

MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION

Meeting of June 7, 2007

The regular meeting of the Solano County Planning Commission was called to order at 7:00 p.m. in the Board of Supervisors' Chambers, Fairfield, California.

PRESENT: Commissioners Moore, Barnes, Mahoney, Barton and Chairperson McAndrew

EXCUSED: _____

STAFF PRESENT: Birgitta Corsello, Director; Mike Yankovich, Planning Program Manager; Terry Schmidtbauer, Environmental Health Program Manager; Jeff Bell, Environmental Health Specialist; Stan Schram, County Surveyor; Jim Laughlin Deputy County Counsel; Kristine Letterman, Planning Commission Clerk

Items from the floor - none

The Minutes of the regular meetings of April 19, and May 17, 2007 were approved as prepared.

1. **RESOLUTION** approving procedures for the processing of Development Agreements.

Mike Yankovich stated that at the last meeting the commission reviewed the rules for development agreements and the procedures for processing those agreements. He stated that staff has addressed the comments made by the commission at the last meeting and have provided new language for review.

Commissioner Moore referred to Section 2, Application Process and stated that there appears to still be an effort to provide for a process that will set up a situation where the planning commission, and maybe even the Board of Supervisors, could be placed in a position of embarrassment. He stated that in reading the provisions, the Director wants to be able, before she enters into any details of a development agreement, to come before the commission, and then perhaps the Supervisors, with the question if a project should proceed. Even though it is indicated that it does not necessarily mean approval, it certainly would put the applicant in a position of at least being given inference that the planning commission said it was okay, and then when it comes back in its final form, there may be some real problems.

Commissioner Moore commented that staff has never been too reluctant to come before the commission with an application recommended for denial. He stated that although the commission may or may not agree on the recommendation, the applicant has always had the right to appeal the decision and carry it forward to the Board of Supervisors. He said that he

feels this method has been true and proven, and it should be part of this process as well, so that an application that comes forward to the commission is entirely complete and ready to go and open to the commission's criticism or approval. He stated that the way this report is written is a Memorandum of Understanding (MOU) and pre-negotiations on whether or not the development agreement should be considered occur before the process even begins. He stated that he could not support that. He indicated that what staff has brought before the commission tonight, with the exception of adding the planning commission to the process, is almost identical to what was brought forward previously. Commissioner Moore stated that he can not feel confident in forwarding this recommendation to the Board of Supervisors in its present form.

Mike Yankovich spoke to the process in terms of the director making the decision as to whether or not to process a development agreement. He stated that the issue pertains to consistency with the General Plan. He explained that if the applicant is requesting a development agreement and the project itself is consistent with the general plan, then the director would follow through with the MOU, which would be the second step. He stated that if there is a difference of opinion with regards to whether or not the request is consistent, then the planning commission would be involved in the review process to make that determination to resolve the consistency issue. He stated that it is a question of whether or not the project itself is consistent with the general plan, and that would determine whether or not to proceed with a development agreement and onward with the MOU.

Commissioner Moore stated that currently the director can ask the commission at any time for a general plan consistency determination. He did not believe it should be made a part of this particular agreement in the way it is currently written. He commented that the application would be brought before the commission, and without having any guarantee of approval, the commission would say yea or ney. He said this step does not make any sense to him. Commissioner Moore said he has no objection to staff asking the commission in a study session as to whether or not to proceed with a project, but he would not want to put an applicant in a position of having to go through that step to determine whether they can or can not proceed. If the director does not think it is in conformance with the general plan, and if the applicant does not agree, the applicant has a right to proceed and appeal to the Board of Supervisors. He questioned why staff is proposing to change the process that is currently in place.

Jim Laughlin explained that with any other entitlement, as long as the applicant submitted a complete application, no matter how bad the application is, as long as it is complete, the county would need to accept and process the application. He stated that development agreements are a different type of request, and the county does not need to accept them.

Commissioner Moore stated that if the director comes to the conclusion that it is in the county's best interest, then staff is going to work to a point to where they are going to bring something to the commission. He stated that he does not agree with the middle step, because it creates a

situation where the commission may say that under one set of circumstances that it works, but when the project comes back to the commission it may be a different animal, and the applicant has already made a financial investment.

Jim Laughlin stated that the way this was originally written was the directors' determination would be appealable directly to the Board. Staff was under the impression that the planning commission wanted to be involved as an intermediate step.

Commissioner Moore stated that he wanted to avoid the preliminary step. Mr. Laughlin stated that this is a general plan issue. The finding that the project looks like it might be consistent with the general plan does not mean a development agreement is going to be approved. The idea is that if the project is not consistent with general plan, then staff does not move forward. If it does appear to be consistent, then staff will move forward and negotiate a development agreement

Commissioner Moore stated that staff needs to build steps into the process to 1) get a determination of whether it is in conformance with the general plan; and 2) the applicant can move forward. He said that if these were written as two separate decisions, he would support the document.

Mr. Laughlin stated that Section 2.2 just looks at the general plan issue, and that at this point, staff does would have a developmental agreement on the table. Once it looks like the proposal will be consistent with the general plan, the county could move forward with the MOU and work out the terms of the development agreement

Commissioner Moore suggested restructuring that requirement as an individual step. The first step is to determine whether it is in conformance with the general plan, and it would be a definitive decision. He said the way it is set up now is there will be a session where a decision has to be made, but it does not necessarily mean that it is going to be approved.

Jim Laughlin stated that Section 2.2 is a rough concept. He said there would be nothing to approve at that point, staff would not even have a draft development agreement for consideration. Commissioner Moore inquired as to how the proposal would be presented to the commission, and what it would consist of and if all the information necessary would be available to make that kind of decision.

As an example, Mr. Laughlin stated if a landowner were to come in and propose an industrial development in a residentially zoned district, immediately that would be inconsistent with the general plan.

Commissioner Moore asked why the commission would have to make that decision. Mr. Yankovich stated that the commission would not have to make that decision because it would be clear cut that the director would reject it. He explained that if it is something more gray in

terms of a policy with regards to water in the unincorporated area of the county, then it does involve a determination by the director to determine whether or not it is consistent with the general plan. If there is some degree of question, then it could be appealed. He noted that the proposed process would include the planning commission as the first step for that appeal, and then onto the Board for final action. Jim Laughlin reiterated that if it would just involve the general plan consistency issue, it would not involve the merits of the project.

Commissioner Moore stated that it seems to him that staff is looking for a procedure to determine whether an application of any sort is consistent with the general plan, and inquired as to why this is significant to the development agreement. Why is the process of going through the administrative and legislative process to make a determination necessary.

Mike Yankovich stated that this is not necessarily a separate step. It is done with every project that comes before the county. Commissioner Moore stated that his objection is that it is a determination that is made up front and is of no value other than informational because it does not necessarily mean, even though it is determined to be within the general plan, to represent approval or disapproval.

Mr. Yankovich asked Commissioner Moore if he felt Section 2.2 to be immaterial, and should be deleted. Commissioner Moore stated that he believes the director can make that decision up front, and if there is an argument, it can then come before the planning commission.

Jim Laughlin stated that a development agreement is a contract between the project applicant and the county. The county has some obligation to negotiate in good faith when going ahead and negotiating on the contract. He stated that when the county is processing a permit, staff can take a negative recommendation on a permit application if it is believed to be inconsistent.

Commissioner Moore stated that as this process described goes forward, it may unnecessarily and unwittingly place the county in a position of not dealing in good faith.

Mr. Laughlin stated that the intent is to weed out those clearly objectionable projects before the negotiation phase.

Mr. Yankovich indicated that staff can revise the language and bring it back to the commission at a later date.

Commissioner Moore stated if there is a question of validity with the project, that is what should come before the commission.

Commissioner Mahoney stated that he would be in opposition of taking the commission out of the process. He stated that if a property owner feels that the commission has erred or does not agree with their decision, then they have the avenue of the appeal process. He stated that this

is part of the democratic process where people have another avenue to speak on an issue that might affect them. He would like to see the planning commission stay involved in the process. It was motioned and seconded to continue this item to the regular meeting of July 5, 2007.

2. **PUBLIC HEARING** to consider certification of a Final Environmental Impact Report (FEIR) for the **Rockville Trails Estates Residential Subdivision** for development of 370 single-family residential units on 1,580 acres in the western central portion of Solano County, northwest of the City of Fairfield, approximately 3 miles north of the I-80/680 interchange in the northeast region of the Green Valley Road/Rockville Road intersection. The site is located between the hills of Green Valley and Suisun Valley. (Project Planner: Mike Yankovich)

Mike Yankovich stated that tonight will be the first of several meetings the commission will be holding to deliberate on this project. He noted that the commission will be looking at impacts as described in the Environmental Impact Report.

Geoff Reilly, Christopher A. Joseph and Associates, provided an overview of the project which covered the purpose of the EIR, summary of the proposed project, overview of the EIR process, EIR environmental determination, EIR minor modifications, project alternatives, and areas of controversy.

Dick Loewke, spoke on behalf of the team of environmental experts who were assembled by the project applicant. He stated that their team are responsible for both the design of the project and a number of the self-mitigating features of the design, and to assist both the commission and their experts in answering questions. He stated that one of the most powerful mitigation measures this project has employed is a sensitive design and the use of an MBR plant. He explained that it is that facility that allows the clustering of homes on the project site so that the footprint impacts are minimized and homes and roadways are located in areas that have the least possible environmental impact. Mr. Loewke provided an overview of the project.

Chairperson McAndrew opened the public hearing.

Linda Seifert, President of the Green Valley Landowners Association, 4254 Green Acres Court, Green Valley, submitted to the commission a personal letter expressing her concerns about the project and a letter voicing the landowner association's general disapproval and recommendation that the commission not support certification of the FEIR. She also submitted a letter from the law firm of Shute Mihaly and Weinberger, which indicated that due to the voluminous nature of the FEIR, they did not have sufficient time to complete their comments prior to the hearing.

Ms. Seifert stated that the mitigation measures proposed for the project are largely for monitoring. She stated that when one starts monitoring what the community feels needs to be resolved up front because of the impact on the area, they would contend that these mitigation measures are simply not acceptable under CEQA, and certainly not acceptable for the people

who reside in the community. She noted that a community meeting was held where approximately 200 people were in attendance. Ms. Seifert stated that it is the view of the community that once the commission takes a close and careful look at this project, they will conclude that this is no different than the White Wing project proposed 10 years ago, and is simply another version where the applicant is trying to hide those issues that made it a significant problem in the first place. She urged the commission not to certify the FEIR.

Nancy Nelson, 1800 Cravea Lane, Fairfield, stated that in FEIR there are so many responses that refer to additional studies and analysis on certain items. She stated that if these issues are not known up front, how can the commission make informed decisions. She indicated that the wells that are proposed to serve the project have been so meagerly tested that it seems unfathomable to ask the commission to make a decision without having tremendous assurance from the FEIR that there is not an opportunity that either existing or new homeowners are going to lose their water source. Another concern is the project's proximity to earthquake faults. She stated that these faults have not been thoroughly examined and there are statements that the project will be redesigned based on what is determined on the fault. She stated that if the potential impacts are so great to require redesign, those impacts should be known now and not based on future results.

Ms. Nelson commented that if this project were in compliance with existing zoning and county standards and ordinances with regard to onsite septic and wells, most of the members of the community would probably not be in attendance here tonight. She stated that it is the commission's obligation to uphold the Solano County General Plan, and to protect residents from ill conceived projects that put their safety and well being at risk. She urged the commission to not recommend certification of the FEIR.

Jerry Gerald, 1191 Vintage Lane, Fairfield, stated that an EIR is suppose to identify and analyze the possible impacts on the environment and the ways in which significant impacts of a project might be avoided or mitigated. This is not possible if the project is not clearly described, as is the case with this proposal. Mr. Gerald stated that the project description in the FEIR remains unstable and will be redesigned based on mitigation measures proposed for biological, geological, and cultural resource impacts. He indicated that 90 of the 370 proposed homes are specifically identified in the FEIR as requiring substantial revision and redesign. He indicated that additional changes will be required to avoid two archeological sites, three landslide areas, and the Cordelia fault. He noted that entire areas in the mitigation section are deleted. He questioned where those 90 homes will be located and their impacts.

Mr. Gerald stated that the project description is so fragmented and scattered through out the draft and final EIR that it is not possible to get a clear picture of the project and its impacts. He stated that these documents do not adequately inform the public and decision makers of the significant environmental impacts of the project. Mr. Gerald stated that as a minimum, the FEIR should be redone so that it clearly and concisely states what the project is.

Dr. Craig Gillespie, 4375 Green Valley Road, Fairfield, stated that the community is aware that this land has been zoned for development. He indicated that they are not opposed to development, but are opposed to this development project. He said the owners and prospective owners of this property have not made a good faith effort to come forth with a plan that meets the County's General Plan requirements. He stated that the community has been told that the project would not pencil out for expenses if it followed the current guidelines. Dr. Gillespie stated that maybe it is time that the land be re-priced and then proceed with a project that is in compliance with the general plan.

Dr. Gillespie stated that in order to approve this project, there would need to be a change in the general plan to allow for an onsite wastewater treatment facility. He stated that the county's current sewer service policy calls for individual onsite sewage treatment systems. He spoke to the housing policy that states that domestic water for rural development shall be provided principally through onsite individual wells, whereas this project calls for a special assessment district for water and a single well servicing 370 homes. He noted that the Subdivision Ordinance, Section 26, #73 states that building pads atop ridgelines and knolls should be avoided, yet with this project, 89 of the 370 proposed sites are on ridgelines. He referred to Land Use Policy 4a which states that areas surrounding regional parks should be maintained in open space or other compatible uses to protect the natural setting and environment of the park. He stated that a sewage treatment plant at the main entrance and egress of the entire project right across the street from Rockville Park does not meet that policy. Dr. Gillespie stated that he finds it troubling that we have a de facto making of a new general plan by caveat driven by the need for a profitability of a specific project, rather than by thoughtful and careful consideration of the entire county and what are the policies that are best for the county. He referred to the Citizens Advisory Committee (CAC) working on the update of the general plan and stated that it would make good sense for the county to hold this project to the current general plan, and let the CAC take its course and come up with a thoughtful and good path for the county. He urged the commission to turn this project away.

Grant Kreinberg, 108 Briae Court, Fairfield, stated that there has been a policy in this county for over 30 years that what is municipal shall be urban, and to change that would be a major and significant alteration. He stated that the project is being staged to provide affordability, yet that information has not been made available to the public. Mr. Kreinberg stated that in doing some preliminary evaluations, he believes that they are looking at several hundred dollars a month for the charges that will be assigned to either the community services district or homeowners association, plus the cost of running the proposed vineyard is high. He inquired that if the project were not to succeed, how that would impact the area taxpayers. Mr. Kreinberg stated that in the summation of the FEIR there is discussion where 13 areas of controversy have been identified, and there have been ways identified to mitigate them to less than significant. The problem is, a number of these mitigations are unacceptable to the community. Mr. Kreinberg urged the commission to reject this proposal, perform additional analysis and bring back a better project.

Bill Mayben, 4243 Green Acres Court, Fairfield, referred to the applicant's plan for the retention of treated sewage affluent on large onsite holding ponds on the eastern edge of the subject property. He stated that he recently visited the property located beneath the proposed development and noted that the earthen dams sit back off the valley floor. In referring to his experience as a developer in the Central Valley, Mr. Mayben stated that the State of California had such profound concerns with regard to levees that they issued a moratorium on building around them. In the winter these levees become saturated with water, and in the event of a winter earthquake, they liquefy and dissolve. The State's concern is with a catastrophic failure along sections of the levee that would create inundation of houses so suddenly that there is no time to evacuate. Mr. Mayben stated that he believed there is a similar concern regarding these earthen structures at the detention basins because if this situation occurs, there are four estates at the base of the project on private property that are directly inline with a potential catastrophic flow from a failure of one or more of these dams of such magnitude that it would sweep right through these estates and possibly continue to the roadway. He stated that it should be noted that the applicants were alluding to this road as their EVA, but it would be the first to be destroyed if there was such an event. Mr. Mayben stated that this is a serious public safety issue and needs to be looked at very carefully. He stated that staff can not simply accept the word or the proclamation of engineers when there is a potential loss of life at stake.

Mr. Mayben indicated that on December 31, 2005 there was a major storm event and Rockville Road became blocked. He stated that a lot of the water came from the subject property. Mr. Mayben stated that despite the reassurances of the applicant, the way he reads the EIR is that the structures described as reducing the water flow are optional and are not required unless it is determined through further study and monitoring that they are necessary. He believed that they should be required. He stated that as the document is presently constituted they are not required, their location is vague and their function is not clearly defined. He added that the coverage of this site amounts to almost 10% of roof and pavement, so there will be an acceleration of water coming off the site that needs to be mitigated directly and effectively.

John Nelson, 1800 Cravea Lane, Fairfield, spoke with regard to the stormwater drainage plan. He stated that as it is proposed, the watershed from the entire central portion of the project is to be collected and directed into the existing drainage route offsite. He stated that the EIR does not suggest any mitigation for this downstream impact. He indicated that his property, along with others, are located immediately downstream. He stated that he has watched the water flow through the existing drainage system through this corridor, which is basically the principal route to collect all the watershed from the areas on both sides of Rockville Road. Mr. Nelson stated that the systems that are in place now to deliver the flow are crude and have mostly been forged out by the erosion from the stormwater drainage that occurs annually. He noted that it is a raging river when these storms are in effect. Mr. Nelson spoke to how he, along with many neighbors, have furiously filled and stacked sand bags around their homes against the rising tides in the 2005 flood. Needless to say, he is extremely concerned about the prospect of this project adding additional stormwater run off to the existing drainage system on the valley

floor. Mr. Nelson stated that the system is barely able to handle the normal storms that occur now, let alone the flooding.

Mr. Nelson stated that there is no doubt that the construction of roads, driveways, and 370 homes will inevitably create additional runoff. He stated that the proposed solution is the creation of detention basins, however, the EIR states that additional analysis is required to determine that the construction of such ponds is even feasible or advisable considering the nature of the soils, the potential for seepage and landslides, and the proximity to earthquake faults. At this point, retention ponds can hardly be considered a sure fire mitigating measure for use downstream. Lacking that, Mr. Nelson questioned what stormwater management the project proposes that will protect downstream properties from this significant potential impact. He stated that until that question is answered, the FEIR should not be certified and the project should not be recommended for approval.

Steve Clawson, 510 Cavalier Court, Fairfield, referred to the California Regional Water Quality Control Board report noting that there was a lot of statements that contained the words: "incomplete and inaccurate...", "does not provide sufficient...", "does not adequately address...", and "does not include and does not discuss.....". Mr. Clawson spoke to other verbiage that was directed to each specific point presented in the proposed wastewater system and the words: "is unacceptable", "is entirely unacceptable", and "is entirely inadequate". He noted that the Report concluded as saying that the plan is totally "inadequate and unacceptable". He stated that if the commission were to approve this project based on this report, he could not see how it would benefit the county in any way. He urged the commission to not move forward with the project.

Nicole Byrd, Solano-Napa field representative for the Greenbelt Alliance, 1652 West Texas Street, Fairfield, stated that the Alliance has been protecting open space and promoting livable communities in the San Francisco Bay area for the last 50 years. She explained that livable communities are places where people can live and work and shop and play. She stated that this proposed development will provide no jobs or retail and will be car dependent. She stated that one of the main reasons for the Alliance's opposition to the project is that the general plan amendment request is for a package sewer treatment plant. She said the amendment would conflict with the county's city center growth model, and would not only affect this project because it would be a countywide amendment. It would open the doors to development throughout the county in areas that currently only are allowed with onsite sewage treatment systems. Ms. Byrd noted that she currently sits on the general plan advisory committee and this issue is something they are discussing. She stated that it is premature to approve a project that not only conflicts with the current general plan, but might also might conflict with new general plan that is currently being updated. She urged the commission to not approve the project.

Jan Hewitt, former District 3 County Supervisor and previous member of the Vacaville Planning Commission, 3281 Formby Lane, Fairfield, provided her concerns in question form. She

inquired if it was a conflict of interest for both the engineer and preparer of the Draft EIR to be the firm Creegan and D'Angelo; She asked why the sewer is sited over or near the Cordelia fault line which is twice as wide now on Rockville Road as it was in 1976.; Why is the county considering a sewer plant not presently allowed in Solano County?; Who will be in charge of that sewer district and who pays for it?; Will there be a public review of all the monitoring and mitigation?; Is the county going to see them or just refer to them?; Will bonds be posted to pay for all of the replacement pumps that will be needed for the sewage to be pumped up hill?; What happens when the sewage drains into Green Valley and Suisun Valley creek?; Who pays for the neighborhood's cracked septic tanks from the excavation blasting?; Clay pond lining did not contain the hazardous waste in Benicia hills with the IT project, why will it contain sewage here?; What is to prevent landslides into the holding ponds during the wet season?; Who pays for the redrilling of the existing neighborhood wells that go dry during the dry season due to the project over pumping the aquifer. Ms. Hewitt stated that she feels the FEIR is inadequate, should not be certified, and is not in the county's best interest.

Eileen Wray, 904 Via Pajaro, Fairfield, stated that the project is bounded on the west by the active Green Valley fault, and bisected by the active Cordelia fault. She stated that there is no doubt that the site will some day be impacted by an earthquake. She explained that the faults are considered as part of the Alquist-Priolo Special Study Zone, which requires potentially active faults to be investigated by cities and counties prior to issuing permits for structures for human occupancy. The fault traces shown on maps are not considered accurate because they have been located by either field, or aerial reconnaissance. It is the local government's responsibility to require a developer to evaluate specific sites within a special study zone to determine if there is a hazard from a fault to structures or human occupants. They must locate the exact position of the fault within the project boundaries by field investigation. Ms. Wray stated that the developer's plans show homes and infrastructure within the fault zone without knowing the exact location of the fault. The applicant's response to earlier comments regarding this matter was that they would investigate the fault after approval by the county, but before permits were issued. Once again, they are going to determine the actual number of homes and their location after additional studies are completed. Ms. Wray stated that this is not acceptable because it creates an unknown final project design, and if the project is promised 370 homes but there are not enough suitable sites due to the exact location of the Cordelia fault, then the question is where will those homes be placed.

Ms. Wray stated that history on the Cordelia fault shows that in the 1980's only the southern portion of the Cordelia fault was included in the Alquist-Priolo Special Study zone. As development in the area progressed northward toward Rockville Park, additional segments of the Cordelia fault were included in the study zone as a result of field investigations during the development process. Currently the portion of the Cordelia fault included in the study extends from the Nelson Hill area in Cordelia into the Rockville Trails project site. The Cordelia fault itself extends beyond this northern limit of the special study zone to the north and into Napa county. Ms. Wray stated that the applicant suggests that the active part of the fault only extends into the site as far as the special study zone. They also state that once the project is

approved they will study that location and extent of the fault prior to issuance of any permits. Ms. Wray stated that this is not acceptable given the emerging active nature of the Cordelia fault. She stated that history indicates that as development is proposed in the Cordelia fault area and field investigations are completed, the fault is identified as active. Based on this it is in the county's best interest to require additional field studies to be performed on the Rockville trails project site prior to project approval. The discussion of the active faults is focused primarily on structures for human occupancy, but another aspect for consideration is location of a waste water treatment plant and affluent holding ponds in an area bounded by two active faults. She stated that there has been no discussion regarding the financial impacts in the event of fault movement and the cost of repair and/or replacement of these essential components to this project. She urged the commission to not approve this until additional studies have been completed.

Maurice Koch, 2212 Morrison Lane, Suisun, stated that he resides in one of the homes identified in the EIR. The EIR states that their lives will be in danger living under the threat of a wave of water and affluent, creating flooding to his home and outbuilding, contaminating his well and making his soil implantable for years. He stated that the storage capacity of the 4 waste water dams were deliberately undersized by the developer to avoid being under the Department of Water Resources, Division of Dam Safety regulations and guidance. They had used a 90-day storage capacity for their 125,000 gallons per day of sewage. Mr. Koch stated that in November of 2005, he presented to staff facts that showed that the storage should be 180 days due to the nature of the proposed irrigation disposal. In May of 2007 he met with the applicant's experts and told them of their error in calculating the water dam storage capacity and advised them that they should use the 180-day storage. The applicant said that they would review the situation. Mr. Koch stated that before the FEIR was released, staff indicated to him that the developer reviewed their calculations and changed the storage from 90 to 120 days and the storage capacity of the 4 dams did not have to be increased, that it was still adequate. The developer eliminated the 90-day waste water amount in the FEIR but stated that the storage size would be whatever it takes to do the job, with no commitment as to the size and the amount of the increased storage. Mr. Koch stated that the experts working for the developer apparently did this so that they could deliberately deceive the county and the Department of Water Resources. They divided the storage of waste water into 4 dams and underestimated the amount of storage from the very start of this project to avoid review and control of the Department of Water Resources.

Paul Herman, 2204 Morrison Lane, Suisun Valley, spoke to wastewater dispersal. He stated that the applicant is pulling numbers out of the air and proposing things that are not going to work. He noted that this is done throughout the project. The applicant speaks to the 125,000 gallons of water a day that will require annual storage, and 45 million gallons that will need to be disposed of. He stated that using the proposed 21 acres of grassland would dispose of 21 million gallons of water, the 66 acres of vineyards would dispose of approximately 5 million. He commented that with the current farming practices of growing grapes, studies show that actually less is better, less water on grapes produce a better grape product. Mr. Herman stated

that with the calculation using the applicant's figures, they have a 45% shortfall, which is almost 2 million gallons that they are not going to be able to dispose of. He noted that the ground is very steep, the location of the dam is extremely high and steep and there a lot of trees on the site. Mr. Herman noted that if they treat the grapes as a marketable product, under current conditions, there could be a \$60,000 shortfall in any monies they would get from over-operating expenses. The vineyard will cost well over 1 million to plant. He wondered how the CC&R's address this on forcing someone to plant grapes and to maintain them, and where the money comes from to handle the shortfall.

Larry Burch, 6 Spring Lane, Fairfield, stated that his property is located on the south side of the proposed project. He stated that he has one central well that is approximately 200 feet deep, and it is their sole source of water. He voiced his concerns with well water contamination and how the project will affect the existing water supply. He questioned where the water will be diverted if the wastewater plant needs to be shut down for a day. He felt the change of the wastewater disposal method to be very significant. He said when the project was first proposed 10 years ago a golf course was the disposal method, it then changed to a spray irrigation system but that idea was rejected by the Regional Water Quality Control Board. Now the idea is to try to keep the water contained within this small zone. He spoke to water balance as it relates to heavy rains and saturated soils. Mr. Burch stated that it is a major change going from spray irrigation to this proposed system, and it has to be scientifically correct in order to function. If there happens to be an overly wet year and the soil cannot take as much moisture, where will the sewage go next. He inquired about an alternative back-up plan for the project. He stated that many questions still exist regarding the type of wastewater holding pond liners.

Herbert Hughes, 4317 Green Valley Road, Fairfield, spoke to water and wastewater concerns. He stated that in 2002 when the applicant commenced with their application to the county for their project, their expectations were that the Solano Irrigation District (SID) would provide the water. In 2005, SID first became aware of the project when the applicant formally requested them to provide water. In consideration of that request, at a special meeting in August of 2005, the SID Board discussed the questionable status of their commitment. SID indicated that the well was a bit of a fizzle, the water quality was not very good and it would be difficult to treat. Mr. Hughes stated that this subsequently led to negotiations whereby the 1,580 acre site was withdrawn from the SID water district. This left the project without any assumed outside water supply and forced them to evaluate whether the one well they had is sufficient as being the only source of water for the project. This leaves many issues and concerns about adequate water and the wells that have not been tested to the point they it can be relied upon that they will provide the water necessary for this project, and the impact that it may or may not have on the adjacent wells. In addition, the way the project is now structured, when SID disappeared from the scene, there was no redesign or evaluation of the project density. There are still wastewater concerns and how they will deal with the inadequate containment system on the ponds. Mr. Hughes stated that the site should not be developed as proposed in the EIR. When the SID water availability was removed, the project size should have been revised. He said that

there is a whole litany of problems with water and wastewater and those issues need to be substantively reported, tested, and reviewed before an EIR can be submitted for certification.

Michael Poley, 5310 Spring Ridge Court, Fairfield, spoke to his concern with the wastewater treatment plant and its operation. He stated that even the best plant can have disruptions. He wanted to know how, or if the county is able to get involved in the event of a natural disaster or in the event of an upset by the plant itself and its operation. He inquired if there is a business resumption plan in case there is a failure.

Linda Russum, 2206 Morrison Lane, Fairfield, stated that their major concern is the wastewater treatment plant and the associated storage ponds. She indicated that Ponds A and B are directly inline and above their home. To quote the developers themselves, she stated that the ponds pose a life safety risk to the downslope residences if the embankments fail. She said the dams that are holding back the water are designed to fall below the dam height that would require they meet state dam regulations, and they are not subject to state inspections. Ms. Russum stated that they may even be placed directly on the Cordelia fault; they are certainly placed very near to it. She noted that she has been home on 4 different occasions in the last 7 months where there have been earthquakes that have shook their house. She said the EIR does not adequately address the issue surrounding the placement of large ponds next to, near, or on an active fault. She said the faults' location where it actually runs through the project is still a mystery. It has not been adequately investigated. After some calculation, Ms. Russum noted that Pond threat A and Pond threat B holds 5,343 and 19,289 tons of wastewater, respectively. She commented that they are held back by a low dam that no one in an official capacity has responsibility for. If there is a failure for any reason, her house will be washed away and one or more of her family members could be killed. Ms. Russum stated that given the evasiveness and the inadequacies of just this one issue, the commission has to ask themselves if the applicant has given enough information to make an intelligent decision about this project. She suggested that the commission send the EIR back to the applicant telling them that they must submit a fundamentally different project for approval, one that will not require amendments to the general plan, and will not place adjacent, taxpaying property owners in grave danger when a significant earthquake occurs or an embankment fails for any reason.

Mark Brown, 4323 Green Valley Road, Suisun, voiced his concern with the lack of sufficient depth of the analyses supporting the EIR and the weakness of the proposed mitigations. He stated that there have been many and substitute changes in the project description that continues to this day, leaving the technical analysis of risks and remedies inadequate and in a state of continual flux. He said this apparently has left the developer to propose mitigations supported in general by hopeful thinking and a "put it off until later" approach. It appears the county would be on tenuous ground to tacitly take the position that the current analysis is adequate enough to fulfill its role as lead agency for CEQA. Mr. Brown urged the commission not to certify the EIR at this time and ask for further definitive studies that would properly

address the many loose ends before moving ahead. Analysis of water availability, sewage generation, holding pond inventories, etc are based on optimistic estimates of water needs by the proposed new residents. He stated that it assumes only 3 people per multi-million dollar house and precious little, if any, allowance for even minimal landscaping. He stated that there will be a christmas tree of pumped, pressured, as well a gravity drawn underground sewage lines criss-crossing and laying dangerously adjacent to a known active earthquake fault. The system will be difficult to take out of service, and this seems to guarantee contamination of the environment and local water supplies. The county and the taxpayers will end up holding the bag after the developer is long gone. Mr. Brown stated that the lower risk approach would be to utilize independent septic systems not subject to system wide failure mechanisms, and not requiring the multiple problematic storage basins that are proposed to sneak under the radar, avoiding any California State dam regulator oversight, and involve multiple adverse impacts to the environment and public safety.

Barbara Evanson, 1856 De Leu Drive, Fairfield, voiced her concern about the holding ponds and mosquito abatement. She was concerned with health issues due to the spraying for mosquitos and pond water contamination. Ms. Evanson asked the commission to reconsider and re-evaluate this proposal.

Carol Washburne, 1934 Vintage Lane, Fairfield, stated that her property borders Rockville Hills Park. She spoke to her concerns regarding water. She stated that after 6 years of drought, they had to sink a second well at 440 feet at a cost of \$13,000. She commented that droughts of much longer than 6 years are very common in California history. She stated that because of drought and 370 more homes drawing on the aquifer, it could be possible they would have to install a 3rd well. She noted that in today's market a new well would cost \$35,000. Ms. Washburne stated that they did some research in the area and figured that there are close to 100 wells that surround the area. She stated that many of the wells are owned by older residents of Solano County, many of them on fixed incomes. She wondered if they could they afford a deeper well. Ms. Washburne stated that this project needs to be looked at very seriously and the county needs to identify every single well and its depth.

Ms. Washburne referred to an incident last year where a neighbor's property caught fire. She said that it took 14 minutes for the fire department to reach the property. Two neighbors with garden hoses were able to fight the fire until the fire department arrived. She said it was a near disaster. Ms. Washburne stated that they need their wells for their houses, for landscaping, but mostly, they need their wells to have very good pressure. She stated that water for this development should come from offsite.

Gary Boudreaux, 4325 Dynasty Lane, Fairfield, stated that the project places about 18 of the 370 proposed homes directly in front of 4 existing properties, with no open space between the proposed homes and the existing properties. He stated that they will be extremely impacted by construction noise, chemicals, possible dynamiting, ground vibrations, not to mention the long term visual impact and loss of privacy. Mr. Boudreaux voiced his concern with the possibility of

well water depletion. He said the EIR states that because one of the supply wells would be located close to the side boundary, it is possible that the prolonged pumping under drought conditions would adversely affect groundwater levels within one or more wells in the vicinity. The EIR states that during testing the water level dropped 190 feet and the well exhibited a moderate slow rate of recovery. He stated that there are still a lot of unanswered questions such as what is the recharge rate and what would happen if the aquifer was pumped for several months at high rates during drought conditions. He stated that they believe the aquifer has not been adequately tested, and there is no way of knowing its ability to support this project's actual water demands, and to continue to support existing well users in the area. He inquired as to who would be responsible if their wells do dry up because of this project. Mr. Boudreaux noted that this question was presented to developers at a recent meeting and they offered no reasonable answers. He stated that the testing done to date on this project aquifer is inconclusive. Monitoring the aquifer during project build-out is not an acceptable mitigation measure, all it does is further identify the problem and provides no assurance to local well users.

Bryant Washburne, 1934 Vintage Lane, Fairfield, stated that the project EIR presents a case supporting their contention that the Green Valley/Suisun Valley aquifer has enough capacity to provide water for the present well users and proposed 370 home development. He contended that the data presented is either overly optimistic or deliberately misleading. Mr. Washburne stated that the applicant has miscalculated the water issue in 3 critical areas: 1) how much water the project will draw; 2) how much water is presently being used; and 3) what the recharge rate is annually for the aquifer. Mr. Washburne addressed the issue of how much water the project will use. He said the EIR says the project expects to use 185 acre feet per year. He estimated 2 to 3 times that amount. He said the applicant's estimate is based on a daily household usage of 450 gallons per day. He commented that these will be custom estates lavishly landscaped. Mr. Washburne stated that he has 4,000 square feet of ground cover on his lot and runs 10 Rainbird sprinklers 30 minutes per night in the summer. He stated that the water usage is over 1,000 gallons per day just for the ground cover, and does not take into account household usage. He estimated the actual water usage for this project will be more in the 400 to 500 acre feet per year range. Mr. Washburne stated that the EIR is flawed to the point where it lacks credibility. He stated that monitoring is not mitigation, and moving a well from one end of an aquifer to the other does not produce more water.

Andi Bosco, 572 Woodlake Drive, Fairfield, stated that she lives in the Green Valley Lake Subdivision and sits as a board member of that association. She stated that while they may be out of the general path of most of the disasters that may happen with this project, they do have a detention pond (lake) which is designed to handle run-off coming from the hillsides and storm drains. She said the lake holds 20 million gallons of water and which is a little less than half the capacity of what this project entails as far as volume of water. Ms. Bosco stated that her concerns are that they could be impacted either by contamination or if the wells run dry, lack of water. She noted that they have a well in their lake, so if the aquifer system is impacted, they

could also be impacted. Ms. Bosco stated that what happens upstream can happen downstream, and they are the last safeguard to the marsh system.

Pamela Schemke, 104 Lang Court, Green Valley, stated her concern is with the talk of the need for executive housing to bring in executive corporations. She said that currently in Solano County there are 117 homes costing over 1 million dollars that have been on the market for 194 days on average. She said there are 14 homes in the 2 million dollar range that have been on the market for at least 75 days. She concluded that the county is well stocked for executive housing. Ms. Schemke also voiced her concerns with the impact on traffic and the overcrowding of area schools.

Jeff Zinkin, 4330 Dynasty Lane, Fairfield, showed an area plan of the project and spoke to a reference in the Subdivision Ordinance where it says that building pads atop ridgelines and knolls should be avoided. He noted that there are houses proposed on a knoll top/ridgeline in very close proximity to his home, as well as other existing homes on Dynasty Lane and Emerald Ridge Lane. He requested a scenic easement or buffer be put in between his home and the planned unit development. He noted that the corridor is also used by animals. He referenced a sample report prepared by the California Department of Water Resources on a test well that was done for another project. The report looked at the effects of groundwater fluctuation and the surrounding wells based on one large well. He stated that the monitoring is basic technology that exists in every municipal water district. It is not to be done after building starts, it should be completed prior to construction. Mr. Zinkin stated that the proposed pilot monitoring program is the monitoring of wells in the surrounding area. He noted that his well, as others on Dynasty Lane, will be within 1000 feet of the main well to be drilled.

Mike Wray, 904 Via Pajaro, Fairfield, spoke with regard to traffic and transportation, stating that currently in unincorporated Green Valley there are about 700 homes. Mr. Wray stated that the traffic study used in the EIR is flawed. He said the study indicates that only 200 cars will travel out in the morning with a similar number returning in the evening. He stated that the number seems rather low, especially with the propensity these days of having dual wage earners, and the fact that the area does not have school buses. Another flaw is that the study only speaks to the peak commute hours in the morning and evening, and does not address the hours in between. With 108 additional cars traveling through the Green Valley/Rockville Road intersection in the morning commute hour, the report indicates that the level of service will not change, and he found that hard to believe. Mr. Wray stated that the study does not evaluate the Mason Road intersection with Green Valley Road, and the East Ridge intersection with Green Valley Road. He stated that where the study evaluates the Green Valley/Mangels Road intersection and also south of where Green Valley Road ties into Lopes Road, it does not add a single car in the morning commute going to Nelda Mundy or Rodriquez High Schools. Mr. Wray stated that he did not feel that there was a lot of thought and care put into this traffic study because some real key points have been left out.

Mr. Wray spoke with regard to traffic mitigations. He stated that the California Department of Transportation submitted a letter dated October 26th stating that traffic bottle necks caused by the development would cause upstream traffic congestion, and this is not addressed in the DEIR. The letter also states that any impacts caused by the proposed development must be mitigated at the time of construction and not be deferred to others. Mr. Wray stated that the FEIR still does not address the traffic bottle necks. As an example, he stated that traffic on Green Valley Road backs up from the freeway all the way up to Mangels Road. With the increased traffic from this project, anyone could conclude that traffic would back up to at least to East Ridge. This aspect is not evaluated.

With regard to the timing of the mitigation measures, Mr. Wray stated that the first 8 impacts do not have a timeframe, and does not indicate that that impacts would be mitigated at the time of construction. Further, with every mitigation, it puts it in the hands of the county and the city. Mr. Wray spoke to alternative transportation modes. He stated that the developer is not proposing to spend a single dollar on expanding alternative transportation modes such as bicycle, pedestrian, or bus systems to accommodate the increased population in the area from the development. Their conclusion is that this does not conflict with the alternative transportation modes' goal of the Solano Comprehensive Transportation Plan. He indicated that some reasonable actions on the developers part would be to improve the bicycle and walking path along Rockville Road to Class I, or to add a Class I bike path from Suisun Valley Road down to Mangels Road, or install a bus stop in front of the development. Mr. Wray stated that he felt the developer is doing nothing to be a good citizen in helping to improve the community surrounding the development.

David Layton, 4363 Edinburg Court, Fairfield, spoke to traffic concerns. He stated that what he is hearing is that the applicant believes the traffic out of the project will go onto Rockville Road and be split evenly. He noted that in looking at the ultimate destinations of the people coming from their homes such as the supermarket, drug store, schools, the natural conduit is Green Valley Road. He said the disproportion amount of traffic is going to be down Green Valley Road and will be impacted severely. He stated that the question of concern of possible water depletion of surrounding wells has been asked of the developer repeatedly and there has not been a response. Mr. Layton stated that he understands there will homeowners association who will be ultimately be responsible for the financial control and running of the whole water treatment system. He commented that a homeowners association can be fragile, homeowners come and go, and where is that financial basis for that association if there is a catastrophe any kind. He stated that it could fall right back upon the city, County of Solano, and its citizens.

Jackie Rubin, 4515 Green Valley Road, Green Valley, spoke to the noise level increase stated in the EIR and its impact on their community. She said the EIR states that the noise range due to increased traffic from this project would be approximately 60 decibels in the morning and in the evening commute. She referred to the numbers given by the applicant of only 100 vehicles using Green Valley Road in the morning and evening. Ms. Rubin commented that if the project will have 350 executive homes, she would imagine that these homes would have 350

executives who have jobs they need to go to every day. The EIR states that there will be 3 people in every home, which means they have at least one child who will have to attend school day care, etc. She said the majority of traffic will be on Green Valley because that is where the shopping, restaurants, and two major freeway entrances are located. She said the applicant's calculations do not include the current decibel range for the area. Ms. Rubin stated that in her research she found that with every $\frac{1}{2}$ increase in decibel level, property values will decrease $\frac{1}{2}$ %.

Ms. Rubin stated that the EIR states that the mitigating factor for this increased noise level requires a sound wall to be constructed. This is the only solution for the severe increase in noise due to increased traffic. It also states that this sound wall cannot be constructed because it would have to be placed on private property, therefore this issue cannot be mitigated and should be overlooked by the planning commission and Board of Supervisors. She provided to the commission articles relating to traffic noise on human beings and its negative effects; the decrease in property values due to increased road noise; and traffic noise analysis and abatement that states increasing noise levels from 60 to 70 decibels is equal to doubling the noise level. She stated that it would be a travesty to turn this once serene community into a loud noisy traffic congested neighborhood. Ms. Rubin commented on the lack of enforcement, lack of sheriff's office personnel, the amount of accidents that would increase at the intersection of Green Valley and Rockville Roads, and damage to wildlife due to increased road and traffic use.

Lawrence Zinkin, 4330 Dynasty Lane, Green Valley, spoke to his concerns with regard to the removal of 810 oak trees. He stated that per the FEIR, trees cut down are to be replaced with acorns, on a one-for-one basis. He stated that the County Code requires at least 15 gallon size plantings, while the California Department of Fish and Game requires replacement of an inch-for-inch basis. Therefore, replacing trees with acorns is unacceptable. He spoke to the California Red-Legged Frog, noting that they are a threatened species. He stated that no CRLFs were found in previous surveys which were conducted during the dry season. CRLFs are found during the wet season, not the dry season, as pointed out in the DEIR. Mr. Zinkin stated that a suitable habitat exists on-site as well as near the site, indicating probable habitation. He said that there at least two known probable offsite ponds located close to the project, with one large pond 15 feet from one lot of a pod of several homes. The CRLF has been identified at this pond and the other nearby pond by residents. He said the California Department of Fish & Game will need to verify these sightings in season.

Mr. Zinkin stated that the proposed wastewater holding ponds behind dams and diversion berms are shown built across natural waterways. Damming of waterways is prohibited by CDFG and Army Corp. of Engineers. He stated that in the vicinity of the RTE primary well and SID well, a bypass road was cut during the storm period of a year ago, resulting in several thousand cubic yards of soil and rock being displaced in piles and natural water course being disrupted and rerouted, some through a pipe. This work was most likely carried out without an earth movement permit and without CDFG notification. Also, the old SID well had a plastic

bucket over the open casing for nearly one year. He wondered if this is how work on the RTE will be performed in the future. Mr. Zinkin stated that the proposed pod of nearly 18 homes are on a knoll-top/ridgeline in very close proximity to existing homes on Dynasty Lane and Emerald Ridge Lane. He stated that this is not in keeping with rural residential spacing, and violates the stated need to not build on ridges and knolls.

Mimi Fleige, 1401 Rockville Road, Green Valley, stated that her concern is not only with the 810 trees that will be cut down for this proposed project, but for the environmental impact due to the likelihood of additional oak death due to nearby construction, effluent dam location seepage, and irrigation practices proposed by the developers. She stated that any disruption in the root zone of an oak tree could potentially kill it. Some examples of disruption are: any fill or debris on top of the normal soil level will compact the soil which potentially restricts the movement of water and gases; too much moisture particularly during the dry months encourages crown rot or root rot fungus; trenching done when installing utilities can sever oak roots; barriers such as foundations, streets, pools and footings can dam underground water; paving with concrete and asphalt compacts soil and damages roots; and any leakage of affluent from nearby reservoirs may drown root systems. Ms. Fleige stated that the proposal to plant grapes seems unrealistic as there is already a glut of vineyards in the valley, and there are negative environmental impacts on native areas due to vineyard implementation. She stated that vineyards disrupt the migration routes of large mammals such as deer; raptor and song bird population diminish not just inside the vineyard, but inside the surrounding woodlands; vineyards promote populations of birds which compete with native birds; pollination by native bees are reduced; and vineyards increase erosion. She stated that drip irrigation has been suggested for this site. She said drip irrigation definitely kills many native plants except the ones that live in naturally occurring wet areas.

Dan Tilley, President of the Preserve Rockville Park Committee, 2158 Rockville Road, Fairfield, stated that the proposed project would cut off the path for the mammals that frequent Rockville Park. He said this development would be a severe wound, not only to the animal life, but to the pristine beauty of this area and to the people who live there. The destruction of countless oak trees that this development would require is enough reason for rejection. He said this is the jewel of Solano County and once it is paved, it is gone forever. Mr. Tilley stated that the open sewer pit's associated odors would detract immeasurably from the public's enjoyment of the park, not to mention the negative impact on the quality of life in the surrounding neighborhoods. He asked the commission not to approve this development as proposed, and stick to the county plan for this and any other development that would be a detriment to the future of Solano County. Mr. Tilley commented that due to the extraordinary expense of such a project and the likely cost overruns, many feel that this is a bankruptcy waiting to happen for which the county and the taxpayers would ultimately bear the burden.

Jay Huyssoon, Fire Chief, Cordelia Fire Department, 2155 Cordelia Road, Fairfield, stated that the district has several concerns with regard to the project. A letter was distributed to the commission outlining those concerns in detail. They included: maintain access routes to the

wild land areas for fire apparatus throughout the project; install an emergency water system; the developer shall provide for a fully funded emergency water system maintenance district; the developer shall provide a fully funded turnkey Essential Facilities Building Fire Station at the beginning of the project that is fully compliant to Alquist-Priolo mandates, California Health and Safety Code, NFPA, Uniform Building Codes, Uniform Fire Codes, and the Fire District needs as determined by the Fire District Board of Directors, Fire Chief, and the Fire District Station Design Committee; the developer shall provide the Fire District full funding for fire station staffing for firefighters for four years or whenever the property tax is sufficient enough to support the staffing pay and benefits package; the developer shall provide the Fire District with a fully funded turnkey NFPA 1901 and California OES Compliant Type 1 Structure Firefighting/Rescue/Paramedic Fire Engine as per the Fire District needs as determined by the District Board of Directors, the Fire Chief, and the Fire District Apparatus and Equipment Design Committee; the developer shall provide the Fire District with a fully funded turnkey NFPA 1901 and California OES Compliant Type 3 Grass/Brush Fire Engine as per the Fire District needs as determined by the District Board of Directors, the Fire Chief, and the Fire District Apparatus and Equipment Design Committee.

Mr. Huyssoon stated that the fire district is also requesting: assistance from the developer to establish a Community Emergency Response Team (CERT) to assist in developing, funding, equipping, training, and periodic performance testing an evaluation plan for the Green Valley Highlands area; assistance from the developer to get an Educational Revenue Augmentation Fund (ERAF) pass through on this project; and assistance from the developer to persuade the county to take whatever action is necessary to raise the Gantt Limit to \$1.6 million for each paramedic station because of this project.

Dr. Roddy Feldman, 4254 Green Acres Court, Green Valley, stated that he has serious concerns with the proposed fire services plan for this development. He said the Rockville Trails EIR questionnaire completed by Cordelia Fire Protection District states the significant needs of the department to insure fire protection for the citizens, as well as the buildings and grassland areas associated with this large development. He said the FEIR clearly indicates that the applicant will be required to contribute a fair share portion to the cost of the mitigation of the requirements for adequate fire protection. It is estimated that the recommendations will cost over \$4 million dollars. He stated that he believed the applicant has indicated that they will contribute 7% to these costs (or \$280,000). The remaining 93% of the costs would be borne by the residents of the Cordelia Fire Protection District. If for some reason the homeowners could not fund the necessary monies to afford the fire protection services needed, then the citizens purchasing the new homes in the project, as well as the residents of Green Valley and Suisun Valley would be at severe risk for inadequate fire and paramedic services. Mr. Feldman stated that to burden the district homeowners with the cost for services of almost \$4 million dollars for a specific proposed development seems decidedly unfair and inappropriate, and stretches the concept of fair share. He stated that the fire protection is but one of the matters that will require massive amounts of funds propagated by the proposed project. The concept of cost sharing is applied to this one issue, and if carried through to other issues such as traffic and police

protection, it will result in unfair and inappropriate assessments of other residents of Solano County. Mr. Feldman urged the commission to vote no on the recommendation for certification of the FEIR.

Cathy Ritch, 504 Via Vaquero, Fairfield, spoke to her concerns with fire danger. She stated that the estates, according to the DEIR, are being built within a high risk wildfire danger area. She noted that the area had two major fires over the last 15 years. She stated that the 1,000 new residents living in the area would represent a 30 to a 35 percent increase in the workload for the Cordelia Fire District. She stated that because of this, fire safety was deemed as a significant impact in the DEIR. She said the FEIR proposes an inadequate response to this significant impact. The proposed mitigation states that the developer shall let the Cordelia Fire District review the project when the emergency access road would be installed on Morrison lane, gives them the land to build a fire facility, and proposes to pay their fair share of the cost through builders fees.

Ms. Ritch stated that at a minimum she proposed 3 additional mitigations to lessen the impact of the project: 1) require the developer to build the fire facilities first. The builders fees proposed for building the facilities do not cover the full cost of those facilities, and also since the project is proposed to be built over a period of ten years, builders fees have to be returned to homeowner after 5 years. 2) Widen Green Valley Road from its current 12 foot per lane to 16 feet. She said this will not only help ease the traffic congestion caused by the project, but it will also provide a very needed evacuation route that will allow the residents to use both sides of the road to evacuate the valley. 3) Require the developer to establish and fund a community emergency response team which would provide ongoing training to all residents of the area about where to go and what to do in an emergency. She said this is absolutely necessary as the Rockville Trails Estates effectively blocks Rockville Road causing an issue for the residents of upper Green Valley to evacuate. Ms. Ritch noted that there is only 1 road for egress once Rockville Trails is built and that is Green Valley Road. She stated that without these 3 mitigations, Rockville Trails Estates continues to present a serious fire safety threat to the residents of the Cordelia Fire District, and is therefore unacceptable.

Katherine Blume, member of the Board of the Bay Area Ridge Trail Council, 502 Via Palo Linda, Fairfield, stated that Rockville Trails Estates, by its name, purports to offer hiking and biking opportunities to residents of this development and to the public as well. A trail however, does not just happen because it is shown on a map. She said a viable trail must take into account the terrain, the slope, the tread, the flora and fauna of the area, and the environmental impact of that trail. She stated that the Bay Area Ridge Trail has offered to assist the developer with planning for these trails, but the offer has been ignored. She said the developer states in a recent article in the Daily Republic, that they want their trails to become a part of the Bay Ridge Trail system. She stated that if this is true, she could think of no reason why the Ridge Trail's assistance at this early phase of the development would not be immediately accepted.

Ms. Blume stated that if public trails are truly envisioned for this development, there is a glaring omission in the EIR documents. Any viable trail or trail system requires permanent access to the land in question. There is no mention of either a trail easement, a deed to the county parks for the land that the trail is going to be located, or any other reference that these trails will remain open in perpetuity for public use. To the contrary, the homeowners association for Rockville Trails has been given the authority and responsibility for future maintenance and access to these trails. She stated that if public access to a trail has not been properly planned for, then it should not be implied that it will ever exist. She said using the word trails as part of this development's title is grossly misleading. She stated that if the public can not trust these applicants on something as relatively simple as a trails plan, how can they be trusted to monitor and mitigate other more critical aspects of this development. Their lack of specificity on the development of trails and the environmental impact of those trails is consistent with the overall lack of sufficiency of the entire EIR which promises many things without details and without environmental impacts being addressed.

Diana Browning, 6 Spring Lane, Fairfield, stated that she resides just below the proposed project. She stated that the name Rockville Trails suggests that there will be a public access trail, however, during recent public awareness meetings, the project developer, when asked several times about where folks who use this trail will park, they had no response. She stated that if a parking lot is not accessible, people will park on Rockville Road or within nearby residential areas, and this is totally unacceptable. She said a public trail needs a designated parking lot. It is an item of public safety as well as preserving the county's designated scenic roadway. Ms. Browning stated that last month the county road department placed a number of "no parking" signs along the roadway access across from the entrance to Rockville Hills Park. She presumed that they were installed for safety reasons, because parking along Rockville Road and crossing the street is very dangerous. She indicated that Rockville Road has a 55 mph speed limit, but could attest that many people will exceed that limit both day and night.

Ms. Browning stated that if cars park in the bike lane along Rockville Road, bikers have no safe place to ride. Couple that with the addition of new residents from the subdivision and the danger is only enhanced. She stated that the commission needs to be aware also that Rockville Hills Park is a big attraction by Bay Area mountain bikers, and adding another 8 miles of trails will provide even greater usage by city outsiders. Ms. Browning stated that if this proposed trail is for public access then the EIR needs to address the following three items: 1) adequate parking, 2) what the budget needs to be to sustain this trail, and 3) identify who will be responsible and who will monitor the workers that provide trail maintenance.

John De Lorenzo, Community Services Director, City of Fairfield, 1000 Webster Street, Fairfield, stated that the City of Fairfield has not taken a position on the proposed Rockville Trails project either for or against, however, continue to be concerned about potential impacts of the project on Rockville Hills Park. They believe that the FEIR does not contain adequate mitigation to address potential impacts to the Park. While the City of Fairfield has already provided comments on the project EIR, he stated that he would like to take the opportunity to

reiterate the previous issues and make additional comments related to the project which is located immediately adjacent to Rockville Hills Park. Mr. De Lorenzo stated that they are proposing that their comments be included in the FEIR and mitigation measures, to offset the impacts on the Park. He stated that Rockville Trails Estates will consist of 370 homes being developed across the street from the Park. He indicated that Rockville Hills Park is a regional park with over 670 acres of rugged natural landscapes which offers wildlife habitat, hiking, mountain biking opportunities, and wonderful views. He stated that a minimum of 800 visits are recorded per month to the Park. He said the addition of 370 homes from the proposed development is expected to significantly increase the use of the Park, stating that a conservative few of each household visiting the park twice a month could double the current use.

Mr. De Lorenzo stated that the proposed development contains a public access trail that runs throughout the property and will bring hikers right down to Rockville Road where it dead ends directly across from the currently closed north gate entrance of the Park. He stated that there is no existing or proposed sidewalk or parking lot where the trail dead ends to Rockville Road. In that regard, the intent would appear to be to have people proceed into the Park through the north gate. Currently there is no safe way to cross Rockville Road and the north gate would have to be reopened. The safe crossing and reopening of the north gate and all the costs associated with those actions are directly related to the new development and create a nexus between the development and the Park. Also, the trail in the development would be part of the Bay Area Ridge Trail and he suggested that it would be desired to have a connection between that trail and the section of the ridge trail in the park which could connect through the north gate entrance if it is reopened. Mr. De Lorenzo stated that the city believes the project should contribute to improvements at the Park related to parking, security, management and maintenance. Given the value of this amenity to the new Park neighbors, such an investment would only improve the attractiveness, security and value of the Park to Rockville Trails residents.

Mr. De Lorenzo stated that the City of Fairfield would be more than happy to work with the project advocates and county staff to draft appropriate mitigation language that would offset the impacts to Rockville Hills Park and improve this amenity to future residents of the proposed development. The city believes the project developer should be responsible for a fair share payment of the following Rockville Hills Regional Park project costs: improvements to the existing parking lot; development of an interpretative center at the Park; and annual expenses of operating the Park. The city also believes that the developer should be fully responsible based upon identified impacts, for the following project costs: 1) The reopening of the north gate entrance and providing a safe connection between the proposed Rockville Trails Estates project and Rockville Hills Regional Park. The north gate is the logical place to make an on grade connection between the proposed development and the Park. Fairfield Public Works Department has indicated that a safe crossing would require a traffic signal, advanced notification beacons, and a 5 foot wide separated walkway. 2) One additional park ranger and purchase and installation of a park pass purchase machine to be located at the north gate

entrance to the park. The county may wish to consider the establishment of a community facilities district for Rockville Trails to address the capital and operational expenses associated with some, or all of these proposed projects and programs. He noted that the City of Fairfield has formed such a community facilities district on all new residential projects to pay for park maintenance and safety issues.

Chairperson McAndrew closed the public hearing.

Commissioner Barnes commented that a lot of good presentations were made and a lot of questions asked, and he requested that staff provide answers to those questions at the commission's next meeting.

Commissioner Moore stated that numerous comment letters have been presented to the commission tonight, and agreed that if there are any new issues that have not already been addressed he would expect them to be reviewed by staff but did not expect staff to repackage all the responses that have already been made.

Mr. Yankovich informed the commission that the next scheduled meeting is June 21st and that staff will try to answer to the best of their ability any new information that was presented tonight, and submit a report for the next meeting. He stated that if the information can not be obtained in time for the written report, it would be provided in oral form at the meeting.

A motion was made and seconded to continue this meeting to June 21, 2007. The motion passed unanimously.

3. **ANNOUNCEMENTS and REPORTS**

4. Since there was no further business, the meeting was **adjourned**.