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Cont.

1 come.

2 The photographs of Clover Valley in which Ansel
3 Adams captured the beauty and depth of this magical
4 place can be seen in this brochure entitled, "Echo in
5 Spring Valley." It's available at the Rocklin
6 Historical Society.

7 VICE MAYOR YORDE: What are the comments on the
8 EIR?

9 CAROL ELLIS: John Muir and Ansel Adams
10 vociferously pursued the preservation of Yosemite Valley
11 and these treasures within them. It's also now our turn
12 to protect Clover Valley for future generations to come.
13 This opportunity will only come once in a lifetime, and
14 we must recognize it for what it is. It's something
15 that is much too valuable to be paved over. We are the
16 John Muirs and the Ansel Adamses of the 21st Century.
17 We ask our representatives to make the right decision
18 and protect this valuable gem.

19 Thank you.

20 NANCY SMEATON: My name is Nancy Smeaton. I
21 live in Springfield Whitney Oaks, and I think Clover
22 Valley is in fact a jewel. In fact, it will be, for the
23 first time, opened up so that I can walk in it, once
24 this development has been completed. Right now the only
25 way I can access it is by trespassing, and I would like

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Cont

1 to have the opportunity -- and I appreciate the fact
2 that I will have the opportunity -- once it is
3 developed.

4 Thank you.

5 ALLISON MILLER: My name is Allison Miller. I
6 live at 4102 Silver Star Court.

7 Mayor Magnuson, I have a procedural question.
8 May I ask it outside of my three minutes?

9 VICE MAYOR YORDE: Yes.

10 ALLISON MILLER: In the paper Placer Herald last
11 week, I believe it was David Moorebreck who was
12 interviewed. He said: Some people will speak to the
13 DEIR, others won't, but it's a chance for the citizens
14 to speak.

15 Now I'm confused, you sort of arbitrarily say
16 people can't do that, so --

17 VICE MAYOR YORDE: I'd like to keep the focus on
18 it, because those are the comments that get put in the
19 public record. The other things are --

20 ALLISON MILLER: I get that, but some people may
21 have read the paper and have a different take on it. I
22 appreciate that.

23 Friends, city planners, Mayor Magnuson, lend me
24 your ears. I come to implore you, not to insult. The
25 evil that men do is after them. The good is often

12-1

12-1
Cont.

1 turned with their bones. Do not let this be with your
2 City Council. The citizens have been told again and
3 again a developer's agreement was signed long ago on a
4 winter night. And so if now is all set in concrete and
5 stone, then why, I repeat why, are we all gathered here
6 tonight?

7 VICE MAYOR YORDE: Let's speak to the
8 environmental document.

9 ALLISON MILLER: Here, under the guidelines of
10 California's Environmental Quality Act, come I to speak
11 in favor of saving Clover Valley, for CEQA law says I,
12 as do all citizens here tonight and throughout Rocklin,
13 have voice in this debate.

14 Does not Clover Valley cry out to us all to
15 preserve, to at the very least conserve? Over and over,
16 we're told a developer's agreement was signed long ago
17 on a winter night.

18 How can it be, this fragile valley, ancient,
19 sacred, historically significant --

20 VICE MAYOR YORDE: Let me ask you a question.
21 What comment, to what paragraph of the environmental
22 EIR --

23 ALLISON MILLER: I'm now coming up on paragraph
24 5.1 in the DEIR.

25 Does paving Clover Valley with homes and retails

12-1
Cont.

1 seem reasonable? One that the coalition of Save Clover
2 Valley asked the citizens. Hundreds responded with
3 these cards. Shouldn't your Council, then, now be
4 attentive to our voice? Yet over and over again, we
5 hear a development agreement was signed. And sure, this
6 agreement was signed legally and ethically and in full
7 knowledge of your community.

8 You all do know from sight, from inherent truth,
9 the beauty and uniqueness and, yes, the best outcome of
10 Clover Valley. How the oaks, the Urian Creek [ph.], the
11 sacred grounds, the wildlife all cry out to be saved,
12 not paved, for the future.

13 But a developer's agreement was signed long ago
14 on a winter night. And sure, that agreement was signed
15 ethically and in full knowledge of your community. I
16 speak not to disprove what a developer agreement may
17 say, but here I am to speak what I do know.

18 You all did swear an oath to serve your
19 community. What cause withholds you, then, now, from
20 serving us with reason, truth, and logic? To pave or
21 not to pave, that is the question? Whether it is nobler
22 to follow a developer or to adhere to the historical and
23 ethical principles before you now. Oh, judgment. Thou
24 art led to brutish beasts, and men have lost their
25 reason. Bear with me. My heart is in that Clover

12-1
Cont

1 Valley, and I must pray for its rightful future.

2 Thank you.

3 TERRY BELLINGER: Good evening. My name is
4 Terry Bellinger. I'm a resident here of Rocklin, have
5 been for many years. I also happen to have a master's
6 degree in archaeology. I taught at Cal State Long
7 Beach. I taught at Cal State Fullerton. I created the
8 first archaeological class at Fullerton Community
9 College.

10 I have done numerous archaeological
11 investigation, excavation, salvage work in the Central
12 Valley, and I'm here to tell you, because I've been
13 involved with it, there is no such thing as mitigation.
14 There is either preservation or there's destruction.

15 As soon as you bring a big ol' Caterpillar
16 diesel in there to develop any part of that land,
17 whether it's just for a roadway or whatever, you destroy
18 it.

19 And I can tell you, also, from doing numerous
20 archaeological excavations in the Central Valley, once
21 you excavate a site, it's destroyed. It's destroyed
22 forever. You cannot recreate an Indian-occupation
23 habitational site.

24 We know from the report that there are, likely
25 most everyone here has read it, that there are numerous

13-1

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Cont

1 sites that have been reported. There are burial
2 remains. They also state in the report there was a
3 continuous occupancy of this area for a minimum of 4,000
4 years. It would be a shame, because once you excavate
5 it, once you start putting the roadways in, the sewer
6 lines, it's gone, and it's gone forever. It can never
7 be recreated.

8 Thank you.

9 VICE MAYOR YORDE: Maybe we should just have one
10 big cheer and get it out of our system so we don't have
11 to use up all this time. Let's get back to being the
12 bunch of professionals that we should be.

13 DON PERERA: My name is Don Perera. I live at
14 4000 Silver Star Court, and I'm going to comment about
15 the cultural part of the DEIR. I'm assuming that a lot
16 of what came through there came from the Peak study of
17 2002, so I want to comment or quote some of the items in
18 the Peak report and then go on to the DEIR.

19 One of the quotes: All 34 cultural resources
20 have been evaluated for the eligibility of the national
21 register of historic places. An archaeological district
22 of Clover Valley Lake's archaeological district had been
23 proposed for 33 of the 34 resources.

24 Another quote from there: The project will have
25 adverse effect on historic property.

14-1

14-1
Cont

1 I think that goes without saying.

2 Another quote: The archaeological remains
3 unearthed during test evacuations may be a unique
4 assemblage.

5 I'm not saying that. Peak is saying that.

6 Another quote: 4,000-year period of use or
7 occupation at the site within the proposed Clover Valley
8 Lake's archaeological district covers a critical period
9 of prehistory in the region.

10 It sounds like an important place.

11 Another quote: Even if direct impacts could be
12 avoided to some of the individual sites in the district,
13 indirect impacts could occur through vandalism and
14 artifact collection by new residents and other
15 individuals using the facility.

16 Peak.

17 Last: Most of the sites now lie in their
18 natural, unaltered setting, appearing much as they did
19 in the prehistoric period of significance. Overall, the
20 alteration of the landscape for construction of modern
21 features will alter the settings, feeling, and
22 association aspects of the integrity of the district.

23 Now I'm going to quote from the DEIR, on almost
24 the last page or two of it, on the cultural area:
25 Cultural resources are unique and nonrenewable.

14-1
Cont.

1 Development activities continue to damage and destroy
2 both prehistoric and historic sites and features before
3 the information inherent in them can be reviewed and
4 interpreted.

5 Another quote from the DEIR: The Rocklin
6 General Plan did not find cumulative impacts to cultural
7 resources as significant and unavoidable. Therefore,
8 the incremental loss of cultural resources resulting
9 from the proposed project would be considered a
10 less-than-significant impact.

11 And I guess my question after that is, less than
12 significant to who: the Native Americans whose
13 ancestors are buried there? the city of Rocklin, that is
14 going to get more pollution, more traffic, lose the
15 beauty of the valley?

14-2

16 As I say, I think there's a way to satisfy all
17 the parties involved here, and I'm not sure the City
18 Council has worked at it as hard as they could. I think
19 these alternatives must be explored.

15-1

20 JO BEUTZ: Good evening. My name is Jo Beutz.
21 I drove three-and-a-half hours to get here, so you won't
22 recognize my address. It's 9990 Graton Road, in
23 Sebastopol, California.

24 The first time I set my eyes on Clover Valley, I
25 fell in love with it, and that's why I'm willing to

15-1
Cont

1 drive three-and-a-half hours to be here tonight. And
2 I'm very happy to meet you, finally.

3 What I'd like to say is, in Santa Rosa, where I
4 live, the City Council and the county government spend
5 millions of dollars preserving open space and restoring
6 creeks, and it's amazing to me that I can come a short
7 distance down the freeway and find the opposite
8 situation.

9 Clover Valley is a gem. It's a natural
10 archaeological and national treasure. If you want me
11 back as a tourist, eating in your restaurants and
12 staying in your hotels, which I'd be happy to do, then I
13 suggest you preserve it.

14 In reference to the EIR, the word "vacant" needs
15 to be eliminated. This is not vacant property. You
16 have several letters in there that ask you to eliminate
17 it. Undeveloped is a more suitable way to describe the
18 property.

15-2

19 And also, there is -- I found the DEIR vague. I
20 found it underestimates or omits certain impacts due to
21 the proposed development. For instance, I had a very
22 difficult time understanding if there's actually 2 acres
23 or 42 acres of wetlands. It seems to be up in the air.
24 Maybe it's because I don't have volume two. But anyway,
25 volume one didn't explain it to me.

15-3

1 And I'm also wondering why the City Council
2 doesn't throw us a bone with a 75-foot creek -- setback
3 from the creek and the wetlands to help reduce the
4 unavoidable impact to the natural resources. You can
5 choose to do that. I know your normal setback is 50,
6 the nature trails going even closer than 50. Those
7 homes are right on the creek. Those roads are right on
8 the creek. That wildlife is gone.

15-4

9 There's nothing about wildlife corridor in
10 there. There's no discussion about wildlife corridor or
11 wildlife movement. That's an omission in the DEIR.

15-5

12 How will Rocklin adequately monitor this
13 project? That gives me a lot of concern. Storm water
14 is my main concern with this project. You just cannot
15 direct all that storm water down the hill, to the creek,
16 without some very serious consequences.

15-6

17 However, when I read with fascination on the
18 storm-water plan, I found that it was to be mitigated;
19 and that there was going to be a water design plan that
20 was going to be approved by the City engineer.
21 In fact, the City engineer kept coming up again
22 and again, and I'm wondering, does your City engineer --
23 do you need to hire a few more? because how are they
24 going to approve the water drainage plan? Are they
25 doing it before or after they're checking the water

15-6
Cont

1 quality monitoring and the bird nests on and off site?
2 Excuse me. How much distance from the proposed project
3 are the bird nests going to be monitored? It was not in
4 the DEIR.

15-7

5 Also, what constituents are you going to monitor
6 for? That was not in the DEIR either. Excuse me. I'll
7 just finish up right here.

8 One more thing I wanted to add was this: We
9 will be looking for the results and documentation of the
10 various monitoring permits and mitigations, and I think
11 that you need to really tighten up on who's going to be
12 doing that and making the results available to the
13 public.

16-1

14 Thank you.

15 SUSAN BRIGGS: Hello. My name is Susan Briggs,
16 and I live in Loomis, at 4297 Boulder Ridge Road.

17 The effect of the DEIR, I will be living and
18 breathing and experiencing every day. My property is a
19 seven-acre ranch that sits on the north top part of
20 Clover Valley, so I live and breathe there every day.

21 It has been my privilege and honor to live
22 intimately in Clover Valley, and I must tell you the
23 gift of this valley is [unintelligible]. The
24 destruction of Clover Valley streams will have an
25 irreplaceable impact on [unintelligible].

16-1
Cont

1 Please, I implore all of us here to embrace the
2 majesty of Mother Earth and our obligation to protect
3 her with respect and homage. I pray [unintelligible].
4 Please allow her to be.

5 And I thank you.

17-1

6 JOHN SCHIMANDLE: Hello. My name is John
7 Schimandle. I'm a resident of Rocklin. I live on
8 Clover Valley Road.

9 I took some time to review the EIR, and I do
10 have some specific comments on that. But I'd just like
11 to get a show of hands from the City Council. Who's
12 actually read it? It's pretty big. It's pretty
13 daunting. I don't hold anything against you if you
14 haven't read it.

15 Anyway, a little background on myself: I'm a
16 computer engineer, graduated with a degree in electrical
17 engineering, been in the business for about 26 years.
18 I've read and authored numerous large technical
19 documents, such as this.

17-2

20 This is a pretty big document, so I went through
21 just trying to look for inconsistencies. I made it
22 through three of the areas: land use, transportation,
23 and public services. So far, I found 33 total items
24 that I would consider problems, 13 factual errors, where
25 conclusions have been drawn that aren't supported by

17-2
Cont.

1 facts; 12 omissions, misleadings statements,
2 inconsistencies, things that are said in one area of the
3 document and don't have consistency in the other one.

17-3

4 I'd just like to read you one example of
5 something I found. There was basically an area where --
6 in 4.2-11, under land-use policy 679 -- these are
7 land-use policies of the Rocklin city government -- this
8 section states: The project is consistent with these
9 land-use policies but in other sections conflict with
10 this statement. Land-use policy 7, as defined, states
11 that land use must be consistent with existing
12 neighborhoods.

13 But on a different page, it states there could
14 be potential land-use conflicts with properties to the
15 north and east side of the site.

16 The final paragraph notes: This conflict with
17 adjacent properties is potentially significant.

18 Yet a conclusion was made there was no impact in
19 a previous section, the woman previous to me who lives
20 in that area.

17-4

21 Another thing with the EIR that strikes me as
22 just something that's not well done is that the
23 mitigation measures are not well thought out. They seem
24 to be just off the cuff, and they have no support of
25 statistical data.

17-4
Cont.

1 For instance, there's mitigation measures that
2 says putting a bus stop on the road that goes through
3 there is going to help with air quality. Give me a
4 break. Who rides the bus in Rocklin? You've got your
5 SUV. Put in another bicycle path to mitigate air
6 quality. People don't ride bicycles to work in Rocklin.
7 They ride them for pleasure.

17-5

8 There's another mitigation thing that says we're
9 going to put electric outlets on the front and back of
10 every house. It's to encourage the use of electric
11 lawn-care equipment. Give me a break. Who does their
12 own lawn around here? Everybody hires a gardener.

13 VICE MAYOR YORDE: You're addressing us.

17-6

14 JOHN SCHIMANDLE: And another thing is there are
15 some missing figures and references in the document.
16 There are some items from the notice of preparation that
17 were not covered.

18 I'd just like to say this document needs a lot
19 of work. If I was grading this document and I was a
20 teacher, teaching a course, I'd give this document a
21 failure.

22 Thank you.

23 COUNCILMEMBER LUND: Are you going to submit all
24 those comments to us in writing?

25 JOHN SCHIMANDLE: Yes.

18-1

1 ROBERT STOTT: Hi. My name is Robert Stott. I
2 live at 2200 Raintree Court, and I want to thank you
3 all, proponents and opponents of this project, for
4 listening to all of us tonight.
5 I think one of the things that hasn't been
6 brought up is I think the developer of this project
7 needs to be thanked for the fact that they do have
8 sensitivity to the community, the fact they want to
9 bring this forward, get all the thoughts on the table.
10 If there is something to pinhole, I'm sure they
11 will try to solve the problem and rectify it with the
12 City. Looking at the whole project from what the
13 original plan was to what it is now, I think this
14 builder has been very sensitive to the community, and is
15 really trying to benefit the community.

18-2

16 As far as the EIR itself, I think the measures
17 with the new roadway going through is going to help us a
18 lot as far as keeping the surface traffic down
19 throughout Rocklin. Right now where I live, in the
20 Whitney Oaks area, it takes me approximately 30 minutes
21 in the traffic in the morning just to get out of town;
22 whereas, if I can cut over Sierra College to get out of
23 town, it will be a lot quicker.

18-3

24 As far as the nature trails, I can do that right
25 now. It's been mentioned before that that land is

18-3
Cont.

1 off-limits, but it will be open to us to look at the
2 beauty and the historical monuments that are out there.
3 I think the developer will address that too.

4 But I just wanted to thank you all for your time
5 and your consideration.

19-1

6 BUD TAGLIO: My name is Bud Taglio. I live at
7 3502 Clover Valley Road. We've been residents of Clover
8 Valley for 20 years. Our nearest neighbor when we built
9 our house was a mile-and-a-half away. We have read the
10 EIR, and we are in support of the EIR as it defines the
11 program today.

12 Thank you.

20-1

13 JERRY MATKEY: Good evening. My name is Jerry
14 Matkey. I live here in Rocklin. I don't have a large
15 resume. I'm not especially articulate. I'm new to
16 Rocklin. I've only been here 14 years, maybe a little
17 bit less, and I'm bit nervous. I think I'm outnumbered.

18 Talking about the EIR and its impact, my
19 response is, it's much less. What are we going to have
20 when we're finished? More trees, less runoff, more
21 fresh air, fewer homes, considerably fewer, more open
22 space, less congestion, more flood protection, fewer
23 roads due to the fewer homes. What does that mean?
24 Less traffic and less pollution. The impact? It's an
25 improvement. There is more open space on this plan,

20-1
Cont.

1 more parks, more bike and walking trails, public access
2 for all, not restricted for a few.
3 My family and I came here to a dream. Our dream
4 has gotten better. I see nothing wrong with it.
5 Everybody else can enjoy their dream too.

6 Thank you for listening.

21-1

7 MARK POSNICK: My name is Mark Posnick. I'm a
8 resident of Rocklin, in the Whitney Oaks area, and I
9 want to thank the Council for letting us speak here
10 tonight.

11 I do support the new DEIR document, in that the
12 benefits of this reduced plan and the reduced number of
13 houses, the density, the reduction in traffic flow all
14 will be much better than the original plan that could be
15 built in this area.

21-2

16 I am also very supportive of the emergency
17 facilities, the fire station that are recommended in
18 this document to provide service for those of us who
19 live in that portion of Rocklin.

21-3

20 I also am in support of the reduced traffic flow
21 on some of the other residential streets, of Midas and
22 Whitney and Argonaut and the other street areas, that
23 people are forced to drive through now from that portion
24 of Rocklin to get out to Taylor Road.

25 Thank you very much.