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August 3, 2008

To: Solano County Department of Resource Management

675 Texas St. Suite 5500

Fairfield, Cal 94533

Attention: Mr. Michael Yankovich

From: Robert and Linda Russum

2206 Morrison Lane

Suisun Valley, Cal 94534

Re: Rockville Trails Estates Revised Draft EIR - July 2008



For your reference our family home is located at the end of Morrison Lane in Suisun Valley. We are adjacent property owners on the eastern border of the proposed project site, Rockville Trails Estates. We will use the abbreviation of RTE when referencing the proposed Rockville Trails Estates project in the body of our statement.

## Comment 1.

The draft EIR for this current version of RTE does address a major flaw in the previous proposal regarding this project. The sewage ponds, which were an immediate threat to our home, have been moved to a location within the project where its physical presence will not cause a life threatening risk to the down slope adjacent property owners. Our family commends the Solano County Board of Supervisors in their decision to mandate that the sewage treatment ponds be moved. The new DEIR for RTE continues to be intentionally misleading and vague for a great many of the other issues which have been raised and which will continue to be raised until the developers of the project present the Board with a viable project proposal.

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## Comment 2.

The proposed onsite package treatment plant (PTP) for waste water management has the potential to cause a multitude of serious problems for all of the adjoining properties and the entire Suisun Valley/Green Valley ecosystems. Of special concern for the adjacent residences that all use well water is the threat the PTP is to the quality of our ground water and well water. The treated waste water from the PTP proposed in this development is hazardous waste and its use in areas near private wells will likely cause a polluted aguifer and long term soil contamination due to run off. The amount of waste water generated by the project as it is currently designed appears to have been woefully underestimated by the developers therefore the mitigations based on this inaccurate data are misleading and false. There is no provision in the Solano County General Plan and current statues which allows for PTP and this aspect of the development should therefore not be allowed. Individual septic system technology now exists which does not require extensive leach fields. These systems are being used in other areas. The developer of RTE has not investigated the feasibility of these types of new septic systems for application to this project. Once installed they are the individual homeowners responsibility and therefore the ultimate liability for the system rests with the homeowner, not with the County and its taxpayers as may be the case if, in years to come, the proposed elaborate PTP fails and the homeowners association for RTE defaults on their obligation and developers are long since gone. The Solano County Board of Supervisors, representing their constituents, should not allow this development to proceed with the PTP as part of its design. The Board of Supervisors should require the developers to look into the feasibility of these types of systems rather than allowing the PTP on this site. Why should the Board of Supervisors allow the PTP with its grinding pumps, miles of pipe, maintenance problems and significant potential for failure when there are simpler systems which meet and exceed current Solano County guidelines and do not have the possibility of involving taxpayer bailout money due to system failure as time passes? There appears to be no provision/law/statute in place that would allow the Board of Supervisors permission to overrule the existing General Plan regarding this issue. This project should not be allowed to go forward until the current Proposed General Plan is voted on. What is the rush? There has been tremendous controversy regarding the PTP. Why allow this project to go forward now at this juncture when there is a possibility it will be in opposition to the Proposed General Plan the voters will be deciding on in the near future? Again, what is the rush?

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## Comment 3

The amount of water this project will likely pump out of the Suisun Valley aquifer is tremendous. The impact to neighboring farms and homes and the entire Suisun Valley area has not been addressed adequately in the draft EIR. A development of this magnitude is clearly urban in nature and its impact on the rural water supply is ominous for many reasons.

As adjacent property owners who have a well for home and farm water use we have major concerns about the actual volume of water which will be needed for the large number of sizable high end, heavily landscaped homes proposed for the project. No one has proven that there is adequate ground water for the development and the adjacent land owners. The developer is required by law to have an alternate water supply. Three wells in the same aquifer do not constitute an alternate water supply. You are simply using the same water supply three times. The draft EIR does not adequately address the potential environmental impacts of such a huge draw down of water for neighboring homes and farms over an extended period of time. The potential for degradation/contamination of Suisun Valley water was not adequately evaluated by the draft EIR. The issue of salt water intrusion to already existing wells off the project site if there is a lowered aquifer due to prolonged pumping in a drought year was not addressed. The proposed development has not been required to do thorough pumping tests to prove that there is sufficient ground water to support the current homes on the adjacent properties along with the homes this project proposes to build. Thorough pumping tests must be required by the Board of Supervisors prior to approval of this project. A pumping study must be done on a year round basis prior to the developments approval and this has not been done. The need for this type of study was discussed extensively in the previous responses to the preceding proposed RTE but has been consistently ignored by the developer and the County. The developer appears reluctant to provide pumping study data for review. There is no adequate scientific documentation in the Draft EIR for this project that proves there is sufficient ground water available on a year round basis for already existing homes in addition to the homes within the development. The testing which has been done was completed right after the winter rainy season. This is the most optimal time for the developer to suggest there is adequate water. There has been no pump testing done during the summer and fall months when the water table levels may not be adequate to support the already existing homes with the addition of RTE. This scientific documentation is vital and needed by the Board of Supervisors so they may do their job of evaluating all aspects of the proposed project in light of homes which already exist in the adjacent areas and whose water supply must be protected.

B. Specific steps to mitigate the possible devastation caused by the loss of viable wells on adjacent properties must be mandated prior to approval of this development. We request that the

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following as a minimum occur: 1) the developers must be required to take financial responsibility for the cost of obtaining water for all existing uses to the adjacent properties

if the wells go dry, 2) the developers must be required to pay for ongoing additional pumping costs if deeper wells must be drilled on adjacent properties resulting in higher electrical fees to that property owner, 3) the developers must be required to take financial responsibility for providing water in perpetuity to adjacent properties if there is no well water available from drilling new and deeper wells. If this involves hooking up to the RTE water system any fees/costs required for the hook up and any ongoing fees must be paid by RTE. Water rates charged by RTE should not exceed the costs which the affected adjacent property owners were paying prior to their wells going dry. A short time line for the permanent rectification of a dry well occurrence and severe penalties if the time line is not met must be established prior to the approval of the project. We request that the mitigation for these problems include an appropriately large cash trust fund or bond, set up in perpetuity, to cover all of these possibilities. This money must be available and used for mitigations of problems relating to lack of well water for home and / or farm use on the adjacent properties in perpetuity and the developer or homeowners association must be legally obligated to provide water to the adjacent property owners in perpetuity. The fiduciary responsibility for the trust/bond would have oversight from either the County of Solano or the State of California. This trust/bond must be established and funded prior to the final approval of the project. The consequences to neighboring farms and homes should wells fail would be tremendous; this problem must be addressed by the Board of Supervisors and financial obligation assigned specifically to the developers.

- C. The Issue of salt water intrusion to already existing wells off the project site with a lowered aquifer due to prolonged pumping in drought years was not addressed. This has been a concern voiced before in the previous draft EIR and the developer previous response to the issue was vague. A thorough, specific response is requested for this draft EIR. If this problem occurs what are the specific steps to mitigate the problem. The cost of the mitigation for this measure must be the burden of RTE. The mitigation must include water for crops, homes and landscape irrigation to homes/farms which are affected by this type or any type of water degradation caused by the extensive pumping required by a development of this size. Monitoring is not mitigation. It will only show there is a problem that cannot be fixed.
- D. The long term effects of ground water draw down to flora and fauna was not addressed adequately in the draft EIR. What will extend pumping of this volume of ground water, which has in all likelihood been underestimated by the developers; do to the numerous species of native oak trees? This has not been adequately addressed in the draft EIR. The native oaks are a vital part of the natural ecosystem within the proposed development. If oak tree death

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	occurs due to lack of ground water what are the long term implications for the ecosystem? This complex issue must be addressed; it has been ignored by the developers to date.	(cont'd)
Ε.	Fire hazards from brush fires will increase dramatically to adjacent property owners with the cessation of cattle grazing on the site and increased human activities such as dirt bikes, ATVs, etc.  This is a serious problem magnified by the sheer numbers of homes this project proposes to build.  This has not been adequately addressed or mitigated by the new EIR.	9
F.	As Solano County taxpayers we are additionally concerned about the liability for problems which might arise from the waste water treatment system, dry or contaminated wells, fires, etc. If this development is allowed to go forward and is eventually completed the developers will be  Gone or if started it won't be completed. We request, as taxpayers in this county, the creation of an escrow account established and funded by the developers to cover this massive liability. As taxpayers in Solano County we do not want the County to be liable for the projects problems. Given that home owners associations frequently fold if a large judgment is issued against them Solano	10
tha uns	County and its taxpayers may ultimately be the "deep pockets" if such a judgement occurs.  closing we would like to note that we have responded to all the previous EIRS for this project. We feel at the responses to our concerns in the past have not been adequate and in many instances extremely scientific, vague and dismissive. We are specifically requesting RTE provide detailed scientific data discurrent research in support of their responses to our concerns.	11
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