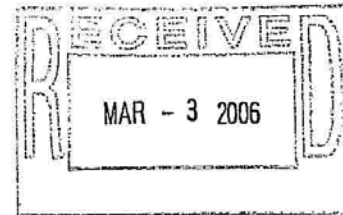




Letter 39

March 3, 2006

David Mohlenbrok
Planning Department Staff
City of Rocklin
3970 Rocklin Rd.
Rocklin, CA 95677



Dear Mr. Mohlenbrok:

The following comments concern the Recirculated Draft Environmental Impact Report (January 2006): Clover Valley, Large and Small Lot Tentative Subdivision Maps.

I begin with a question: Why wasn't a 60 day comment period allowed given the complex nature of this project? A 15-day extension, from 45 to 60 days, is a common practice when a lead agency is dealing with a project of the scope and sequence of this project.

39-1

While I posed this question early in the current comment period and did receive a response from the city, I do not think the answer given spoke to the issue of the **complex** nature of this DEIR. This project has a long history, has encountered some credibility issues along the way (omission of the significant Peak & Associates January 2002 cultural report in the August 2002 DEIR); it now encompasses a two-volume review. CEQA's guidelines are designed to include citizens -- lay people who, understandably, require more time to comprehend the details and intricacies of this project. I suggest that as a lead agency, the City of Rocklin is remiss in not allowing further time for review and comment.

The reality of a 45 day comment period begs the question: Is the City of Rocklin intent upon getting through the process in a short timeframe based on outcome *rather than* process?

39-2

A related question concerns CEQA guideline 15087: When and where was notice given of the February 23, 2006 public hearing? Specifically, which public entities were asked to announce or post the public hearing announcement? In addition to the guidelines encouraged by CEQA, I also refer to Government Resource Code 54974 and request to know where the DEIR was publically posted? As an active volunteer in the Save Clover Valley Coalition, I have been asked by several interested citizens: How has the community been notified?



**Letter 39
cont'd**

39-3 Under **Section 5.1**, Growth-Inducing Impacts, I pose these four questions: What will the total cost of the proposed Valley View Parkway be? Will the taxpayers be levied for this cost, in the near or long-term future? If yes, then how much will citizens be levied? How long will the Developer Impact Fees for this roadway last?

39-4 A related question is found in **Section 3.11** under Project Objectives, # 6, which states: *Provide the regional benefit of creating a roadway connection from Park Drive to Sierra College Blvd. via the proposed Valley View Parkway and to establish an alternative evacuation route for residents in the northeast area of the City.* Two questions: Why should City of Rocklin residents be responsible for providing a regional benefit? And, what traffic study shows that the residents in the northeast area of the City are in need of the proposed Valley View Parkway? Please provide this study in the next EIR.

39-5 Further traffic concerns relate to **Government Code (GC) 65302**, which implies that the City of Rocklin, as lead agency, needs to provide rigorous data and information on the traffic and transportation elements of this proposed project, especially as relates to school age children and seniors. How does the proposed Valley View Parkway contribute to the well being and quality of life issues for the community, especially the Springfield senior community and the school children attending school within close proximity to the proposed Valley View Parkway?

39-6 Under **Section 5.2**, Cumulative Impacts, I pose the following question: What will the specific traffic impacts be from the proposed 558 homes as well as the neighboring 524 homes – totaling 1082 homes? Further, the impacts from the introduction of 524 additional dwelling units (edu) to the north and south of the project are not fully disclosed in the DEIR. I would suggest the DEIR presents an error of fact. **Section 5.1** says the project would introduce approximately 1,451 new residents into the Clover Valley area. In fact, the number is 2,813. Has the city adequately informed the citizens of this number?

This figure results from using the statistic found in the DEIR (# of persons per household = 2.6), the number of new residents introduced to the Clover Valley area, with this proposed project, would actually be 2,813 ($2.6 \times 558 + 524 = 2,813$). I suggest the 1451 figure given in the DEIR is false and misleading. How does the city explain this figure discrepancy to the community?

To my understanding, the DEIR's consistent reference to the city's General Plan, therefore, addresses land within boundaries and land outside boundaries that could be affected by policies contained in the General Plan. The additional 524 homes outside the boundaries of Clover Valley, to the north and south, seem to fall into this jurisdiction. (see Leshar Communications v. City of Walnut Creek) What are the total impacts of these additional homes?

**Letter 39
cont'd**

39-7

Concerning air quality, **Section 4.5** of the DEIR states the cumulative impacts to air quality are significant and unavoidable. Isn't this an insufficient assessment? The DEIR fails to discuss, specifically, the effects of O₃, PM₁₀ and CO on the residents in and especially nearby the proposed project. What will the impact from emissions be on students at 4 schools in the area (2 high schools, one middle and one elementary school)? What will the impact be on the nearby community – the largest in Whitney Oaks – Springfield, a residential development for adults 55 and older? It is a known fact that both children and seniors are more susceptible to lung damage and/or cancer from ingestion of particles that carry carcinogens and other toxic compounds (See **Section 4.5**, particulate matter, DEIR).

Further, why were the three-above-mentioned particulates – O₃, PM₁₀ and CO – included in the NOP in August 2002, in anticipation of a forthcoming DEIR, while in the January 17, 2006 notice the listing of potential significant impacts does not reference these? Doesn't the specific mention in the 2002 notice contrast with the recent notice's lack of specificity? Might this suggest a less-than-rigorous assessment of these particulates undertaken for the current DEIR? Please respond specifically to the O₃, PM₁₀ and CO questions.

39-8

Under **Section 5.4**, it states the impacts to wooded hillsides is insignificant. In the previous (August 2002) NOP and subsequent DEIR for Clover Valley, the impact on Oak Woodland was given as a percentage of (potential) trees lost. The current DEIR merely states: "Impacts to wooded hillsides." Why is there no specific percentage given, as in the former DEIR?

Given the age of these oak woodlands, the DEIR needs to be more specific. What percentage of trees will be lost – including any potential damage done to root systems during grading? Can the City of Rocklin provide an accurate picture and assessment of the existing oak woodland physical environment and how the proposed project will truly impact this? (The developer drawings sent by direct mail to the Rocklin community should not be considered as accurate.)

39-9

Under **Section 5.2**, Cultural and Paleontological Resources, it states ...development of the proposed project would result in a less than significant impact. How is this a realistic or adequate assessment? Earlier in the DEIR, **Section 4.7**, a letter dated October 3, 2002 from Dr. Knox Mellon, State Historic Preservation Officer, is referenced, verifying that 34 prehistoric sites for the Clover Valley Lakes archeological district form a district eligible for the National Register of Historic Places. What is the distinction between an archeological resource and an archeological district? Again, how can any damage to these unique, rare and historically significant sites be said to have a less than significant impact?

39-10

Further, under CEQA's cumulative impacts guidelines (15300.2) has the lead agency **rigorously** assessed and proven to the public that the impacts to historical resources will

**Letter 39
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↑ not, in fact, be adverse impacts? Moreover, CEQA guidelines (15064 (f)) sets the parameters for whether a project may have one or more significant effects... (the guideline stating) *shall be based on substantive evidence in the record of the lead agency.* Such documentation clearly exists with the Peak Archeological Report from January 2002.

39-11

Additionally, I would like to remind city planners of an older, but no- less- significant document, concerning cultural resources in Rocklin's Stanford Ranch region. (Please find attached Chapter 14 of the 1986 DEIR for Stanford Ranch). The now-well-established Stanford Ranch development is documented to have "...numerous pre-historic and historic sites within the...site." In making a comparison between a 1988 DEIR for this extremely large development in Rocklin and the current DEIR for 622 acres on the northeast side of Rocklin, it is glaringly evident that Clover Valley's 622 acres is a highly significant, unique and, I would suggest, rare repository of early California history, as well as pre-history. Whereas the Stanford Ranch DEIR refers to 13 prehistoric sites, the Clover Valley Peak Report (January 2002) refers to 33 (sometimes stated as 34) sites qualifying for the National Register of Historic Places and has been labeled an archaeological district. The Stanford Ranch DEIR speaks of its sites having "regional significance." How much more significant are the historic sites found and, now, documented in the nearby Clover Valley? As one citizen, Elaine O'deegan, asked during the February 23, 2006 public hearing, "How can the city consider destroying our history?" How does the city respond to this question?

The proposed project brings with it the potential to eliminate important periods of California's history and pre-history. Can the City of Rocklin, in good conscience, sanction this possibility? If yes, why? How? For what purpose?

39-12

Further, a significant amount of rhetoric surrounds this project, especially as relates to open space. According to **GC 655560**, open space is a mandatory element (**GC 65302**) and is designated for preservation of natural resources, outdoor recreation, protection of Native American cultural places. Where are the specific plans for the open space and cultural resources in the proposed project? Is there a specific open space action plan as suggested by **GC 65564**?

39-13

Concerning the adequacy, or in this instance inadequacy, of the DEIR, I direct your attention to the Project Objectives **Section, 3-11**. How is that when referencing the project objectives – {a thing aimed at or wished for, OXFORD Advanced Dictionary, Oxford University Press, 1995} six objectives are enumerated, none of which refer to the cultural resources known to exist in Clover Valley? The cultural resources, as discussed in the Peak Report of January 2002, are obviously significant and unusual. Why are these resources not referenced under "Project Objectives?" Should not these resources, plentiful and significant as they appear to be from the Peak Report of 2002, have, at least, equal standing with objective # 2: *Develop an economically viable project that provides a reasonable rate of return on investment for the landowner and is compatible with existing nearby neighborhoods.* Is the city truly more interested in the ...rate of return on investment for the landowner...than in the historical rarities found in Clover Valley?

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**Letter 39
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39-13 ↑ What city, state or even federal code suggests such a focus on the part of a lead agency?
Where is the precedent for this line of thinking or development policy-making?

39-14 Further, concerning the Project Objectives 3-11, specifically point # 1, which reads :
Increase the City's housing supply in close proximity to existing transportation corridors.
How can this objective be stated in this manner? The DEIR refers to the 558 homes in
the proposed Clover Valley development, AS WELL AS the 501 equivalent dwelling
units (edu) to the north of the project site and 23 (edu) to the south, and *proposes the
development* of the Valley View Parkway to carry the traffic from this valley and beyond
into and out of Rocklin. Therefore, the close proximity to existing transportation
corridors, as stated under Project Objectives, does **not exist—one main corridor must
be built!**

These next comments and questions will relate to the areas of traffic, wetlands and the
proposed sewer line:

39-15 • Has the city fully assessed the circulation plans for surrounding communities,
such as Loomis, Lincoln and Roseville? Because the city states a project objective
is to provide the regional benefit of creating...Valley View Parkway, what will
the impacts of this increased traffic be?

39-16 • How is the City of Rocklin addressing Placer County's known traffic problem?
Does this project contradict the guidelines recommended by SACOG? What are
the regional implications of the proposed project on traffic issues?

39-17 • Is there an alternative to filling in the wetlands? How is the Army Corps of
Engineers (ACOE) going to address the wetlands so citizens are informed?

39-18 • What will all the impacts be from the sewer line? As a citizen, I would like to
know how the blasting will be conducted? When will it take place? Which
neighborhoods will be directly affected by an interruption to normal daily life?

39-19 • In order for this project to move forward, the city will have to change precedent
from the current General Plan by allowing less than 50 foot setbacks. How does
this precedent affect the project now? How does it affect future projects?

39-20 • What is the specific plan for project setbacks, sidewalks and storm drains?

39-21 • Where in the DEIR does a citizen gain an understanding/knowledge of 'project
phasing?' How will this be addressed?

39-22 ↓ A few remaining questions relate to the cultural resources known to be in Clover Valley.
Is a specific plan addressed whereby the public resource codes 5097.91-5097.94,
concerning the Native American Heritage Commission (NAHC) as directed to... *identify
and catalog places of special religious or social significance to Native Americans and
known graves and cemeteries of Native Americans on private lands and to perform other
duties regarding the preservation and accessibility of sacred sites and burials and
disposition of Native American human remains and burial items?* How does the DEIR's
reference to 'sensitivity training' for CAT 9 operators adequately meet the guidelines of

**Letter 39
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↑ the above-referenced codes? What exactly is sensitivity training?

39-23

What about CEQA's guidelines for project lead agencies to consider impacts and potential mitigation of impacts to unique archaeological resources? Are both CEQA's 15064.5 – 15360 and the Public Resources Code 21083.2-21084.1 guidelines adequately addressed in the proposed project plans?

39-24

A final, important question concerning the cultural resources has to do with notification of Native Americans. Because the Peak Report from January 2002 suggests that Clover Valley was a regional center, for trading and encampments, were other known tribes from the Northern California and Central California regions notified of the proposed project? Given the variety of cultural resources found in the valley, what regional and statewide notifications were made? It is evident that an important culture emerged in Clover Valley. Looking forward, will the City of Rocklin incorporate policies into the GP regarding Senate Bill 18?

39-25

In summarizing the entire proposed project, it is clearly not an appropriate project given the adverse impacts – especially – on air quality, transportation and cultural resources. It should be assumed that the City of Rocklin desires to adopt the most reasonable project. They have guidance in making this decision: **Section 6. Alternative Analysis.**

39-26

CEQA (15126.6 (a)) calls for a description of a range of reasonable alternatives to the project... I would suggest there are only 2 reasonable alternatives. The first is No Project. The merits of leaving this valley in as-near- pristine state as possible are compelling.

Further, if the value of the land were based on its current natural character and not influenced by the hype of speculative land appraisal, perhaps the property owners would find it in their hearts to open a 'purchase' dialogue to community groups, citizens, state and federal agencies, grant sources and others who would eagerly come alongside to turn Clover Valley into a regional park or conserve. The possibilities of finding a tract of land like Clover Valley, with its potential for community blessing, are extremely rare – especially in Northern California.

Members of the various groups who wish to save and/or preserve the valley are often asked, "Why don't you buy it?" We would willingly discuss this with whom ever would desire this discussion. As evidenced by the groups' tenacity and passion for the historical, cultural and environmental resources found in the valley, it is reasonable to consider these same groups would work eagerly with the landowners, the city and other public entities in helping to secure monies for a park or a conservation easement.

**Letter 39
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39-27

It is important to note another alternative that is outlined in the DEIR is considered to be an 'environmentally superior' alternative. Section 6-23 states: Therefore, the Maximum of 180 Units Alternative is the **environmentally superior alternative**.

This environmentally superior conclusion results from a study of land use, aesthetics, transportation and circulation, air quality, noise, cultural and paleontological resources, biological resources, geology, hazards, hydrology and water quality, public services and utilities. Adoption of this environmentally superior alternative would mean no amendments to the General Plan, no off site sewer line and, ideally, no Valley View Parkway development. There would be no need for this major thoroughfare, connecting Sierra College Blvd. to Park Drive, if development were limited to 180 homes.

This environmentally superior alternative – 180 homes – is one the City of Rocklin planners should consider, alongwith the No Valley View Parkway alternative, if they truly want to consider the **entire Rocklin** community. As I understand it, the city can make a decision based on 'overriding considerations.'

39-28

Fortunately, CEQA, SB 18, as well as numerous governmental and public resource codes are in place for a reason – to guide those public servants who would seek to build quality communities.

Thank you for your consideration of these comments.

Sincerely,



Allison Miller
Save Clover Valley Coalition

Attachments:

- Stanford Ranch/Ch. 14
- Direct mail for council member/2002
- 2002 letter from city attorney

Chapter 14

CULTURAL RESOURCES

Setting

The following cultural information has been excerpted from a Cultural Resources Evaluation (Chavez 1982) which was prepared for the project site in 1982 (see Appendix H).

The Cultural Resources Evaluation identified numerous pre-historic and historic sites within the proposed project site. Previous archeological surveys conducted within the region have concluded that the project site is one of high cultural resources sensitivity.

The Cultural Resources Evaluation included information gathered from the following:

- o California Archeological Inventory-Northcentral Information Center at Sacramento State University.
- o Cultural Research Associates (Santa Rosa).
- o National Register of Historic Places.
- o California Inventory of Historic Resources
- o California Inventory of Historic Landmarks.

The cultural resources investigations identified the following. A map identifying the specific site locations is available from the City of Rocklin (see Appendix H for detailed description of the cultural resources found at each particular site):

- o 13 prehistoric sites
- o 1 ethnohistoric site
- o 4 isolated prehistoric artifact finds
- o 3 historic sites
- o 2 historic sites with prehistoric features present
- o 4 historic stone fence complexes
- o 6 historic granite bridges