

RESPONSE TO PROVENSALIA ENVIRONMENTAL IMPACT REPORT
By HERB GURA

September 28, 2007

Background:

I am an elected member of the Konocti Unified School District Board of Trustees, currently serving my fourth four year term on that board and in my 13th year of service.

I am also a 30-year Lake County Resident, and 35-year Lake County Property owner. I have owned and operated a business within the City of Clearlake for 19 years.

I write the below comments based in large part upon my familiarity with the area in general and the school district in particular. My comments are not the official comments of the Konocti Unified School District. The school district shall submit its own comments at a later time.

The report states that the impact to school facilities is a "**less than cumulatively considerable effect.**" This conclusion is false and does not reflect the reality currently existing in Konocti Unified School District. The report predicts optimistically that approximately 30 per cent of the 720 proposed units of the project will be households without school age children and the remaining 70 per cent will have only one school age child. These estimates are no more than wishful thinking and offer no assurances to the school district and the community of their accuracy. It is entirely feasible that the project may generate more than twice the numbers of students projected. Even in the unlikely event that the projected numbers prove to be close to accurate, a sudden increase of more than 500 students could prove disastrous for the school district.

Even accepting the optimistic projections of the report, there will be a 54 per cent increase in the population of students attending Lower Lake Elementary School. This school year (2007-2008,) Lower Lake Elementary School was unable to accommodate approximately 10 students who attempted to enroll there in grades K-2, and was forced send these students to attend other schools within Konocti District. The projected additional students who will attempt to enroll at their neighborhood school cannot be accommodated by the addition of "portable classrooms" as the report suggests. Firstly, there is not a place to put additional portable classrooms at the Lower Lake

Elementary School without encroaching on the play areas and other outdoor space that is already in use. What's more the project does not take into account the school's common use areas such as the cafeteria, playground, library, and physical education facilities. Also not accounted for are the office facilities and services such as school nurse, pre-school and other adjunct functions. Nor is there any mention in the report of facilities for any additional teachers that will need to be hired.

Students are not evenly distributed by age group and grade level. Therefore, although some grade levels may have available space for some additional students, others are overcrowded and cannot accommodate any. The report does not consider this and treats the numbers as generic. If a large number of new students all fall within the same grade level, a change in the entire makeup of the districts boundaries and student placement will likely result, causing hardship to numerous families and to the district itself.

Two Konocti District schools are currently designated as Program Improvement schools under Federal Guidelines for *No Child Left Behind*. Federal law gives parents the right to place their children in non-program improvement schools and to have them transported at district expense. The report assumes that the district will have the option to place elementary school students in any of the district's four elementary schools. However, parents may refuse to have their children placed in one of the district's Program Improvement schools meaning that the options for shuffling students around in order to find space for new students are limited.

Transfer rights also extend to parents who wish to opt out of program improvement schools and place their children in schools in other districts. In these cases as well, the home district is responsible for transporting the students.

Students sent to other districts under these provisions of federal law will therefore also need to be transported at the District's expense.

The report makes reference to Konocti District's construction bond and its facilities plan. All of the moneys from the sale of bonds is part of a pre-established budget for construction, improvement, and maintenance. All these funds have already been allocated for specific projects. These projects include the repair and upgrading of existing buildings and infrastructure as well some new facilities such as libraries and a high school gymnasium. The listed projects are being overseen by a Bond Oversight Committee as required by law and do not include

construction to accommodate the addition of new students from the Provensalia project. Nor were the voters who passed the bond measure voting to subsidize this project by paying to mitigate its impact on the school district.

It is not unlikely that a new school will have to be built as a result of the influx of students from this project. The current costs of building a school are prohibitive and the district will not be able to pass another bond with the current bond debt still outstanding. The cost of construction of a new school and the supporting infrastructure is currently estimated at 25 million dollars, which is well beyond the district's financial reach. Neither developer fees, average daily attendance moneys, local property taxes nor other funding mechanisms will be even close to adequate for this purpose.

California law places the responsibility on school districts to educate all students living within their boundaries without exception. The overcrowding of our schools will place an unfair burden not only on the district and its staff who are already under tremendous pressure due to increased educational expectations at the State and Federal levels, but also on each and every student in the district. The quality of all our students' education will be compromised if the district is forced spread its already overtaxed resources amongst hundreds of additional students.

Also not covered in the report is the issue of congestion and traffic safety on Lake Street as regards our schools located there. The issue of students walking to school is mentioned briefly in the report's traffic section, however the report does not seriously address the issue of added traffic during school pick up and drop off times. There are several distinct aspects to this issue.

Although the revised project plan proposes the construction of a new route to Provensalia which bypasses Dam Road and Lake Streets, the addition of 250 students at Lower Lake Elementary School, and an additional 100 Students at Lower Lake High School (again very likely low estimates) will have a serious impact on Lake Street Traffic at drop off and pick up times. At 8:00 AM when children are dropped off for school at Lower Lake Elementary School, as well as when they are dismissed from school at 2:00 PM, there is already a serious congestion issue. School busses now numbering six or more (not including additional busses to accommodate special education students,) can barely fit in the small area in front of the school. Additionally, approximately 100 cars drop off students in front of the school each morning and the same number picks students up at 2:00 PM daily. A

significant number of students also walk to school along Lake Street, which has no sidewalks. The resulting traffic situation at these times is already chaotic. Cars and school busses collect on Lake Street daily. Some parent drivers pull over to the side and quickly discharge students wherever they are able to stop and students must make their way through this maze of cars, busses and other students to get to school. The small parking lot which serves both Lower Lake Elementary School and Richard Lewis School (a small alternative program) is located across Lake Street from the school. It is already filled to capacity and beyond each day at drop off and pick up times. The overflow cars from the parking lot now park on the street in front of Lower Lake Cemetery which is just north of the school, across the street for approximately a half mile along Lake Street and illegally in the red zone along the curb that stretches from the school entrance south down to Lower Lake High School. The California Highway Patrol has already acknowledged that this is a dangerous condition and had previously been patrolling the area and issuing tickets to cars parked in the red zone. However, they have ceased doing so after acknowledging that there is not adequate legal parking available. A 50 per cent increase in traffic would likely exacerbate the situation to the point of becoming unworkable and dangerous.

Lower Lake High School which the report estimates will receive an additional 100 students and which is located next door to Lower Lake Elementary School will also experience similar problems on a lesser scale. The compound effect of the two schools' traffic and congestion problems will further cause danger and hardship to both schools and their students and staff.

Similarly, Oak Hill Middle school will be subject to similar problems due to the projected increase in student population that the report predicts will result from the project.

Also, despite the construction of the new access road to the project, some of the drivers may still opt to travel along Lake Street as an alternative route during busy commute hours.

Other district school's traffic and parking problems may increase when these schools are forced to accept Lower Lake Elementary School's overflow. The nature and severity of the impact on these other schools in terms of parking and traffic is difficult to predict.

In conclusion, the report's conclusion that Provensalia will not have a significant impact upon Konocti Unified School District is seriously flawed and disregards important facts.