

Residents also have continued concern about what appears to be an option left open for ingress/egress on Rawhide Road. Through investigation, the residents understand that roads designated for the proposed use (emergency and school bus/postal) need only be 20 feet wide. Why would this road remain the width of all others unless its use was being left open as an ingress/egress option at a later date? Another access point also appears to be considered on the ridge where Summit Drive (proposed) is to be located. Is there another optional plan for this road to link with Argonaut Avenue and have those residents been advised?

From attendance at meetings and articles in the newspaper, it would appear that the town of Loomis intends to sue Rocklin over the traffic issue. Has this matter been resolved? Predatory business practices by our City are not understandable and not acceptable.

#### 7. New EIR Is Warranted

Based on the City's own analysis, resident issues, misrepresentations, and numerous other concerns regarding this evolving and changing project, substantial evidence exists that a new EIR is warranted. Environmental impact is exponentially greater than that previously disclosed; drainage issues are greater, the traffic issue is not the same as studied in 1995, "conservation easements" appear nonexistent, etc. It is difficult to imagine a situation which reflects a greater need for a new EIR. The City would be following State law by obtaining a new report.

From a practical standpoint, it seems absurd to be discussing minimizing environmental impacts and preserving eagles, native trout, mountain lions, deer, turkeys, quail, oak trees, Clover Valley Creek, etc. when the discussion revolves around cutting a four-lane highway across a valley which is a couple hundred yards wide to try to remediate the current traffic problems from other subdivisions, removing between 7,000 and 15,000 oak trees, 1,000,000 cubic yards of grading, constructing miscellaneous roads, 800+ homes, commercial developments, on all but the steepest hillsides, creating a traffic and sewer mess for residents to deal with in addition to inescapable noise, smog, and fireplace smoke. In the end, this project as designed simply damages or destroys Clover Valley. Existing residents, who fully understand the property owner's right to develop, at least would like to minimize the encroachment and damage to their homes and neighborhood and develop the area in a responsible and creative fashion as what has been the history in Clover Valley.

It seems there are some obvious adjustments/creativity that could be placed into the design to reduce the environmental impact and effect on neighboring residents:

- Use a portion of the development to create a buffer between the existing and the new development area. This can be accomplished utilizing similar lot sizes, open spaces, aesthetics, to what currently exists in Clover Valley developments; this way the new development will compliment the existing residences. Those new residents buying lots/homes in this "buffer area" will have full disclosure that they are moving next to a high density tract project.
- Houses should not be hanging on hillsides above existing residents such as what appears to be planned on Summit Drive and on a small cul-de-sac above Wood Glen Court. This is unsightly.
- Some of the traffic issues could be reduced by providing access to houses in the new development which are comparable to existing residences through Rawhide Road. If this portion of the community were gated, it would permanently restrict access to Rawhide Road and Midas.

- Reduce Clover Valley Parkway to a two-lane road. This subdivision should not be used as a vehicle to remediate prior traffic planning errors, while creating new ones.
- Higher density homes should be situated on the opposite side of the valley from existing residents.
- It would appear that all problems relating to this subdivision are the result of an extremist effort to put 800+ homes in a narrow valley which contains minimal infrastructure at any cost. We believe Rocklin residents consider this is unacceptable. Lower overall density within the subdivision would solve all problems the subdivision faces.
- Meaningful conservation easements should be considered in the project beyond unbuildable areas and flood plains. Creation of these areas not only enhances value to the City, it also may create value to County, State, Federal or nonprofit conservation organizations who may provide revenue for preservation and profit for the developer.
- Further, as commented during the workshop in December, we are concerned about the impact on local schools. This project adds approximately 1,000 children to the area and provides no disclosed accommodations for schools. This project is not justification for the next public bond issue or citywide fee assessment.

As expressed, the disclosed effects of this project represent only the "tip of the iceberg". Sufficient evidence exists that the impacts of this project will be far greater than what has been represented to date.

Thank you for the opportunity to provide feedback to the City regarding the EIR. Please call should you have any questions.

Sincerely,

CONCERNED CLOVER VALLEY RESIDENTS  
(Contact Person: Irene Grover)

cc: City Council  
Planning Department  
U.S. Fish and Wildlife Services  
State Department of Fish and Game  
California Oak Foundation  
Horseshoe Bar Municipal Advisory Council  
Sierra Club, Motherload Chapter  
Sierra Club, Placer Group  
Concerned Citizens of Rocklin  
Save Our Rocklin Environment  
Rocklin Residents United  
Rocklin Alliance

# **EXHIBIT C**

**CONCERNED CLOVER VALLEY RESIDENTS**

3416 Wood Glen Court  
Rocklin, CA 95677

November 4, 2002

Ms. Sherri Abbas  
Planning Services Manager  
City of Rocklin  
3970 Rocklin Road  
Rocklin, CA 95677

Re: Clover Valley Lakes Subdivision  
Response to DEIR

Dear Ms. Abbas:

Thank you for the opportunity to provide a response to the Draft Environmental Impact Report ("DEIR") for the proposed Clover Valley Lakes Subdivision. The public has been advised to restrict commentary and questions to the DEIR. Accordingly, all subject matter discussed in this letter was addressed in the DEIR or its Exhibits.

**Notice Clarification**

Notices provided to the public regarding this subdivision are not as described in the DEIR (pages 1-1 - 1-3, etc.). Most recently, the DEIR was not properly distributed due to the City of Rocklin staff admission that there was a problem with the processing of labels; prior notifications had other problems. What were the notification requirements from the beginning of the process to develop the subject property and what is the remedy to ensure compliance with all laws, as well as City policies and procedures? Please consider in the response that all citizens who reside within 600 feet of the project and its proposed improvements have yet to be notified as described in the DEIR.

**Revenue Received from Development Agreement**

The DEIR discusses the Development Agreement in Section 1 - Introduction, Section 2 - Executive Summary, among other places. The Development Agreement addresses a \$1.5 million payment to the City for a development and mitigation fee. What is the complete status of these funds? If held in reserve, for what mitigation purpose? What will be the ultimate use of these funds? Residents have been previously advised that the funds may be used to mitigate environmental issues; why not discussed in detail in the DEIR given the extent of the significant impacts?

### New EIR Needed

In a letter dated April 25, 2001 from the City of Rocklin, residents were advised that the DEIR would address only certain issues which the City believes were not sufficiently addressed in the 1995 DEIR. Notably, a justification for not requiring a new EIR is that proposed development has "reduced the density to 800 homes from 933". The letter contains no evidence to suggest that reducing housing units to 800 will have a noticeable effect on the environmental impacts described in this report. Please discuss in detail analysis and supporting information which led to the conclusion which was determined prior to receipt of the DEIR. In fact, the developer's DEIR addresses the buildout of 933 homes; ultimately this remains the potential buildout of the project. In the event the development proposal is for the buildout of 800 homes, then that is the number the DEIR should be based on. (Need for a new EIR is addressed in letters in Appendix B and City's decision addressed on pages 1-2 - 1-9 of DEIR.)

Traffic report contained in original EIR was flawed. Changes have been substantial since the projections in the original report were completed. Problem has been exacerbated recently with the approval of the Casino to the northeast of the City (also not considered in the report). Given the growing traffic congestion at the I-80/Hwy 65 interchange at certain times of the day and the anticipated doubling populations of local communities, Clover Valley Parkway will provide an ideal shortcut for gamblers along with other casino patrons.

Due to unsupported environmental assumptions, misunderstanding of the potential project density, growing disputes with the traffic study, and other issues, a new EIR remains necessary to achieve full disclosure of the impacts of the project to the citizens.

### Open Space Disclosure

The DEIR fails to adequately disclose the true nature of the areas designated as open space. The approximately 240 acres of open space appears to be made up of wetlands, required riparian setbacks, and valley walls too steep for construction, with the exception of 13 acres of parkland. Representations of a gratuitous set aside of natural land may not be accurate. Public is entitled in this regard. Is the 240 acres of open space designated in this project really "unbuildable space"? (Please provide breakdown of acreage in this regard.)

### Concerns From Previous Public Letters Received and Attached to DEIR Have Not Been Fully Addressed or Considered

Questions of land use have not been considered or misinterpreted (see pages 4 and 5 of letter from Concerned Clover Valley Residents, attached for your further review). Residents questioned compatibility, negative impacts on their properties, etc. Creative suggestions were even provided to help resolve some of these issues. Why were all points and issues in letters received not addressed?

### Initial Study and DEIR

- **Air Quality**

It would seem clear that the dynamics of building approximately 900 homes and a two-lane or four-lane thoroughfare in a narrow high walled valley surrounded on three sides

would have not only short term but long term effects on air quality. The dynamics of this is not fully considered in the Initial Study and ultimately the DEIR. It is not understandable how any of the five analysis questions in the Initial Study (page 14) can be listed as anything other than potentially significant impacts. A substantial amount of pollutants, including smog, dust and fireplace smoke, would be trapped in the valley (i.e. the cities of Pasadena, Denver and others for example). It would be appropriate to engage qualified experts to review this aspect, determine its significance, and properly advise the public of the health hazards being created. Further, has someone in the medical field determined that the impact to sensitive receptors is "less-than-significant" as addressed in the study? This is a critical disclosure to Clover Valley residents with respiratory disease, along with the proposed mitigations.

- **Noise**

Page 4.3-2 of DEIR states that "Clover Valley is a narrow, relatively undeveloped valley of high visual quality, and is one of the last remaining undeveloped, low-foothill valleys close to urbanized Loomis-Rocklin area." With regard to the long term impact of noise, The Initial Study and DEIR provide no mitigation to existing residents of Clover Valley. In fact, the initial study discloses that four of the internal roadway segments are expected to result in traffic noise in future residential areas in excess of the City's "60 dB Ldn" noise standard, presumably the includes the Clover Valley Parkway. Given sound waves travel up and down Clover Valley like a tunnel rather than an open field, why is analysis void of consideration to existing residents?

- **Cultural Resources**

How can one reconcile the activity of building a roadway through an area that may qualify for inclusion in the National Register of Historic Places (as reported by an expert), contains petroglyphs, mortar pits, may have been used for religious or ceremonial uses, etc. as a less-than-significant environmental impact (Initial Study pages 18-21, CVL-5, and DEIR - Summary of Impacts)?

In the end, the DEIR places 100% of the ability to commence mitigation of impacts to cultural resources is reliant on a grading contractor? This is the same grading contractor who will presumably be pushed to complete the total job as quickly as possible through financial incentive or otherwise, whose equipment operators are likely paid on a hourly or

by the job basis, and will be damaged by any slow down in the process. This also assumes the grading contractor, sitting on top of equipment, knows the difference between a rock and grinding stone or some other artifact, or even cares. Under what basis should the City of Rocklin expect a higher level of concern from a contractor than the City of Davis allegedly experienced when a field containing Burrowing Owls was accidentally plowed under for development as reported in The Sacramento Bee approximately one year ago? Naturally, this likely relieved the site of the Owl problem but probably did not follow the intent of the environmental mitigation.

Why not conduct an investigation to obtain a full understanding of the cultural significance of the site? The site that may be the most significant is indicated as having a

limited ability to view due to overgrown plants, etc. Wouldn't it be premature, at a site of potential national significance, to declare that a grading contractor is qualified to determine cultural significance, before it is known what exists at the site? What investigation was done into determining whether the site or sites qualifies for the national register? What experience does the City have enforcing CC&Rs, deed restrictions, or otherwise, to enforce mitigation proposed of cultural sites after development? What follow-up studies have been done to determine if mitigations as suggested in DEIR have a history of accomplishing the goal? What alternatives were explored with respect to cultural resources at project (i.e. Maidu Center; The Sacramento Bee recently reported Roseville received a \$900,000 grant for the center, etc.)? It appears that the City will have no realistic ability to monitor or enforce the proposed mitigation. Absent information to the contrary, the impact to Cultural Resources is unmitigated and significant.

- **Land Use Compatibility**

The DEIR poses a scenario that claims it is less dense than adjoining subdivisions; adjoining "developments were observed to be comparable or higher in density than the proposed project". One-quarter to one-third acre lots in Clover Valley Lakes are not comparable to adjoining one acre lots in Clover Valley Woods. The DEIR analysis requires the non-consideration of open space adjacent to finished lots in Clover Valley Woods, while providing full consideration to unbuildable open space adjacent to finished lots in Clover Valley Lakes. This argument is unsupported by any appraisal theory or reasonable standards. With regard to the defensive comment in section 4.2-9 of the DEIR, that this matter is immaterial since it is already approved, speaks to the weakness of the argument (Please reread Notice Clarification, Page 1). Approval of this density would be inconsistent with the General Plan, Land Use (Policy 7).

- **Aesthetics**

Aesthetics refers to a sense of beauty, such as a work of art. Residents fail to recognize any beauty or artistic value in maximum density development plateauing ridgelines, and draping the hillsides with houses. Especially when the lots are proposed to be one-quarter to one-third acres. Doesn't it seem inappropriate to consider this aesthetic impact as "less-than-significant" within this DEIR (Page 4.31-6, Summary of Impacts)? Especially in sharp contrast to the adjoining project Clover Valley Woods whose hillsides are open space and left natural. Aesthetically, the project will have more in common with the small project at the entrance to Clover Valley above Midas Avenue and Rawhide Road along the ridge.

From the developers large lot plan and proposed plot plans approximately 72% of lots are either produced by plateauing the ridgeline or developing houses into the steep hillsides of Clover Valley. This type of development is unsightly and inconsistent with current Clover Valley development which has left the hillsides in a natural condition and focused building on the valley floor. Unfortunately, existing Clover Valley residents will be forced to readily view this project. This is in conflict with the General Plan Policy #7 and General Plan Open Space Policies #1, 2, 4 and 20).

- **Biological Resources**

- **Salmonids in Clover Valley Creek**

The Biological Resources section of the DEIR denies the existence of fish of the salmonid family in Clover Valley Creek. This claim is contrary to the experiences of several residents of Clover Valley whom are sportsman that report catching and releasing at least 12-inch trout in the Creek. This includes the portion of the waterway which lies upstream from the bridge on Rawhide Road, at the end of current development. In the event there are manmade obstructions which may impede passage of salmonids, what will be done to reverse previous development mistakes? What can this project do to help enhance the fishery? Given the State and Federal government experience on Battle Creek in Northern California and others whereby salmonids regularly travel beyond obstructions, how does that reconcile with the conclusions of nonexistence drawn in this report, based on only a cursory review? It is apparent the analysis is wholly inadequate and necessitates further review.

The discussion in the DEIR relating to salmonids assumes water levels in the Creek maintain a steady state. Residents in the Sacramento Region understand the impacts different seasons have on Creek and River levels. In fact, Clover Valley Creek has risen each and every winter and spring each of the last 15 years, at times overflowing its banks resulting in localized flooding. What impact do submerged obstructions have on the ability of salmonids to travel up Clover Valley Creek? Why would this Creek be void of any habitat for salmonids when they are found in creeks throughout the immediate region?

- **Western Pond Turtles**

While fishing in the pond along Wood Glen Court adjacent to Clover Valley Creek on October 23, 2002, a resident witnessed a turtle whose shell measured approximately 6 inches in length in about 10 inches of water swimming or crawling along the bottom just off the shoreline. Residents have observed large turtles in the creek and pond near Wood Glen Court on other occasions as well. The statement that the last sighting of a Western Pond Turtle was 1992 speaks to the cursory nature of the analysis. Should not sufficient analysis be required to discover the true extent that this species habitats Clover Valley?

- **Birds of Prey**

Most residents of Clover Valley can observe several species of Birds of Prey on a weekly basis. It would seem the mitigation proposed to protect these species is inadequate. Since many birds of prey species return to the same nesting site or area year after year, doesn't removing the trees where they nest amount to habitat removal? It would seem appropriate to have engaged a qualified biologist prior to DEIR drafting to locate nesting sites. How can proper disclosure take place, appropriate mitigations be proposed and determinations made on their