

## Dublin Sued Over The Crossings EIR

Friday, March 28, 2014 12:00 am

### Dublin Sued Over The Crossings EIR

The Alameda Creek Alliance (ACA) has filed suit against Dublin for approving The Crossings residential development on 189 acres.

The suit, which was filed in Alameda County Superior Court on March 21 in Oakland, alleges that Dublin's EIR for the project was inadequate.

The residential land, just north of Dublin Boulevard, is located on the southern tip of Camp Parks. SunCal plans to build between 1600 and 2000 homes on the site.

Dublin failed to measure the impact of development on the owl habitat, or include proper mitigation measures to protect it, claims the suit.

Jeff Miller, director of the ACA, said there was never any discussion in the EIR about how many acres are impacted. "We are trying to go back to Step 1 to see what the impact is, and come up with a mitigation. They skipped the first step."

The city is named as the defendant in the suit. Developer SunCal is not a defendant, but was served with a notice of the suit, because as the developer it is a party in interest, said Miller.

SunCal stated in a prepared statement that because the matter is in litigation, "we cannot comment on the suit."

However, SunCal provided background information about the issue. It said that the Army prepared a final environmental impact statement and habitat mitigation plan for the military base, and SunCal is "fully conforming" to it. The plans were approved by "various public agencies" in 2011. They require the creation of new owl habitat as a condition of development.

The mitigation requires two new acres of owl habitat to replace every acre of existing habitat, states SunCal's statement.

Miller told The Independent that mitigation is not just finding some land. It must be in the right location, with the right conditions to support burrowing owls.

There are about 500 acres of flat grasslands that potentially are suitable for owl habitat on Camp Parks' remaining 2300 acres, said Miller. There was never any discussion in the city's EIR about how many acres are needed for mitigation, or what the impact would be, according to Miller.

A spokesperson for the City of Dublin did not return an e-mail and a call before The Independent's deadline.

### DEVELOPER FILES INITIATIVE

In other environmental news affecting Dublin, Pacific Union Land Company has reportedly filed an initiative with the City of Dublin to compete with one filed by two Dublin residents aimed at preserving Doolan Canyon.

Pacific Union Homes is currently proposing to build 1,990 homes, dozens of other buildings, and a network of roads on 1,450 acres in Doolan Canyon.

The citizens' Dublin Open Space Initiative is close to qualifying for the ballot. If approved it would create a permanent urban growth line on both the westside and eastside of Dublin. Voters would have to approve moving the limit line in order for development to take place in Doolan Canyon.

The Dublin City Clerk was out of the office on Tuesday, so information was not available on the initiative.