to-back weeklong outdoor sessions. The programs will be spaced out so that there will never be more than two consecutive weeklong programs, so this calculation of wastewater from the water treatment system is conservative. Initially, the program would only operate seasonally with six sessions in the fall and six sessions in the spring. For full operation, there are scheduled to be 23 weeklong programs during the year, and conservatively assuming that all of the weeklong programs are back-to-back, this wastewater generation rate would only occur about 11 times per year. The water demand for the project, including the ADD, MDD, and PHD values, were conservatively estimated and are documented in the Preliminary Technical Report. The report has been reviewed and has been deemed complete by the DDW. Cull Canyon Road has a 7-ton weight restriction north of

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		Columbia Drive, a restriction adopted by ordinance in 1989, and a 38-foot length restriction, more recently put in place to respond to concerns about long vehicles unable to turn around. Alameda County Public Works has been consulted on these issues and there is agreement that the applicant shall comply with all applicable County of Alameda roadway requirements, including vehicle weight and length restrictions. Roadway improvements and agreements to repair any roadway damage may be required, as determined by the Alameda County Public Works Agency. Special permits may also be required for certain vehicle operations.
ORG3-15	As a result of these errors, the R-DEIR's conclusion that the two on site wells have sufficient capacity to meet the project's water demand is also incorrect. The R-DEIR proposes that the Project's MDD is only 3,975 gpd, but this is simply the sum of the average residential use (1,275 gpd) and the estimated campground use (2700 gpd), when based on average daily usage of only 25 gpd per person. R-DEIR, at 4.14-6. If the projected campground usage is increased to 50 gpd, as required by 17 C.C.R. § 30710, the MDD estimate increases to 6,675 gpd, or 4.64 gpm. Thus, even without factoring in water for agricultural use and fire flows, or applying a peaking factor, the average water demand exceeds the capacity of well 17-1 (3.0 gpm), and nearly equals that of well 20-1 (4.7 gpm).10 And, if we also factor in the average daily volume of treatment system waste flows, this comes up to 8090 gpd, or 5.6 gpm, which exceeds the capacity of either well individually. Thus, contrary to the R-DEIR (see 4.8-23, 4.14-7, -10), neither well has sufficient capacity to individually meet the Project's MDD, or peak demand, as required by 22 C.C.R § 64554(c), which states that community water systems "shall be capable of meeting MDD with the highest capacity source offline." The proposed water supply is thus inadequate to meet the Project's demand, even without factoring in water for fire flows and agricultural production.	The comment claims that the Revised Draft EIR's conclusion that the two on site wells have sufficient capacity to meet the project's water demand is incorrect. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. It is not clear how the commenter derived a MDD of 6,675 gpd. Assuming a campground requirement of 50 gpd and a maximum of 114 people onsite at one time, this would result in a MDD of 5,700 gpd. One groundwater well, pumping at 4.7 gpm (which is 50 percent of the pump test capacity) would produce 6,768 gpd, which would meet this requirement. It should be noted that CCR, Title 17, Section 30710, was enacted in 1968 prior to the implementation of CALGreen and California Plumbing Code, and the water demand value was never revised. This regulation states that "a dependable supply of potable water adequate to furnish 50 gallons of water per person per day shall be available." It does not say that a water system must be sized for this amount, just that this water must be available. With the rainwater harvesting system, fire flow storage tank, and capacity of one groundwater well to pump this quantity of water, 50 gpd/person would be available. In addition, the DDW has reviewed the Preliminary Technical Report and has deemed the water demand calculations and water system design to be complete.
ORG3-16	There is also no analysis of cumulative impacts to the area water supply to evaluate how the proposed level of groundwater pumping will augment the total burden on the aquifer from existing groundwater pumping for agricultural, residential, and commercial uses that draw on the same aquifer. The R-DEIR concludes that there will be no cumulative impacts but provides	The comment asserts that the Revised Draft EIR does not include adequate analysis of cumulative impacts to water supply. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The two

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	no supporting evidence concerning the locations of neighboring wells or the existing water budget of the Cull Creek Canyon aquifer. But without a detailed water balance, there is no support for this conclusion. See App. B, at p.3.	onsite wells are drawing from separate fractured bedrock aquifers, as determined by the pump test, with no drawdown in the non-pumping adjacent well 160 feet away. The analytical results also show different groundwater chemistry in each well. Each well location in Cull Canyon is unique in that it is drawing from different fracture zones in the bedrock aquifer with different screened intervals, and it is unlikely that there would be interference with neighboring wells. It is common for bedrock wells to recharge during the wet season; if not fully recharged, they can yield less groundwater during dry years. A detailed discussion of the hydrogeologic conditions at the site and surrounding area is provided in the Preliminary Technical Report as well as an analysis of groundwater contributions to base flow in Cull Creek.
ORG3-17	In sum, the R-DEIR's analysis of the project's potential impacts on water resources is inadequate because the estimated water demand is inaccurate, violates 17 C.C.R. § 30710, and omits agricultural activities and fire flows, and because the MDD is not calculated correctly, and the source wells are inadequate to meet MDD with the highest-capacity source offline, per 22 CCR § 64554. As a result, the analyses of standards HYD-2, UTIL-1, UTIL-2 and UTIL-7 are inadequate and the conclusions are not supported by substantial evidence.	The comment asserts that the Revised Draft EIR's analysis of the proposed project's potential impacts on water resources is inadequate and the conclusions are not supported by substantial evidence. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. A detailed description of the water system and the calculated water demands was submitted to DDW in the Preliminary Technical Report and was reviewed by DDW and deemed complete. The estimated water demand is not inaccurate and does not violate CCR, Title 17, Section 30710. The MDD has been calculated correctly and with the highest capacity source offline, Well 17-1 at a rated capacity of 3.0 gpm would generate 4,320 gpd, which exceeds the MDD of 3,975 gpd. Also, 20 chickens is estimated to be about 5 gallons/day, which is less than the water demand for one camper and could be supplied by the rainwater harvesting system or the potable water system. Water will be supplied with a rainwater harvesting system for the vegetables and cut flowers. Greywater will be used to supply the orchard (walnut trees and fruit trees), which is considered an acceptable use for greywater.
ORG3-18	3. The analysis of the proposed onsite wastewater treatment system (OWTS) is inadequate. As with the DEIR, the R-DEIR's analysis of potential impacts related to the project's proposed septic system, or OWTS, is also inadequate. See Previous comments, App. A, §§ I.A.3 and I.C. In	The comment asserts that the analysis of the proposed OWTS is inadequate and relies on incorrect water demand estimates. Please see Master Response 5, *Hydrology and*

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	addition to issues raised in previous comments, the OWTS analysis also relies on incorrect water demand estimates, as discussed above. That is, the proposed OWTS was designed to meet system capacity based on average daily water usage of 25 gpd instead of 45 gpd, as indicated for children's camps with central facilities. R-DEIR, App. G at *73 (EPA manual). As a result, the current design has insufficient capacity to meet the actual flows from the project. In addition, the R-DEIR does not examine potential environmental impacts due to system overflow, such as inadequate filtration or impairment to water quality.	*Utilities*, regarding the OWTS. The daily water usage of 45 gpd is based on the 2002 USEPA OWTS Manual, which is outdated and the incorrect reference to use. The ACDEH OWTS Manual provides a wastewater flow design criterion of 35 gpd for overnight camps with flush toilets and showers, and a flow design criterion of 25 gpd for overnight camps with flush toilets and no showers. However, the ACDEH OWTS Manual also states that a 20 percent design flow reduction can be applied where water saving devices are used, such as low flow plumbing fixtures for toilets, urinals, faucets and showerheads,. All plumbing fixtures will meet this criterion through compliance with CALGreen and the California Plumbing Code. This reduction of 20 percent would reduce the flow design criterion of 35 gpd to 28 gpd/person, which is close to the value of 25 gpd/person that was used in sizing the OWTS. The ACDEH OWTS Manual further states that an adjustment to the minimum criteria can be made based upon flow monitoring data. Metered water usage was conducted for a similar overnight organization camp with flush toilets, showers, and a kitchen, and the water demand was determined to be 19 gpd/person. Therefore, it was determined that 25 gpd/person would be a conservative assumption. The OWTS system has been designed in accordance with the ACDEH OWTS Manual and will require approval and permit issuance from the ACDEH, which will review the OWTS performance evaluation and as-built plans. A cumulative impact assessment was included in the NorthStar *Basis of Design Report for the Mosaic Project*, which required a groundwater mounding analysis and nitrogen loading analysis to ensure that there would be no impairment to water quality (see Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR). The proposed package treatment system, which provides both primary and secondary treatment, is designed with a recirculation tank that will ensure that inadequate filtration does not occur. System inspection requirements are detailed in Chapter 43 of the ACDEH OWTS Manual and require

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		monthly inspections during the first year of operation to ensure that treatment requirements have been met.
ORG3-19	Moreover, the proposed location for the septic system is less than 150 feet from Cull Creek and the two drinking water wells. R-DEIR App. G, p. *35. The appended Geotech Report, also indicates that the water table is only 30-40 feet below the surface, increasing the risk that contaminated wastewater could impact the shallow aquifer. R-DEIR Appendix E, p.13. The proposed septic field is also located up-stream from the wells, especially well 20-1, which raises additional concern that wastewater will flow in that direction and percolate into the water table feeding the well, thereby contaminating the proposed water supply. App. B, p.2. Additional analysis is needed to ensure that the wastewater treatment system is adequately sized and to identify potential impacts related to overflow and site hydrology. Id. However, because the actual waste flows may be significantly greater than projected, the proposed site may not have a feasible location for a septic adequate to meet the needs of the facility.	The comment implies that the proposed septic field would contaminate water supply. The ACDEH OWTS Manual requires the dispersal field to be set back 100 feet from all watercourses and it meets this criterion. The ACDEH OWTS Manual also requires the dispersal field to be set back 150 feet from public water supply wells. The dispersal field also meets this criterion. There are sanitary (cement) seals on the two on-site groundwater wells that extend 60 feet bgs. Based on the distance to the nearest well (150 feet), the presence of the sanitary seal on the wells, the filtration capability of naturally occurring bacteria in the soil of the drain field, and the secondary treatment of the wastewater effluent prior to discharge to the drain field, the water quality of the on-site groundwater wells will not be impacted by the proposed dispersal system. Also, the water system is required to do monthly testing for bacteria to ensure that groundwater quality is not impacted. The Geotechnical Report relied on empirical data to determine groundwater to be 30 feet below ground surface (bgs). However, the well log in the Preliminary Technical Report shows groundwater to be first encountered at a depth of 55 feet bgs, and the well was screened between 60 and 135 feet bgs. The well log shows that there are no shallow groundwater aquifers at the site between ground surface and 55 feet. Nevertheless, the groundwater mounding analysis assumed the presence of groundwater at a depth of 30 feet bgs to be conservative.
ORG3-20	In addition, new information included in Appendix J of the R-DEIR reports that excavations conducted in the area of the proposed staff residence for archaeological surveys identified "the presence of hydric soils indicat[ing] that the area is regularly saturated by water." R-DEIR App. J, pp. 5-6. This area is adjacent to the proposed septic site, raising additional concerns that the proposed location for the OWTS may impair or be affected by perennial water features. This also appears to conflict with the soil analysis prepared for the OWTS, reported in Appendix G, which does not mention hydric soils. R-DEIR App. G., *36-38. The Geotech analysis also examined two soil trenches in this area and noted high moisture content in some samples. App. E, pp. 5, 10-11, 15, and App. C (*76-77), Exploratory Trench Log T19-3, T19-4. More	The comment asserts that more information is need to reconcile the soil analyses and verify the presence of hydric soils. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. The archaeologists who performed the cultural survey reported hydric soils in the upper two feet in one of the two test pits that was advanced in the area of the staff housing. This could be due to proximity to the creek. The exact location of the test pit was not reported and the area where the test pits were advanced is not in the area

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	information is needed to reconcile these several soil analyses and to verify whether hydric soils are present and, if so, to examine the risk that this could cause the proposed OWTS to impair water resources.	where the dispersal field is planned. The geologists who conducted the geotechnical investigation and the percolation tests did not report hydric soils in any of the test pits excavated to a depth of 7 feet below ground surface (bgs). Although the geotechnical report states that the soils were slightly moist to moist, it is further reported on page 12 that the moisture content of each soil unit was consistent with the natural moisture within the vadose zone. The pressure trenches will be installed at a depth of three feet bgs, which is below the depth of the hydric soils encountered by the archaeologists, and the system has been designed in accordance with the ACDEH OWTS Manual based on the results of the percolation tests.
ORG3-21	The R-DEIR also no provides no analysis addressing whether plans to extend the project's driveway/access road over the top of the existing septic field for the caretaker residence could impact the functioning of that system. Moving the road to avoid this issue is also problematic due to the adjacent riparian area and proximity of Cull Canyon Road. This too requires further analysis. Likewise, there is no analysis of the risk of building over the existing culvert, or potential impacts of moving it.	The comment questions the proposed extension of the roadway over the existing septic field. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. Because of space constraints in this area of the site, the proposed roadway would be constructed with pervious paving over a portion of the leach field. While it is not ideal to locate roadways over leach fields, Mosaic has been coordinating with ACDEH regarding this issue and the consensus is that pervious pavement over the leach field is acceptable. There is no other available space for the leach field because of required 100-foot setback distance from the creek. If the existing OWTS and leach field fail with this configuration, a new system will be installed in accordance with ACDEH OWTS standards and approval.
ORG3-22	Accordingly, the analyses of standards HYD-1 and UTIL-3 are inadequate and the conclusions are not supported by substantial evidence.	The comment serves as a conclusions to the previous comments. Please see Responses ORG3-18 through ORG3-21, above.
ORG3-23	**B. The R-DEIR provides an inadequate analysis of potential impacts on wildfire risk.** The Project's potential impacts on wildfire risk were previously addressed in the previous FCVC comments on the DEIR, which are incorporated herein. See App. A § I.B. The R-DEIR makes no substantive changes in response to those comments and continues to ignore the increased risk of human caused wildfires associated with bringing a large number of additional people into a High Risk Fire Zone.	The comment serves as a summary of the comments to follow. Please see Responses ORG3-24 through ORG3-28, below.
ORG3-24	In addition, the proposed evacuation plan, which relies on offsite buses to be called to pick-up children in event of emergency, fails to address vehicle weight restrictions on Cull Canyon Road and potential contract limitations restricting school bus drivers from entering hazardous areas.	The comment asserts that Cull Canyon Road is not suitable for school bus travel due to the vehicle weight restriction of 7 tons. Please see Response ORG3-14 regarding vehicle

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	R-DEIR § 4.15-17. Notably, Cull Canyon Road is not suitable for school bus travel due to vehicle weight restrictions prohibiting vehicles over 7 tons. See Appendix C, Flooding ad Road Hazards, p. 3. Most standard (Type C) school buses exceed this limit, particularly when loaded with passengers.11 *IMAGE*	weight restrictions. Alameda County Public Works has been consulted on these issues and there is agreement that the applicant shall comply with all applicable County of Alameda roadway requirements, including vehicle weight and length restrictions. An exception to these requirements may be allowed in emergency situations where the use of larger vehicles is necessary to protect public safety or general welfare.
ORG3-25	The use of overweight buses may pose additional hazards for fire fighters and other residents relying on Cull Canyon Road as the sole evacuation route for the entire canyon. Further, because the road is narrow and lacks shoulders and turnouts, it is easily blocked by other large vehicles as well, increasing the risk that evacuation could be blocked or delayed in an emergency. See App. C, at 3(a). Emergency vehicles have also blocked the road when responding to emergencies, as in the case of a structure fire in 2019, where fire trucks completely obstructed traffic in both directions. Id. at (b). The alternative of using smaller vehicles also poses danger, as this would increase congestion with more vehicle traffic entering a hazardous zone, which could also obstruct outgoing traffic during an evacuation emergency, given the narrow road with no turnouts. It is also unclear that school bus drivers would be allowed to enter hazardous zones under their current contract and OSHA restrictions. Accordingly, the plan to employ buses for evacuation needs further evaluation.	The comment expresses concern regarding the use of overweight buses. Please see Response ORG3-14 and ORG3-24 regarding vehicle length and weight restrictions. The comment also notes that emergency vehicles have blocked the road when responding to emergencies. This is typically strategic vehicle placement and blocking to create a safe work zone for emergency responders. In the event that emergency responders deem evacuation of the canyon necessary, evacuation would be facilitated and roadways would not be blocked.
ORG3-26	The proposal to rely on the proposed site's existing, below-standard bridge is also extremely concerning, particularly where large number of children could be affected by bridge failure.12 The project envisions several vehicle parking spaces across the bridge from Cull Canyon Road, and relies on the bridge for pedestrian crossing and fire truck access to the site, should this be necessary. The potential for congestion during an emergency is not evaluated. The R-DEIR suggests that the substandard 14-foot bridge is not a problem, asserting incorrectly that a 20-foot access lane would extend all the way to the cabins. R-DEIR, p. 4.15-17. There is also no evidence that the local fire authority has signed off on this. See 14 C.C.R. §§ 1273, et seq. (Fire Safety standards). The R-DEIR's further discussion of road capacity cites a "highway manual" and completely disregards the fact that Cull Canyon Road is not a highway, lacks shoulders and turnouts, and is not suitable for buses and large vehicles. R-DEIR, p. 4.15-17. The analysis is completely inadequate and fails to support the conclusion of no impact.13	The comment asserts that the existing bridge on the project site is not adequate to support pedestrian crossing and fire truck access to the site and that it is not signed off on by the local fire authority. As discussed under Section 3.3.1.8, *Bridge Improvements*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the Alameda County Fire Department has noted that the existing bridge may remain at its current width as a single lane access per Title 14. Fire Department regulations would be maintained without construction within Cull Canyon Creek as discussed with the Alameda County Fire Department. This response from the Fire Department was confirmed in August of 2025. The comment also asserts that the use of the Transportation Research Board's Highway Capacity Manual is inappropriate because Cull Canyon Road is not a highway. While titled the Highway Capacity Manual, it is not solely focused on highways. It serves as a fundamental reference on concepts, performance measures, and analysis techniques for

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		evaluating the multimodal operation of streets, highways, freeways, and off-street pathways. Therefore, the Highway Capacity Manual was appropriately utilized.
ORG3-27	In addition, the R-DEIR also provides no supplemental analysis to examine the condition of the bridge and its moorings in the wake of the extreme rainfall and atmospheric rivers of winter 2022-23. Cull Canyon experienced extreme flooding and erosion, as well as road damage in January 2023, as a result of severe weather. Some pictures of this damage are provided in Appendix C, at 1.14 The river channel also eroded in many places, including at the proposed Mosaic site, as shown in Appendix C, at 2. The analysis of the stability and reliability of this structure is based on a Geotechnical report dated September 16, 2019, and has not been updated to ensure the bridge's condition and moorings remain stable. This report also states that it should not be relied on without further review if a period of 24 months has elapsed since the report date and the commencement of construction. R-DEIR App. E, p. *4 (cover letter), and p. 44 (*51). More than four years has elapsed since the report was prepared, indicating that it should not be relied on without further review.	The comment points out that the project site has experienced severe weather since the preparation of the geotechnical report and asserts that it should not be relied on without further review. Please see Master Response 3, *Creek Setback*, regarding recent storms. NorthStar, the project engineers, returned to the project site after the storms to resurvey the creek and revise the creek setbacks, as needed, to ensure compliance with the Alameda County Watercourse Protection Ordinance. Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR shows the creek setback distances on Drawings C-2 and C-4 and also provides cross-sections that show how the setback distances were derived. The GEI Report has been reviewed to confirm that the recommendations presented in the GEI Report for earthwork and structural improvements remain suitable in light of the recent storms.
ORG3-28	Importantly, the issue of wildfire risk affects the health and safety of everyone who lives and works in Cull Canyon. There is only one evacuation route for all of the residents, making fire season an exercise in trust and shared responsibility. It is well-established that wildfire risk increases when more humans are present in the area, as "nearly 85% of wildland fires in the United States are caused by humans."15 Campers may not fully appreciate the seriousness of this risk to lives and property. A fire at the Mosaic site would be devastating and likely would travel quickly due to steep hillsides and Canyon winds. The Columbia subdivision at the top of the ridge would also be at risk, which has not been evaluated. The risk to the entire community, and the children, demands a thorough analysis and weighs heavily against the wisdom of placing children in a high risk environment with limited options for evacuation.	The comment expresses concern regarding the evacuation route and fire risk due to slope and wind. Please see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. Pursuant to CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, in assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published. As Cull Canyon Road is currently the only evacuation route for the project area, and students and staff would be evacuated on buses and a few staff cars, the inherent difficulties of evacuation would not be significantly affected by the proposed project. The proposed project also includes a Fire Safety and Emergency Response Plan to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR). As analyzed under impact

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		discussion WF-2 in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, the proposed project would not change prevailing winds. Development under the proposed project would occur within the semi-flat areas of the project site. Apart from scattered areas graded for new building areas, access, and parking, the overall topography of the project site would remain. The proposed project has been designed to largely conform to the existing terrain of the project site and would not alter slope conditions. Therefore, fire-related hazards would not be exacerbated due to wind or slope.
ORG3-29	C. The R-DEIR fails to provide an adequate analysis of transportation impacts. As noted above, the R-DEIR fails to address vehicle weight restrictions on Cull Canyon Road. R-DEIR § 4.15-17; Appendix C, at 1. This issue also underscores the inadequacy of the RDEIR's transportation analysis. § 4.12. Neither the transportation analysis nor Appendix I: Focused Traffic Study identifies the vehicle weight restrictions or provides any analysis of alternatives to school busses for transporting children to and from the project or for emergency evacuation plans. Accordingly, more analysis is needed to address these issues and examine the potential impacts of alternatives to using standard, full size school buses.	The comment asserts that the Revised Draft EIR fails to provide an adequate analysis of transportation impacts because it did not consider Cull Canyon Road's 7-ton weight restriction. Please see Response ORG3-14, and Org3-24 regarding vehicle length and weight restrictions. Alameda County Public Works has been consulted on these issues and there is agreement that the applicant shall comply with all applicable County of Alameda roadway requirements, including vehicle weight and length restrictions. Roadway improvements and agreements to repair any roadway damage may be required, as determined by the Alameda County Public Works Agency. Special permits may also be required for certain vehicle operations. The comment also questions the provision of school buses for evacuation. The agreement with Castro Valley Unified School District has been included as Appendix O, *Castro Valley Unified School District Letter*, of this Final EIR. Details of the agreement with Castro Valley Unified School District Letter regarding the provision of school buses are to be finalized as part of the proposed project's conditions of approval. The requirements of the Public Works Agency described above related to length and weight of vehicles may not apply in emergency situations where the use of larger vehicles is necessary to protect public safety or general welfare.
ORG3-30	Notably, this issue also affects water trucks. The weight restrictions in the road, greatly limits the option of trucking out wastewater. A gallon of water weighs 8.33 lbs., which means a truck hauling 2000 gallons of water would weigh over 8 tons, exceeding the 7-ton weight restriction on Cull Canyon Road. The R-DEIR overlooks this restriction completely and fails to examine the	The comment points out the 7-ton weight restriction on Cull Canyon Road. Please see Responses ORG3-14, ORG3-24, ORG3-25, and ORG3-29 regarding vehicle length and weight restrictions.

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	limiting aspects of the narrow winding road, which is a significant obstacles to the feasibility of the project as currently designed.	
ORG3-31	More analysis is also needed to address wait time and emergency response in the event of a medical emergency. The narrow road could cause delays, which is not evaluated. It's also not clear if potential helicopter landing sites have been identified in the event that a life flight was needed. Improved emergency planning is needed to protect the health and safety of the campers.	The comment asserts more analysis is needed to address wait time and emergency response. Please see Master Response 1, *Standard for Responses to Comments*, regarding additional analysis. As discussed under impact discussion HAZ-1 in Chapter 4.7, *Hazards and Hazardous Materials*, and impact discussion WF-1 in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, the proposed project would not alter any existing roadways, and due to the size and nature of the proposed project, it would contribute a nominal amount of traffic to the local roadway system. Therefore, the proposed project would not substantially impair implementation of or physically interfere with an adopted emergency response plan.
ORG3-32	D. The R-DEIR provides an inadequate analysis of potential impacts on site geology and soils. The Project's analysis of potential impacts on geology and soils was also addressed in the previous FCVC comments on deficiencies of the DEIR, which are incorporated herein with one exception. See App. A § I.D. The R-DEIR does respond to one issue raised in previous comments; namely, the omission of supporting documents from the Geotech report. The R-DEIR supplements Appendix E: GeoTech by including the previously omitted data from nine soil trenches that informed portions of the 2019 geotechnical analysis. R-DEIR, App. E, pp. *74-82 (App. C to the GeoTech Report). The R-DEIR's analysis is otherwise unchanged.	The comment summarizes the information presented in the Revised Draft EIR. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
ORG3-33	In addition to comments raised previously, the R-DEIR fails to analyze the GeoTech reports recommendation that significant quantities of subsoil may need to be replaced to provide stable building footings for the project. In addition to expansive soils that would need to be replaced or compressed, the soil trench data also reveals a layer of unknown concrete and asphalt debris located at a depth of 3-5 feet below the surface in trenches 7-9, located at or near the site of the proposed multi-purpose building R-DEIR App. E, pp. 18, *80-82. The report recommends replacing expansive soils and excavating the debris layer, for removal or other treatment, to ensure a stable building surface. Id. at 18, 19-20, 23-25. The R-DEIR does not identify how the project proponents intend to address these issues and provides no analysis of whether soil replacement and treatment will cause additional impacts to soil erosion or loss of topsoil. RDEIR at 4.5-13, -14 (GEO-2). There is also no discussion as to whether additional soil will be brought in, and if so, where this will be obtained and whether this will cause additional impacts.	The comment asserts that the Revised Draft EIR fails to consider the impacts of the recommendations of the Geotechnical Engineering Investigation Report prepared for the proposed project. The project site is expected to be balanced with no need for soil import or export. As discussed under impact GEO-2 in Chapter 4.5, *Geology and Soils*, of the Revised Draft EIR, the proposed project would be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) as part of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. The SWPPP would include an erosion control plan and specify best management practices (BMPs) for temporary erosion controls, reducing the potential for erosion during construction period activities. Therefore, the proposed project would not result in substantial soil erosion or the loss of topsoil.

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ORG3-34	As noted above, the 2019 geological report is also outdated and provides no analysis of site changes that may have occurred as a result of the extreme rain events during winter 2022-23, such as landslides and changes to the creek channel. Notably, these types of changes are documented by pictures and videos and also reported in other public comments, which show without doubt that the extreme rain events caused mudslides and channel modifications in other parts of Cull Canyon. Appendix C, at 1-2. There is also no analysis of the risk that children could fall down the steep banks along Cull Creek, or that banks could give way due to overhangs or erosion from flooding. The R-DEIR also fails to examine the possibility that children could be swept into the creek. Recent flooding also raises concerns about construction impacts along the creek, which could further destabilize soils, increasing potential erosion during future flood events.	The comment asserts that the Geotechnical Report is outdated and does not analyze possible site changes from recent storms. Please see Master Response 3, *Creek Setback*, regarding recent storms. In addition, NorthStar, the project engineers, returned to the project site after the storms to resurvey the creek and revise the creek setbacks, as needed, to ensure compliance with the Alameda County Watercourse Protection Ordinance. Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR contains the calculated creek setback distances and cross-sections that show how the setback distance was derived. The GEI Report has been reviewed to confirm that the recommendations presented in the GEI Report for earthwork and structural improvements remain suitable in light of the recent storms. The comment also expresses concern regarding student safety due to proximity to the creek. Please see Master Response 2, *Project Clarifications*, regarding student safety. Campers are never near creeks without adult supervision, and wading or swimming in creeks is always prohibited.
ORG3-35	The R-DEIR, however, downplays risks of flooding and landslides, but provides no updated information concerning the condition of the proposed site after the 2023 floods. The stability of the steep hillsides above the proposed residential cabins, as well as proposed construction sites bordering both sides of Cull Creek, requires additional surveys to evaluate potential risks and to assess the adequacy of proposed setbacks and stormwater drainage plans. Evidence of landslides or changes to the creek channel may require substantial modification of the current site plan, squeezed between a steep hillside and a riparian zone.	The comment asserts that the Revised Draft EIR downplays the risks of flooding and landslides and but provides no substantial evidence. The comment also notes that there is no updated information regarding the conditions of the project site after the 2023 floods and asserts that an additional survey is required to evaluate potential risks and adequacy of the proposed setbacks and stormwater drainage plans. Please see Master Response 3, *Creek Setback*, regarding creek setbacks and recent storms. In addition, NorthStar, the project engineers, returned to the project site after the storms to resurvey the creek and revise the creek setbacks, as needed, to ensure compliance with the Alameda County Watercourse Protection Ordinance. Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR contains the calculated creek setback distances and cross-sections that show how the setback distance was derived. Additionally, the GEI Report has been reviewed to confirm that the recommendations presented in the GEI Report for earthwork and structural

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		improvements remain suitable in light of the recent storms. Stormwater drainage plans will be reviewed for adequacy at the time of plan check by the Alameda County Department of Public Works.
ORG3-36	Because the Geotechnical report was prepared in September 2019 and cannot be relied upon without further review after 2 years, an updated analysis is necessary to confirm that no significant changes to the site have occurred and the report's conclusions are still valid. R-DEIR App. E, pp. *4, and 44. The current analysis of Geology and Soils is thus inadequate.	The comment asserts that the Geotechnical Report is outdated and can no longer be relied on, thus making the analysis presented in Chapter 4.5, *Geology and Soils*, of the Draft EIR inadequate. Please see Master Response 3, *Creek Setback*, regarding recent storms. The GEI Report has been reviewed to confirm that the recommendations presented in the GEI Report for earthwork and structural improvements remain suitable in light of the time that has passed since preparation of the report.
ORG3-37	**E. The R-DEIR provides an inadequate analysis of potential impacts to Biological Resources.** The R-DEIR's analysis of biological impacts is inadequate because it fails to address potentially significant impacts to sensitive and protected species, including Crotch's Bumble Bee and Mountain lions. It also provides no information concerning the methodology used for site surveys to identify sensitive native plants and animals, or the location and distribution of sensitive plant species. The impact analysis also fails to address potential impacts stemming from the operation of the project, impacts of grading and soil replacement, vegetation and tree removal, and additional impacts of clearing 100-foot fire breaks around the new structures.	The comment serves as a summary to the comments to follow. Please see Responses ORG3-39 through ORG3-49, below.
ORG3-38	**1. The R-DEIR fails to examine potential impacts to threatened and endangered species.** **a. Crotch's Bumble Bee.** The R-DEIR states incorrectly that Crotch's Bumble Bee, Western bumble bee, and obscure bumble bee are not protected under state or federal Endangered Species Acts. R-DEIR at 4.3-15, -16. In fact, these bumble bee species are currently protected as candidate species under the California Endangered Species Act (CESA), Fish & Game Code §§ 2050 et seq., as of September 30, 2022.16 Under CESA, species classified as a candidate species are afforded the same protection as listed species. 14 C.C.R. § 783.1.	The comment correctly asserts that Crotch's bumble bee and western bumble bee are currently protected under the California Endangered Species Act. In response to the comment, the discussion of Crotch's bumble bee and western bumble bee has been revised to correct their protection status, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR.
ORG3-39	While the R-DEIR acknowledges that occurrences of one or more of these endangered Bumble Bees have been reported in the Castro Valley area, it then concludes without supporting evidence that the presence of such bees at the project site is "highly unlikely" due to the absence of grassland or scrub habitat. R-DEIR at 4.3-16. However, the R-DEIR elsewhere indicates that some grassland and scrub species are present at the site. Id. at 4.3-7. In addition, guidance published by the California Department of Fish and Wildlife (CDFW), states that suitable nesting habitat for bombus species can include bare ground, abandoned rodent burrows or bird nests, brush piles, rock piles, and fallen logs, as well as manmade structures, and "leaf litter and woody forest edge" provide overwintering habitat.17 In addition range	The comment asserts that the Revised Draft EIR concludes that the presence of endangered bumble bees is highly unlikely without supporting evidence. As discussed throughout Chapter 4.3, *Biological Resources*, of the Revised Draft EIR, an initial survey of the project site was conducted by the EIR biologist on March 16, 2021. The initial field survey effort was performed to determine existing conditions and potential for presence of sensitive biological resources. This was followed up by a second survey with the

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	maps for Crotch's Bumble Bee indicates that it could occur in this area, and that Western Bumble Bee historically occurred in this area.18 CDFW's Bumble Bee survey guidance also cautions that the "[a]bsence of occurrence records should not be interpreted as absence of the species at or near a given site" and surveys "should be conducted" when there is suitable habitat in the area.19 Moreover, "[i]t is important to assess habitat both within the proposed project area and in the surrounding landscape . . . [to] help predict whether candidate species could be nesting in adjacent areas and foraging within the project site" or vice versa.20 Here, the R-DEIR indicates that no site surveys were conducted to assess the presence of Crotch's Bumble Bee, or any other endangered bumble bee, or to assess the presence of suitable foraging or nesting habitat within the site and surrounding landscape. The R-DEIR should be updated to address this omission by conducting surveys in accordance with CDFW guidelines.	EIR biologist and botanist on April 18, 2022, to confirm field conditions and conduct systematic surveys for special-status plant species in the proposed development area of the project site. A third survey by the EIR botanist was conducted on May 31, 2022, to complete the systematic surveys for special-status plants in accordance with CDFW. It was concluded that suitable habitat for most special-status species known from the surrounding area is generally absent from the proposed development area, including for the special-status bumble bee species. The proposed development area is largely a highly disturbed portion of the site, containing ruderal (weedy) openings, roadways and structures, and surrounded by dense woodland cover unsuitable for these special-status bumble bee species. No additional detailed surveys are considered necessary based on these unsuitable habitat conditions in the proposed development area and remainder of the project site.
ORG3-40	b. Mountain Lion. The R-DEIR recognizes that Mountain Lions in the project vicinity are a protected species under CESA, and acknowledges that lions may use the project site, but nevertheless fails to examine the Project's potential impacts on Mountain Lions. R-DEIR § 4.3-15. Mountain Lion populations in Southern California and the Central Coast region, including the Central Coast Northern (CC-N) population which includes Alameda County, have been recognized as a candidate species under CESA since April 2020.21 The R-DEIR affirms that Mountain Lions are known to forage in the area and "most likely forages and moves across the project site and surrounding areas," but provides no impact analysis, instead concluding without evidence that the site and surrounding natural areas are unsuitable for denning and not essential habitat. Id.	The comment asserts that the Revised Draft EIR fails to examine the proposed project's impacts on mountain lions and provides no evidence that the project site and surrounding areas are unsuitable for denning and habitat. Please see Response ORG3-39 regarding the habitat suitability analysis conducted for the project site. As discussed in Section 4.3.1.2, *Existing Conditions*, in Chapter 4.3, *Biological Resources*, of the Revised Draft EIR, the proposed development area is not considered essential habitat for mountain lions given the extent of past disturbance and proximity of existing development. However, individuals most likely forage and move across the project site and surrounding areas. No significant impacts on mountain lions are anticipated given that the majority of the 37-acre site would remain in its existing natural condition, with the proposed development occupying approximately 2 acres located in close proximity to existing residential and agricultural uses to the north, east, and south that has already been largely disturbed by past development activities. Although the increased human activity around the proposed development area could influence movement patterns and behavior of some wildlife, access across the

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		project site would not be substantially affected by the proposed project. No significant impacts on mountain lions are anticipated, and no mitigation is considered necessary; Impact discussion BIO-1 has been revised to reflect this, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR.
ORG3-41	Given that Mountain Lions are likely to use the site and surrounding area, the Project's potentially significant impacts on Mountain Lions should be examined and mitigated. This includes potential impacts related to increased risk of human-lion conflicts, increased noise and human presence, and impacts to wildlife habitat corridors. Notably, the Project's proposed agricultural activities pygmy goats and chickens could attract mountain lions to the area and lead to conflicts or damage that requires nonlethal or lethal removal of such mountain lions. Pygmy goats released to graze the site, in particular, could be attractive to lions seeking an easy meal. Mature lions, once attracted to the area, could also pose a risk to children and adults; although attacks on humans are rare, they do occur, and generally require the destruction of the animal. These impacts require further analysis to evaluate the risk that lions will be attracted to livestock and develop appropriate mitigation measures. reduce the risk that livestock will attract predators and cause lion conflicts.	The comment points out that the proposed project's agricultural activities may attract mountain lions to the area and lead to conflicts. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. Given the location of the project site in a rural area, there is a risk that predatory species such as mountain lions, bobcats, coyotes, skunks, racoons, and others could attempt to prey on chickens that would be kept on-site as part of the project. Adequate fencing and other controls would be required to protect these farm animals and some loss is likely to occur over time. But this is a common challenge in rural areas, and something existing residents in the surrounding area likely already face. This does not, however, represent a significant threat to mountain lions and other predatory species known from the area, where game is abundant and individuals tend to avoid contact and interactions with humans. Please also see Response ORG3-40 regarding impacts related to mountain lions. No significant impacts on mountain lions are anticipated given that the majority of the 37-acre site would remain in its existing natural condition, with the proposed development occupying approximately 2 acres located in close proximity to existing residential and agricultural uses to the north, east, and south that has already been largely disturbed by past development activities.
ORG3-42	In addition, there is also a risk that increased noise and human activity could deter Mountain Lions from using the site as a foraging area or travel corridor. The extent to which Mountain Lions currently use the site is unknown, since no surveys have been conducted. Cull Creek is also "an important corridor for wildlife movement." R-DEIR § 4.3-17. More analysis is needed to evaluate whether the noise and impacts from construction, and increased noise and human activity from the operation of the Project, will adversely impact the movement of Mountain Lions through the area. Further, the removal of trees and vegetation for grading, and the	The comment notes that increased noise and human activity could deter mountain lions from using the site as a foraging area or travel corridor. Please see the Response to ORG3-42. No significant impacts on mountain lions are anticipated given that the majority of the 37-acre site would remain in its existing natural condition, with the proposed development occupying about 2 acres in an area that has

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	construction of fuel breaks around structures will also eliminate the cover available to wildlife, which could also impact wildlife movement through the area. The R-DEIR fails to examine these potentially significant impacts to mountain lions, or to evaluate feasible mitigation measures.	already been largely disturbed by past development activities and is located in close proximity to existing residential and agricultural uses to the north, east, and south. The proposed development area is located near Cull Canyon Road, where wildlife are already acclimated to vehicle and bicycle traffic. Cull Creek would continue to be accessible to wildlife, and Mitigation Measure BIO-4 would be required to prevent disruption of native wildlife movement opportunities and potential native wildlife nursery habitat. This includes controls on fencing to prevent obstruction of wildlife movement; careful design and control of lighting to prevent unnecessary illumination of natural habitat on the site; confinement and restrictions on pets; and containment of all garbage, recycling, and composting to prevent wildlife from using the waste as a food source and being attracted to the site.
ORG3-43	c. American Badger. The R-DEIR concludes on the basis of undisclosed survey methods that badgers are unlikely to occur in the area, reasoning that "suitable grassland foraging habitat is absent from the proposed development area on the site and no evidence of dens or diggings by this species were observed during the field surveys." R-DEIR 4.3-15. However, many surrounding properties do have grasslands and local residents have reported sightings of badgers in the area to CDFW. One canyon resident also found skeletal remains of badger last year. See Appendix D. Accordingly, additional consideration is needed to evaluate whether badgers may use this area for foraging and to assess the need for appropriate mitigation. In addition, wildlife survey methodology, timing, and data should be fully disclosed.	The comment expresses concern regarding the presence of American badgers. Please see Response ORG3-39 regarding the habitat suitability analysis conducted for the project site. No evidence of dens or diggings by this species were observed during the field surveys. The proposed development area does not contain natural grassland habitat nor the associated ground dwelling small mammals which typically serve as prey, and it is bordered by dense woodland cover, making the site unsuitable for use by badgers. The proposed project would have no significant impacts on American badger, and no mitigation is considered necessary.
ORG3-44	d. Additional Inadequacies. The R-DEIR also fails to provide any detailed information concerning the scope and methodology used for habitat assessment and plant surveys. The R-DEIR states that native plants were identified through a field reconnaissance survey conducted in March 2021, with follow-up surveys in April and May 2022, but does not disclose the actual data from these surveys showing the dates, locations, and frequency or distribution of the species that were observed. R-DEIR § 4.3-12. There is also no discussion concerning the rationale for the dates selected and whether any of the species screened for would have been difficult to observe at these times. Id. Appendix D provides a summation of results consisting of a list of plants that were screened for that indicates whether or not they were observed, but provides no details concerning frequency or distribution. R-DEIR App. D, pp. *3-6. As a result, it is impossible to	The comment asserts that the Revised Draft EIR fails to provide detailed information about the habitat assessment and plant surveys. Please see Response ORG3-39 regarding field surveys conducted for the proposed project. During the systematic surveys for special-status plants, all plant species encountered were identified to the degree necessary to determine rarity and a list of all species encountered species encountered. A list of all plant species observed during the systematic plant surveys is contained in Appendix D, *Biological Resources Information*, of the Revised Draft EIR. As discussed in Section 4.3.1.2, *Existing Conditions*, in

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	determine which species are likely to be affected by the grading and clearing activities required by the Project. Notably, in addition to the grading required for building and road construction within the proposed building envelope, fire protection requires additional vegetation clearing extending 100 feet from the structures into surrounding habitat. R-DEIR, § 4.15-20. The Geotech report also indicates that grading required for construction should extend at least ten feet beyond the actual building areas to provide for drainage, also increasing the impact area. R-DEIR, App. E, § 6.1.13. The extent to these additional clearings will impact sensitive species or extend into riparian areas is also not disclosed or otherwise mitigated.	Chapter 4.3, *Biological Resources*, of the Revised Draft EIR, no special-status plant species were encountered during the surveys or are believed to be present within the proposed development area on the project site. The surveys of the proposed development area encompassed all areas that would be affected by project-related activities, including vegetation clearing for fire fuel management, tree removal, building construction, and other modifications.
ORG3-45	In addition, there is no evaluation of the potentially significant impacts of the proposed activity of grazing pygmy goats on 25 acres of the site. R-DEIR, Appendix K. Goats are relatively unselective herbivores, and grazing may impact sensitive native plants as well as weeds and invasive species. The potential impacts of grazing on native plant communities, sensitive species, and wildlife habitat are not examined anywhere in the R-DEIR.	The comment asserts that the Revised Draft EIR does not evaluate the impacts of the proposed goat grazing across the project site. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR.
ORG3-46	Similarly, the R-DEIR also provides inadequate information concerning how and when wildlife surveys were conducted. The R-DEIR states only that "[a] habitat assessment was conducted by the EIR biologist as part of the field surveys of the proposed development area." R-DEIR § 4.3-12. However, no documentation is provided concerning the dates, methodology, or data collected. Appendix D provides only a print-out of species information from the CNNDB database. R-DEIR App. D, pp. *7-16. There is no information from which to ascertain the scope of surveys or whether they were conducted at a time or times when species were likely to be present and observable. The CNNDB print-out also indicates that the reported information expired on Dec. 3, 2022, and is thus no longer reliable. Id. at *16.	The comment asserts that the Revised Draft EIR provides inadequate information concerning how and when wildlife surveys were conducted. Please see Responses ORG3-39 and ORG3-44. Vegetation and wildlife habitat observed during the field surveys are summarized in Section 4.3.1.2, *Existing Conditions*, in Chapter 4.3, *Biological Resources,* of the Revised Draft EIR, including descriptions of vegetative cover and wildlife species associated with the proposed development area. The surveys of the proposed development area encompassed all areas that would be affected by project-related activities, including vegetation clearing for fire fuel management, tree removal, building construction, and other modifications, and the descriptions in the Biological Resources section are adequate to accurately characterize existing conditions on the project site and proposed development area. Systematic surveys for special-status plants were conducted during the flowering period of species considered to have at least a remote potential for occurrence in the proposed development area. The California Natural Diversity Database Summary Table contained in Appendix D, *Biological Resources Information*, of the Revised Draft EIR was used as part of the habitat suitability analysis performed by the EIR biologist, and although it has an expiration date of December 3, 2022, was considered valid at the time of the field surveys. As shown in

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		Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR, the Summary Table has been updated to verify that no additional occurrences of special-status species have been reported from the vicinity of the project site since the field work was performed in 2021 and 2022. The updated Summary Table now has an "expiration" date of November 3, 2024. No new species are contained in this updated list, with the only change being some differences in formatting and that the Latin name of chaparral harbell has been changed from *Campanula exigua* to *Ravenella exigua*.
ORG3-47	The R-DEIR also fails to evaluate or mitigate the impacts of tree removal and increased noise on wildlife and birds using the area. The R-DEIR states that approximately 44 trees will need to be removed to make way for project construction, 32 of which are native oaks and redwoods. R-DEIR § 4.3-27. There is no analysis of whether this will impact migratory birds, or endangered birds, bats, or raptors using of the area. The R-DEIR also indicates that the project will generate significant noise, both during construction and as a result of the Project's activities bringing groups of 75-95 kids to the site for camping programs. R-DEIR § 4.10.3. However, there is no discussion of the potential impacts of noise on wildlife use of the area. The potential for large groups to further impair biological resources through trampling and incidental damage is not addressed.	The comment asserts that the Revised Draft EIR fails to evaluate the impacts of tree removal and migratory birds or endangered birds, bats, or raptors. Please see Response ORG2-11 regarding tree impacts. A detailed discussion of potential impacts on birds, bats, and other wildlife is provided in Chapter 4.3, *Biological Resources*, of the Revised Draft EIR. Impacts BIO-1.1, BIO-1.2, and BIO-4 address potential impacts on nesting birds, roosting bats, and wildlife movement opportunities and potential nursery habitat for native species. The proposed project would be required to implement Mitigation Measures BIO-1.1, BIO-1.2, and BIO-4, which would serve to protect active nests, roosts, and important wildlife movement corridors on the site, such as the Cull Creek corridor. While operation of the proposed project would generate noise, primarily during daylight and early evening hours, this would be largely concentrated in the proposed development area in proximity to Cull Canyon Road and existing residents, to which wildlife have already acclimated. Trampling and other indirect effects of future occupation of the site would be concentrated in the proposed development area, which has already been largely modified and disturbed by past grading and development, and no significant change to existing wildlife habitat values are anticipated.
ORG3-48	In addition, the DEIR fails to evaluate the presence plants and wildlife that may pose a safety hazard to children. This includes wild pigs, which may use the site for foraging or grubbing. Given that pigs can be aggressive, often travel in groups, and forage at night, this could be a safety risk for children attending camp. Certain plant species also pose risks. Poison hemlock, in particular, is common in this area and can be fatal if ingested.22 The absence of fences	The comment asserts that the Revised Draft EIR fails to evaluate the presence of plants and wildlife that may pose a safety hazard. Please see Master Response 2, *Project Clarifications*, regarding student safety. Wild animals are to be observed from a safe distance using binoculars or

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	along site boundaries and waterways, while beneficial for wildlife, could also pose risks for children who encounter animals like wild pigs or lions when walking alone or in small groups.	cameras. Campers will not be allowed to approach or attempt to touch wild animals. Campers will be prohibited from feeding wild animals, because it habituates them to human presence and leads to aggressive behavior. Food will be stored securely to prevent wildlife from accessing it. Campers will be taught to respect wildlife by giving them space and not disturbing their natural behaviors. Campers will be educated about local wildlife species and their habitats, as well as how to recognize signs of wildlife presence, such as tracks, scat, or calls, and will be instructed on how to react if they encounter wildlife unexpectedly—back away slowly. Campers will be encouraged to report any sightings of injured, sick, or distressed wildlife to camp staff immediately. Handling or approaching injured animals without proper training and authorization will be prohibited. Nature walks, wildlife observation outings, and educational workshops will be part of the program to foster a deeper appreciation and understanding of the natural world.
ORG3-49	**F. The R-DEIR provides an inadequate analysis of noise impacts.** Deficiencies of the Project's analysis of impacts from noise was addressed in FCVC's previous comments on the DEIR. See App. A, § I.E. The DEIR failed to support its conclusion that noise generated by the project and its construction would have a less than significant impact on the environment, utilized an incorrect standard, and omitted key details from the impact analysis. Id. The proposed site also sits in a bowl that causes sound to amplify and echo. Because the R-DEIR makes no substantive changes to the analysis provided in the DIER (see R-DEIR § 4.10.3), those comments also apply to the R-DEIR, and are incorporated herein.	The comment asserts that the Draft EIR fails to support the conclusion that construction and operational noise of the proposed project would result in a less than significant impact, utilizes an incorrect standard, and omitted key details from the analysis. The noise analysis presented in the Revised Draft EIR is based on the Roadway Construction Noise Model and the Federal Highway Administration Construction Noise Handbook, as well as the Environmental Noise Assessment prepared by Saxelby Acoustics (see Appendix H, *Noise Data*, of the Revised Draft EIR). Data used in the noise modeling was recorded at Mosaic's existing camp facility in Felton, CA. Based upon noise measurements and observations, the recreational area and campfire area were not the primary noise generators. The recreational area generated noise levels of 61 dBA L50 and 80 dBA Lmax at a distance of 50 feet. The campfire area generated 58 dBA L50 and 77 dBA Lmax at 50 feet. The results of the noise modeling are summarized in Chapter 4.10, *Noise*, of the Revised Draft EIR and serves as adequate support for the noise impact conclusions.

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		The comment also notes that the project site sits in a bowl that causes sound to amplify and echo. As noted in the Environmental Noise Assessment, inputs to the SoundPLAN noise prediction model included sound power levels for noise-generating outdoor activity areas, existing and proposed buildings, topography, terrain type, and locations of sensitive receptors. Therefore, the noise analysis did take into consideration the project site attributes.
ORG3-50	**G. The R-DEIR fails to provide an adequate analysis of agricultural impacts.** FCVC's previous comments on the DEIR emphasized the Project's failure to comply with the Williamson Act, inconsistency with agricultural zoning and potential impacts on neighboring agricultural land uses. See App. A. §§ I.F and VI. Those comments also apply to the R-DEIR and are hereby incorporated. While the R-DEIR supplements the DEIR analysis with a new Appendix K that purports to establish the Project's compatibility with the Williamson Act, the addition provides surprisingly little detail concerning an activity here characterized as the primary purpose of the Project. R-DEIR, App. K. In fact, the primary purpose of the project is to build a residential camp to house the Mosaic Project's Outdoor Camp program, which is a well-established educational program that has never involved a significant agriculture component. Adding a garden and few goats and chickens does not make agriculture the primary purpose of the project. Rather, it appears that the proposal to sell CSA shares has been tacked on solely as a means to generate agricultural income in the effort to meet the requirements of the Williamson Act. These deficiencies are further elaborated in section III, below.	The comment asserts that the proposed project would fail to comply with the Williamson Act and would be inconsistent with Agricultural zoning. Please see Master Response 4, *Agricultural Uses*, regarding zoning and the Williamson Act. The project site is zoned as Agricultural (A), which permits outdoor recreation facility as a conditional use. The proposed project would require a Conditional Use Permit as established in ACMC Section 17.54.130. The proposed project is consistent with the Williamson Act.
ORG3-51	**H. The R-DEIR fails to provide adequate analysis of the Project's inconsistencies with zoning and land use policies.** The Project's analysis of impacts pertaining to land uses also overlooks key provisions of the applicable zoning code provisions and planning documents. R-DEIR § 4.9.3. This includes failure to comply with building requirements of Measure D, failure to comply with residential density restrictions, failure to comply with the riparian buffer zone, and inconsistencies with other general plan policies. These deficiencies were previously noted in FCVC's comments on the DEIR and also apply to the R-DEIR, and are therefore incorporated by reference. See App. A, §§ I.G, II.B, and III. These issues are also further elaborated in section IV, below.	The comment serves as an introduction to the comments to follow. Please see Responses ORG3-52 through ORG3-54, below.
ORG3-52	In addition, the R-DEIR's analysis of land use impacts fails to evaluate the proposed Project's need for a variance. That is, while the project description notes that the site's existing single family home, the caretaker residence, required a variance due to restrictions on building density in Agricultural zoning districts. R-DEIR, p. 3-3. The variance was necessary because the	The comment asserts that the Revised Draft EIR fails to evaluate the proposed project's need for a variance. Please see Master Response 4, *Agricultural Uses*, regarding zoning.

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	parcel is only 37 acres rather than 100 acres, which is the minimum building site required in the Agricultural ("A") zoning district. Id. Accordingly, the Project's proposed plan to add an additional 8-bedroom residence, is likely subject to the same restriction and will require an additional variance. In other words, the proposed use is inconsistent with the A district's building density requirements. However, the R-DEIR fails to identify this issue, noting only that the existing house will require a site development review, while the Project will require a conditional use permit ("CUP").	The proposed project would be required to comply with all County zoning requirements.
ORG3-53	The R-DEIR also fails to acknowledge that the previous variance and CUP for the site expired in 2003. R-DEIR at p. 3-3; LUP-2. This is detailed in a Zoning Verification Letter for the property, which notes that Variance V-11293 and CUP C-7540 expired in January 2003, and "the subject use does not have continued conditions of approval [and] is not a conforming use."23 However, the Land Use analysis omits this information completely and suggests that the proposed use complies with local planning and zoning requirements. It also fails to explain whether an additional variance will be necessary, or why the additional residential building would be exempted from this requirement. There is also no discussion of Measure D, Section 19(c), which prohibits variances for uses inconsistent with Measure D.	The comment asserts that the Land Use analysis in the Revised Draft EIR fails to analyze whether the proposed project would conform with zoning requirements and does not discuss Measure D. Please see Master Response 4, *Agricultural Uses*, regarding zoning and Measure D. The project site is zoned as Agricultural (A), which permits outdoor recreation facility as a conditional use. As shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR, a consistency analysis of the proposed project with Measure D has been added, and the project was found to be in compliance.
ORG3-54	For the above reasons, the R-DEIR fails to provide sufficient evidence and analysis to inform decision-makers and members of the public of the Project's potentially significant environmental impacts, as required by CEQA.	The comment serves as a conclusion to the previous comments. Please see Responses ORG3-2 through ORG3-53, above.
ORG3-55	**II. The R-DEIR Fails to Provide an Adequate Description of the Environmental Setting.** Under CEQA Guidelines section 15125(a), an EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. 14 Cal. Code Regs. § 15125(a). An EIR's description of this environmental setting should be sufficiently comprehensive to allow the project's significant impacts "to be considered in the full environmental context." 14 Cal. Code Regs. § 15125(c). This should also highlight "environmental resources that are rare or unique to that region and would be affected by the project."24 The environmental setting should also address "any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans." 14 Cal. Code Regs. § 15125(d).	The comment cites the CEQA Guidelines and the California Code of Regulations. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
ORG3-56	Here, like the DEIR, the R-DEIR's description of the environmental setting fails to describe significant features of the regional setting that have a bearing on the project's potentially significant impacts. For this reason, FCVC's previous comments addressing these deficiencies of the DEIR are also applicable to the R-DEIR and are incorporated herein. See App. A. § II. This includes the failure to adequately describe the project's physical setting and important	The comment claims that the Revised Draft EIR fails to adequately describe the environmental setting and how the project is situated amidst land uses. The environmental setting of the proposed project and project site is detailed throughout the Revised Draft EIR chapters by topic under the Environmental Setting sections. This includes a

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	limitations of Cull Canyon as well as failure to adequately describe how the project is situated amidst existing land uses.	Regulatory Frameworks section outlining applicable regulations to the proposed project, and an Existing Conditions section describing the physical environmental conditions in the vicinity of the project site at the time the NOP was prepared. Surrounding land uses are described under Section 3.1.2, *Surrounding Land Uses*, in Chapter 3, *Project Description*, of the Revised Draft EIR.
ORG3-57	FCVC's previous comments identified four physical limitations affecting the project setting that are not clearly addressed in the DEIR or R-DEIR: (1) Steep terrain and lack of secondary access roads increases fire risk; (2) Limited water sources and a confined aquifer that have already caused water shortages in the area; (3) Cull Creek is subject to flash floods, which may pose safety hazards; and (4) Risk of liquefaction and seismic features throughout the canyon may impair access/evacuation routes independent of risks on the project site. App. A. § II.A. In addition, Cull Canyon Road is narrow, lacks shoulders or turnouts, and is prone to flooding and landslides, which affects ingress and egress for the canyon's entire population. App. C. These limitations affect the lands surrounding the project site, as well as the project site, and are not adequately addressed in the R-DEIR.	The comment asserts that the Revised Draft EIR does not address the steep terrain of the project site. Please see Response ORG3-28 regarding exacerbation of fire risk due to slope. The comment also asserts that the lack of secondary access roads increases fire risk but provides no substantial evidence to support the assertion. Please see Master Response 1, *Standards for Responses to Comments*, regarding speculation without substantial evidence. The comment expresses concern regarding water shortage and the safety hazards of flash floods of the creek. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand and Master Response 2, *Project Clarifications*, regarding student safety. The Preliminary Technical Report contains a 20-year projection of the water supply for the project during normal, single-dry, and multiple dry years. The wells were drilled in November 2020 at the end of an extremely dry year and were determined to have adequate capacity for the proposed project. The proposed project has a 20-year no-growth projection and can modify its use of the site, depending on water demand and groundwater conditions, by reducing or canceling scheduled sessions. Campers are never near creeks without adult supervision, and wading or swimming in creeks is always prohibited. The comment also asserts that the Revised Draft EIR fails to address the risk of liquefaction and seismic features throughout the canyon and how it would impact evacuation. Geology and soil impacts are discussed in Chapter 4.5, *Geology and Soils*, of the Revised Draft EIR, and impacts were concluded to be less than significant through

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		compliance with applicable regulations and implementation of the recommendations of the GEI Report prepared for the proposed project, which found that the project site lacks the characteristics that would promote liquefaction, and the potential for the occurrence or recurrence of a landslide hazard within the proposed building areas is low (see Appendix E, *Geotechnical Engineering Investigation Report*, of the Revised Draft EIR). Please see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. As Cull Canyon Road is currently the only evacuation route for the project area, the inherent difficulties of evacuation would not be significantly affected by the proposed project. The proposed project also includes a Fire Safety and Emergency Response Plan to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR).
ORG3-58	The previous comments also address the DEIR's, and R-DEIR's, failure to adequately describe the rural and the agricultural character of the environmental setting, including legal protections enacted to preserve this character, including: (1) Alameda County's agricultural zoning designation; and (2) Measure D. App. A. § II.B. These zoning and land use restrictions are inconsistent with a high density residential camp involving more than 100 people. Notably, the existing caretaker residence had to be approved under a variance because even a single residential home violates the applicable zoning requirements, which only allows residential use on parcels of 100 acres. The proposed Project would add another larger residence as well as facilities to house and feed 108 campers. While the proponents seek to pass this off as a "recreational use" allowed under the Agricultural zoning designation, this ignores the distinction between low-intensity and high-intensity recreation. For example, playing ball in a field is distinguishable from building an indoor stadium. Similarly, building hiking trails and tent campsites would retain the natural character of the land, while in contrast, building a large, 8-bedroom home, with twelve permanent cabins, and a large multi-purpose building would not preserve the land.	The comment asserts that the proposed project would be inconsistent with the Zoning Code. Please see Master Response 4, *Agricultural Uses*, regarding zoning. The proposed project would be required to comply with all County zoning requirements.
ORG3-59	Thus, much like the earlier DEIR, the R-DEIR, fails to provide a full and informative description of the environmental setting that recognizes and addresses these important limitations.	The comment serves as a conclusion to the previous comments. Please see Responses ORG3-55 through ORG3-58, above.
ORG3-60	**III. The Project Fails to Comply with the Williamson Act.** As noted above with respect to Agricultural impacts inadequately addressed in the RDEIR, the Project fails to comply with the Williamson Act.	The comment serves as a summary to the comments to follow. Please see Responses ORG3-61 through ORG3-68, below.

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ORG3-61	**A. The Project's primary purpose is not commercial agriculture.** Pursuant to Uniform Rule 1 of Alameda County's Eligibility Requirements for Agricultural Preserves and Williamson Act Contracts for Agriculture, "the contracted land must be devoted to commercial agriculture as the primary use of the land." Uniform Rule 1, § I.C. In addition, for parcels under 40 acres, "if compatible use is proposed, at least 50% of the parcel must be used for commercial agriculture to ensure that any development is incidental to the agricultural use." Id. § I.C.3.(b)(3).	The comment references the County's Williamson Act Uniform Rules. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
ORG3-62	Here, although R-DEIR Appendix K purports to establish otherwise, the Project's primary purpose is not commercial agriculture. Notably, the Mosaic Project's mission has nothing to do with agriculture. The Mosaic Project website describes their actual mission, which is focused on developing skills of community building, empowerment, and peacemaking.25 The Outdoor Project is described as "immersive, experiential education program" with an "evidence based, social-emotional learning curriculum is designed to address issues of difference, build self-esteem, and inspire inclusion."26 There is no mention of agriculture. While the DEIR and RDEIR include an agricultural element, there is no serious question that the primary purpose of the project is educational, and the overriding goal of the Proposed Project is to establish a permanent site for the Outdoor Project, by building an Outdoor Project Camp. The Project's founder has also stated publicly that the Outdoor Camp is a school and not a summer camp.27	The comment asserts that the proposed project's primary purpose is not commercial agriculture and is a school. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act and Master Response 2, *Project Clarification*, regarding project classification. The proposed project is consistent with the Williamson Act. The proposed project is an outdoor recreational facility.
ORG3-63	Notably, the R-DEIR provides no analysis of how agricultural products will be processed and prepared for distribution, and no discussion of a sanitary facility for preparing goats' milk and cheese for CSA boxes and consumption by children attending camp.28 There is also no analysis of the water supply required for the Project's agricultural component. In fact, the RDEIIR's impact analysis states that the Project proposes to rely entirely on gray water and rainwater for irrigation and agricultural activities, but provides no analysis of rainwater catchment or quantity needed to accomplish these objectives. Moreover, there appears to be no contingency plan for drought years where sufficient water may not be available, suggesting that the agricultural purpose would need to be abandoned if not adequately supported by rainwater. These omissions would appear to be highly unusual if the primary purpose of the project was in fact agricultural production, and not an educational children's camp in keeping with the applicant's mission.	The comment asserts that the revised Draft EIR does not analyze how agricultural products will be processed and prepared for distribution and the water supply required for the proposed project's agricultural component. Please see Master Response 5, *Hydrology and Water Quality*, regarding the water supply and demand for the proposed agricultural activities. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. The agricultural component of the proposed project includes 20 free range chickens. The total water demand for 20 chickens is about 5 gallons/day, which is less than the water demand of one camper and could be supplied by the rainwater harvesting system or the potable water system. Water will be supplied with a rainwater harvesting system for the vegetables and cut flowers. Greywater will be used to supply the orchard (walnut trees and fruit trees), which is considered an acceptable use for greywater, and there is more than an adequate supply of greywater for this water demand. The Preliminary Technical Report provides a 20-year projection of water supplies during normal, single-dry,

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		and multiple-dry years, pursuant to SB 1263 requirements. No growth is anticipated over the 20-year period, and the water demands are based on maximum occupancy. The use of the site can be modified depending on water demand and groundwater conditions by cutting back on the number of programs. The sale of chicken eggs will be in accordance with the CDFA's Egg Program and will require a registered egg handler permit.
ORG3-64	Further, the decision to use at least 50% of the land for grazing goats is also accompanied by no rationale or analysis of potential impacts to native plants or wildlife habitat. Appendix K simply states that 25 acres of the 37-acre site will be grazed, but provides no analysis to support this arbitrary figure. Again, this appears to be devised solely for the purpose of tacking on an agricultural component in the effort to shoehorn an educational project into the constraints of the Williamson Act.	The comment asserts that the Revised Draft EIR does not evaluate the impacts of the proposed goat grazing across the project site. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR,* of this Final EIR.
ORG3-65	**B. The Project does not meet the Williamson Act's building restrictions.** Compatible uses under the Williamson Act must also meet the requirements of Uniform Rule 2, which requires buildings to comply with maximum building intensity and 2-acre building envelope requirements, consistent with Measure D and the A-Designation. Uniform Rule 2, § I.B. That is, all residential and residential accessory buildings "shall have a maximum floor space of 12,000 square feet" and all buildings "shall be located on a contiguous rectangular building envelope not to exceed 2 acres." Id. Residential units on contract lands are also restricted to habitation by owners, immediate family members, agricultural employees, seasonal laborers, or caretakers. Id. § II.A.1. In addition, passive recreational use "is limited to land in its agricultural or natural state." Id. § II.C.2.a.	The comment references the County's Williamson Act Uniform Rules. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
ORG3-66	Here, the Project's proposed buildings are not fully contained within a contiguous rectangular 2-acre proposed buildings requirements. As shown in Figure 3-4 of the R-DEIR, the purported building envelope is shaped more like a guitar than a rectangle. While the main cluster of buildings on the west side of the creek appears to be laid out in a more or less rectangular pattern, the "envelope" boundary then traces the road across Cull Creek and widens again to encompass the mobile home site and parking areas on the east side of the creek. This requirement therefore is not met.	The comment asserts that the proposed buildings are not fully within the 2-acre building envelope. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The contiguous 2-acre building envelope includes the existing bridge and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria building, bathroom buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home and the proposed garden yard and Council Ring. As the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Council Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope.

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ORG3-67	In addition, if the cafeteria/mess hall building is recognized as a residential accessory building, as the sole kitchen and dining hall for guests residing in the cabins, then the total residential floor area is 18,173 sq. ft., which exceeds the allowable floor space of 12,000 sq. ft.	The comment asserts that the total residential floor area exceeds what is allowed. Please see Master Response 4, *Agricultural Uses*, regarding Measure D. Development of the proposed project includes 14,331 square feet of non-residential buildings, resulting in a non-residential FAR of less than 0.01, consistent with Measure D.
ORG3-68	It also appears highly unlikely that the Project can comply with the further requirement that all residential buildings be occupied by the property owner, an immediate family members, or agricultural caretakers, or agricultural workers or laborers. Neither the R-DEIR nor Appendix K addresses this issue. While the caretaker residence may meet this requirement, the Project description indicates that the staff residence will be occupied by Mosaic Project staff, at least some of whom are more likely to be educators or Outdoor Project staff rather than agricultural workers. In addition, the cabins provide temporary housing for students and educational support staff or volunteers that are not agricultural workers. Therefore, the Project fails to comply with the Williamson Act.	The comment asserts that the proposed project would not be able to comply with the requirement that all residential buildings be occupied by the property owner, an immediate family members, or agricultural caretakers, or agricultural workers or laborers. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The staff house will be occupied by project staff, also considered agricultural employees, and the caretaker's residence will be occupied by a caretaker who will watch over the facilities and animals when not in session, consistent with the Williamson Act.
ORG3-69	**IV. The Proposed Project is Inconsistent with Applicable Zoning Requirements and Land Use Plans.** As noted in FCVC's comments on the DEIR, the proposed Project fails to comply with important zoning code provisions and applicable land use plan policies. This includes the building intensity restrictions imposed by the A District zoning designation and Measure D. Supra §§ I.G, III.B. Additional inconsistencies identified in the DEIR also apply to the R-DEIR and are incorporated here by reference. See App. A. § III.	The comment asserts that the proposed project does not comply with the zoning code and Measure D. Please see Master Response 4, *Agricultural Uses*, regarding zoning and Measure D. The proposed project would be required to comply with all County zoning requirements. Development of the proposed project includes 14,331 square feet of non-residential buildings, resulting in a non-residential FAR of less than 0.01, consistent with Measure D.
ORG3-70	Pursuant to Government Code section 65860, zoning and land use approvals must be consistent with the policies and requirements of the applicable general plan. Land use approvals must also comply with the applicable zoning ordinances.	The comment references Government Code Section 65860. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
ORG3-71	As noted previously, the Castro Valley General plan designates Cull Canyon as an area where special planning efforts are needed to address unique features, including biological resources and steep terrain. The plan states that "development in this area should be limited to protect these sensitive areas." Castro Valley General Plan at 3-12 (March 2012).	The comment references the Castro Valley General Plan. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
ORG3-72	Notably, the proposed Project is still inconsistent with Alameda County General Plan ("ACGP") policies concerning fire safety. In particular, Countywide Safety Element, Policy 8, provides that "[t]he County shall limit residential development to very low densities in high fire hazard zones identified in Figure 5.," which clearly includes Cull Creek Canyon and the proposed site. Countywide Safety Element, pp. 25, 30..The East County Area Plan ("ECAP") states similarly	The comment asserts that the proposed project is inconsistent with Alameda County General Plan policy that limits residential development to very low densities in high fire hazard zones. The proposed project is an outdoor recreational facility. As shown in Table 3-1, *Proposed Project Buildout*, in Chapter 3, *Project Description*, the proposed

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	that '[t]he County shall limit residential development to very low densities in high fire hazard zones as identified by the Fire Hazard Severity Scale." ECAP, p. 76. Because the prosed project is not low-density it conflicts with these general plan policies.	project would result in 3,842 total residential square feet made up of the staff house and existing caretaker unit. The camping cabins are not considered residential uses. Therefore, the proposed project is consistent with the very low density residential requirement of the General Plan policy.
ORG3-73	In addition to those points incorporated by reference, the proposed Project also appears to violate the County's Watercourse Ordinance, by including road construction within the riparian setback, or buffer zone. Alameda Cty. Code § 13.12.310-320. This is evident in R-DEIR Figure 3-4, where the road appears to cross more than 15 feet into the setback area. Notably, this fails to address additional impacts from grading to prepare the roadbed and stabilize the shoulders of the proposed road. The proposed parking area on the east side of the creek near the bridge also appears to touch or cross the setback boundary, indicating that construction activities may cross into this area. These violations increase risk of soil erosion and sediment pollution, which is also contrary to Castro Valley General Plan Policy 7.1-5 Riparian Habitat: "New development shall not disturb any riparian habitat." Castro Valley General Plan, at 7-11.	The comment asserts that the proposed project violates the County's Watercourse Protection Ordinance as it includes construction within the setback. Please see Master Response 3, *Creek Setbacks*, and revised creek setback drawings in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. NorthStar, the project engineers, returned to the project site in 2024 after the storms to resurvey the creek and revise the creek setbacks, as needed, to ensure compliance with the Alameda County Watercourse Protection Ordinance. Appendix N, *Creek Setback Calculations*, of this Final EIR contains the calculated creek setback distances on Drawings C-2 and C-4 and cross-sections that show how the setback distances were derived. Alameda County Department of Public Works has reviewed and approved the site plans and creek setback calculations, and the proposed project is in compliance with the Watercourse Protection Ordinance.
ORG3-74	Thus, the updated Project remains inconsistent with multiple zoning ordinances and general plan policies.	The comment serves as a conclusion to the previous comments. Please see Responses ORG3-69 through ORG3-73, above.
ORG3-75	**V. The R-DEIR Fails To Consider an Adequate Range of Alternatives.** The R-DEIR fails to consider an adequate range of alternatives to the proposed project. It not only fails to consider any alternative locations, but also fails to support its conclusion as to the Environmentally Superior Alternative.	The comment serves as a summary to the comments to follow. Please see Responses ORG3-76 through ORG3-80, below.
ORG3-76	Pursuant to CEQA Guidelines, the "key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." 14 Cal. Code Regs. § 15126.6(f)(2)(A). If the lead agency concludes that no feasible alternative locations exist, "it must disclose the reasons for this conclusion, and should include the reasons in the EIR." 14 Cal. Code Regs. § 15126.6(f)(2)(B).	The comment cites the CEQA Guidelines. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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	Notably, "[t]he process of selecting the alternatives to be included in the EIR begins with the establishment of project objectives by the lead agency. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings." In re Bay-Delta, 43 Cal.4th 1143, 1163 (2008) (internal citations omitted). Project objectives may not be so narrowly defined that no other alternatives can be considered. We Advocate Thorough Envtl. Review v. Cty. of Siskiyou, 78 Cal. App. 5th 683, 692-93 (2022). Rather, the failure to consider any other site is prejudicial because "it dismissively rejected anything other than the proposed project . . . [thereby] prejudicially prevent[ing] informed decision-making and public participation." Id. at 693.	
ORG3-77	Here, although the R-DEIR considers one additional alternative as compared to the DEIR, it still fails to evaluate any alternative location for the project. R-DEIR, 5-3. As with the DEIR, the only rationale offered for rejecting an alternative location states: "An alternative location for the proposed project was considered infeasible due to availability of sites that would support the project's objectives." Id. Again, there is no indication of any effort to identify alternative locations or identification of sites that were considered but found infeasible. Instead, the possibility of an alternative location is dismissed without evidence of due consideration. Accordingly, the failure to examine alternative sites, as elaborated in FCVC's comments on the DEIR also applies to the R-DEIR, and are incorporated here by reference. See App. A, § V.	The comment asserts that the Revised Draft EIR fails to evaluate alternative locations for the proposed project As analyzed under Section 5.4.1, *Alternative Location,* in Chapter 5, *Alternatives to the Proposed Project*, of the Revised Draft EIR, an alternative location for the proposed project was considered infeasible due to availability of sites that would support the project's objectives. The presence of an alternative location does not necessarily mean that it can be considered for a proposed project based on land use designations and zoning, size of site to support the proposed project, other future plans for the site, and property ownership.
ORG3-78	In addition to the "No Project Alternative," the R-DEIR considers the Reduced Capacity Alternative"(formerly called the "Reduced Development Alternative") and adds an additional option called the "Reduced Building Footprint Alternative." R-DEIR, 5-3. While the Reduced Capacity would reduce the building footprint and lower the number of students in each program from 95 to 50, the Reduced Building Footprint Alternative would modify the site plan by moving the council ring out of the riparian setback and reducing the building size but still maintain 95 students in each camp program. Id.	The comment summarizes the alternatives analyzed in the Revised Draft EIR. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
ORG3-79	The analysis of alternatives concludes that the Reduced Building Footprint Alternative is the Environmentally Superior Alternative, because it would allow the same number of students to attend the program. Notably, this fails to consider the potential benefits of the Reduced Capacity Alternative in relation to water supply and hydrology, or limitations on using large buses for transportation and emergency evacuation plans. Fewer participants could also reduce potential noise impacts on neighbors and wildlife. Clearly, a smaller population intensity could reduce a variety of potential impacts. However, despite admitting that both alternatives would meet all of the Project's objectives, the Reduced Capacity Alternative was rejected solely because it would not serve as many students. R-DEIR, 5-22. The R-DEIR fails to explain how a larger number of students using water and creating waste, for example, would	The comment asserts that the Reduced Capacity Alternative evaluation did not consider the potential benefits compared to the proposed project. As shown in Table 5-1, *Comparison of Project Alternatives*, in Chapter 5, *Alternatives to the Proposed Project*, of the Revised Draft EIR, the Reduced Capacity Alternative would result in lessened impacts to cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, transportation, and tribal cultural resources. As discussed in Section 5.7, *Environmentally Superior Alternative*, in Chapter 5 of the

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	not result in greater environmental impacts than a smaller number. Accordingly, the conclusion appears to be illogical and arbitrary.	Revised Draft EIR, identification of the environmentally superior alternative is an informational procedure, and the alternative selected may not be the alternative that best meets the goals or needs of the project applicant or Alameda County.
ORG3-80	In sum, none of the alternatives considered address the larger issues of housing the camp in a box canyon with high fire risk, no secondary evacuation routes, and a limited water supply. Nor does the analysis of alternatives explain why no alternative sites were considered. As a result, the analysis of alternatives is inadequate and prejudicial.	The comment asserts that no alternative sites were considered. Please see Response ORG3-77 regarding alternative sites. An alternative location for the proposed project was considered infeasible due to availability of sites that would support the project's objectives.
ORG3-81	VI. CONCLUSION For the foregoing reasons, the R-DEIR is inadequate. It fails to disclose critical information or to provide supporting evidence for its conclusions, and fails to provide an adequate evaluation of potentially significant environmental impacts, as well as hazardous conditions that could affect the health and safety of Project participants and area residents. The Mosaic Project's educational programs merit a better location with adequate access routes, adequate water supply, fewer safety hazards, and fewer environmental impacts.	The comment serves as a conclusion to the comment letter. Please see Responses ORG3-2 through ORG3-80, above.
ORG3-82	*APPENDIX A*	The comment is an appendix to Comment Letter ORG3 and is in response to the October 2022 Draft EIR. The comment was referenced throughout Comment Letter ORG3. Please see Responses ORG3-1 through ORG3-81 regarding the concerns listed in this comment.
ORG3-83	Roux Associates, Inc. (Roux) is pleased to provide the following information regarding our review of the groundwater conditions/water-supply for the proposed Mosaic Project (Mosaic), as described in the Mosaic Project Recirculated Draft Environmental Impact Report (RDEIR, County of Alameda, 2023). The Mosaic Project is proposed as an "Outdoor Project Camp," a recreational facility including twelve 400- square foot cabins, an 8,500-square foot dining and meeting facility, a restroom/shower building, a 2,600- square foot dwelling, and 1200-square foot caretaker's unit. Two water-supply groundwater wells would be used to support the facility including a waste treatment system. Water uses would include domestic, agricultural, livestock and recreational uses. Three other wells on-site would be destroyed/abandoned. Due to the absence of key hydrogeologic data and report(s), there are substantial data gaps that must be addressed for a reliable evaluation of water-supply, and project impact and feasibility to be presented. Absent that, the Recirculated RDEIR presents an inadequate account of water resource conditions and related project impacts.	The comment serves as an introduction to Appendix B of Comment Letter ORG3 and provides water supply comments by Roux Associates, Inc. Please see Responses ORG3-84 through ORG3-94, below.

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
ORG3-84	**Water-Supply Wells and Conditions** The RDEIR summarizes the several wells present on site, which includes five groundwater wells, only two of which will be used for the project water-supply, for the purposes described above. The remaining three wells will be abandoned per California-state well regulations. The two active wells are reportedly completed in the Miocene-aged Monterey Formation and therefore rely on fractures in the bedrock for groundwater flow. Fractured-rock aquifers are generally of low porosity, and groundwater levels may fluctuate widely based on seasonal and annual precipitation conditions and groundwater use within the catchment watershed.	The comment summarizes the Revised Draft EIR's description of wells on the project site. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
ORG3-85	The project site is next to Cull Canyon Creek, a stream that flows north to south. The RDEIR does not describe the characteristics of Cull Canyon Creek beyond its surface features and does not describe whether the stream "gains" streamflow from groundwater (is a gaining stream) or is a "losing" stream that recharges the aquifer. The water-supply wells are found in the lowermost, downgradient portions of the property. Waste-water treatment, gray-water use for agriculture or other purposes, agricultural and livestock operations, and other functions would occur upgradient of the two source wells. The RDEIR provides limited information, such as well depth, and yield. However, more data relating to well construction, aquifer parameters, and overall watershed hydrology, including estimates of precipitation/recharge and existing water usage in the watershed, are necessary for evaluating the sustainability of water-supply for the given project.	The comment asserts that the Revised Draft EIR is lacking in information regarding Cull Canyon Creek and the wells. A detailed discussion of flows in Cull Creek is provided in Attachment 4 of the Preliminary Technical Report. The USGS has gaged streamflow on Cull Creek since 1978, and no flow is reported for many days each year. The driest month is generally September when zero monthly mean flow was recorded 74 percent of the years. Even some very wet years have recorded zero flow in September. No flow was recorded in Cull Creek during the 2021 extreme dry year starting in May and continuing through the dry season. A stream can switch back and forth between losing and gaining on a seasonal basis during the year or during the course of its flow downstream. It appears that this is the case for Cull Creek. It is a gaining stream during wet years when groundwater flows into the stream and a losing stream during dry conditions when groundwater is below the stream level. A detailed discussion of wastewater treatment, greywater use, and agricultural and livestock operations is provided in Master Response 5, *Hydrology and Utilities*. Detailed information regarding well depth, yields, aquifer parameters, and watershed hydrology are provided in the Preliminary Technical Report.
ORG3-86	The RDEIR on Page 4.14-5 notes that "Balance Hydrologics was retained to conduct groundwater exploration and identify potential water supply sources for the project. Two wells were identified as potential production sources. Both wells are screened in consolidated sedimentary bedrock and were constructed in accordance with the requirements of Title 22 of the California Code of Regulations (CCR). A description of the wells is provided in Table 4.14-1, Production Well Description." The text continues to describe the results of aquifer testing of those wells and makes statements at various locations in the RDEIR that well interference was not observed, but the basis for these statements cannot be determined from the RDEIR.	The comment references the discussion of the results of the aquifer testing of the wells in the Revised Draft EIR and notes that the basis for the analysis cannot be determined. The basis for the statement that well interference was not observed during the pump tests is provided in the Preliminary Technical Report and is summarized in Master Response 5, *Hydrology and Utilities*. During the pump tests of one well, no drawdown was reported in the non-pumping

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	At this time, Roux cannot evaluate the accuracy of the analysis and assertions related to water-supply as the RDEIR-referenced report by Balance Hydrologics describing their work, conclusions and recommendations does not appear in the RDEIR or its appendices. The Balance Hydrologic report serves as a foundational document, a basis for the design and feasibility of the project. Methodologies used for aquifer testing, including location of well discharge relative to monitored wells, groundwater-level hydrographs of well monitoring data recorded during aquifer testing, and other information required to evaluate the completeness and accuracy of the water-supply analysis are not provided. Understanding the timing of the testing, and whether and to what extent the wells have been used since those tests, are all important for understanding the condition and potential yield of those wells in current time.	adjacent well located at a distance of about 160 feet from the pumped well. The pumping tests were conducted in November 2020 at the end of the dry season. Detailed information regarding the on-site groundwater wells, well logs, hydrographs of well monitoring data, chemical analyses, drawdown and recharge boundaries, and Cull Creek gage data are provided in the Preliminary Technical Report.
ORG3-87	Additionally, it is unclear if an evaluation of the existing watershed groundwater usage and the incremental changes in groundwater budget for the watershed has been prepared. As described in a Local Climate Change Snapshot (Cal-adapt, 2024) increasing ambient temperatures will occur in the coming decades. Increasing temperatures will also result in greater evaporation and decreased groundwater recharge despite relatively constant precipitation conditions.	The comment notes that it unclear if an evaluation of the existing watershed groundwater usage and the incremental changes in groundwater budget for the watershed has been prepared. Please see Master Response 1, *Standards for Responses to Comments*, regarding additional analysis. Preparing a detailed watershed analysis and groundwater budget is beyond the scope of this project and is not required by the DDW. Observations during pump tests at the site showed no drawdown of the adjacent non-pumping well, and no recharge boundaries were reported. In addition, the two on-site wells had different transmissivity values and different groundwater chemistry profiles. These results indicate that each well is drawing groundwater from a separate fractured bedrock aquifer and would not negatively impact other groundwater wells located in Cull Canyon. A 20-year projection of water supplies during normal, single-dry, and multiple dry years is also provided in the Preliminary Technical Report and is summarized in Master Response 5, *Hydrology and Utilities*. It is acknowledged that climate change may result in decreased groundwater recharge. The project can modify its use of the site, depending on water demand and groundwater conditions, by scheduling fewer program sessions, as needed.

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
ORG3-88	Groundwater Conditions Groundwater levels in fractured-rock aquifers can vary widely seasonally and year to year. Two important limiting factors on well output are interactions between groundwater and surface water, and conditions that may buffer those effects. The RDEIR provides undated point in time groundwater levels for each of the two water-supply wells. Point in time groundwater levels are of little purpose for this analysis, as it ignores natural seasonal and annual fluctuations associated with changes in precipitation and groundwater recharge. This is particularly difficult to interpret if the date of the groundwater level is of substantial age and bears little relevance to current conditions. Further, when groundwater levels drop (e.g., during drought periods), the transmissivity (a parameters describing the aquifer's ability to transmit water) of the water-bearing zone will also drop, as that parameter is a function of saturated thickness of the zone. Decreased transmissivity will result in greater drawdown for a given well yield. Therefore, hydrographs of groundwater levels and/or elevation over time in each of the wells should be provided to assure that sufficient water is present in the wells to sustain the project. Further, the water-well logs should be attached to the report (and are likely in the Balance Hydrologics Report) to enable the implications of groundwater level to well depth and construction to be independently evaluated. Well logs are not proprietary information in California.	The comment requests more information on the testing done on the wells. Well logs, construction details, pump test results, and transmissivity calculations are provided in the Preliminary Technical Report. It is acknowledged that groundwater levels in fractured bedrock aquifers can vary seasonally and year to year, depending on rainfall amounts and recharge. The Preliminary Technical Report also contains a 20-year projection of water supplies during normal, single-dry, and multiple dry years, pursuant to SB 1263 requirements. The analysis included a basinwide review of gaged baseflow from a streamflow station on Cull Creek. The two on-site wells were developed and tested at the end of the extreme dry year 2020, and their recharge was monitored through the end of 2020 and during the extreme dry year 2021. It is acknowledged that limited water supplies may occur during extreme dry years. Therefore, Balance Hydrologics recommends an adaptive management pumping monitoring program that would be beneficial to better understand the upper use limits of the wells. However, the proposed project has a 20-year no-growth projection, and use of the site can be modified depending on water demand and groundwater conditions by reducing the number of program sessions, as needed.
ORG3-89	Additionally, based on the provided comments, it is unclear if an evaluation of the existing watershed groundwater usage and the incremental changes in groundwater budget for the watershed has been previously prepared. This is important to assess whether there is sufficient groundwater present to accommodate added stress on the bedrock aquifer being pumped.	The comment notes that it unclear if an evaluation of the existing watershed groundwater usage and the incremental changes in groundwater budget for the watershed has been prepared. Please see Response ORG3-87 and Master Response 1, *Standards for Responses to Comments*, regarding additional analysis. Preparing a detailed watershed analysis and groundwater budget is beyond the scope of this project and is not required by the DDW.
ORG3-90	Hydrology The Balance Hydrologics report is not referenced in RDEIR Section 4.8, assessing impacts on hydrology and water quality. This appears to be an oversight, as the interactions between groundwater and surface water in an environment such as this is critical to understanding project impacts to water quantity and quality. For example, as described earlier, the wells are located along the downgradient section of the project site. Absent an understanding of groundwater and surface water interactions, including septic systems and gray-water use, there is considerable uncertainty concerning potential impacts to groundwater quality within	The comment notes that The Balance Hydrologics report is not referenced in Chapter 4.8, *Hydrology and Water Quality*, of the Revised Draft EIR. The Balance Hydrologics report is referenced in Section 4.14.1, *Water*, in Chapter 4.14, *Utilities and Service Systems*, of the Revised Draft EIR. See Master Response 5, *Hydrology and Utilities*, regarding water supply and demand, groundwater and surface water

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	the area of the water-supply wells' groundwater capture zone as a capture analysis does not appear to have been conducted.	interactions, groundwater quality issues, and drawdown (capture) analysis.
ORG3-91	**Water Use** Correlating groundwater availability to projected water-supply needs is critical. The Balance Hydrologic report that is referenced in the RDEIR may provide key information for this determination. For example, what are the assumptions behind the "rated capacity" of each well as presented in Table 4.14-1? Based on our experience in water-supply related projects and given the low well yields (less than 5 gallons per minute) we do not believe that one of these single low-capacity wells could be relied upon to provide for all uses (particularly during drought periods) inclusive of maintaining sufficient water in storage for fire flows, while the other well is simply used as a backup supply. Are there alternatives for backup supply inclusive of trucking in water? Were there limitations or recommendations noted by Balance Hydrologics that do not appear in the RDEIR? These are questions that the RDEIR leaves unanswered. Additionally, wells are not designed to run 24 hours per day, 365 days per year. Periods of downtime for well maintenance, power interruptions, and other events can all affect overall well production.	The comment questions the assumptions of the rated capacity of the wells. During the 10-day pump tests, Well 20-1 had a pumping rate of 9.35 gpm and Well 17-1 had a pumping rate of 6.05 gpm. Pursuant to the requirements of CCR, Title 22, Section 64554 for bedrock wells, no more than 50 percent of the test pumping rate can be used as the rated capacity. Therefore, the rated capacities were determined to be 4.7 gpm and 3.0 gpm, respectively. The wells were tested in November 2020 late in a prolonged dry season. A pumping rate of 1.47 gpm would meet the ADD and a pumping rate of 2.75 gpm would meet the MDD. Well 20-1 would be used as the main supply source, and Well 17-1 would be used as a backup supply source that could supplement Well 20-1 or be used as a primary source during Well 20-1 maintenance activities. Both wells operating alone would meet the MDD requirement. The well pumps are not intended to run 24 hours a day, but will turn on and off based on the level in the 15,000-gallon raw water tank. In addition, there are supplemental water supply sources for irrigation and agricultural production from the rainwater harvesting system and the greywater system. Once filled, the fire storage tank would not be used, except for scheduled testing of the on-site fire hydrants.
ORG3-92	A more-detailed project water balance is necessary but lacking here. The water balance is needed to provide an adequate accounting of the projected water supplies and uses, and the assumptions behind them. Such a water balance would not only include inflow and outflows (supplies and uses) for the project, but for the Cull watershed as well. If the groundwater in the watershed is already in a stressed condition, how the cumulative effects of the additional groundwater used by the project effects the watershed water balance is important for evaluating the project impacts.	The comment requests a more detailed project water balance. Please see Master Response 1, *Standards for Responses to Comments*, regarding additional analysis. A detailed project water balance is beyond the scope of this project and is not required by the DDW. However, the Preliminary Technical Report submitted and approved by the DDW includes a detailed discussion of water supply and water demands for the project, documentation that the groundwater pumping at the project site would not impact surrounding groundwater wells (no drawdown on wells during the pump tests that are only 160 feet apart), and an analysis of base flow rates in Cull Creek.

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Comment #	Comment	Response
ORG3-93	**Fire Flows** Based on the limited data provided in the RDEIR, and absence of the Balance Hydrologics report as an appendix, we are unable to evaluate the potential water-supply available for fire-flows to be supplied by the wells, or whether sufficient flow would be available from wells to meet those requirements. More detail is needed to evaluate the robustness of the water use estimates, and if the usage values provided may be underestimated. If so, greater reliance on storage for domestic and other uses would limit the volume of water stored to support fire flows, and impact whether the existing wells have sufficient yield to support sufficient water storage for all uses. This is likely to be an increasingly critical part of the water-supply infrastructure. Based on the Cal-Adapt Climate Change Snapshot for Castro Valley, California (2024), by 2060, the average annual burned acreage in the area is predicted to double from current conditions. Absent the Balance Hydrologics report, and a review of the data related to the aquifer testing, the ability for the wells to maintain an adequate fireflow water supply is wholly speculative.	The comment request more details on the water supply for fire flow. Please Master Response 5, *Hydrology and Utilities*, regarding water supply and demand for fire flows. Fire flow calculations for the proposed project were determined in consultation with the Alameda County Fire Department.
ORG3-94	**Closing** Given the absence of detailed data, we are unable to provide further substantive review to assess the proposed water-supply for the proposed Mosaic Project based on the information provided in the RDEIR. Methodologies used for aquifer testing, including the location of well discharge relative to the monitored wells, groundwater-level hydrographs of monitoring wells used during aquifer testing, and other information necessary to evaluate the completeness and accuracy of the water-supply analysis are not provided. Additionally, the presence of detailed information concerning testing of the site for septic system use, while not providing the same standard of detail for water-supply indicates a substantial data gap that should be addressed to provide for a reliable water-supply, project impact, and feasibility evaluation. In its present form the Recirculated RDEIR presents an inadequate review of water resource conditions and related project impacts. We appreciate the opportunity to comment on the RDEIR. Should you need further assistance, please contact Andy Zdon at (925) 640-7807, or by email azdon@rouxinc.com.	The comment serves as a conclusion to the previous comments. Please see Responses ORG3-84 through ORG3-93, above.
Members of the Public		
PUB1	**Lois Ingellis, January 6, 2024**	
PUB1-1	I am an early childhood educator and college professor who has chosen Castro Valley for my semi-retirement since 2016. I am currently adjunct lecturer for Empire State University as well as consultant for the Castro Valley School District as they plan for and provide Free Pre-school for All.	The comment expresses support for the proposed project. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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Comment #	Comment	Response
	I have viewed the impact report and Mosaic's plans for the Cull Canyon property. I served on the planning board of the small New York State community in Ulster County named Saugerties N.Y in the 80's. In a small way I understand your position and responsibilities. I am very impressed with the efforts that are being put into the review of this plan so that it is done correctly on all the fronts you have listed. My response is to Land use, noise and recreation specifically. The mission of Mosaic is wonderful on many levels but this site is going to add a component many have not mentioned as equally important to the children. That is the opportunity for these 4th and 5th graders to engage with and be surrounded by the deep nature of this canyon site. They will hear the noises of the night, feel the wind, see animals and birds, smell the air as the enjoy the peaceful bliss that will envelop them as they take walks and hikes on this property. Many will not have had opportunities to be this close to nature that is sorely needed by all of us. We will not learn to be good stewards of the environment if we don't fall in love with our local environment first. They will not know coming in, but the site itself will impact them as they participate in the bonding activities during their few weeks at this engaging camp experience. Personal connection to and care for the earth and our environment will be a side effect of their time at camp which may, in a small way, highlight the fact that our earth and all our people matter!	
PUB2	**Sandra Scnieder, January 6, 2024**	
PUB2-1	Although I am not an expert in the matters addressed by the EIR, I skimmed through it and am impressed with the thoroughness with which this project was assessed. I concluded that the findings of potential harm to the environment are completely offset by the potential for good from this Project. The increase in our culture of violence as a way to solve problems demands that we invest in programs like the Mosaic Project to build a livable environment for our future. I fully support approval of this EIR and the county's support of moving this project forward.	The comment expresses support for the proposed project. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB3	**Terry Britt, January 10, 2024**	
PUB3-1	I've reviewed the published EIR concerning the development of the Mosaic Project site in Castro Valley and I find it exceptionally thorough and impressive. As a construction professional of 40+ years, the concepts of adaptive systems for solar power and the rain water retention systems are as advanced and creative as I ever seen in the industry. This project far exceeds the sustainability programs promoted by the construction experts that I've worked with over the years and it demonstrates the level of thoughtful detail that has been embedded in the design. It continues to amaze me how the advances in technology for solar power and	The comment expresses support for the proposed project. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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Comment #	Comment	Response
	water conservation methods continue to raise the bar on what can be accomplished with creative applications. I've followed the contributions of the Mosaic Project organization for over 8 years and as a Castro Valley resident of 30 years, I'm thrilled with the prospect of having their campus in our neighborhood. The emersion program that they've developed for kids of all walks of life is outstanding and a model for the community. The opportunity for kids to experience nature in this environment is an extraordinary one and gives them a chance to appreciate a world beauty and tranquility. The contribution that this organization will make to Castro Valley will be immeasurable. Many of my colleagues on the Castro Valley Chamber of Commerce, members of the CV Woman's Club and neighbors have also expressed their support of Mosaic and have asked me repeatedly why it's taking so long for them to get a public hearing on the merits of their permit application. I beseech you to give them a fair hearing and let the proper municipalities decide on the project.	
PUB4	**Shiekh Ellahi, January 15, 2024**	
PUB4-1	This letter is in response to Courtesy Notice received June 23, 2020 regarding PLN2020-00093, Conditional use permit – SDR Cull Canyon Properties, LLC / Brian Lowe, The Mosaic Project. The application is for construction and operation of an outdoor recreation facility, including camping cabins, shower/restroom facilities, multi-use building and agricultural caretaker unit in the "A" district located at 17015 Cull Canyon Road, Castro Valley, CA 94552 The comments in this response relate to the proposed lease of land to The Mosaic Project. My property is immediately adjacent to 17015 Cull Canyon Rd (south and west borders) and will be negatively impacted by the proposed Mosaic Project.	The comment serves as an introduction to the comment letter. Please see Responses PUB4-2 through PUB4-10, below.
PUB4-2	My home is approximately 500 ft. or less from the proposed primary structures and multiple cabin sites as well as the proposed campfire ring. Open campfires in a zone 3 extreme fire zone causes great concern. Should a fire occur, I believe our home would be compromised which presents a major concern to the safety and well-being of my family and surrounding environment.	The comment expresses concern regarding the proposed campfire in a location with high fire hazards. The Council Ring is expected to be shared three nights a week for one hour and occasionally to start the day. Use of the campfire would be under adult supervision, and appropriate procedures will be taken to minimize fire risk.
PUB4-3	I'm concerned about the number of young people that could potentially be trespassing and being a huge danger to themselves and our property. During rainy season there are very dangerous mud slides and falling trees and kids from the colonies already trespass across the top portion, smoking and drinking, littering and having fires.	The comment expresses concern regarding the safety of students. Please see Master Response 2, *Project Clarifications*, regarding student safety. Campers and staff

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		would be required to follow guidelines to ensure student safety.
PUB4-4	Additionally, the proposed daily activities and evening ceremonies of 100 + minors and 20-30 staff and counselors would be particularly disruptive to the immediate surrounding neighbors. I believe general county standards would allow these activities to begin at 8am until 9pm. I don't believe this area is zoned for a school which seems to be the objective of this project.	The comment notes that the proposed project would be disruptive to the immediate surrounding neighbors and County standards would allow for activities to begin at 8 in the morning until 9 at night. The comment also notes that this area is not zoned for a school. Please see Master Response 1, *Standards for Responses to Comments*, regarding project merits, Master Response 2, *Project Clarifications*, regarding project classification, and Master Response 4, *Agricultural Uses*, regarding zoning. The proposed project is an outdoor recreational facility. The project site is zoned as Agricultural (A), which permits outdoor recreation facility as a conditional use. The proposed project would require a Conditional Use Permit as established in ACMC Section 17.54.130.
PUB4-5	Their proposal mentions roads and trails on their property, however none currently exist. There are roads and trails on my property, so perhaps they have mistaken their property boundary line or assume they will be able to use my property. Note, however, that there is already evidence that someone has trespassed on my property on the trails. Someone from the subject property has already taken down fencing between our two parcels, so it is concerning to me what they might do next. The Mosaic folks have also asked me whether they could use my property for their school. Due to concerns about liability and to protect my privacy, I have told them, in no uncertain terms, that they are not allowed on my property and have put up no trespassing signs.	The comment asserts that there are no roads and trails on the project site and that it is in reference to the roads and trails on the commenter's property. As described in Chapter 3, *Project Description*, of the Revised Draft EIR, dirt roads and trails exist on the property and extend within the bay/oak woodland habitat that covers the slopes on the western side of the project site. These existing roads/trails within the project site boundaries would be repurposed to serve as a recreational pedestrian trail system and would not result in trespassing on neighboring properties.
PUB4-6	I am particularly concerned about the amount of water needed to sustain the 130-150 individuals for a minimum of 26 weeks per year. This does not take into consideration the additional water requirements for the proposed farming of goats, chickens and organic garden. Farm animals will bring in dangerous wild predators such as bobcats and mountain lions, putting children at further risk. As of July 1, 2020 my well is already showing a decreased water flow due to the low water table. There is no adequate, long-term, sustainable water supply available to serve the proposed development.	The comment expresses concern about the water supply required for the proposed project. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand for the campers, counselors, and permanent staff and proposed agricultural activities. The maximum number of individuals onsite at one time would be 114 people. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. The agricultural component of the proposed project includes 20 free range chickens. The total water demand for 20 chickens is about 5 gallons/day, which is less than the water demand of one camper and could be supplied by the rainwater

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

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		harvesting system or the potable water system. Water will be supplied with a rainwater harvesting system for the vegetables and cut flowers. Greywater will be used to supply the orchard (walnut trees and fruit trees), which is considered an acceptable use for greywater. It is acknowledged that dry years will result in a reduction in groundwater levels. However, the pump tests at the project site were conducted at the end of the dry season in November 2020 and reflect conditions during single dry years.
PUB4-7	The proposed 40 foot tall multi-purpose building would overlook our house, will not blend with the surrounding forested land, will be one of the tallest buildings in Castro Valley (would be taller than the new Marketplace, and will not be subordinate with the current visual requirements as stated in Measure D. This massive structure will rise above the tree-line making the building visible to the surrounding neighborhood which will detract from the natural and visual qualities of the forested land.	The comment expresses concerns regarding building height affecting visual qualities of the project area. As analyzed in Attachment B: *Initial Study* of Appendix A, *Notice of Preparation*, of the Revised Draft EIR, due to the project site's location between a public roadway obstructed by large, existing trees and vegetation and the sloped hills to the west, as well the low one- and two-story building heights, scenic vistas of the adjoining hillsides would not be blocked by construction of the proposed project. Furthermore, the design of the proposed buildings as well as the scale and massing would be consistent with the adjoining development including one- and two-story homes and supporting buildings. Therefore, there would be no significant impacts.
PUB4-8	Another major concern is devaluation of all the properties in the canyon.	The comment expresses concern regarding devaluation of properties in the canyon with implementation of the proposed project. The comment has been noted. Please see Master Response 1, *Standards for Responses to Comments*, regarding project merits.
PUB4-9	And also a huge massive concern of mine is the traffic. The roads are dangerous, narrow, eroding and young people and counselors that are less experienced can cause major accidents and dangers. There are cyclist also that use that road.	The comment expresses concerns regarding traffic. Transportation impacts are discussed in Chapter 4.12, *Transportation*, of the Revised Draft EIR and were concluded to be less than significant. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no further response is required.
PUB4-10	We were led to believe when we paid millions of dollars for our property that it would remain protected agricultural land. To allow a different purpose and potentially zoning changes, for a rehabilitation school that doesn't even serve our community, is completely unfair.	The comment expresses concerns regarding the use of the project site. Please see Master Response 4, *Agricultural Uses*, regarding zoning. The project site is zoned as

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

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		Agricultural (A), which permits outdoor recreation facility as a conditional use. The proposed project would require a Conditional Use Permit as established in ACMC Section 17.54.130.
PUB5	**Jon & Alana Koski, January 15, 2024**	
PUB5-1	While we believe that the Mosaic project is a worthy cause, we are extremely concerned about the proposed location. Below please find some of our comments and concerns regarding the DEIR on the Mosaic School and the project as a whole.	The comment serves as an introduction to the comment letter. Please see Responses PUB5-2 through PUB5-17, below.
PUB5-2	1. The DEIR has been prepared based on inaccurate information and assumptions. According to Mosaic's own website, they state that their goal is to serve 31,000 kids annually. This is not what is portrayed in the DEIR. All calculations should be based on the number of children they expect to be serving once they are ramped up to full capacity and not the minimum initial capacity of the school. 3.3 PROPOSED PROJECT The Outdoor Project Camp would facilitate several classes of 4th- or 5th-grade students, approximately 75- 95 students total (not to exceed 95), who will be transported by bus to the project site from their schools for a five-day, four-night outdoor recreation program in nature. https://mosaicproject.org/building-our-future/ *IMAGE Additionally, they originally considered themselves a school and yet have now renamed the project in hopes of building according to the standards of an Outdoor project or recreational site vs. a school. Even though the name of the project type has changed their plans for operation has not. https://greatnonprofits.org/org/the-mosaic-project *IMAGE Additionally, they originally considered themselves a school and yet have now renamed the project in hopes of building according to the standards of an Outdoor project or recreational site vs. a school. Even though the name of the project type has changed their plans for operation has not. https://greatnonprofits.org/org/the-mosaic-project	The comment asserts that all calculations in the Revised Draft EIR should be based on the number of students the proposed project is expected to serve at full capacity. While the Mosaic website states that their goal is to serve 31,000 kids annually, the maximum population at the project site would be 114.

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Comment #	Comment	Response
PUB5-3	2. The DEIR does not adequately take into account parking and the turnaround/exit area needed for the buses and emergency vehicles. *IMAGE According to the Transportation section of the DEIR: -The roadway carries an average of about 210 daily vehicles in both directions, for a total of 420 vehicles per day. -The project would generate a peak of 51 daily trips. This is a 12% increase in traffic on the canyon road alone. According to page 283 of the DEIR: TRAN-3 The proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Cull Canyon Road is a narrow, winding road with many blind turns and small hills that make navigating dangerous. Each year I have observed buses full of children on their way to Cull Canyon reservoir. Often times, despite signage, the buses pass the parking entrance and end up on the winding part of Cull Canyon Rd. I have observed multiple times a school bus or semi-truck trying to back out of the canyon. On 2 other occasions, I have observed delivery trucks "stuck" in the canyon with no where to turn around. One such truck made it to the very end of the road where he attempted to turn around and jack knifed his truck across the road. He was unable to move the truck and it blocked the road for hours while a specialized tow truck was called to remove it. I can only imagine how many trucks, buses and other large delivery vehicles will venture down the road and not be able to navigate the sharp turns, will venture into oncoming traffic over blind corners/hills and get "stuck" with no way to turn around. This road was not designed for large vehicles. *IMAGE The county has signs posted advising "No vehicles over 7 tons". Buses are on average 10-15 tons. *IMAGE	The comment asserts that the Draft EIR does not take into account parking and the turnaround/exit area need for buses and emergency vehicles. As analyzed under impact discussion TRAN-3, in Chapter 4.12, *Transportation*, of the Revised Draft EIR, the proposed parking supply on-site would meet demand. Furthermore, as discussed under impact discussion TRAN-4, school bus and fire truck turning template analyses were conducted to evaluate whether a 38-foot-long school bus and a 31-foot-long fire truck would be able to enter, maneuver within, and exit the site. The analyses demonstrated that a school bus and fire truck would have sufficient space to enter from the northerly driveway, maneuver within the project site, and exit from the southerly driveway without striking any permanent fixtures.
PUB5-4	According to Page 284 in the Transportation section of the DEIR: Based on the posted speed limit of 30 mph, the sight distances at both the northerly and southerly driveways are adequate.	The comment asserts that the rate of speed is much higher than the 30 miles per hour (mph) speed limit posted but provides no substantial evidence to support their assertion.

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE REVISED DRAFT EIR

Comment #	Comment	Response
	While the speed limit on areas of the road is posted at 30 mph, this is not the actual rate of speed that most vehicles travel. The rate of speed is much higher and a bus pulling out into the roadway is not going to be safe if a vehicle comes around the turn at a high rate of speed.	Please see Master Response 1, *Standards for Responses to Comments*, regarding speculation without substantial evidence.
PUB5-5	According to Page 284 in the Transportation section of the DEIR: "The proposed project would provide 15 parking spaces at various locations around the site. The maximum number of parking spaces needed on site would be during the mid-week period, after student drop-off and prior to student pick-up, and does not include the buses or vans that would drop off students and staff on site and then leave the site. During this time, there would typically be 13 staff on site. Assuming one employee per vehicle and two teacher and aid private vehicles, the estimated parking demand would be 15 spaces. If the parking demand exceeded parking supply, motorists likely park on the shoulder of Cull Canyon Road or in tandem with other vehicles on-site. Parking on the shoulder of Cull Canyon Road would limit sight distance and increase hazards. However, the proposed parking supply on-site would meet demand." If parking demand exceeds parking supply, motorists would be anticipated to park on the shoulder of Cull Canyon Road or in tandem with other vehicles on-site. Tandem parking could limit circulation and obstruct emergency vehicle access and impacts could potentially be significant. WHAT?!?!?!? There are "No Parking" signs all along Cull Canyon Rd and there is no shoulder on the road where it is safe to park. Bottom line – this site is not large enough to support the demands of this project.	The comment quotes the Draft EIR and specifically calls out the statement that if the parking demand exceeds parking supply, motorists would be anticipated to park on the shoulder of Cull Canyon Road or in tandem with other vehicles on-site. However, the following statement concludes that proposed parking supply on-site would meet demand. Therefore, as concluded under impact discussion TRAN-3, in Chapter 4.12, *Transportation*, of the Revised Draft EIR, the need for parking on the shoulder of Cull Canyon Road or in tandem with other vehicles on-site is not anticipated. Circulation and emergency vehicle access would not be obstructed.
PUB5-6	3. The DEIR states the following, which is absolutely FALSE. UTIL-2 The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. According to the DEIR, the 2 main wells produce 7.7 gallons per minute. If the wells can produce this much water year-round, which is highly unlikely, they would extract over 4 million gallons of water from the canyon each year! This would have a SIGNIFCANT impact on the other residents of the canyon. Based on the experience of the local residents, there is not sufficient ground water supplies available to serve this project. The wells will not be able to keep up with demand. Additionally, the amount of water needed per student is grossly underestimated. Further in-depth study is necessary.	The comment asserts that the proposed project would not have sufficient water supplies available to serve the project during normal, dry, and multiple dry years and based on the experience of the local residents, there are not sufficient groundwater supplies available to serve the project. The commenter incorrectly states that the project would extract over 4 million gallons of water each year. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The Preliminary Technical Report submitted and approved by the DDW provides detailed information regarding water demand and water supply with a 20-year projection of supply availability during dry years and multiple dry years. The two wells will not be pumping 7.7 gpm for 365 days/year. One well will be pumped at a rate of 4.7 gpm until the 15,000-gallon raw water tank is full and then the pump will be turned on and off based on the water

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Comment #	Comment	Response
		level in the tank. The total annual potable water demand is estimated to be approximately 786,000 gallons.
PUB5-7	4. The DEIR again is based on inaccurate information. The Mosaic property is not adjacent to the Eastbay Regional Parkland but is bordered by the neighboring property to the west. According to page 47 of the DEIR: 3.1 The site is bounded by Cull Canyon Road to the east, Twining Vine Winery to the north, Cull Canyon Regional Recreational Area to the west, and residential property to the south. Figure 3-1, Regional Location, shows the location of the project site.	The comment asserts that the proposed project is not adjacent to the Cull Canyon Regional Recreational Area to the west. As shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR, the statement has been revised to note that the Eastbay Regional Parkland is adjacent to the agricultural properties to the west.
PUB5-8	5. The DEIR does not reflect the massive impact that the school will have on the environment and local species. According to page 140 of the DEIR: BIO-2 The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. How can thousands of children annually, living for a week at a time within a 2-acre parcel, and hiking or playing on the adjacent 35 acres NOT have a substantial adverse effect on the sensitive wildlife in the area??? We have on multiple occasions seen the Alameda Whip Snake in different locations within this canyon, in locations NOT within the boundaries shown on the DEIR Special-Status Animals and Critical Habitat map.	The comment questions how the proposed project would not have a substantial impact to sensitive wildlife in the area. As discussed under impact discussion BIO-1 in Chapter 4.3, *Biological Resources*, of the Revised Draft EIR, the systematic field surveys conducted in spring of 2022 confirmed absence of any special-status plant species and suitable habitat for most special-status animal species within the proposed 2-acre development area on the project site. Nonetheless, Mitigation Measures BIO-1.1 through BIO-1.4 would ensure less-than-significant impacts to potential special-status species during construction. Furthermore, Mitigation Measure BIO-4, as outlined under impact discussion BIO-4, would prevent disruption of native wildlife movement opportunities and potential native wildlife nursery habitat. Proposed improvements would be restricted to an approximately 2-acre development area that has already been largely disturbed by past grading and development, avoiding the sensitive riparian habitat along the Cull Creek corridor, and most of the natural cover on the remainder of the site would remain and continue to provide habitat to local wildlife.
PUB5-9	6. The DEIR does not accurately reflect the actual amount of wastewater that will be generated, especially in light of the increased number of students served over the years. Additionally, how will the creek and riparian area be affected by this volume of wastewater being dispersed into the ground adjacent to the creek?	The comment asserts that the Draft EIR does not accurately reflect the amount of wastewater generated and questions how the creek and riparian area would be affected by wastewater discharge. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The NorthStar *Basis of Design Report for the Mosaic Project* provides a detailed discussion of the amount of wastewater that will be generated and the potential impacts on the creek and riparian areas (see Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR). The

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Comment #	Comment	Response
		maximum number of people onsite at one time will be 114 at full operation. Initially, the project will have only 12 sessions/year. However, the sizing of the wastewater treatment system is based on full operation, and conservatively does not assume that 30 percent of the wastewater could be diverted as greywater. Also, the number of students will not increase over a period of 20 years once the project is in full operation.
PUB5-10	7. The DEIR does not accurately reflect real life fire scenarios. In October 2019 our neighbor directly to the south had a fire. Their barn and in law unit were completely destroyed. The fire department brought a huge response team and completely blocked the road. Our neighbor came to help and arrived before the fire department and was unable to leave due to multiple engines and trucks blocking both lanes of the road. Even when he asked to leave he was told no. *IMAGE The trucks used all the water available to them and ended up just letting the structures burn due to lack of water to fight the fire. They eventually ended up trucking in water in order to make sure the fire was completely out. There are no fire hydrants on Cull Canyon Rd and based on other fires that have occurred in the canyon, it is common practice for the fire department to block the road in both directions with their apparatuses. The huge increase in people in the canyon from the project, the number of juveniles and the "camp fire" pose an extreme increased risk of fire and if the road was blocked by the fire department, there would be no way for the residents to escape. As previously mentioned, there is not adequate parking for the project. Can you image if there were tandem parked cars, cars on the shoulder and the parking lot was full and a fire broke out? There would not be adequate emergency access. Additionally, there is NO place for the students and staff to "shelter in place".	The comment describes personal experience with fire in the project area. The comment has been noted. The comment states that there are no fire hydrants on Cull Canyon Road and it is common practice for the fire department to block the road in both directions with their apparatus. Development of the project would comply with all Alameda County requirements, including fire flows, onsite hydrants, and backflow assemblies. Please see Response ORG3-25 regarding emergency vehicles blocking the road. In the event that emergency responders deem evacuation of the canyon necessary, evacuation would be facilitated and roadways would not be blocked. The comment also states that there is not adequate parking for the project and there's no place for the students and staff to "shelter in place." Please see Response PUB5-5 regarding parking and Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. The need for parking on the shoulder of Cull Canyon Road or in tandem with other vehicles on-site is not anticipated. Circulation and emergency vehicle access would not be obstructed. If deemed safe, the project site and project buildings may be utilized as a shelter center for local residents to secure safety in the event of an emergency.

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Comment #	Comment	Response
PUB5-11	According to page 211 of the DEIR: HAZ-2 The proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. According to page 284 of the DEIR: TRAN-4 The proposed project would not result in inadequate emergency access. - FALSE How will they be able to ensure the safety of the students and the residents of the canyon? This is already considered a high-risk location, let alone adding 31,000 kids annually. Many of the residents have already lost their home owners insurance due to the high fire location of the properties.	The comment asserts that the Revised Draft EIR's conclusion that the proposed project would not result in inadequate emergency access is incorrect and questions how the safety of the students and the residents of the canyons would be ensured due to the location of the proposed project in a high FHSZ. Please see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. The proposed project includes a Fire Safety and Emergency Response Plan to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR). The comment also expresses concern regarding homeowners insurance. Please see Master Response 1, *Standards for Responses to Comments*, regarding project merits.
PUB5-12	8. The DEIR does not fully address the potential for Human/Wildlife interactions. The canyon area is home to many dangerous animals including: Mountain Lions Bobcat Fox Rattlesnakes And Wild Boar which are spreading rapidly and destroying property throughout the canyon, even along the side of the road and creek bed at the south entrance to the canyon. The potential for dangerous and life-threatening interactions with young children is significant, ESPECIALLY rattlesnake bites.	The comment asserts that the project area is home to many dangerous animals and poses a threat to student safety. Please see Master Response 2, *Project Clarifications*, regarding student safety. Wild animals are to be observed from a safe distance using binoculars or cameras. Campers will not be allowed to approach or attempt to touch wild animals. Campers will be prohibited from feeding wild animals, because it habituates them to human presence and leads to aggressive behavior. Campers will be taught to respect wildlife by giving them space and not disturbing their natural behaviors. Campers will be educated about local wildlife species and their habitats, as well as how to recognize signs of wildlife presence, such as tracks, scat, or calls, and will be instructed on how to react if they encounter wildlife unexpectedly – back away slowly. Campers will be encourage to report any sightings of injured, sick, or distressed wildlife to camp staff immediately. Handling or approaching injured animals without proper training and authorization will be prohibited.
PUB5-13	9. How can a school be allowed to be directly adjacent to a winery, where wine is stored and served? And what will the potential impact be on students, neighbors and police forces?	The comment questions how the proposed project is allowed adjacent to a winery and what the impacts would be on students, neighbors, and police forces. Please see Master Response 2, *Project Clarifications*, regarding project classification. Consideration of the proposed project's

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Comment #	Comment	Response
		impact on Twining Vine Winery and its retail license will be addressed in the Staff Report. As discussed under impact discussion PS-2 in Chapter 4.11, *Public Services*, of the Revised Draft EIR, the proposed project would not introduce new populations in to the area, as it would serve students in the area, and would therefore not introduce substantial new populations that the Alameda County Sheriff's Office would need to serve. The project site is also located within 5 miles of the nearest Sheriff's office and therefore would be adequately served.
PUB5-14	10. There are MANY discrepancies in the DEIR. For example, it says the students will be bused in, but it also states that some parents may drop off students. Why is there housing built for 120 students and a dining hall that can seat 450 if there are only going to be a maximum of 95 students?	The comment asserts that there are discrepancies in the Draft EIR regarding students getting bused in and dropped off by parents. The Revised Draft EIR does not state that parents may drop off students. The comment also questions why buildings have a maximum capacity greater than the proposed number of students to be served at a time. Maximum capacity is developed based on the size of the building and is not tied to the number of occupants during a session of the proposed project. The analysis presented in the Revised Draft EIR is based on the number of occupants during a session, as that is generally the number of people on the project site. The maximum population at the project site would be 114.
PUB5-15	11. Why have no alternate sites been considered in the DIER?	The comment questions why alternative sites have not been considered for the proposed project. Please see Response ORG3-77 regarding alternative sites. An alternative location for the proposed project was considered infeasible due to availability of sites that would support the project's objectives.
PUB5-16	12. The storms of the last winter of 2023 have significantly changed the buildable area of the proposed project. Visible from the road, is the loss of creek bank all along the site. Many of the properties along the creek have lost "real estate" due to the significant landslides. The site should be re-surveyed and measured based on the current status.	The comment asserts that the project site should be resurveyed and measured based on current status. Please see Master Response 3, *Creek Setbacks*, regarding recent storms. The GEI Report has been reviewed to confirm that the recommendations presented in the GEI Report for earthwork and structural improvements remain suitable in light of the recent storms. In addition, NorthStar, the project engineers, returned to the site after the storms in spring 2024 to reevaluate the conditions of Cull Creek and prepared revised setback drawings and cross-sections that

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		are provided in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR.
PUB5-17	The above-mentioned items are just a few of the problems associated with this project. In conclusion, this DEIR and the planning for the project as a whole, seems to have been conducted by people who are NOT familiar with Cull Canyon. This project should never have been allowed to reach this stage and is completely inappropriate for this site. Allowing this project would set a dangerous precedent that would lead to further development and destruction of the agricultural lands of Castro Valley. Once the land and animals are gone there is no getting them back. While we are completely in support of such programs meant to serve the children of the area, Cull Canyon is not the right location for this project.	The comment serves as a conclusion to the comment letter. Please see Responses PUB5-2 through PUB5-16, above.
PUB6	**Jon Koski, January 16, 2024**	
PUB6-1	My name is Jon Koski and I have lived on Cull Canyon Rd for the last 11 years. I have also been a General Contractor since 1992 doing both commercial and residential construction/development. While we appreciate the idea of the program, this project is not appropriate for Cull Canyon or legal for this site. My comments below are based on both Site Plan sheets provided by Mosaic within the DEIR.	The comment serves as an introduction to the comment letter. Please see Responses PUB6-2 through PUB6-25, below.
PUB6-2	1. The Site plans within the DEIR have little detail and items of misinformation. Many reports are not included.	The comment asserts that the site plans have little detail and items of misinformation, and that many reports were not included in the Draft EIR. Since the comment does not specify missing details, items of misinformation, and missing reports that should be included in the Revised Draft EIR, no response is warranted.
PUB6-3	2. The goat, chicken, and garden areas, partially covers the septic area that is adjacent to the caretaker's house and also encroaches on the Creek.	The comment states that the animal and garden areas partially cover the septic area and encroach on the creek. As shown on Figure 3-4, *Proposed Project Site Plans*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the animal and garden area would not overlap with the existing or proposed septic areas. Please see Master Response 3,

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		Creek Setbacks, and Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. The proposed animal and garden areas would not encroach into the required creek setbacks, and the proposed project is in compliance with the Watercourse Protection Ordinance.
PUB6-4	3. The existing barn, parking, and campfire area should be shown as part of the "two acre building envelope ".	The comment asserts that the existing barn, parking, and campfire area should be within the 2-acre building envelope. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The contiguous 2-acre building envelope includes the existing bridge, and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria building, bathroom buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home, and the proposed garden yard and Council Ring. As the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Council Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope.
PUB6-5	4. The above-mentioned areas are subject to high, heavy, continuous traffic usage which will cause compaction & contamination issues by cars, buses, delivery vehicles, maintenance, transports, water trucks, etc. which will not allow water to penetrate as designed and is not addressed within the DEIR.	The comment claims that the traffic will not allow water to penetrate. The roadways and parking areas will have pervious pavement, which will allow percolation of water to penetrate into the subsurface, as shown on Figure 3-4, *Proposed Project Site Plans*, in Chapter 3, *Project Description*, and as discussed under impact discussion HYD-1 in Chapter 4.8, *Hydrology and Water Quality,* of the Revised Draft EIR.
PUB6-6	5. Measure D and the Williamson Act require that the building envelope be rectangular in shape. As proposed, it is not rectangular and exceeds the allowable 2 acre maximum.	The comment asserts that the project site plans is not consistent with Measure D and the Williamson Act. Please see Master Response 4, *Agricultural Uses*, regarding Measure D and the Williamson Act. The County has no specific shape or configuration requirements for a contiguous 2-acre building envelope. The 2-acre building envelope of the proposed project is not rectangular, but it is contiguous, consistent with County requirements.

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PUB6-7	6. The entire length of the Creek bank is very steep and extremely hazardous. During normal rains, the creek will flow at a high rate of speed and up to 8 feet deep. This is a life safety issue for the students. Furthermore, the fragile creek bank environment and it's migrating/residence inhabitances will certainly be negatively impacted by thousands of visiting students throughout the year.	The comment expresses concern regarding the hazards of the steep creek bank. Please see Master Response 2, *Project Clarifications*, regarding student safety. Campers are never near creeks without adult supervision, and wading or swimming in creeks is always prohibited. Campers will also be taught the principles of Leave No Trace ethics, including minimizing their impact on the environment by packing out trash, staying on designated trails, and respecting wildlife.
PUB6-8	7. 16 parking stalls are identified on the site plan. Where all the buses to park? Not in the drive lane we hope. Also, we should not encourage bike riding to the site via narrow, blind cornered Cull Canyon Rd with "Bike Parking". Again, a life safety issue. As California moves to no more gas/diesel motor vehicles, where will the charging stations be for the cars, trucks, buses? How will power for these chargers be supplied? Does PG&E know about this potential upgrade needed, miles down the canyon road?	The comment raises concerns about bus parking. As described in Section 3.3.3, *Parking and Access*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the proposed project would include construction of 15 surface vehicular parking spaces to serve the proposed staff and bus uses. Buses and other vehicles would enter the site via the northern driveway and exit the site from the southern driveway. Children would board and disembark buses from the driveway area and walk across the bridge. As stated under impact discussion TRAN-3 in Chapter 4.12, *Transportation*, of the Revised Draft EIR, the buses would drop off their passengers on site and then leave the site. Therefore, it is unlikely that bus parking will be needed. The comment implies that the provision of bike parking would encourage bike riding to the site but provides no substantial evidence to support their implication. Please see Master Response 1, *Standards for Responses to Comments*, regarding speculation without substantial evidence. The comment also questions the provision of charging stations for electric vehicle (EV). Mitigation Measure GHG-1.2, as outlined in Chapter 4.6, *Greenhouse Gas Emissions*, of the Revised Draft EIR would require site plans to identify parking stalls with EV-capable charging stations consistent with the CALGreen Voluntary Tier 2 nonresidential measures to provide four EV charging stations for the 15 proposed parking spaces. The proposed project would be required to coordinate with the appropriate agencies to ensure Mitigation Measure GHG-1.2 is adequately implemented.

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Comment #	Comment	Response
PUB6-9	8. Two water wells are showing on the plan. Data on "demand usage" for the project is not clear and is further misinformation. How can a new school development create "no impact" on ground water? If newly drilled wells are going to be abandoned, it is probably due to inadequate production and recovery rates. I know that most homes in the canyon have had a significant lack of water and require water to be trucked in weekly. A project of this size would significantly impact the natural water resources of the canyon not to mention deliveries of water and off haul of any spoils produced from an RO system. This is far from a slam dunk on suppling sufficient water while not affecting the resource. Also, it is likely that the Well labeled for Landscaping and Fire Protection is grossly inadequate for real life emergencies. Would more tanks push the envelope on the 2-acre maximum footprint?	The comment asserts that data on water demand usage for the proposed project is unclear and misinformed and that the well labeled for landscaping and fire protection is inadequate for real life emergencies. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The proposed project is not a new school but an outdoor camp. The difficulty of drilling groundwater wells in a fractured bedrock environment is acknowledged. The existing on-site wells did not have adequate pumping capacity, and four new wells were drilled on-site as part of the project. Only two of these wells were deemed to have an adequate production capacity. The nonfunctional wells were abandoned pursuant to ACDEH requirements, as was one existing on-site well. There is no well labeled for Landscaping and Fire Protection on the current site plan, Figure 3-4, *Proposed Project Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR. Landscaping and irrigation water demands will be met by the rainwater harvesting system and greywater system. The 40,000-gallon fire flow storage tank will be filled by Well No. 20-1.
PUB6-10	9. There is an extreme upslope with no topography shown on the Western side. How will the steep western wooded area be accessed without substantial grading for roads and trails without increasing the risk of slides. Will it be ADA accessible? Will mud slide down into sleeping cabins? I can attest to the frequency of large landslides in the area and specifically with the type of soil found in this canyon.	The comment questions the accessibility of the road and trails on the western side of the project site. Please see Response PUB4-5 regarding the proposed trails. As described in Chapter 3, *Project Description*, of the Revised Draft EIR, the remaining 35 acres of the project site would remain undeveloped, aside from existing trails that would be repurposed and maintained. The proposed repurposed trail system with dirt roads will not be ADA accessible. As discussed in Chapter 4.5, *Geology and Soils*, of the Revised Draft EIR, the GEI Report states that there are no mapped or observed indications of historical landslides, including rock falls, debris flows, or deep or shallow failure on the site. Based on the conclusions of the GEI Report, the potential for mudslides is considered low.
PUB6-11	Also mentioned several times, is access to the Juan Baptista de Anza trail by way of a multi-use trail on the proposed property. My understanding is the site does not have a legal gate to access the trail system behind it and is not directly adjacent to the trail but would have to cross the neighbor's property. Again…misinformation.	The comment asserts that discussion of the proposed trail presents misinformation because it would have to cross neighboring properties. Please see Response PUB4-5 regarding the proposed trails. Dirt roads and trails exist within the property boundaries and extend within the

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		bay/oak woodland habitat that covers the slopes on the western side of the project site.
PUB6-12	10. The Fire pit and assembly area are within creek set back without any fencing or protection next to the steep slope. A Fire pit is an extreme fire danger and a major concern in the canyon. Integrating pre-teen/teen students into a fire pit scenario is a disaster waiting to happen, and greatly increases the likelihood of an accident.	The comment asserts that the proposed firepit is within the creek setback. Please see Master Response 3, *Creek Setbacks*, and Appendix N, *Creek Setback Calculations*, of this Final EIR. The proposed Council Ring would only consist of benches and a fire pit on natural ground and is not considered "development" according to the definitions in ACMC Section 13.12.030, and therefore is not covered under the ordinance. This issue has been discussed with Alameda County, who confirmed that this usage would not be subject to the creek setback requirements. Therefore, the proposed project is in compliance with the Watercourse Protection Ordinance. The comment also asserts that integrating students into a fire pit scenario is a disaster waiting to happen and greatly increases the likelihood of an accident but provides no substantial evidence to support their assertion. Please see Master Response 1, *Standards for Responses to Comment*, regarding speculation without substantial evidence.
PUB6-13	11. The only open area for students to run and play is in the septic field & grey water area.	The comment notes that the only open area for students to run and play is in the septic field and grey water area. In addition to the areas immediately surrounding the proposed cabins, the area north of the creek and next to Cull Canyon Road makes up approximately 0.3 acre and would also serve as an area for outdoor activities.
PUB6-14	12. There are a total of 12 separate residential living units proposed. Maximum allowed by measure D and zoning code is 2. As proposed, the project likely will be the highest density developed residential living area in all of Cull Canyon. Mosaic population will significantly increase the total population of the Canyon.	The comment asserts that the number of residential living units proposed exceed what is allowed by Measure D and the Zoning Code. Please see Master Response 4, *Agricultural Uses*, regarding zoning and Measure D. The proposed project would be required to comply with all County zoning requirements. Development of the proposed project includes 14,331 square feet of non-residential buildings, resulting in a non-residential FAR of less than 0.01, consistent with Measure D. The comment also asserts that the proposed project will significantly increase the total population of the canyon. As

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		analyzed in Attachment B: *Initial Study,* of Appendix A, *Notice of Preparation*, of the Revised Draft EIR, the proposed project would not involve new housing or employment centers; thus, the proposed project would not induce substantial population growth in the area. Furthermore, the proposed project does not have a long-term new housing component and would only be used intermittently by groups in a recreational capacity. As noted under impact discussion PS-1 in Chapter 4.11, *Public Services*, of the Revised Draft EIR, campers would be students from the Bay Area, and some, if not all, of the employees would likely come from the region as well. Therefore, there would be no significant impact.
PUB6-15	13. A minimum of approximately 50 trees will be removed from the site for this development, which does not take into account the trees that have already been removed for the drilling of the new wells.	The comment claims that the proposed tree removal from the site for development does not take into account the trees that has already been removed for the drilling of the new wells. The proposed project does not involve the drilling of new wells. As described in Section 3.3.4.2, *Potable Water Supply*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the project site currently has five groundwater wells. One of the wells was abandoned in accordance with ACDEH regulations and another two were deemed not fit for use. The remaining two groundwater wells would serve as production wells and provide potable water for the proposed project. Please see Response ORG2-11 regarding tree impacts.
PUB6-16	14. At approximately 40 feet in height the main building will be the tallest habitable building in all of Cull Canyon. How is this no impact??	The comment questions how the proposed main building, as the tallest habitable building in the canyon, would not have an environmental impact. Please see Response PUB4-7 regarding building height. Due to the project site's location between a public roadway obstructed by large, existing trees and vegetation and the sloped hills to the west, and due to the low, one- and two-story building heights, scenic vistas of the adjoining hillsides would not be blocked by construction of the proposed project.

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Comment #	Comment	Response
PUB6-17	15. The caretaker septic is partially within the 100 foot of creek top of bank set back requirement.	The comment notes that the caretaker septic is within the 100-foot creek setback distance. The Alameda County OWTS regulations require a setback distance of 100 feet to the dispersal field (leach lines) and a 50 foot setback for septic tanks. The existing septic tank is 50 feet from the top of bank of the creek, and the leach field is more than 100 feet from the top of bank of the creek (see Drawing C-3 in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR). Therefore, both portions of the OWTS meet the creek setback requirements.
PUB6-18	16. The properties agricultural area, to meet the requirements of the Williamson Act, Measure D and AG zoning, is approximately only 5000 square feet and to be occupied by goats, chickens and garden at same time, to produce enough product for domestic use and resale?	The comment questions whether the proposed project has a large enough agricultural area and would produce enough product to meet the requirements of the Williamson Act, Measure D, and Agricultural zoning. Please see Master Response 4, *Agricultural Uses*, regarding zoning, Measure D, and Williamson Act consistency. The project site is zoned as Agricultural (A), which permits outdoor recreation facility as a conditional use. The proposed project would require a Conditional Use Permit as established in ACMC Section 17.54.130. The proposed project would be consistent with the Williamson Act and Measure D.
PUB6-19	Yard area partially over caretaker septic area, encroaches within 5 feet of the Creek top of bank.	The comment points out that the yard area that is partially over the caretaker septic area encroaches within 5 feet of the creek top of bank. The proposed garden yard for animals is south and well beyond the existing septic leach field (see Drawing C-3 in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR). The garden yard is also beyond the 25-foot setback from the top of bank of the creek. Therefore, the proposed project is consistent with the Watercourse Protection Ordinance and the Alameda County OWTS regulations.
PUB6-20	17. The caretaker's home is within the required 25-foot top of bank setback.	The comment notes that the caretaker's home is within the creek setback. Please see Master Response 3, *Creek Setbacks*, and Appendix N, *Civil Engineering Drawings and Creek Setback Calculations,* of this Final EIR for additional information. As shown in Drawing C-2 in Appendix N of this Final EIR, the caretaker's home is just outside of the BSL 2:1 slope setback, although two of the outbuildings and a small corner of the barn are within the setback. However, existing

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		structures that have been previously permitted are not covered under the Watercourse Protection Ordinance, pursuant to ACMC Section 13.12.070. In addition, the Alameda County Director of Public Works has discretion to permit limited development within a setback, pursuant to ACMC Section 12.12.310(D). Therefore, the proposed project complies with the Watercourse Protection Ordinance.
PUB6-21	18. Parking areas are within the required 25-foot top of bank setback.	The comment notes that the parking area is within the creek setback. Please see Master Response 3, *Creek Setbacks*, and Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. According to Drawing C-2 in Appendix N of this Final EIR, the parking area does not encroach into the creek setback distance and the proposed project complies with the Watercourse Protection Ordinance.
PUB6-22	19. The plans are unclear as to the relevance of note “T.O.B. 20’ well setback.	The comment questions the relevance of the note "T.O.B. 20' well setback." The T.O.B. 20’ well setback is a typo, and has been removed in the latest drawings. See Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR for the revision.
PUB6-23	20. No impact of ongoing maintenance crews factored into the DEIR. Tree maintenance, pest control, cleaning, on going grading/drainage repairs, landscape maintenance, road maintenance, wildlife control & maintenance, etc. These will increase traffic, noise, air quality, etc.	The comment asserts that the Draft EIR fails to factor in impacts of ongoing maintenance of the proposed project. Any impacts generated by other types of maintenance are expected to be less than significant due to their minimal and temporary nature and are not expected to have air quality, noise, or transportation-related impacts.
PUB6-24	21. Several times the surrounding properties are labeled “residential properties”. The fact of the matter is they are agricultural properties, ranch homes and agricultural facilities. This is not a residential neighborhood.	The comment points out that the surrounding properties are labeled as residential properties in the Draft EIR when they are actually agricultural properties. The Revised Draft EIR updated references to residential properties to mention agricultural properties.
PUB6-25	In conclusion, there are numerous concerns for both code requirements and life safety issues. While we all would like students to have unique and different experiences, I believe we can all agree that it should be done in a manner that puts the student’s safety first and that fits the environment and fits the requirements by State, County, and local governing bodies. Why haven’t existing facility sitting empty in Alameda County been a consideration? This is not good stewardship of the environment to develop this school on Cull Canyon.	The comment serves as a conclusion to the comment letter. Please see Responses PUB6-2 through PUB15-24, above.

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	Again, we can appreciate the work of educational programs, but this is not an appropriate site for this school development to be squeezed on to.	
PUB7	**Rex Warren, January 16, 2024**	
PUB7-1	This is a worthy Project but Cull Canyon Road is the wrong location for this intensive of a development.	The comment serves as an introduction to the comment letter. Please see Responses PUB7-2 through PUB7-5, below.
PUB7-2	1. Regarding The Williamson Act compliance. The EIR states in " The proposed project would not conflict with existing zoning for agricultural use or a Williamson Act Contract." The property does not meet the minimum parcel size for a Recreational exemption as stated in the Uniform Rule 4 Sec.1 C.2.b which requires that a minimum of 40 acres in a single legal parcel. For the Agricultural exemption the property must be considered prime agriculture soil and have a viable commercial agricultural operation as it's primary operation. he property must meet land coverage and agricultural revenue requirements under Section II.C.3.b in the Uniform Rule 1. To verify this I recommend that the project goes before the Alameda County Ag Advisory Board. Please see the attached Uniform Rule 1 Eligibilty Requirements and please answer the Hi-Lighted Sections.	The comment asserts that the property does not meet minimum parcel size for a Recreational exemption as stated in Uniform Rule 4 and would need to meet the requirements of Uniform Rule 1. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. Uniform Rule 4 is not applicable to the proposed project because it relates to open space and recreation contracts. Uniform Rule 1 notes that for land that is less than 40 acres in size and is being used for dryland farming, grazing of livestock or livestock production, and/or other types of agricultural pursuits, Section II.C.3.b. requires agricultural production to yield an annual gross revenue equal to or exceeding $10,000. The Mosaic Project plans to register as a California Certified CSA direct marketing producer and plans to sell 20 annual CSA box subscriptions for $1,000/each with forest products, chicken eggs, and produce. Sales of these boxes will surpass the $10,000 threshold.
PUB7-3	2. Regarding The Project Site Location and Characteristics section describes the project site as being bounded a t the western boundary with the Cull Canyon Regional Recreation Area. This is incorrect as the western property boundary is bounded by the same property owner as the southern boundary which is the Shiekh property. Mr. Shiekh has stated to us that he has no present or future plans to grant a easement thru his property and will not allow anyone to use existing trails on his property. The fact remains that this 37 acre project site is landlocked from any adjoining Park property or access to the Juan Bautista De Anza Trail. Why was this important fact not correctly identified in the NOP/ Staff Report. Please see the attached parcel map and trail map attachment.	The comment asserts that the project site is not bounded by Cull Canyon Regional Recreation Area. Please see Response PUB5-7 regarding the relation of the location of parkland to the project site. Eastbay Regional Parkland is adjacent to the agricultural properties to the west.
PUB7-4	3. Regarding the conditional use mobile home is it allowable to have a gravel parking area and gravel road for trucks and busses over the leach field? Page 26 under Standard Leach field Requirements: Reads (3) **Trench Construction** - level trenches, on contour, drainage and grading to promote runoff away from field, no paving or soil compaction that may impair	The comment questions if it is allowable to have a gravel road and parking area over the leach field and why the leach field is not included in the 2-acre building envelope. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS and Master Response 4, *Agricultural Uses*,

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Comment #	Comment	Response
	functioning. Also why isn't the whole leach field included in the 2 acre building envelope as "developed area" and where in the ordinance would we find the exclusion to that?	regarding the Williamson Act. The existing leach field is considered a compatible non-agricultural use that does not qualify as a building and is therefore allowed outside of the 2-acre building envelope. While it is not ideal to locate roadways over leach fields, Mosaic has been coordinating with ACDEH regarding this issue and the consensus is that pervious pavement over the leach field is acceptable. There is no other available space for the leach field because of the required 100-foot setback distance from the creek. If the existing OWTS and leach field fail with this configuration, a new system will be installed in accordance with the latest ACDEH OWTS standards and approval.
PUB7-5	4. Regarding the Water wells and Water System. I have concerns with the water system for the property owners in Cull Canyon. The EIR states in HYD-2 that the proposed project would not substantially decrease ground water supplies. In ULT-2 states that the proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. In the County Local Agency Management Program for Onsite Wastewater Treatment Systems it describes on page 12 the Castro Valley Groundwater Basin. It states "Well yields are low, and considered suitable mainly for garden and lawn irrigation. The high permeability and near surface proximity of the thin alluvial deposits make them susceptible to contamination and should eliminate consideration as a source of drinking water." Will the SWRCB Division of Drinking Water comment on the EIR since the project water system will be classified as a Public Water System? We would like this issue addressed as property owners in Cull Canyon are concerned about water issues. Also is there another system like this in the County and how has it performed? We are also concerned with the amount and truckloads of off haul treatment process wastes 4000-5000 gallons a week. With this much off haul how much water will they be pumping out of the ground per week? Also is this constrained site the best location to test a new greywater irrigation system in Alameda County as described in the EIR?	The comment expresses concerns about water supply impacts on surrounding property. Please see Master Response 5, *Hydrology and Water Quality*, regarding water supply and demand. It is acknowledged that it is difficult to drill groundwater wells in a fractured bedrock environment and that the Alameda County LAMP Program for OWTS reports low well yields and near surface proximity of thin alluvial deposits in the Castro Valley Groundwater Basin, making them susceptible to contamination. However, this is a generalized statement, and the report further states that DWR does not have published information on aquifer conditions, water budget, or water quality. The two groundwater wells drilled at the project site were drilled to depths of 135 feet to 190 feet bgs, with sanitary (cement) seals that extend 60 feet bgs to prevent surface contamination. Although the DDW typically does not comment on EIRs, the project applicant must provide detailed information to the DDW in order to obtain a public water system permit. All new public water systems are required to submit a Preliminary Technical Report to the DDW, which was reviewed and deemed complete. The DDW also requires a 20-year projection of water supplies available during normal, single dry, and multiple dry years, which was included in the Preliminary Technical Report. Operation of the system requires a certified operator; routine water

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		quality sampling for bacteria, lead and copper, and disinfection byproducts; and publication of an annual Consumer Confidence Report with reporting of all water quality sampling results to ensure compliance with State primary and secondary drinking water standards. There are four non-community, non-transient permitted water systems in Alameda County, which is the same classification as the proposed system. Only one obtains its water supply from groundwater wells. Water quality monitoring results indicate that the system is in compliance with State primary and secondary drinking water standards and no violations have been reported. The greywater system will only be used to irrigate the orchard (walnut and fruit trees). The system will be designed in consultation with the ACDEH and the requirements of the 2022 California Plumbing Code. Please see Responses ORG3-14, ORG3-24, and ORG3-25 regarding vehicle length and weight restrictions.
PUB8	**Brooke Kasl-Godley, January 17, 2024**	
PUB8-1	My name is Brooke Kasl-Godley and I'm writing to you today concerning the updated Environmental Impact Report for the Mosaic Project. I've been involved with the Mosaic Project since 2021, both as a member of the Youth Leadership Project Cohort and as a Outdoor School Cabin Leader. Originally from Castro Valley, I'm now a sophomore at Scripps College studying environmental science. Evidently, the health of the environment is of utmost concern to me, so I was excited to learn to see the completed EIR. After considering the content of the thorough report, I remain steadfast in my support of the Mosaic Project and am eager to see the project move forward. I can confidently assure Castro Valley residents that the Mosaic Project will bring nothing but good to our community. Being involved in the Youth Leadership Project was one of the most impactful experiences I had in high school: I gained conflict management skills, a new perspective on the value of diversity, and friends that I'll have for the rest of my life. The Mosaic Project doesn't just give kids an awesome outdoor education: it also brings them lessons in active communication, acceptance, and open perspectives that will aid them in our ever-changing world. Additionally, I've seen firsthand that the Mosaic curriculum fosters love and care towards the natural world. Fourth and Fifth grade students, and youth leaders alike, return home from Mosaic with a transformed	The comment expresses support for the proposed project. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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	perspective towards themselves, their peers, and the environment. I understand that community members have very real environmental concerns, but I fear we are overlooking the environmental stewardship that Mosaic fosters in their students. Through daily nature walks, journaling, storytelling, and lessons in environmental science topics, Mosaic reaches hundreds of students each year, many of whom cannot access regular outdoor experiences. Mosaic nurtures a new generation of environmental stewards who understand the value of diversity and justice are essential to the health of the environment, to the mitigation of the disproportionate impacts of climate change, and to the overall success of our communities. This is The Mosaic Project's true environmental impact, and it is one for the better. As an environmental science major, I understand the importance of adhering to CEQA regulations providing mitigation strategies. However, rejecting The Mosaic Project's plans would deny a generation of children a life changing experience that transforms them into conscious environmental stewards, which would be in opposition with the EIR process's intention of protecting the environment. I know Alameda County prides itself on being an inclusive, diverse, and environmentally conscious community: let's act on those values and welcome the Mosaic Project into Castro Valley.	
PUB9	**Guy Warren, January 17, 2024**	
PUB9-1	My name is Guy Warren. I reside at 14563 Cull Canyon Rd., Castro Valley. I have a couple comments to the recirculated draft EIR for the Mosaic project.	The comment serves as an introduction to the comment letter. Please see Responses PUB9-2 through PUB9-5, below.
PUB9-2	1. Transportation: The applicant did a traffic study using large busses to travel up and down Cull Canyon Road during various business hours. I encountered these busses on numerous occasions while driving on Cull Canyon Rd. Each time I encountered them I had to pull over and drive on the dirt shoulder of the road. The busses were taking up both lanes of the two-lane road. Cull Canyon Road is very narrow and winding. One time I encountered a bus on the winding part of the road and had to slam my braces on so I wouldn't run into the bus, or the bus wouldn't run into me. Driving large busses on a continual basis on Cull Canyon Road is a very unsafe situation. Also, a couple of times the bus missed its turnoff into the Mosaic project and had to drive up the road and pull into my driveway to turn around. I allowed the bus driver to do so approximately four times but in the future I won't.	The comment describes personal experience with buses in the project area. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB9-3	2. Water: Residents of Cull Canyon are dependent on well and springs for a water supply. The water supply is limited. An operation the size of the Mosaic project will deplete the water supply for downstream neighbors.	The comment asserts that the proposed project will deplete water supply for downstream neighbors. Please see Master Response 5, *Hydrology and Water Supply*, regarding water supply and demand. There are a limited number of groundwater wells downstream of the project site. Although there may be wells in areas that have not been permitted through Alameda County, only one groundwater well is shown on the DWR Well Completion Map that is downgradient and on the west side of Cull Creek. The

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		information in the Preliminary Technical Report shows that even two wells on the same property only 160 feet apart are drawing from separate bedrock groundwater aquifers. Therefore, operation of the proposed project should not adversely affect downstream residents.
PUB9-4	3. Septic: Septic works great for most of the uses in a rural setting however, an operation as large as the Mosaic project, septic needs to be thoroughly studied. It would be a problem to pollute the downstream ground water.	The comment asserts that the proposed septic system needs to be thoroughly studied to prevent pollution of downstream groundwater. Please see Master Response 5, *Hydrology and Water Supply*, regarding the OWTS. The proposed wastewater treatment system is not a traditional septic system and leach field. The OWTS is an advanced package treatment providing both primary and secondary treatment. The dispersal system is also not a traditional leach field but a pressure dosed chambered dispersal trenches, and the flow of effluent to this system is controlled with pumps and balancing valves to ensure the even distribution of effluent and prevent the soil from becoming oversaturated.
PUB9-5	4. Location: I feel the Mosaic project is needed in Alameda County but this location, for a project this size, is terrible and dangerous. The property is on a blind turn which will create a disaster for Cull Canyon Road drivers and occupants. Driver accidents are guareenteed. There are much better propertys and locations in Alameda County for this project.	The comment expresses concerns regarding accidents due to blind turns and asserts that there are better alternative sites for the proposed project. As concluded under impact discussion TRAN-3 in Chapter 4.12, *Transportation*, of the Revised Draft EIR, the proposed project would not substantially increase hazards due to geometric design feature or incompatible uses, as sight distances at both the northerly and southerly driveways are adequate. Please see Response ORG3-77 regarding alternative sites. An alternative location for the proposed project was considered infeasible due to availability of sites that would support the project's objectives.
PUB10	**Ruth Bley, January 18, 2024**	
PUB10-1	Again, I have attempted to read most of the documents that are posted on your website and have the following comments and questions. These are basically the same questions and concerns expressed two years ago that the revised Draft EIR is again not addressing	The comment serves as an introduction to the comment letter. Please see Responses PUB10-2 through PUB10-9, below.
PUB10-2	1) ZONING: How is this project allowed under the current zoning – Agricultural District (A) which currently allows one main resident and one auxiliary (caretaker) house? There is a reason that the zoning is 100 acres – it's not arbitrary! The existing care taker dwelling on this property is under a conditional use permit and there is no main dwelling only a garage structure which will be torn down. How does this allow for an 8,500 sf meeting and dining hall,	The comment questions how the proposed project is allowed under existing zoning. Please see Master Response 4, *Agricultural Uses*, regarding zoning. The project site is zoned as Agricultural (A), which permits outdoor recreation facility as a conditional use. The proposed project

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	a 2,600 sf two story staff housing and numerous "non-permanent" housing structures? Will this project be a precedence for others or is the Mosaic Project receiving "special consideration" because the GOOD – arbitrarily measured out ways the BAD – not measured at all? The EIR report states the following: LUP-1: The proposed project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. LTS N/A N/A LUP-2: The proposed project would/would not, in combination with past, present, or reasonably foreseeable projects, result in a significant cumulative impact with respect to land use and planning. WHAT!!!! How can you just say this? If anyone wanted to build a "family compound" or a "corporate retreat" or a "dude ranch" with this same footprint on 7 acres could we do it? Zoning is there for a purpose and those of us living here accept and appreciate the zoning. Will this set a precedence?	would require a Conditional Use Permit as established in ACMC Section 17.54.130.
PUB10-3	Williamson Act Compliance: Williamson compliance is based on growing crops on irrigated land and using grey water irrigation (which I do not believe is allowed in most areas). These will be sold to the public to achieve the minimum $10,000 gross receipts. AG-1: The proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract. AGAIN CONCERN FOR THE QUANTITY OF WATER THAT WILL BE USED.	The comment expresses concerns regarding water usage due to the proposed project's Williamson Act compliance. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The agricultural component of this project will be supplied by rainwater from the rainwater harvesting system, and there is sufficient water available to meet these demands. The orchard (walnut and fruit trees) will be irrigated by a greywater system; this is an acceptable water source for orchards. Therefore, no potable sources will be used to meet these needs.
PUB10-4	2) SEPTIC: The old document infers that the project will use an onsite sewer infrastructure. The new document doesn't even address the sewer issues which are huge! GEO-5: The proposed project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. (So badly written) UTIL-3: The proposed project would not require or result in the construction of new wastewater facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. HOW CAN YOU NOT BUILD A WASTEWATER/SEPTIC SYSTEM? Please explain.	The comment questions how the proposed project can avoid building a wastewater/septic system. The proposed project would include an advanced OWTS, as discussed in Master Response 5, *Hydrology and Utilities.* The geology and utility significance criteria quoted by the commenter are standard language that is required in a CEQA EIR document.

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PUB10-5	3) WATER USAGE: What is the anticipated water usage? Will 90+ people be taking showers, flushing toilets, etcetera? What will be the toll on our ground water system which is already stressed? If the existing wells in the canyon run dry because of this additional usage which far exceeds what would be allowed under current zoning, will we be allowed to drill deeper? Drilling deeper may not even be a solution and therefore what will be our recourse. Apparently according to the EIR report there are no issues! Where is the science! The EIR report states the following: UTIL-1: The proposed project would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. UTIL-2: The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. LTS N/A N/A HYD-1: The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. LTS N/A N/A HYD-2: The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. HYD-2: The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. HYD-5: The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. LTS N/A N/A HYD-6: Implementation of the proposed project would not result in impacts relating to hydrology and water quality that are cumulatively considerable when viewed in connection with the effects of past, current, and reasonably foreseeable projects. AGAIN – WHAT!!! Where is the science? This is BS and anyone living in the canyon knows water quantity is an issue. Drilling two wells and measuring production during the wettest seasons we've had in a very long time (current measurement 7.7 gpm). The usage calculation factors 25 gpd for campers which is severely understated. Additionally there will be 20,000 gallons of wastewater created every two weeks which I don't see factored into the calculations of demand. What percentage of production is this. Adding over 100 people to a 30 acre site means they are going to use more than their fair share of groundwater and impact the ground water availability for everyone in the canyon.	The comment requests information on the anticipated water usage of the proposed project. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. Water and wastewater systems were conservatively sized. Drilling in a fractured bedrock environment is difficult, as illustrated by the fact that the first two wells drilled at the project site did not have sufficient yield to meet the water demand. However, regarding the comment about measuring production during the wettest season, the wells were pump tested in November 2020 after a prolonged dry season, and well recharge was also monitored in November 2020. The wells were continually monitored into 2021 during another extreme dry year.
PUB10-6	4) FIRE HAZARD: Many of us canyon dwellers can no longer get homeowners insurance and have to use California Care which is extremely expensive and basically unaffordable. Adding a potentially hazardous "camp" to our canyon will only compound difficulties. PS-1: The proposed project would not result in substantial adverse physical impacts associated	The comment expresses concerns about homeowners insurance and evacuation in the event of a fire. Please see Master Response 1, *Standards for Responses to Comments*, regarding project merits and Master Response 6, *Fire Safety*

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	with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. Again, the issue that evacuation may not be an option is not addressed. There is only one way in or out and that route may not be accessible.	*and Evacuation*, regarding evacuation. Pursuant to CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, in assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published. Because Cull Canyon Road is currently the only evacuation route for the project area and students and staff would be evacuated on buses and a few staff cars, the inherent difficulties of evacuation would not be significantly affected by the proposed project.
PUB10-7	5) TRAFFIC: How much traffic is anticipated? Busses, individual cars, what will the mode of transportation be. Even though Cull Canyon has no shoulder, it is a popular biking road especially on the weekends Didn't see anything addressing traffic issues or additional wear and tear on the roadway/inferstructure.	The comment questions how much traffic is anticipated from the proposed project and notes that traffic issues and additional wear and tear on the roadway were not addressed. Traffic impacts of the proposed project are analyzed in Chapter 4.12, *Transportation*, of the Revised Draft EIR, and were found to be less than significant and no mitigation measures are required. Project-related vehicle miles traveled (VMT) impacts were assessed based on Guidance provided by the California Office of Planning and Research in the publication of the 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA, which notes that projects that generate fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact. The project would generate a peak of 51 daily trips, which satisfies the threshold. Furthermore, as discussed in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, Cull Canyon Road has a daily volume of 420 vehicles; therefore, the proposed project's maximum daily trip volume represents only 12 percent of Cull Canyon Road's daily volume and is not expected to result in a significant impact. Please see Master Response 1, *Standards for Responses to Comments*, regarding additional analysis. Preparing a study of Cull Canyon Road roadway conditions is beyond the scope of this project.

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PUB10-8	Other issues not addressed include: A. Close proximity to alcohol sales (winery)	The comment expresses concern regarding the proximity of the proposed project to alcohol sales. Please see Master Response 2, *Project Clarifications*, regarding nearby businesses. Consideration of the proposed project's impact on Twining Vine Winery and its retail license will be addressed in the Staff Report.
PUB10-9	I wish I wrote EIR reports for a living because they are boiler plate and nonsensical. The biggest concern/mitigation write-up is for red legged frogs, whip snakes etc. which I'm pretty sure don't exist there and if they do will not survive this development regardless of what you implement. I look forward to answers to the above questions at your earliest convenience.	The comment serves as a conclusion to the comment letter. Please see Responses PUB10-2 through PUB10-8, above.
PUB11	**Robert and Linda Fusinati, January 18, 2024**	
PUB11-1	As a neighboring property to the proposed project site, directly to the east, this letter provides comments in response to the Recirculated DEIR (R-DEIR) for the Mosaic Project, Project Referral Case No. PLN2020-00093 to construct and operate a school/weekly overnight camp for 95+ students in 4th/5th grade plus support staff. We have also attached our response to the county's original request for ideas on how to scope the EIR with the areas highlighted that we believe were ignored in the EIR and R-DEIR. Further, as stated in our comments on the last draft EIR, and echoed by the MAC board on their review during their October, 2022 meeting, the project needs to start over with their EIR because it was not accurate and, in our view, to attempt to maintain some independence from the Mosaic School. It is obvious to anyone who reads the current DEIR and R-DEIR that it has not been independently prepared.	The comment serves as an introduction to the comment letter. Please see Responses PUB11-2 through PUB11-81, below.
PUB11-2	**Independence of Report:** There has been a compromise of the independence of the report, either from the county or Place Works, the preparer of the DEIR and R-DEIR, or the DEIR and R-DEIR is so deficient that a new preparer of a DEIR needs to be engaged. The report consistently reads like an advertising tool for the Mosaic school as opposed to being a truly independent Environmental Impact Report. The compromises are evident in the following areas: 1. The Hydrology report referred to in the R-DEIR is not a hydrology report. It is missing critical data around refresh rates and sustained use. Somehow, they determined that the water issues are Less Than Significant/Minor and mitigatable, however, we know water is a significant factor for the entire canyon. Two years ago ½ of the wells went dry at the end of the summer yet somehow they will have a magical set of wells that produce millions of gallons of water (the amount needed if code is followed) that will be needed for the school. Please note that all the surrounding properties have struggled with water issues and they all have less then 10 people on properties with much more acreage to pull from, with most parcels being 100+ acres. In	The comment asserts that the hydrology report in the Revised Draft EIR is not a hydrology report and is missing critical data. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. It is acknowledged that water is an issue in the canyon but the driller did not find "a magical set of wells that will produce millions of gallons of water." Four wells were drilled on the project site, and two were found to have insufficient yields to serve the project. In addition, the two wells that are proposed for use were pump tested in November 2020 at the end of the very dry year and were determined to meet the project water demands based on the pump tests (the regulations for bedrock wells require that each well be rated at half of its pump test capacity). This information was provided to the DDW, which permits public water systems, in the Preliminary Technical Report, which was deemed

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	fact, the well sighted in the report that will produce 4.7 gallons per minute (GPM) during sustained periods would be the highest producing well in the entire canyon. It also does not match any sanity test and the county needs to independently verify this claim beyond those currently involved.	complete by DDW. The DDW reviewed and concurred with the pump test results reported by Balance Hydrologics. Also, it should be noted that the proposed project is not a school but an outdoor camp and education program for 4th- and 5th-grade children.
PUB11-3	2. Misrepresenting the true purpose of this project by not stating this is a school as shared by the Mosaic's Executive Director, Lara Mendel (video of her stating this was provided to the county and is referenced once again in this document) thus avoiding multiple major issues such as additional safety requirements, location next to a winery, location next to pesticide spraying, proximity to creek drop offs, fire escapes on the buildings, playground obstacles, additional fire sprinkler systems, etc.	The comment asserts that not stating the proposed project as a school avoids major issues regarding safety. Please see Master Response 2, *Project Clarifications*, regarding project classification, nearby businesses, and student safety. The proposed project is an outdoor recreational facility. Consideration of the proposed project's impact on Twining Vine Winery and its retail license will be addressed in the Staff Report. Campers and staff would be required to follow guidelines to ensure student safety. The proposed project would be required to comply with federal, State, and local regulations, including the CFC, to ensure safe operation.
PUB11-4	3. Not highlighting that there is no provision for a project like this within the Measure D and Williamson act. The project's primary objective is not Agriculture, which is a requirement for being in the Williamson Act. The placement of the buildings would actually, directly, interfere with the ability to do agriculture on the property.	The comment asserts that the proposed project would fail to comply with Measure D and the Williamson Act. Please see Master Response 4, *Agricultural Uses*, regarding Measure D and the Williamson Act. The proposed project is consistent with Measure D and the Williamson Act.
PUB11-5	4. Calling the adjacent winery an "Event Center," ignoring their CUP provision of only allowing 12 wine related events a year that must end by 9pm. Event center is not part of Twining Vine Winery's title and their events are directly related to agriculture.	The comment asserts that it is incorrect to call the Twining Vine Winery an "Event Center." As shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR, "Event Center" has been removed in all mentions of the Twining Vine Winery.
PUB11-6	5. No research seems to have been done on related attempts to build structures in Castro Valley Canyon lands that are not related to agriculture, like the Mosaic School, that have been consistently denied for the area (i.e. the MA Center on Crow Canyon Road in Castro Valley. The report cites examples, none of which have been approved or built so are not true examples.	The comment asserts that no research has been done on attempts to build structures in Castro Valley Canyon lands that are not related to agriculture. Previous attempts to build structures in the project area are not relevant under the purview of CEQA.
PUB11-7	6. Using data provided by the Mosaic School to justify operating requirements such as water consumption instead of stating code and what is required to be available to meet code.	The comment claims that the Revised Draft EIR chose to use data provided by Mosaic to justify operating requirements instead of using code requirements. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. As determined by the DDW, after review of the Preliminary Technical Report, which provides the water demands and well pump test results, the calculations of

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		water demand and supply were determined to be accurate and meet code requirements.
PUB11-8	7. Not using Code requirements for the new Septic design and sizing it to handle all waste waters which is required by the code. Further, allowing other activities to occur on the septic leach field even though the septic leach fields are typically fenced off from any other activities.	The comment asserts that the septic design and sizing would not comply with code requirements. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. The OWTS has been designed in consultation with and in accordance with ACDEH requirements and codes. There are no code restrictions on what activities can occur on top of a leach field as long as there are no permanent structures, and for this project, the pressurized trenches will be buried 3 feet bgs.
PUB11-9	8. Allowing the building envelope to not use a rectangular shape as stated in the Williamson act and not highlighting this violation in the report.	The comment asserts that the building envelope is not rectangular and violates the Williamson Act. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The County has no specific shape or configuration requirements for a contiguous 2-acre building envelope. The 2-acre building envelope of the proposed project is not rectangular, but it is contiguous, consistent with County requirements.
PUB11-10	9. Not using all of the community's concerns in the EIR scoping requests that were prepared to help improve the quality of the EIR. We have resubmitted our notes on the NOP highlighting in red all areas still ignored in the DEIR.	The comment asserts that the Revised Draft EIR did not address all of the concerns noted on the comment letter submitted for the NOP and comments have been resubmitted. Please see Responses PUB11-46 through PUB11-80 for responses to the comment letter on the NOP.
PUB11-11	9. Not highlighting the fact that the planned trails cross neighbor's property lines, thus requiring trespassing to use the area referred to in the report. Further, not highlighting the fact that the neighbor has consistently denied access to their property for such use prompting them to install no trespassing signs.	The comment highlights the fact that the trails cross through neighboring properties. Please see Response PUB4-5 regarding the proposed trails. Dirt roads and trails exist within the property boundaries and extend within the bay/oak woodland habitat that covers the slopes on the western side of the project site.
PUB11-12	10. Not stating that the current buildings on the property are in code violation. They are planning concrete pours and permanent foundations yet are referred to as temporary as would be required to fit under the recreational use provision of measure D.	The comment asserts that the existing buildings are in code violation. Please see Master Response 4, *Agricultural Uses*, regarding zoning and Measure D. The proposed project would be required to comply with all County zoning requirements. Development of the proposed project includes 14,331 square feet of non-residential buildings, resulting in a non-residential FAR of less than 0.01, consistent with Measure D. As described in Section 3.3.1.2, *Camping Cabins*, in Chapter 3, *Project Description*, of the

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		Revised Draft EIR, twelve 400-square-foot non-permanent cabins are proposed to be placed within the footprint of the existing garage building on the southwestern portion of the site. These cabins would be simple, light-footprint construction with access from a 20-foot-wide fire road in compliance with Section 2327, *Camping Cabins*, of the California Code of Regulations (CCR), Title 25, Division 1, Chapter 2.2. There would be no concrete pours or permanent foundations.
PUB11-13	11. The ability for the Mosaic School to show that the R-DEIR was complete on their web sight before the county was able to give notice to residents to review the R-DEIR thus showing the R-DEIR preparers are in direct communication with the Mosaic School organization.	The comment notes that the Mosaic Project website announced completion of the Revised Draft EIR prior to the County providing notice to residents. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB11-14	Hydrology and Water Quality The draft R-DEIR report referenced by Balance Hydrologies is NOT a hydrology report. The lack of data about refresh rates which are critical to the determination of sufficient water supply are not present in the hydrology report. There simply is not enough water to support a project of this size and scope, not to mention the impact it would have on neighboring properties. The estimates for water use per person is grossly underestimated when compared against building code.	The comment asserts that the hydrology report in the Revised Draft EIR is not a hydrology report and is missing critical data. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. As determined by the DDW, after review of the Preliminary Technical Report, the proposed water system meets code requirements and the water demands are justified.
PUB11-15	Additionally, they propose using a reverse osmosis system, water for their garden, emergency water for fire suppression, and water needed to take care of animals, which are not adequately factored into their totals. We know, from personal experience, that water is in limited supply in this canyon. The removal of the waste water from the reverse osmosis system is to be handled on premise according to code because the temptation to dump this water in the creek is compelling as opposed to using water trucks that would exceed the road weight limitation. The waste water amounts from the OWTS system are not included in the septic calculations. The water needed to produce the 3500 gallons of clean water is somewhere between 2 to 4 times the desired clean water because of the OWTS process.. Further, when the OWTS output is compared to the needs, it falls short in its production ability. If their solution requires trucking in water, it is not a viable solution because the weight limitation for cull canyon road is 7 tons, they would also have to dispose of waste water with those same trucks. Supplying water by truck is not to code but also impractical given the huge amounts of water needed for this project. No summation totals were provided to be able to determine sufficient water supply and septic capability calculations in the current version of the R-DEIR.	The comment asserts that the Revised Draft EIR did not provide summation totals to determine sufficient water supply and septic capabilities. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand, including for fire flows, agricultural, and livestock needs. The irrigation demands for the project will be met by using rainwater from the rainwater harvesting system and greywater for the orchards. The backwash and brine from the RO system will not be discharged into the creek. It appears that the commenter is confusing wastewater from the RO system with the OWTS. All of the brine and backwash from the water treatment system will be contained in a 20,000-gallon waste tank and hauled offsite. The wastewater from the RO system is separate and will not be treated by the OWTS. As documented in the NorthStar *Basis of Design Report for the Mosaic Project*, all wastewater generated on-site will be processed through the packaged on-site treatment system (not a septic system) that provides

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		primary and secondary treatment as well as nitrogen removal prior to discharge into a pressurized chambered dispersal system (not a conventional leach field) (see Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR). Summation totals of the water and wastewater demands are provided in Chapter 4.14, *Utilities and Service Systems*, of the Revised Draft EIR. See Table 4.14-2, *Water Demand Assumptions*, for predicted water demands and Table 4.14-6, *Predicted Wastewater Flow Rates*, for predicted wastewater flows. The comment also notes the 7-ton weight restriction on Cull Canyon Road. Please see Responses ORG3-14, ORG3-24, and ORG3-25 regarding vehicle weight restrictions.
PUB11-16	**Fire Risk** The whole canyon is a tier 3 fire risk, which is the highest the fire department has. Presently, 152 people across 3000 acres live in the canyon which is consistent with agriculture and is managed by experienced people who understand the risk. There is only one road in and out of our box canyon. The proposed project would have 150 people on 37 acres which is consistent with urban development. It doubles the population in the canyon, but raises the risk of fire by more than double. According to a Homeland security report, 70% of outdoor arson fires are started by Children 14 years old and younger. The very age that the Mosaic project wishes to house at their school. The Homeland Security report is further backed up by research done by the NFPA (National Fire Protection Agency) dated March 2014 which states "38% of outside fires are started by kids aged 10-12." The risk factor for fire in the canyon will increase by almost 1.4 times or 140% greater.	The comment expresses concerns about fire risk in the project area and the evacuation route. While it is true that the addition of the humans into an area could increase fire risk, it was concluded under impact discussions WF-2 and WF-3 in Chapter 4.15, *Wildfire,* of the Revised Draft EIR that the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, vegetation, or installation or maintenance of associated infrastructure through compliance with applicable regulations and implementation of Mitigation Measures WF-2, WF3a, and WF-3b. Please see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. The proposed project includes a Fire Safety and Emergency Response Plan to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR).

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PUB11-17	Currently, there is approximately one fire in the canyon every 3 years that is reported. The last 3, starting from oldest to newest, 8 years ago there was a small brush fire on grazed land that died out because of lack of material. 5 years ago, a barn that was growing organics and had no trees near it within 200 feet burned down and 3 years ago the Zweifel home at 12000 Cull Canyon Rd. which had no trees close to the house burned. We set this background because they are not just proposing to double the number of people who can potentially start a fire, they are doing it at the base of a heavily forested hill that has no such clearance distances and a 30-degree sloped hill that once a fire gets going cannot be stopped. When it crests the hill, it will begin to burn the Columbia housing development.	The comment describes wildfire history in the project area and expresses concern regarding fire risk associated with increased population. Please see Response PUB11-16 regarding fire risk. As analyzed in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, vegetation, or installation or maintenance of associated infrastructure through compliance with applicable regulations and implementation of Mitigation Measures WF-2, WF-3a, and WF-3b.
PUB11-18	Further, tempting the risk of fire is that the school plans to put in place a large fire pit that may for the first time show kids a fire. What young kid would not want to emulate the wonderful experience they had just had the night before by starting their own fire? How can you possibly control the natural tendency to want to recreate the experience? No amount of warning or control could stop this and the more you try and control the kids to do it, the farther up the hill they will go before starting the fire.	The comment speculates that the proposed fire pit would encourage kids to go up the hill and start their own fire but provides no substantial evidence to support their assertion. Please see Master Response 1, *Standards for Responses to Comments*, regarding speculation without substantial evidence.
PUB11-19	The Draft R-DEIR that reads as though it was written as a paid for advertisement for the school, spent some time talking about a fire plan and training. The fire concern was appreciated but also made it obvious to anyone who really cares and understands the risk how completely useless the plan is in Appendix F: Fire safety and emergency response plan is when it will really matter. If there is time, almost all plans work and we are all safe. When there is no time, their plan puts the whole canyon at risk. It proposes buses come from another nearby school. Once the fire starts the buses would not be allowed down the one access road by the fire department. Further, they are going to tell the parents not to come to the canyon and try and rescue their child. That is not going to work and now we have 100 new cars in the way during the evacuation along with two stranded buses. The road does not have turn outs or turn around access or even good places to push a bus or car out of the way so now, if we could have gotten out, the exit will be blocked by buses and parents trying to go the wrong way.	The comment asserts that the proposed fire safety and emergency response plan is useless but provides no substantial evidence to support their assertion. Please see Master Response 1, *Standards for Responses to Comments*, regarding speculation without substantial evidence. The comment also expresses concern regarding evacuation. Pursuant to CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, in assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published. As Cull Canyon Road is currently the only evacuation route for the project area and students and staff would be evacuated on buses and a few staff cars, the inherent difficulties of evacuation would not be significantly affected by the proposed project.
PUB11-20	I know the risk is real and so does the fire department. That is why they try to help us cut and create second paths for emergency exit but all of these alternatives only work if you have a 4-wheel drive truck, tractor or recreational vehicle ready to go. Further, none of these paths can handle more than 20 people or so. I myself spend thousands a year recutting an emergency escape route which is only addressable by our off road vehicle and we have things ready to go.	The comment describes personal experience putting in secondary emergency exits. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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PUB11-21	In conclusion, I see a school trying to call itself a temporary campsite in order to skirt safety regulations put in place for students.	The comment serves as a conclusion to the previous comments. Please see Responses PUB11-2 through PUB11-20, above.
PUB11-22	Fire Risk Calculation: Change in fire risk calculation: The students proposed to stay at the facility create a significant fire danger 90 kids x .7 + 10 teachers x.30 = 66(new additional risk). Existing risk 10 kids x.7 + 134x.3 = 47.2 New additional risk/ existing risk= Added new risk of fire 66/47.2= Risk goes up by 140%	The comment provides fire risk calculations. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB11-23	This is a school. As previously commented on and not addressed by the R-DEIR, I will restate the position: this is a school. It may also be a camp ground, but it is primarily a school. Their executive director sat in my home at the beginning of this process and told us it was a school. All Mosaic literature stated it was a school. Lately, they have substituted the word learning in place of school, which we do not believe is a coincidence, however, they have not changed the curriculum, just the title. The schools that provide students call it a school and it counts for school time and meets the compulsory education law of the state. Mosaic calls it a camp because it skirts all kinds of safety regulations that have been put in place to keep students safe. Fortunately, in this regard, Alameda County has a definition for school. The current definition of a school is as follows: "2. School, attendance at which satisfies the requirements of the compulsory education law of state." Since the weeks are proposed to be held during school time, Mosaic School either meets the education requirement of school or the students are truant since they plan on holding classes during the school year. This is using the County of Alameda Definitions document 17.04.010. If you still want to just call it a campground, I have a video of the Executive Director, Lara Mendel, in her own words, telling an audience that what they may not know is that it is really a school. The link for the second time Lara Mendel, the Executive Director of the Mosaic project outdoor school, stating this: https://www.youtube.com/watch? v=pSlGhnJ_lvU at the 10:52 mark, though she discusses their students and their curriculum throughout. Video link 2: ttps://www.youtube.com/watch?v=ZL65oTDNEo8 just past the 1 minute mark they say it's an outdoor school. Video link 3: https://greatnonprofits.org/org/the-mosaic-project Information on Growth 3:30 min into video and clarifying "it'sa school 8:00 min into video".	The comment asserts that the proposed project is a school. Please see Master Response 2, *Project Clarifications*, regarding project classification. The proposed project is an outdoor recreational facility.
PUB11-24	By not calling it a school you not only try and sidestep clear proclamations that schools cannot be part of Williamson Act or Measure D but also ignore Safety regulations such as the spraying of pesticides by adjacent properties, the winery directly next door, offsets maintained on the creek given the drop offs, establishing clear fire safety which Schools are held to. Please do not discount this last concern as the County needs to take responsibility for the potential deaths caused by fire if this concern is ignored.	The comment asserts that the proposed project is a school. Please see Master Response 2, *Project Clarifications*, regarding project classification. The proposed project is an outdoor recreational facility.

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Comment #	Comment	Response
PUB11-25	**Williamson Act Infringement not addressed in the R-DEIR** The draft R-DEIR does not address that the project is in direct conflict with the Williamson act, which the property is under. Further, if the property at any time was actually trying to be compliant with the Williamson act, they would have done something on the property to produce agriculture as is required by the contract they agreed with.	The comment asserts that the proposed project conflicts with the Williamson Act. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The proposed project would be consistent with the commercial agricultural production requirements of the Williamson Act as the Mosaic Project plans to register as a California Certified CSA direct marketing producer and plans to sell 20 annual CSA box subscriptions for $1,000/each with forest products, chicken eggs, and produce.
PUB11-26	Below we sight the parts of Alameda County policy on how to apply the Williamson act on properties for consideration on development and eligibility and then the specific guidelines the policy sights that show this project would be in violation: Alameda county guideline in applying the Williamson Act. Compatible use determination process- "Williamson Act contracts in Alameda County are intended to promote agricultural productivity and to preserve agricultural land from premature and unnecessary conversion to uses other than agriculture and open space. The presence of commercial agriculture is a precondition to compatible development on land restricted by a Williamson Act contract" What the Williamson Act states: Uniform Rule number 1 "In order to enter land into a Williamson Act contract and maintain continued eligibility during the life of the contract, the contracted land must be in an agricultural preserve, meet minimum parcel size requirements, **be devoted to a commercial agricultural use, and be restricted to additional uses that are compatible with the agricultural use of the land. Williamson Act contracts**, also known as Land Conservation contracts, run with the land and are binding upon any heir, successor, or assignee." "1. Definition of Agricultural Use Commercial agricultural use means the production and sale of agricultural commodities. Agricultural commodities mean unprocessed plant and animal products of farms, ranches, production nurseries and forests. Agricultural commodities include, but are not limited to, the following: fruits, nuts, and vegetables; grains, such as wheat, barley, oats, and corn; legumes, such as field beans and Uniform Rule 1- Eligibility Requirements Alameda County Uniform Rules and Procedures 1-4 October 11, 2011 peas; animal feed and forage crops, such as grain hay and alfalfa; seed crops; fiber and oilseed crops, such as safflower and sunflower; biofuels; production nursery stock; aquaculture; trees grown for lumber and wood products; turf grown for sod; poultry, such as chickens, ostriches, and emus; livestock such as cattle, sheep, goats and swine and similar animals; rangeland and pasture for livestock production; and, commercially-bred horses (see definition below)." Uniform Rule number 2 "The County shall not approve applications for non-agricultural uses on contracted land,	The comment asserts that the proposed project conflicts with Uniform Rule 1 of the Williamson Act. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. Uniform Rule 1 notes that for land that is less than 40 acres in size and is being used for dryland farming, grazing of livestock or livestock production, and/or other types of agricultural pursuits, Section II.C.3.b. requires agricultural production to yield an annual gross revenue equal to or exceeding $10,000. The Mosaic Project plans to register as a California Certified CSA direct marketing producer and plans to sell 20 annual CSA box subscriptions for $1,000/each with forest products, chicken eggs, and produce. Sales of these boxes will surpass the $10,000 threshold.

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	including use permits, development permits, Site Development Review, or subdivisions, unless there is an existing agricultural use that meets one of the commercial agricultural thresholds established in Rule 1 of this document." **A. Principles of Compatibility Uses approved on contracted lands shall be consistent with all of the following principles of compatibility: 1. The use will not significantly compromise the long-term productive agricultural capability of the contracted property or on other contracted lands in agricultural preserves (Government Code Section 51238.1). 2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the contracted property or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the contracted property may be deemed compatible if they relate directly to the production of commercial agricultural products on the contracted property or neighboring lands, including activities such as harvesting, processing, or shipping (Government Code Section 51238.1). 3. The use will not result in the significant removal of adjacent contracted land from agricultural use or open-space use (Government Code Section 51238.1). 4. The use will not result in the significant increase in the density of the temporary or permanent human population that could hinder or impair agricultural operations on the contracted property (Government Code Section 51220.5)**	
PUB11-27	Under Uniform Rule number 4: if this is an attempt to claim this is camping, no construction would be allowed and only temporary tents would be allowed for up to a 2-night stay. Further the planned construction would significantly hinder if not prevent any possible future commercial Agriculture. All buildable space would be used in the building of permanent structures that would directly interfere with possible future agricultural use.	The comment asserts that construction of the proposed project would interfere with possible future agricultural use. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. Uniform Rule 4 is not applicable to the proposed project because it relates to open space and recreation contracts.
PUB11-28	Parts of Uniform Rule number 4 d. Passive recreation uses on non-prime land may occur anywhere on the contracted property except where and when that activity would interfere with the primary agricultural. The Winery directly neighboring the planned school holds special events. Their CUP is in line with the rules by having the events last no more than a single evening, helping to sell the wine and are terminated by 9PM. The Mosaic property proposes a four-night stay which is a direct violation of the Williamson act. Section provided below:	The comment asserts that the proposed project violates the Williamson Act. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. Uniform Rule 4 is not applicable to the proposed project because it relates to open space and recreation contracts.
PUB11-29	G. Special Events Temporary uses (special events), as may be permitted by the County under Section 17.52.490 of the Zoning Ordinance, shall be considered compatible on contracted land provided that: 1. The event is consistent with the Principles of Compatibility set forth in Section I.A. of this Rule. 2. The event is directly related to the promotion or sale of commodities produced on the contracted land, or to an existing compatible use. Alameda County Uniform Rules and Procedures Uniform Rule 2 - Compatible Uses October 11, 2011 2-13 3. There is no stand-alone permanent structure dedicated to such events. 4. The event lasts no more than 2 consecutive days and does not provide overnight accommodations.	The comment references the County's Williamson Act Uniform Rules. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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PUB11-30	The drawing shows the buildings are over a 4-acre area not a 2-acre area. The contrived shape of the area in order to claim all buildings are within the 2-acre improvement site is not allowed under the Williamson act. See details below:	The comment asserts that the proposed project is not in compliance with the Williamson Act because buildings are within a 4-acre building envelope and the building envelope is not rectangular. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The contiguous 2-acre building envelope includes the existing bridge and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria building, bathroom buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home and the proposed garden yard and Council Ring. Because the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Council Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope. The County has no specific shape or configuration requirements for a contiguous 2-acre building envelope. The 2-acre building envelope of the proposed project is not rectangular, but it is contiguous, consistent with County requirements.
PUB11-31	Williamson Act general Rule 2 explaining building space: "2. General Building Location a. Each legal/buildable parcel, whether under its own contract or as one of two or more legal/buildable parcels under the same contract, shall have a building envelope, **generally rectangular in shape**. In accordance with the East County Area Plan and Measure D, all buildings shall be located on a contiguous rectangular building envelope not to exceed 2 acres except that they may be located outside the envelope if necessary for security reasons or, if structures for agricultural use, necessary for agricultural use."	The comment references the County's Williamson Act Uniform Rules. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB11-32	Further, as currently planned, the building of the structures would actually make agricultural production impossible on the land. The 4 acres of relatively flat land would be used up with nonagricultural use and cut off access to the remaining 33 acres from agricultural use.	The comment asserts that the buildings of the proposed project would make agricultural production impossible on land but provides no substantial evidence to support their assertion. Please see Master Response 1, *Standards for Responses to Comments*, regarding speculation without substantial evidence.
PUB11-33	Misuse of Terminology and our missing minor items throughout the R-DEIR. 1.Calling the Bedrooms that use Concrete pours and permanent structures temporary housing in order to act like those are similar to tents that are erected and taken down after each use at a camp sight in order to appear like this is a camping facility and not Hotel or permanent residence for more then 100 people.	The comment asserts that proposed cabins are not temporary but rather permanent. Please see Response PUB11-12 regarding the camping cabins. There would be no concrete pours or permanent foundations.

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Comment #	Comment	Response
PUB11-34	2.Not including concerns about height of buildings that would be the tallest buildings in Castro Valley at 40 foot tall, while the adjacent property was denied the ability to go to 30 feet on their property.	The comment questions how the building height for the proposed project was approved when an adjacent property was denied building height over 30 feet. Please see Response PUB4-7 regarding building height. Due to the project site's location between a public roadway obstructed by large, existing trees and vegetation and the sloped hills to the west, as well the low one- and two-story building heights, scenic vistas of the adjoining hillsides would not be blocked by construction of the proposed project.
PUB11-35	3. Under the Parking calculations not stating that there is not parking allowed on Cull Canyon road in order to handle overflow. Having some of the driving and parking areas over existing septic system.	The comment notes that parking is not allowed on Cull Canyon Road. Please see Response PUB5-5 regarding parking. The need for parking on the shoulder of Cull Canyon Road or in tandem with other vehicles on-site is not anticipated.
PUB11-36	4. It appears figure 4.8.4 and figure 4.8-1 from their submission show clearly that the proposed buildings are within the offsets that are required from the Creek. Further, no accurate study has been shown to calculate where the riparian actually is with true offsets. This is strikingly obvious after the rains of last year where the creek on the property moved significantly but no updates to drawings have been provided.	The comment asserts that the proposed buildings are within the creek setbacks. Please see Master Response 3, *Creek Setback Calculations* and Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR for the latest drawings. Drawings C-2 and C-4 in Appendix N of this Final EIR show the BSL 2:1 slope setbacks, and Drawing CS-1 shows the creek cross-sections and how the setbacks were calculated. NorthStar, the project engineers, returned to the site after the storms in spring 2024 to resurvey Cull Creek and revise setback distances and cross-sections, as needed. Alameda County Department of Public Works has reviewed and approved the site plans and creek setback calculations, and the proposed project is in compliance with the Watercourse Protection Ordinance.
PUB11-37	5. School buses exceed the road's 7 ton load restriction.	The comment notes that school buses exceed Cull Canyon Road's 7-ton weight restrictions. Please see Responses ORG3-14, ORG3-24, and ORG3-25 regarding vehicle length and weight restrictions.
PUB11-38	6. Restating word for word the Mosaic Schools claims about trails that provide access to open areas even though the property is locked in by private properties on all sides and would require trespassing on the neighbors property in order to get to the open space. Further claiming that the school will improve walking trails on the property yet no such trails exist on the property and the only trail they could possibly be referencing is on the neighbor's property to the south.	The comment notes that the project site is landlocked by private properties and trail improvements would entail trespassing. Please see Response PUB4-5 regarding the proposed trails. The existing dirt roads and trails that exist within the property boundaries on the slopes on the western side of the project site would be repurposed to serve as a recreational pedestrian trail system.

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Comment #	Comment	Response
PUB11-39	**Appendix A** Community comments and issues were not folded into the DEIR or R-DEIR statement of work and the resulting DEIR and R-DEIR did not address community concerns and issues that were submitted following the Notice of Preparation that was sent December 17, 2021 via email to Ms. Sonia Urzua of Alameda County Planning.	The comment asserts that the Revised Draft EIR did not address the concerns noted on the comment letter submitted for the NOP. As discussed under Section 1.5, *Areas of Concern*, in Chapter 1, *Executive Summary*, of the Revised Draft EIR, the comments raised during the scoping process were considered in the preparation of the Revised Draft EIR.
PUB11-40	It is unclear what the maximum capacity and thus design criteria that needs to be used for the facilities. 108 people are used as the maximum capacity in several areas. If this is the case, why have a dining hall for 272 people, sleeping for 160 people, and reference of events that may total 500 people. Pick one number and use it throughout the DEIR/R-DEIR. All designs, water use, septic use, traffic calculations, parking capacities should reflect this number and anything above this in literature or planning should be stopped.	The comment questions why maximum capacity is not consistent. Please see Response PUB5-14 regarding maximum capacity and occupancy. The maximum population at the project site would be 114.
PUB11-41	**Appendix G** Wastewater basis of design: Beginning assumptions for sizing the facilities are grossly understated. The project itself states 95 students and 50 permanent staff, along with weekend events that can total up to 500 individuals which matches the construction capacities. Yet, the calculations are all based on only 108 people at a reduced load from required design capacities to meet code in Alameda County. Further, the calculations ignored the location and use of the existing septic system which is not in code and is no longer permitted. As an engineer myself, it is apparent to me that Northstar Engineering, at no time, used a hydrologist for calculations and assumptions are all based on best case scenarios. Further, the slope of the land area used for the waste disposal and proximity to the creek riparian were not taken into consideration. Does code allow for kids and animals playing over the leach fields? I know our leach field had to be fenced off from animals and people. Is this no longer the requirement?	The comment asserts that the assumptions for sizing the facilities are understated. The commenter incorrectly assumes that there will be up to 500 individuals on-site during weekend events. As stated in Chapter 3, *Project Description*, of the Revised Draft EIR, there will be up to 95 campers. However, the Revised Draft EIR does not state that there will be 50 permanent staff, only that there will be 50 students per bus. The calculations are based on 108 campers and counselors with up to 6 permanent staff for a total of 114 people at maximum capacity. These are the numbers that were used in sizing the water and wastewater systems. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand and the OWTS. It is unclear whether the commenter is referring to the existing septic system in the southern portion of the site, which will be removed and replaced with the proposed advanced treatment system, or whether the commenter is referring to the septic system and leach field in the northern portion of the site next to the caretaker unit. According to the ACDEH OWTS Manual, there is no requirement to alter, change, reconstruct, remove, or demolish an existing OWTS as long as it was installed in accordance with the applicable law at that time and is properly functioning and appropriately sized. The existing system would be for the caretaker's use only and there is no change in this use with regard to the proposed project. In addition, it was

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		conservatively assumed in designing the new OWTS that the caretaker's unit would be using the new system. Slope of the land and proximity to the creek were considered in the design of the new OWTS with required setbacks of 100 feet from the top of the creek bed and utilizing the flat portion of the site. There are no code requirements prohibiting children or animals from playing on top of the leach fields, and there are no fencing requirements unless it is to prevent access to a failed system. The individual who prepared the NorthStar *Basis of Design Report for the Mosaic Project* (see Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR) is a registered civil engineer and meets Alameda County's criterion for system designer as a qualified professional.
PUB11-42	**Appendix H** Noise increase will be significant and will disturb residences who currently have very little noise exposure. This would normally not be a problem, however, the Canyon acts as a sound bowl and this will be amplified as they clear existing trees and covered areas to make room for all the buildings. From a personal standpoint, because of the bowl effect, you can hear a conversation from across the way at normal voice level where if it was normally traveling through trees and buildings the sound would dissipate.	The comment notes that the project site is in a sound bowl that would amplify noise in the canyon and would result in significant noise impacts. Please see Response ORG3-49 regarding noise amplification due to project location. As noted in the Environmental Noise Assessment, inputs to the SoundPLAN noise prediction model included sound power levels for noise-generating outdoor activity areas, existing and proposed buildings, topography, terrain type, and locations of sensitive receptors (see Appendix H, *Noise Data*, of the Revised Draft EIR).
PUB11-43	The greatest problem with the whole analysis is no such testing was actually done at the buildings shown in the diagrams. I know this because the location on the drawing is on our property, our gate is locked, and no one asked for permission to come onto our land to run the test, unless they trespassed. Had they asked for permission to run the testing we would have happily agreed. Since they stated they took measurements from what is a locked out building I can only state they ignored trespassing signs or did not take measurements. Further, the noise created is not due to agriculture (as permitted under Williamson Act) and would consistently be noise beyond typical construction or work times of the day, Dawn to Dusk limitations. Either use residential sound limits which they would exceed or use time of day sound limits, but do not pick a combination of both which would somehow allow increased sound late into the evening.	The comment asserts that no noise testing was performed for the analysis. As provided in Section 4.10.1.5, *Existing Conditions*, in Chapter 4.10, *Noise*, of the Revised Draft EIR, Saxelby Acoustics conducted one long-term (24-hour) and one short-term (10-minute) noise measurement in the vicinity of the project site, and results are summarized in Table 4.10-5, *Project Noise Levels at Adjacent Receptors.* Furthermore, as shown on Figure 2 in Appendix H, *Noise Data*, of the Revised Draft EIR, the noise measurements were performed within project boundaries at the northern and southern property lines. The comment also asserts that the noise from the proposed project would not be due to agriculture as permitted under

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Comment #	Comment	Response
		the Williamson Act. The Williamson Act does not include any regulations pertaining to noise.
PUB11-44	Further, it is clear that precedents in the area, such as the winery only being able to have 12 events until 9 pm, are not being applied to this non-agriculture activity that seeks to permit noise until 10 pm for 100 plus nights a year, created by 100 plus people in an agriculture zone.	The comment notes that the winery's ability to only have 12 events a year until 9 pm is not applied to the proposed project. The winery's limitation is specific to its conditional use permit and therefore would not be applicable to the proposed project.
PUB11-45	Conclusion The R-DEIR is inadequate for all the reasons stated above and items in our previous letter, attached, that we prepared in order to help scope the DEIR were not properly addressed. Further, as the planning office clearly laid out in their March 15, 2018 letter on the feasibility of this project, attached, it is not possible without clearly first making sure it is campsite with none of the physical buildings and a CUP that limits activity to the summer months. It also states that the development of the proposed use is not a compatible use under the Williamson Act contract.	The comment serves as a conclusion to the comment letter. Please see Responses PUB11-2 through PUB11-44, above.
PUB11-46	December 17, 2021 Resubmitting this letter November 21, 2022 with red highlight on items not incorporated and not covered in the Draft EIR	The comment serves as an introduction to the attachment to Comment Letter PUB13 and highlights the comments on the NOP that the commenter believes were not addressed in the Draft EIR. Please see Responses PUB11-47 through PUB11-80, below.
PUB11-47	As a neighboring property to the proposed project site, direcrly to the east, this letter provides comments in response to the DEIR for the Mosaic Project, Project Referral Case No. PLN2020-00093 to construct and operate a school/weekly overnight camp for up to up to 95 students in 4th/5th grade and some, as yet to be determined, support staff. This request comes without having accurate drawings or what is really planned for the sight. We have no idea what the max allowable amount of people will be and what the septic and water systems are sized to such capacity. We also do not know how often the facility will operate. What will be the hours operation and how all of this is safety integrated into an agricultural area?	The comment requests details and site plans for the proposed project. The proposed site plan is shown on Figure 3-4, *Proposed Project Site Plan*, of the Revised Draft EIR. As described under Section 3.3, *Proposed Project*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the Outdoor Project Camp would facilitate several classes of 4th- or 5th-grade students, approximately 75 to 95 students total (not to exceed 95), who will be transported by bus to the project site from their schools for a five-day, four-night outdoor recreation program in nature. Students would typically arrive on Monday morning and depart on Friday afternoon. The Outdoor Project Camp would initially operate seasonally during the school year with six camp sessions in the fall (September to October) and six camp sessions in the spring (April to May). The programs would be spaced out so that there would never be more than two consecutive five-day, four-night programs. The goal would be to eventually operate year-round, including summer sessions and occasional weekend programs. Under the year-

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		round schedule, weekend programs would never fall next to a weekday program. Please see Chapter 3 of the Revised Draft EIR for more details about the proposed project.
PUB11-48	Overarching concerns that should be addressed in the EIR are as follows: 1. An accurate map of the creek heights, location, riparian, along with creek mandated offsets, planned and current location of all buildings. Number of trees already removed and how much more of the natural landscape will be removed for this project. Current plans do not show the correct creek placement relative to existing and planned structures, and flood areas. Part of the EIR should be to produce and accurate, signed, and stamped site plan. This will show that all buildings East of Cull Canyon Creek are not and cannot be made legal structures without violating current code. Further, an accurate map will show if the new buildings build on the west bank can, in fact, be done with a 2-acre rectangular lay out as required in measure D.	The comment questions how many trees were already removed and how much more of the natural landscape will be removed for the proposed project. Please see Response ORG2-11 regarding tree impacts. The comment also requests accurate site plans to ensure that the proposed project would not be within creek setbacks and would meet the requirements of Measure D. NorthStar, the project engineers, returned to the site after the storms in spring 2024 to resurvey Cull Creek and revise setback distances, as needed. The setback distances are shown on Drawings C-2 and C-4, and the creek cross-sections are shown on Drawing CS-1, which are provided in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. Alameda County Department of Public Works has reviewed and approved the site plans and creek setback calculations, and the proposed project is in compliance with the Watercourse Protection Ordinance. Please see Master Response 4, *Agricultural Uses*, regarding Measure D. The contiguous 2-acre building envelope includes the existing bridge and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria building, bathroom buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home and the proposed garden yard and Council Ring. Because the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Council Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope.
PUB11-49	2. Recognizing that the proposed plan is for a school and may also act as an "outdoor project", certainly two things can be true at once but not recognizing the school aspect and all the students that will be there, you risk not following code that has been put in place to help guarantee the safety of the children and instructors at the school. When you read Alameda county's definition of a school, it is clear this facility, if operating during school time either has truant students, which no one wants, or it acts as a school and, as such, shouldn't it follow all	The comment asserts that the proposed project is a school and should be analyzed as such, including safety risks. Please see Master Response 2, *Project Clarifications*, regarding project classification and student safety. The proposed project is an outdoor recreational facility. Campers and staff

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	safety procedures for a school? Does this create a zoning problem that is trying to be averted by mislabeling the facility? This plan for a rural application in an agricultural setting has multiple safety risks.	would be required to follow guidelines to ensure student safety.
PUB11-50	3. Address all risk concerns as we move away from agriculture to an urbanized setting. RoMi, the business that operates on my property, currently uses commercial herbicides and pesticides. Given that our property is directly East of the proposed school, how will the kids be made safe? Fire is a real concern as we average a fire every other year and with the new school and more than doubling the population in the canyon, it stands to reason that risk would rise to over one every year and, if started at the school, cannot be put out like the ones we currently have. What is the correct fire mitigation risk? What are the evacuation procedures and codes that need to be followed? Can you have a school or students next to a winery? Is there state or local code this would violate? Will the winery be guaranteed a right to operate even as it would be violating license agreements with the state? The creek runs thru the property, so how do you safely have kids near a creek that has 8 foot and greater drop offs? What plan do you put in place for floods, as an accurate sight map will show they are in a flood area? The parcel is in an earthquake zone, so what will be the evacuation risks for students and large groups at the facility? We have multiple power outages in this canyon because of the fire risks. What is the mitigation for no power and a large group of students coupled with possible fire? This is a slide zone and immedicate neighbor to the North and South were refused the ability to build on the west side of the creek due to the risk of slides and soil liquefaction? People hunt in this valley. If homeowners lose this ability because of the presence of students, how will the wild pig population be controlled?	The comment raises several risk concerns of the proposed project. Please also see Master Response 1, *Standards for Responses to Comments*, regarding project merits and Master Response 2, *Project Clarifications*, regarding project classification, nearby businesses, and student safety. The proposed project is an outdoor recreational facility. Consideration of the proposed project's impact on Twining Vine Winery and its retail license will be addressed in the Staff Report. Campers and staff would be required to follow guidelines to ensure student safety. Please see Response PUB11-16 regarding fire risks; Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation; and ORG3-57 regarding seismic hazards. As analyzed in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, vegetation, or installation or maintenance of associated infrastructure through compliance with applicable regulations and implementation of Mitigation Measures WF-2, WF3a, and WF-3b. The proposed project also includes a Fire Safety and Emergency Response Plan to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR). The GEI Report prepared for the proposed project found that the project site lacks the characteristics that would promote liquefaction and the potential for the occurrence or reoccurrence of a landslide hazard within the proposed building areas is low (see Appendix E, *Geotechnical Engineering Investigation Report*, of the Revised Draft EIR).
PUB11-51	4. An accurate and complete operating plan needs to be in place before we are fully able to comment on what should be included in an EIR. Obtain an accurate operating plan that includes all people at the site and how those limits will be maintained. The plan should include expected activities, in depth drawings, and safety procedures, times no activities will be occurring on the property and exactly how they are going to control noise outside of normal	The comment asserts that an accurate and complete operating plan needs to be in place. Please see Chapter 3, *Project Description*, of the Revised Draft EIR for project details. Please see Master Response 2, *Project Clarifications,* regarding student safety. Campers and staff would be required to follow guidelines to ensure student safety. Noise

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Comment #	Comment	Response
	business operating hours. What costs will be incurred by the neighbors as they have to change the way they operate to meet the needs of the school?	impacts are analyzed in Chapter 4.10, *Noise,* of the Revised Draft EIR and were concluded to be less than significant. Please also see Master Response 1, *Standards for Responses to Comments*, regarding project merits.
PUB11-52	I. Aesthetics Planned structures will remove a 26-foot-tall barn which is at the tree line and replace it with a 40-foot-tall structure that will be above the tree line and visible by the street and all adjoining neighbors. Given that each adjoining property considers their view scenic and this will adversely affect them, wouldn't this impact need to be studied? This rural construction in an agricultural area will bring significant light, activity, and noise. Current density in the area is 30 acres per person which is on par with agriculture. The new rural application will have 1 person per .3 acres or 100 times denser, which will substantially degrade the existing visual, and quality of the area. Does this not affect the aesthetics? Does the 40-foot-tall structure follow zoning code? The neighbor directly north was turned down for wanting to build to a height of 30 feet. Has the code changed? Is there an exception the neighbor should have applied for? The planned construction is over 18000 square feet of living space. Does this conflict with measure D limits? Further, the plan today shows the removal of many trees making any structure in the area visible from the road. To recap, all aspects of this project, seem to bring potentially significant impact to the aesthetics of the area and to make the false claim that it will not be observable is factually incorrect.	The comment asserts that the building height of the proposed project would result in an aesthetic impact and would conflict with Measure D. Please see Response PUB4-7 regarding building height and Master Response 4, *Agricultural Uses,* regarding Measure D. Due to the project site's location between a public roadway obstructed by large, existing trees and vegetation and the sloped hills to the west and due to the low one- and two-story building heights, scenic vistas of the adjoining hillsides would not be blocked by construction of the proposed project. Development of the proposed project includes 14,331 square feet of non-residential buildings, resulting in a non-residential FAR of less than 0.01, consistent with Measure D.
PUB11-53	II. Agriculture and Forestry resources: How does this application work with existing zoning for agriculture use, both measure D and the Williamson act? This is a rural application in an agriculture zone. Do we not need to rezone the area to allow for a school? Cull Canyon is the number one concern for OWTS and in table 2-4 under cull canyon it states "Development is steep sided canyon rocky soils, steep terrain encroachment within stream terraces and stream-bank areas" with specific reference to any construction on the west bank. Adjoining neighbors to the North and South were turned down to build on the west bank. Has this now changed? Will permit for the neighbors now be allowed?	The comment questions how the proposed project is allowed under existing zoning, Measure D, and the Williamson Act as a school. Please see Master Response 2, *Project Clarifications*, regarding project classification and Master Response 4, *Agricultural Uses*, regarding zoning, Measure D, and the Williamson Act. The proposed project is an outdoor recreational facility. The project site is zoned as Agricultural (A), which permits outdoor recreation facility as a conditional use. The proposed project would require a Conditional Use Permit as established in ACMC Section 17.54.130. The proposed project is consistent with Measure D and the Williamson Act. The comment also notes that Cull Canyon is the number one concern for OWTS. Please see Master Response 5, *Hydrology and Utilities*, regarding the proposed OWTS. The system has been designed in consultation with the ACDEH and in accordance with the ACDEH OWTS Manual. Please also see Master

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Comment #	Comment	Response
		Response 1, *Standards for Responses to Comments*, regarding project merits.
PUB11-54	Under the Williamson act, it appears to conflict with Rule 1 and Rule 2. Rule 1 says any activity has to be secondary to agriculture. How is this the case when the only real activity is not agriculture? Rule 2 principles of compatibility item 1. States "The use will not significantly compromise the long-term productive agricultural capability of the contracted property or on other contracted lands in agricultural preserves (Government Code section 51238.1)". Are there other areas of the Williamson act that may be in violation? Is the goal of the Williamson act to help keep certain lands as agriculture and would this not alter the land permanently away from agriculture? I realize it is only 37 acres but the waiver on the less then 100 acres was already granted to the smaller lot now it feels like a misstep to allow most if not all the usable land ot be given up to construction.	The comment asserts that the proposed project would conflict with Uniform Rules 1 and 2 of the Williamson Act. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. Uniform Rule 1 notes that for land that is less than 40 acres in size and is being used for dryland farming, grazing of livestock or livestock production, and/or other types of agricultural pursuits, Section II.C.3.b. requires agricultural production to yield and annual gross revenue equal to or exceeding $10,000. The Mosaic Project plans to register as a California Certified CSA direct marketing producer and plans to sell 20 annual CSA box subscriptions for $1,000/each with forest products, chicken eggs, and produce. Sales of these boxes will surpass the $10,000 threshold.
PUB11-55	*TABLE*	The comment is the table referenced in Comment PUB11-53 and does not address the adequacy of the Revised Draft EIR; therefore, no response is warranted.
PUB11-56	It should be noted that the drawing for the project is incorrect in a number of aspects. The most significant inaccuracies we have observed is the proximity of the proposed project to the creek. The existing barn in relation to the creek shows a distance of over 80 feet when an observation from the southern neighbor's property shows a steep drop at less than 20 feet from the barn. The number of trees shown in the plan are less than half of the number we are able to observe currently living on the property, which leads one to believe they will continue to remove trees from the property. How does this change the risk to liquefaction? A large number of trees have already been removed on the west bank. Will that not increase sediment into the creek? The proposed project site is on both sides of Cull Creek and goes well beyond (estimated to be +4 acres) the 2-acre rectangular building envelope described for allowed development in measure D that "...all building shall be located on a contiguous rectangular building envelope not to exceed 2 acres." Does Measure D not apply in this case? Based on NorthStar Engineering's drawing, the proposed development is not rectangular and consists of two development areas covering approximately 4+ acres. Is there a change proposed to meet D or is a waiver allowed?	The comment asserts that the proposed project does not comply with creek setback requirements and is not consistent with Measure D. Please see Master Response 3, *Creek Setbacks*, and Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR regarding creek setback distances and calculations and Master Response 4, *Agricultural Uses*, regarding Measure D. The latest drawings C-2 and C-4 in Appendix N of this Final EIR show that the southwest corner of the existing barn is just within the BSL 2:1 slope setback. However, existing structures are not covered under the Watercourse Protection Ordinance, pursuant to ACMC Section 13.12.070. Also, agricultural operations are exempt from the ordinance, pursuant to ACMC Section 13.12.190. Based on a preliminary review of the drawings and cross-sections by Alameda County, the proposed project complies with the Watercourse Protection Ordinance. The contiguous 2-acre building envelope includes the existing bridge and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria building, bathroom

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		buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home and the proposed garden yard and Council Ring. Because the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Council Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope.
PUB11-57	IV Biological Resources: Already several papers by Bruce Kings and others have been submitted on this subject, so it is assumed a study on habitat and sensitive species will proceed and it is expected that an expert, recognized in the field, on the subject matter will be used for this section. How has Bruce King's letters into the county been folded into or weighed when thinking about this development? Will the EIR study group have Bruce King as a reference/local expert? If the county is looking for recognized experts, I would be happy to conduct a search fro such talent. In this particular arena, it seems reasonable to expect that an expert would be licensed in this area and carry a PHD. Is this not the type of expert one should expect for such a critical area?	The comment questions if an expert is utilized to conduct a study on habitat and sensitive species in the project area pursuant to Bruce King's concerns. As discussed under Section 1.5, *Areas of Concern*, in Chapter 1, *Executive Summary*, of the Revised Draft EIR, the comments raised during the scoping process were considered in the preparation of the Revised Draft EIR. Field surveys of the project site were conducted by the EIR biologist who has over 40 years of experience conducting biological and wetland studies throughout the Bay Area and Northern California. As discussed in Chapter 4.3, *Biological Resources*, of the Revised Draft EIR, an initial survey of the project site was conducted on March 16, 2021. The initial field survey effort was performed to determine existing conditions and potential for presence of sensitive biological resources. This was followed up by a second survey with the EIR biologist and botanist on April 18, 2022, to confirm field conditions and conduct systematic surveys for special-status plant species in the proposed development area of the project site. A third survey by the EIR botanist was conducted on May 31, 2022, to complete the systematic surveys for special-status plants in accordance with CDFW. During the systematic surveys for special-status plants, all plant species encountered were identified to the degree necessary to determine rarity and a list of all species encountered species encountered.
PUB11-58	IV Energy: I believe the new construction will be done as energy efficiently as possible, but given that the current plan shows 12 separated bedrooms on top of the other 2 houses and it will double the	The comment asserts that energy impacts should be analyzed. As analyzed in Attachment B: *Initial Study*, of Appendix A, *Notice of Preparation*, of the Revised Draft EIR, the proposed project would comply with existing federal

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	number of people in the canyon, it seems that energy effects must be looked at. Because it is a rural use in an agricultural area, there may be significant energy impacts, especially when put in the context of energy use for the space provided compared to surrounding areas. What is the energy use plan? Additional attention should be given to the planned septic and water handling will be placed between a steep hill and the creek below. Will energy assurance be needed to make sure that such a system does not spill over into the creek during stressed periods?	and state regulations, and therefore would not have an energy impact.
PUB11-59	VII Geology and Soils: Neighbor to the south and neighbor to the North were both turned down for construction on the west side of the creek because of concerns for landslides and liquefaction of the soil. It is unimaginable that it is suddenly OK between those two spots to build a school. Shouldn't we have an expert in this field assigned to this for an intense study? If, in fact, construction is allowed, should there be a release to allow construction by the adjoining neighbors?	The comment notes that the project site's neighboring properties were denied construction west of the creek due to concerns for landslide and liquefaction hazard and questions if an expert in this field should conduct a study. As discussed in Chapter 4.5, *Geology and Soils*, of the Revised Draft EIR, the GEI Report prepared for the proposed project found that the project site lacks the characteristics that would promote liquefaction, and the potential for the occurrence or recurrence of a landslide hazard within the proposed building areas is low (see Appendix E, *Geotechnical Engineering Investigation Report*, of the Revised Draft EIR).
PUB11-60	IX Hazards and Hazardous Materials. Under hazards a., b., c., shouldn't the septic system have to be looked at in detail for this project? Will the county require the system to be sized for exactly the number of people the septic system is designed for? The location of the septic system? How people, automobiles, and activity will be restricted from this area per code on the septic area? It seems Code makes it very clear; system needs to be in the two-acre envelope, is that incorrect? What is the COP for the septic system? What is the capacity for the septic system? Is there a waiver that can be granted to go below the required 150 gallons per person assumption? Since the current plans show for over 600 people occupancy, does the system need to be designed for that or is it designed for the number of people that can eat in the dinning hall at one time 170 people? Number of beds and bedrooms to sleep also around 170 people? What are the correct design criteria for the septic system such that it does not become a hazard in a liquefaction zone?	The comment expresses concern regarding the septic system and its hazards and states that this should be analyzed in the Hazards and Hazardous Materials section of the Revised Draft EIR. The significance criteria for the hazard section of the Revised Draft EIR focus on the potential for hazardous emissions or the handling of hazardous materials or substances. As analyzed in Attachment B: *Initial Study*, of Appendix A, *Notice of Preparation*, of the Revised Draft EIR, these issues were addressed and determined to have no impact on the public or environment. The OWTS was addressed in detail in Chapter 4.8, *Hydrology and Water Quality*, and Chapter 4.14, *Utilities and Service Systems*, of the Revised Draft EIR. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. The OWTS system has been designed to accommodate the maximum number of people on-site at one time (114) and ACDEH will review the proposed system to ensure compliance with code requirements prior to the issuance of a OWTS permit. The entire project, including the OWTS and dispersal field, are within the 2-acre development area. The location of the

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		proposed septic system is shown on Figure 4.8-4, *Proposed Septic Layout*, in Chapter 4.8 of the Revised Draft EIR. The commenter incorrectly assumes that there will be over 600 people or 170 people at the site at one time; the maximum occupancy number is 114, which is less than the conservative sizing of 128 in the OWTS. Soils at the site are not prone to liquefaction, as discussed in Chapter 4.5, *Geology and Soils*, of the Revised Draft EIR.
PUB11-61	Sections f. and g. of hazards. The Resource Management designation mentions areas "unsuitable for human occupation due to public health and safety hazards." The designation does not specifically mention wildfire or seismic hazards, but shouldn't we consider these hazards given the students present? The Canyonlands Issue Paper notes for Cull Canyon in its description of land uses in the various cantons (P.21), "Like Eden and Hollis Canyons, Cull has only single-entry access and therefore evacuation for wildfire and other natural catastrophes is a concern." Given the deadly wildfires that have consumed thousands of acres of California in recent years, this issue seems understated for Cull Canyon. Cull Canyon is designated as a High Fire Hazard, State Responsibility Area in the Castro Valley General Plan. More recently, the California Public Utilities Commission designated Cull canton as a Tier 3 - Extreme Fire Threat District, the highest tier and PG&E has sent notices to residences to the effect. Power can and will be cut if there is threat of fire. IS this not an extreme concern for a large number of students and other people at the facility should a shelter in place be a requirement? If so, how do you remove all the trees near the facility and not dramatically change the risk of slide and effects to the creek?	The comment expresses concern regarding seismic and wildfire hazards of the proposed project and evacuation. Please see Response ORG3-57 regarding seismic hazards and Response PUB11-16 regarding fire risks. Please also see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. The GEI Report prepared for the proposed project found that the project site lacks the characteristics that would promote liquefaction, and the potential for the occurrence or recurrence of a landslide hazard within the proposed building areas is low (see Appendix E, *Geotechnical Engineering Investigation Report*, of the Revised Draft EIR). As analyzed in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, vegetation, or installation or maintenance of associated infrastructure through compliance with applicable regulations and implementation of Mitigation Measures WF-2, WF-3a, and WF-3b. Furthermore, if deemed safe, the project site and project buildings may be utilized as a shelter center for local residents to secure safety in the event of an emergency.
PUB11-62	In addition to the fire, Cull Canyon hillsides are designated as an Earthquake Induced Landslide Zone and the canyon bottom along Cull Creek is designated as a Liquefaction Zone according to the Castro Valley General Plan, (Figure 10-4, Soils and Seismic Hazards). Maps prepared by the California Geological Survey show the Mosaic parcel to be 100% within these high seismic hazard zones. Historically, permits for single family homes have been denied because of this on the west bank. How would all this be possible now? Only one escape route out of the canyon, which could be blocked by landslide, liquefaction, or wildfire, seems like an unsafe location for a large number of students and adults to be residing at outdoor school, even temporarily. Buses that dropped the children off even if they remain at the camp within the 2-acre area would not allow escape if one main road is blocked. Shouldn't another site be considered for	The comment expresses concern regarding the seismic hazards in the project area and evacuation in the event of an emergency and questions if another site should be considered for the proposed project. Please see Response ORG3-57 regarding seismic hazards, Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation, and Response ORG3-77 regarding alternative sites. The GEI Report prepared for the proposed project found that the project site lacks the characteristics that would promote liquefaction, and the potential for the occurrence or

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	this project? Given that the number of people in the canyon would double if needed to escape what assurance can be offered to existing residences that the school does not put current residences at risk in an emergency?	recurrence of a landslide hazard within the proposed building areas is low (see Appendix E, *Geotechnical Engineering Investigation Report*, of the Revised Draft EIR). Pursuant to CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, in assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published. Because Cull Canyon Road is currently the only evacuation route for the project area and students and staff would be evacuated on buses and a few staff cars, the inherent difficulties of evacuation would not be significantly affected by the proposed project. An alternative location for the proposed project was considered infeasible due to availability of sites that would support the project's objectives.
PUB11-63	Another concern is that the submitted project plans show a "Proposed Campfire Area". The students proposed to stay at the facility create a significant fire danger in themselves and the campfire is the perfect setting to spark their imagination about a better fire. According to a Homeland security report, 70% of outdoor arson fires are started by Children 14 years old and younger. This is the very demographic that the Mosaic project wishes to house at their school. The Homeland Security report is further backed up by research done by the National Fire Protection Association (NFPA) dated March 2014 which states, "38% of outside fires are started by kids of age 10-12 (4th - 6th grade) The risk factor for fire in the canyon will increase by almost 1.4 times or 140% and at a location where the fire cannot be stopped. The school is backed up against a 500-foot rise at a 45-degree angle fully forested. **The addition of the school more than doubles the risk of fire in the canyon in the worst possible location in the canyon. A location that cannot be contained once started in the canyon.** Given the data, it is easy to calculate the existing fire risk and the additional, conservative, fire risk as follows: 90 kids x .7 + 10 (adults) x 30 = 66 (new additional fire risk) Existing fire risk 10 kids x.7 + 134 (adults)x.3 = 47.2 New additional fire risk/existing risk = Added new risk of fire 66/47.2= Risk goes up by 140% Please understand that some form of fire occurs in the canyon every other year and this is with only 144 people across the 4000 acres but, thankfully, these fires have been in flat areas that have been contained. Who will take the liability for the canyon when the fire starts at the school? How can this extreme risk be mitigated?	The comment expresses concern regarding fire risk and questions how fire risk will be mitigated. Please see Response PUB11-16 regarding fire risk and Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. As analyzed in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, vegetation, or installation or maintenance of associated infrastructure through compliance with applicable regulations and implementation of Mitigation Measures WF-2, WF-3a, and WF-3b. The proposed project also includes a Fire Safety and Emergency Response Plan to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR).

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PUB11-64	X. Hydrology and Water Quality: a. A complete clear public showing of the riparian, setbacks, and sizing of the septic system will answer the question as to whether the proposed project violates any water quality standards or waste discharge requirement or otherwise substantially degrade surface or ground water quality. This must be studied.	The comment requests the showing of the riparian, setbacks, and sizing of the septic system. Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR provides drawings and cross sections that show how the creek setback distances were calculated. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. The 100-foot setback of the septic system from the riparian area and top of the bank of Cull Creek is shown on Figure 4.8-4, *Proposed Septic Layout*, in Chapter 4.8, *Hydrology and Water Quality*, of the Revised Draft EIR. Additional information of the sizing of the septic system is provided in the NorthStar *Basis of Design Report for the Mosaic Project* (see Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR).
PUB11-65	b. Neighbors to the East, South, and North all have had water concerns in the last 5 years. The area in question is a shallow basin not a deep Aquaphor that relies on recharge during the rainy season. The proposed project would use over 10 times more water then the 3 adjoined neighbors, explanation below: Adjoined neighbors all practice low water use. The winery, property to the North, survives on rain and shallow recharge for the winery. RoMi, property to the East, has fruit trees that are watered 5 times during the dry season practicing deep water irrigation and cattle watering is restricted to a small pond near the ridge coupled with supplemental water trucked in during the dry season. The ranch, to the south and west, uses the land as a nature preserve inviting limited number of guests at the facilities. All 3 places use no more water than average head count of the area for comparison: *11 people for the 3 sites over 312 acres compared to adding 120 people over 37 acres or approximately 10 times greater use and 100 times greater density* This change can only be listed as a significant impact without any clear mitigation that follows existing code. Further, code requires proof of long-term water supply to meet total number of people which has yet to be stated by any report. How can a consistent and sufficient water supply be guaranteed? I would expect and expert in the field to look at the situation and report on this. Are you aware the USGS has made recent seismic study that cut thru this property? Why are there 3 abandoned wells on the property. If they are not to be used, why are they sleaved and ready to go instead of filled in? What is the production of the current well system in the dry season? Who warrants water will not be trucked in for the facilities? What is the effect of taking 10 times more water out at the facility to all neighbors?	The comment provides information on the water usage of the adjacent neighbors but the amount of water withdrawn on a monthly or yearly basis was not provided. For the proposed project, flow meters will be installed at each well to monitor the amount of water used. Mosaic recognizes the need for water conservation and therefore will use rainwater and greywater as supplemental water supply sources. As discussed in detail in the Preliminary Technical Report, the geology in the region is complex and finding fractured bedrock zones that yield sufficient water is difficult. As reported by USGS geologists and others, there is a trace of a Quaternary fault that intersects the property along the southern border and another fault that intersects the property along the eastern border. Both on-site wells were drilled in close proximity to the USGS delineated fault, as faults often act as conduits for groundwater and its storage. Three existing wells on the property are not suitable for use and are currently proposed to be destroyed in accordance with State and Alameda County code requirements. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The two on-site groundwater wells were tested at the end of the dry season,

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Comment #	Comment	Response
		and pursuant to CCR Section 64554 regulations for bedrock wells, the wells were rated at 50 percent of the pumping capacity. Pursuant to SB 1263 requirements, the Preliminary Technical Report contains an analysis to assess the availability of water supplies during normal, single dry and multiple dry years over a 20-year period. There is flexibility in the use of the site so that depending on water demand and groundwater conditions, the number of program sessions can be reduced or cancelled, as needed. Water will not be trucked into the site.
PUB11-66	c. The addition of an area right before the creek of over 15000 square feet of building and more than double that of hardscape/less porous or more impervious surfaces at the only fairly level area near the creek on the west bank alters drainage pattern of the site. This will substantially increase the rate of and amount of surface runoff. How will the additional runoff be prevented? What other effects might this hardscaping do to the environment?	The comment asserts that the proposed project would substantially increase the rate and amount of surface runoff and questions how additional runoff would be prevented. As discussed under impact discussion HYD-1 in Chapter 4.8, *Hydrology and Water Quality*, of the Revised Draft EIR, stormwater runoff is regulated locally by the Alameda County Clean Water Program, which includes the C.3 provisions set by the San Francisco Bay RWQCB. The project must treat 100 percent of the amount of runoff of the project's drainage area with on-site Low Impact Development (LID) treatment measures. This is accomplished by ten bioretention facilities in each drainage area of the site that temporarily detain and treat stormwater runoff prior to discharge to the storm drain system. The project also proposes to use pervious pavement for portions of the roadway and parking areas and vegetative strips. Additionally, stormwater runoff also will be minimized by the installation of a rainwater harvesting system that captures runoff from the building roofs and diverts it to cisterns for irrigation use. This diverts water that would otherwise be discharged to the municipal storm drain system. The project applicant must submit a final report containing the *Stormwater Checklist for C.6/C.3 Compliance* to the Alameda County Public Works Agency for review and approval prior to the issuance of grading and construction permits. An Operations and Maintenance (O&M) Plan is also required to ensure that the stormwater measures will be maintained for perpetuity.

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PUB11-67	XIII Noise: Due to the nature of our canyon, when there is talking of even just a handful of people, music, or any noise at all, it echoes through the canyon. The Mosaic Project has videos on the internet that show amplified music at their camp locations, though they told us they do not use amplification and that we would only hear the "singing and giggling children." We love children and have two ourselves, but 75 - 100 children, unknown staff numbers and unknown number of additional adults would, potentially, be quite loud. Whether or not they use amplification, the amount of people contemplated at any given time will be very disruptive and loud on an ongoing basis, not just a few times a year, for a private house party or a wedding reception such is currently permitted at the winery. this is where a clear operating procedure needs to be in place and at no times should it violate local noise ordinances for rural areas. Will this not be a lot like having a construction zone permanently in place? When properties such as ours to the east were purchased, a strong consideration for the location was because it was protected from major development by Measure D, this is for large parcels with agricultural uses, and were quiet. Does this development violate prevailing land use laws? Is this the intent of Measure D? Will neighbors be allowed to do similar construction?	The comment expresses concern regarding noise echoing throughout the canyon and the proposed project's compliance with Measure D. Please see Response ORG3-49 regarding noise amplification due to project location and Master Response 4, *Agricultural Uses*, regarding Measure D. As noted in the Environmental Noise Assessment inputs to the SoundPLAN noise prediction model included sound power levels for noise-generating outdoor activity areas, existing and proposed buildings, topography, terrain type, and locations of sensitive receptors (see Appendix H, *Noise Data*, of the Revised Draft EIR). Development of the proposed project includes 14,331 square feet of non-residential buildings, resulting in a non-residential FAR of less than 0.01, consistent with Measure D.
PUB11-68	XIV. Population and Housing: This has to be considered in the EIR. Although Mosaic has gone out of its way to be unclear about how many people may be at the site at once, it appears to double the current number of people in the canyon (144) over 4000 acres. It cannot be overstates that this rural use of agriculture area has a significant change to the environment of the area. What will this do to evacuation risks? What is the plan when the road is no longer in use because of an emergency?	The comment expresses concern regarding population and evacuation. Please see Response PUB 5-14 regarding maximum capacity; Response PUB6-14 regarding population; and Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. The maximum population at the project site would be 114. The proposed project would not involve new housing or employment centers; thus, the proposed project would not induce substantial population growth in the area. Furthermore, the proposed project does not have a long-term new housing component and would only be used intermittently by groups in a recreational capacity. Pursuant to CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, in assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published. Because Cull Canyon Road is currently the only evacuation route for the project area and students and staff would be evacuated on buses and a few staff cars, the inherent difficulties of evacuation would not be significantly affected

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Comment #	Comment	Response
		by the proposed project. The proposed project also includes a Fire Safety and Emergency Response Plan to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR).
PUB11-69	XX Wildfire: The Resource Management designation mentions areas "unsuitable for human occupation due to public health and safety hazards." The designation does not specifically mention wildfire or seismic hazards, but these hazards must be considered relevant in Cull Canyon. The Canyonland Issue Paper notes for Cull Canyon in its description of land uses in the various canyons (P. 21), "Like Eden and Hollis Canyons, Cull has only single-entry access and therefore evacuation for wildfire and other natural catastrophes is a concern." Given the deadly wildfires that have consumed thousands of acres of California in recent years, this issue seems understated. Cull Canyon is designated as a High Fire Hazard, State Responsibility Area in the Castro Valley General Plan. More recently, the California Public Utilities Commission designated Cull Canyon as a Tier 3 - Extreme Fire Threat District, the highest tier and PG&E has sent notices to residences to that effect. Power can and will be cut if there is threat of fire. This would not be a good scenario for a camp full of school children. Please take a comprehensive look at the fire risk with known experts. Can the risks be properly mitigated? Why is a 12-foot-wide bridge now allowed for the property verses the code at 20 feet? Will there be a fire expert used for this section trained in this arena? What is the fire truck maneuvering plan across this small existing unpermitted bridge?	The comment question fire risk mitigation of the proposed project, width of the bridge, and fire truck maneuvering plan. Please see Response PUB11-16 regarding fire risk and Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. As analyzed in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, vegetation, or installation or maintenance of associated infrastructure through compliance with applicable regulations and implementation of Mitigation Measures WF-2, WF-3a, and WF-3b. The proposed project also includes a Fire Safety and Emergency Response Plan to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR). Please also see Response ORG3-26 regarding the bridge width and Response PUB5-3 regarding fire truck maneuvering. The Alameda County Fire Department has noted that the existing bridge may remain at its current width as a single lane access per Title 14. The school bus and fire truck turning analyses demonstrated that a school bus and fire truck would have sufficient space to enter from the northerly driveway, maneuver within the project site, and exit from the southerly driveway without striking any permanent fixtures.
PUB11-70	In addition to fire, Cull Canyon hillsides are designated as an Earthquake Induced Landslide Zone and the canyon bottom along Cull Creek is designated as a Liquefaction Zone according to the Castro Valley General Plan, (Figure 10-4, Soils and Seismic Hazards). Maps prepared by the California Geological Survey show the Mosaic parcel to be 100% within these high seismic hazard zones. With only one escape route out of the canyon, which could be blocked by a landslide, liquefaction, or wildfire, this seems like an unsafe location for a large number of children to be residing at outdoor school even temporarily. Buses that dropped the children off	The comment expresses concern regarding the seismic hazards in the project area and evacuation in the event of an emergency. Please see Response ORG3-57 regarding seismic hazards and Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. The GEI Report prepared for the proposed project found that the project site lacks the characteristics that would promote

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	will they be required to remain at the camp during their stay? Will they need to be part of the 2-acre area on an impermeable surface?	liquefaction and the potential for the occurrence or reoccurrence of a landslide hazard within the proposed building areas is low (see Appendix E, *Geotechnical Engineering Investigation Report*, of the Revised Draft EIR). Pursuant to CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, in assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published. Because Cull Canyon Road is currently the only evacuation route for the project area and students and staff would be evacuated on buses and a few staff cars, the inherent difficulties of evacuation would not be significantly affected by the proposed project. The proposed project also includes a Fire Safety and Emergency Response Plan to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR).
PUB11-71	XXI Mandatory Findings of Significance The Williamson Act is designed for the preservation of the State's limited agricultural lands. The act states "the use will not result in the significant increase of the density of temporary or permanent human population that could hinder or impair agricultural operations on the contracted property". This use permit would significantly increase the population density by an estimated 100% (as earlier stated, there are currently an estimated 144 residents in Cull Canyon). The Mosaic team's vision is to operate their programs year-round. They stated this during discussions we had with them prior to the Forstall Family's purchase of the property and is also stated on their website. the only agricultural use in the proposal mentions, almost as a side note, that they intend to raise goats and chickens for food and weed abatement. This seems to us like an attempt to try to fit into an agricultural definition. The animals may cause other environmental issues, disturb the winery visitors as they are proposed to be immediately adjacent to the winery and next to the creek, disturb their eastern neighbors, and further strain the challenged water supply the canyon already faces.	The comment expresses concern regarding the proposed project's compatibility with the Williamson Act. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The proposed project is consistent with the Williamson Act. The comment also asserts that the animals of the proposed project may cause other environmental issues, disturb the winery visitors and neighbors, and strain the challenged water supply of the canyon. Please see Master Response 1, *Standards for Responses to Comments,* regarding project merits and Master Response 5, *Hydrology and Utilities*, regarding water supply and demand for the proposed project, including the animals. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. The agricultural component of the proposed project includes 20 free range chickens. The total water demand for 20 chickens is about 5 gallons/day, which is less than the water demand of one camper and could be supplied by the rainwater harvesting system or the potable

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		water system. The proposed yard for the chickens will be fenced and is the required distance from the top bank of Cull Creek in compliance with Alameda County's Watercourse Protection Ordinance.
PUB11-72	Proposed Living Space exceeds Measure D and Williamson act limits: Measure D and The Williamson act allow up to 12,000 square feet of living space. Current plans show 18,000 is this even possible? Does this meet the intent of measure D? Or is this just some unique way to try and skirt a voter mandated requirement? "One single family home per parcel is allowed provided that all other county standards are met for adequate road access, sewer and water facilities, building envelope location, visual protection, and public services. Residential and residential accessory buildings shall have a maximum floor space of 12,000 square feet." What other measure D requirements are being violated? Current living quarters calculations show 18,191 planned living area as follows: Caretaker Unit 1220 sq. ft 12 in excess of 400 sq. ft per cabin/bedroom 4800 sq. ft Bathroom/Shower building 1025 sq. ft Cafeteria 8510 sq. ft Staff housing 2636 sq. ft Measure D allows for up to 6 bedrooms (current plans show more than 19 some of which will act as rooms for more than one person) for hte main residence and a smaller caretaker's unit. The current proposed plan is 12 cabins/bedrooms that sleep in excess of 10 people each which exceeds limits. Note that Measure D allows for tents that are removed after each use, not permanent cabins or any other form of structure for housing. It should be noted that a school facility built for one purpose could easily be used for other purposes in the further once the project is complete. Doesn't this development set a precedent for other intensive uses in Resource Management designated area? Both in the Canyonlands and in East County, because it stands to reason that you cannot simply grant an exception to the prevailing land use in effect and not expect other to desire to develop similar projects because they would expect equal rights. Would this not be the only fair application? Shouldn't these factors be taken into consideration by all parties reviewing and evaluating the project?	The comment questions the proposed project's compatibility with Measure D and the Williamson Act. Please see Master Response 4, *Agricultural Uses,* regarding Measure D and the Williamson Act. The proposed project is consistent with Measure D and the Williamson Act. The comment also notes that approval of the proposed project would result in intensive uses in a Resource Management designated area. As discussed under Section 4.9.1.1, *Regulatory Framework*, in Chapter 4.9, *Land Use and Planning*, of the Revised Draft EIR, the Resource Management designation permits agricultural uses, recreational uses, habitat protection, watershed management, public and quasi-public uses, areas typically unsuitable for human occupation due to public health and safety hazards such as earthquake faults, floodways, unstable soils, or areas containing wildlife habitat and other environmentally sensitive features, secondary residential units, active sand and gravel and other quarries, reclaimed quarry lakes, and similar and compatible uses. This designation is intended mainly for land designated for long-term preservation as open space, but may include low intensity agriculture, grazing, and very low density residential use. This designation allows for a 0.01 FAR and a two-acre building envelope. The proposed project is an outdoor recreational facility and includes low intensity agriculture, grazing, and very low density residential use. Please see Response ORG3-72 regarding the proposed project's compliance with the very low density residential requirement. The proposed project would be consistent with the Resource Management land use designation.

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PUB11-73	1. Environmental Impact Per experts with Friends of the San Lorenzo Creek in their 2018 response to a proposed project, there are numerous environmental impacts that are of concern. Once again, if they are allowed to disregard the prevailing county code/guidelines, it puts the protections voted on by county residents in disarray, opens the door for other canyon residents to reasonably expect the same type of exception, or, worse, zoning changes. The experts reference such issues as Sedimentation and erosion, Water Quality, and Water Supply.	The comment references environmental impacts assumed by Friends of the San Lorenzo Creek. Please see Comment Letter ORG2 for responses to these concerns.
PUB11-74	Planning and Land Use - When approved in 2000, Measure D applied the East County Area Plan's resource Management land use designation to the Canyonlands. Our understanding is that this was done because of the Canyonlands to damage, because, according to experts, damage was already occurring as documented in the 1996 Castro Valley Canyonlands Issue Paper, and because significant additional harm was foreseeable unless strong protections were enacted. The overall purpose of the Resource Management designation is set forth as follows: "This designation is intended mainly for land designated for long-term preservation as open space but may include low intensity agriculture, grazing, and very low-density residential use." While various uses are permitted under the Resource Management designation, including agricultural and recreational uses, the designation also encompasses "areas typically unsuitable for human occupation due to public health and safety hazards such as earthquakes faults, floodways, unstable soils, or areas containing wildlife habitat and other environmentally sensitive features..." all of which are potential on this parcel. Building a private school/outdoor recreation/hotel facility/camp with 95 young occupants and unknown number of adults residing in the same area as protected species needs to be carefully examined. The parcel that the Mosaic project is leasing from the property owners, Scott & Molly Forstall, is under a 2016 Williamson Act contract that provides for lower property taxes in exchange for maintaining the property in agriculture or open space uses. The County previously advised the applicant that the principal rule with the Williamson Act for recreational uses is that "The use is limited to land in its agricultural or natural state." The County also noted in connection with an earlier project concept that "the development of the commercial kitchen, the 12 cabins, and other necessary amenities - along with wastewater treatment infrastructure and a water supply - while beneficial to the program and activities envisioned now, the development of the site as a commercial retreat center has to be considered as the 'real' consequence of the project proposal." (Andrew Young, memo dated October 4, 2016, to various County and project recipients). Even if this is never the goal of the Mosaic Project, they are not the land owners and will simply be a tenant on the property. Their long-term future is not guaranteed on this site. In addition, as mentioned, this development will set a precedent for other intensive uses in Resource Management designated areas both in	The comment references Measure D and the Resource Management Land Use designation of the project site and asserts that the proposed project is a school. Please see Master Response 2, *Project Clarifications*, regarding project classification. The proposed project is an outdoor recreational facility.

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	the Canyonlands and in East County. The reviewers of this project should take these issues into consideration when evaluating the project. The current proposed use as a school is directly prohibited in measure D. The stated intent of Mosaic is an outdoor school and although they have gone to great lengths to try and relabel the school as a public recreational area, it is not and we do not believe they have any intent of actually changing to a recreational facility. Alameda County has a clear definition of a school and is as follows: "**2. School, attendance at which satisfies the requirements of the compulsory education law of state.**" The Mosaic project either meets the education requirement of school or the students are truant if they hold classes during the school year. This is using the County of Alameda Definitions document 17.04.010. An attempt to label it as a camp ground is false and appears is only being done to attempt to fit the law. The very act of requesting to hold classes during the school year makes it a school. If interested, we can forward multiple papers and interviews where the executive director of the school talks about the education and how it is core to the Mosaic charter.	
PUB11-75	**2. Negative Impact to Surrounding Properties** A winery lies immediately adjacent to the proposed project site to the north and has operated, happily, for many years according to a very prescribed set of rules outlined by the county. Allowing a project that is, essentially, a school to be built next to a winery puts an existing business at risk because the (ABC) law states "ABC may deny any retail license located (a) within the immediate vicinity of churches and hospitals, or (b) within at least 600 feet of schools, public playgrounds, and non-profit youth facilities", which would put TwiningVine out of business. This seems quite unfair especially since the risk is completely unavoidable.	The comment expresses concern regarding the project site's location near a winery. Please see Master Response 2, *Project Clarifications*, and regarding nearby businesses. Consideration of the proposed project's impact on Twining Vine Winery and its retail license will be addressed in the Staff Report.
PUB11-76	Additionally, as noted earlier, due to the nature of our canyon, when there is talking of even just a handful of people, music, or any noise at all, it echoes through the canyon. The Mosaic Project has videos on the internet that show amplified music at their camp locations, though they told us they do not use amplification and that we would only hear the "singing and giggling children." We love children and have two ourselves, but 75 - 100 would, potentially, be quite loud. Whether or not they use amplification, the amount of people contemplated at any given time will be very disruptive and loud on an ongoing basis, not just a few times a year, for a private house part or a wedding reception. When properties such as ours to the east were purchased, a strong consideration for the location was because it was protected from major development by Measure D, were large parcels with agricultural uses, and were quiet. To allow this kind of development that violates prevailing land use laws seems inconceivable and wrong.	The comment expresses concern regarding noise echoing throughout the canyon. Please see Response ORG3-49 regarding noise amplification due to project location and Master Response 4, *Agricultural Uses*, regarding Measure D. As noted in the Environmental Noise Assessment inputs to the SoundPLAN noise prediction model included sound power levels for noise-generating outdoor activity areas, existing and proposed buildings, topography, terrain type, and locations of sensitive receptors (see Appendix H, *Noise Data*, of the Revised Draft EIR. Development of the proposed project includes 14,331 square feet of non-residential buildings, resulting in a non-residential FAR of less than 0.01, consistent with Measure D.

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Comment #	Comment	Response
PUB11-77	Given the fact that this one project on less than 37 acres will double the number of people living in the 4000 acres of the canyon, sending a card for comment to only 3 residents that happen to be immediately next to the project seems incomplete as this project will affect all the residents in the Canyon, even if the county is only required to notify immediate neighbors.	The comment notes that the notification process of the Revised Draft EIR is inadequate. Notice of the Revised Draft EIR was given pursuant to CEQA Guidelines Section 15087, *Public Review of Draft EIR*, which requires that notice be mailed to those who have previously requested such notice as well as one of the following procedures: publication by the lead agency in a newspaper of general circulation in the area affected by the proposed project; posting of notice by the public agency on and off the site in the area where the project is to be located; or direct mailing to the owners and occupants of property contiguous to the parcel on which the project is located.
PUB11-78	Currently, many homes are trucking in water and will be trying to make it to the next rainy season. Water depletion has become a major issue for the canyon. All water depends on no one user taking more than what measure D building limits allows. The closed aquifer, as stated in the Core of Engineers original survey and reconfirmed by USGS testing by Professor Luther Strayer (Hayward seismic tests dated 2018) cannot sustain the density increase they are proposing. Further, the change in use away from measure D while the rest of the residents adhere to measure D would, likely, drive down the associated property values much the same way an airfield would affect a residential community.	The comment notes water depletion is a concern in the project area and homes are trucking in water. Please see Master Response 5, *Hydrology and Water Quality*, regarding water supply and demand. The comment also expresses concern regarding property values. Please see Master Response 1, *Standards for Responses to Comments*, regarding project merits. The hydrogeologists who prepared the Preliminary Technical Report for the proposed water system could not find any reference by Professor Luther Strayer or the Army Corps of Engineers referring to the Cull Canyon area as being a closed aquifer. Measure D is a land use regulation that does not relate directly to water demands.
PUB11-79	The planned septic system is on the steep side of the canyon in Rocky soils. This particular area is listed as the number one concern in Alameda County OWTS (Onsite Wastewater Treatment Systems) issues. Potential and designated areas of concern for OWTS in Alameda County after page 16, See Attachment 1. With regard to development of a septic system on the west side of the creek: "development in steep-sided canyon, rocky soils, steep terrain encroachment within stream terraces, limited replacement area". The strictest interpretation of the septic sizing should be used, and, if at all possible, no septic system should be added on the west side of the creek. The current load on the west side of the creek. The current load on the west side of Cull Canyon creek across the 2000 acres the creek covers is estimated at 5,400 gpd using the standard of 150 gpd per day per person. Reference table 2.5 alameda County Potential and designated areas of Concern, OWTS discharges and loading estimates. The Local Agency Management Program for Onsite Water treatment Systems for Alameda County, Attachment 4, further calls for a completion of a geotechnical study, including assessment of hydrogeological conditions, water movement and slope stability before any such septic system	The comment points out that the location of the proposed septic layout is listed as the number one concern in Alameda County OWTS issues. Please see Master Response 5, *Hydrology and Utilities*, regarding the proposed OWTS. The system has been designed in consultation with the ACDEH and in accordance with the ACDEH OWTS Manual. The dispersal field is located on the flat portion of the site and is not in rocky soil, but in loam and silty clay loam soils and meets the percolation tests required by the ACDEH, as reported in the NorthStar *Basis of Design Report for the Mosaic Project* (see Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR). The citation provided by the commenter from Alameda County's *Local Agency Management Program for Onsite Wastewater*

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Comment #	Comment	Response
	should be considered on the west side of Cull Canyon Creek. Looking at the plans, it appears that the housing will handle 130 people that will be on the 37-acre site, the load would be 130x150gpd = 19,500 gpd per day or a 361% increase (19,500/5,400) in GPD for the 2000 acres all from 37 acres of land for this project. The study's highest concern in Alameda County for OWTS discharge is this west bank of Cull Canyon. The Williamson Act, Measure D, and historical ways to calculate loads has been to assume if the lodging is built, the calculations must include the loads. No matter how great the cause, no one gets to build a 6-bedroom house in the canyon and they say but only 2 people will there.	*Treatment Systems* (LAMP), shows that Cull Canyon is a potential area of concern due to steep slopes and rocky soils. However, the ACDEH OWTS Manual does not preclude development in these areas. It states that projects located on steep slopes would require a geotechnical evaluation and completion of a slope stability analysis. However, the proposed system is not in an area with steep slopes. Table 2-5 of the Alameda County LAMP does show estimated annual nitrogen loading from other septic systems in Cull Canyon. However, the proposed project will have nitrogen removal as part of the primary and secondary treatment system, and a nitrogen loading analysis is provided in NorthStar's report that meets ACDEH criteria for cumulative impact assessments (Chapter 10 of the ACDEH OWTS Manual). No reference or Attachment 4 could be found in the Alameda County LAMP report that states that a geotechnical study must be completed for septic systems on the west side of Cull Creek. The proposed permanent housing will only accommodate six people at maximum capacity because there are three bedrooms in the staff housing and three bedrooms in the caretaker house, as shown in Chapter 3, *Project Description*, of the Revised Draft EIR. Wastewater flow rates of 150 gpd/bedroom were used in sizing the OWTS, even though up to 30 percent of the wastewater generated will be greywater that can be used on site as irrigation.
PUB11-80	Conclusion Many of the issues noted in thsi letter are unable to be mitigated by the applicant for the proposed use of the land. It seems a tremendous waste of everyone's time and hard to work make a "square peg" project fit into a round hole, no matter how wonderful the applicant's intensions may be. there are impacts that are cumulatively considerable when you review what is being contemplated for this small 37-acre parcel. Please consider the many potentially significant impacts a project like this would be for Cull Canyon. Try and imagine as we stretch the definition of agriculture and allow all the properties down Cull canyon to pursue similar projects.	The comment serves as a conclusion to the attachment to Comment Letter PUB13. Please see Responses PUB11-47 through PUB11-79 above.

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Comment #	Comment	Response
PUB11-81	*ATTACHMENT*	The comment is an attachment of Comment Letter PUB11 and is the zoning verification letter the County sent to the project applicant on March 15, 2018. The attachment does not address the adequacy of the analysis in the Draft EIR; therefore, no response is warranted.
PUB12	**Keith Seibert, January 18, 2024**	
PUB12-1	I am extremely concerned that proper attention is not being given in the analysis presented in the recirculated Draft EIR… (R-DEIR) I believe the questions posed here are significant and non-mitigatable. They also remain unaddressed by the RDEIR. The County as well as the RDEIR investigator, Placeworks have inaccurately and casually applied the "No Impact" designations to two specific categories, Hydrology and Water Quality. I believe water resources and the proposed wastewater processing will have <u>significant</u> environmental impact which are non-mitigatable and thorough analysis has <u>not</u> been performed to show otherwise.	The comment serves as an introduction to the comment letter. Please see Responses PUB12-2 through PUB12-13 below.
PUB12-2	**#1. Classification of Facility.** The first step to performing this analysis is to correctly define what the proposed development is, and then apply the appropriate guidelines to measure the potential impact on the surrounding environment. As it is currently written Placeworks is applying the standards of a "Pioneer Camp" (appendix G Wastewater Basis of Design) to determine potential water use as well as wastewater assumptions. Pioneer camps are rustic in design and concept, primitive by nature with "haul-in, haul-out" philosophy. Brief overnight or 2- night stays without facilities (eating halls, permanent structures etc.) Certainly, this proposed camp/school is NOT a "Pioneer type"…18 structures including a commercial eating hall, large meeting rooms and sleeping cabins, over a dozen water tanks (as large as 20,000 gal.) in addition to an existing barn and house. Possible classifications which they conveniently chose to not use include: "Children's Camp with Central Toilets", or "Dormitory/Bunkhouse", or a "Boarding School". I believe the study chose the misclassification in order to purposely underestimate the water usage and the wastewater discharge in order to "fit" the restrictive nature of this rural site. It should be considered a school with housing… capable of multiple overnight stays by its students. The County and Placeworks need to first justify and then apply the correct definition to this project before any other analysis is studied.	The comment asserts that the proposed project should be classified a school. Please see Master Response 2, *Project Clarifications*, regarding project classification. The proposed project is an outdoor recreational facility.

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Comment #	Comment	Response
PUB12-3	**#2. Actual population numbers** The RDEIR needs to apply an accurate count of the assumed population potential. Although Mosaic has promised to only have 108 students and counselors as well as staff residences for 16, the occupancy listings of the buildings are 273 and 173… plus staff. Thus, the definition of "peak demand" has to be questioned and shown why a number of 500+ should not be used as opposed to the stated 124.	The comment asserts that the Revised Draft EIR needs to apply an accurate account of 500+ people for peak demand. Please see Response PUB5-14 regarding maximum capacity and occupancy. The maximum population at the project site would be 114.
PUB12-4	**#3. Fresh Water resources.** The canyon has about 140 residents, effectively "metered" by Measure D development limits and it's AG designation. The Mosaic proposal suggests, at a minimum, doubling that population and doing so year-round. The accompanying water demands caused by doubling the Canyon population will far outstrip the limited resource virtually every year. Canyon residents regularly run low, and in many years run out of well-water on their properties. This is regardless of whether there is a drought. The residents depend on a closed, shallow-basin underground reservoir bounded by the surrounding hills and not attached to the aquifer outside of the canyon in the Castro Valley and San Lorenzo flatlands. This basin periodically runs "dry" and is only refilled from annual rainfall. Some years the rainfall is plentiful, other years not so much. But either way there is only a limited capacity to store the water. The effect on the surrounding community and environment would be profound. It would not simply affect the Mosaic school/camp but would also force all canyon residents to supplement their water by purchasing, trucking and storing it for many months of the year. Is this really "non-significant"?	The comment states that the Mosaic project would double the existing canyon population of 140 residents and do so year round. The maximum occupancy at the site would be 114 people and occur only 139 days per year, based on the proposed schedule at full buildout. The statement that the groundwater basin is a "closed aquifer" and is not connected to aquifers outside of the canyon is not supported by the hydrogeologist's description of the geology of the area in the Preliminary Technical Report. Aquifers are typically defined as unconfined aquifers, which are at atmospheric pressure with no confining layer above the water table, or confined aquifers, which are under pressure and screened between two relatively impermeable layers. The aquifers at the project site are confined aquifers. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The two wells drilled at the site tap into separate confined aquifers, as determined by the lack of drawdown in adjacent wells while the pump tests were being conducted and the different geochemistry in each well. Both wells were tested at the end of the dry season and had a rated capacity (50 percent of the pump test rate) capable of serving the project.
PUB12-5	**Put simply….** **Hydrology studies have still not been provided in the RDEIR to evidence that the Mosaic Project would not impact the existing canyon residents. Pumping tests were performed to determine flow, however no study was evidenced to determine quantity and duration to be expected.**	The comment asserts that the Revised Draft EIR did not provide any evidence that the proposed project would not impact the surrounding properties. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The Preliminary Technical Report that details the results of the pump tests, water system design, and ability to meet normal, single dry, and multiple dry year demands over a 20-year projection was submitted and approved by the DDW as complete.

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Comment #	Comment	Response
PUB12-6	Additionally, the water-use calculations used in the RDEIR are inherently flawed and biased. California code (17 CCR 30700 section 30710) require 50 gal. per person per day for organized camps (although this project more closely aligns with a School/Dormitory designation). Mosaic and the EIR instead decided the State standards do not apply, using their own "Pioneer Camp" logic to determine that only 25 gal. per person per day would be required (see footnote 1 of table 4.14-2). This being based upon "similar camp operations". Thus, in effect attempting to minimize the water requirements by over HALF. If, however, it is determined that this is actually a school with boarding facilities then the required water grows to 75 gallons per person per day. Three times the RDEIR's assumptions.	The comment asserts that the water use calculations provided in the Revised Draft EIR is flawed due to classification or the proposed project. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The cited code (17 CCR Section 30710) was enacted in 1968 and has never been adjusted to account for reductions in water use with compliance with CALGreen and the California Plumbing Code. Nevertheless, the DDW has reviewed the assumptions used in the Preliminary Technical Report in terms of water demand rates and has deemed them to be acceptable. Please also see Master Response 2, *Project Clarification*, regarding classification of the proposed project. The proposed project is an outdoor recreational facility.
PUB12-7	Additionally, the Project/School will be utilizing a reverse-osmosis (RO) system to generate potable water for the site, which they estimate will generate 40,000 gal. of unusable brine water every month. However, if the prescribed State- standards for camps are utilized (50 gal/per person per day), this brine water doubles to 80,000 gal. of wasted water every month. If the project is considered to be a school the wasted brine water becomes 120,000 gal. per month.	The comment asserts that the brine water calculations are incorrect because the proposed project is considered a school. Please see Response PUB12-6, Master Response 5, *Hydrology and Utilities* regarding water supply and demand. The DDW has confirmed that the water demand factors used in the analysis and design of the water treatment system are appropriate, pursuant to their approval of the Preliminary Technical Report. Please also see Master Response 2, *Project Clarification*, regarding classification of the proposed project. The proposed project is an outdoor recreational facility.
PUB12-8	This water demand then needs to be included in the total water needed to support the project. The DRAFT EIR does not include this wasted water in their calculations, and thus is purposely misleading the potential environmental impact. Therefore, their assumed annual water usage of 786,000 gallons (4.14-7) actually becomes closer to 2,000,000 gal. removed from the water basin annually. Again, non-significant?	The comment asserts that the Revised Draft EIR does not include wastewater in its water demand calculations. The generation of backwash and brine from the water treatment system is estimated to be 20,000 gallons every two weeks, assuming two back-to-back weeklong outdoor sessions. The programs will be spaced out so that there will never be more than two consecutive weeklong programs; therefore this calculation of wastewater from the water treatment system is conservative. Initially, the program would only operate seasonally with six sessions in the fall and six sessions in the spring. For full operation, there are scheduled to be 23 weeklong programs during the year, and conservatively assuming that all of the weeklong programs are back-to-back, this wastewater generation rate would

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Comment #	Comment	Response
		only occur about 11 times per year. It is unclear how the commenter came up with a number of 2,000,000 gallons/year for the proposed project.
PUB12-9	**#4. Wastewater generation.** Let's not forget that "What goes in must come out". Whether a school, a camp or a recreation facility, the 50 to 150 gal/day per occupant of water used will produce a commensurate discharge of black and grey water. The RDEIR however, again adopted an arbitrary standard of 25 gal. of wastewater per occupant per day. Other possible classifications which they conveniently chose to not use include; "Children's Camp with Central Toilets" (35-50 gal. per person per day) … "Dormitory/Bunkhouse" (20-50 gal. per person per day) … or "Boarding School" (50-100 gal. per person per day). Rather than adhering to existing guidelines, they RDEIR literally created their own set of guidelines, ignoring State standards.	The comment asserts that the Revised Draft EIR created its own set of guidelines instead of adhering to existing guidelines and State standards. Please see Master Response 5, *Hydrology and Utilities*. The rationale for 25 gpd for campers and counselors is based on a comparative flow analysis and review of the USEPA OWTS Manual and is considered a conservative analysis. The permanent residents were assumed to use 150 gpd, pursuant to the ACDEH OWTS Manual. Please also see Master Response 2, *Project Clarification*, regarding classification of the proposed project. The proposed project is an outdoor recreational facility.
PUB12-10	In addition, the study decided to reduce their projected flows of wastewater claiming Green Code construction and diversion of Grey Water for irrigation. Alameda County has repeatedly explained that the County has not adopted any County codes for greywater designs, instead they are guided by the California Plumbing Code to regulate greywater systems.	The comment notes that the Revised Draft EIR reduced projected flows of wastewater due to CALGreen regulations. The text under impact discussion UTIL-3 in Chapter 4.14, *Utilities and Service Systems*, of the Revised Draft EIR states that CALGreen was not considered in the USEPA 2002 OWTS Manual; it does not say that CALGreen was used to further reduce the projected flow rates. It states that a value of 25 gpd/person for the campers and counselors is a conservative number. Permanent residents were assumed to generate 150 gpd/person in accordance with ACDEH standards for dwellings. The diversion of greywater for irrigation was not considered in the sizing of the OWTS to be conservative. The commenter is correct that Alameda County has not adopted any County codes for greywater system designs. As noted under impact discussion HYD-1 in Chapter 4.8, *Hydrology and Water Quality*, of the Revised Draft EIR, the greywater system would comply with the applicable requirements described in Title 22 of the California Code of Regulations, the requirements of the 2022 California Plumbing Code, and the requirements of the California Health and Safety Code.

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Comment #	Comment	Response
PUB12-11	Are other environmental agencies (CA fish and Wildlife, FSLC, Bay Area Clean Water Agencies etc.), willing to allow an experimental grey-water dispersal system in an eco-sensitive area upstream of a water source for the Bay?	The comment questions if other environmental agencies are willing to allow an experiments greywater dispersal system. In accordance with the project objective to provide a greywater irrigation system that can be used as a test project for ACDEH as listed in Section 3.2, *Project Objectives,* in Chapter 3, *Project Description*, of the Revised Draft EIR, the Mosaic Project has been in consultation with the ACDEH with regard to the greywater system, which would be used as a demonstration project.
PUB12-12	What if the listed occupancy limits (500+) were utilized? Has the Alameda County Environmental Health Department considered the size of the facility and the potential occupancy, rather than the promised population when determining the feasibility of any OWTS?	The comment questions the feasibility of the proposed OWTS if listed occupancy limits of 500+ were utilized. Please see Response PUB5-14 regarding maximum capacity and occupancy. The maximum population at the project site would be 114.
PUB12-13	It has not been determined that there is a sufficient water supply to support the proposed development and there has been no evidence of any reasonable calculation to the wastewater demands that would accompany such a project. The Mosaic Project's principals should be applauded, however their site-selection on which to pursue those principals is sadly lacking. Cull Canyon simply cannot support such a development due to lack of resources. I believe water resources and the proposed wastewater processing will have a significant negative impact to residents and the environment which are non-mitigatable. Thorough analysis has not been performed nor provided to allow the County and its residents to make educated decisions otherwise. This RDEIR is flawed and inadequate. It should not be used to make any decisions or recommendations. It should be rejected as such. Thank you for your attention to this matter.	The comment serves as a conclusion to the comment letter. Please see Responses PUB12-2 through PUB12-12 above.
PUB13	**Teddy Seibert, January 18, 2024**	
PUB13-1	Significant errors and omissions continue to be evident in the Outdoor Project recirculated dEIR. The recirculated dEIR fails to base calculations off actual figures of the project and appears to be loosely based on canned figures, false and misleading calculations and many significant impacts have been completely ignored. The recirculated dEIR has not addressed most of the publics concerns	The comment serves as an introduction to the comment letter. Please see Responses PUB13-2 through PUB13-35 below.

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	expressed during the response period and MAC meeting a year ago. It is an obligation for the applicant and representatives to present accurate, honest, and reliable information based on studies that are pertinent to the dEIR. Calculations in the proposed plans are incorrect, proposed developments for the farming activities are missing from the plans and the project qualifications and violations have been glossed over.	
PUB13-2	**Specific to the dEIR:** **The Williamson Act:** Primary use of land to qualify for the Williamson ACT is **agriculture**; The proposal has not produced anything that remotely resembles agriculture. The applicant has stated over and over that the primary program is an "Outdoor School". The project name has changed multiple times in an attempt to conform to zoning. The proposal, "Project Description" clearly states that the Mosaic Project is requesting approval for "The Outdoor Project Camp", an outdoor educational facility.	The comment asserts that the proposed project's primary purpose is not commercial agriculture and is a school. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act and Master Response 2, *Project Clarification*, regarding project classification. The proposed project is consistent with the Williamson Act. The proposed project is an outdoor recreational facility.
PUB13-3	The proposal stated the project is for 75-95 students. The fact that the "Outdoor Camp" is presenting a potential occupancy load of almost 600 people has not been questioned. It would behoove Alameda County to determine that agricultural activity is the true primary use of the property to qualify for the Williamson Act. Granting erroneous approvals negatively impacts the tax paying public.	The comment questions why the potential occupancy load of almost 600 people has not been addressed and asserts that the proposed project's primary use is not agriculture and would conflict with the Williamson Act. Please see Response PUB5-14 regarding maximum capacity and occupancy and Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The maximum population at the project site would be 114. The proposed project is consistent with the Williamson Act.

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Comment #	Comment	Response
PUB13-4	The project description does not include a legitimate agricultural business model. There are no documented buildings or proposed construction of buildings on the plans submitted that are slated to be used for agriculture business or any legitimate farming practices.	The comment asserts that the project description does not include a legitimate agricultural business model. Please see Master Response 4, *Agricultural Uses*, regarding agricultural production. Animal fencing and facilities are depicted on Figure 3-4, *Proposed Project Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR, on northern end of the project site.
PUB13-5	A far-reaching attempt to add 6 goats, 40 chickens, a garden and public subscription box sales to the proposal to justify qualifying for The Williamson Act is disrespectful to legitimate agricultural producers within the farming community. Agriculture is not the primary use for this proposed project.	The comment asserts that the agriculture is not the primary use of the proposed project. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The proposed project is consistent with the Williamson Act.
PUB13-6	3.3.1.9 AGRICULTURAL AND FARMING ACTIVITIES: Not addressed at all in the applicant's proposal: *IMAGE The stated farming location is not suitable for any farming activity as this is the main driveway, documented flood control easement and where the septic leach fields are positioned.	The comment asserts that the proposed farming location is not suitable for any farming activity because it's where the main driveway, documented flood control easement, and septic leach fields are positioned. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. Farming activities will not be placed over the dispersal field or main driveway and animals will be separated from the rest of the facility by fencing. The location of the ACFCD easement along Cull Canyon Road is shown on Drawing C-1 in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. A small portion of the existing leach field near the caretaker's mobile home is within this easement but is part of a previously permitted OWTS and will not be disturbed or modified as part of the project. The grant of access easement dated 1992 states that the ACFCD has the right of way for ingress and egress of pedestrians, vehicles, and equipment for the purpose of installing, maintaining, and inspection of the adjacent flood control channel. The existing leach field would not violate the terms of the easement agreement and would not interfere with proposed activities by ACFCD within the easement.
PUB13-7	**Animals specific to EIR:** Missing from the plans are agriculture drawings, structures and accurate calculations for; Goat and chicken housing, enclosures and roaming area; the dairy processing plant, milk barn, bottling facility, goat sanitation station for milking, refrigeration containers, hen laying barn, egg processing facility, goat milk storage tanks, goat feed racks, goat food storage tanks, chicken egg processing station, chicken egg cleaning station, cold storage refrigeration for milk and eggs, transportation plan of products for retail sale and any proposed activity related to	The comment asserts that agricultural drawings, structures, and accurate calculations are missing from the site plans. Please see Master Response 4, *Agricultural Uses*, regarding agricultural production. Animal fencing and facilities are depicted on Figure 3-4, *Proposed Project Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR, on northern end of the project site. The provision of pigmy

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Comment #	Comment	Response
	the stated agriculture business activity. A toilet needs to be installed in the Milk House or Milk Barn. At what point in the dEIR will these issues be addressed, and why are they missing? Any farm practice is directly related to the EIR and FAR also needs to be included.	goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. The other facilities mentioned by the commenter are not proposed as part of the project.
PUB13-8	The recirculated dEIR does not even present the farming aspect of the project or how this farm will be allowed to be placed over existing documented flood control easement, main driveway and septic and leach lines. This issue has not been addressed and is directly related to zoning requirements.	The comment asserts that the Revised Draft EIR does not address how the proposed farm will be placed over existing documented flood control easement, main driveway and septic and leach lines. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS and Master Response 4, *Agricultural Uses*, regarding zoning. Farming activities will not be placed over the dispersal field or main driveway and animals will be separated from the rest of the facility by fencing. The location of the 18-foot ACFCD easement along Cull Canyon Road is shown on Drawing C-1 in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. The proposed farming activities are shown in Drawing C-2 in Appendix N of this Final EIR to be west of the main driveway and outside of the ACFCD easement and outside of the existing leach field..
PUB13-9	The proposal states that raw milk, eggs and produce will be sold to consumers, as well as given to the children and program participants for consumption from this location. There are no plans for potential bacterial reactions and issues related to human raw milk consumption. Needed are calculations for mitigation of soil, manure, animal waste drainage, animal coral ground slopes, fly management, bacteria and sanitation, product processing waste, run off from animal wash area, water requirements for the water troughs, parasite & mosquitoes management, lighting, gutter run off, equipment noise, creek setbacks and elevations.	The comment asserts that there are no plans for potential bacterial reactions and issues related to human raw milk consumption. Please see Master Response 4, *Agricultural Uses*, regarding agricultural production. The sale of chicken eggs will be in accordance with the CDFA's Egg Program and will require a registered egg handler permit. Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR provides drawings and cross sections that show how the setback distances were obtained. Agricultural activities are exempt from the requirements of the Alameda County Watercourse Protection Ordinance, pursuant to ACMC Section 13.12.190(A).
PUB13-10	The cdfa (California Department of Food and Agriculture) would require that the facility meets environmental standards including information on building, sanitation, food safety and health requirements which is missing from the recirculated dEIR. This information is necessary and needs to be addressed and included in the dEIR report.	The comment asserts that Revised Draft EIR is lacking in discussion regarding the California Department of Food and Agriculture's requirement that the facility meets environmental standards including information on building, sanitation, food safety and health requirements.
PUB13-11	In Addition: An existing barn is too close to the creek and cannot be used! How/why is this STILL completely ignored in the Recirculated dEIR report?	The comment asserts that the existing barn is too close to the creek. A portion of the southwest corner of the existing barn is within the BSL 2:1 slope setback. However, the

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Comment #	Comment	Response
		Watercourse Protection Ordinance has two provisions that are applicable to this structure. ACMC Section 13.12.170 states that the ordinance is not retroactive and existing structures are exempt from the requirements. Also, ACMC Section 13.12.190 provides an exemption for agricultural operations as long as these activities do not significantly pollute or damage watercourses or cause excessive erosion of banks or deposition of sediments. Therefore, the Watercourse Protection Ordinance is not applicable for the existing barn.
PUB13-12	Transporting farm goods will need a refrigeration vehicle to transport the produce, milk and eggs to Oakland. Where will the truck be stored? Missing are the calculations for traffic patterns for delivery and pickup of produce and animal transportation. In addition to the refrigeration vehicle, there is no mention in the Recirculated dEIR of the size or type of transport vehicle that will be used to transport animals used for business purposes, produce, milk, eggs, vegetables and goats for vegetation management.	The comment questions how farm goods and animals would be transported. Please see Master Response 4, *Agricultural Uses*, regarding agricultural production. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR so there is no transport of animals proposed as part of the project.
PUB13-13	The applicant states that 50% of the land will be used for agriculture. Other than stating the animals will graze on 26 acres, there is no indication in the plans showing containment or barrier fencing, environmental management of natural habitat, wild animal encounters, animal and human handler safety, etc. The plans submitted do not have any calculations to the effect of 50% land use for agriculture as the majority of the property is densely forested and sub-prime agriculture land. There are no plans, diagrams, statistical calculations for the proposed onsite primary use agriculture business other than the mention of the area in the above photo with a non-suitable proposed location being approx. 1000sf.	The comment asserts that the project description does not include a legitimate agricultural business model. Please see Master Response 4, *Agricultural Uses*, regarding agricultural production. The proposed project will utilize at least 50 percent of the 37-acre site for the harvest of sustainable and regenerative wild harvest of oak woodland forest products such as acorns, bay nuts, mushrooms, and miner's lettuce to be sold along with eggs and produce.
PUB13-14	The Alameda County Zoning Verification Letter sent to the applicant Dated March 15, 2018 #17. States: ***"The Development of the proposed use, Mosaic Project is not a compatible use under the contract".*** By Alameda County standards, the project is NOT a compatible use of land.	The comment asserts that the proposed project is not a compatible use of land. Please see Master Response 4, *Agricultural Uses*, regarding zoning. The project site is zoned as Agricultural (A), which permits outdoor recreation facility as a conditional use. The proposed project would require a Conditional Use Permit as established in ACMC Section 17.54.130.
PUB13-15	Mosaics Co-Founders own words. "We are a School not a Summer Camp": It is clear the proposal is for urban use of agricultural designated land. The applicant's primary goal is to put in a school (urban use) with a potential occupancy of approx. 600 people on the approx. 37 acre leased parcel. The Mosaic's co-founder posted an interview clarifying "we are a school, not a summer camp"!	The comment asserts that the proposed project is a school with a potential occupancy of 600 people. Please see Master Response 2, *Project Clarifications*, regarding project classification and Response PUB5-14 regarding maximum capacity and occupancy. The proposed project is an outdoor recreational facility. The maximum population at the project site would be 114.

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Comment #	Comment	Response
	*IMAGE The potential occupancy alone for this project is approx. 600 people. NO Agricultural farming of any kind is mentioned ANYWHERE within the "Building our Future" Mosaic build plan. "The Mosaic Project, the project sponsor, proposes to develop The Outdoor Project Camp (proposed project PLN2020- 00093), an outdoor educational facility in unincorporated Alameda County.	
PUB13-16	***Proposal claims are inaccurate:*** **3.3.1.2 CAMPING CABINS** *"Twelve 400-square-foot camping cabins"… "to be placed within the footprint of the existing garage building"* Plans have inaccurate and inconsistent figures throughout the proposal. The factual information has been manipulated to show there will be minimal impact to the environment and surrounding properties. The plans state 12 cabins at 400sf each. However, the certified drawings clearly show larger cabins, and those figures have now been xxx'd out. The cabin sizes on the DEIR originally submitted plans are as follows: (9 at 400qf) (1 at 600sf) (1 at 440sf) & (1 unlabeled; appears to be 600sf). 3 proposed cabins are out of compliance as 400ft is maximum size. It appears that great lengths have been taken to conceal the actual facts and figures of this proposal. Clarification is needed; why are the reported cabin sizes inconsistent to the actual certified drawings and why have they been XXX'd out in the Recirculated DEIR?	The comment asserts that the reported cabin sizes are not consistent with the certified drawings but does not specify where the inconsistencies are presented nor provide the certified drawings referenced. The comment also questions why the size labels have been removed from the Revised Draft EIR. The proposed site plans were not altered as part of the Revised Draft EIR. Revisions made to the October 2022 Draft EIR are summarized in Section 2.3.1, *Draft EIR*, in Chapter 2, *Introduction*, of the Revised Draft EIR. As described in Section 3.3.1.2, *Camping Cabins*, in Chapter 3, *Project Description*, of the Revised Draft EIR, twelve 400-square-feet non-permanent cabins are proposed to be placed within the footprint of the existing garage building on the southwestern portion of the site.
PUB13-17	Per the submitted plans, cabins are spread out throughout the property and NOT on the footprint of the garage as stated in the proposal.	The comment asserts that the cabins are spread throughout the property and not on the footprint of the existing garage. As shown on Figure 3-4, *Proposed Project Site Plans*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the camping cabins are clustered in the southwestern portion of the project site.
PUB13-18	The calculations in the Recirculated dEIR are based off inaccurate calculations including envelope size, compatible land use, zoning, water, septic, environmental impact, parking, road traffic, delivery vehicles, emergency vehicles, cars, busses, utility and ancillary vehicles. The potential project occupancy load is in excess of 500+ people. This proposal continues to be inaccurate, misleading and fails to address issues by simply glossing over them.	The comment asserts that the calculations in the Revised Draft EIR are based off inaccurate calculations and should be analyzed based on potential project occupancy load in excess of 500 people. Please see Response PUB5-14 regarding maximum capacity and occupancy. The maximum population at the project site would be 114.
PUB13-19	**3.1 PROPOSED PROJECT BUILDOUT** *"No alterations are proposed"* **This is an inaccurate statement.** Per Alameda County Zoning Verification Letter Dated March 15th 2018: "The Variance V-11293	The comment asserts that the variance of the existing buildings has expired and therefore does not have continued conditions of approval. Please see Master Response 4, *Agricultural Uses*, regarding zoning. The

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Comment #	Comment	Response
	and Conditional Use Permit C-7540…. **Expired** on January 26, 2003. ***"Therefore, the subject use does not have continued conditions of approval, it is not a conforming development project."***	proposed project would be required to comply with all County zoning requirements.
PUB13-20	3.3.4.3 SANITARY AND SEWER SERVICE **The following was presented in the proposal, represents Inaccurate information:** *" The existing septic system at the Caretaker site would not be modified"* How is this even possible, per Alameda County the CUP and Variance expired in 2003 and is now nonconforming. Since the Caretaker unit is un-permitted and people are still allowed to live in it how is this being allowed without requiring zoning, variances, CUP permits? The unpermitted modular has been allowed to remain onsite and occupied however the unit was to be removed per zoning years ago.	The comment questions how the existing caretaker unit would be allowed under the proposed project. Please see Master Response 4, *Agricultural Uses*, regarding zoning. The proposed project would be required to comply with all County zoning requirements.
PBU13-21	The existing septic system is not up to current standards and is within a 100 year documented flood plain easement which has not been addressed in the Recirculated DEIR although it was brought up during the MAC call and via response submittal a year ago.	The comment asserts that the existing septic system is not up to current standards and is within a 100-year documented flood plain easement. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. If an existing system was installed in accordance with the applicable law in effect at that time and continues to comply with previous permitting conditions and is properly sized and functioning, no alteration or change to the existing system is required, pursuant to the ACDEH OWTS Manual. The septic system and project site are not in a 100-year floodplain, as determined by FEMA FIRM Map No. 06001C0285G. The location of the ACFCD easement along Cull Canyon Road is shown on Drawing C-1 in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. A small portion of the existing leach field near the caretaker's mobile home is within this easement but is part of a previously permitted OWTS and will not be disturbed or modified as part of the project. The grant of access easement dated 1992 states that the ACFCD has the right of way for ingress and egress of pedestrians, vehicles, and equipment for the purpose of installing, maintaining, and inspection of the adjacent flood control channel. The existing leach field would not violate the terms of the easement agreement and would not interfere with proposed activities by ACFCD within the easement

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Comment #	Comment	Response
PUB13-22	Septic leach lines that run under the main entrance driveway also have not been addressed in the Recirculated dEIR and this was also brought up during MAC call and via response submittal a year ago.	The comment asserts that the septic leach lines that run under the main entrance driveway were not addressed in the Revised Draft EIR. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. Because of space constraints in this area of the site, the proposed roadway would be constructed with previous paving over a small portion of two of the leach lines (see Drawing C-3 in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. While it is not ideal to locate roadways over leach fields, Mosaic has been coordinating with ACDEH regarding this issue and the consensus is that pervious pavement over the leach field is acceptable. There is no other available space for the leach field because of required 100-foot setback distance from the creek.
PUB13-23	Septic leach lines are under a flood control easement road used for flood control and have been drastically compacted by vehicle traffic. This entrance is used (and according to the plans will continue to be used) as the main driveway and farm site to the property and driven over by: Cars Busses Produce vehicles Animal transport vehicles Refrigeration vehicles fuel tank vehicles fire trucks and emergency service vehicles septic trucks water trucks construction trucks tree service trucks utility trucks	The comment asserts that the existing septic system is not up to current standards and is within a 100-year documented flood plain easement. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. If an existing system was installed in accordance with the applicable law in effect at that time and continues to comply with previous permitting conditions and is properly sized and functioning, no alteration or change to the existing system is required, pursuant to the ACDEH OWTS Manual. The septic system and project site are not in a 100-year floodplain, as determined by FEMA FIRM Map No. 06001C0285G. The location of the ACFCD easement along Cull Canyon Road is shown on Drawing C-1 in Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR. A small portion of the existing leach field near the caretaker's mobile home is within this easement but is part of a previously permitted OWTS and will not be disturbed or modified as part of the project. The grant of access easement dated 1992 states that the ACFCD has the right of way for ingress and egress of pedestrians, vehicles, and equipment for the purpose of installing, maintaining, and inspection of the adjacent flood control channel. The existing leach field would not violate the terms of the easement agreement and would not interfere with proposed activities by ACFCD within the easement.

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Comment #	Comment	Response
PUB13-24	It will be impossible to enter the driveway as vehicles will drive directly into a farm consisting of garden vegetables, 6 goats, 40 chickens, farming and dairy structures, corrals, water troughs, manure piles, water systems, fencing. None of this has been addressed in the dEIR.	The comment asserts that entering the driveway would be impossible due to the farm. As shown on Figure 3-4, *Proposed Project Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR the driveway is adjacent to and does not cross the proposed garden yard for chickens.
PUB13-25	3.3.4.1 STORMWATER "a culvert was identified" "if conflict is found between the location of any proposed buildings, the project would re-route the culvert between the culvert and location of any proposed buildings" The solution for the creek would be to reroute the culvert? Has common sense left the building here? This would need to be engineered, approved and would be a huge undertaking with calculations! This has not been addressed in the Recirculated dEIR and would need to be included. You don't simply reroute a culvert coming down a steep grade. *IMAGE	The comment notes that rerouting the culvert would be a huge undertaking and should be analyzed in the Revised Draft EIR. As discussed under impact discussion HYD-1 in Chapter 4.8, *Hydrology and Water Quality*, of the Revised Draft EIR, if conflict is found between the culvert and the location of any proposed buildings, the proposed project would re-route the culvert between its entry and exit points around the southern edge of the site to eliminate conflicts without affecting site drainage (see Figure 3-4, *Proposed Project Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR). The culvert is within a State regulated tributary to Cull Creek. If re-routing of the culvert is necessary, the proposed project would be required to obtain a permit under Section 401 of the Clean Water Act prior to construction. In addition, all proposed construction work on the culvert would proceed in compliance with the requirements of the NPDES Construction General Permit and Chapters 13.12 and 15.36 of the ACMC.
PUB13-26	Build Envelope is not accurate: Alameda County needs to accurately address the true build envelope. This project is not within a 2 acre continuous rectangle as areas have been conveniently left off or not included at all. The farming structures do not exist on the plans, nor are calculated into the systems requirement calculations.	The comment asserts that the proposed project is not within a 2-acre contiguous rectangular building envelope. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The contiguous 2-acre building envelope includes the existing bridge, and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria building, bathroom buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home, and the proposed garden yard and Council Ring. Because the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Council Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope.

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Comment #	Comment	Response
PUB13-27	The fire pit, the chicken coop, milk house, milk barn, all other farm related structures, have not been included and need to be added to FAR.	The comment asserts that the fire pit, the chicken coop, milk house, milk barn, all other farm related structures should be included in the 2-acre building envelope. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. Buildings may be located outside the envelope if necessary for security reasons or, if structures for agricultural use, necessary for agricultural use. Other facilities that require no buildings or paved surfaces are allowed outside of the 2-acre building envelope.
PUB13-28	As clearly represented on the plans, this Outdoor Project Camp proposal is not only for an Outdoor Recreation Facility for 75-95 people; it's a complex with potential to host approx 600 people.	The comment asserts that the proposed project has the potential to host 600 people, not 75 to 95 as proposed. Please see Response PUB5-14 regarding maximum capacity and occupancy. The maximum population at the project site would be 114.
PUB13-29	**The following items were publicly addressed and clarified to be incorrect statements on the original dEIR proposal provided by Placeworks, however the recirculated proposal continues to issue inaccurate information.** Pg 3-1 Cull Canyon Regional Area is NOT bounded to the West. No access to parks, landlocked by land owners on three sides Cull Canyon Rd is East.	The comment asserts that the project site is not bounded by Cull Canyon Regional Recreation Area. Please see Response PUB5-7 regarding the relation of the location of parkland to the project site. Eastbay Regional Parkland is adjacent to the agricultural properties to the west.
PUB13-30	Pg 3-2 There is NO access to any parkland, Regional or otherwise. 3.1.2 is incorrect.	The comment asserts that there is no access to parkland. Please see Response PUB5-7 regarding the relation of the location of parkland to the project site. Eastbay Regional Parkland is adjacent to the agricultural properties to the west.
PUB13-31	The project efforts are to overbuild in a rural canyon. The following is the layout of the proposed Project… There is no agricultural use listed OR mentioned anywhere in this design. This proposal is for an educational facility, it's a school!	The comment asserts that the proposed project does not include agricultural uses and is a school. Agricultural uses of the proposed project is discussed under Section 3.3.1.9, *Agricultural and Farming Activities*, in Chapter 3*, Project Description*, of the Revised Draft EIR. Please see Master Response 2, *Project Clarifications*, regarding project classification. The proposed project is an outdoor recreational facility.
PUB13-32	Mosaics own words…. "We are creating our permanent home —an environmentally sustainable center for equity, empathy, and effective communication across differences! Conveniently located in Castro Valley in the heart of the San Francisco Bay Area, our new site will ensure that future generations have year-round access to our unique experiential education programs. Our site plan (architectural, landscape, water system including grey water, and septic designs) and the Environmental Impact Report are all complete! We are	The comment quotes The Mosaic Project. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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Comment #	Comment	Response
	continuing to move through the intensive permitting process with Alameda County. Check out the 3-D videos of our architect's renderings of the future cabins, dining hall, and staff house!" *IMAGE	
PUB13-33	The Outdoor Project is one of many "programs" being offered: Tell me, why would 75-95 campers staying in simple cabins need access to four (EV) charging stations a dining hall with a stated occupancy of approx. 300 people?(pg4.6-24) The proposed project is for approximately 600 people occupancy, not simply 75-95 people as stated in the application.	The comment questions why the proposed project needs EV charging stations and a dining hall with a maximum occupancy of approximately 300 people. As discussed under impact discussion GHG-1, in Chapter 4.6, *Greenhouse Gas Emissions*, of the Revised Draft EIR, the provision of EV charging station is a CALGreen Voluntary Tier 2 requirement. The proposed project would be inconsistent with Bay Area Air Quality Management District (BAAQMD) Greenhouse Gas (GHG) BMPs if it didn't provide four EV charging stations, as required by Mitigation Measure GHG-1.2. Please see Response PUB5-14 regarding maximum capacity and occupancy. maximum population at the project site would be 114.
PUB13-34	**Setbacks are out of date and inaccurate**: Due to the severe flooding December 31, 2022, the setbacks noted in the plans have drastically changed. The Recirculated DEIR is incomplete with incorrect figures and is not up to date with correct calculations.	The comment asserts that the setbacks are out of date and inaccurate due to severe flooding. Please see Master Response 3, *Creek Setbacks*, and Appendix N, *Civil Engineering Drawings and Creek Setback Calculations*, of this Final EIR that shows the latest creek setbacks and cross sections. NorthStar, the project engineers, went back out to the project site in April 2024 after the storms to survey the creek channel and revise the creek setbacks to ensure that they are in compliance with the Alameda County Watercourse Protection Ordinance. Additional details regarding the creek setbacks and proposed site configuration are provided in Master Response 3.
PUB13-35	The project does not conform to zoning or the surrounding landscape and would be detrimental to the environment and natural state of Cull Canyon.	The comment asserts that the proposed project would not conform to zoning. Please see Master Response 4, *Agricultural Uses*, regarding zoning. The project site is zoned as Agricultural (A), which permits outdoor recreation facility as a conditional use. The proposed project would require a Conditional Use Permit as established in ACMC Section 17.54.130.

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Comment #	Comment	Response
PUB14	**Chuck Shipman, January 18, 2024**	
PUB14-1	Please find my E-Mail input as a response to the Subject Line. We have read your completed Recirculated Draft of over 377 pages. Seems like our first original responses we not enough Whereas the DEIR focuses on all components required. Let me talk to the Human, Habituality and its Impacts We will focus my Concerns on several areas/ concerns of incomplete information that was identify in the Draft.	The comment serves as an introduction to the comment letter. Please see Responses PUB14-2 through PUB14-19 below.
PUB14-2	First I would like to state the Mosaic Project again does merit an educational program the Cull Canyon community does not question, it mission and it statement, but still we "Cull Canyon Resident have concerns which you as the "Planning Director" fail to address to support your community as a Official of Alameda and it's Residents.	The comment expresses frustration with the Planning Director. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB14-3	We were advised that The Project looked at several other locations, example the one on Crow Canyon Road that was better suited to the needs, already established with requirements but were dismissed by the Projector Coordinator. **I WILL ASK WHY?** Is it that "money talk" scenario… I hope not..	The comment questions why potential alternative sites were not selected. Please see Response ORG3-77 regarding alternative sites. An alternative location for the proposed project was considered infeasible due to availability of sites that would support the project's objectives.
PUB14-4	List of Challenges **Challenge / Legality of DEIR** Ownership of Property, I believe is incorrect and should not be allowed to proceed with an EIR by State requirements. Your responding e-mail to my original question **Attached is the application as well which shows the same ownership information, but with a different contact address. As far as I can tell, the Mosaic operation and Cull Canyon Properties LLC are the same entity. I hope that provides you the information you need, please let me know if you have any other questions.** NOTE THIS IS VAGUE AND SHOULD BE CONFIRMED WITH BACK UP DOCUMENTATION. **"Not as far as you can tell." Is what you responded with.** A leasee can not apply for this type of request from the State of California or the County of Alameda.	The comment expresses concern regarding ownership of the property. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is required.
PUB14-5	I have many concerns that the application is not complete and actually has been falsified by the originators. With a Project of this statues, Reviewing all aspect must be complete and thoroughly accurate.	The comment serves as an introduction to the comments to follow. Please see Responses ORG2-5 through ORG2-18 below.

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Comment #	Comment	Response
	The DEIR is still Incomplete and Very Inaccurate, not telling the full impact and untrue statements in their filing.	
Pbu14-6	Challenge PROJECT DESCRIPTIONS: PROJECT DESCRIPTION: -The Mosaic Project, the project sponsor, proposes to develop The Outdoor Project Camp (proposed project PLN2020-00093), an outdoor educational facility in unincorporated Alameda County. The Mosaic Project's mission with the Outdoor Project Camp is to work toward a peaceful future by uniting children of diverse backgrounds, providing them with community building skills, and empowering them to become peacemakers through a multi-day natureoriented experience. The proposed project would consist of demolishing an existing 7,500-square-foot garage, improving trails and miscellaneous dirt or gravel roads, and constructing components critical to the proposed project's mission. These components include twelve 400-square-foot camping cabins; an 8,500-square-foot central meeting and dining hall; a 1,025-square-foot restroom/shower building; a two-story 2,600-square-foot staff housing building; and sewer infrastructure that includes an on-site septic tank with a leach field dispersal system. An existing 1,200-square-foot caretaker's unit would continue to be utilized, as well as on-site groundwater wells. The proposed project, including all recreational facilities and caretaker residences, would encompass an area totaling 2 acres. The remaining 35 acres of the project site would remain undeveloped, aside for existing trails that would be maintained. SIGNIFICANT ENVIRONMENTAL EFFECTS	The comment summarizes the Project Description presented in the Revised Draft EIR. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB14-7	Note from above "The Project Sponsor as The Mosaic Project. Again they can sponsor all they want but legally they can not request the DEIR by legality of the State of Calif or the County of Alameda and you should be aware of that.	The comment asserts that the Mosaic Project cannot request the Draft EIR. While Mosaic Project is the sponsor of the proposed project, the Draft EIR has been prepared under the request of the County of Alameda. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is required.
PUB14-8	Challenge / Existing Business at Risk You are requesting this Project Next to a Business that has an Valid ABC License from the State of California. There is no Clearance of space from said business "TwiningVines Winery" their License could be revoked or non renewed due to proximity of said School "The Mosaic Project" Thus affecting a business, putting the Established Business out of Business. "TwiningVines Winery" also has agricultural operations that requires a buffer zone around schools and youth camps. These laws and zoning requirements are enforceable and would be detrimental to any and all existing neighboring business also. Reference the following link	The comment expresses concern regarding the project site's location near a winery. Please see Master Response 2, *Project Clarifications*, and regarding nearby businesses. Consideration of the proposed project's impact on Twining Vine Winery and its retail license will be addressed in the Staff Report.

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Comment #	Comment	Response
	https://www.cdpr.ca.gov/docs/enforce/school_notify/guidance.pdf Mainly identifies a school or non profit youth camp as unfeasible next to an Ag Business such as "Twinning Vines Vineyards	
PUB14-9	***Note*** The law says ABC may deny any retail license located (a) within the immediate vicinity of churches and hospitals, or (b) within at least 600ft of schools, public playgrounds and nonprofit youth facilities. However there are no rulings as far, for said churches, hospitals, school, public playgrounds and nonprofit facilities "being built next to a business that has an established ABC for their business." We were advised that the State of California would listen to request from the Mosaic Project to remove existing license. How would you Spell "Reverse discrimination."	The comment notes that the retail licenses may be denied if located within the immediate vicinity of churches and hospitals, or within at least 600ft of schools, public playgrounds and nonprofit youth facilities. Please see Master Response 2, *Project Clarifications*, and regarding nearby businesses. Consideration of the proposed project's impact on Twining Vine Winery and its retail license will be addressed in the Staff Report.
PUB14-10	Challenge the Water Resources The report notes that the current statewide median indoor residential water use is 48 Gals per capita per day, and that a quarter of California households already use less than 42 gallons per capita per day. TABLE 4.14-2 WATER DEMAND ASSUMPTIONS Water Use Category Per Capita Water Demand Type Peak Occupancy Campers and Counselors 25 gpd per person1 Temporary stay 108 persons Facility Type Daily Water Demand Per Bedroom Demand Type No. of Bedrooms Caretaker House 150 gpd/bedroom2 No. of bedrooms 3 Permanent Dwelling Residence (up to 3 bedrooms) 150 gpd/bedroom No. of bedrooms 3 Permanent Dwelling (up to 5 additional bedrooms) 150 gpd/bedroom No. of bedrooms 5 Notes: 1. Based on previous estimate by Northstar for similar camp operations and EPA's OWTS manual for camps. 2. Conservative estimate of 150 gpd/bedroom based on the ACDEH standards for dwellings. Source: SRT Consultants, March 2022, The Mosaic Project – Water System Conceptual Design Report (see Appendix G, Hydrology Reports, of this Draft EIR). TABLE 4.14-3 PEAK DAILY WATER DEMAND Water Usage Scenario Peak Water Demand (gpd) Baseline Usage 1,275 Outdoor and Summer Programs 3,975 Outdoor and Summer Program – First day 3,075 Outdoor and Summer Program – Last day 2,400 Weekend Program 3,975 Source: SRT Consultants, March 2022, The Mosaic Project – Water System Conceptual Design Report (see Appendix G, Hydrology Reports, of this Draft EIR)	The comment cites Table 4.14-2, *Water Demand Assumptions*, and Table 4.14-3, *Peak Daily Water Demand*, in Chapter 4.14, *Utilities and Service Systems,* of the Revised Draft EIR. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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Comment #	Comment	Response
PUB14-11	As the Canyons depended on Well Water for existence Human, Animal and Farming I find their findings are less than factual. With all of Cull Canyon Wells/ Residents depending on annual rainfall, water availability changes from year to year. We have had to purchase water thorough the latest Drought (Years 2020 2021 and 2022) (All of the Cull Canyon residents have experienced this) The Project does not have enough data to support that their wells would be able to produce and provide the needed requirement of Water. They do factor in irrigation of the Agricultural need with Greywater. (but this has a concern also) Water usage for the Project has been grossly underestimated In Mosaic's declaration they stated a use of water UTILITIES AND SERVICE SYSTEMS UTIL-1: The proposed project would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which would cause significant environmental effects	The comment asserts that the Revised Draft EIR underestimates water usage for the proposed project. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The Preliminary Technical Report also contains a 20-year projection of the water supply for the project during normal, single-dry, and multiple dry years. The wells were drilled in November 2020 at the end of an extremely dry year and were determined to have adequate capacity for the proposed project. The proposed project has a 20-year no-growth projection and can modify its use of the site, depending on water demand and groundwater conditions, by reducing or cancelling scheduled sessions. The significance criterion cited by the commenter is generic language required for CEQA documents and it pertains to the need for new water infrastructure or new facilities to be constructed by the water purveyor of the area. Since the proposed project would obtain water from two on-site wells and will not be obtaining water from EBMUD, it was determined that the project would not result in the construction of new regional water treatment or distribution facilities. Nevertheless, Chapter 4.16, *Utilities and Service Systems*, of the Revised Draft EIR provides a detailed discussion of the proposed on-site water system, including water demand and supply.
PUB14-12	<u>Challenge Septic System</u> Does the Project have approval and or Plans from State and Local Environmental Health Agencies to proceed. We know that Redwood Tanks are no longer approved in our County and plans must be submitted accordingly through the Local Environmental Health Agencies. We would like to see the request and plans in place.	The comment questions if the proposed project has approval from State and local Environmental Health Agencies. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. The project applicant has been in contact with ACDEH regarding the proposed OWTS system and has followed the ACDEH OWTS Manual as the basis of design. To obtain final approval/clearance for the proposed project, the project applicant must submit a Service Request Application and fees to the ACDEH. Upon receipt of the Service Request Application and fees, ACDEH staff will review the files and provide the applicant with a written File Summary Review and Estimated Regulatory Path and Fees for Project Approval/Clearance within 15 days of

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Comment #	Comment	Response
		the submittal. Regarding the proposed water system, the first step is to submit a Preliminary Technical Report, which describes in detail the water demand, well pump tests, and water treatment design. This has been submitted to the DDW and deemed to be complete. The application for the domestic water supply permit and fees are currently being processed.
PUB14-13	Challenge to WILDFIRE Wildland Fire Hazard CAL FIRE evaluates fire hazard severity risks according to areas of responsibility (i.e., federal, State, and local). According to CAL FIRE, the project site is not located within a very high fire hazard severity zone. The project site is located within a high fire hazard severity zone in the State Responsibility Area. The nearest very high fire hazard severity zone is within a Local Responsibility Area 1.6 miles southwest of the project site This Statement is incorrect The Canyons are identified as a High Risk Area by the CALFIRE / CA STATE and PG&E, placing a Project like this would be an additional Fire Risk to our Community	The comment asserts that the statement regarding the project site not being located within a very high FHSZ is inaccurate. While the project site is in a FHSZ, fire hazard at the site has been classified as a high, not very high; therefore, the statement in the Revised Draft EIR is correct.
PUB14-14	Challenge to the DRAFT FIRE SAFETY AND EMERGENCY RESPONSE PLAN APPENDIX F DRAFT FIRE SAFETY AND EMERGENCY RESPONSE PLAN I did not see the attached letter from the Castro Valley School District that they would provide School Bus assistance in evacuation. The Mosaic Project has established an emergency evacuation agreement with the Castro Valley Unified School District (see attached letter from Superintendent Parvin Ahmadi). - In case of the need for emergency evacuation, the District will provide two available school buses, each of which holds 50 individuals, to bring the campers to Canyon Middle School which is seven minutes away from the property. If Canyon Middle School is not a safe evacuation site, another District facility will be used. - To communicate a need for the buses, work and cell phone numbers of our primary contact person, as well as a backup contact and the Superintendent, will be maintained on site.	The comment requests the letter from the Castro Valley School District referenced in the Draft Fire Safety and Emergency Response Plan. The letter has been included as Appendix O, *Castro Valley Unified School District Letter*, of this Final EIR.
PUB14-15	Challenge your access to Property Traffic APPENDIX I FOCUSED TRAFFIC STUDY Access Analysis Buses and other vehicles are expected to enter the site via the northerly driveway and exit the site from the southerly driveway. The two driveways are located approximately 240 feet apart on Cull Canyon Road. Vehicles would park on-site in the gravel area adjacent to these driveways.	The comment asserts that the proposed project does not have right of way on the suggested exit road. Pursuant to California Vehicle Code 21804 VC, those exiting the driveway are required to yield to all traffic that is "close enough to constitute an immediate hazards" and continue to yield until they can safely proceed.

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Comment #	Comment	Response
	***NOTE Unless something has changed from Alameda County, the Project does not have Right Away on the suggested exit roadway they are describing above.**	
PUB14-16	**This would be a Violation Impact to Measure D** The Save Agriculture and Open Space Lands Initiative (Measure D) was approved by Alameda County voters in November 2000. The Initiative made many changes to the County General Plan to place limits on the type and amount of development allowed in the rural areas of the County. The East County Area Plan (ECAP) and Castro Valley General Plan (CVGP) are parts of the County General Plan that were amended by Measure D in 2000 to effectively lock in limits on the amount of development allowed on parcels with general plan designations of Large Parcel Agriculture (LPA) or Resource Management (RM (The Amendment approved in Nov 2022) Measure D 2022 would amend Measure D 2000 (and concurrently the East County Area Plan and Castro Valley General Plan) to apply the additional .025 FAR now allowed for greenhouses in the LPA designation to all types of agricultural buildings, including greenhouses, only on properties designated LPA. In addition, on parcels designated LPA and RM in East County and the Castro Valley Canyonlands, the ballot measure would allow a .025 FAR for covered equestrian arenas up to a maximum of 60,000 square feet. At least 20,000 square feet would be allowed for covered arenas on smaller parcels. The ballot measure would not change the 12,000 square feet currently allowed for residential buildings on parcels of all sizes in both land use designations. The .01 FAR currently allowed for non-residential buildings (including agricultural buildings) would also remain unchanged **Are you going to change Measure D or circumvent it?**	The comment asserts that the proposed project would violate Measure D. Please see Master Response 4, *Agricultural Uses*, regarding Measure D. Development of the proposed project includes 14,331 square feet of non-residential buildings, resulting in a FAR of less than 0.01, consistent with Measure D.
PUB14-17	**This would be a Violation Impact of the Williamson Act** From the https://www.conservation.ca.gov/dlrp/wa/Pages/contracts.aspx *Agricultural Preserves*	The comment asserts that the proposed project violates the Williamson Act. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The project site is not

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Comment #	Comment	Response
	An agricultural preserve defines the boundary of an area within which a city or county will enter into Williamson Act contracts with landowners. The boundary is designated by resolution of the board or city council having jurisdiction. Agricultural preserves must generally be at least 100 acres in size. The Property footprint is approx. 37 Acres Are you going to change the Williamson Act or circumvent it?	considered an agricultural preserve and the proposed project would be consistent with the Williamson Act.
PUB14-18	**We will submit a Safety concern for the Kids/Campers. The Canyon has a Big problem with "Wild Pigs". I know this first hand residing here in the Canyon They are "Very Aggressive" and will attacked a human without notice (destruction of property) Oh did I mention the presence of Foxes who by the way love Chicken as food. Just joking (not really)	The comment expresses concern for student safety near wild pigs and foxes. Please see Master Response 2, *Project Clarifications*, regarding student safety. Wild animals are to be observed from a safe distance using binoculars or cameras. Campers will not be allowed to approach or attempt to touch wild animals. Campers will be prohibited from feeding wild animals, because it habituates them to human presence and lead to aggressive behavior. Campers will be taught to respect wildlife by giving them space and not disturbing their natural behaviors. Campers will be educated about local wildlife species and their habitats, as well as how to recognize signs of wildlife presence, such as tracks, scat, or calls, and will be instructed on how to react if they encounter wildlife unexpectedly – back away slowly. Campers will be encourage to report any sightings of injured, sick, or distressed wildlife to camp staff immediately. Handling or approaching injured animals without proper training and authorization will be prohibited.
PUB14-19	In my conclusion: I have only touch on areas of the DEIR that relate to as stated to Human, Habituality and its Impacts Reading and reviewing the additional DEIR on all other areas can be questioned and there are way to many vague statements in the DEIR for this project to even be considered at the location identified. It seems all of the Executive Summary Statements findings appear to be Rubber Stamped as LTS = Less than Significant That is scary…. My challenges are valid and a request that they be responded to as to "Action items or Rebuttals".	The comment serves as a conclusion to the comment letter. Please see Responses PUB14-2 through PUB14-18 above.

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Comment #	Comment	Response
PUB15	**Kathy Warren, January 18, 2024**	
PUB15-1	Question: Do the proposed cabins qualify as **non permanent Camping cabins**? There is a question on foundation of camping cabins and how they will they be set up? In rendering it looks like a concrete slab?	The comment questions if the proposed cabins qualify as non-permanent camping cabins and what the foundation of the camping cabins would be. Please see Response PUB11-12 regarding the camping cabins. There would be no concrete pours or permanent foundations.
PUB15-2	Per the Mosaic Project Overview the project will include: Twelve 400-square-foot **non-permanent camping cabins** are proposed to be placed within the footprint of the existing garage building on the southwestern portion of the site. These cabins, shown on Figure 3-5, would be simple, light-footprint construction with access from a 20-foot-wide fire road in compliance with the cabin code section of the California Code of Regulations (CCR) Title 25, Div 1, Chapter 2.2.5	The comment summarizes the details of the camping cabins as proposed. The comment does address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB15-3	**California Code of Regulations** **Title 25 - Housing and Community Development** **Division 1 - Housing and Community Development** **Chapter 2.2 - Special Occupancy Parks Article 1 - Administration and Enforcement** **Section 2002 - Definitions** **Universal Citation:** 25 CA Code of Regs 2002 Current through Register 2022 Notice Reg. No. 25, June 24, 2022 Definition of Camping Cabin: (9) Camping Cabin. A relocatable hard-sided shelter, for use by a camping party, as defined in **Health and Safety Code section 18862.5**. All camping cabins are dependent units More: **2016 California Code** **Health and Safety Code - HSC** **DIVISION 13 - HOUSING** **PART 2.3 - SPECIAL OCCUPANCY PARKS ACT** **CHAPTER 2 - Definitions** **Section 18862.5.** **Universal Citation:** CA Health & Safety Code § 18862.5 (2016) **18862.5**. Camping cabin means a relocatable hard sided shelter with a floor area less than 400 square feet (37 square meters) without plumbing that is designed to be used within a recreational vehicle park only by a camping party. A camping cabin may contain an electrical system and electrical space conditioning equipment complying with the electrical and mechanical regulations adopted pursuant to this part and supplied by the lot service equipment. A camping cabin may be installed or occupied only in special occupancy parks, as defined by Section 18862.43, or in state parks and other state property pursuant to Chapter 1 (commencing with Section 5001) of Division 5 of the Public Resources Code. **2016 California Code**	The comment cites various codes pertaining to camping cabins. As described in Section 3.3.1.2, *Camping Cabins*, in Chapter 3, *Project Description*, of the Revised Draft EIR, the twelve 400-square-feet non-permanent cabins proposed would be simple, light-footprint construction with access from a 20-foot-wide fire road in compliance with Section 2327, *Camping Cabins*, of the CCR, Title 25, Division 1, Chapter 2.2. CCR, Title 25, Section 2327 requires compliance with Section 18862.5 and Section 18871.11 of the Health and Safety Code, which notes that camping cabins can only be installed or occupied only in special occupancy parks as defined by Health and Safety Code Section 18862.43, or in state parks and other state property pursuant to Chapter 1 of Division 5 of the Public Resources Code. Health and Safety Code Section 18862.43 defines "special occupancy park" as a recreational vehicle park, temporary recreational vehicle park, incidental camping area, or tent camp. The proposed project could be considered an incidental camping area, which is defined in Health and Safety Code Section 18862.19 as any area or tract of land where camping is incidental to the primary use of the land for agriculture, timber management, or water or power development purposes, and where two or more campsites used for camping are rented or leased or held out for rent or lease.

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Comment #	Comment	Response
	Health and Safety Code - HSC **DIVISION 13 - HOUSING** **PART 2.3 - SPECIAL OCCUPANCY PARKS ACT** **CHAPTER 2 - Definitions** **Section 18862.43.** **Universal Citation:** CA Health & Safety Code § 18862.43 (2016) **18862.43. Special occupancy park** means a recreational vehicle park, temporary recreational vehicle park, incidental camping area, or tent camp. **Section 18862.43 - "Special occupancy park" defined** "Special occupancy park" means a recreational vehicle park, temporary recreational vehicle park, incidental camping area, or tent camp. *Ca. Health and Saf. Code § 18862.43* Amended by Stats 2002 ch 1038 (SB 1821), s 6, eff. 1/1/2003.Added by Stats 2001 ch 434 (SB 325), s 39, eff. 1/1/2002, op. 1/1/2003. Chapter 2. Definitions :: California Health and Safety Code https://law.justia.com › hsc › 18862-18862.49.html 18862.19. "Incidental camping area" is any area or tract of land where camping is incidental to the primary use of the land for agriculture, timber management, ...	
PUB15-4	It is quite unclear whether or not the proposed structures qualify as camping cabins per definition under California code.	The comment serves as a conclusion to the comment letter. Please see Responses PUB15-1 through PUB15-3 above.
PUB16	**Justin Filan, January 18, 2024**	
PUB16-1	Here are my concerns with the Mosaic Project which are not addressed in the EIR. 1. There is absolutely not enough water to supply the scope of their project. One quote from the EIR says it all - “The project site and surrounding area are not in a designated groundwater basin and therefore are not subject to the requirements of a groundwater sustainability plan”. They have no data to show the size of our groundwater basin and no data to show what sort of draw it can support beyond a single basic 10 day pumping test - because they are not required to do that. If they were required to follow a groundwater sustainability plan I am 100% certain they would fail, and so is every well driller in the east bay (us east bay canyon residents who are all on wells are very familiar with the well drillers in the area).	The comment asserts that there is not enough water supply for the proposed project. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The Department of Water Resources (DWR) designates groundwater basins that require a groundwater sustainability plan based on a prioritization process. The SGMA Basin Prioritization Dashboard shows Castro Valley Groundwater Basin as very low priority, based on a groundwater use of less than 2,000 acre-feet per year (AFY). Information on the DWR website indicates that there are 16 groundwater wells in the basin, with a total groundwater use of 437 AFY. The proposed project is estimated to use 2.4 AFY (786,000 gallons), which is less than one percent of the current groundwater usage.
PUB16-2	Everyone in the area understands how absurd their plan for water usage is. Three or four years ago when we were at the peak of a multi year draught multiple people in Cull Canyon had their wells run dry. My neighbor had two wells run dry, and had to pay thousands of dollars to get water trucked in for their cattle until the rainy season replenished ground water levels - it	The comment describes personal experiences with water supply in the project area and expresses concern regarding drought. The comment has been noted. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply

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Comment #	Comment	Response
	helped that the next rainy season was the most rain we have gotten in Cull Canyon in at least 40 years, and caused road flooding worse than lifelong Cull Canyon residents had ever seen.	and demand. The Preliminary Technical Report submitted and approved by the DDW provides detailed information regarding water demand and water supply with a 20-year projection of supply availability during dry years and multiple dry years, pursuant to SB 1263 requirements. In addition, the proposed project has a 20-year no-growth projection and can modify its use of the site, depending on water demand and groundwater conditions.
PUB16-3	Everyone in the area understands how absurd their plan for water usage is. Three or four years ago when we were at the peak of a multi year draught multiple people in Cull Canyon had their wells run dry. My neighbor had two wells run dry, and had to pay thousands of dollars to get water trucked in for their cattle until the rainy season replenished ground water levels - it helped that the next rainy season was the most rain we have gotten in Cull Canyon in at least 40 years, and caused road flooding worse than lifelong Cull Canyon residents had ever seen.	The comment describes personal experiences with water supply in the project area and expresses concern regarding drought. The comment has been noted. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. The Preliminary Technical Report submitted and approved by the DDW provides detailed information regarding water demand and water supply with a 20-year projection of supply availability during dry years and multiple dry years, pursuant to SB 1263 requirements. In addition, the proposed project has a 20-year no-growth projection and can modify its use of the site, depending on water demand and groundwater conditions.
PUB16-4	The EIR states they plan to draw 3,975 gallons per day, and will draw over 1,000,000 gallons out of the ground every year - and keep in mind they themselves claim their estimate of 25 gpd for campers and 150 gpd for staff is a “conservative estimate”, so likely actual usage will be well over 4,000 gallons per day according to their own hydrology report. No one in the canyon draws anywhere close to that, the existing wells on their property are only being utilized by a single caretaker right now, yet in the report they basically say that because the wells already exist it won’t be any additional strain on our groundwater. During the wettest period on record they were able to meet 7 gpm for 10 days, so that means there will never be an impact on anyone because it was OK for 10 days. It’s a joke. Almost everyone in the canyon has experienced our wells running dry, and they are telling us “yes we are going to pump an extra ~1.4 million gallons per year but don’t worry it will have no effect at all because the wells are already there, and we don’t have to do any testing at all to prove the groundwater is sustainable long term because you’re not a designated groundwater basin ;)”	The comment erroneously states that the project will pump over 1,000,000 gallons per year and the water usage will be well over 4,000 gpd, according to the hydrology report. The hydrology report, the Revised Draft EIR, and the Preliminary Technical Report states that the maximum water usage at the site will be 786,000 gallons/year and that the maximum daily demand would be 3,975 gallons/day. The hydrology report also does not state that because the wells already exist, it won't be an additional strain on groundwater. The existing wells on-site were not found to have sufficient capacity to serve the project; therefore, two new wells were drilled at the project site. Please see Response PUB16-2 regarding groundwater. The wells were drilled in November 2020 at the end of a dry year. Also, the projected water demand at the site is less than one percent of the current withdrawal rate in the Castro Valley Groundwater Basin.

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Comment #	Comment	Response
PUB16-5	We do not know what to do, the law will not protect us simply because the government failed to classify us as a groundwater basin, so now it looks like we will suffer the same fate as all the other communities that were destroyed by groundwater overuse and caused the Sustainable Groundwater Management Act to get passed in the first place.	The comment expresses frustration with the project area's lack of classification as a groundwater basin. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB16-6	2. The bounds stated by the Mosaic Project are wrong, and it's clearly visible in figure 3-2. On the westernmost side you can see where the Mosaic Project property ends at the orange line, then there is a gap between their property and the fence line. That fence line is the Cull Canyon Regional Recreation Area which Mosaic claims to be bounded by, and between that fence line and the Mosaic property is a small piece of land that is owned by the neighbors. That means the Mosaic property is NOT bounded by the Cull Canyon Regional Recreation Area and would NOT have access to it from their property. It's worth noting that the owner of the strip of land separating the two has stated they will NOT allow access through their land, as they (and everyone in the canyon) are extremely upset with the Mosaic Project for refusing to communicate with any of us. They have been totally unwilling to even talk to any canyon residents and hear our concerns, which is somewhat comical when you consider they teach conflict resolution but in their business dealings will not even talk to people who are afraid their project will negatively impact their livelihood and ability to live. They were previously touting access to the CCRRA, but it looks like they are not advertising that anymore - still the bounds they list are incorrect.	The comment asserts that the project site is not bounded by Cull Canyon Regional Recreation Area. Please see Response PUB5-7 regarding the relation of the location of parkland to the project site. Eastbay Regional Parkland is adjacent to the agricultural properties to the west.
PUB17	**Norma Franchi, January 18, 2024**	
PUB17-1	I am forwarding to you my first letter regarding the proposed Mosaic Project dated Nov-2022. Having read all the revisions, I believe the project is still NOT a good match for the rural Cull Canyon location. It should really be a "no brainer" considering the scope of demolition and the major building of a kid's camp. The whole site plan/infrastructures are not compatible with the site. The proposed demolition of the 7500-foot garage would be quite a feat. It is constructed of concrete blocks.	The comment serves as an introduction to the comment letter. Please see Responses PUB17-2 through PUB17-19 below.
PUB17-2	The area is hilly and deeply vegetated with large tree canopies. Not ideal for proposed organic gardens.	The comment asserts that the project area is not ideal for proposed organic gardens. Please see Master Response 1, *Standards for Responses to Comments*, regarding project merits.
PUB17-3	Chickens won't last long either with all the predators. I see or hear coyotes almost daily.	The comment asserts that the chickens won't last long with all the predators in the project area. Please see Master Response 1, *Standards for Responses to Comments*, regarding project merits.

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PUB17-4	Water will always remain an issue in the canyon. Wells can dry up. 75-90 kids plus adults can use a lot of water-toilets, showers, laundry, cooking/washing, etc.	The comment asserts that water will remain an issue in the project vicinity and that operation of the proposed project would use a lot of water. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. Demands for toilets, showers, laundry and cooking/washing were included in the calculations.
PUB17-5	Will this wastewater have enough storage? Ground water contamination?	The comment questions if wastewater have enough storage and if it would result in groundwater contamination. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. The sizing analysis for the proposed OWTS used the value of 150 gpd/bedroom, pursuant to the ACDEH OWTS Manual. No credit was taken for the use of low-flow plumbing fixtures, which would reduce the value to 120 gpd/bedroom. In addition, the OWTS design was conservatively sized assuming that 100 percent of the wastewater generated at the facility would flow through the treatment system, whereas up to 30 percent of the wastewater would be greywater that could be diverted. The dispersal field is also set back 100 feet from the top of the bank of Cull Creek. Since the OWTS is a packaged system with flow meters that pump a specified amount of effluent into the distribution network, ensuring that the drain field is never inundated to the point that it becomes saturated and the pressurized dispersal system is designed to percolate downward into the soil, the OWTS would not adversely impact Cull Creek or the adjacent riparian areas.
PUB17-6	I see that the 'fire pit" is now being called a "council ring" . Doesn't change anything. A fire is a fire.	The comment notices that the fire pit is now called a council ring and notes that it doesn't change anything. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB17-7	Kids camp noise will be audible quite some distance in the quiet canyon. Not fair to nearby residents. It will be like living in a school yard at recess.	The comment asserts that noise from the proposed project would be audible for greater distances in the canyon. SoundPLAN operational noise contours are shown on Figures 4.10-1 through 4.10-4 and summarized in Table 4.10-7, *Modeled Project Noise Levels at Adjacent Sensitive Receptors*, in Chapter 4.10*, Noise,* of the Revised Draft EIR. Operational noise of the proposed project would not exceed County standards. Please see Response ORG3-49 regarding noise amplification due to project location. As noted in the

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		Environmental Noise Assessment inputs to the SoundPLAN noise prediction model included sound power levels for noise-generating outdoor activity areas, existing and proposed buildings, topography, terrain type, and locations of sensitive receptors (see Appendix H, *Noise Data*, of the Revised Draft EIR).
PUB17-8	If there is a fire in the canyon it will be awful for evacuees. Especially ones hauling horses/livestock.	The comment points out that the fire in the canyon would be awful for evacuees, especially those with horses and livestock. Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. Pursuant to CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, in assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published. Because Cull Canyon Road is currently the only evacuation route for the project area and students and staff would be evacuated on buses and a few staff cars, the inherent difficulties of evacuation would not be significantly affected by the proposed project.
PUB17-9	The road has always been a winding narrow two lane road with no shoulder and drop offs to the creek. I can't imagine meeting a bus on the road or driving one. The road itself took a beating from last winter. Heavy equipment going back and forth will only deteriorate it more.	The comment describes the road conditions. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no further response is required.
PUB17-10	Not to mention all the emissions pollution, dirt and dust.	The comment expresses concerns about emissions pollution, dirt and dust. As discussed under impact discussion AQ-2, in Chapter 4.3, *Air Quality*, of the Revised Draft EIR, the proposed project would result in less-than-significant impacts related to construction exhaust emissions and operational emissions. While there is potential for impacts from fugitive dust during construction, implementation of Mitigation Measure AQ-2 would ensure that the construction contractor complies with BAAQMD GHG BMPs to reduce fugitive dust to less than significant levels.

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PUB17-11	All in all, this proposed project is NOT suited for this location. The Mosaic Project should look for another suitable property that is more compatible and ZONED for what they are trying to accomplish.	The comment asserts that the proposed project should consider another suitable property. Please see Response ORG3-77 regarding alternative sites. An alternative location for the proposed project was considered infeasible due to availability of sites that would support the project's objectives.
PUB17-12	I am writing in response to the "proposed" Mosaic Project located at 17015 Cull Canyon Rd. Castro Valley. The enormity and scale of this project would have a negative impact and is NOT suited at all for this site.	The comment serves as an introduction to the comment letter on the October 2022 Draft EIR. Please see Responses PUB17-13 through PUB17-19 below.
PUB17-13	Agriculture zoning is supposed to be 100 acres per house/caretaker unit. This law exists for a reason and should be adhered to. The proposed project site is only 37 acres. The proposal of an 8,500 sf meeting/dining hall, a 2,600 sf 2-story staff housing and 12 housing structures for the "campers" is FAR out of line for this location. Not to mention a bathroom/shower facility. The existing (conditional use) mobile home ("caretaker's house") on the property is currently "caretaking" what?? There is no existing home on said property. There is just a huge 7,500 sf concrete block garage building that used to house a car collection. The Mosaic Project has it slated for demolition. Having a few goats/chickens does not really qualify for Ag use. Besides, the canyon is host to a lot of wildlife-mountain lion, bobcats, coyotes, fox, wild pigs, skunks, turkeys, etc. Goats and chickens are just a snack.	The comment asserts that the proposed project is inconsistent with the Agricultural zoning designation. Please see Master Response 4, *Agricultural Uses*, regarding zoning. The project site is zoned as Agricultural (A), which permits outdoor recreation facility as a conditional use. The proposed project would require a Conditional Use Permit as established in ACMC Section 17.54.130.
PUB17-14	If a new septic system is allowed will the leach line be far enough away from the creek to prevent any groundwater contamination?	The comment questions if the leach line associated with the proposed septic system would be far enough from the creek to prevent groundwater contamination. Please see Master Response 5, *Hydrology and Utilities*, regarding the OWTS. The dispersal field is set back 100 feet from the top of the bank of Cull Creek, in accordance with the ACDEH OWTS Manual.
PUB17-15	Water is a major issue in the canyon. Residents/ranchers know how to conserve. They have been doing it for a long time. Some have to haul in water for their livestock as water is a precious commodity. What will be the impact of many week long 75-90 "campers" using the limited groundwater resources for showers,toilets, laundry, kitchen use, etc.?? The groundwater system will be severely taxed.	The comment notes that water is a major issue in the project vicinity and questions the impacts of operation of the proposed project on groundwater resources. Please see Response PUB16-2 and Master Response 5, *Hydrology and Utilities*, regarding groundwater and water supply and demand, respectively. The 20-year projection in the Preliminary Technical Report indicates that there is sufficient water available for normal, single dry, and multiple dry years. In addition, the proposed project has a 20-year no-growth projection and can modify its use of the site, depending on water demand and groundwater conditions, by reducing or canceling scheduled sessions.

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Comment #	Comment	Response
PUB17-16	Cull Canyon Rd. is a narrow winding 2-lane road which dead-ends in 7 miles. Only one way IN and OUT. In case of a major fire or medical emergency what are the evacuation plans for that many "campers"/staff? Fire danger would be of utmost concern as the project plans to have a firepit. NOT GOOD!!! Besides, Alameda County has restrictions on when you can or if you can burn. Many residents will be trying to evacuate themselves and or their livestock on that road. Add to that fire trucks, buses, horse trailers and other cars. I have been driving this road (almost daily) for over 25 plus years. You have to be very mindful of speeders or people driving over the midline. Plus the road is used by bicyclists. Just in the last few months two cars have driven off the road.	The comment questions what the evacuation plan would be in the event of a major fire or medical emergency and the weight restriction of Cull Canyon Road. Please see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. Pursuant to CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, in assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published. Because Cull Canyon Road is currently the only evacuation route for the project area and students and staff would be evacuated on buses and a few staff cars, the inherent difficulties of evacuation would not be significantly affected by the proposed project.
PUB17-17	What about noise pollution on the environment? Sound travels VERY far in these quiet canyons. Peace and quiet should remain in keeping with the rural atmosphere.	The comment raises concerns about noise pollution. Noise generated by the construction and operation of the proposed project is analyzed in Chapter 4.10, *Noise*, of the Revised Draft EIR. It was concluded that the proposed project would not result in generation of substantial temporary or permanent increase in ambient noise levels in excess of applicable local, state, or federal standards, result in generation of excessive groundborne vibration or groundborne noise levels, or expose people residing or working in the project area to excessive noise levels. Please see Response ORG3-49 regarding noise amplification due to project location. As noted in the Environmental Noise Assessment inputs to the SoundPLAN noise prediction model included sound power levels for noise-generating outdoor activity areas, existing and proposed buildings, topography, terrain type, and locations of sensitive receptors (see Appendix H, *Noise Data*, of the Revised Draft EIR).
PUB17-18	Also, how is all the generated trash going to be handled?	The comment questions how the trash generated by the proposed project would be handled. The Castro Valley Sanitary District (CVSD) provides solid waste collection services to the area of Alameda County, including the project site. CVSD contracts with Alameda County Industries

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Comment #	Comment	Response
		(ACI), which drives the collection trucks. ACI provides recycling, organic, and garbage collection services. The amount of solid waste that would be generated by the proposed project (1.81 pounds/day [lb/day] for campers and staff and 2.13 lb/day for permanent residents), is described under impact discussion UTIL-5 in Chapter 4.14, *Utilities and Service Systems*, of the Revised Draft EIR. Approximately 59 percent of the solid waste generated is food waste that can be recycled and composted. The project includes a composting program, using manure from the chicken mixed with food waste to produce mulch for an organic garden. Some of the food waste may be suitable as supplemental feed for the chickens. Prior to the issuance of the building permit, the design for the refuse and recyclable storage facilities will be provided to Alameda County for review and approval.
PUB17-19	We all know "money talks" but what about plain old common sense?? In my opinion (and others) the Mosaic Camp Project is definitely NOT suited for this location. I know this letter is quite lengthy, but all aspects of this "proposed" project should be addressed when it comes to the environment. I am sure there are other properties that would be much more suitable for the magnitude of such a project without putting such a strain on existing resources. Not to mention the zoning requirements. Thank you for your time.	The comment serves as a conclusion to the comment letter. Please see Responses PUB7-13 through PUB7-18 above.
PUB18	**Diana Hanna and Dick Schneider, January 18, 2024**	
PUB18-1	Diana Hanna and Dick Schneider submit the following comments on The Mosaic Project Recirculated Draft EIR (December 2023). For the record, we associate ourselves with the comment letter submitted by Susann M. Bradford of Greenfire Law on behalf of Friends of Castro Valley Canyonlands (FCVC) dated January 2024. We are members of FCVC. We also associate ourselves with comments made by members of the public at the November 14, 2022, Castro Valley Municipal Advisory Council meeting. Many of those commenters are Cull Canyon residents and also members of FCVC, including Diana Hanna who spoke at the meeting. For the most part, we will not repeat in this letter the afore-mentioned comments. We will do so only when necessary to emphasize certain points.	The comment serves as an introduction to the comment letter. Please see Responses PUB18-2 through PUB18-29 below.
PUB18-2	In addition and for the record, we note that we submitted a comment letter dated December 19, 2021, for the Notice of Preparation for the original Draft EIR. Most of the comments we made were not addressed in the DEIR or in this Recirculated Draft EIR. Some of those points we repeat in this letter with the hope that they will be addressed in the Final EIR.	The comment notes that the comments submitted for the NOP were not addressed and are repeated herein. Please see Responses PUB18-3 through PUB18-28.

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Comment #	Comment	Response
PUB18-3	As an initial matter, we object to the characterization in the Project Description that this is an Outdoor Project Camp rather than a school. The children attending the Mosaic Project outdoor program will be satisfying their compulsory education requirements under California law. They are attending school in an outdoor setting. As the attached document clearly shows, this is an outdoor school. The title of the document is The Mosaic Project "Our Outdoor School Curriculum." The document plainly states that this is an "evidence-based social-emotional learning curriculum [that] emphasizes building empathy, resilience and community... to create a peaceful future." While this is a noble purpose, the school curriculum described in the document belies the assertion that this is a camp whose primary purpose is outdoor recreation or agriculture, purposes that might be consistent with the land use designation of the subject property.	The comment objects that schematization of the proposed project as an outdoor recreational facility. Please see Master Response 2, *Project Clarifications*, regarding project classification. The proposed project is an outdoor recreational facility.
PUB18-4	The Recirculated Draft EIR focuses almost exclusively on impacts within the 2-acre development envelope and to a much lesser degree on impacts to Cull Creek adjacent to the development envelope. However, the Project Objectives (P. 3-6) include "Provide improved pedestrian trail and site maintenance. Dirt roads and trails exist on the property and extend within the bay/oak woodland habitat that covers the slopes on the western side of the project site. These existing roads/trails would be repurposed to serve as a recreational pedestrian trail system, with undergrowth maintained by the goats housed on the property." As noted in our 2021 NOP comment letter, "[S]ome activities are likely to take place outside the 2-acre development envelope. Will additional grading be required to facilitate these activities? If so, where will additional grading take place? Will it be on the steep western slope above the camp? Will the grading increase erosion or affect land stability of the slope? What hillside stabilization will be required to enable the activities to take place safely? Will a grading permit be required?" None of these potential environment impacts is addressed in the Recirculated Draft EIR. What will be the width of proposed improved trails? What will be the slope of the trails? Will trails need switchbacks to accommodate the ability of young children to safely ascend and descend the steep slopes? Will guardrails be installed for safety on steep slopes? Will platforms be built for resting or activities? Will so-called improvements require native trees to be removed? Will the proposed improved pedestrian trail system satisfy Americans with Disability Act requirements for trails? Will trails be wheelchair accessible? If so, will they be paved? Will improvements lead to erosion or destabilization of the steep slope? Will engineering designs and permits be required? The Recirculated Draft EIR is silent on all these potential environmental impacts.	The comment references the project objective related to improved pedestrian trail and site maintenance and stated in the Revised Draft EIR and questions the details of the proposed trails. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. Please see Response PUB4-5 regarding the proposed trails. The existing dirt roads and trails that exist within the property boundaries on the slopes on the western side of the project site would be repurposed to serve as a recreational pedestrian trail system. They will not be ADA accessible. The proposed repurposed trail system is expected to conform to the existing conditions of the dirt roads and trails and would not be modified. They would be cleaned up using hand tools only, and only as needed. The repurposing the existing trails is not anticipated to result in any significant environmental impacts, due to existing features and compliance with the Mitigation Measures outlined in the Revised Draft EIR.

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Comment #	Comment	Response
PUB18-5	It is our understanding that current trails are not contained only within the 37-acre subject property. Rather, they pass through neighboring properties. It is also our understanding that neighboring property owners will not give permission to cross their properties on such trail segments. Will trespass occur by using those trail segments, or will new trail segments be required to avoid trespass? What will be the environmental impacts of creating new trail segments on the subject property?	The comment highlights the fact that the trails cross through neighboring properties. Please see Response PUB4-5 and PUB18-4 regarding the proposed trails. The existing dirt roads and trails that exist within the property boundaries on the slopes on the western side of the project site would be repurposed to serve as a recreational pedestrian trail system.
PUB18-6	In addition, the trail system might be considered an emergency escape route under certain circumstances. If this possibility is contemplated, then the trails might have other requirements for safe use including nighttime lighting, which would require electrical service. Again, the Recirculated DEIR is silent on potential impacts of improving the trail system, which is part of the project.	The comment asserts that the if the trail system is considered an emergency escape route, there would be other requirements for safe use and that the Revised Draft EIR does not analyze the potential impacts of improving the trail system as part of the proposed project. The trail system was not considered an emergency escape route. Please see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. Please see Response PUB18-4 regarding the proposed trail's potential for environmental impacts. The repurposing the existing trails is not anticipated to result in any significant environmental impacts, due to existing features, required grading permits, and compliance with the Mitigation Measures outlined in the Revised Draft EIR.
PUB18-7	The Recirculated DEIR notes that goats on site will graze the understory of the slopes for vegetation management. What will be the environmental impact of this practice? Is this vegetated area habitat for native species or special status species? Is the vegetation that the goats will graze food for native species? Will grazing affect habitat for Alameda whipsnakes that almost certainly use this area since designated Critical Habitat for the species is merely hundreds of yards away? Will school staff have to climb cross-country on steep slopes to manage where the goats will graze or to round them up? Will school staff be qualified to recognize whether significant impacts to native species are occurring under this grazing regime? None of this is addressed in the Recirculated DEIR.	The comment questions the logistics of the proposed grazing goats. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR.
PUB18-8	<u>Transportation Impacts</u> TRAN-3: Road hazards due to a geometric design feature. The Recirculated DEIR concludes that sight distances along Cull Canyon Road are sufficient to avoid hazards of leaving the project driveways and entering onto Cull Canyon Road. The assumption for this conclusion is that drivers obey the posted speed limit of 30 MPH. This assumption is false. Drivers on Cull Canyon Road routinely drive much faster than the posted speed limit and will pass slower cars on blind curves. One of us (Dick Schneider) in fact observed this exact behavior on Saturday, November 19, 2022, at 1:55 pm, when driving to a Friends of Castro Valley Canyonlands meeting to discuss the Draft EIR. Dick was driving north	The comment asserts that it's unreasonable to assume that drivers obey posted speed limits but provides no substantial evidence to support their assertion. Please see Master Response 1, *Standards for Responses to Comments*, regarding speculation without substantial evidence.

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	on Cull Canyon Road at 30 MPH near the project site when a car came speeding up behind him and passed on his left side around a blind curve using the southbound (on-coming) lane. This is the lane that drivers exiting the project site use, except they will be looking north (left) to see if traffic is approaching in the lane into which they will be turning. They will not see cars coming around the blind curve on their right in the southbound lane that are speeding while passing slower vehicles or bicyclists in the northbound lane. It is unreasonable to simply assume that drivers obey posted speed limits in Cull Canyon. Instead, radar cameras should be installed temporarily, but for a sufficient period of time, to ascertain whether the speed assumptions used for adequately safe sight lines for this impact are accurate.	
PUB18-9	TRAN-4: Adequacy of emergency access. The Recirculated DEIR concludes that the proposed project would not result in inadequate emergency access because there will be 15 parking spaces on the project site and the estimated parking demand would be 15 spaces. The number of parking spaces planned (15) and the number of vehicles assumed to be present (15) is so carefully calibrated that one has to question the veracity of the assumption. A couple of extra vehicles, perhaps service vehicles to repair facility features, or delivery vehicles, or persons visiting residents or to pick up a sick child will result in tandem parking. (There are no shoulders on Cull Canyon Road for overflow parking.) Tandem parking renders project circulation inadequate for emergency vehicles. This is a very high hazard zone for several potential threats where adequate emergency vehicle access is critical at all times. The analysis of the adequacy of emergency access is implausible and therefore the impact is significant.	The comment asserts that the proposed project would result in tandem parking and obstruct circulation and emergency vehicle access. Please Response PUB5-5 regarding parking. The need for parking on the shoulder of Cull Canyon Road or in tandem with other vehicles on-site is not anticipated.
PUB18-10	Land Use and Planning Impacts **Williamson Act:** The subject parcel has been under a Williamson Act contract since 2016. Under the Williamson Act statutes, an outdoor recreational use must be open to the public with or without charge. (Gov. Code § 51201(n)) Nowhere in the project description is there any discussion of the project site being open to public use. Not allowing public access for proposed recreational uses is a violation of the property's Williamson Act contract. This is a significant impact.	The comment asserts that the proposed project needs to be open to the public pursuant to the Williamson Act. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The requirement for an outdoor recreational use to be open to the public is required by Uniform Rule 4, which the proposed project is not subject to.
PUB18-11	Our NOP comment letter asked several questions related to the Williamson Act. To the best of our knowledge, those questions have not been addressed in the Recirculated DEIR or elsewhere. Those questions and requests, which are renewed now, are: What is the existing commercial agricultural use of the property? Is there a Commercial Application Determination form on file? Has a Compatible Use Determination application and	The comment questions what the existing commercial agricultural use of the property is and whether a Commercial Application Use and Compatible Use Determination has been filed. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. There is no existing commercial use on the project site.

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	supporting materials been filed? If any filings have been made, please post them to the county website so they may be evaluated and notify commenters of their availability.	
PUB18-12	Is the proposed Mosaic Project Outdoor School Camp at an appropriate scale compared with the primary agricultural use of the property so as to be considered incidental to the primary use, or is the Mosaic Outdoor School Project going to be in fact the primary use of the property?	The comment questions what the primary use of the proposed project would be. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The proposed project is consistent with the Williamson Act.
PUB18-13	Could the Mosaic Project Outdoor School Camp result in the removal of the adjacent contracted land from agricultural use (a vineyard and winery with alcoholic beverage license)?	The comment questions if the proposed project could result in removal of the adjacent contracted land from agricultural use. Please see Master Response 2, *Project Clarifications*, and regarding nearby businesses. Consideration of the proposed project's impact on Twining Vine Winery and its retail license will be addressed in the Staff Report.
PUB18-14	Will the Mosaic Project Outdoor School Camp result in a significant increase in the density of the temporary or permanent human population that could hinder or impair agricultural operations on the contracted property?	The comment questions if the proposed project would result in a significant increase in the density of the temporary or permanent human population that could hinder or impair agricultural operations on the contracted property. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The proposed project would only develop 2 acres of the 37-acre project site. The remaining 35 acres of the project site would remain undeveloped, aside for existing trails that would be maintained. Therefore, the proposed project would not significantly compromise the long-term productive agricultural capability of the contracted property or other contracted lands. Because there are no existing agricultural operations on the project site, the proposed project would not significantly displace or impair current or reasonably foreseeable agricultural operations on the land.
PUB18-15	Will the grading and repurposing of existing roads and trails on the property proposed to be done in order to create a "recreational pedestrian trail system" be consistent with Uniform Rule 2 II. C. 2. Passive Recreation, a. "The use is limited to land in its agricultural or natural state."	The comment questions if the proposed trails would be consistent with Williamson Act Uniform Rule 2 II.C.2. Please see Response PUB4-5 regarding the proposed trails. The proposed trail system would improve upon existing conditions and would not impact agricultural use.
PUB18-16	Is the main project site itself – the components within the 2-acre development envelope – consistent with the above Uniform Rule?	The comment questions if the proposed project would be consistent with the Uniform Rule. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The contiguous 2-acre building envelope includes the existing bridge, and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria

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		building, bathroom buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home, and the proposed garden yard and Council Ring. Because the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Council Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope.
PUB18-17	Can all of the findings of compatibility be made under Uniform Rule 2 III. B. 4, especially findings a. and b. (there is an existing commercial agricultural use on the parcel that meets one of the thresholds established in Uniform Rule 1, and conditions imposed on the permit will avoid or mitigate impacts to agriculture that could occur on contracted lands or adjacent lands)?	The comment questions if findings of compatibility can be made under Uniform Rule 2. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. There is no existing commercial use on the project site. The proposed project would only develop 2 acres of the 37-acre project site. The remaining 35 acres of the project site would remain undeveloped, aside for existing trails that would be maintained. Therefore, the proposed project would not significantly compromise the long-term productive agricultural capability of the contracted property or other contracted lands. Because there are no existing agricultural operations on the project site, the proposed project would not significantly displace or impair current or reasonably foreseeable agricultural operations on the land.
PUB18-18	The stated purpose of the Mosaic Project is "to work toward a peaceful future by uniting children of diverse backgrounds, providing them with community building skills, and empowering them to become peacemakers through a multi-day nature-oriented experience." It does not appear that the stated purpose of the Mosaic Project Outdoor School Camp is actually agriculture at all. Rather, it appears that agriculture will become the incidental use of the subject property, rather than its primary use. This is a significant impact.	The comment asserts that the primary use of the proposed project is not agricultural. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The proposed project is consistent with the Williamson Act.
PUB18-19	Resource Management land use designation: The project site is located in an area designated Resource Management by the Castro Valley Area Plan. The RM land use designation is designed to protect natural resources and permits only very low intensity uses. ("This designation is intended mainly for land designated for longterm preservation as open space but may include low intensity agriculture, grazing, and very low density residential use.") The Mosaic Project School Camp would be an intensive use of the land. At least 120 students and staff will be living on the site for a week at a time when school is in session. Most of the time at the project site, the students and staff will be within the 2-acre development envelope where the common buildings, bathrooms, bunkhouses, and other facilities are located. This means the population density will be 60 people per acre when	The comment asserts that the proposed project would conflict with the project site's Resource Management land use designation. Please see Response ORG3-72 regarding the proposed project's consistency with the project site's land use designation. The proposed project would be consistent with the Resource Management land use designation.

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	the school is in session, and the school's goal is to operate year round. This is three to four times denser than most of the Castro Valley Urban Area. This intensity of use is not consistent with the Resource Management land use designation. This is a significant impact.	
PUB18-20	Hazards, Hazardous Materials, and Wildfire We comment on these subjects together. Approximately 140 people live in Cull Canyon, three-quarters of whom live north of the project, and will need to evacuate in case of an emergency (wildfire, landslide, liquefaction event). How can adding at least another 120 individuals to the canyon, mostly young school children who very well might receive priority for rescue, not interfere significantly with the evacuation of current residents? There is only one road leading south out of the canyon to safety, and virtually everyone in the Canyon will be trying to get out. At the same time, first responders will be trying to get in. This is a recipe for disaster. Should the winding canyon narrows at the south end be obstructed, the number of people at risk will effectively be doubled with the addition of the school population.	The comment expresses concern regarding evacuation. Please see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. Pursuant to CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, in assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published. Because Cull Canyon Road is currently the only evacuation route for the project area and students and staff would be evacuated on buses and a few staff cars, the inherent difficulties of evacuation would not be significantly affected by the proposed project.
PUB18-21	It goes without saying that the greater the number of people in a CPUC Tier 3 - Extreme Fire Threat District, the greater the number of potential victims in a wildland fire. What is not widely appreciated, however, is that ignition of wildland fires is increasingly related to human activity. Wildland fire experts Jon Keeley and Alexandra Syphard, writing in the March 2020 issue of Fremontia, the Journal of the California Native Plant Society, explain: "Wind-dominated fires occur in densely populated landscapes, and these fires are responsible for the greatest loss of lives and property... ..... Although all fires are a threat if fuels around homes have not been reduced, there are five points to consider with respect to the catastrophic [autumn] wind-dominated fires: 1) ***People***: On these landscapes, fire is more of a people problem than a fuel problem. More people translates into a greater probability of an ignition during a severe wind event, and more development in highly-fire prone landscapes inevitably results in greater losses of lives and homes. ... 3) ***Planning***: Community planning needs to devote similar attention and resources to fire as to other hazards. Since we have limited ability to control earthquakes and floods, some urban planners have utilized zoning restrictions to reduce the impacts of these hazards. Yet, zoning restrictions are largely lacking when it comes to fire hazards, in large part because fires have been perceived as controllable. However it is increasingly obvious that this is not always the case and many communities are currently very vulnerable. Fire zoning needs to be given more consideration	The comment references wildland fire experts regarding the ignition of wildland fires in relation to human activity. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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	as well as urban planning that insures adequate ingress for fire fighters and egress for residents during extreme fire events...."1	
PUB18-22	At present, Alameda County does not have fire zoning to reduce wildland fire risk. Doubling the Cull Canyon population for most weeks of the year, especially during peak fire season, increases risk to life and property, probably disproportionately. What urban planning is proposed to insure adequate ingress for fire fighters and egress for residents, including temporary residents, during extreme fire events?	The comment questions what sort of planning is proposed to ensure adequate ingress and egress for emergency vehicles and evacuation. Please see Response PUB5-3 regarding fire truck maneuvering. The school bus and fire truck turning analyses demonstrated that a school bus and fire truck would have sufficient space to enter from the northerly driveway, maneuver within the project site, and exit from the southerly driveway without striking any permanent fixtures.
PUB18-23	The Recirculated Draft EIR relies on a long bulleted list of procedures to ensure safety in the event of a wildfire emergency. These may look good on paper, but in real life, it is highly unlikely that ordinary people will respond as described. Perhaps cadets at West Point can be schooled to respond calmly and methodically to a potential catastrophic event, but that is not likely for 100 young school children. Many will undoubtedly panic with unpredictable behaviors. Some of the adults might react the same way. The only way to ensure safety is to not put people in harm's way, especially not young children.	The comment asserts that in the event of a catastrophic event, people would not respond to the list of safety procedures listed in the Revised Draft EIR but provides no substantial evidence to support their assertion. Please see Master Response 1, *Standards for Responses to Comments*, regarding speculation without substantial evidence.
PUB18-24	In several places, the Recirculated Draft EIR states that in case of the need for emergency evacuation, "the Castro Valley Unified School District will provide two available school buses." (p. 4.15-19, fourth bullet; p. 3-25, second bullet under Evacuation Preparation and Procedures) This statement is ambiguous. Does it mean that the School District will always have available two school buses and their drivers in case emergency evacuation is needed, or does it mean that the School District will provide two school buses and drivers for evacuation if two buses and drivers are available? What if two school buses and their drivers are not available? What is the back-up plan for emergency evacuation in that situation?	The comment questions the Castro Valley Unified School District's provision of school buses. Please see Response ORG3-29 regarding provision of school buses. Details of the agreement with Castro Valley Unified School District Letter regarding the provision of school buses are to be finalized as part of the proposed project's conditions of approval.
PUB18-25	If a wildfire were to ignite in Cull Canyon south of the Mosaic School Project, it could block access for evacuation buses to reach the school site. What is the alternative evacuation plan for upwards of 100 young children and school staff? How will the attempt to evacuate upwards of 100 young children and school staff complicate the ability of Cull Canyon residents to evacuate the canyon in an emergency? Most Cull Canyon residents live north of the School Project site. The 1991 Oakland Hills Fire killed 25 people and injured 150 more because the only emergency egress was blocked.	The comment questions alternative evacuation plans of the proposed project. Please see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. If deemed safe, the project site and project buildings may be utilized as a shelter center for local residents to secure safety in the event of an emergency.
PUB18-26	The DEIR's statement on p. 4.15-19 that the proposed project would not alter the existing area in a way that could result in emergency evacuation impairment, "such as with adding a significant permanent population to the area" is disingenuous at best. For much of the year, the population of Cull Canyon will effectively be doubled, especially if the school fulfills its goal of operating in all four seasons.	The comment asserts that the Revised Draft EIR's statement regarding the addition of significant permanent population to the project area is disingenuous because population of Cull Canyon would be doubled. Please see Response PUB6-14 regarding population. The proposed project would not

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		involve new housing or employment centers; thus, the proposed project would not induce substantial population growth in the area. Furthermore, the proposed project does not have a long-term new housing component and would only be used intermittently by groups in a recreational capacity.
PUB18-27	Alternatives No alternative locations were considered in the Recirculated DEIR. The reason given is that "an alternative location was considered infeasible due to availability of sites that would support the project's objectives." This categorical statement does not describe the process used to consider and reject potential alternative sites. In fact, in our NOP comment letter, we suggested two alternative locations, one in Livermore and the other in the El Sobrante Valley of Richmond. The latter location was described as follows: This location could meet most if not all the Mosaic Project objectives. The site is adjacent to the East Bay Regional Park District's Wildcat Canyon Regional Park, has ready access to municipal water and sewer, multiple escape routes in an emergency, and is permitted by current zoning. Moreover, some neighbors to this site are familiar with the Mosaic Project and would support its locating in the area, unlike the currently proposed location which is opposed by the neighbors. If the County and the applicant were sincere about looking for a potential alternative site to evaluate, they could have inquired about the Richmond El Sobrante Valley location. Obviously, there was no honest attempt to consider an alternative location. It is remarkable that the County would fail to undertake this step given the many obvious problems with the currently proposed location for the Mosaic Project Outdoor School Camp program.	The comment asserts that no alternative locations were considered in the Revised Draft EIR. Please see Response ORG3-77 regarding alternative sites. An alternative location for the proposed project was considered infeasible due to availability of sites that would support the project's objectives.
PUB18-28	In conclusion, we believe the Recirculated Draft Environmental Impact Report is seriously inadequate. This project should be rejected out of hand and an alternative safe location sought. They do exist.	The comment serves as a conclusion to the comment letter. Please see Responses PUB18-2 through PUB18-27 above.
PUB18-29	*ATTACHMENT*	The comment is an attachment of Comment Letter PUB18 and is a document by the Mosaic Project regarding the Outdoor School Curriculum. The attachment does not address the adequacy of the analysis in the Draft EIR; therefore, no response is warranted.

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PUB19	**Tom & Kathy Hunt and Jim & Carolyn Millen, January 18, 2024**	
PUB19-1	Please include our comments in the DEIR and eventually in the new EIR for the Mosaic Project PLN2020-00093, Located at 17015 CULL CANYON ROAD, CASTRO VALLEY CA APN 85-1200-1-16 There has been very little change or expanded information in the recirculated DEIR; many new words yet, no real substance to the new DEIR. Our remarks from the past DEIR and EIR were overlooked, ignored last time around and we ask for our comments, as legally required, to be addressed adequately in the DEIR and then the EIR.	The comment serves as an introduction to the comment letter. Please see Responses PUB19-2 through PUB19-16 below.
PUB19-2	1. The fire risk to the canyon has been overlooked on the report. As it is increasingly dangerous for canyon residents in these times, doubling the population of the canyon on a regular basis also doubles the chance of fire, as most fires are started by humans. 85% of wildfires have human causes. No amount of cutting back trees around the buildings as planned will protect the rest of the canyon from wildfire risk from this outdoor school. Our increased risk is not being taken into account on the DEIR. There is no adequate study attached or included on the water supply onsite, for fire protection. Evacuation plans are inadequate, this is one way in and out road, evacuation of the camp will likely impede the evacuation of the rest of the canyon in the case of fire. Busses cannot be relied upon for evacuation as they are likely not allowed to drive into danger situations due to contract. Sheltering in place if there is actual fire nearby is insanity. Thus has not been evaluated properly.	The comment asserts that fire risk is overlooked in the Revised Draft EIR. Please see Response PUB11-16 regarding fire risks. As analyzed in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, vegetation, or installation or maintenance of associated infrastructure through compliance with applicable regulations and implementation of Mitigation Measures WF-2, WF3a, and WF-3b. The comment states that there is no adequate on the water supply for fire protection. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand for fire flows. Fire flow calculations for the project were determined in consultation with the Alameda County Fire Department. The comment also asserts that evacuation plans are inadequate and buses cannot be relied on for evacuation but provides no substantial evidence to support their assertion. Please see Master Response 1, *Standards for Responses to Comments*, regarding speculation without substantial evidence and Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. Pursuant to CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, in assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published.

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		Because Cull Canyon Road is currently the only evacuation route for the project area and students and staff would be evacuated on buses and a few staff cars, the inherent difficulties of evacuation would not be significantly affected by the proposed project. If deemed safe, the project site and project buildings may be utilized as a shelter center for local residents to secure safety in the event of an emergency.
PUB19-3	The proposed tanks will run out of water within a few hours of fire fighting and cannot fill at a substantial rate to refill for firefighting capabilities. Can the massive water tank as proposed even be delivered to this property? I'd imagine a wide load semi truck would have to deliver one of this size and likely not be allowed to cross the bridge of the property. Is this being accounted for? Studied? No, the report is void of any details as to how this would be accomplished. Wells in this canyon are unpredictable and should be studied particularly in dry seasons, as they can appear to be enough in the wet season until the dry season hits and they're actually being stressed. We have no provable aquifer underground, just pockets of water that are refilled by rain each year. We need to see much more information in the hydrological section of the report. Actual DATA from flow tests needs to become available to us (where the groundwater has been run for days before running the tests). Please include USGS groundwater analysis and Alameda County data within the report, along with well reports from one mile up and down the canyon from the proposed site.	The comment expresses concern regarding water supply for fire flow. Please see Master Response 5, *Hydrology and Utilities*, regarding water supply and demand for fire flow. There are two fire hydrants in the developed area of the site that will be supplied by the fire suppression system storage tank, as shown on Figure 3-4, *Proposed Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR. Detailed information regarding the hydrogeology of the site and surrounding area is provided in the Preliminary Technical Report. The on-site wells were pump tested in the dry season in November 2020. Data from the results of the pump tests are provided in the Preliminary Technical Report. Please see Master Response 1, *Standards for Responses to Comments*, regarding additional analysis. The USGS does not maintain groundwater data for the Castro Valley area. However, they do monitor water levels in Cull Creek; these results are reported in the Preliminary Technical Report. Alameda County does not collect data from groundwater wells in the area, other than issuing well permits and keeping well completion reports. The DWR Well Completion Report Map shows only one well upgradient and one well downgradient from the project site on the west side of Cull Canyon; however, the mapping information may be incomplete.
PUB19-4	The residents in the canyon will likely be at risk of losing their fire insurance due to the added risk of this facility. Please include a study by CAL Fire of this site and the exact risks of this type of facility and another study by Alameda County Fire.	The comment asserts that the residents of the canyon would be at risk of losing their fire insurance due to the proposed project and requests a study of the project site by CAL FIRE and Alameda County Fire Department to determine the risks of the proposed project. Please see Master Response 1, *Standards for Responses to Comments*,

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		regarding project merits and additional analysis. A study by CAL Fire is beyond the scope of this project and the ACFD will review the site plans and fire evacuation plans prior to construction to ensure that the proposed project meets the code requirements.
PUB19-5	2. Wildlife Risk is being overlooked. Simply, there are no studies of animal movement across the property, there is no documentation, nor data on the species that do exist here in the canyon. Specifically, the ones we have seen with our own eyes and have video and pictures of, including mountain lions, badgers, weasels, condors and bobcats. Wildlife danger is also not being included in the DEIR including the herds of wild pigs which have tusks up to 4 inches, the herd size in our canyon ranges from 8 to 30 pigs in any given time running at high speeds through our properties. We have seen the condor flock within the local canyon community marked with their badges. Removing more trees to this greenbelt will impact these endangered creatures. This MUST be included within the report. We request that a study from CDFW be conducted to make sure that the impact of this large facility will not be an impact to our beloved critters.	The comment claims that there are no studies of animal movement across the property and describes personal experience with wildlife in the project area. Please see Response ORG3-42 regarding wildlife movement across the project site. California condor (Gymnogyps californianus), which is a State and federally-listed endangered species, has been reintroduced into parts of California. It has been observed as far north as the Santa Cruz Mountains and Mt. Diablo, although these occurrences are still very sporadic. The project site does not provide suitable nesting habitat for California condor. The upper elevations of the project site and surrounding undeveloped ridgelines could serve as foraging habitat for California condor in the future, if and when individuals and eventually pairs of birds recolonize the area and begin to establish nesting territories. The proposed project is not expected to have any significant impacts on California condor. The comment has been noted. The comment also requests a study from CDFW to make sure the impact of the proposed project would not affect wildlife. CDFW has reviewed the Revised Draft EIR and provided comments in Comment Letter GOV2.
PUB19-6	3. Farming suggestions in the DEIR are preposterous. Who can farm under the heavy canopy of oak and bay trees? That site gets less than 6 hrs of sunlight per day. What substantial amount of produce can be grown, with greywater (which is illegal in the state of California) with little to no sunlight? The idea of raising goats for milk is also the most fantastical idea. The property will not be allowed to have fencing on it, yet there is no projection in the DEIR as to how these goats would be kept safe from mountain lion predation, from wandering onto other properties or kept from the creekbed. Also, where are the milking facilities, the extensive barn facilities, for bedding, for breeding/birthing? They do not account for the extra water that livestock use, nor the extra water used in the bottling/sanitation of the milking facility. It takes about 4.5 gallons of water to produce one gallon of bottled milk. The impact of the livestock must be proven by report and factually within the DEIR, which it currently is not. It is clear that the ideas are dreamed up by people who have not farmed. Please provide the documentation for	The comment expresses doubt that the proposed farming activities would succeed due to site conditions. Please see Master Response 1, *Standard Responses to Comments*, regarding project merits, Master Response 4, *Agricultural Uses*, regarding agricultural production, and Master Response 5, *Hydrology and Utilities*, regarding water supply and demand. Greywater will not be used for agricultural production. The water source for irrigation of the vegetables and flowers will be rainwater. Greywater will only be used for irrigating the orchard (walnut and fruit trees), which is an acceptable use

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	the farming plans as these will affect the usage of the property and the environment. Please prove the impact of the water to the size of the breeding program for the pigmy goats. Breeding program is required to keep the animals pregnant and in milk. This means many, many baby goats, this is of no little impact. Please provide details of where animal fencing and facilities will be on a map.	for greywater, according to California regulations. The property will be allowed to have fencing; the proposed area for raising chickens will be fenced. Animal fencing and facilities are depicted on Figure 3-4, *Proposed Project Site Plan*, in Chapter 3, *Project Description*, of the Revised Draft EIR, on northern end of the project site. The statement that it takes 4.6 gallons of water to produce one gallon of bottled milk is a reference about obtaining milk from cows. The reference goes on to say that 95 percent of that water is used to grow alfalfa and feed for the cows. The provision of pigmy goats has been removed from the proposed project plans, as shown in Chapter 3, *Revisions to the Revised Draft EIR*, of this Final EIR. The agricultural component of the proposed project includes 20 free range chickens. The total water demand for 20 chickens is about 5 gallons/day, which is less than the water demand of one camper and could be supplied by the rainwater harvesting system or the potable water system.
PUB19-7	4. The Land Use of the property, if it is already in Williamson Act, is not being used properly per state guidelines. If the property is not in the Williamson Act already, the primary use of the property would not be farming; it would mainly be used as an outdoor school. Is this a School or a Camp or a Farm? Proof of this must be recorded in the DEIR. Please provide the documentation of the Williamson Act application and plan.	The comment is requesting documentation of the Williamson Act application and plan. Please see Master Response 4, *Agricultural Uses*, regarding the Williamson Act. The project site is subject to Williamson Act Contract No. 2016-56, as authorized by the Board of Supervisors on May 3, 2016. There is no existing commercial use on the project site. Concurrent with the application for a development permit, compatible use permit, and Site Development Review, the project applicant will apply for and obtain a Compatible Use Determination from the County. The proposed project is an outdoor recreational program with an agricultural aspect. Farm animals consisting of 20 chickens, would be kept on-site with a proposed yard on the northern portion of the project site adjacent to Cull Canyon Road. The animals would be used for natural property maintenance, food, and as an educational experience for the campers. An additional goal of the agricultural and farming activities is for The Mosaic Project to earn income to support its activities from selling forest products, chicken eggs, and produce.

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PUB19-8	5. Road conditions have not been taken into account in the DEIR and we demand that they be looked at by structural engineers and a report must be made for their usage for the amount of traffic that would be added to the canyon. It is simply not just bus traffic that will add to the road maintenance and traffic. The road has not been maintained properly, the last chip seal job resulted in multiple car crashes in 2023 due to the amount of loose gravel left on the road and not sealed. How is the road going to withstand food trucks, animal trucks/trailers in and out, sewage trucks, water trucks, more utility trucks, construction trucks, vans, employees and of buses? The road is sloping into the creek between mile marker 1 and mile 1.3, the road occasionally floods there also and becomes impassable. At Mile marker 2.45 the road floods and can also become impassable.	The comment asserts that the Revised Draft EIR did not take into consideration road conditions of Cull Canyon Road. Please see Master Response 1, *Standards for Responses to Comments*, regarding additional analysis. As discussed in Chapter 4.15, *Wildfire*, of the Revised Draft EIR, Cull Canyon Road has a daily volume of 420 vehicles; therefore, the proposed project's maximum daily trip volume represents only 12 percent of Cull Canyon Road's daily volume and is not expected to result in a significant impact.
PUB19-9	How has the road not been studied to the extent of the heavy trucks that would be required for building the facility? The county recently put up signs that limit truck size to under 7 tons for this section of the canyon north of Columbia Drive. How will the tanker trucks that are to dispose of the filtered rejection water even be allowed to drive on the road since they vastly outweigh the restriction? Each of those trucks are around 8-10 tons without water in them. Please include this in the road/traffic study. Also, Sewage trucks will be regularly emptying the septic tank, this needs to be studied also. We also saw no substantial study of the existing bridge with the weight of construction trucks, & concrete trucks. Please include these, because if a sewage truck accidently breaks the bridge and it runs into our creek ruining our creek and it was not studied, we will all pay the cost to our fragile environment. If a bus, which is 14 tons in weight (illegal in our canyon) , misses its turn as frequently happens, where will it turn around in the canyon? This summer we had a number of school and tour buses miss the Cull Lagoon and struggle in turning around, damaging people's property and the buses. The road clearly needs traffic studies and proper analysis of the amount of increased traffic on the road and projection of traffic incidents and how this proposed traffic will affect bicycle use. CHP must also report on conditions and prior accidents, and what to expect with increase of large vehicles.	The comment requests additional road/traffic studies. Please see Response PUB10-7 regarding traffic generated by the proposed project. Cull Canyon Road has a daily volume of 420 vehicles; therefore, the proposed project's maximum daily trip volume represents only 12 percent of Cull Canyon Road's daily volume and is not expected to result in a significant impact Please see Response ORG3-14, ORG3-24, ORG3-25 regarding vehicle length and weight restrictions. Please see Response ORG3-26 regarding the existing bridge. Fire Department regulations would be maintained without construction within Cull Canyon Creek as discussed with the Alameda County Fire Department.
PUB19-10	6. The increase in demand of our local police and fire have not been adequately addressed in the DEIR either. We have had an increase in need of ALCO Sheriff's Deputies in the past few years, mostly due to crime, both from foot traffic of the unhoused population who become disoriented in our canyon, from theft, and the murdered body found in the barrel in our canyon. This came after OPD was looking for another body said to have been buried in a shallow grave in our canyon. How will the addition of more than 100 (caretakers, Staff and children) people not add to the need for an increase in our emergency resources. Especially at a facility with sheer drop offs into rapid flowing creeks, 30% incline hillslopes, wildlife	The comment asserts the proposed project's increase in demand of local police and fire was not adequately addressed in the Revised Draft EIR and requests more study on the safety of the proposed project and demand on local agencies. Please see Master Response 1, *Standards for Responses to Comments*, regarding additional analysis. Preparing a study on the safety of the proposed project is beyond the scope of this project. As analyzed in Chapter

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	encounters (ie. rattlesnake bites as dogs get often here in this canyon) and poisonous plants such as poison hemlock, poison oak (think anaphylactic allergies), fire pit (burns) and trees here which on steep slopes fall down more often than one would imagine. Let alone the human impacts of things that will cause injury and crime. I worked at an inner city camp in the sierras in which I had to confiscate many lighters and drug paraphernalia. We also had to evacuate 200 kids from a wildfire and buses were not onsite for evacuation. Eventually when the buses came we raced down the mountain as the forest behind us was engulfed in flames, the camp came within 2 miles of burning. To say that facilities like this have little to no emergency impact is absurd. Please give much more study to the safety of the environment of the camp and the demand of local agencies. We want to see the reports of similar facilities and how often police/ ambulance & fire are needed.	4.11, *Public Services*, the proposed project would be adequately served by existing police and fire protection services. Please see Master Response 2, *Project Clarifications*, regarding student safety and Master Response 6, *Fire Safety and Evacuation*, regarding evaluation procedures. Campers and staff would be required to follow guidelines to ensure student safety. Additionally, the proposed project includes a Fire Safety and Emergency Response Plan to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR).
PUB19-11	7. The water report as stated in the DEIR is inadequate. We need the data, we need to know that these wells are actually not going to suck the neighbors wells dry. We need to know that flow tests were performed AFTER running the wells for days straight. We need these tests to be done late summer when everyone's wells are stressed. We need to know that the outdoor school can in fact sustain itself without draining the wells of residents around it. OUR FIRE PROTECTION, PROPERTY VALUES AND LIVES DEPEND ON THE GROUNDWATER. If the Mosaic project is basing their sustainability on well records that they will not provide for us, how are we to be in support of the project? Perhaps somehow they have the magical well of the canyon as they suggest, imagine that, one tiny property amongst thousands of other acres that has the fountain of life well, that can just fill and fill without ever stressing the groundwater out. They will then be taking this water and running it through an Reverse Osmosis system that will reject 50-70% of the water to filter it, then they will have to dispose of this water via toxic waste trucks (which are also illegal in our canyon due to weight). This is not sustainable living, this is not environmentally friendly. This is a misuse of our groundwater. This use needs to be studied much more extensively as to the impact that it will have on our underground supply. USGS MUST be brought in for a study of the surrounding areas and this property in order to have more insight for the DEIR. The residents of the canyon are extremely careful with our usage of water, we typically under use per person, what the average person in town is using. We have learned to live with less in order to maintain our water and not abuse the underground pockets. The abuse of water that will happen at this camp due to needs of dishwashing, showering, toilet flushing and filtration rejection are astounding and disheartening for those of us who have had well issues (more than 50% of the canyon).	The comment asserts that the water report in the Revised Draft EIR is inadequate and requests the data for the wells. Please see Master Response 5, *Hydrology and Water Quality*, regarding water supply and demand. Detailed information regarding the water demand and pump test results are also provided in the Preliminary Technical Report. The tests were conducted in November 2020 after a prolonged drought period. The wells on the project site were drilled in close proximity to a Quaternary fault which intersects the property along the southern border and another fault that intersects the property along the eastern border. Faults often acts as conduits for groundwater and its storage. The fact that no drawdown was observed in the non-pumping well, which is located about 160 feet from the pumping well during testing and that the two wells in close proximity to each other are drawing water from separate aquifers indicate that the proposed water system would not impact neighboring wells. In addition, the project would only use 2.4 AFY (786,000 gallons/year), which is less than one percent of the current groundwater usage of 437 AFY in the Castro Valley Groundwater Basin.
PUB19-12	8. The creek widened in the storms of 2022/2023 resulting in the change of topography of the property to be used for the project. The property lost 5-10 feet that can be seen from the road, one can see the retaining wall fence that used to hold the bank of the creek is now out in the middle of the water flow, not at the creek edge. The flooding carved a new path for the	The comment asserts that the creek has widened due to recent storms and that project site plans should be redrawn to consider this. Please see Master Response 3, *Creek Setback*, regarding creek setback calculations and recent

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	creek. This does affect the plans, the drawings and the maps being used for the project. The area where the wells are at the front of the property flooded over, water was over the well heads. The area that is being planned to be used as an orchard is actually at some points of the season is part of the creek and cannot be used as such according to state watershed guidelines. Please include the change of plans with new drawings after the storm changed the property measurements.	storms. None of the existing or proposed buildings and structures would encroach the required 20 feet creek setback from top of bank and the proposed project is consistent with the Watercourse Protection Ordinance. Additionally, the GEI Report has been reviewed to confirm that the recommendations presented in the GEI Report for earthwork and structural improvements remain suitable in light of the recent storms.
PUB19-13	9. The DEIR still suggests that way couldn be made to get to the EBMUD land that is nearby. No such connection is made from the property without trespassing on surroinding properties. No trail connections exist legally. This property is landlocked.	The comment asserts that the connection to parkland would require trespassing private property. Please see Response PUB5-7 regarding the relation of the location of parkland to the project site and Response PUB4-5 regarding the proposed trails. Eastbay Regional Parkland is adjacent to the agricultural properties to the west. Dirt roads and trails exist within the property boundaries and extend within the bay/oak woodland habitat that covers the slopes on the western side of the project site.
PUB19-14	10. The trails made on property will be unhikeable during rainy season. We all have the same clay. Trails on EBRPD in our canyon have to close for the season. Clay becomes slick and unhikable at these steep inclines. Where are the children to have recreation? In the buildings? Isn't this to be an outdoor school? If it is not an outdoor school, any number of alternative buildings and facilities can host indoor activities outside this location. There is no outdoor play area suitable for children's activities, especially during rainy season where hiking is impossible. If the plan is for the kids to play primarily on the septic leach field, there is a problem in the planning of the project and priorities. This needs to be assessed by a parcel accessor and re-drawn.	The comment notes that the trails will become unhikeable during rainy season and questions where the children are to have recreation. In the event of rain, students would be provided alternative indoor activities. The comment also expresses concern regarding students playing on the proposed septic area. Please see Response PUB6-13 regarding play areas. The proposed project does not include the installation of any play structures on top of the septic area and therefore would not pose any threat to the students. The area north of the creek and next to Cull Canyon Road would also serve as an area for outdoor activities.
PUB19-15	11. This project is a school, clearly. If it were not, kids would be delinquent for their school days, the program has curriculum, and will be meeting during school hours. The Mosaic Project school needs to re-propose the project under this banner, as it once did and reassess state standards for a school location. Palomares Canyon Elementary School would be a perfect example as to what the standards on the property would be. Please re-assess for the DEIR.	The comment asserts that the proposed project is a school. Please see Master Response 2, *Project Clarifications*, regarding project classification. The proposed project is an outdoor recreational facility.
PUB19-16	More than anything, we care about the safety of the children, pertaining to the environment. We wouldn't want a catastrophe that could have been avoided and improper study could fully affect their safety.	The comment serves as a conclusion to the comment letter. Please see Responses PUB19-2 through PUB19-15 above.

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PUB20	**Wayne Mindle, January 18, 2024**	
PUB20-1	I am writing you to express my concerns about the Mosaic Project development in Castro Valley. As a resident and homeowner in Castro Valley since 1996 I came to this area because of the rural nature of the community. I am opposed to this development going forward for many reasons, the nature of which is both technical and environmental. As a Civil Engineer I see many issues with locating this type of facility in the proposed location.	The comment serves as an introduction to the comment letter. Please see Responses PUB20-2 through PUB20-9 below.
PUB20-2	I am quite familiar with the area as I have visited the TwiningVine Estate Winery many times. As I am sure you know the area is quite pristine and the drive down that rural road is something very special. TwiningVine Estate Winery is the last remaining winery in Castro Valley and as such deserves to be protected from a development that could potentially impact their ability to continue as a functioning business. It is my understanding that they do not directly water their vines by pumping water from the ground but that they rely on the water in the soil and this in itself is admirable as the area relies on ground water that is replenished by rain that lies in a natural undergound basin. As we are all aware California is and has been in a drought and the future is not predictable, so adding this project will most certainly stress the available water for all current residents of the area. Also, my concern is that licensing of the winery can be affected by having a "school" next to it as licensing is issued on a yearly basis. It is truly unfair to place the burden on them every year to wonder if their license will be renewed. They have been good stewards of the land and deserve to be treated fairly.	The comment expresses concern regarding the project site's impact on Twining Vine Winery. Please see Master Response 2, *Project Clarifications*, regarding nearby businesses. Consideration of the proposed project's impact on Twining Vine Winery and its retail license will be addressed in the Staff Report.
PUB20-3	I have read through the available documentation that is provided by the county and I have concerns about issues which include potential Fire Hazards, Sewage, Water Resources, Zoning laws and questions about the usage levels that are specified in the documents.	The comment serves as a summary to the comments to follow. Please see Responses PUB20-4 through PUB20-9 below.
PUB20-4	I have a particular concern with using propane tanks, certainly they can use the one for the existing structure, but as the EIR states new construction must use renewable energy and they want to mitigate the use with offsets which may be legal but not environmentally friendly, as electricity is available to them. They should really remove both tanks and use electricity.	The comment expresses concern regarding the use of propane tanks and assert that the proposed project should use electricity. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB20-5	The sewer infrastructure is also a concern. Nothing is guaranteed to work properly if it is not properly maintained. The EIR includes a statement from the company that makes the water treatment equipment, Orenco Systems Inc, that they cannot guarantee that it works properly if it is not properly maintained. "It is important to note that even though the AdvanTex Treatment System has the capability to meet or exceed the required treatment parameters, there is no way that Orenco can guarantee that a particular system will be operated or maintained in a manner consistent with the Preliminary Design reviewed."	The comment expresses concern regarding the sewer infrastructure and its maintenance. Please see Master Response 5, *Hydrology and Water Quality*, regarding the OWTS. All vendors have a disclaimer that the system must be operated and maintained in a manner consistent with the reviewed design in order to guarantee that it will work properly. For all of their systems, Orenco provides installation and operator training, assistance with technical specifications, installation and operation manuals, on-the-job training, and lifetime technical support.

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	Who is going to make sure that is done? I do not see the county doing oversite or any statement to that fact.	ACDEH requires submittal of detailed design plans, a basis of design report, and an Operations and Maintenance Manual to be prepared and approved by ACDEH before a permit for the system is issued. ACDEH also inspects the installation of the system to ensure that it is in accordance with the standards in the ACDEH OWTS Manual. The system must be inspected at the frequency specified in Table 43-1 of the ACDEH OWTS Manual. Sampling and analysis for BOD, TSS, and nitrogen are also required and compared with effluent limitations. Also, an annual report must be submitted to ACDEH that includes actual wastewater flows for the operating permit period, inspection findings submitted on a form provided by ACDEH, and any other information requested by ACDEH.
PUB20-6	Fire hazard is always a concern, but in that area, it is a big concern. You have potentially 150 students and say 8 staff members, there are no fire escape routes indicated in the plan, let alone training for the staff.	The comment notes that fire hazard is a big concern in the area and asserts that there are no fire escape routes indicated in the plan or training for the staff. Please see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. The proposed project includes a Fire Safety and Emergency Response Plan to establish protocols for training employees about emergency response and fire prevention, protection, and suppression activities (see Appendix F, *Draft Fire Safety and Emergency Response Plan*, of the Revised Draft EIR).
PUB20-7	I read carefully the Mosaic project description about usage and that is not controlled by any legal restrictions. But they include the usage numbers to minimize all things related to the project use of water, noise, transportation, etc. Like anything else I am sure over time they will increase the usage, more people more classes, more cars. They plan to teach training classes for teachers, so do they plan to bus them in as they stated for the students or are all attendees going to drive their own cars? No way the county is going to monitor the use. In fact, if the camp closes for financial reasons in the future, what happens to the infrastructure and what happens if another organization wants to use it. Are they bound by the limited use claims by the Mosaic organization? Too many issues for the residents of that area and they deserve to be treated fairly, they have been there for decades.	The comment asserts that the project description includes usage numbers to minimize impacts. Please see Response PUB5-14 regarding maximum capacity and occupancy. The maximum population at the project site would be 114. It is anticipated that staff will drive their own vehicles to the project site. Please see Response PUB10-7 regarding traffic generated by the proposed project. Cull Canyon Road has a daily volume of 420 vehicles; therefore, the proposed project's maximum daily trip volume represents only 12 percent of Cull Canyon Road's daily volume and is not expected to result in a significant impact. The comment also expresses concern regarding the lack of legal restrictions and monitoring of the proposed project. Future owners of the property are bound by the Conditional Use Permit requirements. Any future changes, including an increase in

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		the intensity of the proposed project, would require a new Conditional Use Permit.
PUB20-8	Regarding environmental issues, they are adding 2 EV stations to charge cars, but they state that gasoline will be used to transport students, so how many electric vehicles are going to be coming to that site. Are they going to require the staff to drive electric vehicles?	The comment notes that the proposed project would adding EV charging stations and questions how many electric vehicles would be coming to the site. Please see Response PUB13-33 regarding the provision of EV charging stations.
PUB20-9	I have no objection to their educational ideas and motives, but I believe this is not the place to build a large facility.	The comment serves as a conclusion to the comment letter. Please see Responses PUB20-2 through PUB20-8 above.
PUB21	**James Panico, January 18, 2024**	
PUB21-1	My name is James C. Panico. I live at 16874 Cull Canyon Road Castro Valley (at the 3.15-mile marker), which is almost directly across from the proposed Mosaic Project. I have owned my property for over 20 years and built my family home. I have also built other homes in Castro Valley and Hayward along with multifamily dwellings. I am concerned with the Mosaic proposed development on the Cull Canyon site. This would bring over 100 young children along with approximately 50 teachers and supervisors to this property daily. This would remove children from their current school location and move them to the Mosaic property which would continue their required school day but, in this case, they would be living on the Mosaic property. This raises many concerns but I want to focus on the sewage that this project would generate.	The comment serves as an introduction to the comment letter. Please see Responses PUB21-2 through PUB21-6 below.
PUB21-2	One hundred fifty students and staff would generate about 50 gallons each day of sewage which includes showering, toilets, sink washing and potential laundry. This adds up to a minimum of 7500 gallons of sewage per day which is a reasonable conservative estimate. This means the septic leach field system would handle 52,500 gallons minimum per week. I don't believe there is any system in the canyon that handles this amount of capacity. The average home in Cull Canyon (approximately 150 people in 3,000 acres) probably handles around 1,400 to 2,000 gallons per week on average. There is no public sewage system in Cull Canyon.	The comment questions of the proposed septic system would be able to support the capacity of the proposed project. Please see Master Response 5, *Hydrology and Water Quality*, regarding the OWTS. The NorthStar *Basis of Design Report for the Mosaic Project* also provides discussion of the wastewater demand for the proposed OWTS system (see Appendix G, *Revised Water and Wastewater System Reports*, of this Final EIR). The statement that 150 students and staff would generate 50 gallons/person/day of sewage is incorrect. The maximum number of people on-site at any time would be 114 people. The campers and counselors were assumed to generate 25 gpd/person and the staff housing was assumed to generate an additional 675 gallons/day, based on a total of six bedrooms. The sizing is in accordance with the ACDEH OWTS Manual. The amount of wastewater generated per day was estimated to be 3,875 gallons, not 7,500 gallons per day as stated by the commenter. This calculation

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		conservatively assumes that 100 percent of the potable water used at the site becomes wastewater, when in actuality only about 80 to 90 percent of indoor water use becomes wastewater. In addition, no credit was taken in the calculations for the installation of a greywater system, which could divert up to 30 percent of the wastewater generated.
PUB21-3	The proposed mitigation solution would be to use tanker trucks to remove the sewage waste water from the Mosaic project. That would mean tanker trucks moving through the Cull Canyon two-lane windy road with blind turns for three miles in order to remove the sewage from the site. Take note that Cull Canyon Road is currently used by 150 residents who are living on approximately 3,000 acres within Cull Canyon, as well as runners, hikers, and bicyclists who use this road for recreation. The environmental impact report should analyze and include the impact of the additional traffic and use on the Cull Canyon Road for this Mosaic school site.	The comment asserts that the Revised Draft EIR should analyze the impact of additional traffic as a result of the proposed project. Please see Response PUB10-7 regarding traffic generated by the proposed project. Cull Canyon Road has a daily volume of 420 vehicles; therefore, the proposed project's maximum daily trip volume represents only 12 percent of Cull Canyon Road's daily volume and is not expected to result in a significant impact.
PUB21-4	The septic field is within the two-acre envelope for the project. The draft report is suggesting parking and a playground on top of the septic field. Is this permitted?	The comment questions if parking and a playground is permitted on top of a septic field. Please see Response PUB19-14 regarding the proposed septic area. The proposed project does not include the installation of any play structures on top of the septic area and therefore would not pose any threat to the students.
PUB21-5	With the amount of waste water being produced and located close to the vicinity of wells is this an issue worth discussion. Would there be a potential problem due to a septic system overflow that could result in ground water contamination. Also, the septic system is very near to Cull Canyon Creek could a septic system overflow cause harm to the Cull Canyon Creek and wild life who use this creek for drinking water.	The comment question if the proposed septic system could result in groundwater contamination. Please see Master Response 5, *Hydrology and Water Quality*, regarding the OWTS. The two on-site groundwater wells have a sanitary (cement) seal that extends 60 feet below ground surface. Because of the distance from the nearest well to the drain field (150 feet) and the sanitary seal, treated effluent from the system would not impact groundwater quality. Nevertheless, the water system is required to do monthly testing for bacteriological quality and annual preparation of a Consumer Confidence Report that shows test results and compliance for all primary and secondary drinking water standards. The dispersal field is also set back 100 feet from the top of the bank of Cull Creek. Since the OWTS is a packaged system with flow meters that pump a specified amount of effluent into the distribution network, ensuring that the drain field is never inundated to the point that it becomes saturated and the pressurized dispersal system is designed to percolate downward into the soil, the OWTS

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		would not adversely impact Cull Creek or the adjacent riparian areas.
PUB21-6	Bottom line is that current Cull Canyon residents have been held to certain requirements due to the limitations of the land resulting from limited water supply, preservation of open space and animal life, and extreme fire danger management. The DEIR is inadequate and I agree with the Castro Valley MAC's recommendations. Please include my comments into the Mosaic Property draft EIR report.	The comment serves as a conclusion to the comment letter. Please see Responses PUB21-2 through PUB20-5 above.
PUB22	**Kent Woodell, January 18, 2024**	
PUB22-1	As a 30+ year resident of Cull Canyon, we live on a 30-acre parcel of land, located approximately 1 ½ miles north of the proposed Mosaic project. Since our land configuration and conditions are quite similar to the Mosaic property I thought it appropriate to mention a few of the real-life environmental hazards we have experienced. The Revised Draft EIR seems to avoid any mention or methods to mediate the everyday risk of Environmental hazards as they may apply to the 120+ Mosaic children/staff.	The comment serves as an introduction to the comment letter. Please see Responses PUB22-2 through PUB22-11 below.
PUB22-2	Following are a few of the Environmental hazards we have experienced: *We encounter an average of about 6-8 Rattlesnakes per year with our dogs bitten a total of 8 times.	The comment describes personal experiences with rattlesnakes in the project area. The comment has been noted. Please see Master Response 2, *Project Clarifications*, regarding student safety. Wild animals are to be observed from a safe distance using binoculars or cameras. Campers will not be allowed to approach or attempt to touch wild animals. Campers will be prohibited from feeding wild animals, because it habituates them to human presence and lead to aggressive behavior. Campers will be taught to respect wildlife by giving them space and not disturbing their natural behaviors. Campers will be educated about local wildlife species and their habitats, as well as how to recognize signs of wildlife presence, such as tracks, scat, or calls, and will be instructed on how to react if they encounter wildlife unexpectedly – back away slowly. Campers will be encourage to report any sightings of injured, sick, or distressed wildlife to camp staff immediately. Handling or approaching injured animals without proper training and authorization will be prohibited.

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PUB22-3	*The Canyon is within a High Fire Hazard Zone and in fact, numerous fires have occurred in the canyon within the last couple of years. High risk of fire, together with restricted one road access, would likely result in the Fire Department requiring a "Shelter in Place Area." The R-DEIR fails to even mention the concept, possibly because there is no suitable land available on their property.	The comment notes that the project area is within a High Fire Hazard Severity Zone and notes that the Fire Department would require a shelter-in-place area. Please see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. If deemed safe, the project site and project buildings may be utilized as a shelter center for local residents to secure safety in the event of an emergency.
PUB22-4	*Our dogs and other small animals have regular conflicts with coyotes including nearly losing one dog to a pack of six coyotes. There is no mention of coyote/child environmental risk in the revised Draft.	The comment describes personal experiences with coyotes in the project area. Please see Master Response 2, *Project Clarifications*, regarding student safety. Wild animals are to be observed from a safe distance using binoculars or cameras. Campers will not be allowed to approach or attempt to touch wild animals. Campers will be prohibited from feeding wild animals, because it habituates them to human presence and lead to aggressive behavior. Campers will be taught to respect wildlife by giving them space and not disturbing their natural behaviors. Campers will be educated about local wildlife species and their habitats, as well as how to recognize signs of wildlife presence, such as tracks, scat, or calls, and will be instructed on how to react if they encounter wildlife unexpectedly – back away slowly. Campers will be encourage to report any sightings of injured, sick, or distressed wildlife to camp staff immediately. Handling or approaching injured animals without proper training and authorization will be prohibited.
PUB22-5	* One evening my wife observed a mountain lion laying within 15 yards of our deck next to our house.	The comment describes personal experiences with mountain lion in the project area. The comment has been noted. Please see Master Response 2, *Project Clarifications*, regarding student safety. Wild animals are to be observed from a safe distance using binoculars or cameras. Campers will not be allowed to approach or attempt to touch wild animals. Campers will be prohibited from feeding wild animals, because it habituates them to human presence and lead to aggressive behavior. Campers will be taught to respect wildlife by giving them space and not disturbing their natural behaviors. Campers will be educated about local wildlife species and their habitats, as well as how to recognize signs of wildlife presence, such as tracks, scat, or

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		calls, and will be instructed on how to react if they encounter wildlife unexpectedly – back away slowly. Campers will be encourage to report any sightings of injured, sick, or distressed wildlife to camp staff immediately. Handling or approaching injured animals without proper training and authorization will be prohibited.
PUB22-6	* During 2023, we killed/removed over a dozen wild boar from our property. During the same period, over 400 pigs were killed/removed from the EBMUD lands which are adjacent to both our land and the Mosaic property. On Christmas day 2023, within 50 yards of our house, one of our dogs was gored by a wild boar. The presence and rapid expansion of wild boar population is one of the major current environmental hazards, threating both our canyon and much rural lands throughout the United States. Viewed from Cull Canyon Road, Wild Boar damage can be observed on the Mosaic property. The R-DEIR fails to even mention the presence of wild boar on the property and the high potential risk to the children.	The comment describes personal experiences wild boars in the project area. Please see Master Response 2, *Project Clarifications*, regarding student safety. Wild animals are to be observed from a safe distance using binoculars or cameras. Campers will not be allowed to approach or attempt to touch wild animals. Campers will be prohibited from feeding wild animals, because it habituates them to human presence and lead to aggressive behavior. Campers will be taught to respect wildlife by giving them space and not disturbing their natural behaviors. Campers will be educated about local wildlife species and their habitats, as well as how to recognize signs of wildlife presence, such as tracks, scat, or calls, and will be instructed on how to react if they encounter wildlife unexpectedly – back away slowly. Campers will be encourage to report any sightings of injured, sick, or distressed wildlife to camp staff immediately. Handling or approaching injured animals without proper training and authorization will be prohibited.
PUB22-7	*Every year a dozen or so major limbs or trees fall on our property. This environmental hazard and potential risk of injury or death to children is obvious.	The comment describes personal experiences with tree falling in the project area. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.
PUB22-8	*There have been Hundreds of Canyon Landslides. Major slides on our property include knocking down retaining walls and Solar system, upending the concrete driveways, erosion of creek banks and loss of mature oak and bay trees, destroying our emergency fire road exit, etc.	The comment describes personal experiences with landslides in the project area. The comment has been noted. As noted in Chapter 4.5, *Geology and Soils*, of the Revised Draft EIR, the Geotechnical Engineering Investigation Report prepared for the proposed project found that the project site lacks the characteristics that would promote liquefaction and the potential for the occurrence or reoccurrence of a landslide hazard within the proposed building areas is low (see Appendix E, *Geotechnical Engineering Investigation Report*, of the Revised Draft EIR).

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PUB22-9	In closing, I bring to your attention the most alarming unacknowledged Environmental hazard which is actually created by the Draft mandate: The Project Plan does not designate a suitable area for 100+ children to play on the Mosaic property.	The comment asserts that the proposed project does not designate a suitable area for students to play. Please see Response PUB6-13 regarding play areas. The area north of the creek and next to Cull Canyon Road would also serve as an area for outdoor activities.
PUB22-10	To allow the free flow of wildlife throughout the property, the R-DEIR mandates that "no fencing shall be installed which form as a barrier between the creek and the woodlands to the west…" Considering the continual close proximity of the children to the creek and its near vertical banks, this Draft EIR mandate, which restricts fencing or other barriers, is an absolute Environmental risk which cannot be denied.	The comment expresses concern about student safety near the creek and comment incorrectly asserts that "no fencing shall be installed which form as a barrier between the creek and the woodlands to the west." Please see Master Response 2, *Project Clarifications*, regarding student safety. As listed in Chapter 4.3, *Biological Resources*, in the Revised Draft EIR, Mitigation Measure BIO-4 provides detailed parameters to minimize disruption of native wildlife movement opportunities and potential native wildlife nursery habitat, but does not prohibit installation of fencing that would serve to address safety concerns. Wildlife friendly fencing such as split rail or open wire strand could be used where needed to control public access and address safety concerns, while still allowing for unimpeded wildlife movement. Under the details of the mitigation, fencing to control and protect livestock must be restricted outside the Cull Creek corridor away from the top of bank.
PUB22-11	We believe R-DEIR is exceptionally biased and fails to mention or consider the environmental hazards which expose the children to unacceptable risk. Both the revised Draft and the project should be denied.	The comment serves as a conclusion to the comment letter. Please see Responses PUB22-2 through PUB22-10 above.
PUB23	**Zherebnenkov Family, January 18, 2024**	
PUB23-1	Our family of 4, plus our farm animals, reside on Cull Canyon Road, approximately one mile north of the proposed Mosaic Project. We take major exception to the Proposed Draft EIR and believe the Applicants Environmental Consultants have vastly understated the potential for serious environmental conditions which subject the Mosaic children and staff to major life threating safety issues.	The comment serves as an introduction to the comment letter. Please see Responses PUB23-2 through PUB23-7 below.
PUB23-2	Examples of a few of our concerns are: After over 30 years with the same Fire Insurance Company, we just got notice that they will not renew our fire insurance policy. Stated reason is "High risk of wildfire" combined with single access road which could easily become impassible in the event of an emergency.	The comment describes personal experience with fire insurance in the project area. Please see Master Response 1, *Standards for Responses to Comments*, regarding project merits.

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PUB23-3	Due to the Environmental threat of wild fires we took the advice of a Local Battalion Fire Chief and installed on our property a "Shelter In Place Area" which can provide a safe haven for people and livestock in the event of fire, if the exit road is impassible. The Draft Environmental Report does not even mention benefit or need for such a Shelter. Could it be that this "biased" report fails to recommend or require this as a safety mediation measure because there is no available space for such a shelter on the Mosaic property?	The comment expresses concern regarding a shelter-in-place area for the proposed project. Please see Master Response 6, *Fire Safety and Evacuation*, regarding fire safety and evacuation. If deemed safe, the project site and project buildings may be utilized as a shelter center for local residents to secure safety in the event of an emergency.
PUB23-4	To help mediate and reduce some of the constant potential environmental threats to our children and guests, we provide constant adult supervision of our children when they are outside. We have installed a large enclosed fenced area and we also have a large protective dog. On several occasions our dog has challenged the coyotes and wild boar which show up in the immediate vicinity of our house and barn. Nearby sightings of both bobcats and mountain lions regularly occur. Again, no mention in the Draft of these potential environmental threats to the children, and the Mosaic plan offers none of these types of safeguards.	The comment describes personal experiences with coyotes and wild boar in the project area. Please see Master Response 2, *Project Clarifications*, regarding student safety. Wild animals are to be observed from a safe distance using binoculars or cameras. Campers will not be allowed to approach or attempt to touch wild animals. Campers will be prohibited from feeding wild animals, because it habituates them to human presence and lead to aggressive behavior. Campers will be taught to respect wildlife by giving them space and not disturbing their natural behaviors. Campers will be educated about local wildlife species and their habitats, as well as how to recognize signs of wildlife presence, such as tracks, scat, or calls, and will be instructed on how to react if they encounter wildlife unexpectedly – back away slowly. Campers will be encourage to report any sightings of injured, sick, or distressed wildlife to camp staff immediately. Handling or approaching injured animals without proper training and authorization will be prohibited.
PUB23-5	In order reduce the Environmental risk rating from Serious (S) to Less than Serious (LTS), the following is an example of how the EIR Consultant recommends mediation related to the wild fire hazard: "The applicant shall submit a revised landscape plan, as well as a vegetation management plan, to Alameda County Fire Department for review and approval. The project site plan shall be revised as necessary, to conform to the landscape plan and vegetation management plan." Like magic, due to the Consultants mediation recommendation the risk of wild fire is reduced to "less than significant" and shall no longer be of major concern.	The comment implies that the submittal of a revised landscape plan and vegetation management plan would not adequately mediate the wildfire hazard but provides no substantial evidence to support their opinion. Please see Master Response 1, *Standards for Responses to Comments*, regarding speculation without substantial evidence.
PUB23-6	These are but a few of the examples of the EIRs Consultant's biased nature expressed in this Draft EIR.	The comment points out that that the Draft EIR found no significant impacts of the proposed project and questions how this is so when there are environmental risks to the students. Please see Master Response 2, *Project Clarifications*, regarding student safety. Campers and staff

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	In the whole 374 page DEIR, there is not one single environmental issue which is deemed Serious (S) that cannot be mitigated away. Are we to presume that the environmental risks to the children should not even be worth mentioning?	would be required to follow guidelines to ensure student safety.
PUB23-7	It is amazing, that with a few flowery words and trendy "feel good" statements, the Consultant has the guts to submit such a biased, one-sided EIR Draft and even more unbelievable that the Alameda County authorities would even consider recommending approval of the same. In our opinion this Draft EIR is a complete one-sided worthless document sham and both it and the proposed project should be denied.	The comment serves as a conclusion to the comment letter. Please see Responses PUB23-2 through PUB23-6 above.
PUB24	**Albert Chan, December 31, 2024**	
PUB24-1	My name is Albert Chan and as a current Castro Valley resident, a Mosaic board member who's served for more than a decade, and a sustainability professional who's dedicated my 15+ year career working to sustainability (with graduate degrees at Stanford and MIT on sustainability and a current clean energy expert at Apple), I am very excited to see the release of the EIR for the Mosaic Project. First, I am proud of the rigor of the EIR, the results, and the vision described in the EIR. Mosaic and its consultants have worked for years to make sure its new home meets local and state regulations while achieving a new standard for environmental stewardship. Its sections on water and solar energy are especially ambitious and exciting given my own interests/expertise. I believe it will be an excellent shining example in the local community for environmental best practices. Second, Mosaic will be a great gift to the Castro Valley community. As a Castro Valley parent with two young children, I cannot imagine a better and more positive neighbor as the Mosaic Project. Mosaic's work with students will allow them to develop the needed tools to combat rising discrimination in our schools and our communities. Mosaic has nearly 25 years of community-building experience and its contributions to build human connection and teach empathy is one of the most important things that we can support in the world right now. I hope that all parties can come with an open heart to work together in earnest for the good of our community.	The comment expresses support for the proposed project. The comment has been noted. The comment does not address the adequacy of the analysis in the Revised Draft EIR; therefore, no response is warranted.

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