

# **EXHIBIT A**

WHELAN AND GROVER FAMILIES  
3416 AND 3413 WOOD GLEN CT.  
ROCKLIN, CA 95677

October 13, 2005

Mr. David Mohlenbrok  
City of Rocklin  
Community Development Department  
3970 Rocklin Road  
Rocklin, CA 95677

Re: Notice of Preparation  
Clover Valley Lakes

Dear Mr. Mohlenbrok:

The City of Rocklin has requested public comment regarding a proposed scope for an Environmental Impact Report (EIR) on the project previously known as Clover Valley Lakes. It is my understanding that the primary emphasis behind the EIR is to provide a tool for public agencies to balance public objectives, and private interests. We are hopeful this new report will reflect this spirit, provide full disclosure, and allow for informed discussion.

1. Inappropriate to exclude prior comments and questions on project.

City has announced in the Notice of Preparation (NOP) that as a result of revisions to the EIR, all prior comments regarding to the original EIR's and the project will not be responded to, even though the underlying project recently presented to the public, is essentially the same. At great time and expense, the public has expressed solicited concerns, comments and questions to the City, regarding this project for years. A citizen even resorted to a Freedom Of Information Act (FOIA) request to an outside agency to obtain documents which responded to unanswered questions. Is this the intent of CEQA? It would be remiss to ignore the history of this project, difficulties encountered along the way and how, those issues have been corrected or changed, if addressed at all. This is especially relevant since many, if not all, of those comments and questions solicited by the City may still be relevant to the new EIR. To predispose that prior questions are not germane and will only be "considered", serves only to short circuit the process, not to insure full disclosure to the public. The City's position in the Notice of Preparation (NOP) would seem poorly conceived anyway since aren't you simply inviting citizens to attach all prior correspondence to any response? This would be a foolish exercise. CEQA is not meant to be used as a vehicle to limit disclosure.

2. Public should be fully informed regarding the 2/4 lane "Parkway".

Months ago it was announced in the newspaper by city officials, and addressed in the NOP, that the proposed parkway through Clover Valley, renamed Valley View Parkway, would be reduced from 4 lanes to 2. However, the developer representatives have disclosed at a recent neighborhood meeting that the City has required road grading for the "Parkway" to accommodate 4 lanes. Further, sewer lines must now be oversized to service not only the deficiencies of the subject property, but development plans beyond Clover Valley. If it is possible the subject project is predisposed to support other development, or existing development, the potential, if not certain impact of a 4 lane road (and any other impacts) necessitates review.

Residents should also have disclosure regarding the proposed speed limit and any safety issues relating to the "Parkway". The "Parkway" is a steeply graded straight road which may entice high speed travel, unfortunately adjacent to a residential area. What is the safety record of similarly graded high speed 2 and 4 lane roads in Rocklin, and in the area? How many traffic accidents, speeding issues? Have there been any injuries to pedestrians, bikers, runners etc.? What is the risk to the public, and is this an acceptable cost for the benefit?

3. Clarification of land use designated as "open space"

The NOP represents a large volume of "open space" at this proposed project. However, a quick review of the map reflects that outside of wetlands, extremely steep hillsides, Indian artifact sites and developed roads, usable open space totals approximately 5 acres (out of 622 acres, less than 1/10% of the project). The EIR should have a clear disclosure and clarification regarding land termed "open space". Land that cannot be developed as a result of environmental, topographical, or archeological reasons should be distinguished from otherwise usable "open space" land set aside by the developer to enhance the aesthetic beauty and provide for public enjoyment or recreation. If only 1/10% of the total land area is set aside as open space, let the EIR disclose this to the public.

4. Open and clear disclosure of proposed grading

In an effort to review the small plan provided with the NOP, the grading plan includes lowering the hills of Clover Valley 20 feet or more (which represents as much as 10-20% of their total elevation) in order to increase the flat area atop ridges to accommodate additional house lots. The NOP briefly discloses the grading specific to the Parkway and mentions 1.6 million cubic yards of grading, already 200,000 yards greater than prior disclosures, along with major stockpiles. Substantially more detail should be openly and clearly provided to enable an understanding of the proposed grading. In the event this is a major cut and fill operation or otherwise, let this be disclosed in a clear and straight forward manner.

5. Tree removal analysis should include biological analysis, the total proposed loss and how the City's current Oak Tree Preservation Plan, and any amendments thereto specifically will minimize impacts.
- The number of Oak trees to be removed now totals 7,422, up from 1,800 in the original disclosure to the public. Estimates should extend to trees removed in order to build houses and how the City's Tree preservation plan (if applicable) will assist in this regard. Since estimates can vary greatly, variances should be identified rather than only specific estimated losses. Estimates should also include damage to other trees impacted through encroachment of their natural drip lines, changes in their water supply, receipt of runoff from housing areas. Analysis should include Cities experience with its preservation plan, how it is managed, and the net result. Various historical statistical analysis should support understanding the impacts of the plan, what percentage of citizens have elected to participate (and how many do not), resulting native plantings in developed areas, and other information. It would be helpful to understand the enforcement efforts to monitor the follow thru of the plan. It is impossible to understand and assess the tree removal estimates and proposed preservation without biological analysis, current or proposed city ordinances, knowledge and an understanding of the City's specific experiences, and resources allocated to this process.

6. Report should disclose and explain the aesthetic "standard" that will be used to judge and/or draw conclusions regarding grading at project.

The City of Rocklin has a wide range of aesthetic "standards" on ridgeline projects. How and what "standard" does one apply? Overlooking Rawhide Road at the entrance to Clover Valley rests a project that apparently was an acceptable "standard" for ridgeline development. That can be contrasted with the project high on the ridgeline above Sierra College Blvd. south of Interstate 80. Another contrast is the 30 foot block walls erected to support houses above Clover Valley Woods. When dealing with the finest of properties with the highest of natural qualities, an appropriate level of aesthetic "standards" should apply. In a City where the aesthetic impacts vary greatly makes discussion of such a "standard" confused. Report should clearly discuss what the acceptable "standard" is, and basis used to discuss aesthetics for this project.

7. Culverts used in Clover Valley Creek? What are the impacts outside of visual issues?

There are many thoughts which come to mind regarding this statement on page 6 of the NOP. What are the impacts on the Creek during construction, impacts on fish and wildlife? Culverts constructed further downstream from the proposed project have clearly altered the flow of the creek and created a holding place for silt. Common sense would tell us this would be a highly susceptible place for clogging and create potential flooding in the valley during wet winters.

8. Measurements of Project Density and Clustered Housing

Prior analysis and reports, including the prior EIR, on this project have included inequitable comparative data regarding density at the proposed project. Project marketing has included equitable comparisons between housing lots typically ¼ acre in size, to existing Clover Valley development with 1 acre lots. All numerical analysis of this project should be objectively performed, and consistently applied to permit full disclosure to the public.

9. On May 23, 2001, a letter was provided to the City of Rocklin, at their request, regarding concerns with the proposed development. Five years later, and after an EIR was drafted, these issues have yet to be adequately addressed and remain applicable. Accordingly, this letter along with its issues and questions is attached and incorporated herein as part this response to the current request for public input regarding the NOP.

The issues discussed above by no means represent a result of exhaustive research and conclusive analysis of all matters of concern with the referenced project. We reserve the right to address additional concerns not limited to the subject matter discussed in this letter at a later date. Thank you for providing the NOP, and the opportunity to comment.

Sincerely,

The Whelan and Grover Families

Cc:

# **EXHIBIT B**

CONCERNED CLOVER VALLEY RESIDENTS  
3413 WOOD GLEN COURT  
ROCKLIN, CA 95677

May 23, 2001

Ms. Laura Webster  
City of Rocklin  
Community Development Department  
3970 Rocklin Road  
Rocklin, CA 95677

Re: Clover Valley Lakes  
Proposed Development

Dear Ms. Webster:

In accordance with a document received from the City of Rocklin dated April 25, 2001 titled *Notice of Preparation, Draft Tiered Environmental Impact Report* ("EIR") which requested feedback regarding the City's direction and management of the EIR enhancement on the referenced subdivision, the following comments are provided. Although the document appears to be drafted to various State and Federal government agencies, as homeowners and residents within Clover Valley who will be greatly affected by this project, consideration of our input is appreciated.

It is understood the re-review and expansion of some areas of the previous EIR, prepared six years ago, is partially based on the City's analysis and a public workshop held in December 2000. However, a greater level of review and/or redrafting is called for based on previous public input, the circumstances at hand, and growing discomfort with this project based on the disclosure of new information. Further, the subject EIR addresses only the "tip of the iceberg" regarding the impact and effects on Clover Valley and the surrounding residents. The goal of our City representatives should ultimately be the full disclosure and objective investigation of all negative aspects of this complete development as proposed.

1. *EIR Should Consider Significantly Greater Tree Removal Than City's Current Analysis*

The EIR should consider the removal of substantially greater number of trees than the 1,800 previously disclosed by the developer and greater than the number analyzed by the City in the April 25<sup>th</sup> subject document. The City disclosed that approximately 7,058 oak trees will be removed to construct this project (a 400% increase from developer's original representations). This comprises 25% of the trees in the applicable portion of Clover Valley. We believe the final number of trees removed will be far greater.

The City's analysis considers a 5,000 square foot per building envelope for the residences, garages, driveways, utility easements, and what is termed as "miscellaneous sloped grading" (which presumably means leveling or terracing the land to accommodate flat lots and slab foundations). Importantly, the analysis does not consider the overall grading process, buildings' encroachment on driplines, trenching, landscaping, effects of automatic irrigation systems, crushing of small surface roots, and the experience of the development of thousands of homes in the City of Rocklin which indicate that the long term survivability of any tree that is subjected to this intensity of development is minimal at best. A realistic analysis would consider clearing out virtually all native plants, trees and animals in the developed housing areas.

Throughout developed parts of Rocklin, there are few instances, outside of greenbelts or areas where owners have made specific accommodations, where native oak trees are thriving. Assuming this doubles the City's analysis including additional area for the roads, minor streets, and other improvements, at least 50% of the trees may be removed or permanently damaged.

The City's tree analysis also does not consider the cut and fill estimates provided by the project engineer as discussed in the subject document provided. Cut and fill estimates for residential areas total nearly 1.5 million cubic yards of dirt. For 800 lots, this is an average of 2,000 cubic yards per lot. Discounting 25% for minor streets, etc., this leaves average grading of 1,500 cubic yards per lot. Assuming the lots average 1/3 or 1,600 square yards, every square yard of the lots will receive an average of 1 cubic yard of grading (cut and fill). Clearly, this subdivision is a major cut and fill operation after which there will be nothing natural remaining within housing areas. The City's "5,000 square foot building envelope" (or 555 square yards) to determine ultimate tree removal is simply unsupported.

2. EIR Should Consider All Grading and Terracing Within The Subdivision, Not Just Limited To The Infrastructure Development

Grading and terracing within the subdivision should be expanded beyond the infrastructure to all areas where housing developments occur (especially considering the new information provided). The City recommends expansion of the EIR only regarding potential impacts on aesthetics, geological structure and formations, plants and wildlife, water runoff and water quality from the "construction of Clover Valley Parkway and grading required for other roadways and infrastructure" necessary for development. As experience has shown in the ridge above Clover Valley where a hilltop has been plateaued and the ridge built up to a level that many view as unsightly, a project off El Don/Foothills (Sierra Creeks II) where a 10 foot wall of dirt now resides next to existing residences and an entire hillside has been terraced, clearly shows that the roads and infrastructure is the least offensive development aspect of the project. In both instances as we recall, the City claimed either to not have prior knowledge or did not perform proper due diligence to have an understanding of the damage that was to be inflicted on the properties (and adjoining residences) until after the fact. Based on the large scale tract home development proposed, the City can avoid a similar situation. (Please also re-review the analysis in Item #1 which considers estimated grading cut and fill volume now being disclosed.)

3. EIR Should Include Extensive Analysis Into The Effects (And Need) Of A Sewer Line Through Existing Development

As residents, we were shocked with the disclosure that the roads we use, and the only roads available, will be disturbed to construct a 15 inch sewer line (which is larger than either of the two existing sewer lines) in order to accommodate 620 additional homes that the existing infrastructure cannot accommodate. This is a major impact on existing residents based on the length of the required line, the inconvenience, noise, and general disruption of many lives, not to mention the temporary disruption of sewer service. Unlike areas of the City where streets are gridded providing ingress/egress alternatives, in this narrow valley there are none. In the event sewer capacity can only handle 180 homes, then perhaps this is the density we should be discussing or find another route that does not greatly impact long-term residents. The potential that this volume of homes does not maximize development revenue on the land is immaterial. We suspect the developers are of sufficient experience to have conducted proper due diligence and had prior knowledge of these facts. The zoning densities are maximum allotments, not entitlements at the expense of the residents of Clover Valley and Rocklin. We trust the City of



Rocklin's Development Agreement considered this fact and made no further commitments in this regard.

4. EIR Should Consider That "Conservation Easements" Are Only Proposed

The EIR should consider that "conservation easements" are only proposed even after the approval of the large lot subdivision. The City has previously represented that "conservation easements" are only proposed and may be modified at a later date. A total of 800 homes may not be the final density. An additional 133 homes may be constructed after the development process has begun. Further, only the steepest hillsides, required flood plain area around Clover Valley Creek, and detention ponds to try to control downstream flooding as a result of the project, remain undeveloped in order to achieve the 800 home density. No natural areas that are even remotely level remain outside of the above. Unfortunately, this is to the detriment and without regard to existing homeowners and prior developments in Clover Valley. Some existing residents will have homes cut into steep hillsides above their homes in the interest of increasing density. This is most evident in the proposed Summit Drive area and the cul-de-sac above Wood Glen Court. It would appear that a more accurate representation of this development for the EIR analysis is that there are no set asides of land other than that mandated by flood issues and topography.

5. EIR Should Consider Endangered, Protected And Other Plant And Animal Species

We are unaware that the EIR from 1995 carefully considered all plant and animal species endangered, protected or otherwise, which reside in Clover Valley. Several residents are aware of the sightings of mature and juvenile eagles in the area believed to reside in the undeveloped portions of Clover Valley. It is believed this matter should be researched and remediated in accordance with State and Federal law.

6. EIR Should Consider Traffic Issues

We disagree with the City's view that traffic issues should not be re-analyzed. Development in South Placer has grown at such a pace that it has exceeded many projections from 1995. It is difficult to understand that the Bickford Ranch project (which was not approved in 1995), Twelve Bridges, Whitney Oaks, Stanford Ranch and Clover Valley Lakes were fully considered in a 1995 EIR as represented. We disagree with the City's analysis that the traffic study should not be redone, based on adequate previous analysis and a reduction from the original density. The 133 home reduction in the Clover Valley Lakes project represents 16% less density for the project. However, between the large developments (Bickford Ranch-2,500 homes, Twelve Bridges-4,500 homes, Whitney Oaks/Stanford Ranch-2,000 or more homes, Clover Valley Lakes-800 homes) at least 10,000 homes will use Sierra College Blvd. making the 133 house reduction representing only a 1% change. The impact of the change is insignificant, not the effects. Further, we are unaware of an analysis regarding the traffic noise which will reverberate up and down the narrow valley from the Clover Valley Parkway to be constructed.

The construction of a four-lane road as designed through Clover Valley is also somewhat puzzling. Other subdivisions in Rocklin of similar size are serviced by two-lane roads. It would appear that this is primarily an effort to accommodate commercial development in a portion of Clover Valley and to relieve a growing traffic problem in Stanford Ranch/Whitney Oaks; secondly, to service the subdivision.