
***SONOMA
COUNTY
GENERAL PLAN
2020***

General Plan Update

Final
**Environmental Impact
Report**

Volume 1

SONOMA COUNTY
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

State Clearinghouse No. 2003012020

AUGUST 2008

*Sonoma County General Plan 2020
Final Environmental Impact Report*

Prepared by:

Sonoma County Permit and Resource Management Department

With Assistance From:

Nichols • Berman

Brown-Buntin Associates, Inc.

Donald Ballanti

Dowling Associates, Inc.

Environmental Collaborative

Environmental Geology Services

Questa Engineering Corporation

June 2007

SONOMA COUNTY GENERAL PLAN 2020 FINAL ENVIRONMENTAL IMPACT REPORT

TABLE OF CONTENTS

1.0 Volume 1

- 1.1 Introduction to Comments and Responses
- 1.2 List of Agencies/Persons Commenting
- 1.3 Comment Letters

2.0 Volume 2

- 2.1 Master Responses
- 2.2 Responses to Comments

3.0 Volume 3

- 3.1 Sonoma County General Plan 2020 Draft Environmental Impact Report

1.1 INTRODUCTION

1.1 INTRODUCTION TO THE COMMENTS AND RESPONSES

This Final Environmental Impact Report (Final EIR) contains the public and agency comments received during the public review period on the *Sonoma County General Plan 2020 Draft EIR* (Draft EIR). This document has been prepared by the Sonoma County Permit and Resources Management Department, in accordance with the California Environmental Quality Act (CEQA).

This Environmental Impact Report (EIR) is an informational document intended to disclose to the Sonoma County Planning Commission, Board of Supervisors, and the public the environmental consequences of approving and implementing the *Sonoma County General Plan 2020* project.

Sonoma County prepared, and on January 19, 2006, circulated the Draft EIR for the proposed *Sonoma County General Plan 2020* project. During the public review period from January 16, 2006 to April 17, 2006 and at the two public hearings on February 28, 2006 and March 15, 2006, comments on the Draft EIR were solicited from governmental agencies and the public. All written comments received during the 60-day public review period and comments received at the public hearings are addressed in this Final EIR.

This Final EIR consists of three volumes: *Comments Received on the Draft EIR* (this volume), *Responses to Comments on the Draft EIR*, and the Draft EIR of January 2006. The Draft EIR is available online at <http://www.sonomacounty.org/prmd/docs/eir/gp2020deir/index.htm> or by request to Amy Wingfield, PRMD by email at awingfie@sonoma-county.org or by phone at (707)565-7389.

The agencies, organizations, and individuals who commented on the Draft EIR are listed in ***Section 1.2 List of Agencies/Persons Commenting***.

Section 1.3 Comment Letters contains copies of comments received on the Draft EIR. Duplicative comments have not been included, but are included in the full list of persons commenting as shown in Section 1.2.

Section 2.1 Master Responses provides master responses that have been prepared for selected comment topics to provide a comprehensive analysis of major issues raised in multiple comments. These master responses are often referred to in response to individual comments in Section 2.2.

Section 2.2 Responses to Comments presents and responds to all comments on the Draft EIR. The original comment documents (i.e., letters, e-mails, and website responses) are reproduced here and the minutes from the Planning Commission's two public hearings on the Draft EIR are also included. The comments are numbered in the margins of the comment letters and minutes from the public hearings, and responses are keyed to the comment numbers.

In some instances, text changes, including revisions to policies and mitigation measures, resulting from the comments and responses are recommended. In these instances, information that is to be deleted is ~~crossed out~~, and information that is added is shown in **Bold**. The text changes and revisions to policies and mitigation measures resulting from comments and responses and Planning Commission deliberations have been incorporated in the original Draft EIR text, as indicated in the responses. All of these changes result in insignificant modifications to the original Draft EIR text. However, they do not raise new or more severe impacts or new mitigations or alternatives not considered in the EIR and do not require recirculation for further review and comment in accordance with *State CEQA Guidelines* Section 15088.5.

1.2 LIST OF AGENCIES/PERSONS COMMENTING

1.2 AGENCIES/PERSONS COMMENTING

Comments were received on the Draft EIR were received from the following agencies, organizations, and individuals. Numbers refer to the order of written comments and their accompanying responses.

Written Comments

STATE AND LOCAL AGENCIES

1. Sonoma County Transportation Authority, Christopher Barney, Transportation Planner- April 21, 2006
2. City of Rohnert Park, Ron Bendorff, Director of Community Development-March 20, 2006
3. North Marin Water District, Chris DeGabriele, General Manager-March 14, 2006
4. Department of Fish and Game, Robert W. Floerke, Regional Manager, Central Coast Region-April 14, 2006
5. City of Santa Rosa, Lisa Kranz, City Planner-April 17, 2006
6. California Regional Water Quality Control Board North Coast Region, Catherine E. Kuhlman, Executive Director-April 17, 2006
7. Sonoma County Water Agency, Marc Bautista-April 21, 2006
8. Bay Area Air Quality Management District, Jean Roggenkamp, Deputy Air Pollution Control Officer- April 17, 2006
9. Department of Transportation
10. Town of Windsor, Sam Salmon, Mayor-April 17, 2006
11. Town of Windsor, Sam Salmon, Mayor- April 7, 2006
12. California Regional Water Quality Control Board San Francisco Bay Region, Abigail Smith, Acting Section Leader-April 17, 2006
13. California Coastal Commission, Alfred Wagner, Deputy Director, April 26, 2006

INTERESTED GROUPS AND INDIVIDUALS- DUPLICATE LETTERS

14. Brenda S. Adelman- February 28, 2006
15. Bruce R. Ahlvin- February 28, 2006
16. Doreen and Bill Atkinson- February 28, 2006
17. Patricia M Bagley- February 28, 2006

18. Marcene E. Bay- March 2, 2006
19. Alvan H. Beall, Jr. - February 28, 2006
20. Marcia W. Beck- February 28, 2006
21. Marta Beres- February 28, 2006
22. Madeleine S. Berke- February 28, 2006
23. Mrs. J Bisho- February 28, 2006
24. Donna Bley- March 3, 2006
25. Nichae Blume- February 28, 2006
26. Loraine Bomben- February 28, 2006
27. Lisa Marie Bourgea- February 28, 2006
28. Gretchen Boyer- February 28, 2006
29. Geraldine A. Brandt- February 28, 2006
30. Patricia Brandt- February 28, 2006
31. Judith Brush- March 1, 2006
32. Stan and Susan Buck- February 28, 2006
33. Robert E. Buckley- February 28, 2006
34. Linda Burke- February 28, 2006
35. James T. Burke- February 28, 2006
36. Time Bykoff- February 28, 2006
37. James C. Campbell- February 28, 2006
38. Thomas Yarish and Laure E. Campbell- March 3, 2006
39. August W. Cantoni- February 28, 2006
40. Gregory D. Castaghola- March 3, 2006
41. Allen R. Charlton- February 28, 2006
42. Mr. and Mrs. Henry Choromanski- February 28, 2006
43. Arthur Citron- February 28, 2006

44. Willis Clarke- March 1, 2006
45. Steve Cochrane- February 28, 2006
46. Barbara A. Coen- February 28, 2006
47. David and Mary Lee Cole- February 28, 2006
48. John Cole- February 16, 2006
49. S. Compass- February 22, 2006
50. Diane Cooner- March 3, 2006
51. Beverly C. Coughlin- February 28, 2006
52. Clyde and Dorothy Cournale- February 28, 2006
53. Curtis Cournale- March 3, 2006
54. Carol Cowley- February 28, 2006
55. Richard Daly- February 28, 2006
56. John Davidson- February 28, 2006
57. Sarah Davis- February 28, 2006
58. Thomas H. Day- March 3, 2006
59. Lynne L. Dee- March 8, 2006
60. Diana L. Denisoff- February 28, 2006
61. Sydney Dodge- February 28, 2006
62. Toni Dominski- February 22, 2006
63. Thomas Donahue- February 28, 2006
64. Tobin Durkee- February 28, 2006
65. Gilbert Ege- February 28, 2006
66. Margaret Elizares- February 28, 2006
67. James Estes- March 1, 2006
68. Noelle and Charles Fahlen- February 28, 2006
69. Celeste Felciano- March 3, 2006

70. Kathleen A. Fenton- February 28, 2006
71. Richard A. Fiore- March 3, 2006
72. Nancy Fitzpatrick- February 28, 2006
73. Tobetha Flasher- February 28, 2006
74. Gene and Mary Gaffney- March 3, 2006
75. Gary W. Galloway- February 28, 2006
76. Michael Gervais- February 28, 2006
77. Wayne D. Gibb- February 28, 2006
78. Robert E. Goodwin- February 28, 2006
79. Ann Gravzlis- February 28, 2006
80. Wanda Greer- February 28, 2006
81. Eleanor Guilford- March 28, 2006
82. Mark Guenther- March 3, 2006
83. Done Haines- February 28, 2006
84. Toni Harrison- February 28, 2006
85. John S. Hatfield- February 28, 2006
86. Holly Hayden- February 28, 2006
87. Earl T. Hemming- March 10, 2006
88. David Herr- March 28, 2006
89. Martha Russell and Marcella Holzman- February 28, 2006
90. Phyllis H. Honodel- March 3, 2006
91. Hendrik Huhn- February 28, 2006
92. Steve L. Jackson- February 28, 2006
93. Diane Johnson- February 28, 2006
94. Ellen M. Johnson- March 28, 2006
95. Shannon Johnson- February 28, 2006

96. Arline H. Jones- February 28, 2006
97. Frank A. Kappeler- February 28, 2006
98. Steven Kriske- February 28, 2006
99. Hank Lacabanne- February 28, 2006
100. Robert E. Larson- February 28, 2006
101. Anthony Letizi- March 6, 2006
102. George Lillis- February 28, 2006
103. Joseph J. Long Jr- March 28, 2006
104. Eileen A. Maloy- February 28, 2006
105. James L. Mancini- February 28, 2006
106. Robert L. Manning- February 28, 2006
107. Kristin Manum- February 28, 2006
108. Brian Martens- February 28, 2006
109. Richard Bloom and Bridget McCoy- March 7, 2006
110. Mr. Art McNulty- March 1, 2006
111. Sondra McSkimming- February 28, 2006
112. Eugene L. Meade- February 28, 2006
113. Genevieve Moller-Duck- February 28, 2006
114. Charles J. Murphy- February 28, 2006
115. Kenneth R. Myers- February 28, 2006
116. Paul A. De Natale- February 28, 2006
117. Peter D. Nestoroke- March 28, 2006
118. Roland and Bess Niemcewicz- February 28, 2006
119. Judy Obertelli- March 3, 2006
120. Sherrie Althouse- March 3, 2006
121. John F. O'Brien- February 28, 2006

122. John and Maryann Oldham- February 28, 2006
123. Rio Olesky- February 28, 2006
124. Sarah Ore- March 28, 2006
125. Donna Orlowski- February 28, 2006
126. Jeffery Orth- March 4, 2006
127. Charlotte Ostrofe- February 28, 2006
128. Dennis Parks- February 28, 2006
129. George Parr- February 15, 2006
130. Ralph Patricelli- February 28, 2006
131. Mr. and Mrs. Robert Pedrazzini- February 28, 2006
132. Peter and Jan Perlman- February 28, 2006
133. Ralph Peters- March 3, 2006
134. Raymond H. Peterson- March 3, 2006
135. Linda Petrulias- February 28, 2006
136. George O. Petty- February 28, 2006
137. Ben Picetti- February 28, 2006
138. Mytanwy Plank- February 28, 2006
139. Eileen H. Powers- February 28, 2006
140. Nancy Purcell- February 28, 2006
141. Karen Rasore- March 1, 2006
142. Susan Richter- February 22, 2006
143. Ms. Cleo Sanders- February 28, 2006
144. Luann Schend- February 28, 2006
145. Ms. Roberta Schepps- March 3, 2006
146. Linda Schmidt- February 28, 2006
147. Mr. Herman Schwarz- February 28, 2006

148. A. Serkissian- February 28, 2006
149. Lindsey Shere- February 28, 2006
150. Patrick K. Simmons- February 28, 2006
151. Richard Ryan- February 28, 2006
152. Todd C. Smith- February 28, 2006
153. Ms Patricia M. Solem- February 28, 2006
154. Shanti M.A. Soule- March 7, 2006
155. Bruce M. Stephen- February 28, 2006
156. Barbara Greco Stephens- February 28, 2006
157. Katherine Stroberger- March 3, 2006
158. Gary Sullivan- February 28, 2006
159. Linda Swartz- February 28, 2006
160. Anne P. Teller- March 3, 2006
161. Joseph C. Tinney- February 28, 2006
162. Jana Toutolmin- March 3, 2006
163. F. J. Teapahi- February 28, 2006
164. Elinor G. Twohy- February 28, 2006
165. John Uniack- February 28, 2006
166. Gladys M. Vail- February 28, 2006
167. A. Vandersteen- March 4, 2006
168. Paul and Kathleen Vitale- February 28, 2006
169. Alex Vosher- February 28, 2006
170. Sylvia M. Walker- February 28, 2006
171. L. Bosworth Williams- February 28, 2006
172. Sandra Benz Williams- February 28, 2006
173. Dorothy and Neal Wolfe - February 28, 2006

174. Mimi Wright- February 28, 2006
175. Diane E. Young- February 28, 2006
176. Elizabeth Young- February 28, 2006
177. Ethan Young- February 28, 2006
178. Joan and Arlan Young- February 28, 2006
179. Dana Zimmerman- February 28, 2006
180. Marilyn Zimmerman- March 1, 2006
181. Everett L. Ball- undated
182. Gloria Ball- undated
183. Millie Bisset- undated
184. Meredith and Bill Blau- undated
185. Ken Bowerman- undated
186. Lisa Carr- undated
187. Gayle L. Eberhart- undated
188. Craig M. Enyart- undated
189. Diana Fisher- undated
190. Nancy Foote Ogg- undated
191. Katherine D. Goddard- undated
192. Michael and Amy Grable- undated
193. Katherine and Dave Gray- undated
194. Jim Herndon- undated
195. Richard Horwath- undated
196. Patricia Keeler- undated
197. Clarence Joe Korte- undated
198. Eric LaFranchi- undated
199. Barbara LaFranchi- undated

- 200. Franck and Eleanor Leake- undated
- 201. Dennis and Darlene Leffler- undated
- 202. Steve and Vereda Marks- undated
- 203. Phoebe and Peter McCoy- undated
- 204. Dr. and Mrs. Bruce Meyer- undated
- 205. Douglas and Dorothy Moolhouse- undated
- 206. Richard A. Moran- undated
- 207. Warden and Susan Noble- undated
- 208. Jim and Dona O'Brien- undated
- 209. William Otey- undated
- 210. John R. Pelkan- undated
- 211. Campbell Ranch- undated
- 212. Marie Rogers- undated
- 213. Larry and Betty Saler- undated
- 214. James R. Silfuast- undated
- 215. Jim Annis and Ernie Veniegas- undated
- 216. Herb Westfall- undated
- 217. Mark and Jean Marie Zukowski- undated

INTERESTED GROUPS AND INDIVIDUALS

- 218. Russian River Watershed Protection Committee, Brenda Adelman- April 17, 2006
- 219. United Winegrowers for Sonoma County, Bob Anderson, Executive Director- April 17, 2006
- 220. ?
- 221. Boudreaux Vineyards LLC, Kristina A. Boudreaux- March 20, 2006
- 222. Tamara Boulton- April 17, 2006
- 223. Alexander Valley Association, Candy Cadd, President- April 18, 2006
- 224. Lisa Carr-February 28, 2006

- 225. Western United Dairymen, Leslie Dapo, Field Representative- April 17, 2006
- 226. Occidental Arts and Ecology Center, Brock Dolman- April 16, 2006
- 227. O.W.L. Foundation, H.R. Downs, President- February 15, 2006
- 228. O.W.L. Foundation, H.R. Downs, President- April 17, 2006
- 229. Craig Enyart- March 6, 2006
- 230. Knights Valley/Franz Valley Association, Craig Enyart, President-April 17, 2006
- 231. Knights Valley/Franz Valley Association, Craig Enyart, President-April 17, 2006
- 232. Dick Fogg- May 1, 2006
- 233. Sonoma County Grape Growers Association, Nick Frey- April 14, 2006
- 234. Sonoma County Water Coalition, Stephen Fuller-Rowell- March 8, 2006
- 235. Sonoma County Water Coalition- April 17, 2006
- 236. Rue Furch- March 22, 2006
- 237. Rue Furch- May 6, 2006
- 238. Michael Grable- April 4, 2006
- 239. Town Hall Coalition, Lynn Hamilton, President -February 28, 2006
- 240. Climate Protection Campaign- April 17, 2006
- 241. Diane Healey- March 28, 2006
- 242. Dr. Harvey Hoefer- March 6, 2006
- 243. Leonard Holt- March 15, 2006
- 244. Sierra Club, Anne Hudgins, Sonoma Group Chair- April 4, 2006
- 245. Jared Huffman- April 17, 2006
- 246. Save Arnold Drive, Bob Hughes- February 6, 2006
- 247. Allen L. James- March 15, 2006
- 248. Laguna Preservation Council, Eric Johnson- March 24, 2006
- 249. Donna Jones- February 28, 2006
- 250. Donna Jones- April 17, 2006

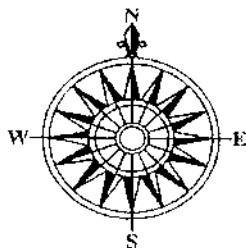
- 251. Karl A. Keener- April 17, 2006
- 252. Friends of the Eel River, David Keller, Bay Area Director- April 17, 2006
- 253. Doug Knight- March 6, 2006
- 254. Good Neighbors Group of Sonoma County- April 17, 2006
- 255. Peggy Love- March 15, 2006
- 256. California Native Plant Society Milo Baker Chapter, Bob Hass, Mac Marshall- April 17, 2006
- 257. Ad Hoc Committee, Ann Maurice- April 17, 2006
- 258. Sonoma County Farm Bureau, Lex McCorvey, Executive Director- April 17, 2006
- 259. Russian Riverkeeper, Don McEnhill, Riverkeeper- April 17, 2006
- 260. Lytton Rancheria- Lytton Band of Pomo Indians, Margie Mejia- April 14, 2006
- 261. Sebastopol Water Information Group, Jane E. Nielson, President- February 22, 2006
- 262. Sebastopol Water Information Group, Jane E. Nielson, President- April 14, 2006
- 263. Judith Olney- March 23, 2006
- 264. James Parker- March 23, 2006
- 265. Steve Perry- April 17, 2006
- 266. Greenbelt Alliance, Daisy Pistey-Lyhne- April 17, 2006
- 267. Alliance for Democracy, Nancy Price- April 17, 2006
- 268. Atascadero Creek Green Valley Creek Watershed Council, Jean Redus, President- April 14, 2006
- 269. Valley of the Moon Alliance- April 13, 2006
- 270. Valley of the Moon Alliance- April 14, 2006
- 271. Community Clean Water Institute, Mike Sandler, Program Coordinator- February 15, 2006
- 272. Community Clean Water Institute, Mike Sandler, Program Coordinator- March 15, 2006
- 273. Y. Tito Sasaki- February 28, 2006
- 274. Laguna de Santa Rosa Foundation, Dan Schurman, Executive Director- April 17, 2006
- 275. Paula Lane Action Network, Susan Kirks- February 28, 2006
- 276. Ryan Slusser- April 17, 2006

- 277. Dry Creek Valley Association, William J. Smith- April 7, 2006
- 278. Dry Creek Valley Association, William J. Smith- April 7, 2006
- 279. Save Our Sonoma County, Chris Stover- March 15, 2006
- 280. Save Our Sonoma County, Chris Stover- April 17, 2006
- 281. Paul D. Stutrud-March 18, 2006
- 282. Paul D. Stutrud-February 18, 2006
- 283. Stephan C. Volker- April 17, 2006
- 284. Victoria Wikle- March 3, 2006
- 285. Public Employees for Environmental Responsibility, Howard Wilshire- March 7, 2006
- 286. Friends of the Esteros, Tom Yarish- April 12, 2006
- 287. Friends of the Petaluma River, David Yearsley, Executive Director- April 17, 2006

PUBLIC HEARINGS/MEETINGS

- 288. February 16, 2006 Sonoma County Citizens Advisory Committee
- 289. February 28, 2006 Sonoma County Planning Commission
- 290. March 15, 2006 Sonoma County Planning Commission
- 291. May 2, 2006 Sonoma County Planning Commission

1.3 COMMENT LETTERS



SCTA Sonoma
County
Transportation
Authority

Keeping Sonoma

RECEIVED

APR 21 2006

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

Directors

Paul Kelley, Chair
Sonoma County

Robert Jehn, V. Chair
Cloverdale

Steve Allen
Windsor

Bob Blanchard
Santa Rosa

Stanley Cohen
Sonoma

Patricia Gilardi
Cotati

Mike Healy
Petaluma

Linda Kelley
Sebastopol

Kerns
Sonoma County

Jake Mackenzie
Rohnert Park

Lisa Schaffner
Healdsburg

Tim Smith
Sonoma County

April 19, 2006

County of Sonoma
Permit Resource Management Department Comprehensive Planning
2550 Ventura Dr.
Santa Rosa, CA 95403

Att: Robert Gaiser, Gary Helfrich

Re: Comments on Sonoma County General Plan 2020 Update Draft EIR

Thank you for the opportunity to comment on the Draft EIR and General Plan Update 2020, regarding the Sonoma County Traffic Model (SCTM).

The Draft EIR provides a short description of the SCTM TAZ structure on page 4.2-5, and states that 6 of the TAZs represent the East Bay. These do represent traffic traveling from the East Bay into Sonoma County, but primarily represent gateway traffic on the county's eastern border and also represent traffic from Napa, Lake, Solano and other counties not typically described as being part of the East Bay. A more accurate description would state that these TAZs represent counties east of Sonoma County, including, but not limited to the East Bay.

1

The SCTA Countywide Bicycle Advisory Committee (CBAC) is now officially the Countywide Bicycle and Pedestrian Advisory Committee (CBPAC) and the reference to this committee on page 4.2-24 of the DEIR should use the updated committee name.

2

Revised Policy CT-61 of the Circulation and Transit Element and associated discussions regarding Penngrove discuss SCTA's involvement in the modeling of traffic calming measures. The SCTM is a generalized regional model and though these types of measures can be represented by reducing road capacities on the roads in question, the model does not allow specific traffic calming strategies to be applied in a more detailed fashion.

3

SCTA encourages continued cooperation to improve model results by improving the coordinated land use database and road network information, and thereby assessing network performance. At this time, no mechanism has been established by which "fair share" funding or mitigation measures could be determined by applying the traffic model.

4

Suzanne Wilford
Executive Director

520 Mendocino Avenue
140
Rosa, CA 95401
Ph. 707-565-5373
FAX: 707-565-5370

(General Plan Policy CT-11).

We look forward to continued cooperation on traffic model improvement. Please contact me with any questions about these or related comments at 565-5375 or cbarney@sctainfo.org.

Christopher Barney
Transportation Planner
Sonoma County Transportation Authority



City Council

Tim Smith
Mayor

Vicki Vidak-Martinez
Vice-Mayor

Amie L. Breeze
Armando F. Flores
Jake Mackenzie
Council Members

Stephen R. Donley
City Manager

Daniel Schwarz
Assistant City Manager

Judy Hauff
City Clerk

Michelle Marchetta Kenyon
City Attorney

Gabrielle P. Whelan
Assistant City Attorney

Thomas R. Bullard
Director of Public Safety

Ron Bendorff
Director of Community Development

Darin W. Jenkins
Director of Public Works /
City Engineer

Sandra M. Lipitz
Director of Administrative Services

March 13, 2006

County of Sonoma
PRMD Comprehensive Planning
2550 Ventura Drive
Santa Rosa, CA 95403

Subject: City of Rohnert Park Comments on Draft Sonoma County
General Plan and Environmental Impact Report

To Whom It May Concern,

Thank you for providing the City of Rohnert Park ("City") with a copy of the Draft Sonoma County General Plan 2020 for our review. The following are items that the City would like to see addressed/clarified in the Final EIR and General Plan documents. Please note that all citations are based on the Draft General Plan document:

- Page 39: The discussion of community separators should be qualified to allow for exceptions such as that which exists between the County and the City (i.e. mitigation for development within community separator areas.) As a larger issue, the need for a Community Separator in the Northwest Area of Rohnert Park's Sphere of Influence should be reevaluated. When the notion of a Community Separator first came into being, the City did not use an Urban Growth Boundary (UGB) to determine the extent of future development, so the Community Separator became the means to formally designate future growth areas. Now that the UGB exists, the Northwest and Wilfred/Dowdell Specific Plan Areas, which are both within the UGB, should be removed from the Community Separator. A map showing the locations of the City's Specific Plan Areas is attached for your reference. 1
- Page 120, Policy AR-2e: As noted above, this policy should direct LAFCO to acknowledge agreements between the County and other communities that allow for the development of community separator areas. 2
- Page 123, Policy AR-4c: The policy should be clarified to identify which property is to provide the buffer if the transition is between a County property and one located within another jurisdiction. 3
- Page 144, Policy OSRC-1c: It should be noted that this does not apply when there is an existing agreement between the County and another community regarding a community separator. 4
- Figure OCRS-1 does not reflect the current Sphere of Influence for the City of Rohnert Park and should be amended accordingly. 5

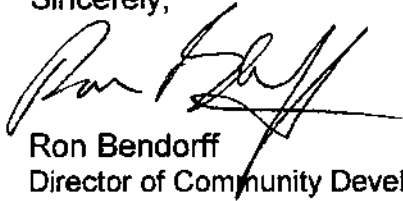
- 6 [• Page 280, Policy CT-1f: This policy is well-intentioned, but does not necessarily reflect the realities of traffic circulation, which is to find the "path of least resistance."
- 7 [• Page 280, Policy CT-1k: This policy should reference the nexus study that would be required to develop these fees and should be cross-referenced with Policy CT-1l, which speaks to cooperation with SCTA on an ongoing countywide traffic modeling program.
- 8 [• Pages 290 to 291, Policy CT-5b: This policy advocates the use of the LAFCO review process to "provide for the applicable City's fair share of funding necessary to construct circulation improvements..." While the need for a regional transportation fee is appreciated, this fee must be equitable and established pursuant to State Law before it can be imposed upon any community. To use the LAFCO process to enact these fees without proper justification would be onerous.
- 9 [• Page 294: A policy should be added similar to Policy CT-6m to ensure that the Santa Rosa and Environs Planning Area is included in the discussions regarding regional traffic improvements in the area.
- 10 [• Page 295, under "7.7 Rohnert Park – Cotati and Environs": It is noted that "[t]he City of Rohnert Park has identified the Petaluma Hill Rd. corridor for urban development in its most recent General Plan and has agreed to assist in the funding of improvements needed to mitigate resulting traffic impacts in the Penngrove area." In actuality, properties along the west side of Petaluma Hill Road are shown to be within the City's expansion areas and open space buffers are intended to be provided between the developed areas and that roadway. Also, a qualification should be added stating that the City will fund transportation system improvements provided a nexus study is done to determine the fair share allocation of responsibility for these improvements, as stated in Policy TR-21 of the City's General Plan (see attached).
- 11 [• Page 296: Policy CT-6m presents a list of the regional traffic improvements that the County would like the City of Rohnert Park to help fund. There is no mention of the nexus study that is required by State Law to determine the fair share funding of the improvements envisioned, however, nor are other communities that contribute to the traffic impacts called out for participation in these improvements. Rather than "penalize" the City of Rohnert Park for its commitment to assist in these improvements, as evidenced by Policy TR-21 of our General Plan, appropriate qualifiers should be added to this policy.

- Page 297: A policy should be added similar to Policy CT-6m to ensure that the Petaluma and Environs Planning Area is included in the discussions regarding regional traffic improvements in the area.

12

Again, thank you for this opportunity to comment. If you should have any questions, please feel free to contact me at (707) 588-2231.

Sincerely,



Ron Bendorff
Director of Community Development

Attachments

Cc: City Councilmembers (5)
Planning Commissioners (5)
Stephen R. Donley, City Manager
Michelle Kenyon, City Attorney
Gabrielle Whelan, Assistant City Attorney
Darrin Jenkins, City Engineer

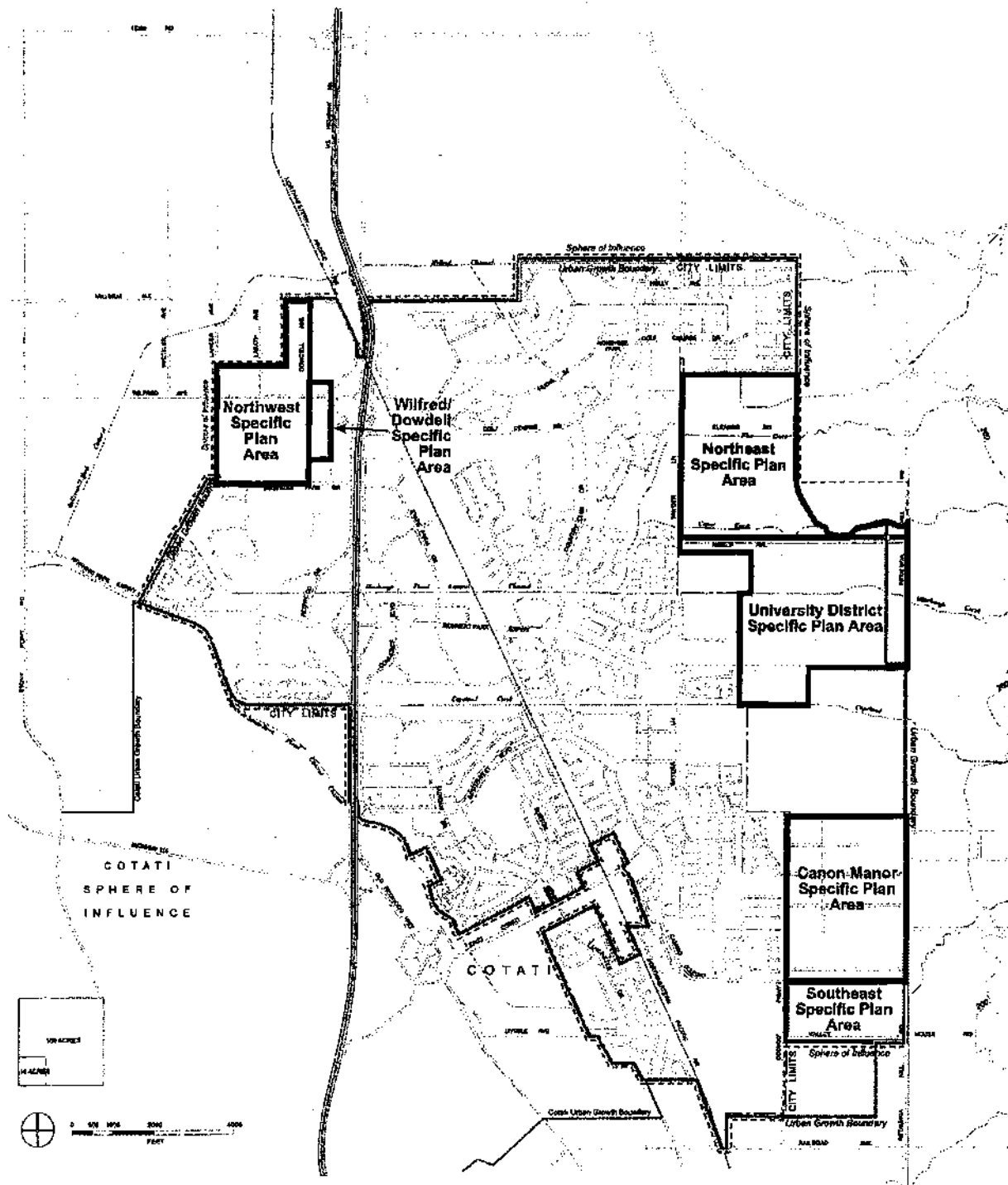


Figure 2.4-1
Specific Plan Areas

- TR-20 Work with Sonoma County and the Sonoma County Transportation Authority (SCTA) to plan improvements to Petaluma Hill Road.

Petaluma Hill Road serves as a bypass to US 101 and experiences peak-hour congestion. Table 4.1-4 calls for new turn lanes and intersection improvements to Petaluma Hill Road.

- TR-21 A. Work with Sonoma County, the City of Santa Rosa, the City of Cotati, and the City of Petaluma ("Contributing Jurisdictions") and the Sonoma County Transportation Authority (SCTA) to plan and implement selected improvements necessary to mitigate impacts of increased traffic congestion on major roads and intersections in Penngrove ("Regional Mitigation Plan"). The Regional Mitigation Plan shall include those roadway and other improvements necessary to mitigate the impacts of increased traffic congestion on major roads and intersections in Penngrove ("Regional Mitigation Projects"), and a financing plan that explains how those improvements will be funded and that determines each Contributing Jurisdiction's fair share. The City shall contribute its fair share of the total cost of the Regional Mitigation Plan provided that the City's participation is roughly proportional to the traffic impacts from new development in Rohnert Park.

The City's payment or other contribution of its fair share shall be provided when all of the following occur: (1) A Regional Mitigation Project is approved by the Sonoma County Board of Supervisors, and each of the Contributing Jurisdictions; (2) a financing plan for the Regional Mitigation Project has been approved by the Sonoma County Board of Supervisors, and each of the Contributing Jurisdictions; (3) new development that contributes to the traffic impacts to be mitigated by the project receives final approval by the City; and (4) each of the Contributing Jurisdictions has appropriated its fair share to the Regional Mitigation Project. In the event that other jurisdictions do not contribute their fair share to the Regional Mitigation Project, and funding for their fair share is provided by some other means to ensure implementation of the Regional Mitigation Project, the City will contribute and be limited to its fair share.

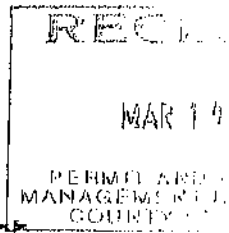
Traffic congestion presently exists in Penngrove at the Petaluma Hill Road and Old Adobe Road intersection during commute times. Traffic congestion is a result from growth and commute patterns in Sonoma County, SSU, and the Cities of Santa Rosa, Rohnert Park, Cotati, and Petaluma. Implementation of this General Plan will result in additional traffic in this area. Long-term solutions to traffic congestion on Petaluma Hill Road require a cooperative, regional approach by Sonoma County, the Penngrove area, Sonoma State University, and the cities of Cotati, Petaluma, Santa Rosa, and Rohnert Park. The City of Rohnert Park commits to being a responsible participant in formulating measures to minimize traffic congestion on Petaluma Hill Road. The City of Rohnert Park encourages the cities of Cotati, Petaluma and Santa Rosa, Sonoma County, and SSU to adopt policies demonstrating their commitment to participating in long-term solutions to these problems.

During the period in which this General Plan was being drafted, the City worked with the County and other interested parties to identify potential improvements to mitigate regional traffic impacts. Because of the regional nature of issues and solutions, it is anticipated that the process of studying and approving the selected improvements will take several years to complete. Therefore, specific projects to mitigate existing and future traffic congestion on Petaluma Hill Road had not been identified at the time this General Plan was adopted. However, the City of Rohnert Park is committed to continuing its participation in this regional effort.

- TR-21 B. Work with the City of Cotati and Sonoma State University to determine feasible measures to mitigate impacts of increased traffic on East Cotati Avenue (within the City of Cotati, beginning with the La Plaza intersection) associated with the proposed growth assumed in the 2000 General Plan. These measures shall be based on detailed (intersection-level) traffic studies that will be prepared with each specific plan. The Canon Manor Specific Plan, University Specific Plan, and Southeast Specific Plan shall include a detailed analysis of intersections within and outside of the city that are projected to be impacted by the specific plan project area; an analysis of the traffic impacts of the specific plan project area on East Cotati Avenue; a cumulative impact analysis; and feasible mitigation measures for lessening the potential traffic impacts.

Contribute the City's fair share to the feasible mitigation measures identified in each Specific Plan (Canon Manor Specific Plan, University Specific Plan, and the Southeast Specific Plan); provided that (1) the City's fair share is roughly proportional to the traffic impacts of development beyond the 1999 incorporated limits of the City of Rohnert Park; and (2) other jurisdictions that approve development that impacts traffic congestion at the impacted intersections on East Cotati Avenue contribute their fair share. In the event that the City of Cotati and/or SSU approve development that impacts East Cotati Avenue traffic congestion but do not contribute their fair share to fund the feasible mitigation measures, the City and City of Cotati will evaluate alternative feasible mitigation measures that can be implemented. The City's financial commitment is also contingent upon legal authority to collect payments through specific plans, development agreements, assessment districts, and/or ordinances to raise funds for needed improvements on East Cotati Avenue.

Because of the location of the City of Cotati adjacent to U.S. 101, a portion of the traffic passing through Cotati to reach the U.S. 101 corridor is generated from jurisdictions outside the City of Cotati. Implementation of this General Plan may generate additional vehicle trips on City of Cotati roadways, particularly East Cotati Avenue. Long-term solutions to traffic congestion on East Cotati Avenue require a cooperative regional approach. Policies in this General Plan commit the city of Rohnert Park to being a responsible participant in developing and funding these solutions. Development within the Specific Plan areas may occur without implementation of the identified mitigation measures in the event that funding is not available from other jurisdictions to construct the improvements.



3

NORTH MARIN WATER DISTRICT

999 RUSH CREEK PLACE • POST OFFICE BOX 146 • NOVATO, CALIFORNIA 94948 • (415) 897-4133 • FAX (415) 892-8043

March 13, 2006

Sonoma County Permit and Resource Management Department
Comprehensive Planning
2550 Ventura Drive
Santa Rosa, CA 95403

Subject: Draft Environmental Impact Report -- Sonoma County General Plan 2020

Gentlemen:

North Marin Water District appreciates the opportunity to review the subject Sonoma County General Plan 2020 Draft EIR.

Section 4.9 Public Services includes Exhibit 4.9-2, tabulating the Current and Projected Water Supplies for Sonoma County Water Agency water contractors. Footnote "a" to that table incorrectly identifies North Marin Water District as not a water contractor to the SCWA. Please revise this footnote. North Marin Water District has had a contract to receive Russian River water supply since 1961. NMWD is signatory to the Eleventh Amended Agreement for Water Supply and is defined as a Water Contractor ("prime" contractor) in that Master Water Supply Agreement between Sonoma County Water Agency and the eight "prime" contractors receiving water from the Russian River transmission system.

1

Sincerely,

Chris DeGabriele
General Manager

CD/n

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DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

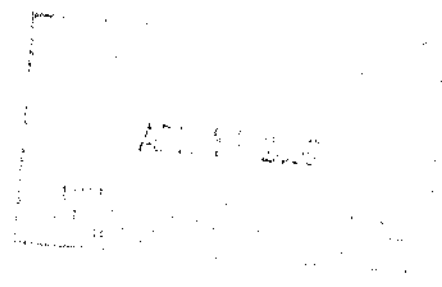
POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500

April 17, 2006

4



Dr. Scott Briggs
Mr. Robert Gaiser
Sonoma County
Permit and Resources Management Department
2500 Ventura Avenue
Santa Rosa, CA 95403-2839



Dear Dr. Briggs and Mr. Gaiser:

Sonoma County DEIR Update
Draft Environmental Impact Report, SCH Number: 2003012020
Sonoma County

Department of Fish and Game (DFG) personnel have reviewed the above Sonoma County Update Draft Environmental Impact Report (DEIR). DFG previously submitted a comment letter (February 10, 2003), on the Notice of Preparation for DEIR. During the past three years DFG personnel have attended and spoken at some of the County DEIR subcommittee meetings.

The Sonoma County DEIR 2020 area is located in the north San Francisco Bay area along the Pacific coastline approximately 40 miles north of San Francisco and the Golden Gate Bridge. The County is bordered by the Pacific Ocean to the west, Marin County and San Pablo Bay to the south, Mendocino County to the north, and Lake and Napa counties to the east. The County is just over 1,500 square miles.

The DEIR, Section 2.0 Summary of Findings, projects that the County population growth will increase by an additional 87,000 by year 2020. Also projected is an increase of over 38,000 additional housing units by year 2020. DFG is identified as a Trustee Agency pursuant to the California Environmental Quality Act (CEQA) Section 15386 and is responsible for the conservation, protection, and management of the State's biological resources. DFG is aware that more open space wildlife habitat will be impacted and lost through more assumed urbanization and agricultural growth in the County. DFG considers the DEIR as a means to understand and appreciate this growth while also developing adequate conservation and protection measures to conserve some of the County's biological natural resources.

1

Section 4.6. BIOLOGICAL RESOURCES

Marbled Murrelet

2 The marbled murrelet (*Brachyramphus marmoratus*), is a State listed endangered and Federally listed threatened seabird which nests in coastal forests from Alaska to Santa Cruz County, California. Marbled murrelets in California typically nest on the limbs of old-growth and residual coast redwood and Douglas-fir trees. In general, marbled murrelets occur in low numbers in Sonoma County, primarily due to a lack of nesting habitat. Most of the marbled murrelet nesting habitat in Sonoma County has been harvested, and that which remains is lower quality, found in scattered small patches mostly on private timberlands. Nevertheless, marbled murrelets have been documented exhibiting nesting behavior in the South Fork Gualala River watershed in the northwestern portion of Sonoma County (DFG file information). Also, surveys using marine radar technology have detected murrelet type targets at the confluence of the Wheatfield Fork Gualala River and the South Fork Gualala River. Murrelets have been observed in the surf zone along the Sonoma coast from the mouth of the Gualala River to Salmon Creek.

3 The DEIR fails to mention marbled murrelets and the conservation of their habitat in Sonoma County. Marbled murrelets should be addressed in the section on special-status species. The DEIR should also consider that although projects that impact marbled murrelets receive regulatory oversight by State and Federal governments (i.e., avoidance of take), the cumulative loss of older forests in Sonoma County through timber harvesting has precluded the expansion and recruitment of new marbled murrelet habitat. Of particular note is that the Forest Practice Rules (Title 14, California Code of Regulations [14 CCR] Chapters 4, 4.5, and 10) do not prohibit the harvesting of old-growth forest in California. Therefore, the DEIR should acknowledge that Sonoma County contains patches of habitat that are suitable and near-suitable for nesting marbled murrelets and provide a policy in the Open Space and Resource Conservation Element, Biotic Habitat Area, which identifies such areas and seeks to avoid or minimize disturbing or modifying these older forest patches.

4 In addition, the DEIR should acknowledge that projected growth in the Sonoma Coast/Gualala Basin could be a significant negative impact to marbled murrelets and their recovery. Adverse impacts to murrelets could occur if residential, agricultural, commercial, and industrial developments occur in areas near forestland suitable for nesting marbled murrelets. These development projects increase human activity in and near forestlands, which not only could disrupt nesting and brood-rearing behavior, but could also attract corvids, which are important nest predators of marbled murrelets.

Northern Spotted Owl

Northern spotted owl (*Strix occidentalis caurina*) is Federally listed threatened and a bird Species of Special Concern in California. Similar to marbled murrelet, this species receives Federal regulatory oversight on a project by project basis (including timber harvesting plan review) to avoid take. However, projects that avoid take and are not subject to County permit requirements could incrementally remove and fragment northern spotted owl nesting, foraging, and roosting habitat. This would result in an overall decrease and degradation of spotted owl habitat, which could be considered a significant cumulative impact pursuant to CEQA § 15065. The DEIR should consider all projects that have the potential to disturb and/or modify forestland within the range of the northern spotted owl in Sonoma County. Specifically, the DEIR should provide an analysis and discussion of the potential adverse impacts of increased residential, commercial, agricultural and industrial land developments, especially in the Sonoma Coast and Russian River areas, on northern spotted owls and their habitat.

5

Stream Buffers

The DEIR's 4.6 - 4 Policy **OSRC-8c(13)** would allow for a reduction of up to 50 percent of any setback where no net loss of sensitive riparian habitat and an overall improvement of riparian functions can be achieved. It is unclear who would make this determination and how it would be determined. Removal of riparian habitat or conversion of riparian areas to vineyard would reduce the overall habitat value of the streamside zone and would decrease the biological integrity of the corridor. This has the potential to decrease riparian function and affect both biological and terrestrial resources. Since DFG recommends a minimum 100-foot setback from streams to maintain viable fish and wildlife habitat, a reduction of 50 percent of streamside setbacks would severely impact the long-term viability of the riparian corridor and stream habitat.

6

The DEIR's 4.6-32 intermittent streams have not been designated as protected riparian corridor. Intermittent streams are the sources of gravel, leaf litter, and nutrients that feed perennial streams that are vital fish and wildlife habitat. Therefore, DFG recommends that intermittent streams receive biologically appropriate setbacks which will allow for the preservation of all streams and associated riparian corridors.

7

Section 4.8-3. AGRICULTURAL AND TIMBER RESOURCES

Timber Harvest Operations

8 The DEIR discusses how the Forest Practice Rules preempt local governments from regulating timber harvesting, especially from enacting zoning regulations that govern the location of timber operations outside of designated Timber Production Zones (TPZ). However, the DEIR should discuss the feasibility of enacting specific additional rules and regulations on Sonoma County TPZ lands as discussed in Public Resource Code 4516.5. This code states:

"Individual counties may recommend that the board adopt additional rules and regulations for the content of timber harvesting plans and the conduct of timber operations to take account of local needs..."

For example, county-specific rules and regulations have been adopted by Santa Clara, Santa Cruz, San Mateo and Lake counties. These rules have been adopted to improve protection of stream character and water quality, as well as control forest stand density. Because the amount of old-growth forest in Sonoma County is at present far below historical levels and unlikely to increase given current Forest Practice Rules, the DEIR should adopt specific regulations that would increase acreage of the county's old-growth forest. Old-growth coniferous coastal forest should be considered a rare and unique biological community that should not only be protected through no-harvest conservation agreements (as mentioned in the DEIR), but also recruited and specifically developed. Old-growth and mature coniferous forest acreages could be increased in Sonoma County by adopting rules and regulations that would limit timber harvest prescriptions (e.g., prohibit clearcutting), increase minimum stocking standards, extend harvest re-entry periods, increase stream buffer widths, and increase leave-tree prescriptions both in streamside and in upslope areas.

Timberland Conversions

9 As the DEIR points out, lands zoned TPZ only comprise approximately 30 percent of the county's timberlands, leaving the majority of Sonoma timberlands within other land use categories. This allows the conversion of coniferous forest to other uses such as commercial vineyards. The DEIR also predicts increasing pressure on remaining forestland to convert, likely to vineyards, as market prices increase for high quality California wine grapes. To lessen the effects of permanent wildlife habitat loss resulting from conversion of forestland, the DEIR proposes to implement Policy **OSRC-12e**. This policy requires timberland conversion projects to provide significant public

benefit or result in no net loss of timberland. No net loss of timberland will be achieved by setting aside two acres of forestland for every one acre of forestland converted. Timber harvesting consistent with the Forest Practice Rules would be an allowable activity in the forest set asides.

9
cont.

DFG believes that Policy **OSRC-12e** does not adequately mitigate for the loss of wildlife habitat resulting from the conversion of forestland to other uses such as a commercial vineyard. This is because that although forestland in the set-asides would not be subject to conversion, wildlife habitat resources would not necessarily be protected, conserved or recruited. DFG, as a member of the Review Team for timber harvesting plans in Sonoma County, regularly documents the poor condition of wildlife habitat on managed timberlands. In general, the availability of wildlife habitat elements such as snags, large trees, large trees with burned basal hollows, large trees with cavities, defect or disease, etc., is low, and animal population numbers and species diversity are correspondingly low. Poor wildlife habitat conditions would likely continue in forestlands despite the adoption of this ordinance. Further, the remaining set-aside forestlands surrounding a conversion area may not contain, or may never contain, those wildlife habitat elements that may have been lost during the conversion, such as a very large redwood tree with a burned basal hollow. These trees are important to forest-dwelling bats and Vaux's swift (*Chaetura vauxi*), a California bird Species of Special Concern. Therefore, the ordinance may not fully mitigate for the loss of wildlife habitat from the conversion. Policy **OSRC-12e** should consider adopting measures that will preserve and accelerate the development of late successional and old-growth forest, as well as wildlife habitat elements both upslope and within riparian areas of the forest set-asides. This could be achieved by limiting harvest re-entry, limiting types of silvicultural methods such as Shelterwood Removal and requiring the retention of higher numbers of the dominant and co-dominant trees. Alternatively, timber harvesting could be prohibited in certain areas of the forest set-asides.

Page 4.8-30 of the DEIR states that based on the amount of available forestland in Sonoma County, the loss of 1,220 acres of wildlife habitat from the conversion of forestland does not represent a significant portion of Sonoma County timberlands. DFG disagrees with this assessment. The DEIR should re-analyze the loss of forestland in conjunction with the modification and disturbance of forestland from past and present timber harvesting. The analysis should also consider different geographic scales such as at the planning watershed or hydrologic sub-area scale. When considering the disturbance of some planning watersheds in northwestern Sonoma County (i.e., Grasshopper Creek, Little Creek, Annapolis, etc.), due to past and present timber

10

10 ant. harvesting practices as well as forest conversion, commercial, industrial and residential development, impacts to wildlife and their habitats could be viewed as cumulatively considerable.

11 The DEIR states that policies **OSRC-12b-12d** would implement a County review process for timber harvesting plans. The DEIR states that County staff would comment on timber harvesting plans in support of increased protection of Class III watercourses; however, it does not describe how Class III watercourse protection would be improved. DFG supports increased protections of Class III watercourses and suggests that the DEIR consider giving Class III watercourses the same protections (or very similar protections) as Class II watercourses (14 CCR 916.5). As mentioned above, Sonoma County, if approved by the Board of Forestry, could adopt specific rules and regulations that would increase stream protections and water quality by increasing buffer widths along Class III watercourses.

12 Policy **OSRC-12d** would encourage the California Department of Forestry and Fire Protection to reduce clearcutting of timber in streamside conservation areas. Clearcutting is generally prohibited in Watercourse and Lake Protection Zones (WLPZ) on timber harvesting plans (see 14 CCR 916.3, 916.4, 916.5 and 916.9). The DEIR should clarify and quantify how wide and where a streamside area is.

GENERAL COMMENTS

Conservation Easements

13 Sonoma County Agricultural Preservation and Open Space District (SCAPOS) has preserved approximately 56,200 acres through conservation easements. Unfortunately, some SCAPOS conservation easements allow for conversion of these particular land easements into other agriculture land uses including grapes, which is not suitable wildlife habitat. Although DFG considers grazing lands compatible with wildlife habitat values, DFG considers row crops as having little wildlife value.

As mentioned above, DFG is concerned about continuing loss of wildlife habitat in the County. We recommend that the DEIR and wildlife habitat conversions to acreage of grapes, including past, present, and anticipated future projects, be analyzed relative to impacts on wildlife habitat.

Proposed projects that interfere substantially with movement of native resident wildlife through established wildlife corridors, or reduce overall wildlife habitat, could be regarded as potentially significant cumulative impacts to wildlife resources. CEQA

Section 15130 discusses cumulative effects analysis. To conserve some biological resource values for those projects that diminish wildlife resources, DFG recommends that habitat conservation applications identify and create conservation easements on their project sites to both conserve wildlife corridors and wildlife habitat.

13
cont...

Grading Ordinance

DFG believes that the DEIR should provide an analysis on the adoption of a policy wherein the clearing and grading of land would require discretionary review under CEQA. DFG encourages the County to adopt a Grading Ordinance as part of the General Plan. Vegetation removal and loss of ground cover associated with grading, smoothing, and compaction of the land could result in adverse and unmitigated impacts to sensitive botanical and wildlife resources. Grading also contributes to decreased groundwater infiltration, increased stormwater flow, and erosion, which cause sediment delivery into streams, lakes, and wetlands. By requiring a discretionary permit for grading activities, adverse direct, indirect and cumulative impacts to fish and wildlife and their habitats may be avoided, minimized, and fully compensated.

14

Natural Community Conservation Plan

As mentioned in the DEIR, residential, agricultural, commercial, and industrial developments will increase substantially over the next several decades. This will in all likelihood result in increasing demands on dwindling natural resources and could trigger a decline in the County's fish and wildlife populations and their habitats. Planning by reviewing projects individually, as the DEIR proposes, will not provide for effective protection and conservation of the County's fish and wildlife. DFG recommends Sonoma County explore a Natural Community Conservation Plan (NCCP) and the DEIR include adoption of an NCCP in the Alternatives Analysis of the General Plan.

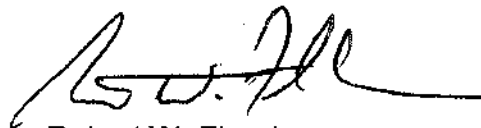
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DFG's NCCP program is an effective tool in protecting in the long-term California's natural diversity while continuing to allow appropriate development and growth. This approach reduces conflicts between protection of the State's fish and wildlife and reasonable use of natural resources for economic development. There are approximately 32 active NCCPs that have either been approved or permitted including planning efforts underway in Contra Costa, Santa Clara, Placer, and Yolo counties. Details of the NCCP process can be found at www.dfg.ca.gov/nccp/index.html. DFG personnel are available to assist in the development of an NCCP.

Dr. Scott Briggs
Mr. Robert Gaiser
April 17, 2006
Page 8

DFG appreciates the opportunity to comment on the County's DEIR. If you have any comments or questions regarding this letter, please contact Greg Martinelli, Environmental Scientist, at (707) 944-5570; or Scott Wilson, Habitat Conservation Supervisor, at (707) 944-5584.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. W. Floerke', with a long horizontal flourish extending to the right.

Robert W. Floerke
Regional Manager
Central Coast Region

cc: Sonoma County
Board of Supervisors
575 Administration Drive, Room 100A
Santa Rosa, CA 95403-2887

April 14, 2006

PRMD Comprehensive Planning
2550 Ventura Drive
Santa Rosa, CA 95403

RECEIVED
APR 17 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT



OFFICE OF THE CITY MANAGER
100 Santa Rosa Avenue
Post Office Box 1678
Santa Rosa, CA 95402-1678
707-543-3010
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COMMENTS ON THE SONOMA COUNTY DRAFT GENERAL
PLAN AND ENVIRONMENTAL IMPACT REPORT

The comments provided are based upon review of the Draft Sonoma County General Plan and Environmental Impact Report circulated for public review.

The City of Santa Rosa supports the continuation of County policy regarding city-centered growth. Over the past several years the City of Santa Rosa has experienced substantial residential growth and has been particularly successful in providing affordable housing through implementation of our local ordinances, general fund contributions to housing programs, and federal and state housing assistance. Currently the City has met the housing needs identified in our General Plan Housing Element for all income groups except very low income. Since most significant industrial, commercial and residential development requires an urban level of services provided by cities, it is appropriate that such development be focused in cities and that County policies reflect the intent of voter approved urban growth boundaries. The long-standing city-centered growth policies should remain and be reflected in all general plan elements.

1

Recently the City and the County embarked on a cooperative program of neighborhood/corridor planning in the Sebastopol Road area between Stony Point Road and Dutton Avenue. The planning effort was jointly funded by the City and the County and City and County staff oversaw citizen workshops that received extensive participation and led to consensus on many important issues. The result was the Draft Sebastopol Road Urban Vision Plan. The City intends to continue that effort to include other portions of Sebastopol Road and build on the consensus that was achieved. It is appropriate to include the results of this Plan in the County General Plan. At present there is no mention of this effort and no reflection of the policies and standards that are recommended by the Urban Vision Plan.

2

The Draft General Plan includes several suggested policies regarding congestion on subregional road systems and calls for development and adoption of a regional/subregional traffic mitigation fee (CT-1k, CT-5b). The City of Santa Rosa has had traffic mitigation fees to fund roadway improvements for over 25 years and has used the funding generated by new development to help improve both local roadways and the state highway system. State law requires that prior to the adoption of mitigation fees a nexus study be prepared to identify the proportional responsibility of new development and that which is attributable to existing development. Only the portion attributed to new development may be recovered and the remaining cost must be paid from other funding sources. We would suggest that rather than adopting policies which require the adoption of a fee and commit general fund or other funding sources to road projects, the policies at

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Cont..

this point should identify the congested roadway segments, prioritize them and call for nexus studies to be prepared to assess the capacity of funding sources. Once this information is available the suitability of a mitigation fee or other funding elements could be evaluated. Assuming implementation of a mitigation fee without the benefit of nexus studies would seem to be premature.

4

The Draft Environmental Impact Report addresses the issue of water supply and notes that the City of Santa Rosa would need to obtain additional water supplies to meet the increased demand resulting from growth consistent with the General Plan. In accordance with state law, the City prepares a Water Supply Analysis on projects requiring this analysis as defined by the state law. We would suggest that the County prepare a Water Supply Analysis as a part of its General Plan program in order to comply with the provisions of state law.

5

There are a few areas where clarification would be helpful. Land Use Element policy LU-16I directs consideration of amending urban design standards of the South Santa Rosa Plan to allow freeway oriented, self illuminating signs for commercial use. It is unclear why such amendments would be proposed in this area. The City's Urban Design policies call for screening of views along Highway 101 south of Hearn Avenue with dense landscaping and beautification of this section of highway.

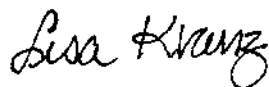
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Exhibit 4.1-4 in the Draft EIR projects residential and non-residential development in each planning area. The number of dwelling units in the Santa Rosa Planning Area decreases from 2000 to 2020 under the assumption they will be annexed. However, the non-residential square footage increases by 4.6 million square feet over this period. It is unclear what the annexation assumption is for non-residential or if this development is anticipated in the Planning Area outside the Santa Rosa Urban Growth Boundary.

These comments have been prepared based upon a staff review of the draft county documents and represent the review by staff. The City Council has not had the opportunity to review the Draft General Plan and Environmental Impact Report and may provide additional comments during the public hearings before the County Planning Commission and Board of Supervisors.

Thank you for the opportunity to provide comments during the public comment period. I would be pleased to provide any additional information should you require it.

Sincerely,



LISA KRANZ
City Planner
Office of Advance Planning and Public Policy

c: Wayne G. Goldberg, Director



Dan Skopec
Acting Secretary

California Regional Water Quality Control Board
North Coast Region
William R. Massey, Chairman

www.waterboards.ca.gov/northcoast
5550 Skylark Boulevard, Suite A, Santa Rosa, California 95403
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135



Arnold
Schwarzenegger
Governor

April 17, 2006

6

Mr. Bob Gaiser
County of Sonoma PRMD
2550 Ventura Avenue
Santa Rosa, CA 95403

Dear Mr. Bob Gaiser:

Subject: Comments on the Sonoma County General Plan 2020 Draft Environmental Impact Report, SCH No. 2003012020

File: County of Sonoma, General Plan 2020 Draft Environmental Impact Report

Thank you for the opportunity to comment on the County of Sonoma's General Plan 2020 Draft Environmental Impact Report (DEIR). The North Coast Regional Water Quality Control Board (Regional Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA).

We have reviewed the DEIR prepared for the Sonoma County General Plan (GP). In addition, we have reviewed the individual program elements that contain recommended mitigation measures to be implemented by Sonoma County. It is our understanding the GP will direct growth in the unincorporated portions of Sonoma County through the year 2020. We recognize the significant effort by County staff and residents in forming advisory committees and preparing recommendations for the GP.

While there are a number of very positive programs and improvements suggested in the GP documents, we are concerned that implementation of the growth identified in the GP will result in significant individual and cumulative impacts to water quality. Overall mitigation measures are vague and do not allow for implementation tracking. For example, in Section 2.0 of the DEIR, impacts are identified as "Less than Significant" because "policies and programs contained in the Draft GP 2020 would reduce impacts to less than significant." However, it is not clear if or when policies and programs contained in the Public Hearing Draft Elements would be implemented, as this information is not given. Specifically, Policy OSRC-7 states: "Implement the Santa Rosa Plain Vernal Pool Ecosystem Preservation Plan" (Plan). There is no time given as to when the Plan would be implemented nor is there an indication the County will be able to commit sufficient future resources to implement the Plan. Without assurance that policies will be fully implemented along with a time schedule, it is inappropriate to consider these as mitigation measures for purposes of the EIR.

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3 The GP lacks any significant monitoring ensure implementation of mitigation measures and to evaluate impacts to water quality and sensitive habitats. During the lifetime of the previous GP, there have been many waterbodies located in the County that have been identified as impaired and several aquatic species identified as threatened or endangered. Growth-related development in the County has contributed to these impacts. In order to ensure that water quality objectives are met in the future, it is critical that impacts from new development be fully mitigated and impacts from existing development be reduced. We do not believe that the County's existing and proposed policies will achieve this goal. The EIR should be revised to fully document existing and potential impacts of development and provide clear mitigation measures to be implemented. Attached for your information is a spreadsheet clarifying methods for the identification of potential water quality impacts and required analyses (Enclosure 1).

4 The policies and mitigation measures within the DEIR should contain clear and binding language that would result in the implementation of the stated policies. In both the Open Space and Resource Conservation and the Water Resources Elements, the words "must" and "shall" are seldom used within the actual policy language. To "support", "recommend", and "encourage" policies, programs, or studies, does not ensure adequate mitigation of identified impacts. Unless the language in the policies is binding, they cannot be assumed to mitigate for the impacts identified in the DEIR. Accordingly, we request that policy language be strengthened to be more specific and binding.

5 Regional Water Board staff are concerned about the scheduling for the close of comments on the DEIR and its related Policy Elements (PE). The comment period for the DEIR and the PEs are months apart. The final comments for the DEIR are due on April 17, 2006, but the PEs will not be finalized until later in the year. The purpose of the DEIR is to examine the adequacy of the policies within the PEs to mitigate for those impacts identified in the DEIR. Therefore, if there are significant changes to the PE policies the County should provide another opportunity to review and comment on the EIR before it is finalized or adopted.

Our specific comments are as follows:

6 **EIR Page 10-13, 4.5-1** - We do not agree with this finding that states that requirements and policies specified in the GP will reduce non-point source impacts to less-than-significant levels.

7 **EIR Page 10-13, 4.5-2** - We do not agree with this finding that requirements and policies specified in the GP will reduce erosion and sediment impacts to less-than-significant levels. Additional mitigation measures are feasible and necessary for this impact.

8 **EIR Page 10-14, 4.5-3** - This finding appropriately identifies potential erosion and sediment impacts due to agricultural development. The finding refers to potential mitigation measures that consist of educational outreach in order to address sediment and erosion impacts from these land uses. Unfortunately this "mitigation" measure does not provide any assurance that actual impacts will be mitigated (other than on slopes in excess of 35%). We recommend modifications to the County's grading ordinances that will require implementation of erosion and sediment control measures for all agricultural developments. We support the suggested mitigation measures for addressing modifications to runoff rates from land with slopes greater than 35%. However, we

can identify no technical justification as to why this slope criteria was used. We suggest the criteria be modified to require that all agricultural developments implement measures to reduce erosion and sediment discharges and modification to runoff rates. Mitigation measures such as stream and wetland buffer areas, use of cover crops, etc. are widely used in agriculture and are cost-effective and feasible.

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cont...

EIR Page 10-14, 4.5.4 -- This finding indicates that impacts due to wastewater disposal will be fully mitigated due to current and proposed policies. We do not concur. It is apparent that current growth patterns are driving development into areas where community wastewater treatment is not currently available. As a result of this, onsite systems (including package wastewater plants) have been approved in areas where onsite disposal is very problematic. We recommend that growth occur in areas where infrastructure, including sewer, are available. Non-standard wastewater systems should be monitored to assess degradation to ground water quality. Existing systems that are causing pollution or nuisance should be made to abate such impacts in a timely manner.

9

EIR Page 10-14, 4.5.5 -- This finding recognizes that growth patterns will result in the decline of ground water levels. This impact not only will result in impacts to existing wells, but may result in a loss of water in streams and wetlands. This potential impact is proposed to be mitigated by voluntary practices to infiltrate runoff. While we support outreach and education to help in avoiding impacts on ground water supplies, we do not agree that these measures alone can avoid significant impacts. We encourage the County to implement conservation measures to maximize water resources. In addition, the County should implement a comprehensive ground water planning effort to quantify aquifer storage, recharge and extraction in order to evaluate potential impacts from future land use decisions.

10

EIR Page 10-15, 4.5.8 -- This finding correctly identifies the fact that changes to drainage patterns related to development can result in adverse impacts to the geomorphology of stream systems. The policy seems to focus on evaluating potential impacts on a project-by-project basis by utilizing flood control design practices. The suggested mitigation ignores the cumulative impacts of development on watersheds. Runoff quantity (both peak discharge rates and total discharge volume) as well as time of concentration are factors of overall watershed development. The County should evaluate individual watersheds in order to determine the cumulative impacts of development-related runoff discharge and base future development-related mitigation measures on the results of this study. Such cumulative impact studies are currently being developed in Ventura County to deal with development pressures.

11

EIR Page 10-16, 4.5.8 -- This finding correctly identifies potential flood risks due to storm water runoff discharges associated with development. However, the finding seems to equate streams and rivers with "storm drain systems". While streams and rivers, especially those with intact floodplains and riparian zones, can provide some attenuation for increased runoff flows associated with development, they should not be considered an extension of the County's storm drain system. These waterways are waters of the state and need to support many beneficial uses. Development-related impacts should be mitigated as close to the project as possible and should occur prior to causing an impact to surface waters. Increased runoff and sediment discharges due

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to development have contributed to flooding and have led to high-impact stream modification projects. We suggest watershed-based mitigation measures as described in the comment above.

13 **EIR Page 10-16, 4.5.9/10/11** – These findings identify potential impacts due to development and activities conducted within floodplains. While the programs and policies referred to in these findings provide some mitigation for these impacts, they do not fully reduce impacts as claimed. It appears that the protections ignore some activities that could occur within floodplains (roads, grading, etc) and do not apply restrictions to all classes of waters. Floodplain protections need to extend to all waterways and address all land modification activities within these areas. Headwater streams, smaller ephemeral waterways, wetlands and other surface waters need protections in order to prevent flood impacts.

14 **EIR Page 10-17, 4.6.1** – This finding correctly identifies development-related impacts to special species and their habitat. The mitigation section only refers to fish species and “other fishery resources”. The discussion ignores other plant and amphibian species that have been severely impacted by development in the County. These species are associated with wetlands, which are “surface waters”. There is no commitment to mitigate for impacts to the California Tiger Salamander, nor are there sufficient protections to identify and protect vernal pools and other wetland areas that are habitat for these other species. The mitigation for fishery impacts calls for “actively participating in the FishNet4C program”. Although we support this participation, we do not agree that this is appropriate as a mitigation measure. It is our understanding that the County has not yet implemented their road maintenance program, which was developed as part of the FishNet4C effort. We strongly recommend that this County developed plan be implemented as soon as possible.

15 **EIR Page 10-18, 4.6.3** – This finding refers to “jurisdictional” wetlands. Please clarify that state and federal jurisdiction differ in this area. Since wetlands are waters of the state and have recognized beneficial uses to protect, they should receive protections similar to other surface waters. Unfortunately, the County policy does not provide these protections. County land use decisions can directly impact wetlands and therefore the County needs to mitigate these impacts.

Many wetlands are not mapped and a significant portion of wetlands in Sonoma County have been lost or degraded beyond functional value. Based on the important values and functions of wetlands for flood control, wildlife habitat, groundwater recharge, and water quality, we are concerned that the potential for future wetland impacts in Sonoma County are underestimated in the DEIR.

The DEIR states that “mapping of all jurisdictional wetlands in the county is not available at this time” (4.6-36). The DEIR goes on to state “areas which continue to support wetlands, riparian corridors, and vernal pools on valley floors tend to be constrained by flooding or permanent inundation”...which “continue to minimize the potential use in these areas”. Our observation, based on recent development proposals, is that development is occurring in these areas at a rapid rate. Many isolated riparian and seasonal wetlands in Sonoma County are likely not constrained by flooding or inundation for long periods and are not inherently “protected” by limited potential for future use. In truth, the location of all jurisdictional wetland areas in Sonoma County are not known to state and federal regulators and these wetlands may occur outside of designated

marshes and wetlands identified in the DEIR. In order to adequately address potential impacts to remaining wetlands in Sonoma County, county staff should 1) prioritize the completion of mapping of wetlands, including isolated vernal pools, in Sonoma County in co-operation with state and federal regulators; and 2) more frequently utilize the knowledge and expertise of state and federal agency staff in the issuance of both ministerial and discretionary projects in and near biotic habitat areas. Often, a site visit or assessment by qualified personnel is necessary to properly identify and delineate jurisdictional wetlands.

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cont.

EIR Exhibit 4.5-3 - The source for this exhibit is the California 303(d) List and TMDL Priority Schedule established by the State Water Resources Control Board (SWRCB) in 1998 and approved by the U.S. Environmental Protection Agency (USEPA) in 1999. Please be advised that this is not the most current or accurate listing, nor does it include the Laguna de Santa Rosa which is listed as impaired for low dissolved oxygen, nitrogen, phosphorus, sedimentation/siltation, and temperature. The Russian River impairment for temperature and pathogens are also not mentioned in the DEIR.

16

The DEIR should address impacts to all impaired waterbodies identified by the 303(d) list established by the SWRCB in 2002 and approved by the USEPA in 2003, including the Laguna de Santa Rosa. The DEIR should address opportunities and strategies to reduce overall impacts in an effort to achieve water quality standards within the Laguna de Santa Rosa and other impaired waters. The most recent 303(d) list for the North Coast Regional Water Board is available online at: <http://www.swrcb.ca.gov/tmdl/docs/2002reg1303dlist.pdf>.

17

Water Resource Element

This section describes water resources within the County and describes how this element relates to other related elements. The section describes, in general, other regulatory programs that complement the County's resource protection efforts. The section also contains proposed Goals, Objectives and Policies intended to help minimize impacts to water quality. Many of the proposed policies are vague and unclear. In addition, it appears that there is no clear assurance that these policies will actually be implemented and monitored for effectiveness. While we do not believe these measures go far enough to protect water quality, there should be a clear commitment for recommended policies, with an implementation schedule and monitoring program in order to rely of these policies for CEQA mitigation measures. In addition, the discussion within this element does not appear to recognize that wetlands are a type of surface water. The narrative section of this element should be revised to clarify this fact.

18

Our specific comments on this section are as follows:

Section 3.2, Groundwater, Goal WR-2 - is to "manage groundwater as a valuable and limited shared resource." In this section, Sonoma County admits that there "is limited factual data...to fully assess the (groundwater supplies) problem or to formulate a comprehensive management strategy." Policy WR-2i indicates that a groundwater management plan would be prepared for comprehensive groundwater assessment areas, as resources permit (Policy WR-2j), and as recommended by the Board of Supervisors. The Regional Water Board considers the completion

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19 of comprehensive groundwater assessments for the major groundwater basins in the County a
priority for the protection of all beneficial uses of groundwater.

20 **Policy WR-1c** – Please be aware that the intent of the storm water program is to ensure that discharges of storm water runoff from municipal storm drain systems are in compliance with water quality objectives by utilizing best management practices to the “maximum extent practicable”. Unfortunately, the proposed policy does not reflect this requirement.

21 **Policy WR-1e** – We appreciate the recognition for the TMDL efforts that the Regional Water Board will be implementing in Sonoma County. However, the statement applies a “maximum extent practicable” standard for compliance with adopted TMDLs. Please be aware that regulations require the Regional Water Boards to implement policies intended to ensure that impaired water bodies be restored to ensure compliance with water quality standards. The term “maximum extent practicable” is not appropriate in this context.

22 **Policy WR-1K** – This policy supports the development of wastewater treatment alternatives for areas with “widespread septic system problems which are a health concern”. We recommend that this section implement a commitment to implement sanitary surveys and other assessment methods to help identify septic problem areas. In addition, pursuant to the policy’s goal statement, ground water impacts should be prevented in order to ensure that waters are suitable for their established beneficial uses. It should not be necessary to identify an actual public health impact before implementing protection measures.

Policy WR-1o – As stated above, impacts from failing septic systems should be abated upon evidence of pollution and not only after a demonstrated health hazard has been identified. If a septic system is causing or contributing to exceedance of a state drinking water standard, abatement measures should be implemented. By waiting for a direct health hazard to occur, the County is not protecting the users of ground and surface water resources.

23 **Section 2.4** - This section contains language regarding groundwater aquifers. Included in this section is language discussing human activities that degrade groundwater quality. As you know, there have been considerable impacts to groundwater quality associated with chemical and petroleum use. We suggest that this section be augmented to describe potential impacts due to spills and dumping of hazardous-type waste, overuse or inappropriate use of pesticides, leaking fuel tanks, etc.

Open Space and Resource Conservation Element

Biotic Resources

Section 3.1 - Policy for Biotic Habitat Areas – Marshes and Wetlands

24 Marshes and wetlands are specifically recognized for their high biological resource value and importance for water recharge and filtration. Other functions of wetlands not mentioned in this section are prevention of soil erosion and sediment control, recreation value, educational and research value, and open space and aesthetic value.

The Regional Water Board works with other regulatory agencies in review and approval of projects which impact or have the potential to impact wetlands through the Clean Water Act Section 401 Certification and Waste Discharge Requirement process. Beneficial uses of wetlands are listed in the Water Quality Control Plan for the North Coast Region (Basin Plan). In the Policy for Biotic Habitat Areas, Marshes and Wetlands section, the Regional Water Board needs to be added to the list of agencies which are involved with the regulation of and/or jurisdiction of wetlands, in addition to the USACOE, USFWS, and CDFG.

25

Policy OSRC-7b - For the protection of water quality and habitat values, a 100-foot setback from a designated marsh or wetland may be an adequate buffer. However, some wetlands may require a greater than 100-foot buffer. Ground disturbance on steep slopes could be a potential source of increased soil erosion and sedimentation to an adjacent wetland. In cases where steep slopes exist on the margins of a marsh or wetland, a site assessment should be required to evaluate and/or mitigate the impacts of ground disturbance.

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The policy allows for a reduction in the 100-foot setback "based upon a site assessment and appropriate mitigation". Where setbacks for wetlands are reduced less than 100 feet for both ministerial and discretionary projects, the county should require a site assessment and regulatory approval. The policy (OSRC-7b (1)(b) as presented, does not define what would be considered adequate or appropriate mitigation required for a setback reduction to 50 feet or less for wetland impacts in ministerial permit applications. It is the unique role of regulatory agencies, not County staff, to assess and approve appropriate mitigation for negative impacts to wetlands.

Biological Resources

Policy OSRC-7v - The mitigation measure for Biological Resources 4.6-1 *Special Status Species* is to encourage participation and continue to actively participate in the FishNet4C Program. The Regional Water Board is not aware that Sonoma County has actively implemented the FishNet4C Program and there is no schedule for implementation or indication how Sonoma County will implement the FishNet4C program.

27

Section 3.2 - Policy for Riparian Corridors - The Regional Water Board recognizes the benefits of a healthy riparian corridor in maintaining beneficial uses of surface water. As such, the Regional Water Board supports the protection and restoration of perennial, intermittent and ephemeral streams. We consider the protection of ephemeral streams essential to the protection of water quality. Ephemeral streams are not mapped or shown on USGS topographic maps and are not recognized in the DEIR.

28

Policy OSRC-8b/c - We are in agreement with Sonoma County on proposed changes to the General Plan that would expand and increase riparian protections. In the past, riparian setbacks have not been well protected under the Sonoma County General Plan. This has led to degradation of streams county- wide. Policy OSRC-8b and c would establish streamside conservation areas along both sides of designated Riparian Corridors and would include those areas in the Biotic Resources combining districts. Furthermore, riparian corridors on the mainstem Russian River would be increased to 200 feet and for all other designated perennial and intermittent streams to 100 feet. Please be aware that riparian areas are determined by proximity to a watercourse and

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29
cont-- not necessarily by the presence of riparian vegetation. Protections should be implemented even in riparian areas where disturbance has already occurred.

30 **Policy OSRC-8c (6)** - This policy refers to the "mechanical removal of vegetation" for grazing areas. Mechanical removal needs to be more clearly defined. It is not clear if mechanical removal of vegetation would be permitted for other allowed uses listed in this section. To support increased protection of water quality for designated streams, no vegetation removal should be allowed within the streamside buffer or setback areas. Large vegetation features such as trees or dense vegetation located near and at a distance from a stream can provide canopy shade, filtering of sediment and pollutants, provide habitat connectivity, and promote lower surface water temperatures beneficial to fish and other aquatic species. These issues need to be considered in cases where the County would consider reducing the recommended 200 and 100-foot setbacks. Please refer to Enclosure 2 for more information on the importance of preserving and maintaining terrestrial habitat connectivity related to wetland, riparian, and other aquatic resources.

31 Grading activities in setback areas should be avoided and exemptions for grading within recommended setbacks should be strongly discouraged.

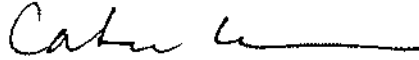
32 **Policy OSRC-8c (3)** - Negative impacts to the water quality of streams in Sonoma County have resulted from a lack of protection of riparian corridors. To allow new agricultural cultivation, including removal of vegetation, grading and disking, in the outer half (50 feet) along intermittent streams, is a policy that may not effectively reduce impacts unless mitigation is required. Tributary streams are especially important for maintaining high water quality downstream. The protection of riparian buffers from these activities will protect water quality and stream stability and will help individual property owners from having to implement other, more costly, non-point source protection measures.

Public Safety Element

33 **Policy PS-21** - In the floodplain management section, policy PS-21 states: "Consider developing regulations that require the use of Low Impact Development (LID) techniques to prevent and reduce stormwater runoff from future development." We strongly support the use of LID in order to protect natural areas, minimize potable water use, recharge depleted aquifers as well as for protecting water quality. Unfortunately, this language is not binding and will not result to a reduction of negative impacts from stormwater runoff, loss of habitat, loss of groundwater recharge, etc., in future development projects within Sonoma County. Retention and infiltration of stormwater for development projects will lead to a decrease in erosion, sediment, and pollutants to surface water and an increase of local infiltration. Incorporation of LID stormwater controls, systems and practices needs to be a priority for Sonoma County and should be required for all future discretionary projects considered for approval by Sonoma County. Furthermore, requiring incorporation of LID techniques within development projects should be discussed under multiple Policy Elements within the DEIR as an appropriate mitigation measure to protect water, biological, and soil resources. Please see Enclosure 3 for various LID resources.

Thank you for the opportunity to comment on the County of Sonoma's General Plan 2020 DEIR. We hope you will consider these comments during your environmental review process. If you have any questions, please contact John Short at jshort@waterboards.ca.gov.

Sincerely,



Catherine E. Kuhlman
Executive Officer

041706_jls_SonomaCounty_GP2020_DEIRComments.doc

Enclosures: 1) Sonoma County General Plan 2020 DEIR: Identification of Potential Water Quality Impacts and Required Analyses

 2) Terrestrial Habitat Connectivity Related To Wetland, Riparian, and Other Aquatic Resources

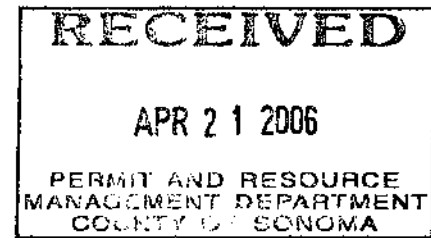
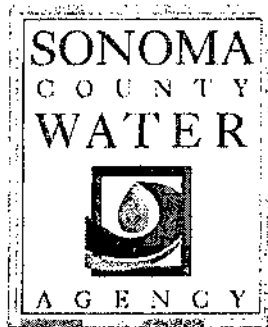
 3) Low-Impact Development Resources

cc: State Clearinghouse and Planning Unit, 1400 Tenth Street, P.O. Box 3044, Sacramento, CA 95812-3044 (w/o enclosures)

 Mr. Oscar Balaguer, SWRCB, 401 Program Manager, Clean Water Act Section 401 Certification and Wetlands Unit Program

Draft GP 2020 FEIR Comment Attachment #1

North Coast RWQCB
Attachment available for review at
PRMD Comprehensive Planning
2755 Mendocino Ave, Suite #203,
or by request.



MEMORANDUM

File: zn/0-0-1 County General Plan

Date: April 20, 2006

To: Bob Gaiser, Permit and Resource Management Department

CC: Randy Poole, Pam Jeane, Mike Thompson, Jay Jasperse, Renee Webber, Bill Keene, Marc Bautista

From: Erica Phelps *EP*

SUBJECT: County of Sonoma 2020 General Plan Draft EIR

The Sonoma County Water Agency (Agency) has reviewed the Draft Environmental Impact Report (DEIR) for the County of Sonoma General Plan 2020 and submits the following comments. Comments have been grouped by general comments to the DEIR and specific comments where Agency staff found technical information to be inaccurate, outdated, or omitted. Where specific comments were made, the DEIR section, subsection, and pages are referenced. Text suggested to be removed has been ~~struck through~~ and additions to text are in **bold**.

GENERAL DEIR COMMENTS:

1. There is uncertainty in the Agency's ability to provide water supply to its water contractors beyond its existing water right permit amount of 75,000 acre-feet per year (AFY). In planning for future water supply, PRMD should not assume that the Agency will be able to deliver current allocations allotted under the Eleventh Amended Agreement. The EIR acknowledges that this allocation was premised on the buildout of certain Agency facilities whose construction is now precluded as a result of result of litigation and requires State Water Resources Control Board approval of increases in the Agency's water rights. In addition, the EIR acknowledges that changes in regulations to protect listed salmonids could affect the Agency's ability to deliver the full allocation allotted under the Eleventh Amended Agreement. The EIR should discuss any impacts related to water supply that would occur as a result of future projects if the Agency is

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cont..

unable to deliver this water from the Russian River system in the future. In addition, alternative sources of supply to serve the water demands of the General Plan and future projects should be identified and the environmental impacts of the use of alternate sources should be analyzed.

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2. The EIR should acknowledge that summertime demands on the Agency's water transmission system may exceed the reliable capacity of the transmission system. All water customers have been requested to implement water conservation measures, recycled water projects and/or increase the use of local ground water supplies to reduce demand on the Agency's transmission system throughout the summer.

3

3. The Agency's Board of Directors recently directed Agency staff to work with its customers to maximize water conservation practices, maximize recycled water use, and utilize local supplies to balance Russian River water supply. The General Plan and EIR should address the following:

- the development and implementation of a series of programs to promote and to affect the use of recycled water for agricultural purposes and for irrigation in existing and future commercial and residential developments in order to reduce average daily potable water use;
- the establishment of standards for more efficient water use in future commercial and residential developments in order to reduce average daily water consumption;
- and the development and implementation of a series of programs to facilitate the installation of reclaimed waterlines to provide recycled water for use in selected future commercial/residential and viticulture developments.

Water demand estimates for new projects or developments should reflect reductions expected from implementation of water conservation best management practices, use of recycled water, and water-efficiency standards for new development. The EIR should provide sufficient detail to illustrate how reduction in demand from these programs is calculated into the overall water supply needs for the General Plan and future projects.

4

4. The Agency is nearing completion of a comprehensive multi-year Groundwater Basin Study for the Sonoma Valley, Alexander Valley, and Russian River Valley. In addition, the Agency and other public entities are embarking on a comprehensive groundwater basin study for the Santa Rosa Plain. The Agency recognizes that some cities and local water suppliers may rely on local groundwater as either a primary or supplemental source of water. Given the uncertainty regarding the status of existing groundwater supplies, the Agency requests that entities using groundwater do so in a manner that promotes the long-term sustainability of groundwater basins in the County. In addition, when ongoing groundwater basin studies are complete, the Agency will provide copies to the appropriate cities and local water suppliers for managing their use of local groundwater supplies. The EIR should address any potential impacts to groundwater that may result from the General Plan and future projects if groundwater is ultimately used for water supply.

5

5. The EIR should address the following information regarding flood control protection and capacity. The Agency performs flood control activities on many natural creek waterways and constructed flood control channels. Since 1991, the Agency has modified stream maintenance practices due to changing environmental regulations including the federal Endangered Species Act (ESA). ESA-protected species within the Agency's flood control areas include but are not

limited to three salmonid species (coho salmon, Chinook salmon, and steelhead). In addition, some of the Agency's channels have been designated critical habitat by NOAA Fisheries and/or the U.S. Fish and Wildlife Service. Currently, stream maintenance practices within natural waterways are limited to removal of debris posing a serious threat of flooding or debris deposits having a detrimental effect on fisheries habitat or channel stability. Wholesale vegetation removal is no longer permitted in natural creek waterways. Within constructed flood control channels, current maintenance practices include primarily vegetation control along channel bottoms and periodic sediment removal. The effect of these changed maintenance practices for both natural waterways and constructed channels is a large-scale regeneration of riparian habitat in these areas. Consequently, their original capacity has been diminished, and the potential for flooding has increased. A hydraulic capacity assessment conducted by the Agency confirmed diminished capacity in constructed channels. The Agency is working with National Marine Fisheries Service and other regulatory agencies to develop a stream maintenance program that will maximize the habitat and flood protection values of the channels maintained by the Agency. Based on this information, PRMD should account for this increased flood risk with any development related to the General Plan by including a hydraulic capacity assessment that addresses the risks of flooding due to diminished channel capacity in channels that affect, or are affected by, the General Plan and future projects and an analysis of the impact of the General Plan and related development on flood risks.

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cont.

6. Recent studies performed by the Agency and the U.S. Army Corps of Engineers analyzed hydrologic conditions for the Central Sonoma Watershed Project and concluded that natural waterways and constructed channels within the watershed would experience flows during a 100-year storm event greater than anticipated by the original design for those facilities. Consequently, the area's existing flood control facilities may provide a lower level of flood control protection than originally anticipated. The EIR should include information regarding the design capacity of waterways within the General Plan area, or affected by the General Plan and related development, and describe the portions of the project area subject to a 100-year flood, taking into account the lowered levels of flood protection due to increased flows and diminished channel capacity.
7. For all site-specific improvements, Agency staff recommends that the drainage design for the General Plan and related development be in compliance with the Agency's *Flood Control Design Criteria*. However, compliance with this *Design Criteria* does not provide assurance that flooding will not occur and will not, by itself, mitigate all flooding risks.
8. Incremental increases in fill material within the 100-year floodplain will reduce the flood capacity and/or obstruct the flow of floodwaters of the creeks within project area watersheds and may cause a significant cumulative increase in flood risk. Incremental increases in runoff due to paving or surfacing from new development may similarly cause a significant cumulative increase in flood risk within the project area and in areas upstream and downstream from the project area. The EIR should specifically identify: waterways affecting or affected by the General Plan, runoff expected to be generated by development in the area; capacity of waterways affecting, or affected by, development in the project area (taking into account increased flows and diminished waterway capacity); the 100-year floodplain and any anticipated development or fill to be located in the floodplain; and cumulative impacts on flooding and exposure to flood hazards due to the General Plan and other reasonably foreseeable projects.

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SPECIFIC DEIR COMMENTS (GROUPED BY RESOURCE SECTION)

4.5 HYDROLOGY AND WATER RESOURCES

Russian River Watershed Page 4.5-8

9 Please add the Sonoma County Water Agency after the reference to the NCRWQCB in the sentence referring to water quality monitoring in the Russian River watershed.

Russian River Watershed Page 4.5-8

10 Text within the DEIR states:

Erosion and sedimentation in the main stem is often associated with peak releases from dams.

The relevance of the above-sentence to setting information is unclear.

Russian River Watershed Page 4.5-8 and 17

Text within the DEIR states:

Recreational users and malfunctioning individual septic systems contribute to the introduction of fecal coliform bacteria into the river.

11 However, in the Pathogens discussion on Page 4.5-17, text within the DEIR describes the source of pathogens as follows:

The presence of coliform bacteria in water, which are normally found in the intestines of humans and animals, signals that disease-causing pathogens may be present... Pathogens enter water through wastewater discharges, leaking septic systems, and from animal waste, including from animal concentration areas such as feedlots and dairies.

The two paragraphs appear to be inconsistent regarding the source of coliform bacteria and other pathogens.

Austin Creek Subbasin Page 4.5-9

12 The following sentence should be modified as follows:

The Austin Creek subbasin is located in east west-central Sonoma County.

Laguna de Santa Rosa Subbasin Page 4.5-12

13 The following sentence should be modified as follows:

Flooding in the lower reaches of the Laguna de Santa Rosa is from backwater effects during major flooding along the Russian River and is a significant problem along low lying areas in the city cities of Sebastopol and Rohnert Park.

Stemple Creek Subbasin Page 4.5-14

14 The DEIR describes "non-intensive" agricultural production in the Stemple Creek subbasin. Please clarify the term "non-intensive" as it relates to watershed protection and agricultural practices such as dairy manure lagoons management and other dairy waste.

Pathogens Page 4.5-17

Text within the DEIR states:

Giardia and cryptosporidium are also pathogens that are occasionally found in public water supplies...

Although the above sentence is factually correct, it should be noted that Cryptosporidium has very rarely been identified within the Russian River.

Groundwater Page 4.5-18 through 20

Information contained in Exhibit 4.5-3, Sonoma County 303(d) list is based on outdated information. Agency staff suggests that the information within the DEIR reflect more recent data from the State Water Resources Control Board.

The following sentences should be modified as follows:

(Page 4.5-19) Land Areas vary widely in their recharge capability, depending on soil conditions, **topography**, and the underlying geology.

(Page 4.5-19) In some cases, multiple aquifers occur, separated by less permeable or impermeable (clay) layers called aquaecludes aquitards.

(Page 4.5-20) Groundwater provides an important portion of the water supply for the **unincorporated areas of the County in addition to the cities of Sonoma, Sebastopol, Cotati, Rohnert Park, and Petaluma.**

The following sentence appears on **page 4.5-20**:

The term safe yield is defined as "the maximum quantity of water which can be withdrawn annually from groundwater supply under a given set of conditions without causing an undesirable result."

Please clarify how the definition for "safe yield" was determined.

The following sentence appears on **page 4.5-20**:

Given the changes in land use and population that have occurred over the past 30 years, information regarding groundwater resources in Sonoma County is outdated and may not represent current conditions.

The Agency and USGS are currently developing a comprehensive evaluation for groundwater conditions in the Sonoma Valley, Alexander Valley and the Santa Rosa Plain.

Groundwater Issues, Page 4.5-20

The following sentence should be modified as follows:

When the rate of groundwater withdrawal exceeds the rate of recharge and occurs over a prolonged period of time, groundwater levels can drop dramatically and the aquifer may become overdrafted.

Local Well Interference, Page 4.5-21

Please remove the following sentence:

21
cont... The affected area, called the cone of depression, is usually a cone-shaped lowering of the water table, within which the local aquifer is dewatered.

22 The following sentence should be modified as follows:

The land area above the cone of depression the localized area of decreased water levels is called the area of influence. If the localized areas of groundwater declines from the cones of depression of two or more adjacent wells overlap, there is said to be well interference.

Potential Groundwater Management Problem Areas, Page 4.5-21

The following sentence should be modified as follows:

The historic use of groundwater resources in some areas of the county has resulted in a decline of the localized groundwater table.

Please update the following rows in Exhibit 4.5-5 Summary of Groundwater Basins:

23

Groundwater Basin (subbasins in italics)	Surface Area (square miles)	Groundwater Availability Class(es)	Notes
Alexander Valley <i>Cloverdale Area Groundwater Subbasin</i>	10	I & IV	Groundwater elevations may be declining in some areas; USGS currently conducting studies.
<i>Alexander Groundwater Subbasin</i>	37	I, III, & IV	Groundwater levels relatively stable; USGS currently conducting studies.
Santa Rosa Valley <i>Santa Rosa Plain Groundwater Subbasin</i>	125	I & III	Groundwater levels have declined in the past in some areas USGS currently conducting studies.
Napa-Sonoma Valley Kenwood Valley	8	I	Some concerns over local well interference effects and water level declines USGS currently conducting studies.

Santa Rosa Valley Groundwater Basin Page 4.5-25

24 Please add the following sentence:

The subbasin adjoins the Petaluma Valley subbasin to the south, in the Penngrove area. SCWA and USGS are currently conducting a study to characterize groundwater conditions within the Santa Rosa Valley Groundwater Basin.

Santa Rosa Plain Groundwater Subbasin Page 4.5-25

25 The following sentence should be modified as follows:

In recent years, As a result of the City of Rohnert Park switched switching its primary source of municipal water supply from groundwater to water supplied by the SCWA, water levels have stabilized somewhat since the early

1990s, with recharge and pumping currently thought to be in rough equilibrium.

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cont.

Napa-Sonoma Valley Groundwater Basin Page 4.5-27

Please remove the following sentence:

~~Bennet Valley is located several miles south of Santa Rosa. Growth and vineyard development that uses groundwater may have strained the limited available water in this area.~~

26

Bennett Valley is not located within Sonoma Valley.

Groundwater Areas of Concern Page 4.5-28

Please modify the following heading:

Groundwater Areas of Concern (Non-Groundwater Basins)

27

Bennett Valley Page 4.5-28

The following sentences should be modified as follows:

~~Bennet~~ Bennett Valley is located approximately three miles south of Santa Rosa and contains an alluvial aquifer. ~~The area is located within the Napa-Sonoma Volcanics Groundwater Basin, but contains an alluvial aquifer.~~

28

~~To address groundwater basin issues, the Sonoma County Board of Supervisors directed County staff~~ The Board of Directors of the SCWA directed staff to work with the USGS, the SCWA, and other local stakeholders to develop a cooperative study work program to systematically evaluate groundwater resources within the county's major groundwater basins (the Sonoma Valley, Alexander Valley, Santa Rosa Plain, and the Petaluma Valley basins).

Groundwater Studies Page 4.5-29

The following sentence should be modified as follows:

The cooperative study between the USGS and SCWA is intended to enhance the current knowledge of groundwater resources within Sonoma County...

29

Groundwater Management Page 4.5-37

The following sentence is incorrect:

In California, surface water rights are regulated by the State, while groundwater is managed by a variety of local entities with a wide array of regulatory authority.

The sentence above makes it appear that local entities manage all groundwater. Groundwater is not managed by local entities in all areas; private property owners manage groundwater in other areas.

30

AB 3030 Groundwater Management Plans Page 4.5-39

The following sentence should be modified as follows:

31

31
cont..

There are no adopted groundwater management plans in Sonoma County. Recently however, the SCWA Board of Directors of SCWA directed the General Manager / Chief Engineer staff to prepare a work plan for Board consideration detailing the steps necessary to develop a groundwater management plan under AB 3030 for the Sonoma Valley.

Also, in December 2005, USGS, SCWA and other local stake holders cooperated in the Santa Rosa Plan Groundwater Study. Additionally, in 2001, the SCWA and USGS initiated a four-year study of the Sonoma Valley and Alexander Valley groundwater basins.

32

Policy WR-2c: Page 4.5-57

(7) Require pump tests for new high capacity wells to avoid well interference.

Please clarify and quantify "high capacity wells" and clarify or define "avoiding well interference" within the EIR.

33

Policy WR-1w: Page 4.5-59 and 60

~~Policy WR-1w: Revise the County's flood control design criteria to include a section on stream geomorphic analysis and to update information on bank protection and erosion control to incorporate biotechnical bank stabilization methods for the purpose of preventing erosion and siltation in drainage swales and streams.~~

~~Responsibility and Monitoring The Board of Supervisors would be responsible for adopting the revised policy proposed in Mitigation Measure 4.5-8 as part of the GP 2020. The PRMD would be responsible for implementation of Policy WR-1w and developing the flood control design criteria.~~

The Agency is currently updating the Agency's Flood Control Design Criteria and thus believe that Policy WR-1w is unnecessary and should be deleted. Additionally, the Agency is responsible for developing the County's flood control design criteria.

34

Impact 4.5-9 Increased Flood Risk from Drainage System Alteration: Page 4.5-59 through 63

The following sentence should be modified as follows:

Implementation of Policy PS-2s would ~~require that allow the SCWA be responsible for prioritizing to prioritize and undertaking undertake~~ flood hazard mitigation projects ~~on a continuous basis on~~ selected waterways subject to the policies of the Open Space and Resource Conservation Element.

The Agency is a special district with an independent Board of Directors and thus could not be required by the County to implement specific projects.

35

Impact 4.5-12 Failure of Levee or Dam: Page 4.5-66 through 67

The following sentence should be modified as follows:

Larger dams whose potential failure...and the Coyote Valley Dam built in 1958...

The following sentence should be modified as follows:

However, it is recognized that levees along the Russian River below Coyote Valley Dam are the responsibility of

the Corps of Engineers.

Additionally, the Agency maintains levees in the Alexander Valley above the Russian River.

Please update the following sentence:

Levees in these areas probably represent the greatest risk of levee failure, and several farms levees along the lower Petaluma River and Sonoma Creek failed during flood events as recently as 1998 2005.

4.9 PUBLIC SERVICES

Other SCWA Customers: Page 4.9-7 and 8

When referencing Agency customers who are authorized to divert water directly from the Russian River and report it under the Agency's water rights permits, please include the Occidental Community Services District.

Water Supplies in Unincorporated Areas: Camp Meeker Park and Recreation Department: Page 4.9-9

Please update the following sentence:

The District's extractions from the Russian River underflow are expected to be authorized and reported under SCWA's water rights permits in the future.

Water Supplies in Unincorporated Areas Occidental Water Company: Page 4.9-9

Please correct the name of the "Occidental Water Company" to the "Occidental Community Services District."

Exhibit 4.9-5 Water Use Data for Major Water Suppliers in Sonoma County: Page 4.9-9

Please correct the name of the "Sea Ranch Water System" to the "Sea Ranch Water Company" and the "Geyserville Water System" to the "Geyserville Water Works."

Recycled Water and Reuse: Page 4.9-16

The following sentence should be modified as follows:

Recycled water is wastewater that has undergone primary, secondary and occasionally often tertiary treatment.

Wastewater Management Services- Environmental Setting

Conventional Wastewater Treatment Plants: Page 4.9-33

The following sentence should be modified as follows:

Exhibit 4.9-9 presents...Bodega Bay Public Utility District, Graton Community Services District and Forestville. The Sonoma Valley County Sanitation District (CSD) treatment facility and Penngrove Sanitation Zone is located within the jurisdiction of the San Francisco Bay RWQCB.

Exhibit 4.9-9 Wastewater Treatment and Disposal Methods and Exhibit 4.9-10 2020 Wastewater Treatment Capacity, Surplus, and Deficits: Page 4.9-34 and 38

Information within the exhibits 4.9-9 and 10 is outdated with more recent information available for review. Additionally, footnote [b] in both exhibits states average dry weather flow (ADWF) as the lowest average total flow over a period of 30 consecutive days for all sanitation districts or zones. It should be noted within the EIR that not all sanitation districts and zones listed in exhibits 4.9-9 and 10 use the same criteria to determine ADWF.

5.0 ALTERNATIVES

No Project Alternative

Public Services

Impact 4.9-1 Insufficient Water Supplies to Meet the Future Water Demand of the Urban Service Areas: Page 5.0-32

Text within the DEIR states that the No Project Alternative would result in a significant impact to water supplies. However, subsequent discussion within the text states:

...the No Project Alternative also would not result in additional affordable housing sites or other proposed land use changes that would increase urban water demand. Therefore, future water demand in these areas would be slightly less under the No Project Alternative than under the Draft GP 2020.

This text appears to contradict the conclusion that the No Project Alternative would result in a significant impact to water supplies.

Impact 4.9-3 New or Expanded Water Supply Facilities: Page 5.0-33

Text within the DEIR states that the No Project Alternative would result in a significant impact to existing water supply and water treatment facilities. However, subsequent discussion within the text states:

As noted above, this alternative could generate local water demands less than, equal to, or greater than that of the Draft GP 2020 depending on the location.

The above text appears to be ambiguous in regards to impacts to water supply and water treatment facilities.

Impact 4.9-4 Increased Wastewater Treatment Demand: Page 5.0-33

Text within the DEIR states that the No Project Alternative would result in a significant impact to wastewater services due to the uncertain feasibility of adding or expanding services to meet demand under this alternative. However, subsequent discussion within the text states:

As a result, demand for wastewater services would be slightly less under this alternative.

This text appears to contradict the conclusion that the No Project Alternative would result in a significant impact to wastewater services.

Impact 4.9-5 New or Expanded Wastewater Facilities: Page 5.0-33

Text within the DEIR states that the No Project Alternative would result in a significant impact to new or expanded wastewater services. However, subsequent discussion within the text states:

As described in *Impact 4.9-4 Increased Wastewater Treatment Demand*, increased wastewater flows generated by the No Project Alternative would necessitate new or expanded wastewater treatment facilities.

As stated in Agency comment for Impact 4.9-5, the text in Impact 4.9-5 appears to contradict the conclusion of Impact 4.9-5.

Mitigated Alternative

Public Services

Impact 4.9-2 Insufficient Water Supplies to Meet the Future Water Demand of Rural Private Domestic, Small Municipal, and Agricultural Wells: Page 5.0-74

Please update the following sentence:

Similar to the *Draft GP 2020*, the ~~No Project~~ Mitigated Alternative would result in a significant impact to well water supplies.

Impact 4.9-3 New or Expanded Water Supply Facilities

Text within the DEIR states that the Mitigated Alternative would result in a less-than-significant impact to new or expanded water supply facilities. Text within the DEIR states:

... this alternative does not include expansion of wastewater systems to accommodate planned growth. This lack of expansion would substantially reduce construction of new water facilities, in spite of demand.

The EIR should analyze the potential environmental impacts to water quality if the construction of new wastewater systems is not implemented to accommodate planned growth.

Thank you for the opportunity to comment. For questions regarding Agency comments, please contact Marc Bautista at 547-1998 or email bautista@scwa.ca.gov.

8



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

April 17, 2006

Susan Dahl
County of Sonoma
2550 Ventura Avenue
Santa Rosa, CA 95403

Subject: Sonoma County General Plan Update 2020

Dear Ms. Dahl:

Bay Area Air Quality Management District (District) staff have reviewed your agency's Draft Environmental Impact Report (DEIR) for the Sonoma County General Plan Update 2020 (plan). The plan's goals, objectives and policies will guide land use and development in the County. District staff are providing comments on both the plan and the DEIR.

Comments on the General Plan Update 2020

District staff have reviewed the plan and recommend that the "Air Resources" section include additional air quality information. The plan should providing readers with information on the potential health impacts of air pollution, including those impacts from specific pollutants such as ozone, diesel particulate matter and wood smoke. It should also describe the sources of odors and toxic air contaminants (e.g., transportation, construction, etc.) and their potential adverse impacts in more detail. The plan should also clearly identify the different responsibilities in regulating air pollution by the California Air Resources Board (ARB), the U.S. Environmental Protection Agency, the Northern Sonoma County Air Pollution Control District (NSCAPCD) and the District. The plan should state that local jurisdictions have primary authority to establish development policies and require mitigation measures to lessen adverse impacts to air quality from land use projects.

Comments on the Draft Environmental Impact Report

District staff have reviewed the DEIR for the plan and support the "Draft General Plan 2020 Alternative," which the DEIR identifies as the environmentally superior alternative. The DEIR states on page 5.0-65 that Alternative 3, "The Mitigated Alternative," would reduce air pollution over the proposed plan by incorporating roadway and transit improvements. The DEIR, however, does not substantiate this assertion. Adding new traffic lanes for single-occupancy vehicle (SOV) use in the Bay Area is often only a short-term solution to congestion. New lanes increase overall system capacity, and then can be filled up by latent travel demand until the area again becomes congested. This can happen because driving temporarily becomes more convenient and there is less incentive to use transportation alternatives, carpool, work and shop closer to home, avoid discretionary trips and travel during non-peak periods. In the long-term, roadway



ALAMEDA COUNTY
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Scott Haggerty
Janet Lockhart
Nate Miley

CONTRA COSTA COUNTY
Mark DeSaulnier
Mark Ross
(Vice-Chair)
Michael Shimansky
Gayle B. Uilkerna
(Chair)

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Yoriko Kishimoto
Liz Kniss
Patrick Kwok

SOLANO COUNTY
John F. Silva

SONOMA COUNTY
Tim Smith
Pamela Torfitt

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Ms. Susan Dahl

-2-

April 17, 2006

2
Cont...

capacity expansions can result in greater dependence on automobiles, increased air pollution, and other significant environmental impacts. An analysis of Alternative 3 that identifies latent demand may show that the planned highway improvements would result in more automobile travel and higher emissions from mobile sources.

The DEIR identifies an increase in ozone precursors from plan buildout as a significant and unavoidable impact (Impact 4.3-1) and recommends some policies to help mitigate this impact. District staff have determined that the proposed policies demonstrate a reasonable effort to implement Transportation Control Measures (TCMs) 1, 4, 5, 6, 9, 12, 14, 19, and 20 from the Bay Area 2005 Ozone Strategy. While these recommended policies will help reduce the severity of potential air quality impacts, the District recommends that the County include additional policies that can further lessen the severity of the identified significant impact. Specifically, District staff recommend adding policies that will support implementation of TCMs 10, 13, 15, 16, 17, and 18 from the 2005 Ozone Strategy. Following are recommended sample policies the County could include in the General Plan that could further reduce air quality impacts:

3

TCM 10: Support transportation infrastructure projects that increase safety and encourage children to walk or ride a bicycle to school.

TCM 13: Collaborate with local transit agencies to:

- establish mass transit mechanisms (e.g., for the reduction of work-related and non-work related vehicle trips; and
- promote mass transit ridership through improved wayfinding signage for transit facilities and careful planning of routes, headways, transit stops, origins and destinations, and types of vehicles.

TCM 15: Adopt design guidelines and local ordinances that minimize off-street parking, including allowing for a reduction in minimum parking requirements in areas that manage on-street parking with market-pricing and/or are well-served by transit.

TCM 16: Make public education material about the BAAQMD's Spare the Air program and Spare the Air Tonight program available at County public events and meetings, on the County's website and at County offices.

TCM 17: Explore and promote opportunities to implement carsharing programs at new or existing developments where such programs are feasible.

TCM 18: Provide disincentives for single-occupant vehicle trips through parking supply and pricing controls in areas where supply is limited and alternative transportation modes are available.

4

The DEIR identifies exposure to odors and toxic air contaminants (TACs) as a potentially significant impact (Impact 4.3-3). District staff recommend that Policy OSRC-161 be amended to apply to all sources of TACs and odors in addition to US 101. Additionally, a policy should be added to the plan that requires new development proposals to include a full evaluation of any

Ms. Susan Dahl

-3-

April 17, 2006

potential impacts on surrounding land uses from TACs associated with the project. If the impacts are found to be potentially significant, the policy should require implementation of a mitigation measure which includes notification of future and/or existing sensitive receptors of any potential health impacts. Additionally, The California Air Resource Board's (ARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (2005) provides helpful guidance on air quality and siting issues for some land uses. The handbook can be downloaded from ARB's website: <http://www.arb.ca.gov/ch/landuse.htm>. We recommend the County refer to ARB's handbook when considering the siting of new residential uses and other sensitive receptors in order to avoid conflicts with existing sources of TACs. We recommend that the final plan include a map of existing sources of TACs in the County which identifies the proposed land uses adjacent to these facilities.

Impact 4.3-4 "Exposure to Industrial Diesel Truck Emissions" identifies a potentially significant impact from exposing sensitive receptors to diesel emissions from increased diesel truck traffic and recommends adding policy OSRC-16m to mitigate the effects of diesel exhaust. While we generally support the incorporation of this measure and the establishment of trip-based thresholds that trigger mitigation requirements, we recommend that the policy prioritize on-site mitigation to reduce impacts before implementing an off-site mitigation program. Given that diesel emissions tend to have localized impacts, an off-site mitigation fee could reduce overall diesel emissions and, therefore, ambient concentrations of this TAC. However, sensitive receptors adjacent to affected roadway(s) could still be exposed to unhealthy levels of diesel particulate matter. Additionally, all diesel engines could emit unhealthy levels of TACs and we recommend reducing both on-road and off-road emissions from diesel engines used in projects' operation and construction by implementing feasible mitigation measures. Feasible on-site mitigation measures could include: maintaining properly tuned engines; minimizing the idling time of diesel powered construction equipment to three minutes; using newer engines (i.e., 2000 or newer); using add-on control devices (i.e., diesel oxidation catalysts or diesel particulate matter traps) on older engines; using cleaner fuels (i.e., low-sulfur diesel or biodiesel); phasing the construction of the plan; and limiting the hours of operation of heavy duty equipment. The District is currently in the process of revising our CEQA significance thresholds. We recommend including a policy in the plan that requires consistency between County developed thresholds and the District's current and future thresholds.

Construction activity in the County will generate particulate matter emissions (Impact 4.3-2: "Increased Particulate Emissions"). We recommend the implementation of all feasible dust control measures listed in Table 2 of the *BAAQMD CEQA Guidelines: Assessing the Air Quality Impacts of Projects and Plans* (1999), including the optional control measures when applicable. As noted in the previous paragraph, diesel engines used in construction could also emit TACs that may have an impact on nearby sensitive receptors. We recommend including a policy in the plan that requires implementation of all feasible control measures to reduce combustion emissions from construction equipment.

The DEIR identifies the plan's potential to increase the demand for energy in the County from future land uses and transportation systems (Impact 4.12-3) as a significant and unavoidable impact. Increasing the demand for electricity, natural gas, and gasoline may result

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cont...

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6

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Ms. Susan Dahl

-4-

April 17, 2006

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cont...

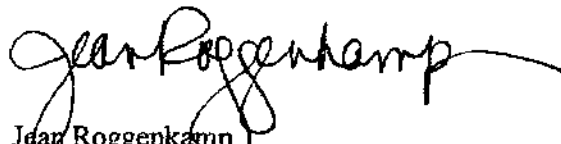
in an increase of criteria air pollutant emissions from combustion, as well as an increase in greenhouse gas emissions, which can impact regional air quality. District staff recommend strengthening the language in Policy OSRC-14d to require a minimum 10% reduction in energy use below Title 24 standards in all new construction projects. The County could also consider adding a policy that would lead to the development of green building measures for both municipal buildings and private developments. Green building measures could include but are not limited to the use of: super-efficient heating, ventilation, and air conditioning (HVAC) systems; light-colored and reflective roofing materials, pavement treatments and other energy efficient building materials; shade trees adjacent to buildings; photovoltaic panels on buildings; solar water heating; and natural light and energy-efficient lighting. Sonoma County has recently established ambitious greenhouse gas emission reduction targets. We commend the County for this step, and urge the County to include aggressive policies and programs throughout the General Plan to reduce emissions contributing to climate change.

8

We recommend that the FEIR evaluate the effectiveness of new policies and mitigation measures identified in this comment letter both qualitatively and quantitatively (when possible). Any recommended policies or mitigation measures considered infeasible should be identified in the FEIR as well as the justification for that determination. District staff would also like the County to provide a copy of the proposed response to the District's comments at least 10 days prior to certifying the FEIR.

If you have any questions regarding these comments, please contact Douglas Kolozsvari, Environmental Planner, at (415) 749-4602.

Sincerely,



Jean Roggenkamp
Deputy Air Pollution Control Officer

JR:DK

cc: BAAQMD Director Tim Smith
BAAQMD Director Pamela Torliatt
APCO Barbara Lee, NSCAPCD

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE

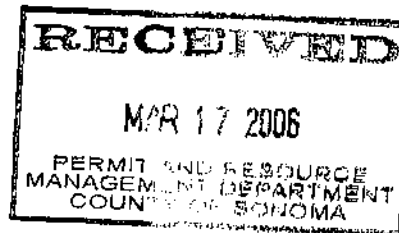
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March 15, 2006

SON-GEN-0
SON000117
SCH #: 2003012020

Mr. Robert Gaiser & Mr. Scott Briggs
Sonoma County
Permit & Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403

Dear Mr. Gaiser and Mr. Briggs:

Sonoma County General Plan Update (Draft GP 2020) – Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the Sonoma County General Plan Update. The following comments are based on the DEIR.

1. The document lists numerous impacts on State highway facilities as significant and unavoidable. As lead agency, Sonoma County is responsible for all project mitigation, including any needed improvements to State highways. The document needs to address how funding for the implementation of mitigation measures to offset the cumulative impacts to the state highway system will be provided. The County should consider the introduction of a regional transportation mitigation fee program, through which developers would contribute their "fair share" towards facility improvements once a project's impact has been determined.
2. Some potential mitigation measures for significant and unavoidable impacts on State facilities are addressed along with reasons why they may not be feasible (funding, environmental constraints, etc.). If environmental or other concerns in some areas prevent necessary improvements from being implemented, the County should consider postponing project approval until feasible and adequate mitigation has been identified and put in place. For the proper assessment of impacts and mitigation measures, we refer to the project-level review of development proposals.
3. Pages 4.2-32 to 4.2-39 and pages 4.2-41 to 4.2-44: For urban arterials where significant impacts have been identified, we suggest that measures to promote bicycle and pedestrian travel on these route segments, or on appropriate parallel routes, be incorporated into the mitigation measures where not otherwise included in traffic calming measures. For rural

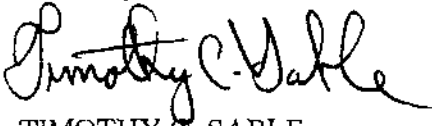
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cont... [arterials where significant impacts have been identified, we suggest that measures to promote bicycle travel on these route segments, or on appropriate parallel routes, be incorporated into the mitigation measures where not otherwise included in traffic calming measures.

4 [4. Impact 4.2-4 (Congestion at Key Intersections throughout the County): The list of key intersections includes State Route (SR) 121 at SR 116. Please note that the Department has completed studies evaluating two alternatives at this intersection: Signalization and roundabout design. The project was not approved for funding in 2006 and another funding request will be submitted in September of this year. For further information you may also contact the Sonoma County Transportation Authority.

5 [5. The Freeway section of the document indicates that SR 12 is not regularly monitored by the Department, although until 2003, the Department monitored all freeway segments in Sonoma County at least twice a year, not only congested sections. Subsequently, the Metropolitan Transportation Commission (MTC) has continued to monitor selected locations. The County may want to contact MTC for further information regarding the freeways addressed in this document.

Should you require further information or have any questions regarding this letter, please call or email Ina Gerhard of my staff at (510) 286-5737 or ina_gerhard@dot.ca.gov.

Sincerely,



TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c: State Clearinghouse



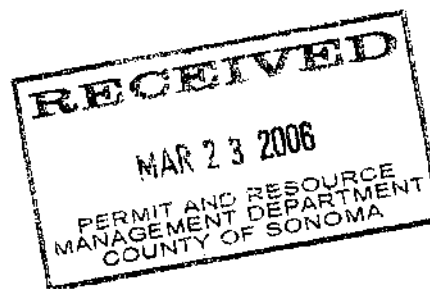
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Sam Salmon

Mayor Pro Tempore
Warin Parker

Council Members
Steve Allen
Debora Fudge
Lynn Morehouse



March 22, 2006

Mr. Bob Gaiser
PRMD Comprehensive Planning
2550 Ventura Avenue
Santa Rosa, CA 95403

Subject: Comments on the Sonoma County General Plan 2020 Public Hearing Draft and the Sonoma County General Plan 2020 Update Draft Environmental Impact Report

Dear Mr. Gaiser,

The Town Council held a public meeting on March 15, 2006 to review and comment on the Sonoma County Draft General Plan 2020 (GP 2020) and project Draft Environmental Impact Report (DEIR) for the General Plan Update. The following comments on the DEIR are submitted for your consideration and response:

Land Use, Housing and Population

The DEIR identifies two sites totaling 5.79 acres located within the Sonoma County Airport Industrial Area Specific Plan. The Town provides domestic water to the industrial development within the Plan area and may provide recycled water for irrigation in the future. The Town is obligated to provide water service to commercial development but not to residential development. Policies proposed in the Draft General Plan Update provide that the housing proposed for the Airport Specific Plan Area is more properly sited in cities where services are available.

Should the county receive an application for affordable housing in the area, we recommend that the project submit water and energy audits for evaluation by the Town prior to county approval of the project. The Town's goal is to conserve water and energy resources for future residents of the potential low and very-low income housing units.

Amendment of the Airport Industrial Area Specific Plan is necessary to allow affordable housing in the Specific Plan Area. The Town requests that specific mapping and a plan of service be provided to the Town for review and comment.

1

2 GP 2020 proposes policy LU-2B, which states: "Evaluate all city/county projects which affect the unincorporated area for consistency with the General Plan. Work with the applicable city to resolve any inconsistencies in a manner which is consistent with the County General Plan." In the spirit of this GP 2020, the Town is interested in protecting the unincorporated areas within the Town's Urban Growth Boundary from development inconsistent with the Town's General Plan. The Town cannot provide water and sewer service to these areas until they become part of the Town and requests that the county consult with the Town prior to any project approval within the Town Urban Growth Boundary.

3 GP 2020 Objective LU-14.3 states: "Maintain compact urban boundaries for Windsor and Healdsburg. Avoid extension of urban services beyond designated boundaries. Retain large parcel sizes within the future expansion area of Healdsburg to allow for efficient development upon annexation."

We request that this objective also be extended to the unincorporated area between the Town limit and our Urban Growth Boundary. Policies should be proposed for the future expansion area west and south of the Town. The Town's General Plan contains policies prohibiting extension of urban service until the expansion area of the Town is annexed. The Town will also consider annexation of unincorporated property owned by the Town and outside of the Urban Growth Boundary as utility property. Urban services will not be extended into the utility sites.

Open Space and Resource Conservation

4 Within the Town of Windsor Planning Area to the east of Town, we would like to work cooperatively with Sonoma County when requests are made for the development of telecommunication facilities. The Town has an interest in protecting the viewshed between the Town and the eastern foothills.

5 The county's Aggregate Resources Management Plan manages aggregate mining adjacent to the Russian River. Continued or expanded aggregate mining could have a significant adverse effect on the Town's Russian River Well Field. The Town is concerned about the potential adverse impacts on water quality resulting from mining north of Windsor and the protection of the public water supply derived from groundwater adjacent to the river.

Circulation and Transit

6 The Circulation and Transit Element includes numerous objectives and policies that propose the establishment of a regional traffic mitigation fee or other equivalent mechanism to address the impacts of development within the incorporated municipalities upon the circulation system in unincorporated areas of the county. Details of the implementation of the contemplated regional traffic mitigation fee are not provided. Should such a fee be established, the Town

should assure that the sources of the fees and the improvements to which they are allocated equitably reflects not only the impacts of development within the Town upon the county's circulation system, but also the impacts of development within the county upon the Town's circulation system. Traffic generated by development within the Sonoma County Airport Industrial Area is currently placing significant demand upon the Town's circulation system, and substantial additional development is planned. The Town facilities primarily affected at this time are the Shiloh Road Interchange, Shiloh Road and Skylane Boulevard. Additional Town facilities may be impacted in the future by additional development or increased occupancy within the Airport Industrial Area. Impacts of development in the Airport Industrial Area upon the Town's circulation system should be reflected in the sources and allocation of any regional traffic mitigation fee to be established.

6
cont.

The current need for improvements to relieve congestion and impacts to adjacent facilities resulting from the traffic demand of the Airport Industrial Area is recognized in the following:

Circulation and Transit Program 10: Airport Industrial Area Improvement Funding: Program Description (p. 300): The County would utilize the countywide traffic model as a foundation to prepare a detailed operational analysis of traffic congestion and intersection improvement on Airport Boulevard, serving the Airport Industrial Specific Plan Area. The analysis would identify all of the operational improvements necessary to meet LOS objectives and identify costs and a funding formula that would pay for capacity and operational improvements. The portion of the funding shared by existing and future development at the airport would be assessed through creation of an assessment district, traffic mitigation fees and/or similar mechanism (Policy reference: CT-6g).

7

Policy CT-6g (p. 294): Utilize the County traffic model to identify operational improvements necessary to reduce congestion in the Airport Industrial Specific Plan Area. Update traffic mitigation fees, or establish an assessment district or similar mechanism to fund the planned capacity and operational improvements.

8

The Town supports implementation of the above at the earliest practical time and assurance that the funding thereof is equitably addressed. Completion of additional circulation improvements, provided for in the Sonoma County Airport Industrial Area Specific Plan (e.g. the southerly extension of Brickway Boulevard across Mark West Creek to River Road), is also supported by the Town. Circulation and Transit Program 6, Capital Project Plan/Budget, Program Description (p. 299), should be revised as follows:

The County would utilize the capital project plan to establish priorities and scheduling for roadway construction projects and transit facility construction through a combination of revenue sources, including traffic mitigation fees, the

8
cont...

general fund and categorical grants, such as UMTA and TDA from federal and state programs and other County city and developer contributions (Policy reference: CT-1a).

9

The Town supports Policy CT-6d (p. 293), which reads as follows:
Encourage trucks transporting gravel from the Eastside Road area to use Eastside Road to Old Redwood Highway to access US 101 rather than Windsor River Road through downtown Windsor.

Water Resources

In Section 3.3 of the Water Resources Element, the first two paragraphs at the top of page 229 should be revised as follows:

10

Large water systems serve the county's cities as well as some of the larger unincorporated communities. The largest system is operated by the SCWA in the Russian River Watershed. This system stores runoff from rainfall in the Eel and Russian River Watersheds in the Lake Mendocino and Lake Sonoma reservoirs, diverts it from large collector wells beside the Russian River, and transmits it primarily to the cities of Santa Rosa, Petaluma, Rohnert Park, Cotati and Sonoma, the Sonoma County Industrial Area, the unincorporated Forestville and Valley of the Moon areas and the North Marin Water District. The supply of water has been generally adequate to meet demand in the past, but challenges remain to supply water to Russian River water users in the future, including potential reduction in water diverted from the Eel River, the capacity of water transmission systems and the ability to secure water rights. More critical, however, is the potential effect of the recovery of threatened and endangered anadromous fish species on water supply and system operations in the Russian River basin.

Other large water systems in the unincorporated area of the county include those serving such communities as Bodega Bay, Sea Ranch, Occidental, Geyserville, Larkfield, Camp Meeker, Kenwood and Guerneville.

11

In the Water Resources Element, note should be taken of Policy WR-3n (p. 232), which reads as follows:

Public water suppliers who currently utilize water from the SCWA system will, to the maximum extent feasible, utilize water from the SCWA system and other surface water sources instead of groundwater.

The Town has currently fully developed its existing entitlement from its Russian River Well Field under agreement with SCWA. No practical surface water sources are available to meet additional water demand. The Town's Water System Master Plan provides for future demand to be met from groundwater wells.

Town Council Comments on DEIR
March 22, 2006
Page 5

Additional comments will be forwarded regarding potential impacts from expanded uses and operations at the Sonoma County Airport prior to the close of the comment period.

Thank you for the opportunity to comment on the DEIR. Please send the Town 10 copies of the Final EIR Response to Comments when completed.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Salmon". The signature is fluid and cursive, with the first name "Sam" being more prominent than the last name "Salmon".

Sam Salmon
Mayor

Cc: State Clearinghouse
Town Council



Town of Windsor
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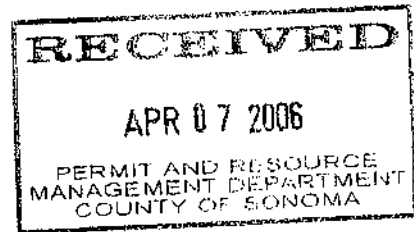
Mayor
Sam Salmon

Mayor Pro Tempore
Warin Parker

Council Members
Steve Allen
Debora Fudge
Lynn Morehouse

April 5, 2006

Bob Gaiser
PRMD Comprehensive Planning
2550 Ventura Avenue
Santa Rosa, CA 95403



**Subject: Supplemental Comments on the Sonoma County
General Plan 2020 Public Hearing Draft and the Sonoma County
General Plan 2020 Update Draft Environmental Impact Report**

Dear Mr. Gaiser,

The Windsor Town Council held a public meeting on April 5, 2006 to review and provide additional supplemental comments on the Sonoma County Draft General Plan 2020 (GP 2020) and project Draft Environmental Impact Report (DEIR) for the General Plan Update. The following supplemental comments on the DEIR and GP 2020 are submitted for your consideration and response:

Air Transportation Element

The GP 2020 Air Transportation Element guides the future growth and development of aviation activity and airport development activity through the year 2020. The Town of Windsor is located immediately to the north and east of the Sonoma County Airport. The Town's 25,000 citizens experience noise impacts from aircraft operations at the airport and noise impacts from over-flying aircraft. The Town has received noise complaints regarding both airport operations and aircraft over-flights.

The DEIR states that air operations at the Sonoma County Airport are consistent with the project noise levels in the Draft GP 2020 Air Transportation Element and policies and programs contained in the GP 2020 would reduce noise impacts to less than significant.

The DEIR states that expansion of the Sonoma County Airport to full development as outlined in the GP 2020 could result in an additional 7.71 square miles (the amount of land within 55 to 60 dB contours) being placed within the conditionally acceptable category. Will this additional area include the Town of Windsor? If noise mitigation is required within the Town related to the increased area, what entity is responsible for mitigation?

The Draft GP 2020 states that within the Air Transportation Element, the transportation demand is higher than the analysis used by the

Town Council Comments on DEIR

April 5, 2006

Page 2

2
cont...

Sonoma County Comprehensive Airport Land Plan (CALUP). The noise contour map used for GP 2020 is from CALUP, showing project noise contours for the year 2010. The noise contours are based on the CALUP's 225,000 annual operations, while the GP 2020 predicts annual operations at Sonoma County Airport at 255,200. Will the county be responsible for updating the noise contour map to conform to the Air Transportation Element's 2020 annual operations forecast?

3

The Town supports GP 2020 Objective AT-3-3 that would encourage the move to quieter, new technology aircraft at the Sonoma County Airport. Further, the Town supports Policies AT-3b through AT-3g to limit nighttime operations to quieter aircraft, noise complaint management, and the use of quieter commercial passenger aircraft.

4

The Town Council considers the adverse effects of over-flights and noise generating aircraft operations on the Town from the Sonoma County Airport to be a significant environmental impact. The Town Council strongly recommends the following mitigation measures:

1. Adoption of a noise abatement ordinance by Sonoma County for the Sonoma County Airport. The noise abatement ordinance should be completed within 90 days of adoption of the GP 2020 and include modifications to current flight paths over the Town by using the primarily western approach to abate noise.
2. Preparation of a noise abatement brochure by Sonoma County for the Sonoma County Airport. The brochure should summarize the proposed noise abatement ordinance, provide contact information for noise complaints and provide information on how to identify offending aircraft.

Thank you for the opportunity to comment on the DEIR and GP 2020.

Sincerely,



Sam Salmon
Mayor

cc: State Clearinghouse
Town Council
Matt Mullan



California Regional Water Quality Control Board

San Francisco Bay Region

Alan C. Lloyd, Ph.D.
Agency Secretary

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
<http://www.waterboards.ca.gov/sanfranciscobay>



Arnold Schwarzenegger
Governor

12

Date: ~~APR 11 2006~~

File No. 2148.02(AHS)

RECEIVED

APR 17 2006

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

Mr. Bob Gaiser
Sonoma County Permit and Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403-2829

SUBJECT: **COMMENTS ON SONOMA COUNTY'S GENERAL PLAN 2020 DRAFT EIR**

Dear Mr. Gaiser:

We have reviewed Sonoma County's General Plan 2020 Draft Environmental Impact Report (DEIR) that evaluates whether the policies within the Policy Elements (PE) will adequately mitigate for future development within the unincorporated areas of the County. The Water Board staff's (staff) comments address both the County's impacts analysis and the policies that govern the regulation of groundwater and surface waters, and the protection of water quality and habitat within the Petaluma River and Sonoma Creek watersheds. The staff strongly supports the County's plans to implement a 100 foot streamside conservation setback and establish Streamside Conservation Areas (SCA) throughout the County. But the staff does not support the numerous exemptions that allow agricultural and specific development uses to circumvent the SCAs. The staff supports the County's plans to: implement Low Impact Development (LID) measures in order to maintain pre-development hydrologic conditions and promote groundwater recharge; and to limit the fill of floodplains and natural areas adjacent to floodplains. The staff's comments are discussed below and address the following policy areas: streams and riparian corridors; stormwater; groundwater; erosion; and floodplains.

While staff supports many of the policies in the DEIR and the PEs, we are concerned about a number of general issues including the scheduling for the close of comments on the DEIR and its related PEs, and the weakness in the policy language for policies that are used to mitigate for specific impacts. The comment period for the DEIR and the PEs are months apart. The final comments for the DEIR are due on April 17, 2006, but the PEs will not be finalized till later in the year. The purpose of the DEIR is to examine the adequacy of the policies within the PEs to mitigate for those impacts identified in the DEIR. Therefore, if there are significant changes to the PE policies the County should provide another opportunity to review and comment on the EIR before it is finalized or adopted.

3 The policies within the DEIR and the PEs should contain clear and binding language that would result in the implementation of the stated policies. In both the Open Space and Resource Conservation (OSRC) and the Water Resources (WR) Elements, the words “must” and “shall” are seldom used within the actual policy language. The narratives describing the policies often use “must” and “shall” but the policies themselves have much more flexible language. Unless the language in the policies is binding then they aren’t likely to mitigate for the impacts identified in the DEIR. Accordingly, we request that policy language be strengthened to be more specific and binding.

The staff’s comments on the specific policy areas are discussed below.

STREAMS AND RIPARIAN CORRIDORS

4 Protection of Stream Corridors

The staff strongly supports the County’s efforts to establish a SCA Policy and implement setback policies to be consistently applied throughout the County. The County’s new SCA setback policies should be applied to all new and redevelopment projects and all new and replanted cropland. And while the staff supports the establishment of the SCAs and the implementation of the SCA setback requirements, the exceptions to the 100 foot setback as detailed under the Policy OSRC-8c within the Policy for Riparian Corridors section, substantially weaken the intent of Goal OSRC-8 which is to “protect and enhance riparian corridors.”

The proposed exceptions would allow for increased development within the SCAs. Development within the SCAs would result in additional pollutant loads to Sonoma Creek and the Petaluma River which are already listed on the 303 (d) list as impaired for pathogens, sediment, and nutrients. Sonoma Creek is in the process of having a Total Maximum Daily Load (TMDL) developed to control loads of sediments and pathogens into the watershed and the Petaluma River is also having a TDML developed for pathogens.

5 Designated Streams and Riparian Corridors

Objective OSRC 8.1 only provides for the protection of streams and their associated riparian corridors as identified by the United States Geological Service (USGS) 2003 survey. The USGS survey covers perennial streams and intermittent streams with regular flows and is based on the National Hydrography Dataset. While the survey includes the major waterbodies it is not comprehensive enough to include all waterbodies within Sonoma County which can only be determined by a countywide survey based on an on-the-ground survey.

Staff recommends that the County change the language in Goal OSCRC-8 to include all streams instead of just “selected streams.” The County should also expand Objective OSCRC 8.1 to not

only include the blue and dashed lined streams identified by the 2003 USGS survey but also any drainage feature that has a defined bed and bank.

Agricultural Lands

Policies OSRC-8c (3) (4) and (13) would allow the SCA setbacks to be reduced in half for the planting of new crops and the replanting of existing crops. Farm practices such as turning around machinery at the end of the crop rows would further reduce the 50 linear feet setback to 25 linear feet. These exceptions to the SCA setback policy greatly weaken the policy.

Staff recommends that the County require that new and replanted crops be planted 100 linear feet back from the top of bank of streams and farm machinery turn arounds not be allowed within the SCA setback in order to protect the stream banks and riparian vegetation.

Management of Cattle

The staff does not support Policy OSRC-8c (6) that would allow livestock within the stream channel and the 100' setback. Allowing livestock in the stream and within the setback can lead to erosion of the creek banks and the channel bottom and also would increase the load of sediment and pathogens into the Petaluma River and Sonoma Creek watersheds that are already impaired for these pollutants. Instead, the County should encourage livestock managers to provide an alternative water supply such as a water trough to keep cattle out of the stream.

Development Within the SCA Setbacks

Policies OSRC-8c (2)(c) would allow for the expansion of existing facilities within the SCA setback. This policy would allow development within the setback and would increase impacts to riparian habitat.

Policies OSRC-8c (2)(d) would allow development within the SCA if the property was deemed "unbuildable." This policy would also allow development within the setback and would increase impacts to riparian habitat.

The staff recommends that the County not adopt Policies OSRC-8c (2)(c) and (2)(d). If the County does adopt Policies OSRC-8c (2)(d) the policy should designate a minimum setback of 50 to 75 feet and require the mitigation that is already proposed in the policy.

Anadromous Fish Habitat

The DEIR identifies the areas in the County where anadromous fish populations occur (Steelhead, Coho, and Chinook) which includes many parts of Sonoma Creek and a number of its tributaries and a few tributaries to the Petaluma River. While Figure 4.6-6 is difficult to read, it does map where the listed fish species occur, but it does not identify potential fish habitat which should include both the Petaluma River and Sonoma Creek and additional tributaries.

10

The County should more accurately map and assess the impacts to the populations of existing anadromous fish populations and potential fish habitat within the Petaluma River and Sonoma Creek Watersheds. For example, any watershed greater than one square mile in size that does not have an impassable barrier near its mouth can be considered as potential habitat for steelhead and rainbow trout. Similarly, all of the main stems of the large rivers and streams may provide potential habitat for Chinook salmon including the Petaluma River and Sonoma Creek. The Center for Ecological Management and Restoration produced a report in 2005 entitled *Historical and Current Status of Steelhead/Rainbow Trout* that could be consulted to update the fish habitat figures and discussions in the DEIR.

11

Impacts to Streams and Wetlands

For all projects that will result in the fill of waters of the State including streams or wetlands, the County should require that PRMD provide applicants with copies of the Joint Aquatic Resource Permits Application (JARPA) and the Board's 401 Water Quality Certification Application. The County should also have the applicant contact the Board for any project and permit coverage questions.

STORMWATER

12

Implementation of Existing Stormwater Regulations

The Petaluma River and Sonoma Creek watersheds are impaired due to sedimentation. Roads, both during and after construction, are a leading source of sediment in these watersheds. As such, the County should apply the Phase II stormwater management measures to road construction, road maintenance, and development projects throughout the unincorporated areas in the County and not just to the urbanized areas. This would enable the County to work towards meeting Goal WR-1 which is to "protect, restore and enhance the quality of surface and groundwater resources to meet the needs of all beneficial uses" and Policy WR- 1c which is to "prioritize stormwater management measures in coordination with RWQCB direction, focusing first upon watershed areas that are urbanizing and watersheds with impaired waterbodies. Work cooperatively with the RWQCBs to manage the quality and quantity of stormwater runoff from new development and redevelopment."

13

Low Impact Development (LID)

The staff strongly supports the development and implementation of County regulations that would require the use of LID techniques to reduce peak flows, treat stormwater runoff, reduce flooding, and allow for infiltration that would in turn increase the groundwater recharge rates on the development site. The LID requirements should be binding for new and redevelopment projects that will increase impervious surfaces and concentrate stormwater flows.

NPDES Construction and Industrial Permits

The County should require that the Permit and Resource and Management Department (PRMD) provide appropriate permitting documents for projects that need coverage under the National Pollution Discharge Elimination System (NPDES) Statewide Construction and Industrial Permits. Specifically PRMD should have on-hand and give to applicants the following documents and forms; the NPDES Construction or Industrial Permits; Notice of Intent (NOI), and the Permit Fact Sheets.

14

GROUNDWATER**GW Assessment and Protection**

The staff strongly supports the County's increasing commitment to groundwater protection and the expansion of its groundwater assessment activities throughout the County.

15

Monitoring

The staff supports the County's development of a comprehensive hydrogeologic assessment program that will include establishment of a groundwater database and monitoring program. During a meeting on February 3, 2005 with Supervisor Mike Kerns and representatives from the County, Sonoma County Water Agency, and the Water Board (Board), a commitment was made to extend the comprehensive hydrogeologic assessment to include monitoring for potential cumulative groundwater impacts to surface water base-flows in Cold Springs Creek, a tributary to Lichau Creek.

16

Saltwater Intrusion

In the Hydrology and Water Resources – Impacts and Mitigation Measures section, the County states that saltwater intrusion is a potential threat to the groundwater in the low-lying areas of the Petaluma River and the Sonoma Creek basins near San Pablo Bay where wells pump groundwater from aquifers that are hydrologically connected to saltwater. The County claims that no mitigation is required for saltwater intrusion because the County has not yet developed specific analyses and testing requirements. The staff thinks that this potential groundwater impact should be mitigated for by the development of a groundwater study evaluating the threat to groundwater resources from salt water intrusion which would then be incorporated into the well permitting process. The groundwater resources in these areas are important to the agricultural community and the County should do everything it can to protect this resource.

17

EROSION

New Erosion Control Standards

18 The County plans to update Chapter 25 of the Sonoma County Code to incorporate new erosion control standards and Best Management Practices (BMPs). Please expand this erosion control policy and specifically expand Policy WR-1b to require that all road construction and road maintenance is done according to the FishNet4C program. While the FishNet4C program is included as a requirement under Policy OSRC-8c, the policy only applies to roads and utility lines that cross over streams and does not include applying the FishNet4C erosion control measures to the County's road construction and road maintenance erosion control practices.

New Flood Design Criteria

19 The staff supports the addition of policy WR-1w to the WR which would revise the County's flood control design criteria to include a section on stream geomorphic analysis and the inclusion of biotechnical bank stabilization measures to prevent the erosion and siltation of drainages and streams.

FLOODPLAINS

Zero Net Fill Ordinance

20 The staff supports the County's plans to expand the zero net fill ordinance to all unincorporated areas within Sonoma County that are subject to flooding. The staff recommends that the county specifically require that applicants first avoid any development within the floodplain to the maximum extent possible and if that is not possible then all mitigation should be done on-site in order to maintain the on-site floodplain functions.

Limit Fill of Floodplains

21 The staff supports Policy PS-2k that would limit the fill.

The staff recommends that the County define the types of areas that the policy applies to otherwise the policy would be open to interpretation for each project. For example the policy could apply to flood hazard zones or existing floodplains, and include other natural detention areas and areas adjacent to floodplains.

Overall, the staff commends the new direction that the County has taken to protect the County's streams and riparian corridors and to assess the quality and quantity of existing groundwater resources throughout the County. We particularly support the introduction of a number of new policies and the expansion of existing ones including the development of LID regulations and the

expansion of the zero net fill ordinance. However, the staff does not support the setback exceptions to the SCA policy. The staff looks forward to working with the County to protect the diversity of natural resources in the Petaluma River and Sonoma Creek Watersheds.

If you have any questions, please contact Abigail Smith at (510) 622-2413, or email asmith@waterboards.ca.gov.

Sincerely,



Abigail Smith
Acting Section Leader
North Bay Counties Section

CALIFORNIA COASTAL COMMISSION

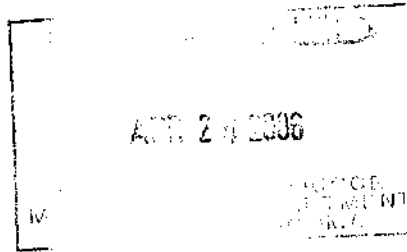
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VOICE AND TDD (415) 904-5260
FAX (415) 904-5400

13



April 17, 2006

Lisa Posternak
PRMD Comprehensive Planning
2550 Ventura Drive
Santa Rosa, CA 95403



SUBJECT: Sonoma County General Plan Update

Dear Ms. Posternak:

Staff of the California Coastal Commission has reviewed the Draft Environmental Impact Report (DEIR) for the Sonoma County General Plan Update. We are encouraged that the County has identified a number of policy improvements to address the impacts associated with the update of the County's General Plan. We are particularly interested in the effects of the proposed General Plan Update on land use and development, agricultural resources, water quality and biological resources, among others, within the coastal zone and coastal watersheds.

It is our understanding that the County will soon begin the process of updating the Certified Local Coastal Plan (LCP) to incorporate the proposed changes to the General Plan. The recommendations in the Draft EIR relating to the protection of agricultural and biological resources, and water quality represent a positive first step. As the DEIR did not provide detail regarding implementation of the recommended policies, we are unable at this time to provide comments or guidance on ordinance development. However, we believe that strong policy direction and clear implementing ordinance language is necessary for an effective LCP. We look forward to working closely with County staff throughout this process to improve and strengthen the LCP policies and ordinances.

We appreciate the opportunity to review the DEIR. Our staff is available to work with County staff as revisions to the LCP proceeds. If you have any questions, please contact me at (415) 904-5265.

Sincerely,

Alfred Wanger
Deputy Director
Energy, Ocean Resources and Water Quality Division
California Coastal Commission

(Name) _____
 (Street) _____
 (Town) _____ (Zip Code) _____

Ms. Brenda S. Adelman

February, 2006

Commissioner Richard Fogg: Chair
 Sonoma County Planning Commission
 2550 Ventura Ave.
 Santa Rosa, CA 95403

Dear Chairman Fogg and Commissioners:

I am a supporter of Russian River Watershed Protection Committee and an advocate of strong water quality measures, especially for the Russian River. I urge you to share this letter with PRMD staff and your fellow Commissioners. I also request that you add my name and address to your list of concerned citizens so that I might receive notices of future meetings and the availability of important documents concerning the Sonoma County General Plan. I would appreciate a response to my questions below.

I support the Water Resources Element proposed in the General Plan Update. There are many goals, objectives, and policies contained therein that support the Russian River watershed and its many uses. Unfortunately, there are some flaws both in the documents (Draft General Plan and Draft Environmental Impact Report) and the process itself. These documents are extremely complex and the public has not been allowed enough time to study them and prepare meaningful comments. We ask that you extend the comment deadline by 30 days. It's only fair that the public have a reasonable amount of time to review a plan that will affect their lives for the next fifteen years. 60 days is simply not enough time.

1

I wish to inquire about a few other concerns.

- In regards to water quality, what is the cumulative impact on health and the environment from unregulated chemicals such as pharmaceuticals and personal care products that are discharged into waterways after being processed by wastewater treatment plants? Is it safe to eat the fish and swim in the river?
- What will be the impacts on recreational activities in the lower Russian River if urban areas rely exclusively on Russian River water supplies during low flows?
- At what point will new growth be limited if water supplies are inadequate?

2
3
4

Sincerely,

Brenda S. Adelman
 (Signature)

2-28-06
 (Date)

RECEIVED

FEB 28 2006

PERMIT AND RESOURCE
 MANAGEMENT DEPARTMENT

Comments #15 through #180
are duplicative.

The original comments are
available for review at the
PRMD Comprehensive
Planning Office at
2775 Mendocino, Suite #203,
or by request by calling
(707)565-7389.

TO: Sonoma County Planning Commission

Att: Bob Gaiser

FROM: Everett L. Ball (name)

181

(address)

~~Knights Valley, CA 94515~~

Calistoga

SUBJECT: **Public Comment on DEIR for GP2020- Visual Resources**

1 [GP2020's draft EIR is inadequate in not identifying the Knights Valley Planning Unit as a Scenic Landscape Unit, Scenic Corridor and Community Separator. Omitting these classifications creates Area Plan conflicts requiring an amendment that we as residents and property owners will not support. Figure OSRC-1 must include Knights Valley as a Scenic Corridor and Scenic Planning Unit. 4.11 should identify Healdsburg / Calistoga as a

2 [Community Separator consistent with this agricultural and resource conservation zone. Public Comment period for DEIR should be extended.]

SIGNED: Everett L. Ball at least 30 days

Comments #182 through
#217 are duplicative.

The original comments are
available for review at the
PRMD Comprehensive
Planning Office at
2775 Mendocino, Suite #203,
or by request by calling
(707)565-7389.

RRWPC

Russian River Watershed Protection Committee

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APR 17 2006

218

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

Russian River Watershed Protection Committee (RRWPC) Sonoma County General Plan 2020 Draft EIR Comments

Submitted by Brenda Adelman
April 17, 2006

Organization of Comments

For the most part, we organized our comments in the order they appear in the DEIR. We are also aware that you have or will receive comments from others whose expertise is as great or surpasses our own. We may choose to limit our comments in areas that we know are well covered by others. We will note specific topics later.

3.0 PROJECT DESCRIPTION

Russian River Area Planning Area (#4)

How did you calculate the population of 16,462? (p. 3.0-5) It is curious that you can come up with such a precise number since there are probably many people living anonymously in the back woods. Did it include homeless population? Does it include people who are here illegally? How do you account for the shifting population of summer visitors to the area? The statement is made that this community is home to mostly *permanent* residents. How do you know this? What are the percentages?

1

What percentage of second/summer homes still exist? This information is critically important, because our infrastructure is very limited and our environment very sensitive. How do you know whether the impact of new growth on top of possible conversions to full time use can exacerbate the impacts beyond what you have analyzed?

2

Why is there little mention of the Russian River in this segment and the many creeks and streams that feed into it? You mention redwood trees, and other biological resources, but why don't you give a sense of scale? What percentage of the area is forested, for instance? Why not give more information on important natural resources, such as Armstrong Woods? How many acres are in public ownership?

3

Why don't you mention the many developed areas **between** Russian River communities that are not on public sewer in most cases, or public water in

4

4
cont...

many? Why not mention Rio Nido that is on sewer and water, Northwood that is on water but not sewer, and Camp Meeker that has a local water system but not sewer?

5

Camp Meeker is important because they may attempt to hook up to Russian River County Sanitation District (RRCSD) in the Guerneville area. (It appears from the map that Camp Meeker is included in the study area and Occidental is not. Is this the case? The map is hard to read in this regard.) If so, why separate Camp Meeker and nearby Occidental? Since they share water and are looking to share sewer services, and since public services form the backbone of growth allocations, how do you justify separating them for purposes of the study?

6

Santa Rosa Planning Area (#5)

It appears as though this planning area bumps right up against Sebastopol and usurps their influence from and over the Laguna de Santa Rosa. We wonder why you don't draw the line around Llano Road at least? It seems inappropriate and misleading to draw the line close to the edge of Sebastopol. We are sure that people in Sebastopol would have something to say about that. This question applies to the Sebastopol planning area as well.

7

Why don't you mention significant environmental features in your descriptions? Why do you mention the Laguna "area" but say nothing about the Laguna waterway? Why not say something about the extent of wildlife in the Laguna area? Also, how many acres of agricultural land in the Laguna area have been converted to vineyards? It seems as though there have been a lot of conversions in the last several years, which the DEIR fails to mention even though it mentions conversion in other areas.

8

Sebastopol Planning Area (#6)

It seems as though the Laguna de Santa Rosa (area and waterway) should be mentioned and included in this planning area. Why not move the dividing line to Llano Road? The Laguna is such an important part of Sebastopol character and concern.

3.2 PROJECT OBJECTIVES AND HISTORY

9

Project History

This section includes a list of significant occurrences in Sonoma County history since the 1989 General Plan was adopted. We wonder if you would add to the list the significant number of landslides causing significant property damage and road closures? Why not mention the issue of terrace pit gravel mining coming to a close in the Russian River and the move to quarry expansion? Why not mention the significant increase in concern about water quality issues and the listing of the Laguna de Santa Rosa for six water quality impairments in 2002? Also, why not mention significant issues and battles fought around timber harvest plans and wastewater discharge issues? You are leaving out a significant part of Sonoma County's evolutionary story.

Overview of the Draft GP 2020

How will the major goal, "*Protect people and property from environmental risks and hazards and limit development on sensitive environmental lands.*" be interpreted? As we will point out in future sections, we fail to see how GP 2020 accomplishes this goal.

10

On page 3.0-13 it refers to "unincorporated" communities and "rural" communities. What are the meanings of these terms in this document? Are they the same?

11

At the top of page 3.0-14 it refers to "...*limit development on sensitive environmental lands*". What are "*sensitive environmental lands*"? How will they be protected? Which GP policies carry out these major goals? Currently, we see new development allowed in flood plains, on steep fragile slopes, on active earthquake faults, and so on. So how is development being limited in these places?

12

The fourth goal down on page 3.0-14 calls for retaining large parcel sizes. What sizes are considered "large"? What percent of central Sonoma County (Laguna Area) are in 5-10 acre sized parcels? Would these be preserved? Even though few zoning changes are being considered, wouldn't it be helpful to include them with current documents?

13

Draft GP 2020 Projected Growth

A recent article in the Press Democrat (Mar. 3, 2006) indicated that Sonoma County's 2005 population is 478,724. The EIR says that Sonoma County population in 2000 was 458,614, a difference of over 20,000, or less than 25% of the 2020 projection. The Press Democrat article highlighted the fact that Sonoma County population is growing much slower than expected, especially in comparison to Southern California. How would a lower than anticipated growth rate affect the various projections in this document and the issues and policies that emanate from these projections? The article indicated that more people moved out of the County than moved in, probably a result of the high cost of housing. If less growth is anticipated, shouldn't the demand for services be adjusted accordingly? If not, why not? Is growth adjusted to available services or services based on growth projections?

14

In looking at Exhibit 3.0-4: Housing and Population Growth, we see that the increase in housing for the Russian River in relation to the increase in population, indicates approximately 2.5 persons per new household. For unincorporated Santa Rosa, the relationship indicates that part of the City will have 2.7 persons per household, but the incorporated portion will have 1.85. What is the explanation for the discrepancy in the number of persons calculated per household? How does this affect the provision of public utilities and other services?

15

Growth projections are based on the amount of growth anticipated to occur. Why not assess the impacts of all the growth possible? What is the true worst case scenario in terms of potential growth? What is the difference between

16

16
cont...

anticipated growth and growth potential? Shouldn't that be one of the alternatives considered in this EIR? If not, why not? Why not study a wider range of potential growth, and their impacts, rather than a limited one? Or, why not study both? How are various growth rates addressed for each of the Russian River communities? How do you assure adequate services in areas with variable growth patterns? (Most of our examples allude to the Russian River Area because that is the one with which we are most familiar. Many of the issues we raise however, can be similarly applied to other areas.)

4.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

Impacts and Mitigation Measures

17 We have heard many people, knowledgeable about CEQA, voice concern about the number of significant unavoidable impacts noted in this document. The mitigations that are provided, as in the goals, policies, and objectives in the GP itself, are vague, ill-defined, subject to change, and less than adequate to address the impacts. We have been informed that a significant unavoidable impact can only be declared AFTER all possible solutions are openly sought and found to be totally infeasible. Infeasibility needs to be discussed in detail, giving full disclosure of the issues requiring the infeasibility finding.

18 As noted already by the Planning Commission (PC), mitigations in the form of goals, policies, and objectives, are an integral part of the General Plan (GP) and, as such, are subject to change by the PC. According to Chair, Dick Fogg, liaison Supervisors have already acknowledged that this EIR will need to have altered segments recirculated down the road. How can this DEIR assure consistencies in your responses if future policy changes are currently unknown?

19 On page 4.1-8 there is a reference to "gentrification" on large rural lots of homes costing over "250,000", with the average size being 3000 feet. Would you please show me where I can buy a 3000 square foot home on 5-10 acres in this County for anywhere near \$250,000? I would buy it in a minute. Shouldn't you update that section to reflect current real estate values?

Urban Service Boundaries

20 On page 4.1-23 under Russian River USA it states, "Expand the USB to include all parcels in the sanitation district and AP 072-180-027. This change would add approximately 20 developed and approximately 13 undeveloped parcels to USA." How do you define "sanitation district"? What parcels are being expanded? We have been in contact with LAFCo about changes in the district boundaries and they have informed us that they are working on this issue and it is currently unresolved. They have not released information on any expansions being considered.

21 While the introduction to this section alludes to sewer and water urban service boundaries, the changes noted in each of the planning areas fails to differentiate. For instance, the urban service boundary of the Russian River County Sanitation District is totally different from the water utility, Sweetwater Springs Water

District. Is the expansion alluded to under Russian River for sewer or water? This differentiation applies to all areas where sewer and water are run by different entities.

21
cont...

Are "out of district service agreements" included among the added parcels? Is the Applewood Resort included in your notations (25 new hookups)? Does this document in effect give approval to changes in district boundaries without any separate public review process or hearings? Why is their no map available showing where all the changes will occur? How many esd's would be required by added parcels? In light of all the problems with the wastewater system and a long history of penalties and violations, how did you determine that capacity was adequate (assuming this even applies to sewer services)? What would be the cumulative impacts on sensitive portions of the sewer treatment and disposal system when you add these new hookups, especially in combination with the potential hookups of Occidental and Camp Meeker?

22

23

Impact 4.1-1 Growth and Concentration of Population

Page 4.1-33 states, "...the majority of proposed changes to the unincorporated USBs contained in the Draft GP 2020 would be to include developed parcels already within existing sanitation districts. Therefore, proposed changes to the USBs would not induce substantial growth due to the availability of sewer service." On page 4.1-23 and 4.1-34 it states that 13 undeveloped parcels will be added to the Russian River Area. While perhaps not representing significant population growth, this could be relatively significant in terms of cumulative sewer and water demands depending on the number of hook ups planned for each parcel. What number of hookups/amount of flow would justify a finding of significance?

24

The statement above seems illogical. How can developed parcels within sanitation districts accommodate new growth, assuming they are not uninhabited development, which they could be if the unit is a conversion? Should the word be "undeveloped" parcels within urban service districts?

Furthermore, there are over 3300 parcels currently in the RRCSD, but only 2445 ratepayers. Many of those ratepayers have multiple hookups. What is the ultimate buildout potential of the District and potential flow that can come from that full buildout? Are many of these parcels unbuildable due to environmental and other constraints? Which ones and how many?

25

In regard to annexations, would a finding of significance be necessary if the addition of 13 parcels in the RRCSD required that facilities be expanded to accommodate the use? Where is a map showing the 13 parcels being added to the Russian River County Sanitation District? What about parcels in-between the 13 mentioned?

26

Have these changes proposed in the Russian River Area all been processed by LAFCo? When we inquired, USA changes for water districts had been complete, but the wastewater USAs are still being worked on and will not be ready for public review until later this year. How can you incorporate that information into this EIR? What are the perimeters for including information in this EIR that

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27
Cont...

has not been available to the public? If it is okay to include it in this instance, why not include information from the Urban Water Management Plan?

28

Projected growth is for the whole Russian River Area, quite a large area with multiple small communities with many varieties of services. Why doesn't the DEIR clearly differentiate between communities as to where the new growth will occur? Does the plan address annexation of septic areas into centralized sewer systems in terms of potential growth? How would that open up new parcels to growth that formerly could not be accommodated by septic? (We provided PRMD staff with a map composed by the Sonoma County Water Agency (SCWA) showing the possible annexation to Russian River County Sanitation District of over 750 parcels between Guerneville and Monte Rio with over half of them vacant parcels.) Can you address the probability that these areas might be annexed into the RRCSD and the potential growth impacts coming from such an annexation? We incorporate that map into our comments by reference. It is called the Russian River County Sanitation District Boundary Expansion Study Areas and it was printed sometime in 1997 or 1998.

29

Page 4.1-34 states that, "*No changes are proposed to the USBs of either the Forestville or Monte Rio USAs*". To build this plan on the assumption that Monte Rio will have sewer services is problematic at best. How does this document deal with the probability that there will be little new growth in Monte Rio UNLESS the sewer is built? (Where will it go?) Also, why does this document not mention (We don't recall seeing it.) that the Monte Rio system is far from being operational and may not have funding to be built at all.

30

Is the growth anticipated in Monte Rio take into account their limit of ten units a year after the sewer is up and running? Are the 150 units over the next 15 years part of the 998 you project? Where does growth occur if the sewer is not built? If no new growth occurs in the area, what happens to your projection of Russian River growth? The problems of the Monte Rio Project are huge, mainly because thus far funds have not been available for this project or projects in Occidental and Camp Meeker. As water quality regulations become more complex, the cost of operating central systems becomes much more expensive. Small communities can't afford big pipe solutions. The EPA strongly favors local land based systems in these kinds of environments, yet this DEIR and the GP 2020 does little to support such solutions (such as septic management districts).

31

The statement is made (page 4.1-35 that, "*...the Draft GP2020 includes goals, objectives, and policies that assure that the land use maps, public services, and infrastructure d not induce substantial additional growth beyond what was projected.*" What is meant by "substantial"? Does this plan address potential growth of granny units, and activation of certificates of compliance? Does it address all maximization of development on all parcel types? For instance, in the Russian River Area, we are seeing large McMansions being build on tiny parcels in spite of environmental constraints of land slide potential, lack of parking in many areas, and other problems?

There are still a substantial number of summer homes in the Russian River Area #4. How would conversion of these homes to year round use impact utilities and traffic and land slide potential and many secondary impacts? If utilities are adequate, how can we be assured the growth won't explode all at once, putting strains on the environment and the provision of other important services? Will this be exacerbated by the fact that housing tends to be cheaper in our area, making it more in demand as other areas get more expensive?

32

In reference to the bottom paragraph of page 4.1-35 where various land use policies are cited as containing growth. We wonder how the growth projections tie in with the parcels available for growth in the various urban service areas, other than simply stating they are adequate and available? Where have you analyzed the ultimate growth potential based on maximum services needed and available under all growth scenarios?

33

Page 35 of the Land Use Element contains Objective LU-2.2, states, "Allocate the largest portion of unincorporated area growth to communities with public sewer and water services..." and then goes on to name numerous communities. The only Russian River Area communities listed are Guerneville and Forestville. Yet, as stated above, there are no planned expansions of the Forestville USB. Does this mean that all or most planned growth to 2020 of 998 households in the Russian River Area will go into Guerneville? If not, what percentage will be allocated to that community?

34

Does the statement above contradict the statement on Page 4.1-35 that states, "The Draft GP 2020 also provides for the expansion of public services and infrastructure necessary to serve this projected growth." If Guerneville is the only community whose sewer is set for expansion, does this verify de facto that all/most growth for the Russian River Area will occur in that community? In addition, our sewer system is slated for expansion, but to our knowledge, our water system is not, and is almost at capacity. We will go into this further when we comment on the Public Facilities Element, but for now, are there some inconsistencies here between the various policies mentioned that are intended to facilitate the growth that has been indicated?

35

How can we pin down service needs as required by GP goals, policies, and objectives, if there is no master plan for provision of adequate sewer and water for a region while new growth is planned for that area? There is a major disconnect here. One policy is going to direct growth into communities with sewer and water. There are only two communities in the Russian River Area that provide both. One of the two areas is fairly limited in the number of connections (only part of Forestville is served with sewer and Mirabel Heights), and that leaves Guerneville, which is slated for expansion of 13 new parcels. While numerous parcels in the RRCS District are undeveloped, it is usually because of severe environmental constraints. Policies in this DEIR dealing with those constraints are fairly limited and in many cases don't really protect much at all.

36

How does this EIR address real life situations we find in our community? As we write these comments, we are dealing with the reality of falling trees and

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37
out...

hillsides (from saturated soils often caused by inappropriate development on hillsides including tree and vegetation removal), roads riddled with potholes causing flat tires and fender benders all over the place, roads becoming blocked by slides that won't stop coming down, houses falling off foundations, sometimes into other houses, bridges out for long periods of time, and on and on (We enclose a recent article portraying many of the problems). Many of the houses are unoccupied now, but if they were filled, and more steep sloped parcels were developed, how would that affect the health and safety of the rest of us? What policies will prevent vegetation removal that facilitates conditions that lead to slides?

38

In that same paragraph (page 4.1-35), it states that, "...by limiting, with exceptions, the extension of water or sewer services outside of designated USAs: and by maintaining low development densities outside of the USAs." The Public Facilities Element states on page 358: Objective PF-1.4, "Plan for wastewater facilities adequate to serve the growth projected in the General Plan." The land use policies don't seem to differentiate between sensitive environmental areas and flat open less constrained areas. The focus for growth expansion is on areas providing services, whether or not those areas can be safely expanded in all cases. To set up policies that supposedly assure the safe expansion of services, sort of begs the question as to whether services will be adequate to serve projected growth.

39

Policy PF-1b on pages 358-59 (DGP) calls for development of public facilities plans. It is assumed that these will provide the studies necessary to address environmental concerns associated with waste disposal services, for instance. Yet this is precisely what is NOT happening now in the Russian River Area. The Russian River County Sanitation District (RRCSD) is being expanded piecemeal as we speak on the backs of the current ratepayers. There is a plan to hook up Occidental and Camp Meeker to the system (contract signed on April 11, 2006 to do limited supplemental EIR), and possibly hundreds of properties with septic mentioned before.

40

So if Occidental and Camp Meeker are hooked to Guerneville's system without any master plan in place, how is this going to affect development in the West County Area? In any case, the floods will come, the hills will slide, the sewers will fail, and more people will suffer.

41

Why would this not be an inconsistency? What you are saying is that you will not extend sewer services to outlying areas, but that you will plan services for the growth anticipated in the plan. If granny units and Certificates of Compliance are activated, how would this affect over all growth impacts? If areas are annexed into sewer districts, which are then expanded, sometimes under the pretext that some septic are failing, how does this affect growth impacts?

42

Tougher policies are needed to address impacts. Fiscal analysis of many alternatives are needed. Shouldn't parcelization be based on PROOF of adequate water? (Can't build where services aren't available) AB 610 demands proof of adequate water supply to support parcels allowed in plan. (No plan until adequate water supplies are certain.) For water contractors, a 2 year moratorium

43

on new development is needed until water supply is defined and the Urban Water Management Plan is complete. (One of the biggest problems in this document is use of old and/or misleading data. For instance, use of yearly averages on water supply when critical time is during very low flows in summer.)

43
cont...

We have struggled to determine the efficacy of the policies to accommodate projected growth while directing new development into areas with adequate services. We studied goals, policies, and objectives sited including PF-1, PF-1.1, PF-1.3, PF-1.4, PF-1a, and PF-1c. None of these really reflect the realities we alluded to above of providing those services, such as meeting more complex regulations, dealing with sensitive environmental constraints, dealing with endangered species issues, dealing with astronomical costs of building and operating utilities, and much more. We will go into more detail in the Public Services portion of the DEIR.

44

4.5 HYDROLOGY AND WATER RESOURCES

Russian River Watershed

There are many statements in your opening paragraphs that are based on unexplained and/or biased assumptions that need references to scientific fact. These assumptions get repeated throughout the text and need to be challenged where they occur.

Monitoring by the Regional Water Quality Control Board over the years for conventional water quality perimeters has been limited by available funding over the years, and even more limited for toxic pollutants. While it is true that in general, available monitoring indicates that most water quality goals are being met, it is also true that many toxic pollutants, such as pharmaceutical ingredients, personal care products, pesticides, fertilizers, etc. are seldom monitored. Furthermore, their combined effects are generally unknown.

45

While it is doubtless true that at times recreationists and failing septic systems contribute to bacteriological contamination of the river, there are other sources that seldom get mentioned as contributing to the problem, such as wild animals and birds, pets, and other domesticated animals. There have been few definitive studies to locate and prove contamination of the river by specific septic systems, and coliform test results are inconsistent and high readings are sporadic in nature (I have studied the data for years.)

46

While the lower River (Forestville on down) is regularly subjected to flooding, of late there has been a great deal upstream as well, especially in Healdsburg. Generally, you hear more about flooding in urbanized areas, because that is where the most damage is likely to occur.

47

Lately people are beginning to wonder about protection from flooding by the two dams. Do you have current information indicating lowered flood peaks as a result of having these two facilities? It appears as though flood patterns are

47
cont... [changing and many question whether new pavement from new development is exacerbating the problem.

48 [If you are in the middle of a flood, 3-4 days is NOT a short duration. Also, the impacts of a foot of water in one's house for one day or three days is just as devastating. Why would time duration be more worthy of mention than water levels?

Russian River Subbasin

49 [Page 4.5-9 states that the Russian River turns West along Highway 116 towards the coast. That is not Highway 116; it is River Road. Guerneville and Monte Rio are generally considered "Lower River". Healdsburg is on the "Middle Reach".

50 [Most people, including numerous qualified experts, believe that gravel mining has caused the down cutting of the Russian River in the Middle Reach.

51 [Santa Rosa Creek flows into the Laguna de Santa Rosa just south of Guerneville Road. The Laguna de Santa Rosa flows into Mark West Creek in a field south of River Rd. between Slusser Rd. and Trenton-Healdsburg Rd. Mark West Creek flows into the Russian River right at the before mentioned bend in the river at Forestville. The description of tributaries in this section is often not clear and sometimes incorrect.

Santa Rosa Creek Subbasin

I believe that Colgan Creek is in the Laguna Subbasin rather than Santa Rosa Creek Subbasin. To my knowledge, there is no confluence between Santa Rosa Creek and Mark West Creek. Santa Rosa Creek, as I mentioned earlier, flows into the Laguna de Santa Rosa just south of Guerneville Road. The confluence of Mark West Creek and the Laguna are subject to flooding during most floods. I believe that is one of the earliest flood locations. In fact, it may be considered floodway for Mark West Creek.

52 [Why is there no differentiation of water quality between reaches on this and other tributaries? Water quality in the upper reaches of Santa Rosa Creek is much better than in the lower portion, where temperature and other impairments are more likely to occur.

Laguna de Santa Rosa Subbasin

53 [In this subsection you correctly state that the Laguna flows into Mark West Creek before joining the River. The incorrect information about Santa Rosa Creek noted above must have been a mistake. Please make correction.

54 [Why did the EIR not mention Santa Rosa Creek and Colgan Creeks as major tributaries to the Laguna? In fact, I believe that Colgan Creek and the Laguna converge a little downstream of the Laguna Treatment Plant on Llano Rd. This is a very important fact since it is the site of major wastewater discharges, that is totally ignored in this EIR.

Also, Santa Rosa Creek goes along the North border of the Delta Pond, just south of Guerneville Rd. and converges with the Laguna only a little downstream of Santa Rosa's second major winter discharge. While discharges to these creeks have diminished since the Geyser discharge became operational, for years the City discharged as much as 4 billion gallons a season into these small creeks. They are not down to just under a billion, which is still a lot.

55

A very major flood plain issue, related to endangered fish species, is flood plain management. Why not mention the frequent conflict in this area between maintaining flood control capacity through vegetation removal and restoring habitat to regain cool water temperatures for the fish? There serious management issues are particularly serious and controversial in the Laguna Subbasin.

56

For many years, Santa Rosa wastewater discharges have been a topic of great concern to many Sonoma County residents. They have been responsible for discharging as much as 150 million gallons of treated wastewater in a single day to these small creeks. Yet there is absolutely no mention of this issue in the EIR's description. Why not? Also, why is there no mention of the dominance of Santa Rosa wastewater facilities along the Laguna, including large holding ponds, vast irrigation areas, and a major treatment facility between the Laguna and Colgan Creek on Llano Road? Why is there no mention of the fact that for years, Santa Rosa discharged wastewater up to 90% of the Laguna's flow between Nov. 1st and May 15th?

57

Why is there no mention of the many impaired listings of this water body (Laguna) under the Clean Water Act's 303(d) Impaired Water Body List as of 2002? In the 2005 round of listings, the State Board staff, strongly supported by the City of Santa Rosa, called for delisting the Laguna for nutrients. This was firmly opposed however, by the Regional Board, the EPA, Assemblywoman Noreen Evans, and numerous environmental groups. At this moments in time, the listing stands. Why have you not acknowledged this?

58

Surface Water Quality

This segment alludes to Exhibit 4.5-3 which lists 303(d) listed water bodies. Why is there no mention of the Laguna de Santa Rosa either in this segment or Exhibit 4.5-3? Why did you utilize the 1998 list rather than the 2002 list? What is the difference between the 1998 and 2002 lists? We know that as of 2002, and to this day, the Laguna de Santa Rosa is listed for sediments, temperature, nitrogen, phosphorus, bacteria, dissolved oxygen, and may be listed soon for mercury. These impairments make it one of the most compromised streams on the North Coast. How will this serious deficiency be addressed in your responses? How will this impact other analyses in this document?

59

The Russian River was listed for temperature in the 2002 process. How will you address this omission? This will become particularly important in discussions about riparian habitat and biotic protections.

Nutrients

60

Why is there no mention of nutrients from people in urban areas over-watering lawns? Why is there no mention of vast amounts of nutrients discharged by Santa Rosa's wastewater system? Another key source of nutrients is storm water run off from urban streets. Again, why not mentioned here?

Exhibit 4.5-3

61

Please update to reflect 2002: 303(d) listings.

Groundwater:

For these comments I defer to Jane Nielson, PhD and S.W.I.G.'s comments, as well as the comments of HR Downs for the O.W.L. Foundation, and Stephen Fuller-Rowell for the Sonoma County Water Coalition. They and others have this issue well covered.

STATE AND FEDERAL REGULATIONS

State and Federal Water Supply and Water Quality Regulations

62

There is a great deal of information in this segment on storm water run off programs. We do not have the expertise to assess whether the information is adequate or valid, but we do have concerns about information that is missing and misleading about point source surface water discharges.

First, we wonder why there was no discussion of the North Coast Basin Plan? This is the main document governing water quality regulations in our area. Why was there no description of "beneficial uses" in our area requiring regulatory protection? Why was there no discussion of discharge prohibitions? In fact, why was the word wastewater, not even mentioned? Almost two pages were spent describing the stormwater program and hardly anything about point source discharges, mainly wastewater discharges. Why was that? (There was a sense that the author was confused about point source and nonpoint source discharges in terms of NPDES regulations.)

63

There was a small segment on the TMDL program which addresses water quality concerns, but we wonder why there was no mention that the TMDL program gets triggered by the 303(d) Impaired Waters listing? (However, we noticed it did get mentioned in a following segment on Watershed Management Planning and Regulation.) This section was organized in an almost incoherent manner.

A TMDL (total maximum daily load) is a process that determines and allocates loads of any constituent determined to cause impairment. It sets in place monitoring and reporting requirements that are tracked by regulators to assure that the impairment gets no worse and hopefully improves. But it is not the only regulatory tool for point discharges, as is implied. Why was there no discussion

of N.P.D.E.S. permits for wastewater discharges? Why was there no mention of the California Toxics Rule and the controversy over "mixing zones"? Why was there virtually no discussion of wastewater treatment standards or the rapidly changing rules governing the monitoring, treatment, and discharge of toxic pollutants found in wastewater?

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We wonder how an EIR dealing with water quality issues, among other things, could be so remiss in avoiding discussion of these critical issues? How could this be remedied?

The top of page 4.5-34 uses the term "storm sewer systems". What is meant by this term since stormwater does not go into sewers and does not get treated? Why does the NPDES program description spends 1.3 pages on stormwater and hardly mentions wastewater? Also, why is it not mentioned that part of Santa Rosa's subregional system includes unincorporated South Park? Also, why not mention that many unincorporated communities operate under NPDES permits for wastewater? This is a very confusing and misleading section.

64

Watershed Management Planning and Regulation

Why is there no mention that the 303(d) process of identifying impaired water bodies is supposed to be reviewed every two years, but was not reviewed between 1998 and 2002? It was reviewed again in 2005, but that process has not yet been concluded. The TMDL process never got started at all until a lawsuit against the EPA was threatened about eight years ago, which triggered TMDL activities on 17 North Coast Rivers and Streams, but NOT on the Russian River. The Sediment TMDL is not scheduled to begin for several years. Why is this not mentioned?

65

TMDL listings are prioritized and problems can sit for years without being addressed. Why no mention of that? Why does this segment not address the issue of a lack of funding, in effect causing effective blocks to regulatory planning and action? This segment jumps from discharge programs to water supply programs without even changing paragraphs. It doesn't make for easy reading and/or comprehension by the reader. In conjunction with other comments above, it makes us wonder about the credibility of the author. Where did this information come from? Why is it so detailed on some issues, and totally lacking in others (i.e., for instance, wastewater discharges)?

66

On page 4.5-37 it mentions a very limited number of environmental groups that help protect and enhance local streams. There was no particular reason given to select certain groups over others and we recommend that you reference a comprehensive list of environmental groups working on water issues (can be placed in back of document). It does not seem good policy for this document to give plugs for specific groups over others, since all contribute in different ways to the well being of our creeks and streams.

67

WATER QUALITY

Impact 4.5-1 Water Quality – Residential, Commercial, Industrial, and Public Uses

68

Throughout this segment, as with previous water quality segments, the discussion about the impact of growth on water quality barely mentions wastewater except as the development of treatment facilities creates impervious surfaces.

69

In another vein, nothing in this description alludes to the seasonality of certain discharges (such as more non-point irrigation discharges in the summer and more sediment and drainage related problems in the winter). Toxic discharges in the winter are more likely to be diluted and dispersed through the system quickly. Yet summer discharges, such as over irrigation with water and wastewater can be far more impactful when they end up in slow moving and water limited streams where pollutants are in much greater danger of bioaccumulating in aquatic life. How can this be addressed? Are there any policies or objectives that would address this issue? While water purveyors advocate enhancement of water supplies with wastewater, there is little sense given of the potential risks involved? How would you define those risks?

70

Another example of the potential poisoning of our environment by new development occurs when FEMA requires pressure treated woods containing copper, arsenic, and chromium, to be used for development in the flood plain (on and near waterways) on projects they fund. We can probably assume that many houses not funded by FEMA use these products as well. They become a hazard when there is a fire, earthquake, home repair where the owner has to saw into the material for some reason and dismantling of old construction. The dust produced is toxic, especially to fish. Playground equipment built with this material has been shown to cause health problems in children. Why is this issue not mentioned in this section? How can it be addressed? Are there any policies and/or objectives that address this issue (which)?

71

Why do you allude to sewage and wastewater in this section but don't really deal with it? Most of the discussion is on non point source impacts of development. The policies mentioned that serve as mitigation focus on cooperation and education. How can you assume that they will be affective? Often societal changes, especially in situations with non-English speaking people, can take generations to implement. In addition, there are always a contingency of English speaking citizens who refuse to be educated and in ignorance, or spite, continue to pollute. Are there any policies that might address pollution problems where education has not worked?

72

It does not take a lot to severely pollute a water body. We have seen numerous studies showing that certain toxins, such as atrazine, are harmful to frogs and perhaps other aquatic life in even minute doses. This is true for many toxic chemicals. We only have to conjure up thoughts of the back yard or weekend mechanic dumping motor oil on the ground or in the creek. Is there any measured scientific evidence showing the efficacy of educational programs and policies meant to mitigate impacts on our streams? Are there monitoring and

evaluation programs planned or in place to verify they are working? The basic lack of such monitoring seems to be the inherent weakness of this DEIR and its supposed mitigations.

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Reliance on the cited Water Resources Element policies to bring about cooperation among governmental agencies sounds great, but it usually doesn't happen unless there is some monetary incentive to motivate it. There is no evidence that on going cooperation among agencies is guaranteed to solve problems. Sometimes it happens, but often does not.

73

Policy WR-1d (bottom of page 4.5-42) claims that the County will support RWQCB waste discharge requirements. Does that mean that the County won't litigate Administrative Civil Liabilities, or protest fines and penalties, or protest violation charges by the Regional Board, or lobby for weaker regulations? These are all things they have done in the not so distant past.

74

Policies OSRC-8a and OSRC-8h are cited as offering added protection for riparian corridors, yet they are probably some of the most controversial in this document. What are the implications for water quality degradation if they are not adopted?

75

The impression is given that water quality impacts remain close to contamination site and not travel downstream. What is known about the transport of various impairments (toxic and nontoxic)? What is known about the movement of polluting sediment? What are the bioaccumulative impacts of the various toxins both in the waterway and in aquatic life? What opportunities exist for aquatic life to move toxins downstream?

76

Impact 4.5-2 Water Quality- Soil Erosion and Sedimentation Related to Construction

While this section talks about the impacts of grading due to development, one of the biggest problems in the Russian River Area is the impact of hillside development on slide potential as well as sedimentation into creeks. Another big unaddressed issue is the impact of vegetation and tree removal either for sun or development acreage on hillsides. Both of these circumstances have serious impacts on streams. We address these issues in our comments on the Public Safety Element which we will incorporate into this document in the segment on geology.

77

The goals and policies and objectives referred to in this section such as WR-1h call for plans and avoidance measures "...to the maximum extent practicable." How would this last caveat be determined? Would there be any enforcement? What about bad actors who ignore policy? Are there an adequate number of inspectors available to check practices followed at reasonable intervals during construction?

78

The OSRC policies referred to (OSRC-11a-11gh) use such words and phrases such as "encourage", and "...to the extent economically feasible." What kind of

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cont...

effectiveness can be achieved by "encouragement"? How do you measure its effectiveness? How do you interpret "economically feasible"? Are there standardized meanings for these terms? Can they be measured in any objective way? If not, how can they be taken seriously as true mitigations?

80

It is mentioned that mitigations are effective in combination with existing regulations. How much enforcement exists now for current regulation? How do government cutbacks affect the implementation of Codes and regulations? How does a lack of adequate inspection compromise the effective implementation of these regulations?

81

What are slope or erosion factors controlling development on steep slopes? If the grading ordinance never materializes, what measures will protect against erosion from hillside development? WR-1g supposedly would minimize sediment deposition but doesn't say by how much, how it would be measured, how compliance would be evaluated, etc.

Impact 4.5-4 Water Quality-Wastewater Disposal

Many of our comments in the Public Services section will be germane to this section as well. Under the public services segment we will include our comments that we submitted on the Public Facilities Element. Please refer to those comments.

82

This section states, *"The County would be responsible for the water quality of wastewater discharge associated with the plants it operates."* Actually, this is not exactly true, and has been the subject of lawsuits against the Regional Board by the County acting as SCWA. For example, SCWA manages and operates the Russian River County Sanitation District (RRCSD). Every year the system violates its permit. In 1998 SCWA claimed system failures were the fault of the weather and they challenged the State's right to impose penalties. I believe they did the same thing the following year.

83

One of the key issues was whether the State could name SCWA as a responsible party, thereby exposing the funds of their agency to lawsuits as they manage these Districts that frequently fail, either because of age, improper maintenance, infrastructure expansion needs, etc. SCWA won the case, but then lost on appeal. This issue is still a bone of contention with NPDES permits, where SCWA is named as the responsible party along with the District. So your statement is not completely accurate and can not offer much security from water quality excursions. In addition, nowhere is it mentioned that the Board of Supervisors are also the Directors of the Water Agency, the Planning Department, and all the wastewater systems under County management (most of them). What are the inherent conflicts with this management arrangement?

84

On page 4.5-49 the statement is made, *"Water quality problems associated with point source discharges from wastewater treatment plants have historically been infrequent, occurring mostly along the Russian River."* How do you define "infrequent"? Let's see, Healdsburg didn't have a NPDES permit until recently, so they couldn't

violate what couldn't be regulated. It took a lawsuit to force regulation of their discharge. Santa Rosa has had many violations over the years, some regulated (direct discharges) and some not (irrigation overflows). Forestville had many problems for a long time, but they have upgraded their system and are doing better now. I'm not sure about Airport or Larkfield/Wikiup, but Occidental and RRCSD have been in violation almost every year. Of course it happens with river dischargers, because most discharges occur into the river or its tributaries. In fact, we can't think of any large or moderately large system that does NOT discharge into a water way. (We wish it were otherwise.)

84
cont...

This segment below alludes to the possibility of expanding sewer services to areas with failing septic systems. We are concerned that central sewers often fail to produce the benefits touted by governmental entities. I addressed this issue in our comments on the Public Facilities Element, which are reproduced here.

RRWPC Comments submitted to Planning Commission Public Facilities Element (March 27, 2006)

The introduction to water services and sewer services aptly points out several critical issues regarding the expansion of existing services and/or provision of new services for sewer and water. I would like to reiterate some of these for emphasis.

- System failures, public takeovers, and inadequate funding are problematic for many small water systems. System failures include water quantity and quality problems that often go unaddressed because of a lack of funds. It seems contradictory to state, "County management of the system can improve reliability, but funding may still be lacking." Reliability cannot be improved unless funds are available to make the improvements. Furthermore, the Sonoma County Water Agency has made it clear that they don't want to manage small systems, causing us to wonder what kind of management is alluded to here?
- Assuming that a bigger rate base will bring in more funds for improvements is problematic because it also requires the ongoing maintenance of expanded infrastructure. While this may appear to provide relief in the beginning, when the additions are new, ultimately this is a house of cards, requiring greater and greater extensions of services to pay for repairs. As the infrastructure ages, it is often in disrepair for years, because of the expense of replacement, and in the meantime, water is wasted through leakage and the environment suffers from diminished water flows. These issues are usually inadequately addressed through environmental review processes.
- Maintenance of sewage treatment facilities is even more problematic, because of the potential for release of toxins into the environment, which almost always occurs, at some point, with all types of systems.

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- In the West County, the Sonoma County Water Agency, managers of the Russian River County Sanitation District (RRCSD), for the last ten years have been making every effort to centralize the system for the whole area. In addition to the addition of the communities of Occidental and Camp Meeker, SCWA has also developed an annexation map indicating about 750 potential parcels to be added to the District. We have provided you with a copy of that map to verify our assertion. The big problem is that the Agency wants to piecemeal the expansion so as to avoid California Environmental Quality Act (CEQA) analysis of the growth inducing and cumulative impacts from such an expansion.

89

- The document espouses resolving problems through the master facilities planning process under the management of governmental entities. SCWA, the most likely administrative entity, has thus far avoided such processes, and has preferred to piecemeal improvements only when determined to be absolutely essential (usually as a result of orders from the North Coast Regional Board), and sometimes, not even then. Ironically, preferring SCWA is a double-edged sword, since they charge very high overhead for their management services.

90

- System expansion to pay the bills is a self-defeating remedy for solving water quality problems. Eventually the expanded segment also falls into disrepair and even more money is needed for upgrades. In the meantime, the associated growth causes many other serious environmental problems. The only sustainable approach is to educate people about the importance of conservation and safe disposal of toxins. Septic management districts may make a lot more sense than continual expansion of centralized systems.

(End of comments submitted to Planning Commission on sewer expansion.)

91

Please address the issues we have raised here in relation to recommendation of Policy WR-1k to resolve septic problems by "considering" centralized sewer systems. Also, how would it be determined that widespread failures are occurring and cannot be corrected by septic management districts, since in most cases they have even been tried? What would it take to establish a septic management district and what are some of the conditions that might cause them to fail? (RRWPC totally supports Septic Management Districts and would hope they would be given a fair chance in numerous areas before being declared "unmanageable".)

92

Policies WR-4a through WR-4o are referred to as desirable conservation and reuse measures that would minimize the amount of wastewater generated and/or put it to reuse. We have a few questions about these policies. In most cases the words "encourage" and "support" are used rather than "require". Based on observation of the real world, only "requirements" seem to affect REAL change in people's behaviors, including the government itself. Furthermore, what are the evaluation criteria to assess whether these measures are doing any good?

In the Guerneville Area, the Treatment Plant usually fails to meet all regulations during a flood, mainly because the plant is inundated with river water. But the SCWA, operators and managers of the system, NEVER try to educate people to cut back on toilet flushes and water use during high water. The last thing on people's minds during high water periods is to limit water use, and yet, that's exactly what they need to do during treatment plant inundation.

93

In regard to reuse of wastewater for irrigation, we wonder whether any account is made of all the emerging scientific information about toxic hazards in wastewater? This EIR acts as though current regulations are adequate to protect human and environmental health. What consideration has been given to endocrine disruptors, pharmaceuticals, personal care products, phthalates, and other toxins flushed into the system, unmonitored and unregulated thus far?

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We will include some articles that challenge the safety of wastewater. One study currently being completed by the North Coast Regional Board may indicate problems. USGS studies in 2002 have found about 100 chemicals in waterways around the country that are known to cause harm. Chemicals are turning up in human breast milk, and the general body burden of toxic chemicals carried by the average adult is growing, with unknown health effects. Studies are showing multiple sexual organs in frogs exposed to very low amounts of atrazine. In fact, there is concern that constant exposure to even low levels of a chemical soup of toxins in our waterways is extremely detrimental to aquatic life. How can you assume that discharges of any kind are safe, just because they are currently regulated?

95

Impact 4.5-9 Increased Flood Risk from Drainage System Alteration and

Impact 4.5-10 Place Housing or Structures in 100-Year Flood Hazard Areas

While we don't claim expertise in drainage issues, living in the Guerneville area for 30 years, we have a great deal of experience with floods. We submitted comments to the Planning Commission on the Public Safety Element and insert portion of comments on flooding here. Our major concern is the assumption that raising structures in the flood plain is a good way to deal with the situation. We have major concerns about that and believe that there should be no new residential development in the ten-year flood plain and that all new development in areas of frequent flooding should be severely curtailed. (This appears to go against the projection of 998 new structures planned by default for the Russian River Area in Guerneville, most of which is in the 100 year flood plain, since it is the only area other than Forestville with both sewer and water services.)

96

(Below are comments submitted to Planning Commission on flooding.)

RRWPC Comments Submitted to Planning Commission:

Public Safety Element (March 21, 2006)

Reduction of Potential Damage from Flooding:

While it is appropriate to encourage the raising of existing structures in the flood plain to avoid future inundation and property damage, it is problematic to rely on this means to allow further new development. Especially up to the ten year flood plain, there should be no new residential development allowed. There are several reasons for this and probably many more that I am not aware of.

- People get isolated for days without services in their homes. This provides health and safety problems, especially for the very old and the very young.
- Sewer systems and septic break down, especially when the river gets over 40' in the Guerneville area.
- Toilets in low lying areas in the Russian River County Sanitation District (RRCSD) cannot be flushed. If back flow devices are not functioning properly, sewer spills can end up in homes. Also, water needs to be boiled and often the electric is out. These are health hazards for people occupying the dwellings.

Policy PS-2.2 (page 251) calls for regulating new development to reduce risks to acceptable levels. What does are "acceptable levels"? I would suggest putting a period after "hazards" and leaving out the last three words.

PS-2d: Add language that eliminates new development potential on properties in Floodway and ten-year floodplain, and minimize new development in 100 year Flood Plain areas. The Open Space District should be encouraged to buy up lands along major waterways where they commonly flood. Also, tree cutting and vegetation removal along riverbanks should be severely limited. (Sediment loads are a major source of pollution in the river.)

Why not require flood insurance as a stipulation for building permits in the flood plain?

Many of the policies on flooding impacts appear quite good. One issue that appears to go unaddressed however, is SCWA practices in regard to channel maintenance. Historically they have cleared vegetation in channels (some they had planted themselves for riparian improvements) to move water more quickly downstream. Flooding in the lower river was considered more desirable than flooding in the urban areas. Please address this issue.

There are many techniques and devices for holding water on site and minimizing downstream flows. This has the added benefit of reducing polluted storm waters and preserving water quality. These bear mentioning in this section. Also, the County needs to work with local municipalities to encourage runoff prevention, also important for the stormwater prevention program.

(End of comments submitted to Planning Commission on flooding.)

PS-2h is referenced as setting the 100 year flood plain and its elevations as the threshold for measuring acceptable risk. Does that mean that within that flood plain, risk is acceptable or unacceptable? Why is it that the County is planning in turning the Russian River County Sanitation District into a Regional System and

hooking up communities outside of the floodplain? Most of the properties currently hooked up to the system are in the 100 year flood plain. Since we are the only area planned for expansion and most of the area is in the 100 year flood plain, does that mean that most of the 998 structures anticipated by this plan in the Russian River Area will be located in the 100 year flood plain? Please explain where those 998 units will go if that is the case? We are most concerned that they will end up on slide prone hillsides.

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We have been informed that FEMA maps are way out of date and they don't have the resources to update them. How will this affect determinations of the required structure height a foot above the flood plain? How will this affect flood plain management, especially PS-2o? What policies and objectives will be in place to restrict moving development in our area up into the hillsides where landslides are a great concern (Please see recent article (attached) about several houses falling on Starrett Hill in Monte Rio.)

103

Can you explain why this year there was a lot of flooding in places that had never flooded before and little flooding where it had? While it sounds good to promise special studies by the County, where are the funds to complete them? How high on the Supervisor's priority list are they likely to be? Government seems to react much better to catastrophes than long range planning in terms of providing funding for studies. Can you refute this assessment?

104

Impact 4.5-11 Impede or Redirect Flows in Flood Hazard Areas

Why does this plan assume that development has to continue in all flood plains? Why would it be infeasible to prohibit the development of new housing in the ten-year flood plain, and conversely, allow only commercial development that does not impede flood flows? Since this impact is significant unavoidable one, why is more consideration not given to treating ten-year flood plains differently from 100 year flood plains? Since repetitive loss is a meaningful criteria for determining impacts, what percentage of the damage is in the ten-year flood plain and which percentage outside of it? Shouldn't this be analyzed if the information is not available? Shouldn't there be policies to prioritize areas with the greatest amount of risk?

105

Also, I have heard that FEMA is going to start assessing 200 year flood plain restrictions. Is this true? What impact would that have on the policies in this document?

Under Responsibility and Monitoring, it referred to WR-1w. Where is it? (I couldn't find it in the Water Resources Element.)

106

PUBLIC SERVICES

Water Supply Services - Environmental Setting

Water Sources

RRWPC responded with comments to SCWA's Scoping Notice. We believe that our comments on that Notice are appropriate to replicate here. We have edited out some segments that do not seem relevant.

RRWPC Comments on SCWA Scoping document (April 11, 1005)

Comments on Notice: project alternatives absent

There is only one alternative described in this notice, although it is stated that other alternatives will be considered. The Notice lists three general component projects giving very simple descriptions. While other projects are alluded to, there is no indication of what they might be. There are no probable significant environmental effects identified, although the notice states that environmental impacts will occur and will be studied.

There is no concise, clear or complete description of the project and therefore no meaningful scoping comments by the public can be made. It is not the duty of the public to provide the content of an adequate scoping notice. We illustrate our assertion with the following analysis.

The notice indicates that both a "project" and "program" level of detail will be utilized, and that only the transmission system will be studied to a "project" level of detail. The notice is certain that the Russian River Component will increase the amount of water diverted from the watershed by 26,000 Acre Feet (AF) a year, a 35% increase over what is taken now. This Notice clearly identifies that additional water diversions will come from Warm Springs Dam, and, while it mentions that additional alternatives will be considered, no alternatives for the diversion location and amount have been proposed. Because all components of the identified project will have significant impacts, particularly in the summer time, and a high degree of certainty regarding major project components exists, we wonder why a "project" level of analysis for all components won't be provided.

The selected approach seems like a piecemeal one and appears to serve as a device to avoid serious environmental analysis. It is an approach consistently utilized by this Agency; focus is placed on narrow construction impacts and serious detailed analysis of the broader impacts related to cumulative and long range effects are avoided and/or delayed, such as cumulative impacts of various flow scenarios on aquatic life and environmental habitat. There have been numerous instances in the past where policy documents and EIRs have been developed at great expense by SCWA and either suddenly dropped from view, or, in the case of EIRs, allowed physical construction to move forward (studied to a project level of detail), while the broader environmental impacts never fully revealed.

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Furthermore, by studying the Transmission and Reliability Component to a "project" level of detail, it presumes certainty about the availability of increased water supplies. In the event that those supplies do not become available for several years (It has been estimated that it may take as many as 8-10 years since the State Board has indicated they will not grant a new permit until the Section 7 process is complete and related legal issues resolved.), we recommend that the expenditure on project specific infrastructure plans could be premature. In any case, we support consistency in the level of analysis among the components.

Notice is misleading:

This notice conveys little of the complexity of this project. There is either no mention or only bare mention of the following:

- Endangered Species Act (State and Federal) including current status of the three listed salmonid species, and
- the Section 7 Consultation with NOAA and Army Corps of Engineers (ACOE) that has been going on for about seven years now,
- the already submitted Biological Assessment that cost millions and is now awaiting a final Biological Opinion from NOAA,
- the "Low Flow" alternative described in the Biological Assessment that has been subject of numerous strongly animated public hearings before the PPFC and State Board,
- the probable need for a pipeline to get the Lake Sonoma water supply down to the diversion facility,
- the possible loss (partial or complete) of the rubber dam which is a key element of their diversion facility,
- the new Water Resources Element of the Sonoma County General Plan, soon to come before the Planning Commission,
- the Agency's special studies being conducted behind the scenes with the United States Geological Survey and the North Coast Regional Board on future temperature and dissolved oxygen requirements and the fate of the passage of toxins through the river banks and soils,
- the multitude of complex relationships in the new proposed "Restructured Agreement" for water supply with the water contractors,
- The request for information by the State Board for conservation plans that would achieve a "zero footprint" of water use for new growth. An important report and meeting will occur only ten days after these comments are due;
- the Urban Water Management Plan to be completed by the end of the year, that will ostensibly address criteria for more consistent water need projections, and more.

We are most concerned that this EIR might assume that any pending document not already certified, will be considered "speculative", and will therefore not be included in the analysis. In fact, at the Scoping Meeting, SCWA staff indicated

that neither the "Low Flow" alternative (Biological Assessment), nor the pipeline from Warm Springs Dam to your diversion facility (Biological Assessment), will be included in this EIR. We would find this an egregious violation of the spirit of CEQA, since both projects have been consistently mentioned over the last several years as likely realities in the not too distant future.

Goal of Project

The goal of the project is stated as, "...providing a safe, economical, and reliable water supply to meet the defined future needs in the Agency's service area." Yet the location of the customers and the location of the project are generally disconnected, except by pipeline. The resource lies in an area not served by the project. The EIR should fully address the impacts of providing this new water supply and associated environmental impacts to those in the larger area. Impacts on other water users would be particularly critical during peak demand, low flow periods. Both the notice and goals are focused on the Agency's water supply needs alone, rather than seeking a balance that would satisfy projections by water contractors without causing harm to others.

The very nature of water prohibits safeguarding *only* the water designated for SCWA customers. "His and hers" designations are not possible, as in reality it is all merged together. For this reason, we recommend that the record for this project include all discussions of and documents on the work of the Citizens Advisory Committee and the Water Subcommittee for the Sonoma County General Plan in developing the Water Resources Element. Sonoma County Water Agency (SCWA) personnel attended most of the meetings of these committees and provided extensive language for the proposed new Element. We request that concerns expressed both by the public and Committee members on water supply issues at these duly recorded and fully documented meetings, be included and/or analyzed as part of this EIR.

One important problem that needs to be addressed in this document is whether additional supplies can be accessed without causing new shortages, both in ground water wells and riparian supplies, for those landowners not directly benefiting from this project. Furthermore, the project area must be carefully defined to include all those in the watershed who may be adversely impacted by this project. This should include all property owners in proximity Dry Creek, the main stem of the Russian River, all others who might expect a draw down of their own supplies because of this project.

CEQA guidelines state (15003 i), "*CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure. A court does not pass upon the correctness of an EIR's environmental conclusions, but only determines if the EIR is sufficient as an informational document.*" (15003 h) states: "*The lead agency must consider the whole of an action, not simply its constituent parts, when determining whether it will have a significant environmental effect.*" To meet this standard, it is clear that the Draft EIR for Water Supply must go into far more depth of analysis than is implied in the five pages of text in the formal Notice.

Urban Water Management Plan and Growth Projections

The Draft EIR must fully analyze the growth and water need projections supposedly justifying this project. It must also fully address the growth inducing impacts of the project along with the associated impacts tied to those inducements. For example, as more and more soils are covered with impervious surfaces, the risk of downstream flooding is increased as the recharge of aquifers is decreased. Of course, many other impacts will occur as well.

The results of the Urban Water Management Plan (UWMP), due by the end of 2005, which will provide the basis for projected water supply needs, should be incorporated into this document. Right now, there is no consistency in the manner in which growth and water needs projections are determined by the various contractors, although SCWA documents always assume a 2% growth rate. In recent times the growth rate in Santa Rosa has gone much lower than that. As the population increases, the 2% assumption is probably far too high; lower assumptions should be analyzed. Formerly, many contracting agencies calculated consumption based on past use and calculated new demands utilizing future growth projections. There were no incentives for special conservation efforts as water use kept increasing. Criteria need to be developed now for more standardized projections.

Furthermore, according to SCWA's own records, the prime contractors purchased 12% more water in 2003-2004 water year than the previous year. In fact, the impetus for speeding this project, as well as the request for an emergency low last year (while blaming a dry spring coming on the heels of a normal rain fall winter), came right after an 18% water demand increase (over the previous year) by contractors reported for May and June, 2004. We would like to see those water use records included as part of the analysis on historical water use by SCWA customers. It seems as though there are currently no penalties in place for exceeding the limited allocations. Furthermore, the increased water use was replicated in 2004-'05. This increase completely cancelled out conservation goals of 6500 AF a year as expressed in the "Restructured Agreement" and other documents.

Necessity for studying "low flow" and rubber dam issues

One of the most controversial issues is the "low flow" proposal put forth in the Biological Assessment, and the related appeal to the State Board in July, 2004, for permission to lower flows on an "emergency" basis. SCWA staff advised at the Scoping Meeting that the "low flow" project is considered "speculative" and will not be studied in this EIR. So we ask the question, will there be any further attempts to lower minimum stream flows, particularly in the Hacienda/Guerneville area and/or change the current methods of calculating flows? If there is no intention of altering flow regimes in the future, and assuming that summer flows in Dry Creek cannot be increased (and is forced to meet maximum levels proscribed by the State Board), how in the world could 26,000 AF proposed in this project be obtained WITHOUT BUILDING A PIPELINE DOWN DRY CREEK? For staff to state that "low flow" is too speculative, and not on your agenda, is to put a lie to many of the things you have stated to the State Board and NOAA within recent years.

Furthermore, the pilot "low flow" study, initiated by SCWA, was begun last year after strong appeals were made by your agency to the State Board. At that time, the Board warned SCWA that increased water rights would not be forthcoming until a strong conservation plan was implemented. While we do not support the "low flow" alternative, and we believe that the Agency does not support studying it at this time, nevertheless, it is a very real issue in light of the Section 7 Consultation and needs to be dealt with in conjunction with any applications for increased water supply, especially if any changes are contemplated in Decision 1610 minimum flows. We are concerned that having authority to withdraw an additional 26,000 AF a year, could have a serious de facto negative impact on downstream water supplies, as well as environmental and recreational uses.

Another issue affecting water supply operations is the fate of the rubber dam. NOAA has suggested in the past that it may have to come down. Somewhere I read (Biological Assessment?) that this would result in a 40% cut of summer supplies. Interestingly, in the "Restructured Agreement" currently being negotiated, contractors are being told that they have to develop local supplies to be able to provide up to 40% of their projected needs. Consequently, the impact of draw down of ground water wells on the water supplies of nearby communities needs to be assessed in this document. I assume others will go into a lot more detail on this issue. The Biological Assessment should be part of the record for this project.

The importance of the dam to the entire water supply operation is critical. In the December, 2002, Revised Draft of the SCWA Water Policy Statement, it states (in reference to the Section 7 Consultation process), *"Of particular significance to the Agency is the extent to which the outcome of this process may affect how or if the Agency is able to operate the inflatable dam at Mirabel. Restructuring or eliminating the Agency's use of the inflatable dam and infiltration ponds would significantly reduce the production capacity of the Agency's existing facilities. Consequently, the determination of whether the Agency is able to operate the inflatable dam and infiltration ponds will dictate whether the Agency must plan additional facilities to meet only additional future demand or whether future facilities must also account for lost production capacity. Therefore, the Section 7 Consultation remains a driving force behind water supply planning efforts for the Agency, as the outcome of this process will dictate not only how current facilities are operated, but how future facilities will be constructed and operated."*

Project description elements and associated impacts analysis

There are a range of impacts that need to be addressed as a result of SCWA policy to promote the use of recycled wastewater as replacement of the potable supply. The concept of using recycled water on agricultural lands in a manner that prevents seepage of the wastewater into ground water aquifers and surface water supplies, is a viable and desirable use of wastewater. We also support replacement of the potable water supply with highly treated wastewater on large agricultural and/or landscape units, when done appropriately and not allowed to enter the groundwater supply. The concept of purposely promoting recharge of groundwater with wastewater is very problematic and resulting impacts need to be addressed. (i.e., especially regarding unregulated toxins)

Furthermore, the promotion of urban irrigation on small parcels is also extremely problematic because of runoff issues. The brand new development in Windsor,

Vintage Greens, built to irrigate small parcels, had 42 incidences of runoff in 2004 and extensive nutrient pollution ended up in the drainages and nearby creek. The Cities of Santa Rosa and Rohnert Park have voiced support for a similar 1600 unit project in east Rohnert Park that also has plans to irrigate.

More and more evidence is piling up showing that emerging pollutants such as pharmaceuticals, personal care products, pesticides and herbicides, caffeine, and many other substances imbibed by humans, are very harmful to aquatic life. Many of the worst effects have been shown to take place downstream of wastewater discharges. To simply state that this wastewater meets Title 22 guidelines in the Health and Safety Code, and it's okay to put it anywhere, is in our view, totally and completely irresponsible. The potential impacts of allowing these practices must be fully addressed if wastewater is allowed to supplant the potable supply. Existing studies on these issues should be made part of the record.

One of our greatest concerns is that SCWA denies responsibility for the manner in which the various contractors conduct their specific programs. Even so, this project should address all of the expected impacts of providing more water and requiring more wastewater reuse that is frequently requested and touted in the various written documents on water supply. In fact, the latest draft of the Restructured Agreement (as of completion of the Draft EIR), that addresses these issues, should be included in the EIR analysis.

Other foreseeable projects and conditions:

This document should consider combined impacts from the following anticipated projects and conditions in determining cumulative impacts of the Water Project (this list is not meant to be comprehensive):

- Discharge of as much as 4.5 billion gallons a year of Santa Rosa's wastewater directly into the Russian River or indirectly into an area in close proximity to the river.
- Continued and expanded gravel mining within the watershed in close proximity to the river. This causes loss of filtration capacity. How will this ultimately impact water quality of Russian River?
- Possible dismantling of the Potter Valley Project and/or elimination of its operation as a power generation project,
- Siltation of reservoirs and anticipated TMDL requirements regarding excessive sediment pollution in Russian River. Also, design capacity of Lake Mendocino is 122,500 AF. Given siltation over the years, what is the actual capacity? What is the rate of siltation anticipated over the next 20 years?
- Gradual draw down of the aquifer and diminishing supplies by continued and expanded water use by agriculture and growing communities upstream of the SCWA facility.
- Global warming
- Current and future groundwater studies.

- Anticipated growth and water use of cities upstream of the main diversion facility (Willets, Ukiah, Cloverdale, Geyserville, Healdsburg, Windsor)

Conflicting Governance Issues...

Other project complexities arise out of other, often conflicting, management responsibilities of the lead Agency, which is in charge of various wastewater treatment plants and flood control maintenance, recreational facilities, as well as water supply. For example, the Agency has been in charge and has funded numerous reclamation projects, which were later dismantled for flood control purposes.

These conflicts are compounded by conflicting and overlapping governance issues. Numerous water and wastewater systems are managed by SCWA for various sewer districts whose boards are the Board of Supervisors wearing various hats, who also run the Water Agency, who also make all planning and land use decisions and who ultimately spend the funds. On the one hand, District Directors (Board of Supervisors) authorize policies and set standards that allow for high overhead for the provision of water supply services, while on the other, that same overhead is severely hampering the small wastewater treatment systems under their management in the unincorporated parts of the County to function on a limited budget. This in turn facilitates system breakdowns, which result in violations of the Clean Water Act, negative impacts on our potable water supply and a degradation of our waterways.

Complexities are added by the mere fact that some of the prime contractors and other water users are from the unincorporated area (i.e. Forestville and Valley of the Moon), and others (Sonoma, Santa Rosa, Cotati, Rohnert Park, Petaluma, and North Marin Water District) are cities having their own governance. Larger, more affluent cities of course have advantage over the smaller ones. The major portion of time at Water Advisory Committee (WAC) meetings is dealing with the intricacies of decision making process and funding policy. The river environment and condition of the water supply is always of least concern. Issues such as sustainability are almost never discussed. Furthermore, an extensive amount of work on the Restructured Agreement and other documents is conducted behind closed doors by SCWA and Santa Rosa attorneys.

Finally, and probably most obvious, it is impossible to separate water for SCWA contractors and water for all the rest of us. Similarly, it is problematic that the Supervisors try to parcel out their authorities as though they are all separate but equal. It simply doesn't work that way in nature; everything is interconnected. What is good for one is often bad for another and visa versa. It is unreasonable to believe that goals that further the customers of the SCWA are necessarily beneficial for the rest of us and those issues need to be addressed. The Draft EIR needs to address interrelated impacts of obtaining and transporting additional water supplies for all citizens dependant on its use.

Recommended Alternatives:

As alternative projects, RRWPC suggests that you analyze the impacts of a water supply increase of only 10,000 AF and 18,000 AF (2 different projects), and that those be analyzed in light of a need for a Dry Creek Pipeline, necessity for a water treatment plant, maintenance or non-maintenance of the rubber dam, and summer time "low flow" scenarios (including impacts on the estuary during closed and open conditions, which was of great concern to NOAA). These should be looked at along with the required "no project" alternative (not mentioned in the notice).

We strongly agree with the Shute, Mihaly, Weinberger letter in regards to implementation of conservation practices that go far beyond conventional BMP's. In particular, a lot more needs to be done on large landscape conservation projects. We suggest a key component of the EIR focus on determining the maximum amount of conservation that might be accomplished and how this dovetails with growth projections over a 20 year period. In other words, by using optimum (and innovative) conservation techniques, how long can this project be delayed?

We also support the petition of Trout Unlimited and Audabon to the State Board concerning unregulated diversions in the tributaries. We would like to suggest that SCWA study the possibility of funding State Board regulatory actions in this area, similar to the funding of staff time for Regional Board development of Basin Plan Amendments. In fact, we recommend an alternative that greatly increases water availability through SCWA funding a regulatory program by the State Board to end illegal water use.

Resume comments on DEIR:

Adequacy of the SCWA's Water Supply (Page 4.9-3)

138 Statement is made that by 2020 and additional 25,000 to 30,000 AFY will need to be diverted from the Russian River. It's interesting that SCWA has been trying to get permits for that amount since before 1995. Is it true that they won't really need the extra capacity until 2020? We think that statement may be incorrect and it points up the dire need for this DEIR to be based on an updated Urban Water Management Plan, a document due to have been completed last Dec., 2005. It has been estimated that the Plan won't be ready until August of 2006. Many people believe, and have expressed the opinion that the water supply portion of this document is worthless without that updated information.

Exhibit 4.9-1

139 This Exhibit appears to be way out of date. Isn't it true that in the last two years or so, SCWA has drawn about 6,000 AFY from their "Emergency" wells in the Laguna Area? If so, how can the 3,025 AFY be accurate? Do the numbers in this chart assume that SCWA has the permits and transmission system in place to deliver the water? Do these numbers simply represent what is available behind the dams?

140 A big part of the deficiency of SCWA's system occurs during low summer flows. There has really been no analysis in this DEIR of summer water supply versus

demand. A few years ago, Santa Rosa was within hours of having no water for fire suppression. (See discussion of "low flow" issues above.)

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Please address the impacts of a lowered flow on water supply issues. How can you assume that numbers on a chart provide proof that "...the Water Project will be approved." This issue is far more complex than determining how much water is behind the dams. This DEIR fails to address the complexity of issues mentioned above in our scoping comments.

141

At the bottom of page 4.9-5 there are two paragraphs mentioning the Section 7 Consultation under the Endangered Species Act. Within the Section "Federal Regulations" (4.9-21) there is NO mention of either the Clean Water Act or the Endangered Species Act. There are critical changes that are likely to take place in the coming years before 2020 and the SCWA has a pretty good idea of what at least some of them are (see our scoping comments above). How can water supply issues be discussed without examining any of these other concerns? (We suspect that you discuss the issues under Biotic Resources, but that should not negate the need to give some analysis and mention here and/or referencing to other sections.)

142

The statement is made (page 4.9-5) that flows were reduced by 15% by FERC to provide more water for the Eel River. Why was there no mention of the "low flow" experiment in 2004 by SCWA? The DEIR states that the 15% reduction caused no problems. If this were the case, how do you explain the August, 2003 letter from SCWA to contractors asking them to project their water needs for the coming years. The letter stated that SCWA could not guarantee water deliveries under all circumstances and that Contractors needed to develop alternative summer supplies for peak demand periods. There was an MOU developed with the contractors allocating supplies during peak demand "impaired" conditions. None of this fits with the "feel good" portrayal about water supply in this DEIR. The problem is your reliance on the very out of date Urban Water Management Plan of 2000 and a failure to study many documents available indicating different scenarios. Why was no information presented from the Biological Assessment, or instance?

143

As we read on, we note that the DEIR states on page 4.9-22, appears to paint a slightly different picture. More doubt about future water supplies being adequate is expressed, especially if the increased permit to 101,000 AFY is not granted. How do you explain this inconsistency? The information on water availability is presented in a scattered fashion and needs to be better organized. Were different people writing this segment?

144

Estimated Total Water Use

Exhibit 4.9-4 is out of date. Estimates in 2001 for contractors according to chart was 44,000 AFY. 2004 actual use by contractors was about 58,000 AF. I believe 2005 use was close to that as well. Apparently, according to the foot note, the Exhibit's numbers did not include North Marin Water District, even though they are considered a prime contractor. The latter used 9,636 AF in 2004. The question is whether the numbers in the chart really didn't include North Marin W.D. How do you explain the sentence, "Accurate water use data for all municipal, public, and community-owned water districts in Sonoma County are

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not available"? (Page 4.9-11) We know that accurate data for SCWA customers is available. Don't these other agencies have to report their use to anyone? Don't they operate under permits from the SWRCB? Isn't this public information? Is the information in Exhibit 4.9-5 not "accurate"?

(The data you present is in million gallons. The information distributed by SCWA is in terms of AFY. Couldn't you present information in a consistent way so it can be compared? Also, this DEIR was written in 2005. Why are you using data from 2002?)

Factors Affecting Water Supply

146

In this section you name some factors. Why don't you describe circumstances in the water source, the Russian River?

SCWA Water Conservation Programs

147

This paragraph basically states that it is hard to quantify conservation savings. While that may be true to an extent, there is data to show that in 2002 and 2003 contractor's water use went way up, even though they were supposedly "conserving". It is true, they were spending money on programs and following BMPs that were not very strenuous, according to some, but there was one critical BMP that no one fully implemented and that involved putting constraints on outdoor irrigation use. Summertime is the time of greatest shortages and highest use. Until an effective outdoor irrigation conservation program is implemented, the contractor's will fall short of meaningful savings. This segment is a disappointment. There is data available that could have allowed for comparisons of actual use by contractors over the last five years. Why didn't you provide that information?

Recycled Water and Reuse

148

In this segment you talk about the benefits of reusing wastewater but not the risks, which our document mentioned on previous pages. The benefits are touted as supplanting potable water use. As mentioned before, there are many unregulated and unmonitored chemicals in wastewater. It's safety in a "toilet to tap" program has not been demonstrated. What is known however, is that it is common for irrigators to over water, thereby sending this water into creeks and streams at a most vulnerable time. Furthermore, they drain the fertilizers and pesticides with it into storm drains. The public does not accept the idea of summertime discharges into creeks and streams when recreational use is high and flows are low (minimal dilution and flushing action). How can such programs be touted as a way to extend the water supply? What kind of monitoring and enforcement programs would assure that runoff would not occur?

Exhibit 4.9-8 Summary of Water Supply and Sewer Capacity of Unincorporated Sonoma County

149

This DEIR fails to acknowledge that Occidental has solved its water problems and is now hooked up to the Camp Meeker system, which draws its water from the Russian River.

This DEIR fails to include the communities of Rio Nido and Guerneville in the Sweetwater Springs Water District. There has been no effort by Sweetwater to implement a conservation program that I am aware of, and I live in their district.

150

The DEIR mentions the Russian River USA. Do you mean the Russian River County Sanitation District? If so, RRCSD and Sweetwater Springs Water District boundaries are not contiguous. Also, why do you fail to mention the Armstrong Valley Water District in Guerneville? Sweetwater's services in Guerneville and Rio Nido are only partially contiguous with the RRCSD. You need to make a correction here. Also, we wonder how this incongruity, and the fact that Sweetwater is almost out of capacity could affect growth allocations for our area?

151

The DEIR expresses concern about cooperation between various entities among water stakeholders. The various objectives mentioned, WR-3q,3r, 3a, 3c,3d etc. mostly call for "supporting, working with, and cooperating" between the various interests. Other than attend meetings together, and treat each other respectfully, what is meant by these vague terms? How can "cooperation" be enforced? People will be civil as long as their needs are met. The minute there is a true shortage the "guns" and "fists" come out. What policies will be in place when this happens? Or will SCWA play "big daddy" and dole out the rations? There's a saying, "Whiskey is for drinking, and water is for fighting over". Your mitigations are weak and in problematic circumstances, probably ineffectual.

152

The real "stick" is going to be sophisticated and comprehensive conservation plans with high water rates for heavy users. Along with this should come programs (and funding opportunities) for infrastructure repair. (Get rid of those leaks.) This would have an added benefit of cutting down the amount of wastewater generated. The Cities brag about their conservation programs, but in truth there are studies (by Pacific Institute for instance) showing how much further they can go. Comprehensive programs also need to become available to small water districts through funding assistance.

153

(Start of comments)

COMMENTS TO THE PLANNING COMMISSION:

THE PUBLIC FACILITIES ELEMENT (3-27-06)

GOALS, POLICIES, AND OBJECTIVES

Goal PF-1: I request that you remove the word "unduly". It's meaning is unclear and difficult to define. Services should not be provided where growth is unplanned. (Stated in Objective right below, PF-1.1)

Objective: PF-1.2: It is unclear how this objective intends to "help" resolve difficulties of small water systems. Some examples would be helpful.

154

Policy PF-1a: This policy appears to promote central sewer systems wherever there is planned growth. It does not recognize alternative options and it needs to. It's possible that this is not the intent of the Policy, in which case, you might want to specify that it applies to urbanized rural areas where there is a great deal of development on very small parcels.

154
cont..

Policy PF-1b: See comments above about master facilities plans. SCWA doesn't seem to like them and they tend to be more expensive than the community can afford, especially with the high charges by the Agency. The big issue here is that these communities simply cannot afford to do the planning necessary to make these work. A full environmental impact report would have to address all growth related environmental issues. **This policy says nothing about environmental analysis! (CEQA)**
Add: PF-1b (9) Provides full environmental analysis as required by environmental law.

155

Policy PF-1c: You can eliminate Occidental Water Company for two reasons. First, I believe that it is the Occidental Community Services District that runs the water system, which is new and has just been completed. Monte Rio is spelled wrong. Furthermore, we have been calling for a planning process for the Russian River County Sanitation District for a long time. SCWA is just moving forward with a piece meal expansion. This may be a question for EIR comments, but where is the analysis showing buildout of a sewer district and the needed capacity to serve that new growth? The issue of expanding a district to pay for new growth within the district is not address adequately.

156

Policy PF-1f (2) and Policy PF-1h (2): This refers to OS-1c, which I couldn't find. Where is it?

157

Policy PF-1k: We support the language on package treatment plants provided by the Sonoma County Water Coalition.

PF-1m: For the reasons stated below, we have serious concerns about this policy.

- 158
- To our knowledge, specific studies determining which septic systems are truly failing, have seldom been conducted. While many septic systems may not meet current codes, they often function adequately and do not cause pollution. Clear demonstration of numerous failures should be documented in areas where annexations are contemplated.
 - In the Water Resources Element Policy WR-1n calls for the consideration of the establishing of septic management districts. It makes sense to prioritize this solution wherever feasible, over large, expensive, and often polluting centralized wastewater treatment plants, especially in rural areas.
 - Centralized sewer treatment systems always foster extensive development on substandard parcels that are environmentally challenged. This is most problematic on fragile steep slopes that become much more prone to sliding when they are disturbed. Not only are the slides a health and safety issue, but their pollution of waterways can be very destructive.
 - The water quality, traffic, geologic hazard, and other serious issues are seldom adequately addressed in the process of the environmental documentation of impacts from expanded sewer services.
 - Chemicals used in wastewater treatment and their polluting byproducts are often not addressed and/or regulated by these treatment systems and often cause serious harm to aquatic life. At a gigantic cost to property owners, expansion of centralized treatment plants often results in trading one pollutant for another.

- In light of the inability of the Federal and State Governments to help finance centralized systems to any significant degree, it makes sense to prioritize the creation of septic management districts to assure, in a timely manner, that truly failing septic systems are repaired. These districts could assure that problems are identified, and funds made available to make repairs, without encouraging massive amounts of environmentally harmful growth to help pay the bills.
- A good case in point is the Monte Rio District, which has been trying to design and fund a 600 hookup system for 400 developed parcels. This system won't serve the worst septic problems in the area on Starrett Hill and the price tag has almost doubled to \$14 million dollars.
- We suggest the following change to Policy PF-1m: (new language in CAPS and eliminated language underlined)

Where substantial numbers of PROVEN failing septic systems or other health and safety problems exist outside urban service areas which could be addressed by extension of public sewer service, SEPTIC MANAGEMENT DISTRICTS, evaluate the feasibility of enlarging urban service boundaries ESTABLISHING SUCH DISTRICTS to include such THESE areas. The evaluation should assure sufficient capacity to serve existing connections and potential buildout within existing urban service area boundaries.

Finally, where appropriate, we urge you to reference by policy or objective number AND page number, other elements directly related to Public Services. We are concerned that the policies in this element seem detached from the concerns noted in other sections of the General Plan. Specifically, we are concerned about the preferred emphasis in this section of utilizing centralized treatment facilities without acknowledging the often serious water quality issues of doing so.

(End of comments to Planning Commission)

WATER RESOURCES ELEMENT

The following section contains some comments on the Water Resource Elements policies and objectives. RRWPC strongly supports the concept of the WRE. Many policies and objectives offer a very good start for a comprehensive sustainable water policy. But we also have concerns at this time that it is too weak and will not accomplish its goals. We include some general comments here on the Element (These comments are in a different format because they were written at a different time. They have not been submitted anywhere however.

- WRE Purpose and Relationship to other Elements (page 210)
 - Addresses five main topics which are treated separately and not integrated with one another: water quality, ground water supply, public water systems, conservation & reuse, and import/export Yet on Page 1 the basic assumption of WRE is: *"The primary purpose of this element is to ensure that Sonoma County's water resources are sustained and protected. To achieve this purpose, water resource management will be in an integrated manner throughout all jurisdictions*

158
cont...

159

160

160
cont..

in the County and be on a sustainable yield and quality protection basis which considers the amount of quality water that can be used over the long term without exceeding the replenishment rates over time or causing long term declines or degradation in available surface water or groundwater resources."

161

- How can integration can occur when important aspects of the WRE are scattered over five other elements? We are particularly concerned about separating water quality, water reuse, and wastewater treatment facilities.

162

- In the background section, why there is no mention of strong public concern over the last 25 years about public wastewater treatment facilities and wastewater discharges into our public waterways in regards to water quality issues?

- Watersheds (page 214)

163

- Watersheds chart Figure WR-1 is misleading. Fails to note where major tributaries flow into major streams. For instance, Santa Rosa Creek flows into the Laguna, which flows into Mark West Creek. The fact that the creeks are listed in a linear fashion in Figure WR-1, fails to demonstrate the interconnectedness of these streams/subbasins and their full impact at the Russian River confluence. For the sake of clarity, better descriptions of the watersheds should allow for adequately addressing impacts. Perhaps reference to an appropriate map would address this issue or indentations on the list showing, which streams flow into which waterways would help.

164

- This lack of integration could indicate inadequacies in cumulative impact analyses where the interrelatedness of these waterways creates impacts that might not otherwise be addressed.

165

- In the section under Subbasins (page 216) the Russian River impairment for sediments is mentioned, but none of the other 303(d) impairments are described here. It's out of context and could be misleading, especially since it applies to all subbasins of the Russian River.

166

- Page 218 (top): Poor groundwater quality can also come from over irrigation with wastewater, seepage of soil amendments, pesticides, and other chemical contaminants from even normal irrigation and/or rainfall. (This was mentioned in some part of the DEIR and may indicate a lack of consistency with that document.)

- Water Quality Section (page 219)

- o While this is a very serious and complex topic, it appears that very little general plan consideration has been given to it, especially in comparison to the breadth and detail of the groundwater section. 167
- o Section on National Pollutant Discharge Elimination System (NPDES) is misleading, confusing, and fails to differentiate between the various kinds of NPDES permits. This segment appears to confuse stormwater permits and point source discharge permits needed by wastewater treatment plants. These two are much different. Most of the paragraph on page 219 describes elements of Stormwater Permits until it mentions California Toxics Rule (CTR), which only applies only to wastewater discharge permits where the discharge goes directly into surface water from a point source. CTR does not apply to Stormwater Permits. During the CAC hearing process, I believe that comments were made to that effect, but no changes in the Element were made. 168
- o The following section on TMDL's (page 219) gives a fairly accurate account of impaired water body status, but for one exception. The Laguna de Santa Rosa is impaired for phosphorus, nitrogen, dissolved oxygen, temperature, and sediments. In this segment, only dissolved oxygen is mentioned. This is a gross error, since the Laguna de Santa Rosa subbasin is most affected by development in the mid County area. This inaccuracy had been pointed out during the CAC review process, so it is strange that no corrections were made. It would also help to clarify that this program only applies to surface waters. 169
- o Under the section on Dissolved Elements, the Plan omitted Mercury, which is a significant concern throughout the Russian River Watershed. 170

(End of General WRE comments)

Water Supply Services-Impacts & Mitigation Measures (page 4.9-22)

Impact 4.9-1 Insufficient Water Supplies to Meet the Future Water Demand of the Urban Service Area

This Impact seems to require a quid pro quo from small water systems to support water supply controls sought by SCWA. A balance is called for between water supply and water demand, yet the section fails to meaningfully indicate the many complexities in achieving such a goal. It alludes to the natural factors involved, but spends most of the text in support of the goals of SCWA water supply needs. (Some of the items in this section we discuss on earlier pages.) 171

Discussion of policies (page 4.9-26)

WR-3q and 3r: Inter-regional planning efforts

172 [We have some concerns that the focus here is more on water powers than on sustainability of the resource. We have watched interregional planning fall apart as SCWA conducts most of its business in private meetings behind closed doors, relies on attorneys in developing most plans, and plays one interest against another, telling people what they want to hear and saying different things to different people. They are masters at playing hard ball and seldom allows truly open and transparent processes among affected parties.

173 [WR-3a & 3c: We have no problem with the collection of information. It is the end result of how it is used that we are concerned about.

174 [WR-3l: Who is the SCWA/County going to consult with, themselves? There is no master plan in place, yet SCWA is going around making contracts to tie up water rights, buying property for facility expansion, developing policy statements that get commented on and then dropped, and many other actions that are contrary to the spirit of cooperation and full disclosure. There is no master plan that has passed the muster of public review. This policy is unenforceable, because the Agency strong arms those in need of their services and plays hard ball with anyone who disagrees. Since water contractors are beholden to them for their water supply, these feel good cooperative arrangements are simply a cover for what is truly a water dictatorship.

175 [PRMD's role, as described on page 4.9-27 is compromised by the fact that the same people (Board of Supervisors) are in charge of planning, water and wastewater services, permits, health code enforcements, septic systems, etc. and operate as a hegemony controlling all County services. Policy WR-3k seems to support this view. We have watched SCWA play a very protective and possibly controlling role in the development of the Water Resources Element.

176 [In regard to conservation, WR-3f and WR-4b promise very little in the way of substantive policy for assuring much greater water savings. WR-4e, 4f, and 4h are good starts, but they are far too vague and undemanding in anticipated results. Again, there are no goals or oversight with which to measure success and no analysis of potential savings connected with any of the programs. Consequently, it is impossible to measure the potential value of these efforts.

177 [Since there is no further mitigation offered, the consultant concludes that a significant unavoidable impact would occur. We believe that more could have been done to avoid this conclusion. There is a great deal of information out there on possible conservation efforts beyond what has been presented, which has not even been measurable. We refer you to Waste Not, Want Not by Peter Gliick of the Pacific Institute. Also Ned Orett of Petaluma has written extensively on this subject as well. We believe that the problem is with the decision makers who really don't want to be bothered with extensive conservation efforts.

Impact 4.9-3 new or Expanded Water Supply Facilities

Previous comments address our concerns about this issue.

Wastewater Management Services- Environmental Setting

On page 4.9-33 the DEIR states that all independent sanitation districts in the County are managed by SCWA except Bodega Bay and Forestville. I think you need to add Graton to that list as well. They have a separate board and management from Forestville.

178

Exhibit 4.9-9

I haven't checked the numbers in this chart, but I happen to know that the dry weather flow for RRCSD is a very old number; I am quite sure it is currently around 0.45 mgd for the last few years. Similarly, the percent of current capacity in use is way off base, and can be very misleading depending on whether you are talking about a summer weekend or a stormy winter day. Because of floods and summer recreational and tourist visitors, probably no area varies as much as RRCSD in terms of flow. This factor should be taken into consideration.

179

These same comments apply to Impact 4.9-4 Increased Wastewater Treatment Demand and Exhibit 4.9-10. Also, the permitted capacity for RRCSD is listed as 0.710 mgd. This is winter capacity only. The summer capacity due to constrained irrigation area is 0.510. We also would challenge the future increased esd capacity of 1077 hookups.

180

Septic Systems

What is the basis for first guessing the number of septs and then estimating the number of people using them? The 2.8 persons per household seems very high. How was that determined?

181

State and Regional Regulations

In other segments of the DEIR we noted that mention of the Basin Plan was lacking and that there appeared to be confusion over NPDES permits. We still believe that to be the case, but it is interesting that the person who wrote this brief segment (page 4.9-36) seemed to understand these correctly. We wonder once again if two different people wrote these sections? Perhaps they can talk to one another.

182

Impact 4.9-4 Increased Wastewater Treatment Demand

According to our understanding, the Monte Rio District has about 400 developed parcels and about 200 undeveloped. I have never seen the number listed here: 455 and 131 respectively. How do you explain the difference?

183

In general, the DEIR has not really stated how much growth will be assigned to any of the sewer districts in the Russian River Area, so it is impossible to evaluate the adequacy of the capacity with any accuracy. We believe an analysis of vacant, buildable parcels in each of the sanitation districts in conjunction with capacity analysis, would have given a better picture of growth impacts. As it is, once again it has been determined that growth in this area will have significant

184

184
cont.. [unavoidable impacts. A more detailed analysis may have made that unnecessary.

185 [It is mentioned (page 4.9-42) that, *"Additionally, the completion of master facilities plans, improvements to existing facilities, and the construction of new wastewater treatment plants would be beyond the control of Sonoma County....."* Since Sonoma County manages most of the County Sanitation Districts, wouldn't this be a false statement?

4.6 BIOLOGICAL RESOURCES

186 [For the most part, we have very limited expertise on this issue. We do support many of the policies and wish they would go even further, especially in regard to riparian protections. In our humble opinion, riparian is the single most aspect of water quality protection than almost anything else. It is very sad that so many land owners (including the government) have felt obliged to get rid of it.

187 [Another deep concern we have is for redwood trees. We realize that the County cannot control timber harvest plans, but can limit cuts under three acres. We are extremely disappointed that we didn't see any policies in this document to protect this incredible resource, especially in areas around the Russian River. The forest environment is attractive as a tourist and recreational resource. It is important for its habitat values. These trees help protect the lower hillsides from slides. They provide a habitat unique in this world and yet people are allowed to cut trees for sun and to raise money for other things with very little oversight. It's a travesty!

188 [Finally, we support all measures to protect endangered species, especially the salmon. As far as we are concerned, you cannot do enough to protect this magnificent species. They are the canary in the coalmine and a strong indicator of the state of water quality in our waterways. It is sad when people don't take that more seriously.

4.7 GEOLOGY/SOILS

[Living in a slide prone area, we are very sensitive to this issue. We include some of our comments to the Planning Commission on this Element (3-21-06)

(Start of comments)

Goals, Objectives, and Policies

189 [The goal and two objectives acknowledge the need to address the problem.

Objective PS-1.2 can be improved by adding the following (IN CAPS):

"Regulate new development INCLUDING MAJOR ADDITIONS AND IMPROVEMENTS to reduce the risks of damage and injury from known geologic hazards to acceptable levels."

There are many parcels for sale in West Sonoma County on steep slopes, covered with trees, that will probably need driveways and significant earth movement and tree cutting

to make habitable. Some of these parcels should not be developed because of the extreme risk involved. **Professional geologic reports should be required on all potential impacts from disturbing these areas and building should not be allowed where impacts are deemed significant.**

Furthermore, professional reports should be required on all proposed tree cuts in these fragile forest ecosystems and prohibited where slide potential and stream degradation exists. Numerous clear cuts and major trees removal in Rio Nido has occurred by people who want cheap land, along with the sun. In one case, trees were sold to raise money for the owner with no regard for the impacts to the environment. These cuts have caused changes to the neighbor's trees and have threatened the safety of others, since these harvests actually change the wind and weather patterns in these canyons and turn remaining trees into potential hazards. There should be a policy requiring people to study and avoid all damaging effects of cutting of large trees in slide prone areas, especially in residential areas.

Some of the policies in the Safety Element appear to address these issues, but simply do not seem to have worked effectively; there are too many examples of hazards that appear to be preventable.

Comments on specific policies:

PS-1a: Utilize data how? What data? This seems too vague to have much meaning.

PS-1b: Similarly vague. Studies will be utilized with what goal in mind?

PS-1c: We encourage such amendments, but where are they? Shouldn't there be recommended language included in this draft?

PS-1d: This is an unfunded recommendation that will go nowhere in the form it's in. Where are potential funds and what carrot/stick can be utilized to stimulate generation of such activities?

PS-1e: In watching the development in the redwood canyons of Rio Nido, with gigantic McMansions being put on substandard lots, totally out of proportion to the surroundings, it is hard to believe that this policy has been implemented at all. The Geologic Hazard Area should be readily accessible to those trying to utilize this document. It would be helpful if some of the requirements could be spelled out here.

PS-1f: Just how do you minimize risk from a landslide to an acceptable level. There should be a policy that all projects in landslide areas should be reviewed by the Planning Commission and notices should be sent to all property owners within at least 1000' of the project. This policy needs to be spelled out further.

NEW POLICY RECOMMENDATIONS:

REQUIRE GEOLOGIC HAZARD ANALYSIS FOR ALL LARGE (size?) TREE REMOVALS ON STEEP SLOPES WITHIN SLIDE PRONE AREAS. PERMITS SHOULD BE REQUIRED FOR REMOVAL AND STIFF FINES INSTITUTED FOR VIOLATIONS.

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REQUIRE HOUSING SETBACKS THAT PROVIDE PARKING AREAS APPROPRIATE FOR THE SIZE OF THE RESIDENCE. PROHIBIT VEHICLE PARKING WITHIN 50' OF CREEK BANKS.

Generally speaking, the policies in this section are quite weak and fail to address the significant problems caused by this hazard. It is interesting to compare this section to the one on flooding in terms of the effort spent in addressing the issue. I would support any recommendations made by Dr. Howard Wilshire on behalf of PEER. He is far more expert than I in these matters. (His comments were submitted on the EIR.)

Reduction of Potential Damage from Flooding:

While it is appropriate to encourage the raising of existing structures in the flood plain to avoid future inundation and property damage, it is problematic to rely on this means to allow further new development. Especially up to the ten year flood plain, there should be no new residential development allowed. There are several reasons for this and probably many more that I am not aware of.

- People get isolated for days without services in their homes. This provides health and safety problems, especially for the very old and the very young.
- Sewer systems and septic break down, especially when the river gets over 40' in the Guerneville area.
- Toilets in low lying areas in the Russian River County Sanitation District (RRCSD) cannot be flushed. If back flow devices are not functioning properly, sewer spills can end up in homes. Also, water needs to be boiled and often the electric is out. These are health hazards for people occupying the dwellings.

198

Policy PS-2.2 (page 251) calls for regulating new development to reduce risks to acceptable levels. What does are "acceptable levels"? I would suggest putting a period after "hazards" and leaving out the last three words.

199

PS-2d: Add language that eliminates new development potential on properties in Floodway and ten year floodplain, and minimize new development in 100 year Flood Plain areas. The Open Space District should be encouraged to buy up lands along major waterways where they commonly flood. Also, tree cutting and vegetation removal along riverbanks should be severely limited. (Sediment loads are a major source of pollution in the river.)

Flood Insurance should be a stipulation for any building permits in the flood plain.

Many of the policies on flooding impacts appear quite good. One issue that appears to go unaddressed however, is SCWA practices in regard to channel maintenance. Historically they have cleared vegetation in channels (some they had planted themselves for riparian improvements) to move water more quickly downstream. Flooding in the lower river was considered more desirable than flooding in the urban areas. Please address this issue.

There are many techniques and devices for holding water on site and minimizing downstream flows. This has the added benefit of reducing polluted storm waters and preserving water quality. These bear mentioning in this section. Also, the County needs to work with local municipalities to encourage runoff prevention, also important for the stormwater prevention program.

Finally, here is a summary of some of our major concerns:

Critical General Plan Issues:

Inadequate project description.

- Potential parcelization (build out) not described or analyzed (SC most parcelized county in state) .
- Need to provide parcelization map including COC's and potential granny units.
- No limit placed on buildable parcels and what gets developed because services can't be provided

200

Impacts inadequately described and mitigations inadequate

- Too many significant unavoidable impacts.
- Policy mitigations are weak and no means provided to measure compliance.
- Reliance on unfunded projects to mitigate growth. How will this protect endangered and threatened species?
- If EIR assumes impact will be reduced by plan policy or mitigation measure, information must be provided to document effectiveness of the measure to reduce the impact.

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Similarly, wastewater disposal is becoming more and more problematic and expensive. As pollutants in our water bodies and human bodies seem to increase, along with our awareness of the harm they do (loss of salmonid species, invasive plant proliferation, increased cancer rates, etc.), the need is created for greater regulation, which drives up the cost of providing the service. Rural areas are hard pressed to pay the costs associated with the growth and development projected in this plan and the plan avoids discussion of this issue.

205

ESA: not addressed in Water Resources Element, even though water policy is critical to threatened and endangered fish species. Also, need to define beneficial uses and how GP policies will affect protection of these. Promise of unfunded projects to mitigate doesn't work unless it is shown where funds will come from.

206

Decision 1610 and low flow proposals in Biological Assessment. Need to look at latter in terms of UWMP. SCGP should ultimately be delayed until UWMP and Biological Opinion are complete. Both are imminent within the next year.

207

Hillside Ord. : Need to evaluate success and reliability in providing protection from siltation from hillside vineyards. Need for monitoring programs for many of these programs that are meant as mitigations. (Are BMP goals being met?)

208

Concerns about project description and discussions on water quality:

- Section on water quality is vague, incomplete and misleading
- Goals, policies, objectives are nonspecific, noncommittal, unclear and fail to demonstrate how compliance will be measured. Promises to "work

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with" the Regional Board to the "extent feasible or practicable" fails to provide adequate mitigation for the vast impacts of these issues.

211

- Use of annual averages for water demand/ fails to address summer shortages

212

- Use of old data/ 303(d) list and old numbers for RRCSD dry weather flow

213

- Inaccurate or missing data/ UWMP and claimed TP's under WDR's (instead of NPDES); CTR under NPDES; confuses wastewater and storm water issues; no mention of unregulated toxins such as pharmaceuticals and personal care products and endocrine disruptors

214

- It will take a major rewrite to correct the flaws in the project description, deal with the issue of parcelization, and correct the many errors of omission and commission. It may be counter productive to move forward with this EIR in its current condition.

Draft GP 2020 FEIR Comment Attachment #2

Russian River Watershed
Protection Committee
Attachment available for review at
PRMD Comprehensive Planning
2755 Mendocino Ave, Suite #203,
or by request.

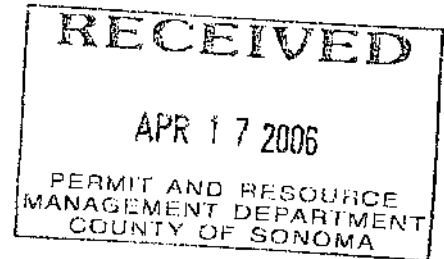
219

 UNITED
WINEGROWERS
for Sonoma County

P.O. Box 382, Santa Rosa, CA 95402

April 13, 2006

Bob Gaiser
PRMD
2550 Ventura Avenue
Santa Rosa, CA 95403-2829



RE: Comments on the Draft EIR

Dear Mr. Gaiser:

Enclosed are our comments on the Draft Environmental Impact Report for the General Plan Update.

Thank you for this opportunity to offer comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Anderson".

Bob Anderson
Executive Director

Our goal is to protect Sonoma County's agricultural lands through policies that will both encourage and sustain the productive use of our land. We recognize the magnitude of the challenge we face hoping to remain here and grow grapes and make wine for many more decades in what is otherwise a rapidly growing, urbanizing county. Some policies under consideration in the General Plan Update will help us meet our goal and others, though well-intentioned, will not.

1

The Draft EIR (DEIR) states on page 2.0-2 that the population of the unincorporated county area would increase from 128,596 in 2000 to 147,660 in 2020. It would be good to see a graph showing those numbers. With the recent release of Department of Finance numbers for 2005, it would be possible to show whether growth is ahead or behind for the first quarter of the 20-year period. Comparing Sonoma County and the State on the same graph would be helpful.

2

"Areas of Controversy" (page 2.0-3): Reference is made to the conversion of agricultural lands to non-agricultural uses, "including the conversion of timberlands to other uses." The example cited of the controversy surrounding conversion of timber to vineyards actually represents the conversion of one type of agriculture to another, not its conversion to a non-agricultural use. The conversion of agricultural lands to wildlife habitat via proposed stream setback requirements represents a more accurate example of conversion to a non-agricultural use.

3

"Project History" (page 3.0-8): As stated, "in establishing the scope of the General Plan update, the County decided not to conduct a major overhaul of the 1989 GP's policy framework. Instead the work program for the GP2020 is limited to a 'Policy Review' of selected issues approved by the Board of Supervisors." The scope of the update limits land use map changes "due to similarly strong support for maintaining the current land use designations and policies (*emphasis added*) that concentrate future growth in the cities and the county urban service areas." We understood this to be a major pillar of the present update effort and should be not only the direction for the existing land use maps (only minor changes proposed) but for the existing policy framework as well.

4

"Uses of Land" (page 4.1-3): Given the considerable discussion regarding Timber, it would be well to show a separate percentage for Timber (rather than Timber / Other Lands).

5

"Land Use Plan Designations" (page 4.1-3): The percentage shown for the incorporated cities is not correct. The cities' total of 44,237 acres represents more than "three percent" of total county acreage.

6

"Total County Acreage" (page 4.1-5): The last number in Exhibit 4.1-1 is 1,010,747 ac. - for total County Acres. Previously, on page 4.1-2, the number cited is 1,026,000. It would be good to show how these are different if they are different or correct one or the other if they are instead 'apples-to-apples.' The 1,010,747 number repeats in Exhibit 4.1-3.

7

"Density of Development" (page 4.1-9): This set of numbers tells a powerful story. It would be helpful to have it presented as a graph. Also extend the level of analysis and show densities for the unincorporated areas of Alameda, Napa and Sonoma counties, not simply the countywide persons per square mile.

“Summary of Land Uses and Development” (page 4.1-31): The numbers for 2000 Residential Units in Exhibit 4.1-4 needs to be fixed. The 2020 number of 63,789 is the same as that used in Exhibit 3.0-4 per Housing Units in 2020. However, the planned growth of 7,344 units of growth between 2000 and 2020 on page 3.0-16 becomes an actual decline of 612 on page 4.1-31. As to the Agricultural / Commercial / Industrial square feet shown in Exhibit 4.1-4, it would be helpful to know the actual numbers that were included for wineries for both 2000 and 2020.

8

“Incompatible Land Uses” (page 4.1-40): This section discusses potential land use incompatibilities in rural areas. Requirements include having traffic mitigations completed by new development prior to occupancy; conflicts reduced by providing walkways for bicyclists and pedestrians; and safety improvements made as part of project approvals. Do similar requirements appear in other parts of the DEIR for projects in urban areas? Are urban projects subject to the same threshold that the “implementation of policies, programs and mitigation measures would reduce land use conflicts *but would not fully prevent future complaints*” and, therefore, result in a significant unavoidable impact? How is it possible for projects to meet criteria based on the necessity of having to “fully prevent future complaints?”

9

“Sonoma Creek Watershed” (page 4.5-14): A correction is needed to a suggestion in the text that “the expansion of wineries...may be responsible for elevated pathogen levels within the watershed.” The recently released report for the Sonoma Creek Pathogen TMDL never mentions wineries as a contributing factor. See Staff Report dated December 1, 2005: “**Total Maximum Daily Load for Pathogens in the Sonoma Creek Watershed Project Report.**”

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<http://www.waterboards.ca.gov/sanfranciscobay/Basin%20Plan/sonomacrkpathogens/ProjectReport.pdf>

Page 20: (selected text)

“The following source categories potentially contribute significant controllable pathogen loads in the watershed:

- **Septic systems.** This source category appears to be a significant source of pathogen loading, especially during the dry season.
- **Sanitary sewer system failures....**are considered a potentially significant pathogen source in this watershed.
- **Municipal runoff.** Data indicate that urban stormwater is a significant, widespread wet season pathogen source in the watershed.
- **Cattle grazing.** The extent and severity of this source category should be clarified through further monitoring during adaptive TMDL implementation.
- **Dairies.** Currently, the Water Board via NPDES Permit or Waivers of Waste Discharge Requirements regulates all dairies operating in the Sonoma Creek watershed.
- **Wildlife.** Local problems may be present in certain areas where wildlife densities are particularly high.
- **Domestic wastewater treatment facility discharge....**the Sonoma Valley County Sanitation District treatment facility does not significantly contribute to pathogen loading under normal conditions.”

“Lack of Groundwater Monitoring” (page 4.5-20): This section concludes with the statement that “the distribution of the monitoring wells is not adequate to assess the rate, extent and severity of groundwater level fluctuations.” However, it begins with the bold assertion “it is clear that groundwater levels are dropping.” Actual data collected from the several dozen DWR monitoring wells located around the county (many having data for three decades or more) should be included.

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"Resource development and sedimentation: (page 4.5-44+): The title needs to be corrected for Exhibit 4.5-7. Following Exhibit 4.5-8, the reference suggesting that direction was given in the new grading ordinance to include all agricultural cultivation is not correct. This section begins by stating that "agricultural production, timber harvesting and mineral resource extraction are economically important land use activities in Sonoma County." However, agricultural activities are singled out for special attention in the proposed mitigation measures. The policy addition has ramifications far beyond agricultural activities. It suggests development of BMPs for reducing "peak runoff rates on all cultivated slopes." Does this include anything cultivated...a roadside ditch...a home garden...any slope over 0%? The wording added extends to more than vineyards or even row crops. How many acres in the county are included by the addition of erosion and sediment control for "slopes greater than 35 percent?"

13

"Well competition and adverse well interference" (page 4.5-56): This section suggests where competition is significant, performance and delivery of water may be affected for adjacent wells. This phrase then serves as a definition for well interference. However, the actual performance of a well may be affected by many factors, including its proper repair and maintenance. We have at best only a generalized understanding of how water moves underground. In an earlier section on groundwater monitoring, it was noted that proper evaluation of groundwater fluctuations is difficult and that more monitoring wells are needed to assess the rate, extent and severity of groundwater level fluctuations. The proposed requirements in WR-2c may well exceed our technical reach. Their feasibility is highly suspect from an operational and economic standpoint.

14

"Special-Status Species" (page 4.6-4+): Are the stream segments used in the DEIR described to be those known to support coho, steelhead and Chinook the same stream segments that have been listed by NOAA Fisheries for critical habitat?

15

"Sensitive Natural Communities" (page 4.6-17): In the section on Wetlands, the definition suggested includes areas of "riparian habitat along creeks and streams." Is this the same definition used for Wetlands by other agencies?

16

"Acreage of Grapes" (page 4.8-6): When reporting the historic grape acreage for Sonoma County, an asterisk is in order inasmuch as in 1998 or thereabouts the Agriculture Commissioner's report included an 8,000 acre adjustment reflecting a change in their data from the previous year's report.

17

"Vineyard Ordinance" (4.8-14) The DEIR assumes with no supporting evidence that the VESCO does not adequately mitigate environmental impacts of vineyard development in Sonoma County. When the County adopted the ordinance in 2000, the County Board of Supervisors determined that the ordinance would mitigate such impacts; and the experience of the last 6 years since the Ordinance's adoption shows that in fact has been the case.

18

"Conversion of Ag Lands to Non-ag Uses" (page 4.8-18+): Is there anywhere else in the DEIR that the conversion of 61,000 acres of land to a non-use would be considered to have a "less-than-significant" impact? The full detail is provided for the Land Use Amendments concluding that only 9.6 acres of State designated farmland is proposed for conversion. It is suggested that 61,000 acres is only a very small percentage of the county's inventory of agricultural land. There are not 800,000 acres of land available for

agricultural use in Sonoma County. The total in Exhibit 4.8-2 showing Important Farmlands of 162,148 in 2002 is a much more realistic estimate.

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cont...

"Agricultural Water Use" (page 4.9-9): More work is needed. The numbers as presented simply do not work. For vineyards, the usage number is high. And, the "applied water" figure for other agriculture in Sonoma County suggests the 12,000 acres of non-vineyard crops use over 4 AF per acre - as much as it takes to grow rice. These numbers are then repeated on page 4.9-29.

19

"Agricultural processing and support uses" (5.0-73) The DEIR assumes with no supporting evidence that further restrictions on the source of grapes that can be processed by Sonoma County wineries would reduce environmental impacts. In a recent permitting actions, the EIR for a winery expansion stated that the source of grapes was irrelevant to the environmental impacts of the winery. Sonoma County has for decades been a regional hub for grape processing, and there is no evidence that the historical use of grapes from other North Coast counties, the Central Coast and throughout Northern California has had and will have any significant adverse environmental impact.

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In terms of the analysis performed for the various alternatives: One example of many is the wording in Section 4.5 Hydrology and Water Resources (page 6.0-8),

"As described in Chapter 5.0 Alternatives, hydrology and water resource impacts under each of the alternatives would be significant, although variations in policies and programs may result in fewer or greater impacts than under the Draft GP 2020. As a result, the cumulative impacts under each alternative would also be significant. In addition, each alternative would result in a cumulatively considerable contribution to these impacts."

21

A discussion of various transportation projects on page 6.0-6 presents a good alternative:

"Due to the uncertain nature and location of the cumulative projects, they were not included in the traffic model."

A similar statement can and should be repeated for virtually all the suggested alternatives. They may have been raised during the process, however, their acceptance and subsequent adoption is extremely unlikely. As the DEIR suggests, one possible transportation alternative would be to expand Highway 101 to eight lanes. That, however, was determined to be an alternative that would not be acceptable to the community in Sonoma County.

Likewise, drop those alternatives that are not realistic; are economic non-starters; and lack community support and move on. There's nothing to be gained from making a further "cumulatively considerable contribution" towards assessing in any greater detail what won't work. Let's focus on getting right what will work and making sure it's the best we can do so the General Plan Update serves us well for many years to come.

22

Thank you for this opportunity to comment on the Draft EIR.

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MAR 15 2006

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

March 15, 2006

Planning Commissioners of Sonoma County
PRMD of Sonoma County

Subject: Comments on Inadequacy of the Draft Environmental Impact Report (DEIR) for the Proposed Sonoma County General Plan 2020 in the Area of Traffic Related to Tourism in Agricultural Areas

Dear Planning Commission members and PRMD staff,

Thank you for the opportunity to comment before your commission. I am a member of Save Our Sonoma County (SOS) a countywide network of citizens and neighborhood associations dedicated to keeping agricultural lands in food production and timber lands in sustainable timber production. SOS supports restricting the importation of grapes brought into Sonoma County in order to support the food production of local growers. Agricultural tourism is a major threat to agricultural lands and SOS opposes its unregulated growth into rural areas.

Tourism in agricultural areas is probably the fastest growing component of that industry and yet the DEIR does not assess the impacts or mitigations that need to be accurately measured, assessed, and legally defined for CEQA. The DEIR in its current form is inadequate; it does not sufficiently or accurately assess the draft General Plan 2020 traffic impacts related to tourism in agricultural areas. As it stands, the DEIR is inadequate and is in violation of environmental law, creating substantial liability for Sonoma County.

Analysis of existing *baseline* tourism in agricultural areas

Section 4.2 Transportation does not adequately examine traffic impacts on rural area roads generated by tourist activities. The land uses associated with non-food production activities in agricultural areas such as tasting rooms, special events, wine-related shopping centers, and other non-food production commercial activities which I will refer to as "agricultural tourism" are not sufficiently characterized in terms of the traffic produced, i.e. temporal and geographic distribution, vehicle type, load, etc. The DEIR fails to identify and characterize the existing agricultural tourism distribution and clustering of tourist facilities. Further, it fails to analyze the relative

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cont...

sizes of the tourism facilities that generate the rural traffic volume and their contributions of traffic. The DEIR does not analyze the cumulative traffic impacts of agricultural tourism and the current casino in Alexander Valley. These various contributors to rural traffic are not analyzed in terms of traffic volume, seasonality, or peak congestion occurrences.

Analysis of the impact of *proposed* agricultural tourism activities is inadequate

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The DEIR fails to provide any analysis of traffic levels that will result from policies in general plan 2020 that encourage increased agricultural tourism infrastructure, worker dormitory housing complexes, and estimations of tourism-related traffic at special events. The DEIR fails to analyze the capacity of existing roads in agricultural tourism areas and also does not analyze which roads are likely to experience increasing traffic problems that will require road expansion or other traffic mitigation efforts.

Analysis of the impact of agricultural tourism *projected growth* on traffic is missing

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The DEIR does not analyze the impact on traffic caused by expansions of existing wineries. It also fails to analyze the patterns and placement of wine tourism infrastructure within the county and which of these areas could result in additional impacts in the future. This would require an analysis of the Finally, it does not analyze the impact on traffic caused by the projected growth in Processing and Visitor-Serving Uses Associated with Vineyard Development Exhibit 4.8-4 which projects a 88% increase from 2000 to 2020 in the number of wineries.

Analysis of the *cumulative impact* of agricultural tourism and other sources of traffic growth is missing

5

The DEIR analysis in all prior areas is missing or inadequate. Even worse, is that the rapid growth of traffic generated by tourism in rural areas is not examined in combination with traffic impacts experience in nearby major roads and highways that are flagged in the draft EIR as major impacts due to rising populations in the urban areas and other infrastructure limitations.

DEIR fails to address *mitigation* of traffic issues in agricultural tourism areas

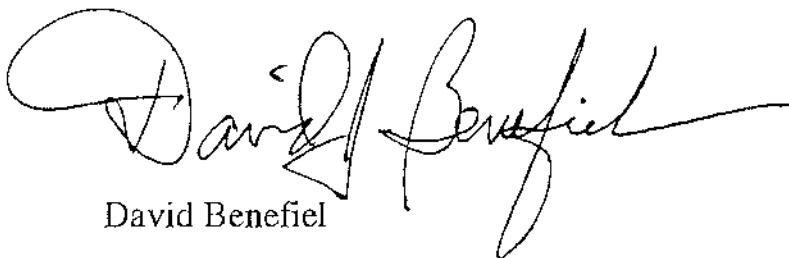
Since the DEIR has not addressed traffic issues related to agricultural tourism, there is a failure to analyze and provide mitigation for these issues. As a result, the proposed land uses in 4.8 Agricultural and Timber Resources that allow new and expanded land uses that are not involved with food production in agricultural zoned areas such as new processing plants, expanding bed and breakfast facilities, worker dormitory complexes, winery shopping centers, and special event facilities must be reexamined in terms of their impact on traffic levels. The County must analyze and mitigate the traffic impacts of these non-food production activities that are included in the draft General Plan 2020

Conclusion

The draft EIR has let the growing problem of traffic congestion on rural roads caused by tourism in agricultural areas get in under its radar screen of identification, analysis, and mitigation as required by CEQA. The failure to include this information in 4.2 Traffic is an omission of such magnitude as to require a revision of the document and recirculation for public comment.

Sonoma County is experiencing growing traffic problems in all areas of the county. While many of these have been examined in the draft EIR, the impact of tourism in agricultural areas has not been examined as required by law. Since tourism and agriculture are now claimed as the two top industries in Sonoma County with continued growth projected for the future, this issue must be fully examined and mitigated to the fullest extent possible.

Sincerely,



David Benefiel

Member of Save Our Sonoma County

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boudreaux

From: boudreaux [
Sent: Monday, March 20, 2006 12:30 PM
To: 'bgaiser@sonoma-county.org'
Cc: 'mreilly@sonoma-county.org'
Subject: Draft EIR for General Plan 2020; Compliments and concerns

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MAR 20 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

20 March 2006

To the Sonoma County Planning Commission:

Our home and farm is in the 5th District, in the 4th or 6th EIR Planning Area (between Sebastopol and Graton) I am pleased to see the county methodically consider issues ranging from air quality to biotic resources. The EIR looks professionally done and well-organized, particularly the Summary of Findings and the Impact-Mitigation chart. This made end-user review fairly straight forward. My largest interests are in air and water quality for my family and my farm. I have a few requests on the EIR:

- 4.3-5 on 2.0-12 of the Summary of Findings, "Aircraft Emissions": Toxic chemical emission and noise increases from increased air traffic are a top concern for me. This negatively effects health, real estate value, and quiet enjoyment of one's home. As there should be limits on construction growth, there should also be limits on air traffic increases. This should not be an unlimited growth area. Please show us measures to limit the air traffic growth, and its inherent chemical and other side effects. I have seen 3 children under the age of 10 diagnosed with cancer in the span of 5 years, and I am just a mom/farmer. We must cut the chemicals in as many areas as possible (food, air, water, etc.)
- 4.4-5 on 2.0-13, "Airport Noise": In addition to my comments above, add Mitigation elements both for airplane AND helicopter. Helicopters are a real nuisance in our area, both to humans and to birds in the area. They buzz our home at will, disturbing our quiet enjoyment of our home. Additionally, they fly at bird-level, so the hawks that were circling our farm for prey, helping us reduce rodents in a sustainable manner, are scared off and possibly harmed by the proximity of the helicopter flight. Please include flight patterns, minimum heights (far above bird level except for take off and landing), and time restrictions for helicopters (i.e. not at 2am), with exceptions for emergency personnel such as fire and ambulance helicopters.
- 4.5-5 on 2.0-14, "Groundwater Level Decline": We are on well water. Make the guidelines for rural development mandatory, not voluntary as stated in the Mitigation section. Ground water recharge is essential. "No net runoff" policies should be in place for new development, as well as ground water recharge.
- 4.5-7 on 2.0-15, "Well Competition": This looks good. Please make sure it has teeth.
- 4.9-10 on 2.0-2.5, "Wildland Fire": Having done construction three times, I respectfully request an exemption be built in to those with a certain capacity water tank and an on-site fire hydrant/hookup. If that requirement is met, the automatic fire sprinkler system requirement should be waived. (I avoid these sprinklers as they can go off accidentally and ruin the inside of your home, or not go off when you really have a fire and you have relied on them.) A similar waiver should be in place for those with a public fire hydrant within a certain distance of their home.
- Generally:
 - o Permits should be required before removal of any tree of a certain maturity/size. Trees create oxygen and aesthetic value.
 - o And, new population/construction growth should be limited by the water resources available, and the impacts on air quality. Please create a standard of cumulative impacts to the county, in addition to the individual standards for air, water, etc. Growth is good. Let's make it sustainable and enjoyable by existing residents as well as new ones.

Thank you for your time and attention.

Best regards,
Kristina A Boudreaux



3/20/2006

To: PRMD
Attn: Greg Carr
Scott Briggs

From: Tamara Boulbee

Date: April 17, 2006

Re: Additional comments, EIR for GP2020

In addition to the comments I submitted on February 24, 2006, please consider the following comments and questions.

1. Transportation: In all areas where new or amended policies talk about road/intersection improvements, add to the proviso that improvements are to be consistent with the designated road classifications, the following: **"And meet the needs and desires of the local unincorporated area residents."** (i.e. CT-6l, CT-6xx, yy, zz and CT-6aaa, bbb, ccc,ddd, eee.)

2. Air Quality: 4.3-3 Policy OSRC-16k should have some reference to future health standards.

3. Noise: Clarify text so that noise barriers (i.e. sound walls) are not erected along the sides of scenic rural roadways.

4. Hydrology and Water Resources: If the significance before mitigation is LTS how can the programs contained in the Draft GP 2020 be credited with "reducing" the impacts to LTS????(4.5-1, 4.5-2, 4.5-4, 4.5-6.) I question the LTS impact rating prior to mitigation.

In 4.5-3, why was a slope of 35% chosen instead of a slope of say 20%? Runoff can be great on slopes much less steep than 35%. Perhaps consider changing the figure to a lesser slope.

How can the impact of 4.5-4 be LTS when the waste waters are known to contain varying amounts of toxic materials which are, at least currently, not specifically controlled?

4.5-7 Define "high capacity."

4.5-10 Question how the impact at any time could be LTS.

5. Agricultural and Timber Resources: I question the impact level of LTS on 4.8-1, 2, 3, and 4. Even with the mitigations offered by the draft GP2020, the impacts could be considerable and irreversible.

6. Public Services: Why aren't the water consumption estimates of uses outside the county borders considered???

I think one of my biggest concerns is the seeming absence of supportive documentation for the conclusions drawn throughout the document.

Thank you for your consideration.

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ALEXANDER VALLEY ASSOCIATION

April 15, 2006

Permit & Resource Management Dept.
2550 Ventura Ave.
Santa Rosa, Ca. 95403

Re: General Plan Draft EIR

Ladies and Gentleman:

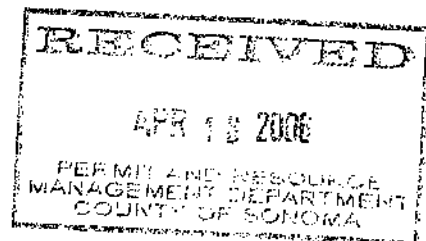
On behalf of the Board of Directors of the Alexander Valley Association, this letter constitutes the AVA's adoption of the written comments submitted by Sonoma County Grape Growers Association concerning the Draft Environmental Impact Report for the County's proposed General Plan 2020 update.

It is vitally important to County decision makers that the EIR be a factually accurate assessment of the environmental consequences of the proposed Plan's provisions. Unless corrected, the flaws identified in the SCGGA's comments would prevent the EIR from effectively serving this proper and legally mandated purpose. It is urged by AVA that the erroneous material be corrected and that the environmental assessments based upon them be reevaluated.

Very truly yours,

Candy Cadd, President
Alexander valley Association

cc: SCGGA



224

EIR

FOR THE PUBLIC RECORD

Sonoma County Planning Commission
c/o Denise Peter
Permit Resource Management Department
1500 Ventura Avenue
Santa Rosa, Ca, 95403

Lisa Carr, MD

February 12, 2006

RE: Sonoma County GP2020 Draft EIR 4.4 Noise

Dear Planning Commissioners:

I am a second generation grape grower, living and working in Knights Valley, which to my understanding still has the zoning protection of Franz Valley Area Plan which overlay this planning unit as a resource conservation, scenic resource, and scenic corridor and should be identified with these designations in the draft EIR and GP2020 update.

I have reviewed the Noise Element of the Sonoma County General Plan 2020 and have major concerns as to your future understanding of the meaning "rural" and, in particular, the inadequate evaluation of existing and future noise impacts.

Allow me to count the ways:

1) Lack of standards for rural noise sensitive areas must be addressed in EIR

- a) Throughout, the document seems to assume that acceptable noise levels by urban standards are also acceptable for rural settings. Other Northern California Counties are capable of clearly designating noise sensitive areas in unincorporated sections. Why is Sonoma County not addressing noise polluters like event centers, retail outlets and casinos in rural areas?

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PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

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- b) Noise sensitive areas such as Knights Valley and other agricultural and resource conservation areas should be identified in the draft EIR and mapped in GP2020.

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2) Actual and predicted traffic noise levels are outdated or inaccurate and should be corrected in EIR

- a) Please review 7.7-7, comparison of existing and future traffic noise levels. The chart for my neck of the woods at SR128, Sonoma County/Napa County, shows average noise levels going down, albeit above 60 dB in all cases! All my neighbors can clearly attest to the opposite phenomenon. I believe these measurements were taken in the 1970s, i.e. over a quarter of a century ago! Future predictions need to be based on current and objective data.
- b) I would ask you to compare exhibit 7.7-7 of the 1970s to figure 4.4-3, which summarizes and averages noise levels at various sites in July of 2002. Magically, literally all average noise levels for this more recent assessment are below the desired urban cutoff of 60 dB, and well below the increased noise levels measured in the 70s! Can someone explain to me how increased traffic, population, commercialization etc. actually decreases noise?

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3) Averaged values negate true noise impact in rural areas and must be addressed in EIR.

- a) "dB L_{dn}" is the common measure of noise impact quoted in your document. It simply averages day and night values irrespective of repeated peak levels. It would seem that the solution to noise pollution is dilution!
- b) The environmental impact analysis should address sound exposure levels, (SELs). This is an event-driven measurement that would be quite helpful in capturing those conversation-stopping, sleep-disturbing and earth-vibrating events associated with the ever-increasing trucks on SR128, that inevitably use the engine break at the Napa/Sonoma County line, and the multiple motorcycle groups, especially on weekends.

c) Include an accurate measure of noise in open spaces that are narrow or canyon-like, i.e. have an echo that amplifies the noise! Such is the case where I reside, some three football fields East of 128. This "open space" is anything else but a "noise buffer". I am sure there are many such affected areas in Sonoma County area. The draft EIR considers topography when it buffers noise, and must consider topography that amplifies noise (as occurs in Knights Valley)

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4) Comparison of predicted aircraft vs. rail noise should be given balanced comparison in the EIR

a) Please, compare 4.4 noise (impact 4.4-3, increased rail noise) and 4.4-5 (airport noise). I wish to hear an objective explanation as to how increasing air traffic will somehow be mitigated by improved technology, whereas the SMART project is simply deemed to be of significant impact. Do the authors not wish to predict equally beneficially technology for this transportation mode, or is the SMART project already DOA (dead on arrival)?

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5) Cumulative traffic and non-traffic noise impacts of commercial uses within rural areas are poorly described, if at all.

a) Special events of all-season, theme park-like "wineries" seem to escape close upfront scrutiny, i.e. the residents can try complaining "after" the fact. The degree of non-permitted events occurring, and the fact that noise standards are enforced on complaint basis only should be considered in the EIR.

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b) Helicopter noise from both, private and public sources, has clearly been on the increase.

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c) No consideration is given to noise generated from other counties. I live about ½ mile from the Napa County line at which a new winery is under construction. Noise and light pollution are quite evident, sometimes even at night hours, along with the occasional cacophony from the Calistoga racetrack at the fairgrounds...Sound carries very far in rural areas and does not stop at the county line! Consequently I would kindly request that the thought of "open space as a buffer" be dropped.

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- d) All-night casino traffic noise impacts were not considered in the draft EIR. Average noise measurements (if actually taken along rural roadways rather than estimated) were obtained prior to opening of River Rock Casino. Other casinos and destination commercial centers are planned for rural Sonoma Co. and their impacts on noise (light, traffic, and public safety) must be assessed in the draft EIR as a projected impact. The draft EIR insufficiently addresses the cumulative and future impacts of noise in rural areas due to the lack of rural noise standards or county-wide noise ordinance.

Sincerely,

Lisa Carr

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TI

April 17, 2006

County of Sonoma Planning Commission
PRMD Comprehensive Planning
2550 Ventura Drive
Santa Rosa, CA 95403

Re: Draft Sonoma General Plan 2020 Environmental Impact Report Comments

Dear Commission Members:

Western United Dairy Farmers would like to thank you for the opportunity to provide comments on the Draft Sonoma General Plan 2020 Environmental Impact Report. Our organization represents 1100 dairy families, who supply 65% of the milk in California. Approximately 62 of those dairies reside in Sonoma County.

Our first comment deals with Impact 4.5-3, Water Quality- Agricultural and Resource Uses. It states, "*Some agricultural practices, resource development, and associated land uses have historically impaired water quality and, on occasion, contributed to the violation of water quality standard in Sonoma County. Such practices and land use activities include hay farming and grazing, dairies...*" Although historically dairies may have contributed to water quality problems, it does not mention what the industry has done to improve this situation. The California Dairy Quality Assurance Program is a voluntary program that was brought together by a partnership between dairy producers, government agencies and academia. To become Environmentally Certified a dairyman has to attend three short courses relating to water quality, complete all the necessary "homework" such as risk assessments and emergency response plans, and then has a third party evaluation. The greatest number of Environmentally Certified dairies at the present time, belong to Marin and Sonoma Counties. It is important to recognize the educational programs that already exist so as not to "reinvent the wheel".

Impact 4.6-2, Sensitive Natural Communities, raises several concerns, the first of which is the Designated Streams setback distances. Western United Dairy Farmers believes there should not be a set requirement on the setback from a riparian corridor, as this limits the amount of grazing area that can be utilized effectively. The estimate of effected agricultural acres in the EIR is over 30,000 and although later on in the document it states that this would not be a large percentage of land in comparison to the overall acreage devoted to agriculture, it can be a large portion of an individual farmer's property. Every property is different and should be assessed on a case by case basis to come up with a plan that the farmer and the County may agree upon.

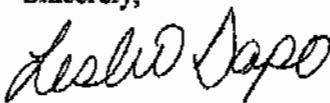
County of Sonoma Planning Commission
April 17, 2006
Page 2 of 2

3 [Another concern is the prohibition of mechanical removal of vegetation within stream corridors. At times, particularly with invasive species, mechanical removal of vegetation is necessary. If allowed to prosper in riparian areas, blackberries, as an example, can soon take over a grazing area. Also, excess wooded growth can limit the ability of native riparian species to thrive. Western United Dairymen would like to suggest providing a provision in the EIR for maintenance of riparian areas by rotational grazing and in some circumstances, such as when needed to prevent encroachment on producing lands, equipment.

4 [Impact 4.6-4, Wildlife Habitat and Movement Opportunities, states "Policy OSRC-7e would encourage property owners to consult with CDFG and install wildlife friendly fencing in all areas outside urban land use designations". Wildlife movement needs to be further analyzed. Agricultural land provides a much needed habitat for wildlife and most landowners encourage wildlife to occupy their property. In most areas, it would be unnecessary to impose regulations on fence placement and type of fencing. This would disrupt the already established patterns of wildlife and burdens landowners with a loss of land and higher costs for fence maintenance. Also "wildlife exclusionary fencing", in some instances, prevents predation on livestock and limits public trespassing.

Again, Western United Dairymen would like to thank you for allowing us the opportunity to comment, and will provide further commentary when individual elements come up for public comment. We look forward to working with the County and our members to insure that dairies stay an asset to Sonoma County.

Sincerely,



Leslie Dapo
Field Representative
Western United Dairymen

From: Brock Dolman <
<BGAISER@sonoma-county.org>
Date: 04/16/2006 11:49 PM
Subject: Brock's DEIR comments

Hi Bob,
Here are my DEIR comments.
I had been hoping that much of the material that I had submitted during the WRE CAC process could be included in the the DEIR public record as it specifically pertains to all of my comments and also provides back ground support for many of the comments submitted by others that I am collaborating with such as Sonoma County Water Coalition or others.

Thank you,
Brock Dolman

Occidental Arts and Ecology Center Brock Dolman

WATER Institute

Please accept the following comments as part of my submission for the public record of the DEIR. These succinct comments are being made as an addition to augment the excellent comments, that I wholly support, submitted by SWIG, RRWPC and Sonoma County Water Coalition.

Thank you for your time and consideration.

Brock Dolman

The DEIR reviews the GP 2020 Draft and comments on Impacts and Mitigation Measures by specifically reviewing the proposed GP2020 policies. I have reviewed the DEIR and compared it's statements with the existing Draft GP2020 language and wish to suggest the need for changes beyond those proposed in the DEIR to further mitigate significant impacts.

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First, this comment applies to all "Impact and Mitigation Measures" proposed by the DEIR. I find the cases where the determination of impact by the DIER has been justified as Less Than Significant (LTS) as based directly on GP 2020 objectives and policies that use non-binding terms such as "promote", "encourage" or "support", is problematic and legally questionable. Unless all such terms mentioned above are changed to legally binding terms, such as shall or will, the ability to legally assure that a proposed policy will mitigate the environmental significance of a recognized impact to Less Than Significant is legally false and thus such language must be changed accordingly, as it otherwise does not constitute an adequate mitigation measure.

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The DEIR consistently articulates under "Responsibility and Monitoring that the Board of Supervisors are responsible for adopting such policies and PRMD is responsible for implementing them. I also would like the preparers of the DEIR and members of the Planning Commission and PRMD staff to articulate binding language about funding for such policies; better articulate how monitoring will happen as part of PRMD's implementation role and clarify the establishment of rigorous timelines for the implementation of proposed policies that are being used to justify mitigation measures to less than significant for identified significant environmental impacts by the DEIR. Policies that do not have mechanisms for secure funding, and will be implemented and monitored within a set timeline can not be used as mitigations to offset significant environmental impacts.

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I have embedded my suggested language changes indicated with ** and in blue italics directly into the draft GP2020 language below. Included in these comments as well are proposed language changes by the Sonoma County Water Coalition, which are denoted in either red or seen as grey.

SONOMA COUNTY
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT
2550 Ventura Avenue, Santa Rosa, CA 95403-2029
(707) 565-1900 FAX (707) 565-1103
SONOMA COUNTY GENERAL PLAN UPDATE 2020
DRAFT WATER RESOURCES ELEMENT
RECOMMENDED FEBRUARY 2003 BY WATER RESOURCES
SUBCOMMITTEE
WITH REVISIONS PROPOSED BY CITIZENS' ADVISORY COMMITTEE

3. WATER RESOURCE GOALS, OBJECTIVES, AND POLICIES
3.1 WATER QUALITY

GOAL WR-1: Protect, restore and enhance the quality of surface and groundwater resources to meet the needs of all beneficial uses.

Objective WR-1.1: Work with the Regional Water Quality Control Boards (RWQCB) and interested parties in the development and implementation of RWQCB requirements and provide input to triennial updates of the North Coast and San Francisco Bay Area Basin Plans to reflect goals and objectives of this General Plan element.

Objective WR-1.2: Require quality of treated water to conform with beneficial water use standards to the maximum extent feasible.

Objective WR-1.3: Establish development standards to maximize retention of runoff and regulate development to avoid, to the maximum extent practicable, pollution of storm water, water bodies and groundwater.

** Objective WR-1.4: ~~Encourage CH:~~ *Require to the maximum extent practicable new groundwater recharge opportunities and protection of existing State-identified natural groundwater recharge areas; natural groundwater recharge is defined as increasing groundwater quantity by natural percolation of rainfall or by surface irrigation so as not to have any significant impact on groundwater quality, and excludes intentional underground injection of treated wastewater or other contaminants that degrade aquifers.*

Objective WR-1.5: Inform the public about practices and programs to minimize water pollution and provide educational and technical assistance to agriculture in order to reduce sedimentation and increase on-site retention and recharge of storm water.

Objective WR-1.6: Use CH: Conserve and recognize storm water as a valuable resource.

Objective WR-1.7: Require consideration of naturally occurring and human caused contaminants in groundwater in new development projects. Work with the SCEHD and RWQCB to educate the public on evaluating the quality of groundwater.

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Objective WR-1.8: Work with the SWRCB, DWR, California Department of Health Services (DHS), CalEPA, and applicable County and City agencies to seek and secure funding sources for development of County-wide groundwater quality assessment, monitoring, remedial and corrective action and awareness/education programs.

Objective WR-1.9: Ensure that groundwater will not be adversely affected by saltwater intrusion.

DEIR Impacts and Mitigation Measures:

Impact 4.5-1 Water Quality – Residential, Commercial, Industrial, and Public Uses

Residential, commercial, industrial, and public uses consistent with the Draft GP 2020 could introduce additional non-point source pollutants to downstream surface waters. However, existing regulations and water quality policies and programs contained in the Draft GP 2020 would reduce this to a less-than-significant impact (LTS)-

The following policies, in addition to those in the Land Use and Public Facilities and Services Elements, shall be used to accomplish the above objectives:

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WR-1a: Coordinate with the RWQCB, SCWA contractors, Cities, Resource Conservation Districts, watershed groups, stakeholders and other interested parties to develop and implement public education programs and water quality enhancement activities and provide technical assistance to minimize storm water pollution, support RWQCB requirements and manage related County programs. Where appropriate, utilize watershed planning approaches to resolve water quality problems.

** WR-1b: Design, construct, and maintain County buildings, roads, bridges, drainage and other facilities to minimize sediment and other pollutants in storm water flows. Develop, monitor and adaptively implement best management practices for ongoing maintenance and operation.

Note: To adequately support the implementation and development of BMP's for the policy the DEIR contractor and Draft GP2020 staff and Planning Commissioners should review and incorporate recommendations from the 2001 Fishnet4C study Effects of County Land Use Policies and management Practices on Anadromous Salmonids and Their Habitats

WR-1c: Prioritize storm water management measures in coordination with the RWQCB direction, focusing first upon watershed areas that are urbanizing and watersheds with impaired water bodies. Work cooperatively with the RWQCBs to manage the quality and quantity of storm water runoff from new development and redevelopment in order to:

(1) Prevent, to the maximum extent practicable, pollutants from reaching storm water conveyance systems.

** (2) Limit, to the maximum extent practicable, storm water flows from post development sites to pre-development quantities and qualities.

** (3) Conserve and protect natural biofiltration and recharge areas to the maximum extent practicable.

WR-1d: Support RWQCB waste discharge requirements for all wastewater

treatment systems and other point sources.

WR-1e: Participate in the development of Total Maximum Daily Loads (TMDLs) for the impaired water bodies and pollutants of concern identified by the RWQCB to achieve to the maximum extent practicable compliance with adopted TMDLs. Work with the RWQCB to develop and implement measures consistent with the adopted TMDLs.

WR-1f: Work closely with the RWQCB, incorporated cities, SCWA and other interested parties in the development and implementation of water quality plans and measures.

Impact 4.5-2 Water Quality – Soil Erosion and Sedimentation Related to Construction

Land uses and development consistent with the Draft GP 2020 could result in increased soil erosion and sedimentation during construction activities, thereby degrading water quality in downstream waterways. However, existing regulations and water quality policies and programs contained in the Draft GP 2020 would reduce this to a less-than-significant impact. (LTS)

Mitigation Measure 4.5-2 None Required. *For this to be considered LTS the language of WR-1g & WR-1h must be changed as indicated below or else the existing proposed language does not insure policies that mitigate the impacts.*

****WR-1g:** ~~Minimize~~ *Prevent to the maximum extent practicable* deposition and discharge of sediment, debris, waste and other pollutants into surface runoff, drainage systems, surface water bodies, and groundwater.

****WR-1h:** Continue to require grading plans to include measures to avoid soil erosion and ~~consider~~ *upgrade* requirements as needed to avoid sedimentation in stormwater to the maximum extent practicable.

****WR-1i:** Implement ~~and monitor~~ erosion and sediment control requirements for vineyards and row crops. Develop and implement educational and technical assistance programs for agricultural activities including vineyard and crop production and maintenance practices and educational programs and technical assistance to grazing, ranch, and dairy operations. ~~Encourage~~ *Require* programs to disseminate information on the benefits of on-site retention and recharge of storm waters.

Impact 4.5-3 Water Quality – Agricultural and Resource Uses

Agricultural and resource development (i.e., timber harvesting and mineral resources extraction) land uses consistent with the Draft GP 2020 could result in an increase in sediment and nutrients in downstream waterways. This would be a significant impact. (S)

The DEIR recommends modifying policy WR-1i and the associated WR Program

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by adding: "...development of BMPs which focus on reduction of peak runoff rates on all cultivated slopes, and erosion and sedimentation on slopes greater than 35 percent." In absolute support of the need for peak runoff reduction, I question why the suggested language is limited in it's application to slopes greater than 35%? The percentage of vineyards planted in Sonoma County on slopes greater than 35% is likely a relatively small proportion of the total acreage, please quantify that number for me? The DEIR has determined that this impact is "Significant" and "Unavoidable". One way to dramatically avoid much of this impact to require the development of BMP's for peak runoff mitigation on slopes much less than 35%. I would advocate that all vineyard development, on any slope angle, should mitigate it's peak runoff through on-site retention/detention BMP's.

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To paraphrase the **Hydrology and Water Resources – Significance Criteria** in the context of the newly suggested DEIR language as, any vineyard regardless of it's % slope angle must mitigate 'substantially altering the existing drainage pattern of a site or area' so that the vineyard does not 'substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion, siltation on or off-site... or result in flooding on or off-site'. Obviously the acknowledged need for BMP's to reduce peak runoff directly invokes two other associated Criteria of Significance because the BMP's that would be needed for this purpose would actually require the "construction of new storm water drainage facilities or the expansion of existing facilities" to ensure that the peak runoff from a vineyard at any slope angle would not "create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems"

In addition, interestingly, the implementation of peak runoff BMP's that retain and/or detain stormwater on vineyards of any slope, have the very real potential of significantly mitigating and reducing/avoiding the impact upon four of the other Significance Criteria through not "violating water quality standards" or "otherwise substantially degrade water quality" due to sediment settling structures and importantly can significantly offset the impact of not "substantially deplete groundwater supplies or interfere substantially with groundwater recharge..." and positively attenuating the peak "result in flooding on or off-site" due to the fact that on appropriate soils these peak runoff control BMP's can be designed to increase groundwater recharge and thus enhance groundwater supplies and detain peak flows towards reducing downstream flood impacts.

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By having no slope restriction for the requirement of peak runoff BMP's the "unavoidable" extent of impact could be significantly avoided! In addition due to the DEIR assertion that "discretionary permit requirements may risk the economic vitality of agriculture in Sonoma County", I would like the DEIR consultant to answer for me what are the economic costs to agricultural productivity and thus long term economic viability from the continued loss of valuable topsoil and groundwater directly to agriculture and to our public trust resources? During the peak flows of the New Year's storm of 2006 I personally observed massive amounts of sediment pouring off vineyards of all slope angles, this is currently a real issue and our ability to reduce the impairment of our 303d listed water bodies until agriculture more actively addresses it's impact on surface water hydrology.

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WR-1j: Seek opportunities to participate in developing programs and implementing projects for water quality restoration and remediation with agencies and organizations such as RWQCBs, CDFG and RCDs in areas where water quality

impairment is a concern.

WR-1k: Consider development or expansion of community wastewater treatment systems in areas with widespread septic system problems which are a health concern and cannot be addressed by on-site maintenance and management programs.

WR-1l: Initiate a review of any sewer systems when they persistently fail to meet applicable standards. If necessary to assure that standards are met, the County may deny new development proposals or impose moratoria on building and other permits that would result in a substantial increase in demand and may impose strict monitoring requirements.

****WR-1m:** *Encourage-~~Shall~~ require pretreatment and waste load minimization of commercial and industrial wastes prior to their connection to sewer systems and require source reduction and source control of contaminants that have a reasonable potential to pass through water treatment and contaminate groundwater and surface water due to discharge and wastewater reuse programs.*

WR-1n: Establish a public education program to raise awareness of the need for source reduction and source control of contaminants used in the home and office.

WR-1no: Consider on-site wastewater management districts in areas with septic problems.

WR-1op: Actively pursue the abatement of failing septic systems that have been demonstrated as causing a health and safety hazard.

****WR-1pq:** *Require new development projects to evaluate and consider naturally occurring and human caused contaminants in groundwater and surface water, and ensure that proposed development causes no depletion or degradation of ground and surface water quality and quantity.*

WR-1qr: Work with the SCEHD and RWQCB to educate the general public on evaluating and monitoring the quality and quantity of groundwater.

WR-1rs: Resist accepting administrative responsibility for regulatory programs required of State or Federal agencies unless a State or Federal subvention will compensate the County for costs associated with such shift in administrative responsibility.

WR-1st: Where area studies or monitoring find that saltwater intrusion has occurred, support analysis of how the intrusion is related to groundwater extraction and develop a groundwater management plan to avoid further intrusion and reverse past intrusion.

WR-1tu: In the marshlands and agricultural areas south of Sonoma and Petaluma, require all environmental assessments and discretionary approvals to analyze and

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avoid any increase in saltwater intrusion into groundwater.

WR-1v: Include in the mandate of the Sonoma County Agricultural Preservation and Open Space District the acquisition and enhancement of designated groundwater recharge areas.

WR-1w: Establish requirements for new construction to halt loss of groundwater recharge capacity of aquifers caused by construction that increases impervious surfaces. Proactive measures are required to reduce negative impacts of impervious surfaces and encourage land use practices that increase natural groundwater recharge. These requirements shall be incorporated in appropriate construction standards including without limitation building codes administered by the Sonoma County Permit and Resource Management Department.

WR-1x: Prohibit intentional point-source aquifer injection of treated wastewater or other contaminants that may degrade aquifers within the County. Nothing in this language is intended to prohibit customary on-site wastewater disposal through percolation or evapo-transpiration.

WR-1y: Protect water quality for beneficial use by maintaining base-line in-stream flows consistent with TMDL objectives.

WR-1z: Develop and enforce performance standards for package treatment plants to prevent degradation of aquifers within the County.

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From: "Brock Dolman"
 To: greg carr <gcarr@sonoma-county.org>
 Date: 3/25/02 9:14AM
 Subject: FW: Background info on impervious surfaces as per groundwater & flooding issues.

Hi Greg, Bob, Scott, Lisa, Andy and Rue,
 As a result of a discussion at the end of the CAC meeting on 3/21/02 between Greg, Rue, and myself, I put a bit of time into finding some background info on the relationship between impervious surfaces and groundwater recharge. I have attached several items below.

I recommend starting with the one titled GP2020 impervious info. It is a compilation of sixteen documents that I excerpted sections of, each with specific info as it relates to impervious surfaces, groundwater recharge and flooding. For your ease of perusal, I took the liberty of further highlighting in yellow the specific areas or sentences that affirm an unequivocal relationship between imperviousness and groundwater recharge impacts. Relative to Lisa's work on public safety and flooding, I also highlighted areas that speak to the relationship of imperviousness and exacerbated flooding. I did not highlight the areas that link imperviousness to water temperature increases, delivery of non-point pollutants, sediment products, stream down-cutting, endangered salmonids, etc, although it is clear these are dramatic consequences as well. The other three are the full PDF documents. The LID (low impact development) PDF document maybe the most interesting, the first 10 pages speaks to background info on these subjects. It is full of great ideas for the "options" phase.

Suffice it to say that from the perspective of the Water Resources Element there may be no area with more potential impact to water resources needing articulation than impervious surfaces as they relate to land use/development. Also a caveat is that when one says "impervious surfaces" it is important to keep in mind the idea of differential imperviousness. For example, pavement is 100% impervious whereas lawns, vineyards, over-grazed fields, recovering clearcut forests, etc are semi-impervious and intact native forests are the least impervious or most pervious.

I am providing this info in the spirit of the "background" phase of the update process. I intend to make this information available to the CAC and community at large as an important component of their watershed literacy. Many of these documents also provide ideas for the future "analysis" and "options" phases as well.

I have a few final questions:

1. What is the relationship between the SCWA and its contractors, all of whom are incorporated cities and thus not governed by Sonoma County general plan provisions for the unincorporated areas of the county and the water issues for the remainder of people who live in the unincorporated areas governed by the GP? I am still trying to understand where the SCWA and the GP2020 process intersect and where they don't.

2. An essential point made to me by Rue is this: Where imperviousness occurs is perhaps more important than the total County-wide percentage of impervious surface area. Are there maps that show currently identified priority ground water recharge areas? I presume there are at least for the valley based alluvial aquifers. I suggest that we compare these priority recharge areas with maps of intensive development (urban, sub-urban,

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agricultural etc.) which correspond to the most impervious surfaces. This will help us assess the degree to which our alluvial aquifers are at risk of poor recharge by surface water. Where imperviousness occurs is as important as how much of a % area coverage.

I again want to thank you all for your hard work and general openness towards really striving to have the best GP we can.

In sum I also would like to officially offer as part of the background/analysis or options phases to provide a presentation to the CAC water sub-committee or whole CAC on this subject area of water resources/watershed as it still appears to me that much confusion persists.

Brock Dolman
874-1557 x206

CC: <bgaiser@sonoma-county.org>, <sbriggs1@sonoma-county.org>, <lpostern@sonoma-county.org>, <[redacted]@sonoma-county.org>

Draft GP 2020 FEIR Comment Attachment #3

Brock Dolman

Attachment available for review at
PRMD Comprehensive Planning
2755 Mendocino Ave, Suite #203,
or by request.



227

O.W.L. Foundation

President, H.R. Downs

Secretary, Deborah Hunt

Treasurer, Heidi Dieffenbach-Carle R.G.

Bonnie Kneibler, M.D.

Jane Nielson, Ph.D.

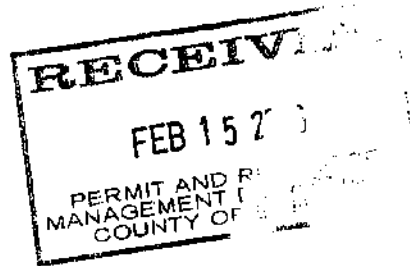
Susan Panttaja, R.G.

Ray Peterson

www.owlfoundation.net

2/10/06

Chairman Richard Fogg
Sonoma County Planning Commission
2550 Ventura Ave.
Santa Rosa, CA 95403



Dear Chairman Fogg and Commissioners:

I am writing to you to declare our general support for the Water Resources Element (WRE) proposed in the General Plan Update. The WRE contains many useful tools with which Sonoma County might be able to address the current water resource crisis. However, both the Draft General Plan and Draft Environmental Impact Report contain serious scientific and policy flaws that that can be improved dramatically. However, given the large size and intricate nature of these documents, the public simply will not be able to produce informed comments on them in the short time allotted.

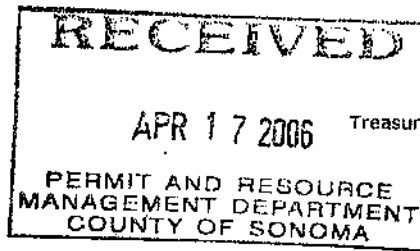
I strongly urge you to continue the deadline for public comment an extra 30 days to mid-April of this year. This would allow deeper consideration and produce more soundly reasoned results. The draft products that have emerged are enormous and the public, most of whom labor at day jobs, will need time to examine them in detail. A general plan is to a county what the Constitution is to the nation and should be afforded every conceivable advantage for success.

The O.W.L. Board of Directors thanks all of you very much for the time and attention you have devoted to this important project.

Sincerely,

H.R. Downs
President

cc: Sonoma County Board of Supervisors



O.W.L. Foundation

President, H.R. Downs
Secretary, Deborah Hunt
Treasurer, Heidi Dieffenbach-Carle R.G.
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Jane Nielson, Ph.D.
Susan Panttaja, R.G.
Ray Peterson
www.owlfoundation.net

228

4/17/06

Sonoma County PRMD
Attn: Scott Briggs, Greg Carr
2550 Ventura Avenue
Santa Rosa, California 95403

Re: Comments on Draft Environmental Impact Report (DEIR) for the Proposed Sonoma County General Plan Update 2020

Dear Messers Briggs and Carr;

The O.W.L. Foundation ("O.W.L.") thanks you for providing this opportunity to comment on the Draft Environmental Impact Report ("DEIR") dated January 2006 for the General Plan Update 2020. ("Project"). We have structured this comment letter with a general comment section in narrative form and a list of comments in numbered paragraph form, and we are requesting that the County prepare its responses in a form that corresponds to our letter. We assume that the County will respond fully to each of the following comments in light of the strict requirements of CEQA, as discussed at the end of this letter.

No UWMP is a violation of a state statute and CEQA

We are forced to protest at the outset that the public is being denied access to the finalized, agreed-upon version of the 2005 Urban Water Management Plan ("UWMP") for the County and all of the cities and water suppliers within it. These data are required to be published

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every 5 years ending in zero and 5 under the California State statute known as the Urban Water Management Planning Act (Water Code §§ 10610 – 10656). The UWMP will contain crucial water calculations of supply and demand that are crucial to making informed comments on the DEIR under examination. The deadline for the 2005 UWMP was last December, however, we still have no UWMP and yet everyone involved in the General Plan Update process fully expected to benefit from the data that is required to be in it.

Without these figures, the public's ability to comment on this DEIR is severely handicapped. Importantly, requiring the public to comment on the EIR before these data are made available is a violation of CEQA. The County and all of the contractors of the Sonoma County Water Agency ("SCWA") already have access to these data since these entities are generating the data in the first place. Keeping the UWMP from the public until after the comment period closes on the General Plan/DEIR creates an unfair advantage that intentionally, because this is a discretionary action, maims the comment process and therefore is a violation of CEQA. We strongly urge you to continue the comment period until after the UWMP is made available to all stakeholders.

No stable and finite project description

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Additionally, the Draft General Plan Update 2020 is in flux and does not represent a stable and finite project description. Any alterations, changes or modifications to the DEIR could initiate policy changes in the General Plan Update, necessitating a re-write of the DEIR and the recirculation of both documents. Looked at optimistically, this is an unnecessary and cumbersome way to proceed. Skeptics will regard this course of action as an inventive way to manipulate and curtail public input. Publishing the DEIR before publishing a stable and finite project description creates an unfair and unnecessarily confusing climate, which once again, places the public at a tremendous disadvantage.

Land Use is Planning

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Mr. Carr publicly announced, at the first public Planning Commission review of the DEIR, that the Board of Supervisors instructed him that the General Plan Update will ignore land use issues because there would be no change to existing land use definitions. The whole point of Planning, in the professional sense, is making wise land use decisions. Every problem and its solution stems from land use descriptions, definitions and practice.

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The DEIR claims at least 38 Significant Unavoidable impacts and at most around 47 Significant Unavoidable impacts. Obviously, every one of these so-called "unavoidable" impacts could be remedied by deft land use changes. If the public is intentionally excluded from commenting on land use issues, then the public is excluded from commenting on the very process of planning itself. Such exclusion is a violation of CEQA.

Sonoma County in "Most Studied" Category

Official representatives of the County have repeatedly claimed that nothing, or very little is known about the water conditions in Sonoma County. These misleading statements ignore an impressive amount of data accumulated over decades by the State Department of Water Resources ("DWR"), the United States Geologic Service ("USGS"), and numerous independent consultants engaged by various municipalities in Sonoma County and the County itself.

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These data are, in fact, so voluminous and so robust in their descriptive breadth, that the heart of Sonoma County, the Santa Rosa Plain and its environs, earns an "A" rating by DWR as one of California's most-studied areas. DWR labels this area as: "Groundwater budget understood"¹.

The County has told the public on numerous occasions that a joint water study being conducted with the USGS will produce more data and that until that study is completed, in approximately five or six years, the County lacks sufficient information to form, for example, a Groundwater Management Plan² or a straightforward water budget. However, the County's allows increasing water demand without these future data. Protecting water resources is based on understanding the ratio between water supply and water demand. Increasing demand without first understanding supply is analogous to spending money from a bank account while ignoring the balance.

Please explain the rationale underlying the decision to ignore the body of data collected on Sonoma County's water resources.

Why this Millennium is different

In the past, during the 1900's and before, development and growth simply meant building. Today, in the 21st century, all development must be understood as water demand. Water

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¹ DWR Bulletin 118 Update 2003, pg 5

² Pursuant to AB 3030, *Groundwater Management Act* (California Water Code § 10750)

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is a finite resource. We cannot make more of it and we are forced to live within a specific finite quantity of water and no more. In many respects, Nature has already imposed upon us a water budget whether we want one or not and we plunge this account into debt at our peril. The United States Department of the Interior has already warned us that we will run out of water by 2025, yet neither the DEIR nor the General Plan Update 2020 contains any mention of this warning³ let alone plans to mitigate this threat.

The aforementioned studies have shown a general trend in Sonoma County of degraded water supplies, falling groundwater levels and in some cases massive cones of depression triggered by unregulated groundwater pumping. We have further evidence that traditional supplies of water from outside the County will dry up⁴ and the SCWA has already issued warnings to contractors future, expected water supplies will not be available⁵. Contractors have also been told to rely on "alternative" sources of water to meet 40 percent of peak demand. These sources include conservation and re-use but groundwater pumping is, by far, the single greatest alternative to SCWA water.

Yet in light of these reductions, degradations, and curtailment of future water supply the DEIR contains no provisions whatsoever to manage, plan or budget water for the future to ensure that supply does not exceed demand. This egregious omission alone renders the DEIR inadequate.

The County is the "Policeman"

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Sonoma County has police powers that may be used to reduce water demand and thwart catastrophic consequences resulting from over production. Indeed, the County has at its disposal a veritable arsenal of legal tools to do exactly that. While California does not have a statewide regulatory system for surface and groundwater management, various methods are available to protect and preserve those resources, including new water supply legislation, groundwater ordinances, and water management plans. If used properly, these tools can address and alleviate the water crisis in Sonoma County.

³ *Water 2025 - Preventing Crisis and Conflict in the West*, DOI August, 2005

⁴ *Friends of the Eel River v. SCWA*

⁵ Letter from SCWA General Manager Randy Poole to "All Contractors, Customers, and Water Diverters under Agency Rights", August 11, 2003.

A. SB 221 and SB 610 Promote "Responsible Growth"

Effective since January 2002, California's water supply laws (commonly referred to as SB 221 and SB 610) impose strict requirements on certain development projects. Generally, projects subject to SB 221 and SB 610 are those containing 500 or more residential dwelling units, commercial or industrial projects that fall within certain size parameters, and projects that would have a water demand equivalent to a residential development project with 500 units or more.

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In general, for any project subject to SB 221 and/or SB 610, the project cannot be approved unless the project proponent can provide verification from the local water purveyor that a sufficient water supply is available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand created by the project in addition to existing and planned future uses, including agricultural and industrial uses. Particularly relevant to Sonoma County, if the water supply for the proposed project includes groundwater, the purveyor must consider and analyze multiple factors concerning the condition of the supplying groundwater basin and its rights to extract such groundwater among other competing users.

The County may not be required by law to enforce these water supply laws, but to knowingly allow projects anywhere within the County to go unchallenged clearly endangers our shared water resources and is an abnegation of moral responsibility.

B. Local Groundwater Ordinances Offer Solutions for Overdraft

Cities and counties in California have the authority to adopt groundwater ordinances pursuant to their police powers to protect the public, health, safety and welfare in areas that are not already regulated by the state. As California does not have a uniform groundwater regulatory scheme, nearly half of its counties, and many cities, have adopted local groundwater ordinances. The general intent of groundwater ordinances is to protect and preserve the viability of the existing groundwater supply. To that end, many groundwater ordinances focus on restricting projects insofar as they may adversely affect groundwater supplies, propose to export groundwater outside of the basin or county boundaries, degrade groundwater quality, or cause land subsidence. However, other groundwater ordinances have a broader scope, and are also geared toward managing groundwater resources for existing needs and planned growth. Ordinances are typically implemented in connection with groundwater extraction permits, and center on whether the basin is operating within its "safe yield." Generally, safe yield is the amount of water that can be produced from a groundwater basin under a certain set of

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cont... circumstances, over a given amount of time, without causing basin overdraft and without causing other adverse impacts.

The O.W.L. Foundation and numerous individuals and other organizations have proposed the idea of using groundwater ordinances to the County Board of Supervisors, the County Water Agency, and various municipalities as a potential means of addressing and alleviating the impending water crisis in Sonoma County. To date, however, those agencies have not taken steps to craft or implement a new groundwater ordinance.

C. Groundwater Management Plans Can Harmonize Countywide Efforts to Preserve and Protect Water Resources

In 1992, the State Legislature adopted the "Groundwater Management Act" which is commonly referred to as AB 3030. (The Act is set forth by California Water Code §§ 10750 to 10755.4.) AB 3030 begins with the following proclamation by the Legislature concerning the protected status of groundwater: "The Legislature finds and declares that groundwater is a valuable natural resource in California, and should be managed to ensure both its safe production and its quality. It is the intent of the Legislature to encourage local agencies to work cooperatively to manage groundwater resources within their jurisdictions."

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A groundwater management plan under AB 3030 may be adopted by any local agency, including municipalities, that provides water service, flood control, groundwater management, or groundwater replenishment. Pursuant to AB 3030, groundwater management plans address a wide range of management issues, including, but not limited to: (a) controlling saline water intrusion; (b) identifying and managing wellhead protection areas and groundwater recharge areas; (c) regulating migration of contaminated groundwater; (d) administering well abandonment and well destruction programs; (e) mitigating the effects of groundwater overdraft; (f) replenishing groundwater extracted by producers; (g) monitoring groundwater levels and water storage; (h) facilitating conjunctive use operations; (i) identifying well construction policies; (j) constructing and operating groundwater contamination cleanup, recharge, storage, conservation, recycling, and extraction projects; (k) developing relationships with state and federal regulatory agencies; and (l) reviewing land use plans and coordinating with land use planning agencies to assess activities that create a reasonable risk to groundwater resources and management.

The O.W.L. Foundation has vigorously advocated for the Sonoma County Water Agency to develop and implement a groundwater management plan. Recently, as part of its process to restructure the entitlement contracts to Lake Sonoma water in response to the Eel River

decision, the Agency has more openly acknowledged the need to prepare such a plan. However, successful water management requires cooperation and "buy in" from surrounding agencies concerning efforts to moderate water production and conserve resources.

More people rely on groundwater in Sonoma County than in any other county in California. It seems logically inconsistent to put forth a "plan" that is missing the essential ingredient of a plan, in this case: management of our water resources. Virtually all of the County's water resources are removed from underground, either from domestic wells or from extractors near surface sources, like the Russian River.

The State of California Assembly Bill 3030 (AB 3030) lays out a specific way to achieve such a groundwater management plan and approximately 167 locales in the State already have adopted AB 3030-style groundwater management plans. Despite plans in other sections of the General Plan that call for dramatic increase in water demand, there are no concomitant measures to ensure that these demands can be met by managing water resources with an AB 3030-style groundwater management plan.

Please explain the rationale behind the decision to produce an imbalanced water budget.

Sonoma County has serious water problems that demand planning.

Numerous studies have demonstrated dwindling water supplies in many parts of the County. For example, on September 17, 2003, Kleinfelder Inc. issued "Pilot Study of Groundwater Conditions" ("Kleinfelder Report"). The Report was commissioned by the County Board of Supervisors and confirmed the long-foregone conclusion that particular study areas of the County's groundwater basin complex are experiencing serious water scarcity. The Kleinfelder Report concludes, in part, that "[a]dditional groundwater extraction is likely to increase the rate of overdraft and result in further decline of the groundwater levels. ... Levels will continue to drop as long as extraction exceeds recharge." PRMD reported to the County Board of Supervisors that the findings in the Kleinfelder Report will need to be considered in connection with any new discretionary applications in the study areas (e.g., subdivisions or use permits) because "at a minimum, the Report will constitute 'substantial evidence' under CEQA that a cumulative groundwater impact may exist ..."

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The California Department of Water Resources (DWR) has conducted a series of Bulletin 118-4 studies that have evaluated the South Santa Rosa Plain (SRP) Subbasin. In addition, numerous other studies have been undertaken over the last 45 years concerning the SRP Subbasin. See e.g. (Geology and Groundwater in the Santa Rosa and Petaluma Valley Areas Sonoma County California, G.T. Cardwell, 1958; Meeting Water Demands in the City of Rohnert Park, Department of Water Resources, 1979; Evaluation of Groundwater Resources Sonoma County, Department of Water Resources Bulletin 118-4, September 1982; Santa Rosa Plain Groundwater Model, Department of Water Resources, September 1987; California's Groundwater, Department of Water Resources Bulletin 118, 2004; and Evaluation of Groundwater Supply Alternatives, Water Supply and Transmission System Project, Parsons Engineering Science, Inc., 1995.

9
Due to the large span of time covering these studies, the studies differ in detail and scope. However, similar themes run throughout each of them. Each study warns of the declining water levels in the SRP Subbasin. By way of example, the 1979 DWR study states "presently available water level data indicate a gradual lowering of water levels beneath the City of Rohnert Park over time." In addition, the study acknowledges that "[G]reatly increasing the number of pumping wells may cause an overdraft situation." Critically, the 1982 DWR study states that the SRP is "about in balance" with increased groundwater levels in the northeast and decreased water levels in the south (emphasis added). Thus, these two DWR studies confirm that as of 1982, the amount of water recharging the SRP Subbasin by rainfall and other means was precisely the same amount as the water being pumped out of the SRP Subbasin. Thus, over time, the SRP Subbasin was bound to fall out of balance since less water will be recharged into the Subbasin due to urbanization of open space and natural recharge areas, while the amount of groundwater pumped out will increase due to growing population demand.

More recent studies draw similar conclusions. For instance, the 1987 DWR study discusses the rapidly increasing demand for water in the Santa Rosa Plain, both from the SRP Subbasin and imported surface water. The 1995 Parsons Engineering Science study further emphasizes the increasing reliance on groundwater in the southern portion of the SRP Subbasin groundwater by noting "[G]roundwater pumping has lowered the water table on the order of 100 feet in this area."

The omission from the current DEIR of the findings concluded in these aforementioned seminal studies render the DEIR legally inadequate. The DEIR suggests no mitigations for this damage nor does it mandate specific remedial actions to inhibit the falling

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cont...

water table and stop overdrafting practices in the SRP Subbasin. Please explain the rationale behind this omission.

Planned monitoring installations omitted from DEIR

The Canon Manor West Subdivision Assessment District EIR had revealed that "... groundwater is already being drawn from the groundwater basin within the Lichau Creek drainage to augment groundwater extracted from the hydraulically connected groundwater basin to the north."⁶

Mr. William Hurley, the Section Leader of the North Bay Watershed Division of the California Water Quality Control Board, San Francisco Bay Region (SFWQCB) accepted the agreement for this extensive monitoring by publicly stating the following:

"... during our February 3 meeting, the County and SCWA staff expressed their commitment to expand the scope of the hydrogeologic assessment to monitor for the effects of potential cumulative impacts in the Lichau Creek watershed, including lowering of the groundwater table and loss of surface water base-flow."

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Additionally, we were informed by County staff that any future increase in the pumping rate of the Penngrove Water Company well (beyond that needed to serve the Canon Manor West Subdivision project as described in the DEIR) would require additional CEQA review.

Therefore, with the County's and SCWA's expressed commitment that potential cumulative groundwater impacts in the Lichau Creek watershed, including potential loss of surface water base-flow in Lichau and Cold Springs Creeks, will be monitored and investigated through the comprehensive hydrogeologic assessment project..."⁷

The current DEIR for the County's General Plan makes no mention of these monitoring installations nor does it describe the abilities and accuracy of these promised installations. Ignoring the agreement with the SFWQCB and not implementing these monitoring installations would put in further jeopardy the already-imperiled aquifer of the South Santa Rosa Plain, and in this case, exacerbate the removal of water from an entirely different watershed, a practice that violates state statutes and hence provoked the response from the Water Quality Control Board.

If the current level of groundwater over-production is permitted to continue without a mitigating plan to balance extraction with demand, there is a high likelihood of surface

⁶ Letter from William Hurley (SFWQCB) to Sally Bryan McGough, Deputy County Counsel (PRMD), Feb. 7, 2005

⁷ *ibid.*

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ent... land deformation, also known as subsidence. When sufficient amounts of water are extracted from beneath the ground, the underlying support gives way and the surface of the ground literally subsides, i.e. collapses. The above-mentioned Parsons report (Parsons 1995) has already measured a drop in the water table of over 100 feet in parts of the South Santa Rosa Subbasin, the first necessary step toward subsidence. However, despite evidence that the process of surface deformation is under way, the DEIR proposes no mitigations; takes no preventative steps and ignores this clear and present danger.

Therefore, the DEIR is inadequate because it fails to provide sufficient information to enable informed decision-making by the County, the public, and the permitting agencies (see numerous examples below). CEQA requires that an EIR provide enough analysis and detail about environmental impacts to enable decision-makers to make intelligent judgments in light of the environmental consequences of their decisions. See CEQA Guidelines § 15151; Kings County Farm Bureau v. City of Hanford, 221 Cal.App.3d 692 (1990). Under the law, the lead agency must make a good faith effort to fully disclose the environmental impacts of the project. This requirement cannot be met unless the project is adequately described and existing setting information is complete. See County of Inyo v. City of Los Angeles, 71 Cal.App.3d 185, 199 (1977). Both the public and decision-makers need to fully understand the implications of the choices presented by the project, mitigation measures, and alternatives. See Laurel Heights Improvement Ass'n v. Regents of University of California (Laurel Heights I), 6 Cal.4th 1112, 1123 (1988).

The DEIR is inadequate based on the omission of cumulative impacts

11 The DEIR fails to analyze cumulative impacts in the manner or to the degree required by CEQA. The CEQA Guidelines define cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines § 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects."

The DEIR provides insufficient data regarding the interaction of underground water resources for officials and the public to create informed opinions. For example, it is known that the dramatic drop in the water table in the South Santa Rosa Subbasin (Parsons, 1995) created a substantial cone of depression that engulfs the entire City of Rohnert Park. With future demands on water resources in this area predicted to increase, the DEIR must provide an accurate picture of the balance of supply and demand, but does not. This omission is a clear violation of CEQA and must be rectified and resubmitted for public comment.

A complete three-dimensional model of the interlocking and contiguous groundwater subbasins in the entire Santa Rosa Plain would provide a predictive tool useful in determining additional depletion in the Laguna de Santa Rosa and in the subbasins beneath the City of Santa Rosa. Since increased pumping in these areas has already been announced, the DEIR must analyze and quantify the environmental impacts to this region that the increased demand will create. These projected impacts must be available to compare with existing conditions.

12

Please explain the rationale behind planning for increased water demand before learning how much water is actually available. Please explain why the principles of determining water supplies before creating a demand for them, as outlined in requirements for SB 610, not apply to the General Plan Update?

The General Plan Update Process and thus the DEIR Process was flawed

Members of the Citizens' Advisory Committee (CAC) were rushed to complete deliberations on water in early 2003 before all crucial, and pending information were made available to them. Three members of that committee formally have expressed concern about this deprivation in communications to County staff in October and November 2004⁸. Four particularly significant developments that the CAC never saw were:

13

1. Water Supply is not Proven

Four months after the CAC concluded their discussions of the draft Water Resource Element (WRE) and allowed their Water Subcommittee to dissolve itself, the Chief Engineer of the Sonoma County Water Agency (SCWA), Mr. Randy Poole, in a letter to addressed to "All Contractors, Customers, and Water Diverters under Agency Rights", August 11, 2003, announced that planned increases in water supply from the Russian River were 'not secure'. This announcement throws into question the adequacy of water supply in Sonoma County to support the increased population envisaged by the already-approved Housing Element.

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⁸ CAC members mentioning these and other new information included T. Boulton on October 14 and November 15, 2004, V. Mulas on November 10, 2004, and R. Savel on October 14, 2004.

2. Groundwater Supply in Water-scarce Areas Threatened

15 On September 17, 2003, the long-awaited 'Kleinfelder Report' was released. (Kleinfelder and Associates "Pilot Study of Groundwater Conditions") This report, commissioned by Sonoma County, confirmed local knowledge that groundwater levels in three sample water-scarce areas had declined significantly over the previous fifty years. Groundwater level declines were observed in the Joy Road area, in Bennett Valley and in the Mark West watershed. Local studies prepared in the late 1970's in many areas including the Joy Road neighborhood, had indicated that the local population already had reached carrying capacity. Population in several of these areas, including the Joy Road neighborhood, has since doubled.

3. SCWA Contractors to Become More Dependent on Groundwater

16 In May 2004, the Draft Amended Water Supply Agreement between SCWA and its Contractors recommended that the Contractors should become dependent on 'other sources' to meet up to 40% of peak demand. 'Other sources' would include conservation, re-use, storage and groundwater. Of these, groundwater would be the most significant 'other source'.

4. Sonoma County Grand Jury Calls for Groundwater Management Planning

17 In June 2004, the Sonoma County Grand Jury report entitled 'Got Water?' (July 1, 2004) called upon Sonoma County and its cities to prepare groundwater management plans in accordance with the guidelines set forth under AB 3030. Representatives of Sonoma County and the municipal governments within the County rejected the Grand Jury's recommendations.

Numerous questions go unanswered in DEIR

1. Page 4.5-48 states:

18 *Significance After Mitigation* While the recommended mitigation measures and other policies and programs of the *Draft GP 2020* would reduce these impacts related to hydrology and water quality for many parts of unincorporated Sonoma County where resource land uses would occur to a less-than-significant level, this would remain a significant unavoidable impact. (SU)

Is the issue of whether the Santa Rosa Plain Groundwater subbasin ("Basin") is in an overdraft condition an important factor in determining whether the groundwater from that Basin will be a sufficient or reliable water supply within the meaning of the State statute known as SB 610? Please explain the rationale for the County's position on this matter.

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2. The California Supreme Court in Pasadena v. County of Alhambra (1949) 33 Cal.2d 908, defined groundwater overdraft in terms of the taking of groundwater in excess of "safe yield." What is the safe yield of the Santa Rosa Groundwater Basin? Is the definition of groundwater overdraft assumed in the DEIR consistent with the California Supreme Court's treatment of overdraft as the production of groundwater in excess of safe yield? Please explain how the definitions are consistent or inconsistent.

3. In 1972, the United States Geological Service (USGS) mapped the "adequacy of yield" of wells for a large swath of territory inside the Santa Rosa Groundwater Basin. The USGS determined that the cities of Santa Rosa, Sebastopol and Rohnert Park were located in an area deemed "inadequate for municipal supplies".

19

Since 1972, water demand has been allowed to increase exponentially. What is the County's rationale behind allowing water demand to increase for 34 years in this area as well as the current plan for future increases outlined in the DEIR, in the light this USGS finding? How has a finite water supply kept up with exponentially increasing demand? How will increasing future water demands be met with the same finite supply of water?

4. Most policymakers assume that "safe yield" is a "sustainable" pumping rate equivalent to natural recharge. However, this assumption is flawed because it does not take into account discharges of groundwater into streams, springs, or marshes. An editorial by Marious Sophocleous in the prestigious hydrogeology journal, *Ground Water*⁹, explains:

"If pumping equals recharge, eventually streams, marshes, and springs dry up. Continued pumping in excess of recharge also eventually depletes the aquifer."

20

A better definition of safe yield would address the sustainability of the system – not just the trees, but the whole forest; not just the fish, but the marine food chain; not just the ground water, but the running streams, wetlands, and all the plants and animals that depend on it."

How has the County accounted for this well-known principle with regards to the cumulative impacts of water demand throughout the County? What actions, efforts, and initiatives has the County taken to bring municipal water suppliers and water districts into a coordinated water management scheme? If no action has been taken, please explain. If no plans

⁹ Sophocleous, M., (1997), Managing Water Resource Systems: Why "Safe Yield" is not Sustainable, *Ground Water*, v. 35, n. 4, p. 561.

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11. In the event that independent municipalities within the County build upon and cover any of that area identified in DWR Bulletin 118-4 as an area of natural recharge, please quantify the loss of recharge water to County-controlled unincorporated lands. Will the County permit development on lands affected by the hydrologic influence of municipal water users? If so,

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please identify these areas and explain the estimated water loss caused by municipal consumption of the adjoining aquifer.

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12. Various technical reports, including Rohnert Park's Water Supply Assessment ("WSA") and the Environmental Impact Report prepared for the Canon Manor West Project (the "CMW EIR"), indicates that groundwater levels in the South Santa Rosa Plain Groundwater Subbasin have declined since the early 1960s. Has the County been informed, through whatever means, that certain landowners with groundwater wells in the Basin have been unable to produce groundwater from those wells over the past five years, and have had to either abandon the well or drill it to deeper depths? If so, has the County taken any steps to investigate the cause(s) of those landowners' loss of their wells? If so, what conclusions has the County reached? If the County has not conducted any such investigation, please explain the rationale behind not investigating.

29

13. Is the DWR Well No. 5N/8W-2H1 located south or north of the groundwater divide? Are the DWR Wells 27H1, 26L1, 02H1, and 01L2, and 31J1 located north or south of the groundwater divide? Are they located north or south of the Sebastopol Fault? How has the County used information from these wells in the preparation of the DEIR? If not, why not?

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14. Has the cone of depression in the groundwater table mapped by the USGS beneath Rohnert Park extended into the Petaluma Valley Groundwater Basin at any depth? How far into County-controlled unincorporated lands does this depression extend? Will the County permit development on County land affected by this depression? If so, please explain why.

31

15. Impact 4.5-3 Water Quality – Agricultural and Resource Uses
Agricultural and resource development (i.e., timber harvesting and mineral extraction) land uses consistent with the Draft GP 2020 could result in an increase in and nutrients in downstream waterways. This would be a significant impact. (S)

Significance After Mitigation While the recommended mitigation measures and other policies and programs of the *Draft GP 2020* would reduce these impacts related to hydrology and water quality for many parts of unincorporated Sonoma County where resource land uses would occur to a less-than-significant level, this would remain a significant unavoidable impact. (SU)

This mitigation ignores the economic loss of groundwater for beneficial uses by removing trees. Trees, especially Redwood trees, store huge quantities of water and help trap ocean-born fog that drips back into the ground. Please explain the approximate drop in the County's economic indicators suffered by the planned removal of timber. What is the estimate on community health due to the increase of water pollutants caused by "resource development"?

16. **Impact 4.5-5 Groundwater Level Decline**
Land uses and development consistent with the Draft GP 2020 would increase demand on groundwater supplies and could therefore result in the decline of groundwater levels. This would be a significant impact. (S)

32 **Significance After Mitigation** Adoption of revised policy as outlined in Mitigation Measure 4.5-5, together with existing and proposed regulations, policies, and implementation programs, would serve to reduce potential adverse effects of future development consistent with the *Draft GP 2020* on groundwater recharge. However, they would not do so to a less-than-significant level. Therefore, this would be a significant unavoidable impact. (SU)

As stated above, the County has a robust choice of water management tools available to it, many of which specifically address Groundwater Level Decline. It seems that Groundwater Level Decline, more than any other impact listed in the DEIR, is actually the most avoidable impact. Please explain and define what is meant by "unavoidable". Please expand on why Sonoma County is unable to implement Groundwater Management Plans when 167 other locales in California already have such plans. What are the differences between Sonoma County and these other counties, districts and regions?

- 33 17. Which of the County's wells experienced a decline in water levels in any zone during the period from 1987 to 2000? If any such well experienced such a decline, please provide the County's technical justification for that decline.

- 34 18. Has the amount of annual natural recharge into the Basin decreased since the 1982 DWR Study due to development of various projects on land that had provided natural recharge into the Basin? If yes, what is the amount of that decrease in recharge?

- 35 19. DWR well 07N09W26P001M is located near SCWA's Occidental Road Well. The groundwater level decline beginning in 1999 in that well may be due to pumping by Sebastopol Road and Occidental Road wells. Has the County accounted for the water level declines in that well in the WSA or the DEIR?

- 36 20. DWR well 06N08W26M001M is west of Rohnert Park. Water level elevations in that well between -20.5 and -82.5 feet are far below historic water levels of about +70 to +90 feet. Is that correct?

- 37 21. DWR well 06N08W22R001M is located west of Rohnert Park. Water levels in that well are between -23.3 and -59.0 feet elevation, which is far below historical elevations of about +70 to +90 feet. Is that correct?

22. DWR well 06NO7W19E001M is located east of Rohnert Park and shows water levels between -13.4 ft and -55.6 feet in elevation, far below historic water levels of about +100 to +110 feet. Is that correct?

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23. The Penngrove Water Company well is located within the Basin immediately east of Rohnert Park. This well shows water level depths of 200 feet below the ground surface in 2004, far below historic water level depths of 5 to 20 feet. Is that correct?

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24. Recently the RWQCB identified that the Sonoma County Dump site, located on Meacham Road just South West of Rohnert Park, as having leaking liners which were intended to prevent leachate from percolating into area groundwater supplies. Dumping at this site is no longer possible as it was just closed as of September 1, 2005 because of this accident. What are the regional implications of this leachate for the underlying aquifer?

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25. What are the risks of groundwater contamination associated with the Incremental Recycled Water Program that has designated the same State identified recharge lands to be the holding pond sites for the proposed University District housing site? Isn't it possible the IRWP holding ponds will leak and contaminate the entire Basin?

41

26. The Press Democrat newspaper recently reported that the proposed site for the Casino has now changed, the new site is targeted to be located in the yet to be annexed Rohnert Park Specific Plan area. How will the County meet the demands of supplying the Casino with water? Please explain to what extent the proposed Casino wells will draft groundwater from County-controlled unincorporated areas?

42

27. Section 3.5 of the New Master Water Agreement that binds the Sonoma County Water Agency and the prime water contractors in both Sonoma and Marin County talks about what measures will be taken by the cities in case of an emergency or impairment. Is it true that under an impairment or emergency the County of Rohnert Park will bring on line all of its wells to supply the needs of both the County and the aqueduct pipeline that serves other water contractors. Because of a legal settlement, Rohnert Park has agreed to reduce groundwater pumping to 2.3 mgd. Will the new impairment agreement allow the County to pump more than the agreed upon amount of 2.3 mgd? Will the Southern region of the Santa Rosa Plain Groundwater Basin decline? At what rate will it decline for every year an impairment or emergency takes place assuming normal years of rainfall? Under abnormal years of rainfall? How will this impairment agreement affect private well owners in surrounding areas of the same basin assuming Rohnert Park's accelerated pumping rate? Will the accelerated pumping rate exceed the subbasin recharge rate?

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14 In conclusion, we note that the statute known as CEQA, its implementing Guidelines and case law interpreting the statute and the Guidelines provide the following: That the evaluation and response to public comments is an essential part of the CEQA process. Failure to comply with that requirement can lead to disapproval of the project. Further, in a final EIR, the lead agency must evaluate and respond to all the relevant comments on the Draft EIR that it receives within the public review period. The responses must describe the disposition of the environmental issues raised in the comments. The lead agency must specifically explain its reasons for rejecting these suggestions, receiving comments and for proceeding with the project and its environmental impacts. There must be a good faith, reasoned analysis and response. Conclusory statements unsupported by factual information will not suffice.

As a founding member of the Sonoma County Water Coalition ("SCWC"), the O.W.L. Foundation fully supports the SCWC version of the Water Resources Element of the General Plan Update and we urge the Planning Commission and the Board of Supervisors to adopt it. We also submit the exhibits listed below to the Administrative Record. These documents must be made available to the public including the SCWC and its member and supporting organizations.

We look forward to receiving the County's written responses to our comments that are consistent with these principles under CEQA, the Guidelines and applicable case law.

Sincerely,



President

O.W.L. Foundation

INDEX OF EXHIBITS

Data DVD

Index of data DVD

Bay Delta Folder

Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings, Third Appellate Court, 10/07/05 reversal of Superior Court decision

Misc Dox Folder

Miscellaneous

Name	Date Modified	Size	Kind
AB 3030 Plans in Spreadsheet	Oct 6, 2004, 4:06 PM	—	Folder
AB 3030 plans Central District 1-29-04.xls	Sep 23, 2004, 5:35 PM	36 KB	Micro...rkbook
AB 3030 plans North... District 1-29-04.xls	Sep 23, 2004, 5:35 PM	32 KB	Micro...rkbook
AB 3030 plans San Jo... District 2-17-04.xls	Sep 23, 2004, 5:35 PM	60 KB	Micro...rkbook
AB 3030 plans South... District 1-29-04.xls	Sep 23, 2004, 5:35 PM	28 KB	Micro...rkbook
BBC NEWS water scarcity.pdf	Oct 20, 2004, 3:55 PM	44 KB	PDF Document
CAC Report	Nov 9, 2004, 11:32 AM	—	Folder
AB 3030 Plan San Joaquin .doc	Nov 9, 2004, 11:17 AM	100 KB	Micro...ument
AB 3030 plans Central District 1-29-04.xls	Sep 23, 2004, 5:35 PM	36 KB	Micro...rkbook
AB 3030 Plans Central Reg.doc	Nov 9, 2004, 11:16 AM	56 KB	Micro...ument
AB 3030 plans North... District 1-29-04.xls	Sep 23, 2004, 5:35 PM	32 KB	Micro...rkbook
AB 3030 Plans Northern Re.doc	Nov 9, 2004, 11:15 AM	44 KB	Micro...ument
AB 3030 plans San Jo... District 2-17-04.xls	Sep 23, 2004, 5:35 PM	60 KB	Micro...rkbook
AB 3030 plans South... District 1-29-04.xls	Sep 23, 2004, 5:35 PM	28 KB	Micro...rkbook
AB3030PlansSDistrict.doc	Nov 9, 2004, 11:22 AM	36 KB	Micro...ument
ARodgers_CAC_Ltr.pdf	Nov 4, 2004, 6:55 AM	76 KB	PDF Document
Emissions pathways ...acts on California.pdf	Oct 31, 2004, 2:22 PM	488 KB	PDF Document
No-Interest.pdf	Oct 31, 2004, 2:10 PM	292 KB	PDF Document
OWL_Report_CAC.pdf	Nov 9, 2004, 2:06 PM	4.4 MB	PDF Document
RPoole_Aug_11_2003.pdf	Nov 6, 2004, 7:17 AM	832 KB	PDF Document
Water2025.pdf	May 6, 2003, 11:12 AM	856 KB	PDF Document
WEB_Emissions path...ademy of Sciences.pdf	Oct 31, 2004, 2:21 PM	288 KB	PDF Document
WRE-041004B.pdf	Oct 5, 2004, 4:35 PM	184 KB	PDF Document
Food and Fuel Compet...t > Global Energy.pdf	Feb 1, 2006, 7:20 AM	320 KB	PDF Document
GREENHOUSE GAS EMIS... SONOMA COUNTY.pdf	Mar 25, 2006, 1:40 PM	656 KB	Adob...ument
GuidebookFor Impleme...1610and221of2001.pdf	Dec 29, 2004, 12:31 AM	3.8 MB	PDF Document
Kenwood_water.pdf	Dec 23, 2004, 2:52 PM	116 KB	PDF Document
OWL_Foundation_slides.pdf	Feb 8, 2006, 1:16 PM	70.7 MB	Adob...ument
OWL_Report_CAC.pdf	Aug 9, 2005, 1:00 PM	4.5 MB	PDF Document
PenngroveSpecIhtPlan.pdf	Dec 29, 2004, 1:58 AM	12 MB	PDF Document
PerformaceControlsForSensitiveLands.pdf	Dec 30, 2004, 3:20 AM	12.7 MB	PDF Document
PPIC.CAWirSprtPopGrwth72005.pdf	Nov 1, 2005, 2:59 PM	136 KB	PDF Document
RussianRiverBiological...essmentJan122001.pdf	Dec 28, 2004, 7:08 AM	9.6 MB	PDF Document
SantaRosaPreTreatmentReport2003.pdf	Dec 28, 2004, 5:25 AM	2.7 MB	PDF Document
SonomaMountainAreaPlan.pdf	Dec 29, 2004, 2:48 AM	3.9 MB	PDF Document

documents:

Monterey County GP Folder

The Community General Plan, Monterey County, General Plan, January 2005.

NYC Watershed Folder

Watershed Management for Potable Water Supply: Assessing the New York City Strategy,

National Academy Press, 2000

Rohnert Park Dox Folder

Documents pertaining too Rohnert Park, including: GP 2000, O.W.L. v. Rohnert Park briefs and exhibits, Rohnert Park water demands, RP pump totals, RP groundwater study 1979, GP DEIR 1999, Graton Rancheria EIS Scoping report, Draft Zoning Ordinance 2002, Final WSA 1/14/05

Santa Rosa Dox Folder

Santa Rosa Southwest Area Project documents, including comments and WSA.

SCRPC v RP Folder

South County Resource Preservation Committee v. Rohnert Park, briefs and exhibits

SCWA Materials Folder

SCWA materials, including UWMP 1996, 2000, Draft Restructured Agreement, WSTSP NOP, memos, Emergency Well data and notes.

Sebastopol Folder

Sebastopol Municipal Well documents, including logs, drawdown data, well driller reports, Water Supply and Distribution Analysis 1979; letters; SWB Tesoro Lett reports declining GW near Sebastopol's wells 6 and 7; Two letters, one protesting the SWB Tesoro letter wording, but admitting that the GW decline occurred at the time at Well 7 was pumping more than usual; Full 2005 well water levels for Sebastopol's wells; A tabulated summary of Sebastopol's well water levels as annual averages; Letters to the CAC from rural residents near Sebastopol.

SWRCB Folder

State Water Resources Control Board, Report on Comprehensive Groundwater quality, 2003.

Global Warming Folder

Global warming documents, including Pentagon Report, Estimates of future sea level rise, EPA resource page (Web Archive), Greenhouse Gas Emissions of Water Use and Wastewater Generation by Municipal Facilities in Sonoma County.

WSTSP NOP

Notice of Preparation for the WSTSP

Pacific Institute Folder

Waste not Want Not report; Economies of Scope and Scale in River Basin Management

IRWP Folder

IRWP DEIR, Final EIR and Master Plan

Kleinfelder Folder

- 23) SCWA Preliminary Assessment – Urban Water Reuse – November 1999 Cover Page
- 24) Kleinfelder – Pilot Study of Groundwater Conditions – September 27, 2003 Cover Page
- 25) DWR – 118 Sonoma County – Geologic & Hydrologic Data – December 1975 Cover Page
- 26) DWR – 118 – Evaluation of Groundwater Resources – February 1982 - Cover Page
- 27) DWR – 118 – Petaluma Valley – June 1982 – Cover Page
- 28) DWR – 118 – Santa Rosa Plain – September 1982 – Cover Page
- 29) Performance Controls For Sensitive Lands – Report NOS 307, 308 Cover Page
- 30) Soil Survey – Sonoma County – USDA – May 1972 – Cover Page
- 31) SWRCB – Report To The Governor – March 2003 – Cover Page
- 32) USGS – SWRCB – Groundwater Ambient Monitoring – 1 Page
- 33) USGS – Framework For Groundwater Quality Monitoring - # 03-4166 1 Page
- 34) USGS – Photograph – Land Subsidence – San Joaquin Valley 1977 – 1 Page
- 35) SCWA – Executive Summary – February 20, 2001 – 26 Pages
- 36) Coastal Post – “Big Trouble Coming In Sonoma County” May 1998 – 1 Page
- 37) Marin Municipal Water District – Billing Flyer – Oct. 2004 2 Pages
- 38) Canon Manor West Assessment District – Status Report – October 2004 1 Page
- 39) Sonoma County Grand Jury - Got Water? July 1, 2004 – 2 Pages
- 40) BOS Response To Grand Jury Report – September 21, 2004 – 3 Pages
- 41) DWR Questionnaire – Dated Nov. 1997 – 4 Pages
- 42) North Marin Water District – May 20, 1992 – Agreement For Use of Surplus Entitlement – 1 Page
- 43) RP Response To Grand Jury Report – July 27, 2004 – 3 Pages
- 44) City of Cotati Response To Grand Jury Report – October 27, 2004 – 3 Pages
- 45) City of Cloverdale Response to Grand Jury Report – September 22, 2004 – 2 Pages
- 46) City of Cloverdale Letter – Prepared by Assistant City Engineer – September 22, 2004
- 47) City of Windsor Letter – Response To Grand Jury – September 2, 2004 – 2 Pages
- 48) City of Sebastopol Letter – Response to Grand Jury – October 20, 2004 – 2 Pages
- 49) Ad Hoc Committee For Clean Water – Low Flow Petition – July 22, 2004 – 1 Page
- 50) RP – City Ordinance No. 724 – October 12, 2004 – 5 Pages
- 51) RP – City Ordinance No. 723 – October 12, 2004 – 5 Pages
- 52) RP – City Resolution No. 2004-284 – October 26, 2004 – 2 Pages
- 53) RP – Water Supply Assessment – 6 Pages
- 54) Computer Simulated Map Likeness of Well Survey Results Prepared by John King – 1 Page
- 55) SCWA Restructured Agreement – 2 Pages
- 56) Rohnert Park – Letter To Dan Kolkey - Casino – July 15, 2004
- 57) Parsons Engineering WSTSP Evaluation – August 1995 – 3 pages
- 58) RP Well field Drillers Log Summaries – 2 pages
- 59) RP Historical Well field Information – 127 Pages
- 60) City of Cotati – Well field Information – 5 Pages
- 61) Sonoma State University – Well field Letter & Information – 103 Pages
- 62) SCWA - :Public Records Act Request – 84 Pages
- 63) “A White Paper” California Groundwater Resources – March 2003 – 25 Pages

- 64) SCWA – Water Supply Workshop – November 1, 2004 – 43 Pages
- 65) Letter – “Stand Up For California” – November 1, 2004 – 2 Pages
- 66) Canon Manor West DEIR Excerpts – 16 pages
- 67) Senate Bill 610 Analysis – 40 pages
- 68) Senate Bill 221 Analysis – 23 Pages

Book 2 – Exhibit #

- 1) SCWA WAC Memo – Expected Future Water Demand - April 1, 2004 – 26 Pages
- 2) Attachment A – Sonoma County Water Agency Letter – August 11, 2003 – 37 Pages
- 3) Restructured Agreement For Water Supply – 44 Pages
- 4) State of California – Temporary Urgency Change – SCWA – Low Flow Russian River – 11 Pages
- 5) Paul Stutrud – Letter – PRMD – August 13, 2004 – 1 Page
- 6) State Water Resources Control Board, Board Meeting, Public Hearing & Workshop – July 22, 2004 – 43 Pages
- 7) Parsons Engineering – Evaluation of Groundwater Supplies – August 1995 – 47 Pages
- 8) John King Letter – CAC – October 14, 2004 – 27 Pages
- 9) Steve Carle Letter – CAC – April 21, 2003 – 78 Pages
- 10) John King Letter – SCWA – February 27, 2003 – 3 Pages
- 11) Index – John King – 4 pages
- 12) County of Sonoma – John King – August 24, 2001 – 2 pages
- 13) John King Letter – April 1, 2002 – 2 Pages
- 14) SCWA Letter – May 14, 2002 – 2 Pages
- 15) John King Letter – May 28, 2002 – 2 Pages
- 16) Santa Clara Valley Water District – Groundwater Management Plan – July 2001 – Cover Page
- 17) SCWA Letter – June 6, 2002 – 1 Page
- 18) CAC Letter – June 24, 2002 – 3 Pages
- 19) Sonoma LAFCO Letter – January 30, 2002 – 55 Pages
- 20) City of Cotati – Historical Groundwater Pumping – 3 Pages
- 21) SCWA – Water Allocation – 1 Page
- 22) SCWA Letter From John King - March 24, 2002 – 2 Pages
- 23) SCWA Letter From John King – April 1, 2002 – 2 Pages
- 24) SCWA Letter – May 14, 2002 – 2 Pages
- 25) SCWA Letter – May 28, 2004 – 2 Pages
- 26) SCWA Letter – June 6, 2002 – 1 Page
- 27) CRWQCB Letter – March 6, 2002 – 2 Pages
- 28) CAC Letter – July 18, 2002 – 4 Pages
- 29) CAC Letter – September 22, 2002 – 5 Pages
- 30) January 7, 2003 – Multiple Addressee Letter – 32 Pages
- 31) Cooper Road & Sebastopol’s Groundwater – January 2000 - 9 Pages
- 32) Well Survey Form – Pennngrove – September 12, 2004
- 33) Press Democrat Article – State Blasts County Water Conservation Efforts – November 19, 2004 – 3 Pages
- 34) Rohnert Park – Historical Well & SCWA Water Data – 5 Pages

- 35) Weston Benshoof Letter – O.W.L. Foundation's Comments To Draft Water Supply Assessment – November 19, 2004 – 21 Pages
- 36) Steve Carle Power Point Charts & Graphs – January 2000 – 13 Pages
- 37) Zander & Associates – Sebastopol Laguna Vista Project – Biological Resource Assessment – June 17, 2003 – 33 Pages
- 38) State Water Resources Control Board – Workshop / Public Hearing Agenda For Sacramento – November 18, 2004
- 39) Photograph – Well Survey Summary Map Prepared By John King / Includes Identifying Penngrove Zip Code Area 94951 – Dated 11/17/2004
- 40) Water Watch in Sonoma County, League of Women Voters – October 2004 - 42 Pages
- 41) O.W.L. Foundation Letter – SCWA – Information Request – November 15, 2004 – 1 Page

Book 3 – Exhibit #

- 1) CAC Letter – January 11, 2003 – 152 Pages
- 2) CAC Letter – January 13, 2003 – 124 Pages
- 3) January 20, 2003 – Multiple Addressee Letter – 156 Pages
- 4) Water Facts Current Law – DWR – 2 Pages
- 5) DWR – Historical Data Map – 1 Page
- 6) SCWA Letter – April 24, 2002 – 1 Page
- 7) SCWA Letter Paul Stutrud – May 14, 2002 – 1 Page
- 8) SCWA Letter Jeremy Nichols – May 14, 2002 – 2 Pages
- 9) To SCWA – May 20, 2002 – 1 page
- 10) Rohnert Park / SCWA – October 22, 2002 – 1 Page
- 11) SCWA / Rohnert Park – November 26, 2002 – 1 Page
- 12) College Park Mutual Water Company – January 6, 2003 – 5 Pages
- 13) Robert Stires Letter – January 28, 2003 – 1 Page
- 14) Celeste Felciano Letter – February 3, 2003 – 1 Page
- 15) Steve Carle Letter – September 24, 2002 – 14 Pages
- 16) Steve Carle Letter – January 4, 2003 – 320 Pages

Book 4 – Exhibit #

- 1) Steve Carle Letter – January 7, 2003 – 108 Pages
- 2) Steve Carle Letter – January 12, 2003 – 71 Pages
- 3) Steve Carle Letter – February 10, 2003 – 4 Pages
- 4) Engineers Report For Canon Manor – 1 Page
- 5) Steve Carle Letter – July 10, 2003 – 2 Pages
- 6) Canon Manor Submittal To PRMD – July 14, 2003 – 19 Pages
- 7) Weston Benshoof Letter – July 10, 2003 – 3 Pages
- 8) SCWA Water Deliveries/Demands/Projections – 1 Page
- 9) SCWA Board of Directors – May 28, 2002 – 3 Pages
- 10) PRMD Letter – Steve Carle – February 10, 2003 – 4 Pages
- 11) Penngrove Water Company – May 14, 2002 – 3 Pages
- 12) DWR & Assorted Docs – Submitted August 7, 2003 – 15 Pages

- 13) Rohnert Park City Council Meeting – PRMD – July 17, 2003 – General Plan – April 15, 1996 – 9 Pages
- 14) IRWP – Excerpts – 246 Pages
- 15) PRMD – Public Comment On Canon Manor West – Multiple Letters 101 Pages
- 16) South County Resource Preservation Committee vs. Rohnert Park – 13 Pages
- 17) Stipulated Judgment – Case # 224976 – 11 Pages
- 18) Response For Groundwater Management Plan Letter – November 26, 2002 – 1 Page
- 19) Rohnert Park Request For Groundwater Management Plan – October 22, 2002 – 1 Page

Book 5 – Exhibit #

- 1) PES Letter – June 18, 2004 – 8 Pages
- 2) John King Letter & Attachments – Well Monitoring Proposed Sites – December 2, 2002 – 29 Pages
- 3) Sonoma County Grand Jury Report – July 1, 2004 – 7 Pages
- 4) BOS – Response to Grand Jury Report – September 21, 2004 – 14 Pages
- 5) BOS – Canon Manor West Subdivision West Assessment DEIR – 3 Pages – July 27, 2004
- 6) BOS – Casino – MOU – October 26, 2004 – 17 pages
- 7) Weston Benshoof / John King Letter – Regulating Groundwater - April 1, 2004 – 4 pages
- 8) California State Water Code – 2 Pages
- 9) SCVWD – Groundwater Management Plan – Submitted April 2, 2003 – 76 pages
- 10) SCWA – Petaluma Watershed Presentation – January 10, 2000 – 21 Pages
- 11) John King Letter – PRMD – Canon Manor DEIR Questions & Comments – 180 Pages
- 12) PRMD – Steve Carle Letter – August 12, 2004 – 36 Pages
- 13) County Public Works – Power Point Presentation – Todd Engineering – July 27, 2004 – 25 Pages
- 14) O.W.L. Foundation Letter – 10 Pages – November 9, 2004
- 15) SCWA Letter – Russian River Diversions – August 11, 2003 – 6 Pages
- 16) Emissions pathways – Climate Change – Impacts on California – August 24, 2004 – 6 Pages
- 17) AB 3030 Plans Northern Region – 12 Pages
- 18) Sonoma County Health Department – LUST Map – 1 Page
- 19) Sonoma County Health Department – Water Contamination Site Map – 1 page
- 20) Sonoma County Health Department - Water Contamination Site Photo/map – 1 Page
- 21) CRWQCB – Letter – March 6 2002 – 2 Pages
- 22) Quaker Hill Letter – PRMD – April 30, 2004 – 16 Pages
- 23) Barona Casino Article – September 15, 2002 – 9 Pages
- 24) Barona Casino Article – March 16, 2003 – 5 Pages
- 25) Letter – Hesperia Casino – February 18, 2004 – 5 Pages
- 26) Doctrine of Reserved Water Rights - November 29, 1998 – 2 Pages
- 27) Mojave Basin Area Watermaster – Adjudication – January 13, 2004 – 3 Pages
- 28) Stand Up For California Letter – August 14, 2003 – 4 Pages
- 29) Barona Casino Article – July 24, 2003 – 2 Pages
- 30) Indian Water Rights – April 2000 – 20 Pages

- 31) Petition For Temporary Urgency Change in Russian River Basin – SCWA – 7 Pages
- 32) Sonoma LAFCO – Minutes of October 6, 2004 – Water & Sewer Municipal Service Reviews – 5 pages
- 33) City of Rohnert Park Planning Commission Staff Report – October 26, 2002 – 8 Pages
- 34) Rohnert Park Letter – June 22, 2004 – Evaluation of Substitute Wells – 9 Pages
- 35) John King Letter / Rohnert Park – September 24, 2004 – Should be dated February 24, 2004
- 36) Susan Brandt-Hawley (Attorney) Letter – To Rohnert Park – February 24, 2004 – 2 Pages
- 37) Weston Benshoof Letter – Rohnert Park – February 24, 2004 – 3 Pages
- 38) Weston Benshoof Letter – Rohnert Park – March 24, 2004 – 4 Pages
- 39) John King / Rohnert Park Letter – April 7, 2004 – 7 Pages
- 40) Rick Savel – Rohnert Park Letter – April 7, 2004 – 1 Page
- 41) Weston Benshoof / Rohnert Park Letter – April 13, 2004 – 8 Pages
- 42) Susan Brandt-Hawley / Rohnert Park Letter – April 27, 2004 – 3 Pages
- 43) O.W.L. Foundation Letter – April 27, 2004 – 1 Page
- 44) Weston Benshoof / Rohnert Park Letter – April 27, 2004 – 5 Pages
- 45) John King / Rohnert Park Letter – May 13, 2004 – 9 Pages
- 46) John King / Rohnert Park Letter – May 26, 2004 – 24 Pages
- 47) John King / Peter Siggins Letter – October 20, 2004 – 16 Pages
- 48) John King / Joe Nation (Assemblyman) – October 20, 2004 – 16 Pages

Book 6 – Exhibit #

- 1) Steve Carle Letter – June 24, 2004 – Document Request List – 3 Pages
- 2) Weston Benshoof Letter – Public Records Act Request – July 2, 2004 – 5 Pages
- 3) Rohnert Park letter to Steve Carle – November 16, 2004 – 16 Pages
- 4) North Marin Water District letter – February 15, 1978 – 2 Pages
- 5) SCWA assorted well data and map – 4 Pages
- 6) SCWA memo – September 12, 1977 – 1 Page
- 7) North Marin Water district – August 3, 1977 – 2 Pages
- 8) SCWA memo emergency well operation – August 1, 1977 – 2 Pages
- 9) SCWA emergency well data – December 16, 1979 – 9 Pages
- 10) Rohnert Park letter to Coddling Enterprises – February 15, 1977 – 2 Pages
- 11) Rohnert Park population, production, water use data – February 25, 1998 – 1 Page
- 12) City of Rohnert Park water production report -1982 – 1 Page
- 13) DWR Santa Rosa Plain groundwater model – September 1987 – 5 Pages
- 14) Rohnert Park groundwater facts presentation – June 7, 2004 – 19 Pages
- 15) Rohnert Park General Plan Final EIR – May 1990 – 4 Pages
- 16) PES letter – December 21, 2001 – 11 Pages
- 17) O.W.L. Foundation letter to SSU public records act request – November 17, 2004 – 1 Page
- 18) City of Rohnert Park letter to Susan Brandt-Hawley – June 12, 2003 – 1 Page
- 19) Los Angeles Times newspaper article – July 4, 2004 – 1 Page
- 20) Peter Siggins letter from Rohnert Park over Graton Rancheria – July 23, 2004 – 2 Pages

- 21) Daniel Kolkey letter from Rohnert Park concerning Graton Rancheria – July 14, 2004 – 2 Pages
- 22) SCWA letter – August 11, 2003 – 6 Pages
- 23) Friends of the Eel River vs. SCWA appellate court decision – May 16, 2003 – 25 Pages
- 24) O.W.L. Foundation letter – November 15, 2004 – request for information – 1 Page
- 25) SCWA historical pumping records for three emergency wells – 24 Pages
- 26) South County Resource Preservation Committee Administrative Record – August 28, 2001 – 23 Pages
- 27) SCWA emergency well field historical data – n/d – 2 Pages
- 28) Santa Rosa Board of Public Utilities reclaimed waste water consumption for Rohnert Park – November 16, 2004 – 4 Pages
- 29) Geotechnical Consultants letter to SCWA – January 19, 2000 – 1 Page
- 30) City of Santa Rosa Grand Jury Response – n/d – 3 Pages
- 31) City of Petaluma Grand Jury Response – August 9, 2004 – 3 Pages
- 32) City of Healdsburg Grand Jury Response – July 21, 2004 – 2 Pages
- 33) City of Cotati records request from John King – November 16, 2004 – 1 Pages
- 34) James Rollin Allen master's thesis - May 2003 – 2 Pages
- 35) SCWA letter – April 1, 2004 – 1 Page
- 36) "White Paper": Managing California's Groundwater Resources – March 2003 – 26 Pages
- 37) Santa Rosa Plain Groundwater Study – n/d – 3 Pages
- 38) Rohnert Park well driller's reports – various dates - 49 Pages
- 39) Overdraft Conditions in California groundwater: Water Resource Center Archive - December 3, 1956 – 21 Pages
- 40) South County Resource Preservation Committee lawsuit settlement agreement – September 5, 2002 - 15 Pages
- 41) Senate Bill 1938 excerpt – n/d – 8 Pages
- 42) California Water Code excerpt – 19 Pages
- 43) Rohnert Park General Plan EIR – May 2000 – 17 Pages
- 44) Rohnert Park historical well production reports – various dates - 77 Pages
- 45) PES letter – December 21, 2001 – 7 Pages
- 46) U.S. Department of the Interior Geological Survey – February 1955 – 4 Pages
- 47) Press Democrat article – November 7, 2004 – 5 Pages
- 48) Press Democrat article – "Reopening Santa Rosa Wells" – August 10, 2004 – 2 Pages
- 49) Implementation of SCB 610 and SB 221 – September 25, 2002 – 84 Pages
- 50) Rohnert Park Groundwater Facts PowerPoint Presentation – April 27, 2004 – 14 Pages
- 51) Groundwater Management in California – 1999- 40 Pages
- 52) DWR state questionnaire – November 14, 1997 – 2 Pages
- 53) Water Quantity Conversion Factor chart – 1 Page
- 54) DWR Division of Planning – 2 Pages
- 55) Geology and Groundwater in the Santa Rosa and Petaluma Valley Areas – 1958 – 1 Page
- 56) WSTSP/SCWA Parson's Report – August 1995 – 48 Pages
- 57) "Where the Hell is Penngrove" Steve Carle PowerPoint presentation – 2004 – 24 Pages

- 58) Kansas Geological Survey "Managing Water Resources Systems: Why Safe Yield is Not Sustainable" – August 1997 – 1 Page
- 59) DWR Santa Rosa Plain Groundwater Model – September 1987 – 38 Pages

Book 7 – Exhibit #

- 1. Steve Carle Letter – June 24, 2004 – Page 1
- 2. Weston Benshoof Letter – July 2, 2004 – Page 2 – 6
- 3. Steve Carle Letter – July 15, 2004 – Page 7 – 8
- 4. Rohnert Park Letter to Steve Carle – November 16, 2004 – Page 9
- 5. Rohnert Park Letter to Steve Carle – November 23, 2004 – Page 10 – 12
- 6. Attachment A – July 7, 2004 – Page 13
- 7. Rohnert Park Letter – July 7, 2004 – Mike Mosbacher – Page 14
- 8. Rohnert Park Letter – July 7, 2004 – Don Seymour – Page 15
- 9. Attachment B – PES - Groundwater level contour maps – Page 16 - 21
- 10. SCWA Letter – Emergency Wells – December 16, 1979 – Page 22 – 26
- 11. SCWA Memo – SCWA & Rohnert Park Well Drilling Programs – 27 – 53
- 12. Coddling Enterprises Letter – Rohnert Park – February 15, 1977 – Page 54 – 55
- 13. City of Rohnert Park, Population, Water Production, and Water Use Data – February 25, 1998 – Page 56 - 57
- 14. Santa Rosa Plain Groundwater Model – September 1987 – Page 58 – 62
- 15. Earth Metrics – May 1990 – Final EIR – Page 63 – 66
- 16. PES Environmental, Inc. December 21, 2001 – Page 67
- 17. PES Environmental, Inc. March 22, 2002 – Page 68
- 18. PES Environmental, Inc. August 27, 2002 – Page 69
- 19. PES Environmental, Inc. September 30, 2002 – Page 70
- 20. PES Environmental, Inc. January 24, 2003 – Page 71
- 21. PES Environmental, Inc. May 12, 2003 – Page 72
- 22. PES Environmental, Inc. November 11, 2003 – Page 73
- 23. PES Environmental, Inc. June 25, 2004 – Page 74
- 24. PES Environmental, Inc. June 28, 2004 – Page 75
- 25. PES Environmental, Inc. July 21, 2004 – Page 76
- 26. PES Environmental, Inc. October 26, 2004 – Page 77
- 27. Rohnert Park Power Point Presentation June 7, 2004 – Page 78 – 96
- 28. PES Environmental, Inc. – December 21, 2001 – Page 97 - 103
- 29. City of Cotati – John King – 11/23/04 – Page 104
- 30. City of Cotati – John King – 12/16/04 – Page 105
- 31. John King Letter – City of Cotati – 12/23/04 – Page 106 – 107
- 32. City of Cotati – John King – 1/10/05 – Page 108
- 33. Sonoma State University – Letter – OWL – 12/14/2004 – Page 109 – 115
- 34. SCWA Memo – Emergency Wells - August 1, 1977 – Page 116 – 118
- 35. Office of Drinking Water – 5/19/97 – Page 119 – 120
- 36. Official Rohnert Park Population Figures – Page 121
- 37. MMWD – Request for additional 5,000 A/F – 12/21/04 -- Page 122
- 38. Historical Distribution of Steelhead – October 2003 – Page 123
- 39. Petaluma River Watershed – Page 124 – 125
- 40. SF Regional Fines Petaluma Dairy – Page 126

41. Steve Carle Letter – SCWA – January 13, 2005 – Page 127 – 137
42. WB Letter – January 12, 2005 – Rohnert Park – Page 138 – 141
43. 108 Holdings VS. Rohnert Park – Notice of Appeal – Page 142 - 145
44. 108 Holdings VS. Rohnert Park – Plaintiff's Memorandum – Page 146 – 219
45. WTAQ – A Computer Program For Calculating Drawdowns – Page 220 – 256
46. Groundwater & Wells – Second Edition – Page 257 – 305
47. Thomas Guide Napa & Sonoma Counties – 2002 – Page 306 – 312
48. CMW – FEIR Notice – Postmarked January 13, 2005 – Page 313
49. Domestic Suitability Report – January 14, 2005 – Page 314
50. Robert Dunne – Letter Challenging CMW FEIR Statement – January 16, 2005 – Page 315
51. Marsha Moore – Mail delivered to Jacobsen Lane, Petaluma Ca – 1/15/05 – Page 316 – 317
52. Press Democrat – Agilent Property – January 15, 2005 – Pages 318 – 320
53. Press Democrat – Lawsuits Target Sewage Districts – Page 321 – 322
54. SCWA/OWL – PRA Request Response– January 5, 2005 – Page 323
55. John King Letter – City of Cotati PRA – January 19, 2005 – Page 324
56. City of Cotati – PRA Data Well fields – Page 326 – 531
57. City of Rohnert Park – PRA Data – Page 532 – 555

Book 8 – Exhibit #

1. Marin Municipal Water District Letter To Sonoma County Water Agency August 24, 2005
2. Rohnert Park Response To California Regional Water Quality Control Board February 7, 2005
3. O.W.L. Foundation Letter To Rohnert Park Planning Commission August 22, 2005
4. John King Packet of various letter and documents to Rohnert Park Planning Commission August 11, 2005
5. Map Overlay of "Location of Faults Surrounding Study Area" fig. 17 "Meeting Water Demands in the City of Rohnert Park, California Department of Water Resources, 1979; Over fig. 3-31 Final Water Supply assessment, City of Rohnert Park, 2005, Steven F. Carle, Ph.D.
6. Map: Geologic Map of the Cotati 7.5' Quadrangle Sonoma County California: A Digital Database.
7. Map: Geologic Map of the Glen Ellen 7.5' Quadrangle Sonoma County California: A Digital Database.
8. Map: Geologic Map of the Two Rock 7.5' Quadrangle Sonoma County California: A Digital Database.
9. Classification of Ground-Water Recharge Potential in three parts of Santa Cruz County, California, K.S. Muir and Michael J. Johnson 1979, (overall page and four pages of close-ups of text).
10. Geology of the Right Stepover Region between the Rodgers Creek, Healdsburg, and Maacama Faults, Northern San Francisco Bay Region, Robert J. McLaughlin and Andrei Sarna-Wojciki, USGS, Menlo Park, CA, 2003
11. Restructured Agreement For Water Supply Draft; (Section) 3.5 Shortage of Water and Apportionment, 2-28-05 (68040.3), 5 pages.
12. Luhdorff & Scalmanini - Technical Memorandum For Rohnert Park Water Supply Assessment 11/17/04.

13. Canon Manor West Subdivision Assessment District DEIR Volume I 6/28/04.
14. Canon Manor West Subdivision Assessment District DEIR Volume II 6/28/04.
15. Canon Manor West Subdivision Assessment District Final EIR January 2005.
16. Memorandum of Understanding Regarding Water Transmission System Capacity Allocation During Temporary Impairment, (Note: Became effective March 1, 2001), 15 pages
17. East Rohnert Park Storage Area, Incremental Recycled Water Program, 17 pages
18. UDSP storm drainage detention analysis Appendix A, May 2004, 13 pages
19. UDSP storm drainage detention analysis May 2004, 59 pages
20. Storm Water Quality Management Program, University District LLC Development, Oct 15, 2003, 28 pages
21. Storm Water Quality Management Program, University District Specific Plan, Vast Oak Property, 42 pages

Maps – Exhibit #

- 1) City of Santa Rosa Reclamation Pipeline Index
- 2) Laguna Storage Ponds & Effluent Distribution Lines
- 3) U.S. Postal Zip Code Map – 94951 Zip Code Boundaries
- 4) Petaluma River Basin Watershed Map
- 5) Department of Water Resources – AREAL GEOLOGY AND LOCATION OF CROSS – SECTIONS – Sonoma County 1975
- 6) Sonoma County General Plan Land Use Zoning Map For Penngrove and Surrounding Areas – Zoning Restrictions
- 7) City of Rohnert Park Well field Map
- 8) Hydrologic Cycle Map
- 9) Sonoma County General Plan – Identified Regional Recharge Area Map
- 10) Geologic Map of portions of the Two Rock, Cotati, Sebastopol, Santa Rosa, Kenwood, & Glen Ellen, U.S.G.S. 7.5' Quadrangles: By James Allen (2001 – 2002) Plate # 2

Draft GP 2020 FEIR Comment Attachment #4

OWL Foundation
Attachments available for review at
PRMD Comprehensive Planning
2755 Mendocino Ave, Suite #203,
or by request.

229

Greg Carr - Fw: Sonoma County GP DEIR

From: "Craig Enyart" <>
To: <gcarr@sonoma-county.org>, <sbriggs1@sonoma-county.org>
Date: 03/06/2006 11:19 AM
Subject: Fw: Sonoma County GP DEIR

Greg Carr and Scott Briggs:

I think all the citizens of Sonoma County appreciate the time and commitment of Staff, and in particular you and Scott Briggs, with regard to the DEIR and the GP2020Update process. It's an enormous task, and you both have worked at it exhaustively. I too along with many hundred upon hundreds of citizens of Sonoma County have worked exhaustively at this process, and I will continue to do so. I attended the last public CAC meeting in February, and I attempted to get into the first PC hearing. Due to the number of handouts that Staff made available that evening I think you may have anticipated a longer actual turn out as well, and I can appreciate that you will anticipate better in the future. Having said that, *I think a strong recommendation from Staff that the DEIR process be extended* would go along way in assisting the BOS and the PC in making the right desision. I think this is the right recommendation for staff to make, and I am making a personal request to you that you make that strong recommedation to the PC to grant the extension, and embrace the public's participation and their enthusiasm for this process.

Together we can all make a better Sonoma County.

Sincerely,

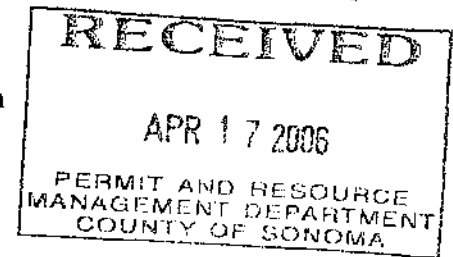
Craig Enyart

(4)

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230

Knights Valley / Franz Valley Association

**FOR THE PUBLIC RECORD**

April 17, 2006

Sonoma County Permit & Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403

RE: **Comments on Draft EIR** for Sonoma County General Plan, GP2020

Dear Sonoma County Planning Commissioners and Planning Staff,

The Area Plan for Knights Valley and Franz Valley was first adopted as a Specific Plan in 1979 and under the name of the Franz Valley Area Plan continues to maintain the agricultural and resource conservation values of this part of Sonoma County for future generations. As residents and landowners of this area, we are participating in this General Plan update to ensure that the policies of the Franz Valley Area Plan remain consistent with the General Plan and continue to be applied by PRMD and the Agricultural Commissioner.¹ We take the review of GP2020 most seriously and appreciate your careful review of the DEIR.

Our comments address the overall adequacy of the DEIR. Specifically, we are commenting on the DEIR for GP2020's findings of *significant unavoidable impacts*, providing disclosure where the DEIR does not adequately address *significant and cumulative impacts*, and identifying *policies or alternatives* to mitigate the impacts as required by CEQA. Our intent here is to improve the DEIR and GP2020 in addressing the impacts affecting the geographical areas covered by the Franz Valley Area Plan and other agricultural and resource conservation zones of Sonoma County.

¹ Policy LU-1a calls for the amendment of the Franz Valley Plan to be consistent with the GP and notes that where there are inconsistencies the more restrictive provision shall apply. We would like to work with the County to ensure that the Franz Valley Plan remains largely intact and that any amendments strengthen provisions of the Plan intended to protect the rural quality of our area for future generations. We are concerned that a number of the policies in GP 2020 (e.g. related to allowable agricultural support uses, etc.) may weaken key provisions in the Franz Valley Plan that are protective of visual, biological, water, and other resource values. We will be contacting the County staff to discuss solutions to these conflicts.

I. SIGNIFICANT UNAVOIDABLE IMPACTS (DEIR 6.3)

The primary goal of CEQA is mitigation / avoidance of environmental harm. This is achieved by:

- Accurately identifying, analyzing and disclosing the adverse impacts of a project as compared with the existing environment;
- Identifying mitigation measures for each significant impact; and
- Adopting feasible mitigation measures.

1 [CEQA requires that an EIR be detailed, complete, and reflect a good faith effort at full disclosure. CEQA Guidelines Section 15151. The document must provide sufficient analysis to inform the public about the proposed project's adverse environmental impacts and to allow decision-makers to make intelligent judgments. Id. To accomplish CEQA's information purpose, "an EIR must contain facts and analysis, not just the agency's bare conclusions." Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 568 (Goleta II). An EIR must identify, analyze, or support with substantial evidence its conclusions regarding the project's significant environmental impacts. As described below, the DEIR fails to do so with respect to numerous conclusions reached in the document.

2 [The DEIR's treatment of mitigation measures is similarly deficient. CEQA requires that mitigation measures be identified and analyzed. Pub. Res. Code Section 21061. The Supreme Court has described the mitigation and alternative sections of the EIR as the "core" of the document. Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553. As described below, the DEIR misses the opportunity to identify feasible mitigation measures in the form of new or modified General Plan policies which would substantially lessen the significant environmental effects of Draft GP2020.

3 [In this case, for the reasons described below, the DEIR fails to adequately analyze and mitigate the Project's (Draft GP2020) significant impacts to agricultural and visual resources, noise and, hydrology and water resources. Our comments both describe the omissions in the DEIR, as well as offer suggestions for feasible mitigation measures that should be included in a revised DEIR and could reduce or eliminate significant impacts associated with proposed GP2020

A. AGRICULTURAL RESOURCES

Land Use Conflicts between Agricultural and Residential / Urban Uses, 4.1-2
Incompatible Land Uses in the Rural Area, 4.1-3

Sonoma County's General Plan glossary does not define "Agricultural Support Uses." Uses beyond "Agricultural Production Activities" that are routinely approved during the use permit review process on agriculturally zoned parcels conflict with goals and policies within the Water Resource, Open Space & Resource Conservation, Circulation, Noise, and Public Safety Elements. The inherent conflicts created in allowing event centers, tasting rooms, retail outlets, and employee offices on agricultural land must be addressed in the DEIR. Conditions of approval that attempt to mitigate conflicts between uses during project review are regularly changed and/or not enforced. The lack of a definition also contributes to the lack of an adequate, stable and complete description of the land uses that are allowed and could occur in the Franz Valley and countywide under Draft GP2020. See Sections IV and V below for our detailed concerns about the lack of an adequate, complete and stable Project Description in the DEIR.

Policies in the Agricultural Resource Element allowing "agricultural support" uses which 1) require the provision of services to unincorporated outlying areas, 2) encourage parcelization of agricultural land, and 3) stimulate surrounding development should be identified as *growth inducing impacts* in the DEIR. Growth inducing impacts must be addressed as part of the DEIR. Sonoma County Transportation Authority's past and projected *Land Use Conditions by Traffic Analysis* (TAZ) demonstrate the intensification of land use in GP2020 on agricultural land. This data was used for the Circulation Element of GP2020. These year 2020 projections should be referenced in the DEIR to give a quantitative description of changes in land use expected to occur on agricultural land with current zoning as well as under GP2020. Where there are conflicts between the zoning and the proposed GP, they should be identified in the responses to comments and reconciled in this process. The August 2004 study "The Potential Events Facilities on Agricultural Land in Sonoma Valley" conducted by the Valley of the Moon Alliance should be included in a revised DEIR and considered in revised analysis of potentially significant growth inducing and other impacts in that revised document.

Policies within the Agricultural Resource Element that include event centers, tasting rooms, offices and retail outlets under "Agricultural Support" encourage development on agricultural land. These land uses create significantly more traffic, noise, light and other impacts on visual resources than does

9 farming. These uses defined as “agricultural support” demand more public services, natural resources, and energy than primary uses of the land for growing food and fiber. These are *cumulative impacts* that can be reduced through alternative policies, programs and mitigation measures, but only if the DEIR first identifies and describes the amount, location and type of these uses allowed under Draft GP 2020 and analyzed the impacts associated with the full buildout of these uses.

Proposed Feasible Mitigation Measure for Inclusion in a Revised DEIR:

10 **-Separate “Right to Farm” policies from tourism, events, offices, and retail uses in agricultural zones which conflict with Land Conservation Act principles.**

11 **-Designate within Area Plan (or overlay zoning of the General Plan) where “agricultural support” uses can be accommodated.**

12 **-Develop incentives for wine appellations or other regional associations, to collectively market, sell, and/or process products in locations with existing public services and infrastructure.**

13 **-Consider limiting new such uses to areas where existing public infrastructure or services are adequate. Example: Monterey County’s draft General Plan designates three Wine Corridors to focus these uses where services such as water and wastewater are already provided and limit uses in areas of high natural resource values.**

4 **-Enact policies which support the purpose of land use designations in the General Plan as well as zoning, segregating conflicting uses. Example: Policy 3.11 of Napa County (and other General Plan’s) applies the same regulations to processing agricultural products as other industrial uses.**

B. VISUAL RESOURCESLight Pollution and Nighttime Sky 4.11-3

The DEIR states that land uses and development from GP2020 “would result in a significant cumulative impact on the visual quality of county lands that are not designated Scenic Resources, including impacts from light pollution.” The Franz Valley / Knights Valley area is recognized as a visual resource in the Franz Valley Area Plan and one of few remaining regions in Sonoma County where the night sky is not illuminated by development

The DEIR does not consider that some area plans have scenic resource designations that pre-date those used in the General Plan.

Commercial and visitor-serving developments in agricultural zones contribute to unregulated nighttime light sources. Although nighttime lighting may be conditioned through the use permits, the DEIR does not consider that conditions of approval to mitigate light pollution from rural development are often changed to provide security lighting. Requests to remove conditions of approval are common and violations are enforced on a complaint basis only. Moreover, the DEIR fails to consider the effects of lighting on biological resources. (See Attachment A)

Proposed Feasible Mitigation Measures for Inclusion in a Revised DEIR:

-Scenic Resource designations should be consistent between the General Plan and Area Plans so that they are appropriately applied in project review. The intent of scenic route and scenic vista applied to 4 planning units of the Franz Valley Area Plan (Knights Valley, Chalk Hill, Franz Valley, and Resource Conservation) are consistent with the scenic landscape unit designation of the General Plan. Therefore, Figure OSRC-1 of GP2020 should include the geographical area of these planning units within the scenic landscape designation (See ORSC Figure-1, Attachment B.)

-GP2020 should include Healdsburg / Calistoga as a community separator consistent with the intent of the large-parcel, resource conservation zoning designations and goals and policies of the Franz Valley Area Plan.

-Area Plans may prohibit uses that would require permanent night lighting

-Lighting Ordinance for unincorporated Sonoma County

Example: Ordinance of Tucson, AZ and other jurisdictions protecting the night sky as a visual resource.

-Develop policy whereby change in conditions of approval require new use permit or greater public notification

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C. NOISE

Traffic Noise, 4.4-1

23 Roadway noise has not been sufficiently analyzed in the DEIR. The estimates and projections of noise levels in the DEIR rely on outdated measurements, from an era when traffic levels were much lower. Evidence of this is the pre-1973 figures used to reflect current conditions for the geographical area of the Franz Valley Area Plan. The DEIR did not consider the full buildout allowed under Draft GP2020, as well as a number of other factors including, but not limited to today's commuter traffic, trucks regularly exceeding speed limits, "jake brake" users, private and tourist-related helicopter transport or the 24-hour casino traffic now impacting Highway 128. The DEIR considered only topography that blocks noise not that which carries noise impacts such as occurs in Knights Valley. There is no evidence that actual on-site measurements were taken for Highway 128 for the DEIR or if taken, that they included the above considerations.

24 A revised DEIR should provide policy recommendations to reduce noise exposure in the implementation of GP2020 based on full buildout under the GP as well as the factors listed above. The Noise Element should include mapping of noise sensitive areas so that existing noise conflicts and future noise exposures can be reduced through the project review process.

25 In addition, "Cumulative development" (6.0-7) has not been quantified in the document and requires full disclosure. The DEIR should include actual data on "cumulative development" used for "the analysis of noise impacts" rather than merely referencing the data by name, (6.0.) Density levels, changes in land-use designations, or use restrictions may need to be changed in GP2020 to reduce future noise exposure.

Proposed Feasible Mitigation Measures for Inclusion in a Revised DEIR:

26 **-Require on-site noise measurements and correct errors estimating "existing" and "future" noise exposure for Highway 128 (and other locations inadequately studied for DEIR). Based on this adequate analysis, review proposed land uses to be sure there are no proposed new land uses that will either exacerbate unacceptable noise impacts on existing uses, or result in new uses in areas of unacceptable noise exposure. See also below.**

27 **-County Noise Ordinance must be adopted (as required in 1989 General Plan)**

28 **-Noise Sensitive Areas and Noise Sensitive Uses should be mapped in Noise Element to prevent noise conflicts in the project review process. (See Napa Co. GP map of Noise Sensitive Areas)**

29 **-Area Plan should provide ability for county to restrict use permits for projects which will create on-going noise exposure in noise sensitive areas.**

D. HYDROLOGY AND WATER RESOURCES

Water Quality -- Agricultural and Resource Development Uses 4.5-3

Groundwater Level Decline 4.5-5 Well Competition and Adverse Well Interference 4.5-7

Insufficient Water Supplies to Meet the Future Water Demand of the Urban Service Areas, 4.9-1

Insufficient Water Supplies to Meet the Future Water Demand of Rural Private, Domestic, Small Municipal, and Agricultural Wells, 4.9-2

The significant impacts identified in the DEIR are of critical concern for the geographical area of the Franz Valley Area Plan, which includes Class III and IV water scarce zones. This region has already experienced groundwater level decline, well competition, and reduced flows of surface water in dry season. History demonstrates that when water supply is at a crisis level, urban areas have priority over agricultural needs. To provide for the future, Sonoma County must limit new demands on water resources and mitigate the water-related impacts of GP2020. A *statement of overriding conditions* will not be legally defensible where measures have not been implemented.

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Proposed Feasible Mitigation Measure for Inclusion in a Revised DEIR:

-GP2020 should commit to a GROUND WATER MANAGEMENT PLAN for all of Sonoma County. Based on that Plan, proposed land uses should be reviewed to be sure that all allowable future uses can be served by a safe yield water supply.

31

Changes to Drainage Patterns Leading to Streambank Erosion, 4.5-8

Impede or Redirect Flows in Flood Hazard Areas, 4.5-11

Landsliding, 4.7-3 Soil Erosion, 4.7-6

The DEIR addresses impacts from the proposed stream setbacks of the Agricultural Element only from the perspective of reductions in potential agricultural production. The DEIR should address impacts to flooding, landslide and soil erosion that would be expected with new development without the proposed policy. Riparian setbacks (already adopted in the Franz Valley Area Plan) contribute to public safety in reducing floods, landslides, loss of soils, allow the recharge and filtration of the water supply as well as protecting biological resources. Mutually supportive policies demonstrate internal consistency between GP elements and assist in implementation of GP goals.

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Proposed Feasible Mitigation Measures for Inclusion in a Revised DEIR:

-GP2020 should provide bridging language between Public Safety, Water Resource, Open Space & Resource Conservation, and Agricultural Elements referencing policies that affect storm water runoff, conservation or loss of soils, flooding, landslides, water supply and quality, and biological habitat so that the goals of GP2020 support each other and are implemented and any conflicts reconciled in favor of public safety and environmental protection.

33

II. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGE (DEIR 6.4)

A number of significant irreversible environmental changes are identified in the DEIR. The DEIR fails to identify feasible mitigation measures capable of reducing or eliminating these significant changes. We list a number of these changes followed by a list of proposed feasible mitigation measures for inclusion in a revised DEIR.

A. Conversion of Agricultural Land is identified as a *significant irreversible environmental change*

Proposed Feasible Mitigation Measures for Inclusion in a Revised DEIR:

-Enact policy to prohibit wineries, offices, events centers, tasting rooms, retail outlets, or visitor-serving and other commercial developments on prime agricultural soils.

(Example: Policy 3.13 of Napa General Plan restricts winery development to sites off of prime agricultural soils.)

-County should have buyers and sellers who request certificates of compliance for Williamson Contract properties sign a disclosure that the land must continue to be used for agriculture.

Conversion of Timberland to Agriculture cannot be considered replacement for loss of agricultural land because timberland now remaining for conversion is at higher elevations with less productive soils. Timberland Conversion occurring today in Sonoma County is a high-impact, low yield agriculture.

-DEIR should consider Sonoma County's native forests as a category separate from "agriculture and timberland resources".

B. Loss of native forests for conversion to agriculture is a *significant irreversible environmental change*.

Despite policies of the Timberland Conversion Ordinance, clear-cutting native forests to agricultural land use is a trend that will be increasing due to current market profits favoring "mountain-grown" wine grapes over wood products. In combining Agricultural and Timber Resources (6.0-10) as a category unto itself, the DEIR does not quantify the loss of native forests as a "non-renewable resource" (6.4) and "feature of the natural environment" of Sonoma County. The multiple public benefits of maintaining forests as selectively-harvested timberland include the protection of the water supply, maintenance of soils, slowing storm runoff for flood and landslide protection, and maintaining biological habitat.

III. THE DEIR FAILS TO IDENTIFY ALL SIGNIFICANT UNAVOIDABLE IMPACTS

Because DEIR does not fully describe the proposed Project, Draft GP2020, and all feasible mitigation measures, the DEIR fails to identify as significant and unavoidable, the following impacts:

-The DEIR should identify the loss of native forests as significant unavoidable impact (6.3) and significant irreversible environmental change (6.4) resulting from GP2020. DEIR must document how the loss of native forests as a result of GP2020 is not a significant unavoidable impact.

37

-The DEIR finds that Impact 4.5-4, Water Quality-Wastewater Disposal, is less than significant without mitigation. DEIR at 4.5-49. The DEIR fails to account for all new development that could generate water quality impacts. Furthermore, the DEIR fails to provide facts and evidence as to how proposed policies mitigate potentially significant impacts associated with water quality and wastewater services. As such, these impacts should be redesignated as significant and unavoidable.

38

-The DEIR finds that Impact 4.8-1, Conversion of Agricultural Lands to Non-Agricultural Uses, is less than significant without mitigation. Yet, the DEIR acknowledges that there is no data on the acreage that may be converted due to allowable non-agricultural uses on agricultural lands. DEIR at 4.8-18 – 19. Moreover, the DEIR fails to include feasible mitigation measures for this impact. This impact should be redesignated as significant and unavoidable.

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-The DEIR finds that Impact 4.8-2, impacts associated with Agricultural Processing and Support Uses, will be less than significant without mitigation. The DEIR includes assumptions about how many of these uses would occur by 2020, but does not cap the uses.^[3] The DEIR does not disclose how many of these uses and at what locations could occur under draft GP2020. This impact should be redesignated as significant and unavoidable.

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-The DEIR finds that the impacts associated with new Agricultural Tourism uses will be less than significant after mitigation. The DEIR does not provide an estimate of how many of these uses could be built under draft GP2020. “Although any estimate of the total amount of visitor-serving development that could occur on agricultural lands through 2020 would be speculative, it would be reasonable to expect a significant amount of such development would occur in support of winery development described in Impact 4.8-2 Agricultural Processing.” DEIR at 4.8-27. The DEIR continues: “Therefore the development of visitor-serving uses on agricultural lands would result in the conversion of County and State designated agricultural lands and an associated loss of agricultural production.” DEIR at 4.8-27. Policies directed at “limiting” the type, intensity and location of these uses do not go far enough to ensure that impacts will be less than significant after mitigation. As such, this impact should be identified as significant and unavoidable.

41

^[3] County staff went through a process to estimate the likely number of new wineries that might be built. This does not substitute for CEQA’s requirement that the County must analyze the impact of its overall policy decision to approve the level and type of development allowed under the General Plan Update. The Sonoma County General Plan Update, when adopted, will constitute a present commitment to future development of the unincorporated County, whether or not construction of particular projects are imminent. All allowable development must be analyzed in the DEIR. A County may not properly claim that its land use element is adequate as a planning document to inform the public and decision-makers about the level of development allowed for an area, while, at the same time, claiming that such level of development will not occur.

12 A revised DEIR should redesignate the above impacts to *significant unavoidable*, or identify feasible mitigation measures, in the form of development caps, policies and programs capable of reducing these impacts to less than significant. (See recommended mitigation measures contained herein.)

13 IV. DEIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND PROJECT SETTING

The DEIR's most critical violation of CEQA is that it fails to analyze the whole General Plan Update Project. Though the Project as proposed may not significantly amend the current 1989 land uses and land use designations, adoption of the General Plan Update does include proposed land uses and land use designations. CEQA defines a project as "the whole of an action, which has a potential for resulting in either a direct physical change" or "a reasonably foreseeable indirect change on the environment." Guidelines Section 15378(a); see also Guidelines section 15378(c). Thus, CEQA requires that an agency take an expansive view of any particular project as it conducts the environmental review for that project.

14 The Project in this case is the General Plan for Sonoma County, Draft GP2020. Under state law, the general plan operates as the "constitution" for future development to which all local land use decisions must conform. At the center of the general plan is the land use element. The land use element sets forth the standards for building density and intensity applicable to the territory covered by the general plan. Govt. Code, Section 65302(a). Typically, the land use element and land use map establishes the specific land use designations; defines the range of density and intensity of development allowed under each designation; and maps the designations over the territory of the plan. Thus, the local general plan, through the land use element, defines the jurisdiction's commitment to a particular level of development for the area covered; in this case, the entire unincorporated County. In addition, the local general plan, through the land use element, defines the jurisdiction's commitment to a particular level of development for each planning area, such as the Franz and Knight's Valley's. As described in part above, it is not clear what the level of future development under GP2020 would be for these areas in part because specific uses are not defined (e.g. agricultural support uses) and in major part because the total allowable land uses under GP2020 are not disclosed in the DEIR.

15 An EIR must disclose and analyze the project's impacts as compared with the environment, including level of development that existed at the time the Notice of Preparation was released. If the project description does not describe the amount of development, including new parcels that could be created and development on each parcel allowed under the plan, the DEIR cannot evaluate the impacts of the project. In this case, the DEIR fails to describe the amount of development allowed by Draft GP2020, including both residential and non-residential uses and the location of those uses.

46 The DEIR's failure to analyze the impacts of the development allowed by the Draft GP2020 contravenes the most basic principles of CEQA and forecloses review of alternatives that could reduce significant impacts. Settled cases hold that the approval of land use planning enactments, such as general plans, serve as the crucial first step toward approval of any particular development project, and thus the impact of the planning enactment itself must be analyzed under CEQA. Case law instructs that an EIR must analyze not only the policies for growth allowed by the planning enactment, but the ultimate amount of development allowed by the planning enactment. See City of Redlands, 96 Cal.App.4th. Critically, environmental review of the development allowed by a planning enactment must take place regardless

of whether that development will actually materialize. See Bozung, 13 Cal.3d at 279, 282; Christward Ministry, 184 Cal.App.3d at 194-95.

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cont.

The County must analyze the impact of its overall policy decision to approve the level and type of development allowed under the Draft GP2020. This is not only possible, it is required under State planning and environmental laws. Draft GP2020, when adopted, will constitute a present commitment to future development of the unincorporated County, whether or not construction of particular projects are imminent. Therefore, planned development must be analyzed in the DEIR. A County may not properly claim that its land use element is adequate as a planning document to inform the public and decision-makers about the level of development allowed for an area, while, at the same time, claiming that the allowable level of development is not realistic and/or will not occur during the time horizon for the plan, and therefore inappropriate/unnecessary/inaccurate for environmental review.

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In this case, the DEIR fails to describe the amount, type and location of development that could occur under the Draft GP2020. Specifically, the DEIR's discussion of the potential impacts of Growth and Concentration of Population, is based on growth projections for the County only through the year 2020. DEIR at 4.1-32 – 33. There is no guarantee that population growth in the unincorporated County will be limited to approximately 19,100 new residents. Land use designations would allow significantly more growth than this, including both residential and non-residential growth. By way of example, how many new wineries would be allowed in Franz Valley under GP2020? How does this differ from the number that would be allowed under the current 1989 GP? How would this level of winery development impact the Valley's resources, including scenic resources, and how would this level of development be serviced? Has this level of development been considered in the traffic analysis? These are just a few of the questions the omission of an adequate description of allowable development prompts.

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The approach taken by the DEIR is not permitted by CEQA, which requires the whole of the project to be described and the impacts of that project analyzed as compared with existing environmental conditions. As described above, this approach contravenes CEQA which requires the DEIR to evaluate the impacts of Draft GP2020 *as compared with existing environmental conditions*. Mitigation measures (policies) LU-2a only addresses the possibility of denial of land use map amendments which add residential density in rural areas if residential holding capacity exceeds projected growth, and does nothing to constrain growth allowed by Draft GP2020.

49

Options for addressing this failure include:

1. Revising the Project Description to include full build-out of all land uses allowed under the General Plan and analyzing that Project's impacts against the existing environment in a revised DEIR. Since this defect pervades virtually every impact analysis within the DEIR, this would require preparation of a new DEIR, rather than supplementing the current DEIR. This approach should include new mitigation measures and alternatives to address significant impacts beyond those identified in the current DEIR. Example Table X below suggests the kind of information that is needed to complete the Project Description just for the geographic area of the Franz Valley Area Plan:

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New Table X
Growth and Development Under Existing Conditions, Existing GP and Draft GP 2020
For the Franz Valley Area

General Plan Land Use Designation ^[2]	Existing Conditions (Setting) (all of the following: acres/units/non-residential s.f., including wineries, processing facilities, etc.)	Existing Undeveloped Legal Lots of Record (all of the following: acres/units/non-residential s.f., including wineries, processing facilities, etc.)	Existing General Plan Beyond Allowable Development on Legal Lots (all of the following: acres/units/non-residential s.f., including wineries, processing facilities, etc.)	Draft General Plan 2020 beyond Existing Conditions (all of the following: acres/units/non-residential s.f., including wineries, processing facilities, etc.)
Agricultural Land Uses				
Diverse Agriculture				
Land Extensive Ag				
Land Intensive Ag				
Ag Total				
Resources and Rural Development				
Residential Uses				
List each density category				
Commercial Uses				
List each use/intensity				
Industrial Land Uses				
List each use/intensity				
Other Land Uses				
List each use/intensity				
Total Planning Area				
Total Unincorporated County				

50 cont...

^[2] This same information should be provided for the cities for the cumulative analysis. It may be useful to expand the table to include existing vacant acres for each use/potential new development.

2. Deferring adoption of Draft GP 2020, until key planning studies (e.g. groundwater management plan) are completed. This information would then be used to revise Draft GP 2020 with respect to the amount, type and location of new development (above entitlements and existing legal lots of record) that can be accommodated.

V. DEIR FAILS TO INCLUDE A STABLE AND CONSISTENT DESCRIPTION OF THE PROJECT

An EIR must include a stable and consistent project description. An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.” San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal.app.4th 713, 730. An inaccurate, incomplete or inconsistent project description renders the analysis of significant environmental impacts inherently unreliable. Here, it is not clear whether the description of the project is consistent throughout the impact sections. It appears that a different description of “build-out” may have been used in the analysis of traffic and air quality, than was used for the analysis of other topics including land use, biological and other impacts. For example, in the description of project assumptions used in the analysis of transportation is based on “Land use data from the General Plan update **and** ABAG Projections 2002 data...”, emphasis added. DEIR at 4.2-5. In contrast, the land use assumptions used for other topics, including land use, are based on *projection* of how much development might occur in County unincorporated areas by 2020:

“The DEIR GP2020 projects a population of 147,660 in the unincorporated area by 2020. This would be a 15 percent increase between 2000 and 2020 for a total of 19,064 additional residents.” DEIR at 4.1-32.

Based on our review of the land uses listed by TAZ in the DEIR, it appears that land-use assumptions are different than those used in the analysis of other impacts, including but not limited to land use, hydrology and water resources, biological resources, agricultural and timber resources, among other topics. Neither set of land use assumptions – those used for the land use and other analysis and those used for the transportation analysis -- appear to represent the total amount and location of development allowed by GP2020. Please provide tables comparing by Planning Area the land use assumptions used for each impact analysis (land use, transportation, air quality, noise, etc.) in the response to this comment. Specifically, how much development by type was assumed in the Franz Valley for each impact analysis (e.g. land use, traffic, etc.). How do these assumptions differ by topical analysis (land use, transportation, etc.)? Why are they different? Are any of these sets of assumptions based on allowable development under GP2020? If not, why not? If not, we believe a revised, complete and stable project description must be completed based on the total allowable development

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cont...

under Draft GP 2020. Revised impact analyses must be completed based on that revised project description.

CONCLUDING COMMENTS

For the reasons set forth above, we believe the County should take the steps necessary to clearly and completely describe the outcomes of proposed GP2020 and recirculate a revised DEIR including analysis of the full impacts associated with the GP. New mitigation measures and alternatives should also be included in the revised DEIR capable of reducing or eliminating the significant impacts associated with the Plan for our area. ^{CME} We believe that means significant reductions in allowable agricultural support uses, among other mitigation measures described above.

Again, we appreciate this opportunity to comment on the DEIR and intend to participate throughout this GP update process. We urge the County to take the time necessary to get this important blueprint for our future right.

Submitted by,



Craig M. Enyart
President, Knights Valley / Franz Valley Association

cc. Sonoma County Agricultural Commission
US Fish and Wildlife Service
California Dept. of Fish and Game
Regional Water Quality Control Board

231

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FEB 16 2006

FOR THE PUBLIC RECORD

TO: Citizens Advisory Committee -- Sonoma County GP2020 Update

FROM: Craig Enyart, President, Knight Valley / Franz Valley Association
Jaime Zukowski, Winegrape grower, Knights Valley / Franz Valley Assoc. Board

DATE: February 16, 2006

SUBJECT: GP2020 DEIR
Sonoma County streams --Public Trust Resources

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

Background:

The draft EIR for GP 2020 is inadequate in not addressing the importance of streams and forested or naturally-vegetated buffer zones along waterways in contributing to public safety, flood and erosion control as well as for supporting a clean and plentiful supply of water for domestic, industrial, agricultural uses and all forms of life. The draft EIR should be able to demonstrate that the Public Safety, Agricultural, Open Space and Resource Conservation Elements and new Water Resource Element are internally consistent as required by law under CEQA. (Pub. Res. Code 21000 and 15000)

Recommendation:

We strongly urge you to recommend to the Planning Commission and Board of Supervisors that language pertaining to Sonoma County's streams be added to the Open Space and Resource Conservation, Public Safety, Agricultural Resource, and Water Resource Elements. Naturally-vegetated buffers along streams are needed to protect these waterways functions in slowing runoff to reduce flooding, erosion and landslides, to maintain agricultural soils, and to allow the recharge and filtering of Sonoma County's water resource for human needs and biological habitat protection.

Specifically, the Public Safety Element requires policy statements specific to streams and stream corridors for flood and landslide prevention. The Agricultural Element requires additional emphasis on the importance of stream setbacks not only for maintaining soils, and agricultural lands, but for water quality, aquifer recharge, and public safety. Supportive language needs to be incorporated into these interrelated elements of the general plan so that the goals and policies of GP2020 are not in conflict or legally indefensible. The following sections of the Open Space and Resource Conservation Element are amended below (**in bold font**) to include these recommended additions.

3.1 POLICY FOR BIOTIC HABITAT AREAS

Objective OSRC-7.5 Maintain connectivity between natural habitat areas, **particularly stream channels.**

3.2 POLICY FOR STREAM CORRIDORS

Add to policy summary to read "Elimination of natural plant communities along streams can increase surface run-off, siltation, **erosion, flooding, and land instability**, contribute to water temperatures too warm for steelhead, salmon, and other fish, reduce long-term water availability, **and allow urban and agricultural run-off to enter surface and ground water.**"

GOAL OSRC-8

6

Amend to read "Protect and enhance riparian corridors and functions along selected streams, balancing the need for agricultural production, urban development, timber and mining operations, flood control and other land uses with the preservation of riparian vegetation, habitat functions and values, and the natural filtration and recharge of Sonoma County's water resource."

Policy OSRC-8i

7

Add policy direction. As a part of the permit review process provide educational information to landowners on the role of streams for habitat protection and connectivity, public safety in preventing erosion, flooding, and landslide hazards, and the recharge and filtering of surface and ground water supplies for agriculture and all human uses.

Conclusion:

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Public policy throughout the United States recognizes the necessity for naturally vegetated and forested buffers along streams for maintaining stable soils, to slow storm runoff for flood control, to allow filtration of contaminants, and to increase the recharge of ground and surface water supplies. 36,000 landowners in Sonoma County have been notified principally because the General Plan update will include policy recommendations on stream setbacks. The DEIR must address the cumulative impacts of build out on Sonoma County's streams and an analysis regarding recommended policies pertaining to stream setbacks for the protection of human and biological habitat, for preventing public safety hazards and for preserving the quality and availability of our water resource in order to complete a legally defensible General Plan.

Greg Carr - RLF GP 2020 Draft EIR Comments

Dick Fogg

From:

To: <jbarrett1@sonoma-county.org>, <gcarr@sonoma-county.org>, <SBRIGGS1@sonoma-county.org>

Date: 05/01/2006 6:33 PM

Subject: RLF GP 2020 Draft EIR Comments

You asked for DEIR comments in writing before our Tuesday, 5/2 Planning Commission meeting -- and this provides a rough outline of my current thoughts:

BACKGROUND:

* I'm impressed by the high caliber and apparent technical proficiency of many of the comments. Some of the Agencies are "sand box protecting" but that probably was predictable.

* A great number of the comments strongly address perceived CEQA inadequacies and I'm going to have to rely on County Staff to lead us through these challenges. As we have talked some of this relates to "binding language" vs the current "encourage/support/promote/consider" more passive words currently in the GP; and the fear that this approach will not lead to actual policy implementation. 1

* There appear to be a number of relatively minor suggested changes (ie. road and stream nomenclature and updated information for charting) that are mentioned -- and again I'll count on Staff to pick these up.

KEY ISSUES:

* The issue of stream set-back policy has galvanized and hardened all sides of the question -- and they all make good arguments. I lean towards moderating the CAC recommendations due to the possible 60,000+ acres involved and the concomitant negative economic impact. The "taking" argument is topical -- see the current situation in Napa County. I doubt that the CAC recommended policy is politically actionable by the BOS. It would be helpful to have a neutral position paper (short) outlining the pros and cons of this issue. 2

* Several Dry Creek Vally Association letters (William J. Smith) and inferentially, the VOM Alliance make the argument for the establishment of baseline data covering existing conditions such as traffic, noise, water availability, number/type of special events, etc. from which to measure cumulative impacts of new or expanded winery operations, especially including visitor serving uses. I'm not sure this "fits" anywhere in the GP, but the concept would greatly help implementing the GP. 3

* I believe that the several challenges to the lack of a definitive/actionable County-wide ground water management plan have merit and we need to re-review this issue. My feeling is that we need to be more specific, proactive and aggressive in addressing and attempting to manage the ground water resource. I understand given the state of the art that this is tough to do but we must make a good faith attempt. I see this as fundamentally a leadership issue for the Planning Commission. 4

* Somehow and somewhere we need to address the issue of global climate change/global warming -- perhaps in the Circulation Element or the Land Use Element. Given that the BOS have set goals for climate protection and adopted a greenhouse gas reduction target, we need to back those actions. 5

* Why can't we reasonably expect that the County's 2005 Urban Water Management Plan will be released/adopted and made available to us in a timely fashion? Given that long-term water supply and demand is one of the most contentious and critical issues we will deal with any new data could be integral to designing new policy. 6

THINGS MISSING (?):

* Should we explore a Natural Community Conservation Plan (NCCP) as suggested by the California Department of Fish and Game? Page 7 of their 4/17/06 letter. 7

- 8 [* We need to strengthen the Circulation and Transit Element to make it more specific that a nexus study is required to determine fair share allocations/fees for roadway improvements and new construction.
- 9 [* Should we consider adding a policy that would lead to the development of "Green" building measures, at least for County buildings? This is a big issue with a certain Sonoma Valley Hospital that I'm familiar with.
- 10 [* Is it appropriate to indicate strong support for UGB's and the Ag Preservation and Open Space District? They are integral to land use planing in the County.
- 11 [* Should we examine the scenario that the Meacham Road landfill will be closed in perpituity and that all solid waste will have to be sent out of the County for disposal?
- 12 [* I'm still bothered that we really haven't addressed the two major Indian Gaming Casinos in the County.
- 13 [I hope the above is useful. We have the bones of an excellent 2020 General Plan; maybe the above comments can help strengthen it.

Dick Fogg
5/1/06

4/14/2006

To Sonoma County Planning Commission

From Nick Frey
Sonoma County Grape Growers Association

RECEIVED
APR 14 2006
PERMIT & RESOURCE
MANAGEMENT DEPARTMENT

The Sonoma County Grape Growers on behalf of its 750 members appreciates the opportunity to comment on the Draft EIR for the Sonoma County General Plan 2020.

The 1989 General Plan has and is serving the county well. The Sonoma County Grape Growers Association supports minor updates to the plan as requested by the Board of Supervisors. The proposed update has major additions and revisions that add significant new costs for landowners and the County and the public and environmental benefits of many changes were not established.

We feel that conflicts between goals have not been adequately addressed in the draft EIR. Goals to preserve agriculture and to provide affordable housing need greater consideration when assessing the impacts of policy recommendations in other areas of the General Plan.

The EIR must be adequate to inform decision makers of the environmental impacts of their policy decisions. We feel the document includes inappropriate and inaccurate information, making it difficult to assess impacts and recommend appropriate mitigation. We highlight the following deficiencies as examples:

- Vineyard acreage was projected using data from 1999 – 2002. There has been essentially no net increase in vineyard acres since 2002 and the projections do not consider these facts. (Exhibits 4.5-7 and 5.0-1)
- Sonoma Coast AVA is projected to grow by 5000 acres; again an excessive estimate and the only likely area for significant new planting is in the Lakeville Highway/Petaluma area. (Exhibit 4.5-7)
- Estimates of applied water for crops are excessive. Cropland other than grapes total 12,000 acres and the estimated Applied Water averages 4 acre-ft/crop acre. Oat hay and silage comprise 10,000 of those acres (Sonoma County Ag Crop Report 2004) and their applied water use does not approach this estimate. In addition Applied Water to grapes is reported to average 1.2 acre-ft/grape acre, which is likely twice the county average. (Exhibits 4.9-3 and 4.9-4)
- The beneficial impacts of the Vineyard Erosion and Sediment Control Ordinance reducing sediment movement from vineyards have not been considered when recommending increased setbacks. Literature showing the effectiveness of buffer strips in sediment removal exists to show the adequacy of buffer strips required under VESCO and it appears not to have been considered when assessing policy recommendations for increased riparian setbacks.
- Requests were made during public comment before the CAC for acreage designated as wetlands (Exhibit 4.6-3) and the additional acreage affected by 100-ft setbacks from those wetlands. No acreage was supplied, nor was there any biological rationale given to justify the setback recommendations. The EIR fails to address those issues as well.

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- Conversion of 61,000 acres of agricultural lands due to increased stream setbacks was considered to have no significant impact because 600,000 acres of agricultural lands exist. That is a 10% reduction in agricultural lands! What percentage of those 61,000 new setback acres exists in Important Farmland, which total 162,000 acres? Those 61,000 acres are greater than our 60,000 grape acres? What will be the impacts of these setbacks on land values and County tax revenues?

6

The feasibility of policy recommendations was not discussed for the following:

- Policy WR-2e – permits are required to **repair** wells, which suggests families or businesses would be unable to make timely repairs to wells they rely upon. Furthermore, if those wells are in Class 3 or 4 water scarce areas, studies would have to be done to prove adequate water exists for their continued use before a permit would be issued.
- Policy WR-2f –requires discretionary permits, to the maximum extent practicable, to maintain or **increase** the site's predevelopment absorption. What impacts might this have on project costs and on groundwater quality?



Sonoma County Water Coalition

3/6/06

Chairman Richard Fogg
Sonoma County Planning Commission
2550 Ventura Ave.
Santa Rosa, CA 95403

RECEIVED
MAR 08 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

Dear Chairman Fogg and Commissioners:

The 32 member-organizations of the Sonoma County Water Coalition (SCWC) would like to express general support for the Water Resources Element (WRE) proposed in the General Plan Update. We recognize that the WRE has useful language to apply to the current water resource crisis. However, the current Draft Environmental Impact Report (DEIR) contains numerous errors and omissions, which can and should be remedied. Unfortunately, the public and our Technical Committee would be unable to produce high-quality remedies in this 700-plus-page document within 60 days. Everyone involved in this effort suggests, at least, a short extension if comments are to be carefully considered.

The SCWC strongly recommends that you extend the public comment deadline for at least 30 days. This extension would allow the public and our Technical Committee to produce considerably superior comments. The drafts, in their current state, are voluminous and the County's citizenry work during the day, which is all the more reason to provide every opportunity for everyone to examine the drafts in detail.

The SCWC would like to thank the Commission at large and particularly you, Chairman Fogg, for the work you have done on the CAC as well as the current task at hand. The Coalition regards the General Plan as an extremely important document for the health and safety of Sonoma County's imperiled water supplies.

Sincerely,

Stephen Fuller-Rowell
Sonoma County Water Coalition



Sonoma County Water Coalition

RECEIVED

APR 17 2006

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT
SONOMA COUNTY, CALIFORNIA

4/14/06

Sonoma County PRMD
Attn: Scott Briggs, Greg Carr
2550 Ventura Avenue,
Santa Rosa, California 95403

Re: Comments on Draft Environmental Impact Report (DEIR) for the Proposed Sonoma County General Plan

Dear Messrs Briggs and Carr;

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) of the proposed Sonoma County General Plan. The Sonoma County Water Coalition (SCWC) now includes 32 organizations representing approximately 27,000 Sonoma County citizens. The unifying momentum behind this coalition is a shared concern for the endangered water resources in Sonoma County. The SCWC expects that the comments, clarifications, and proposed additional resources and policies in this communication will be taken into consideration to ensure that the DEIR correctly and thoroughly evaluates environmental impacts arising from the Draft General Plan policies. We expect substantive replies to our suggestions for changing policies to better mitigate impacts identified.

After careful scrutiny by members of our technical committee, we find that the DEIR is legally inadequate because the project description (The General Plan Update itself) is still subject to further modification. As such, the project appears to be in flux, with missing information and language changes needed to comply with legal mandates, and where such changes will occur after the close of public comment, to comply with CEQA, the County will need to re-notice this project and allow for additional comments on any changes – or any part of the GP EIR/DEIR affected by such changes of language or new information. Additionally, the Urban Water Management Plan (UWMP), critical data on water supplies and consumption and due by December 31, 2005, is not yet available. Background sections on water quality and groundwater conditions contain much misleading and partial information, proposed policies are inadequate for mitigating a growing crisis of both surface and groundwater supplies. Cumulative impacts are not assessed. Finally, the General Plan Update process to date and the DEIR process have been highly flawed. In the following sections we will detail these issues, and suggest remedies for many of these problems

A. Lack of a defined project

Presumably, the Draft General Plan Update itself is the "project" of the DEIR under consideration. However, the "project" has been published at the same time as the DEIR and is subject to change, therefore the "project" lacks a stable and finite project description rendering the process worthless. If comments trigger any changes at all, in language, goals and policy, mitigations or if additional information is added to the file, both documents are subject to re-noticing for review by the public and participating agency pursuant to CEQA. Such changes are equivalent to changes in the project description and are due full analysis, including Alternatives Analysis, review and comment by the public and

Members: Atlasadero/Green Valley Creek Watershed Council * Coalition for Unincorporated Sonoma County * Community Clean Water Institute * Friends of Mark West Watershed * O.W.J. Foundation * SWIG (Sebastopol Water Information Group) * Valley of the Moon Alliance * Supporting Organizations: Action Against the Casino * Blucher Creek Watershed Council * Coalition for a Better Sonoma County * Coast Action Group * Coastal Forest Alliance * Community Alliance with Family Farmers (N.Coast Chapter) * Earth Elders of Sonoma County * Forest Unlimited * Forestville Citizens for Sensible Growth * Friends of the Eel River * Friends of the Gualala River * Laguna Lovers * Madrone Audubon Society * Mark West Watershed Alliance * Occidental Arts and Ecology Center * Petaluma River Council * Russian River Advocates * Russian River Chamber of Commerce * Sierra Club (Sonoma County Group) * Sonoma County Conservation Action * Western Sonoma County Rural Alliance *

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participating agency. To do otherwise denies the public the opportunity of a stable and finite project description and permits the project to "float" in unpredictable directions

B. Missing current water supply and consumption data

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The UWMP, apparently still in preparation, is a crucial estimated calculation of supply and demand of water by both the Sonoma County Water Agency (SCWA) and its contractors. Neither the DEIR, the public, nor this Coalition can determine whether the water service plans envisaged by the UWMP conform to General Plan policies without knowing the UWMP figures. Furthermore, the figures are presumably available to SCWA and its contractors, the entities that generate them, while the public is denied access. Without these figures, the DEIR cannot correctly assess water supply impacts, nor can the public make meaningful comments on water supply components of the DEIR. The Urban Water Management Planning Act (Water Code §§ 10610 - 10656) requires these data to be published every 5 years--in years ending with zero or 5, thus, the UWMP was due last December, 2005.

3

Considering the critical water supply situation in Sonoma County, a single estimate of the reliable water supply (pages 4.9-4 and 4.9-5) is not adequate for assessing the range of impacts from greater or lesser water availability. The DEIR should contain at least three water supply scenarios - best case, most likely case and worst case. The worst case should consider (1) no approval of the Water Project - i.e. no further increases in withdrawals from Lake Sonoma and/or the Russian River, (2) further reductions in the diversions from the Eel River, (3) a possible mandated increase in required minimum instream flows in the Russian River, and (4) changes in the hydrologic cycle resulting from global warming. A comprehensive assessment of the three scenarios would undoubtedly reveal additional impacts and potentially beneficial mitigations.

4

We propose that the period for comments on the General Plan Update/DEIR should be extended until the UWMP data are made public. In lieu of a continuance of the current comment period deadline, the DEIR should be recirculated after UWMP publication for public review and comment in the light of the important information contained therein. If the Planning Commission decides to do otherwise, please explain the reasons for a decision that seriously impairs the public's ability to adequately comment on the DEIR.

C. Missing and inadequate groundwater background

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1. Sonoma County has serious water problems that must be addressed. Numerous studies have demonstrated limited or dwindling groundwater supplies in many parts of the County, but only a few are referenced in the DEIR, and none are fully discussed.

For example, the groundwater studies by California's Department of Water Resources (DWR) for Sonoma County, published in the Bulletin 118 series (see DEIR p. 4.5-20) are reconnaissance level, and never were intended to be scientifically definitive, even for their time. More detailed studies have been undertaken, particularly for the Santa Rosa Plain (SRP), which also need to be referenced and discussed. These include: Meeting Water Demands in the City of Rohnert Park, California Department of Water Resources, 1979; Santa Rosa Plain Groundwater Model, California Department of Water Resources, September 1987; California's Groundwater, California Department of Water Resources Bulletin 118, 2004; and Evaluation of Groundwater Supply Alternatives, Water Supply and Transmission System Project, Parsons Engineering Science, Inc., 1995.

Other references to groundwater conditions include:

Rohnert Park Revised DEIR, May 5, 2000, page 4-132, Water Resources section 4.10; Hydrologic study by PES Environmental Inc. including Groundwater Model: Revised Draft Environmental Impact

Report EIR, Rohnert Park General Plan 2020.

Canon Manor West Subdivision Assessment District DEIR vol. I & II, Sonoma County Department of Transportation and Public Works, June 28, 2004

Canon Manor West Subdivision Assessment District Final EIR, Sonoma County Department of Transportation and Public Works, January 2005

City of Sebastopol Records (2005 release) Drinking Well data: Driller's well log for well no. 2, Driller's well log for well no. 4, Water Well Driller's Report (CDWR) for well no. 6, Well Completion Report (State of CA form) for well no. 7; Weekly pumping volumes for all wells and zones 1/3/00-12/23/02; "Drawdown logs" from 1985 through February, 2005

Hogan, Schoch & Associates (1978) Report to the City of Sebastopol, Sonoma County, California. A Study Regarding Water Supply and Distribution; A Current Analysis and Review of the 1967 Water Report by Yoder and Associates.

Slade, Richard C. & Associates (1996) Hydrogeologic Assessment, Proposed Well No. 7, City of Sebastopol, California.

Sonoma County Water Agency (1977a) Memorandum from Gordon W. Miller, Chief Engineer, to SCWA Board of Directors. Subject: Operation of Emergency Wells. [dated August 1, 1977].

Sonoma County Water Agency (1977b) Memorandum from Gordon W. Miller, Chief Engineer, to SCWA Board of Directors. Subject: Agency and Rohnert Park emergency well drilling programs [dated September 12, 1977].

Sonoma County Water Agency (1978a) Memorandum from Gordon W. Miller, Chief Engineer, to SCWA Board of Directors; Subject: Impacts observed on groundwater levels by pumping Agency's emergency wells [dated February 15, 1978]

Sonoma County Water Agency (1978b) Memorandum from John Kunselman to Richard W. Norton. Subject: October 1979 pump test of Agency's 3 emergency wells [dated December 16, 1979].

Sonoma County Water Agency (2003 release) Continuous Water Level Monitoring Data; Excel Spreadsheets on CD. Monitoring well data, giving date, time, temp (°C), depth to water, water level elevation data for SCWA wells on Occidental Rd., Sebastopol Rd., and Todd Rd.; 5/01 - 10/03. Files: OCC_MW_1.XLS, 5/22/01-9/30/03, 20668 records; OCC_MW_2.XLS, 5/22/01-9/30/03, 20668 records; OCC_MW_3.XLS, 5/22/01-10/2/03, 12149 records; OCC_MW_4.XLS not reviewed; OCC_MW_5.XLS, 7/27/03-10/2/03, 1975 records; 5616_VER.XLS, 8/28/02-10/2/03, 9575 records; SANTA_RO.XLS, 8/28/02-2/11/03, 3736 records; SEB_MW_1.XLS, 8/7/01-10/2/03, 15369 records; SEB_MW_2.XLS, 5/11/01-10/8/03, 16082 records; SEB_MW_3.XLS, 5/11/01-10/8/03, 20445 records; SEB_MW_4.XLS, 5/11/01-10/24/02, 9107 records; SEB_MW_5.XLS, 11/14/02-10/2/03, 4871 records; SEB_MW_7.XLS, 7/7/03-10/2/03, 2082 records.

Sonoma County Water Agency (2004), "Water Supply Workshop", Sonoma County Water Agency Staff Report.

Webster, D.A., Map showing ranges in probable maximum well yield from water-bearing rocks in the San Francisco Bay Region, California, U.S. Geological Survey, Miscellaneous Field Studies Map, MF-431, 1972.

Winzler & Kelly (2004) Draft Water Supply Assessment, City of Rohnert Park.

Winzler & Kelly (2005) Final Water Supply Assessment, City of Rohnert Park.

6 The omission from the current DEIR of the findings concluded in these reports render the DEIR legally inadequate.

Please explain the rationale for omitting these studies and findings. Why does the DEIR suggest no mitigations nor mandate specific remedial action to inhibit the falling water table and stop overdrafting practices in the SRP Subbasin?

7 2. The EIR should note the similar themes that run throughout each of these studies and or reports, warning of declining water levels in the Santa Rosa Plain Subbasin. For example, the 1979 DWR study for Rohnert Park states, "presently available water level data indicate a gradual lowering of water levels beneath the City of Rohnert Park over time," and that "[G]reatly increasing the number of pumping wells may cause an overdraft situation." Critically, the 1982 DWR study found the SRP is "about in balance" with increased groundwater levels in the northeast and decreased water levels in the south (emphasis added). Thus, these two DWR studies confirm that as of 1982, the amount of water recharging the SRP Subbasin by rainfall and other means was precisely the same amount as the water being pumped out of the SRP Subbasin. The 1987 DWR SRP Groundwater model noted the rapidly increasing demand for water in the Santa Rosa Plain, both from the SRP Subbasin and imported surface water. Over time, the SRP Subbasin was bound to fall out of balance since less water will be recharged into the Subbasin due to urbanization of open space and natural recharge areas, while the amount of groundwater pumped out will increase due to growing population demand.

More recent studies draw similar conclusions. For instance, The 1995 Parsons Engineering Science study further emphasizes the increasing reliance on groundwater in the southern portion of the SRP Subbasin groundwater by noting "[G]roundwater pumping has lowered the water table on the order of 100 feet in this area." The SCWA Water Supply Workshop and other recent SCWA documents show that all Sonoma County cities will soon be required to rely on groundwater, along with conservation and wastewater re-use, to accomplish growth plans. This flies in the face of the repeated WRE emphasis on reducing groundwater dependence, and the DEIR must consider policies that can mitigate current water crises.

8 3. The DEIR mentions the County Board of Supervisors (BOS)-commissioned *Pilot Study of Groundwater Conditions* by Kleinfelder Inc., released in 2003, focused on three defined "water-scarce" areas, but does not acknowledge the report's confirmation that some areas are experiencing serious groundwater depletion. The Kleinfelder Report concluded, in part, that "[a]dditional groundwater extraction is likely to increase the rate of overdraft and result in further decline of the groundwater levels. ... Levels will continue to drop as long as extraction exceeds recharge." PRMD reported to the BOS that the Kleinfelder Report findings will need to be considered in connection with any new discretionary applications in the study areas (e.g., subdivisions or use permits) because "at a minimum, the Report will constitute 'substantial evidence' under CEQA that a cumulative groundwater impact may exist ..."

9 4. The DEIR's discussion of state groundwater management programs (page 4.9-20), includes a misleading disclaimer, "Although the County has the authority to initiate groundwater management, it does not have authority over the above agencies," with a list of the 20 types of local agencies empowered to create a Groundwater Management Plan. This disclaimer must be eliminated, and the DEIR corrected to note that the County, and indeed any lead agency responsible for a Groundwater Management Plan, does not need "authority over" similar agencies.

10 5. The DEIR's treatment of Groundwater Management is in some places inaccurate, and overall

) insufficient to provide decision makers and the public with adequate information about groundwater management. For example,

a. the Groundwater Management section (p. 4.5-37) states: "Historically, very few local governments, particularly counties, regulate or manage groundwater usage or withdrawals in order to broadly manage these water resources." To the contrary, the California Department of Water Resources (DWR) lists 167 locales in the State that already have developed AB 3030-style Groundwater Management Plans. Twenty-eight counties have groundwater ordinances. Thirteen locales are governed as Special Act Districts, and the State has 20 Adjudicated Basins. Sonoma County, the second highest well-dependent County in California, is notable for an absence of any groundwater management plan at all.

Please explain the rationale why the DEIR has omitted this easily obtained information?

b. The DEIR also states (4.9-20): "The 1993 *Groundwater Management Act* (California Water Code § 10750), commonly referred to as AB 3030, was designed to provide local public agencies in California with increased management authority over groundwater resources. AB 3030 was developed in response to the federal Environmental Protection Agency's Comprehensive State Groundwater Protection Programs. AB 3030 allows, but does not require, local water providers to develop a groundwater management plan for DWR-defined groundwater basins." Although technically accurate, AB 3030 does not require the implementation of a plan, but the reports listed above show that the County has had sufficient warning about diminished water resources to adopt such a plan immediately.

Please explain in detail the rationale for not implementing a comprehensive water management plan in light of the above-referenced data that indicate such a plan is needed.

Please explain why Sonoma County does not have a comprehensive water management plan when 167 other locales in the State of California already have implemented such plans.

D. Proposed policies do not provide needed mitigations

While California does not have a statewide regulatory system for surface and groundwater management, numerous Water Management tools are available to alleviate the County's water crisis, through protecting and preserving water resources. These methods include new water supply legislation, groundwater ordinances, and water management plans (DEIR 4.5-37,38). If used properly, these tools can address and alleviate the water crisis in Sonoma County.

Cities and counties in California can adopt groundwater ordinances to protect the public, health, safety and welfare in areas that are not already regulated by the state. Nearly half of California's counties, and many cities, have adopted local groundwater ordinances to protect and preserve the viability of the existing groundwater supply. Many groundwater ordinances restrict projects to prevent adverse effects on groundwater supplies, including proposals that could export groundwater outside of the basin or county boundaries, degrade groundwater quality, or cause land subsidence. Groundwater ordinances of broader scope are geared to manage groundwater resources for existing needs and planned growth. Ordinances are typically implemented in connection with groundwater extraction permits, and center on whether the basin is operating within its "safe yield." Generally, safe yield is the amount of water that can be produced from a groundwater basin under a certain set of circumstances, over a given amount of time, without causing basin overdraft and without causing other adverse impacts. The Coalition proposes that the DEIR add a policy for using groundwater ordinances to address and alleviate identified groundwater overdrafts in Sonoma County.

Despite General Plan policies that will dramatically increase water demand, there are no concomitant measures to ensure that these demands can be met by managing groundwater resources. Since knowledge

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of Sonoma County's water crisis has increased dramatically since the first draft of the General Plan Update/DEIR, and numerous past studies attest to imperiled supplies of fresh water in Sonoma County. why does the General Plan allow groundwater management with an AB 3030-style groundwater management plan to remain optional? Why does the DEIR not call attention to the need for groundwater planning and implementation to mitigate serious, ongoing groundwater overdrafts?

1. AB3030 Groundwater Management Planning

More people rely on groundwater in Sonoma County than in any other county in California. It seems logically inconsistent to put forth a "plan" that is missing the essential ingredient of a plan, in this case: management of our water resources. Virtually all of the County's water resources are removed from underground, either from domestic wells or from extractors near surface sources, like the Russian River.

In 1992, the State Legislature adopted the "Groundwater Management Act" State of California Assembly Bill 3030 (AB 3030), (California Water Code §§ 10750 to 10755.4.) AB 3030 lays out a specific way to achieve such a groundwater management plan and approximately 167 locales in the State have already adopted AB 3030-style groundwater management plans. Despite plans in other sections of the General Plan that call for dramatic increase in water demand, there are no concomitant measures to ensure that these demands can be met by managing water resources with an AB 3030-style groundwater management plan. AB 3030 begins with the following proclamation by the Legislature concerning the protected status of groundwater: "The Legislature finds and declares that groundwater is a valuable natural resource in California, and should be managed to ensure both its safe production and its quality. It is the intent of the Legislature to encourage local agencies to work cooperatively to manage groundwater resources within their jurisdictions."

2

As noted above, Sonoma County has had sufficient warnings of diminishing groundwater resources to adopt an AB 3030-style groundwater management plan immediately, or to adopt policies that require groundwater management wherever groundwater depletion is indicated (with reference to appropriate standards). Why does the EIR avoid requiring implementation of a groundwater management plan or groundwater protection ordinances in light of what is known about depleted supplies, to avoid putting the County's future water supplies at risk?

More data are welcome, but the studies listed above provide more than adequate information to begin planning before adding to demand. In addition, the state DWR encourages Counties, municipalities, and water districts to quickly and easily adopt groundwater management planning and implementation policies under AB 3030, without obtaining full data or fully developing formal plans. Applications for local assistance grants to obtain studies or develop management policies may be filed at an early stage of the planning process.

A groundwater management plan under AB 3030 may be adopted by any local agency, including municipalities, that provides water service, flood control, groundwater management, or groundwater replenishment. Pursuant to AB 3030, groundwater management plans address a wide range of management issues, including, but not limited to: (a) controlling saline water intrusion; (b) identifying and managing wellhead protection areas and groundwater recharge areas; (c) regulating migration of contaminated groundwater; (d) administering well abandonment and well destruction programs; (e) mitigating the effects of groundwater overdraft; (f) replenishing groundwater extracted by producers; (g) monitoring groundwater levels and water storage; (h) facilitating conjunctive use operations; (i) identifying well construction policies; (j) constructing and operating groundwater contamination cleanup, recharge, storage, conservation, recycling, and extraction projects; (k) developing relationships with state and federal regulatory agencies; and (l) reviewing land use plans and coordinating with land use planning agencies to assess activities that create a reasonable risk to groundwater resources and management.

Various members of this coalition have strongly advocated for the Sonoma County Water Agency to develop and implement a groundwater management plan. Recently, as part of its process to restructure the entitlement contracts to Lake Sonoma water in response to the Eel River decision, the Agency has more openly acknowledged the need to prepare such a plan. However, successful water management requires cooperation and "buy in" from surrounding agencies concerning efforts to moderate water production and conserve resources.

2. DEIR misinterprets the impact of State "Responsible Growth" Laws SB 221 and SB 610

Effective since January 2002, California's water supply laws, any project generally containing 500 or more residential dwelling units, commercial or industrial projects that fall within certain size parameters, and projects that would have a water demand equivalent to a residential development project with 500 units or more, are subject to SB 221 and/or SB 610 (DEIR 4.9-19, 20). Those projects cannot be approved unless the proponent can provide verification from the local water purveyor that a sufficient water supply is available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand created by the project in addition to existing and planned future uses, including agricultural and industrial uses.

The DEIR assumes that SB 221 and SB 610 projects are unlikely in unincorporated County areas, ignoring the likelihood that the water supply for proposed urban projects may include groundwater resources, which will require the lead agency to consider and analyze the condition of the supplying groundwater basin, and its rights to extract such groundwater without impacting the water supplies of other competing users with superior rights.

3. DEIR policies omitted planned monitoring installations

The EIR for the Canon Manor West Subdivision Assessment District had revealed that "... groundwater is already being drawn from the groundwater basin within the Lichau Creek drainage to augment groundwater extracted from the hydraulically connected groundwater basin to the north."

Mr. William Hurley, the Section Leader of the North Bay Watershed Division of the California Water Quality Control Board, San Francisco Bay Region (SFWQCB) accepted the agreement for this extensive monitoring by publicly stating, "... during our February 3 meeting, the County and SCWA staff expressed their commitment to expand the scope of the hydrogeologic assessment to monitor for the effects of potential cumulative impacts in the Lichau Creek watershed, including lowering of the groundwater table and loss of surface water base-flow."

"Additionally, we were informed by County staff that any future increase in the pumping rate of the Penngrove Water Company well (beyond that needed to serve the Canon Manor West Subdivision project as described in the DEIR) would require additional CEQA review."

"Therefore, with the County's and SCWA's expressed commitment that potential cumulative groundwater impacts in the Lichau Creek watershed, including potential loss of surface water base-flow in Lichau and Cold Springs Creeks, will be monitored and investigated through the comprehensive hydrogeologic assessment project..."

The County's General Plan and DEIR omit both these promised monitoring installations and descriptions of the abilities and accuracy of the installations. Ignoring the agreement with the SFWQCB and not implementing these monitoring installations would further jeopardize the already-imperiled south SRP aquifer, and exacerbate the water extractions in an entirely different watershed, in violation of state statutes.

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If the current level of groundwater over-production is permitted to continue without a mitigating plan to balance extraction with demand, there is a high likelihood of surface land deformation, also known as subsidence. When sufficient amounts of water are extracted from beneath the ground, the underlying support gives way and the surface of the ground literally subsides, i.e. collapses. The above-mentioned Parsons report (Parsons 1995) has already measured a drop in the water table of over 100 feet in parts of the South Santa Rosa Subbasin, the first necessary step toward subsidence. However, despite evidence that the process of surface deformation is under way, the DEIR proposes no mitigations; takes no preventative steps to avoid subsidence and simply ignores this clear and present danger.

Therefore, the DEIR is inadequate because it fails to provide sufficient information to enable informed decision-making by the County, the public, and the permitting agencies (see numerous examples below). CEQA requires that an EIR provide enough analysis and detail about environmental impacts to enable decision-makers to make intelligent judgments in light of the environmental consequences of their decisions. See CEQA Guidelines § 15151; Kings County Farm Bureau v. City of Hanford, 221 Cal.App.3d 692 (1990). Under the law, the lead agency must make a good faith effort to fully disclose the environmental impacts of the project. This requirement cannot be met unless the project is adequately described and existing setting information is complete. See County of Inyo v. City of Los Angeles, 71 Cal.App.3d 185, 199 (1977). Both the public and decision-makers need to fully understand the implications of the choices presented by the project, mitigation measures, and alternatives. See Laurel Heights Improvement Ass'n v. Regents of University of California (Laurel Heights I), 6 Cal.4th 1112, 1123 (1988).

E. The DEIR is inadequate based on the omission of cumulative impacts

The DEIR fails to analyze cumulative impacts in the manner or to the degree required by CEQA. The CEQA Guidelines define cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines § 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects."

15

The DEIR fails to account for the cumulative impacts of increased water demand from both surface water and groundwater resources. The projected increased demands from these sources will exert interlocking effects on both supplies and must be described in detail.

The DEIR provides insufficient data regarding the interaction of underground water resources for officials and the public to create informed opinions. For example, it is known that the dramatic drop in the water table in the South Santa Rosa Subbasin (Parsons, 1995) created a substantial cone of depression that engulfs the entire City of Rohnert Park. With future demands on water resources in this area predicted to increase, the DEIR must provide an accurate picture of the balance of supply and demand, but does not. This omission is a clear violation of CEQA and must be rectified and resubmitted for public comment.

A complete three-dimensional model of the interlocking and contiguous groundwater subbasins in the entire Santa Rosa Plain would provide a predictive tool useful in determining additional depletion in the Laguna de Santa Rosa and in the subbasins beneath the City of Santa Rosa. Since increased pumping in these areas has already been announced, the DEIR should analyze and quantify the environmental impacts to this region that the increased demand will create. These projected impacts must be available to compare with existing conditions.

F. Inadequate Alternatives Analysis

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As discussed above and below, the County has not provided sufficient, information, analysis, and mitigations in the form of Goals and Policy to reduce noted impacts to water resources. For each issue, c

identified impact that is not being mitigated to the greatest practical extent, discussion in the form of Alternative Analysis must be included in the EIR/DEIR with assessment, logical discussion, and findings regarding the full range of options available, and/or suggested to the County. This would include suggestion and comment made by the CAC – which should be in the record.

G. Inadequate examination of surface water

The DEIR and General Plan Goals and Policies do not fully recognize impaired conditions on the Russian River. The 303(d) listing and State Impaired Waters listing, for all listed pollutants and related conditions, must be recognized and addressed in the DEIR and General Plan Goals and Policy. The DEIR and General Plan Goals and Policy must provide adequate discussion and Alternatives Analysis indicating what action(s) will be taken by the County to reduce pollutants, with the objective of meeting Basin Plan standards and over time meeting Federal Water Quality Standards (WQS). Current instream and nearstream conditions are noted as limiting factors for listed species of salmonids.

Land use, and water use, projects are controllable under County permitting and oversight authority (e.g. Grading Ordinance, Hillslope Planting Ordinance, Non-Point Source program implementation, Riparian Protection – Goals and Policy, etc.) - with implementation and effectiveness monitoring to be included. The County has both the authority and jurisdiction to assert control over projects adversely affecting water quality and water use. Such analysis, using the best available science, must demonstrate how Goals and Policy will meet WQS and comply with the Basin Plan.

H. Mitigations are stated in language that does not guarantee that mitigations will be implemented

Non-binding terms, such as “promote”, “encourage” or “support”, are problematic and legally questionable. Unless all such terms are changed to legally binding terms, such as “shall” or “will”, the ability to legally assure that proposed policies will mitigate the environmental significance of a recognized impact to ‘Less Than Significant’ is legally false and thus such language must be changed accordingly, as it otherwise does not constitute an adequate mitigation measure.

I. Mitigations are not accompanied by deadlines or funding sources and therefore may not be implemented

All mitigations that reduce impacts to ‘Less Than Significant’ can only be considered effective if policy language is accompanied by language specifying the time frame within which mitigation policies will be implemented. Likewise, all mitigation policies must reference funding sources, or the seeking of such funding sources,

J. The General Plan Update Process and thus the DEIR Process was flawed

Members of the Citizens’ Advisory Committee (CAC) were encouraged to complete their deliberations on water in early 2003 before all available information was in hand. Three members of that committee have expressed this concern in communications to County staff in October and November 2004 (attached).

1. Water Supply is not Proven

Four months after the CAC concluded their discussions of the draft Water Resource Element (WRE) and allowed their Water Subcommittee to dissolve itself, the Chief Engineer of the Sonoma County Water Agency (SCWA) in a letter to their contracting cities and other water retailers (Contractors) announced that planned increases in water supply from the Russian River were ‘not secure’ (Letter from Randy Poole, August 11, 2003, attached). This announcement throws into question the adequacy of water

supply in Sonoma County to support the increased population envisaged by the already approved Housir Element.

2. Groundwater Supply in Water-scarce Areas Threatened

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cont...
In September 17, 2003, the long-awaited Kleinfelder and Associates report ("Pilot Study of Groundwater Conditions," commissioned by Sonoma County, was released (see above). The Kleinfelder report confirmed local knowledge that groundwater levels in three sample water-scarce areas--the Joy Road and Bennett Valley areas, and the Mark West Creek watershed--had declined significantly over the previous fifty years. Late 1970's local studies in many areas, including the Joy Road neighborhood, indicated that local population had reached the carrying capacity of these areas already. Since then, population has doubled in the Joy Road and several others of those 1970's study areas.

3. SCWA Contractors to Become More Dependent on Groundwater

In May 2004, the Draft Restructured Agreement for Water Supply (now "Draft Restructured Agreement for Water Supply--6-25-2005 p.15") between SCWA and its Contractors recommended that the Contractors should 'achieve and maintain local water production capacity capable of satisfying approximately forty percent (40%) of [their] average day of maximum month demand' for water'. 'Local water production capacity' would include conservation, re-use, storage and groundwater. Of these, groundwater would be the most significant.

4. Sonoma County Grand Jury Calls for Groundwater Management Planning

In June 2004, the Sonoma County Grand Jury report entitled 'Got Water' (July 1, 2004) called upon Sonoma County and its cities to prepare groundwater management plans in accordance with the recommendations of AB3030. This recommendation was immediately rejected by representatives of Sonoma County and its cities.

CAC members mentioning these and other new information included T. Boulton on October 14 and November 15, 2004, V. Mulas on November 10, 2004, and R. Savel on October 14, 2004.

K. Significant Unmitigated Impacts or Not Fully Mitigated Impacts

Impact 4.5-1: Water Quality – Residential, Commercial, Industrial, and Public Uses

Residential, Commercial, Industrial, and Public Uses consistent with the Draft General Plan 2020 could introduce additional non-point source pollutants to downstream surface waters. The DEIR states that existing regulations and referenced Draft General Plan water quality policies and programs (p. 4.5-42 and 4.4-43) would reduce impacts to less-than-significant.

21
We believe that the permissive language in many of the General Plan Update's WR policies make them inadequate to produce the less-than-significant level of mitigation claimed. Language submitted to the CAC by SCWC in October 2004 (attached and underlined in red below) would strengthen the proposed mitigations, so that they are more likely to reach that level.

WR-1m: Encourage pretreatment and waste load minimization of commercial and industrial wastes prior to their connection to sewer systems and require source reduction and source control of contaminants that have a reasonable potential to pass through water treatment and contaminate groundwater.

WR-1n: Establish a public education program to raise awareness of the need for source reduction and source control of contaminants used in the home and office.

WR-1x: Prohibit intentional point-source aquifer injection of treated wastewater or other contaminants that may degrade aquifers within the County. Nothing in this language is intended to prohibit customary on-site wastewater disposal through percolation or evapo-transpiration.

WR-1y: Protect water quality for beneficial use by maintaining base-line in-stream flows consistent with TMDL objectives.

Impact 4.5-5: Groundwater Level Decline

Land uses and development consistent with the Draft General Plan 2020 would increase demand on groundwater supplies and could therefore result in the decline of groundwater levels. This would be a significant impact.

The DEIR references relevant General Plan Update 2020 policies on pages 4.5-51 and 4.4-54. Language submitted to the CAC by SCWC in October 2004 (attached or referenced below) would strengthen the proposed mitigations, making them more likely to reach a less-than-significant level.

Impact 4.9-1: Insufficient Water Supplies to Meet the Future Water Demand of the Urban Service Areas

Land uses and development consistent with the Draft General Plan 2020 would increase the demand for water. As a result, insufficient water supplies would be available to serve some of the unincorporated USAs from existing entitlements. New or expanded entitlements would be required. This would be a significant impact.

The DEIR references relevant General Plan policies (p. 4.9-26 through 4.9-28), but the impacts remain SU, indicating that the policies do not provide adequate mitigations.

Impact 4.9-2: Insufficient Water Supplies to Meet the Future Water Demand of the Rural Private Domestic, Small Municipal, and Agricultural Wells

Land uses and development consistent with the Draft General Plan 2020 would result in an increased demand on groundwater supplies for rural uses. Due to the lack of comprehensive information regarding the county's groundwater resources, it is uncertain if groundwater supplies would be sufficient to meet the future demand of rural private domestic, small municipal, and agricultural wells. This uncertainty combined with the current regulatory approach could result in insufficient groundwater supplies in rural areas of the county, which would be a significant impact.

The DEIR references relevant General Plan Update 2020 policies on pages 4.9-30 through 4.9-31. It is noteworthy that these policies, as drafted, apply only to discretionary projects i.e. those that require a use permit. These policies would therefore do nothing to address the cumulative impact of the increasing density of single-family homes in rural areas and the impact of high-capacity irrigation wells installed for agricultural purposes.

Language submitted to the CAC by SCWC in October 2004 (attached and underlined in red below) would strengthen proposed mitigations, lowering the significant impacts.

WR-1 (new v): Include in the mandate of the Sonoma County Agricultural Preservation and Open Space District the acquisition and enhancement of designated groundwater recharge areas.

WR-1 (new w): Establish requirements for new construction to halt loss of groundwater recharge capacity of aquifers caused by construction that increases impervious surfaces. Proactive measures are required to reduce negative impacts of impervious surfaces and encourage land use practices that increase natural groundwater recharge. These requirements shall be incorporated in appropriate construction standards

including without limitation building codes administered by the Sonoma County Permit and Resource Management Department.

WR-2 (renumbered a): Establish specific and comprehensive groundwater management plans for groundwater basins in the County including but not limited to: the Santa Rosa Valley, Sonoma Valley, Petaluma Valley, the Alexander Valley, Knights Valley, the Wilson Grove Formation Highlands bordering the Laguna de Santa Rosa and the Gualala Basin pursuant to AB3030.

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cont...

Representatives of the California State Department of Water Resources have stated on more than one occasion that an AB3030 groundwater management planning process may be started before all information about groundwater conditions is known. All that is necessary is to take step 1 of DWR's recommended Components of Local Groundwater Management Plans (see State of California DWR, California's Groundwater, Bulletin 118 Update, 2003, Appendix C, p. 230). This step is to hold a publicly-noticed meeting to start the process of groundwater management planning. The public notice must be submitted to the state as proof that such a process has begun, and that the notice described "the manner in which interested parties may participate in developing the groundwater management plan" (Water Code sect. 10753 (b)).

WR-2 (renumbered b): Establish specific and comprehensive groundwater management plans for the populated outlying water-scarce areas including but not limited to, Napa-Sonoma mountains and hills, Annapolis-Ohlson Ranch area, Joy Road/Coleman Valley Road area, Bennett Valley, the Mark West Springs area and the Pocket Canyon area.

WR-2 (renumbered c): Establish a CEQA process to address the cumulative impacts of new agricultural wells and new residential wells on existing water users and upon creeks in all areas of the County.

WR-2i (10) Suspend permit approvals within special study areas until a comprehensive groundwater assessment is completed and groundwater declines are reversed.

WR-3t: County agencies shall coordinate with all cities and other organizations that both receive water from S.C.W.A. and pump groundwater within Sonoma County to formulate and implement groundwater management plans pursuant to AB3030 within five years of the adoption of this General Plan update.

A revitalized emphasis on water conservation would allow development consistent with the Draft GENERAL PLAN 2020 without additional surface water supply and without further impact upon threatened groundwater resources.

L. Impact not Addressed by DEIR: Potential Impact of Water Exports on Water Availability

General Plan Update 2020 policies WR-5a and b attempt to address this potential impact. However, since no permit is required for water exports, no CEQA process would be triggered by any proposal to export water from Sonoma County.

25

Language submitted to the CAC by SCWC in October 2004 (attached and referenced below) would further strengthen proposed mitigations (see underlined in red below).

WR-5a: No water shall be exported to locations outside Sonoma County unless the County has issued a permit for such exportations. In the event a permit is issued, it shall set forth with specificity the details of the exportations (e.g. quantity, origination location, destination location, period of exportation, etc.).

WR-5ab: Require full assessment of impacts on the environment and impacts on the quality and quantity of water for Sonoma County water users of all existing and new proposals to physically export water for

Sonoma County. Any consideration of exporting water resources shall place primary priority upon the benefit of and need for the water resources in Sonoma County and shall assure that water resources needed by urban, rural and agricultural water users and dependent natural resources in Sonoma County will not be exported outside the County. 25 100

M. Reducing exposure to legal jeopardy

The current DEIR suffers from obvious, pervasive deficiencies that require extensive revision and recirculation for public comment. Failure to do so will result in a legally indefensible document, expose Sonoma County to substantial legal costs, and further delay what has already been an extraordinarily protracted planning process. Conversely, emendation and recirculation for public comment would dramatically reduce the risk that SCWC or any one or more of its member organizations would mount a legal challenge. 26

Conclusion

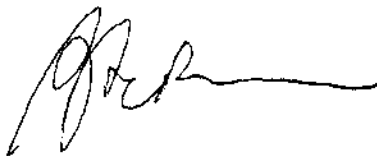
The above comments on the DEIR are submitted in expectation of a substantive response to each distinct issue or question. Paraphrasing or summarizing submitted comments for the purpose of then responding to those abbreviated comments will not be appropriate and may result in those responses being inadequate under CEQA because they do not reflect the comments as submitted.

As set forth above, the DEIR suffers from numerous deficiencies, many of which would independently render it inadequate under CEQA. Taken as a whole, the deficiencies of the DEIR are so pervasive as to necessitate extensive revision of the document and recirculation for public comment. We believe that the majority of defects in the DEIR can be addressed by the adoption of feasible mitigation measures and alternatives that will eliminate or reduce significant and unavoidable impacts of the project. Incorporation of these measures in the form of policies and land uses into a revised General Plan would go a long way to eliminate the defects in the DEIR's analysis of impacts and identification of feasible mitigation and alternatives. Failure to address the inadequacies in DEIR would be both fiscally and environmentally irresponsible.

Sonoma County residents support a General Plan that protects our quality of life and Sonoma County's values – clean air and water, our natural resources, world-renowned landscapes. They also want assurance that affordable housing will be provided for Sonoma County residents and workers. Unless we effectively plan and manage growth, our quality of life will worsen. The County *can* adopt policies that will reduce significant and unavoidable impacts to the environment. We urge you direct your staff to follow the recommendations we have outlined.

Thank you for your consideration. Please do not hesitate to contact the Sonoma County Water Coalition if we can assist you in this very important endeavor.

Sincerely yours,



for the Sonoma County Water Coalition

236

From: Rue <pqrst@monitor.net>
To:
Date: 03/22/2006 5:17:40 PM
Subject: GP2020: Sonoma toxic waste and garbage to Marin landfill

FYI ... In case you've not received it. Apologies if this is a duplication, I thought you might be interested.

Have a great day, or evening - depending on when you open this.
Rue

" ... this is the link for the groups opposing expansion of the Redwood landfill north of Novato. I think the toxic wastes from Sonoma County or any other county do not belong in this landfill. Consider the vastly increased 101 traffic from dump trucks if the expansion continues. Also, this is a legacy landfill site, poorly regulated and monitored and without any kind of lining. Leachate would go directly into San Antonio Creek and into San Pablo Bay. This is a regional issue that should be addressed in the Sonoma GP2020 update. I'd like to know what the contribution of continued buildout in Sonoma will be to this ongoing disaster.

Apparently the Sonoma facility was closed down due to severe water quality problems. How does that justify sending the same waste to Marin???

Bay Area and Marin Sierra Club are supporting this effort.

<http://noexpansion.org/> ..."

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Sonoma County GP 2020 DEIR
April 2006

RECEIVED

MAY 06 2006

General comments

LEGITIMACY PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

the finding that an impact is unmitigatable

There are many instances where the DEIR identifies a significant impact, discusses the mitigation(s) provided by General Plan policies (and in some cases offers new policies), but then determines the impact remains significant and unmitigated. But CEQA requires that the EIR demonstrate that further mitigation is infeasible, and this has to be based upon evidence regarding legality, economics, timeliness, etc. In fact, mitigation is required to the extent feasible even if the impact remains significant. Just because you cannot make the problem disappear completely doesn't mean you don't have to try.

1

In many cases (some, but not all, are more specifically noted below), the DEIR even discusses that the impacts are related to the limitations in existing regulations or the limitations of the policies proposed in the General Plan. It is obviously feasible procedurally to strengthen policies to further reduce some of these impacts. What is the basis under CEQA law for the DEIR to say the "project" (meaning the General Plan Update policies) cannot be modified to reduce impacts? That seems contrary to the entire principle of mitigation under CEQA. That approach also implies the alternatives analysis is essentially irrelevant, since the DEIR essentially rules out any appreciable modification for the purposes of further reducing impacts by looking at other approaches.

2

Why is "avoidance" not used as a feasible mitigation in many instances? For example, in areas of seismic ground shaking one could assess mitigations that would reduce impacts by placing roads, etc. in areas where no ground failure is likely. In some specific cases, this may be infeasible, but the EIR and General Plan can use performance standards/criteria to assess that issue. What thresholds or standards might be applied to all hazard areas? Please suggest language to qualify the restriction by creating an escape mechanism if the parcel is otherwise un-buildable

3

Complications of preparing a self-mitigating General Plan.

This approach has the benefit of creating one integrated document, but it creates some extra management and legal complications. Policies that are simply "policies" (meaning not called out as mitigations or relied upon to provide mitigation) can be implemented as written or not at all (if a non-mandatory program or policy), be discretionary in nature, defer decisions or studies, be modified through General Plan amendments, etc. But a "policy" that is also identified as a mitigation or mitigating factor is more restricted. As a mitigation, it must be enforceable and feasible. Any modification of such a mitigation can only be done through a CEQA review process that reassesses the implications for the previously identified impact. How will a Mitigation Monitoring Program be implemented? How will policies that do double duty as mitigations be distinguished or identified in the General Plan to ensure that any changes are handled properly under CEQA?

4

The EIR frequently relies upon unenforceable mitigations

To qualify as a mitigation, it must be enforceable and ensure an outcome. But many mitigations as written are discretionary, vague, and cannot be relied upon to be carried out. For example, the Circulation Element is full of "mitigations" that begin with the word "consider". Since no action or result is required, no mitigation is ensured. The fact that many of the impacts remain significant and unavoidable does not excuse presenting mitigations that do not meet the legal standard under CEQA.

5

The DEIR takes an arbitrary approach to modifying General Plan policies through the EIR process

The purpose of doing a self-mitigating General Plan is to have a consolidated document where the General Plan is adjusted to eliminate or reduce its own impacts. It is not appropriate to approach the EIR by then saying General Plan impacts cannot be mitigated because the General Plan policies as written don't do that.

6

7 The General Plan is a "project" and like any project can be modified to reduce or eliminate impacts. Where the DEIR doesn't provide an enforceable mitigation with the explanation that the policies as written don't mitigate the impact, new policies should be offered. In some cases, the DEIR actually identifies weaknesses in policies as contributing to significant impacts, and then says there is nothing to be done. Obviously the policies can be strengthened in some situations, and that should be discussed. A decision to not strengthen policies as a means to further reduce or eliminate significant impacts should only be suggested if it can specifically be shown that policy adjustments are infeasible using the CEQA standard.

8 Some of the identified significant impacts in the Water Element could clearly be further reduced or eliminated by strengthening policies; in some cases the DEIR actually states what the change would be. But it consistently leaves the policy unchanged and the significant impact unmitigated.

9 The DEIR is willing to modify some policies in some Elements for the purposes of reducing impacts, as with policies in the Open Space element, the Public Safety Element, and the Water Element. So clearly there is no rule or procedural obstacle to modifying policies to further reduce impacts.

Please explain why this approach was not consistently taken to reduce impacts, and why the rejection of policy changes are not supported with a specific feasibility discussion. Please explain why policy adjustments are not done as a means of further reducing impacts. Please explain why project modifications are appropriate under CEQA to reduce impacts, but not if the project is a General Plan.

10 The Draft EIR as circulated will not support any finding of Overriding Public Benefit

That finding is required in order to approve a project that has unmitigated significant impacts. But that finding can only be made after every feasible effort is made to mitigate or further reduce significant impacts, and further mitigation is specifically determined to be infeasible. As discussed above, the DEIR rarely addresses the feasibility question in a substantive way, but more often just makes a pronouncement. Please explain how findings of Overriding Public Benefit can be made if the DEIR has not demonstrated in a substantive and analytical way that mitigation is infeasible (as opposed to controversial).

11 What will Sonoma County have to do to achieve community goals in 2021 after years of Significant Unavoidable Impacts?

How will Sonoma County's goals be achieved if programs are not implemented? What will impacts of no implementation be? How will mitigations be measured if partially implemented? What will impacts of partial implementation likely be? For example: increased demands for services that include libraries, criminal justice facilities, human services, etc. include description of implementing (building for) these services – what are impacts if they are not provided? What is predictably fundable within the time horizon of 2020? What remains?

12 If mitigations are partially achieved, what analysis would need to be done to complete mitigation and/or will Significant Unavoidable impacts increase over time?

13 What is not included in the "buildout" assumption? The EIR seems to generally address this in terms of residential units. To the extent that a significant part of the County is designated for rural uses, shouldn't the buildout scenario address the maximum allowable permitted uses? For example, the total residential units on Ag designated land.

14 In the "buildout" scenario – how would maximum (or even a reasonable percentage) approval of Use Permits affect the scenario?

15 What is the actual infill capacity within urban areas?

16 Please analyze likely growth patterns and implications with allowable package treatment plants. How will this change the stated constraint of growth by relying on limitations on sewer and water extensions outside of USAs?

How well are the Policies for concentrating growth in the cities working if the percentage of population (27%) remains the same in 2020? What Policies might shift a greater percentage of growth into urban areas? Would these policies also serve to further reduce unmitigated impacts?

17

It is said that our #2 growth economy is "the Sonoma County experience" - What are the predictable impacts of current traffic trends on our Ag Tourism industry? (any kind of tourism?)

18

What are the predictable forces that will effect greatest losses of Ag land production? i.e.: Lack of water? Parcelization? Residential uses? Loss of processing facilities? Some other pressure?

19

4.1-23 How does GP 2020 realize the goal of concentrating future growth using community sewer and water systems if increased use of package treatment plants is allowed? If more PTPs are used, these prices are likely to come down (certainly relative to land costs) and more could be put to use. Please analyze implications. Consider too, the potential impacts on ACC Lots.

20

4.1-29 Please analyze using "other infrastructure", including alterations of "intensity of existing land uses". 4.1-35 How does this "reduce" potential for growth?

21

4.1-32 Assuming a 19% increase in population above 2000, with an increase in the county identical to that of the cities (same 27% of county's populace) - is goal of city centered growth achieved?

22

4.1-35 What are the predictable impacts of the proposed changes to Rohnert Park's USB, and including Canon Manor? (195 + 80 acres) What densities can be expected? What are the predictable impacts of traffic, water use, sewer capacity and treatment, etc.?

23

Policies LU-3a, 3b, 3c, and 3d are said to ensure that growth will be contained within the unincorporated and incorporated USAs, by denying land use amendments that increase residential density beyond projected growth (limiting extension of water and sewer services outside USAs) however - ACC's and package treatment plants are wild cards unless acknowledged and accounted for. What can really be "ensured"?

24

To what extent do you reason that incompatible land uses in the rural areas "would primarily result from the development of agricultural processing and visitor serving uses."? How can this be quantified? What are predictable trends given the changes in economic forces? What additional mitigations could be placed in policies to avert the conflicts?

25

Is the greatest pressure for higher densities in RR or in farm and/or grazing lands? 4.1-7 indicates range and timber are areas of greatest pressure. Please provide more information and analysis to assess the areas experiencing the greatest pressures.

26

The statement is made that the "majority of rural home construction requires" a range of acres per house. What is the source of supporting evidence?

27

In what areas (geographic, by uses, by zone) would increased use of package treatment plants have the greatest affect on the unincorporated areas? (See 4.1-39, LU 3b, L&U 3c, L& 3d, 4.1-36, etc.)

28

Please analyze types, levels, and repetitions of complaints regarding agricultural cultivation vs. processing, and / or wineries (with and without events). I could find no mention of this distinction or the proportionate impact. There is a great deal of history to bring the types of impacts into focus, as well as identify areas or uses particularly prone to causing localized impacts.

29

4.1-39 MM 4.1-2 What would the affects be of limiting types of operations that cause these impacts? Of limiting them in "sensitive" or already impacted areas?

30

4.1-40 Examine impacts of putting Ag processing and/or Ag support services in concentrated areas, possibly in USA's vs. throughout the county.

31

How would clustering Ag support and/or processing facilities affect Ag and affect traffic?

32

4.1-3 ditto MM 4.1-2

33 [4.2-10 Why is analysis done relative to speed as the primary measure of determining LOS? How would the outcome be different if safety, travel time, delays at secondary intersections or continuous flow were used?

34 [4.2-19 Is the change in Sonoma County to San Francisco ridership due to auto use, transit ease (or lack of ease), and/or changes in jobs? Please compare use of bus to rail line service provided by AMTRAK as an integrated system. How might ridership be improved?

35 [Please examine results of adding freight stops in the county (city or unincorporated) to alleviate some of 101 traffic congestion, improve air quality, offset costs of rail, etc.

36 [4.2-26 It is stated that "... some roadways operate at LOS D, E, or F in future and these LOS are acceptable due to a variety of circumstances ..." Please explain these circumstances and state how standards / policies can be applied equally/fairly if the same outcomes are not achieved. be improved through modification of the policies?

37 [Please provide an evaluation of how speed standard use can be applied to evaluate safety standards (especially at intersections and where there could be pedestrians and/or bicyclists). How is speed standard applied to protect pedestrians and bicyclists? How does the speed analysis compare to using travel time, or continuous flow as the analytical standard?

38 [4.2-29 How does speed as a standard identify intersection delays?

The model forecasts volumes along with capacity of roadway segments – this can only be as accurate as projected growth in the area. Please include the maximum build out forecast including number of parcels, a reasonably predictable percentage of Use Permits, and ACCs with use of package treatment plants.

39 [Please analyze impacts of no improvements due to lack of funding. This should be included in the more "conservative" Alternative.

40 [4.2-35 If traffic increases as a result of 'development and widening of Stony Point Road', how does widening reduce traffic impacts over time?

41 [What are the impacts of extending Llano Road north through Ag lands, Laguna uplands, wetlands, etc?

42 [Do Policies CT-6xx and CT-6yy, CT-6zz, CT 6aaa, constitute mitigations? They ask for consideration of certain actions. How can this be quantified for impact analysis? Also CT-6bbb, CT-6ccc, CT-6ddd, CT-6eee, etc. state 'work with in considering ...'. Are these useful as mitigations?

43 [CT-3.3 would allow a lower LOS if warranted by local environmental or community values. How will either be determined? What findings are required? What will ensure this is consistently applied?

44 [4.2-45 & 46 Please analyze effects of alterations to on-ramps as traffic mitigations. It was studied in one of the myriad 101 Corridor groups and shown to be the most cost effective mitigation at that time.

45 [Draft GP 2020 contains a number of goals and policies that would "improve transit service in Sonoma County": they would "promote", "work with", "support", and "strive to increase", How does this unenforceable language measurably "improve transit service in Sonoma County?"

46 [What can be predicted for air quality in: the Santa Rosa plain / 101 corridor area, the Forestville / 116 area, the airport / 101 area, Dry Creek / 101 area?

47 [Are there any projections of wood smoke impacts, including new regulations, or the effect of rising energy prices?

48 [4.3-4 What impacts can be predicted from new wastewater treatment plants in the unincorporated area? What can be predicted to be the impacts of a water treatment facility for Lake Sonoma water?

49 [What are predictable impacts of continuing, and possible increased use of wastewater at the geysers? Are there potential seismic impacts? Any impacts on water quality? Will any impacts increase if the geysers choose to meet their contractual agreement by using the clause that allows them to use/inject multiple years' wastewater in one year?

4.3-12, 13, 14, 15 Same question re. language that uses words like "support" and "encourage" in Programs (how likely?). Are they considered mitigations? Would the state agency consider them adequate to meet their standards?

OSRC-16h Requires certain uses to "... incorporate air quality mitigations in their designs." To meet what standard, or set by when?

4.4-3 Existing traffic volume is not based on Sonoma County realities. The "baseline" is a combination of data and assumptions from Caltrans, DPW, consultant observations (were these studies?), statewide trends, consultant files and posted speeds. How accurate can the traffic noise predictions be over time? This is key information as the impact is based on the predictions made based on these assumptions, and "vehicular traffic is the largest contributor to noise levels in unincorporated Sonoma County."

4.4-5 Quarry noise does not appear to be measured comparably. Sound is sometimes measured from the gate, sometimes from the center of the operation, sometimes at the nearest "sensitive receptor", from about 250 feet inside the entry gate and/or sometimes at the property line. How can noise impacts be gauged or regulated equitably? There is no mention of the sound baseline, or if the studies were done during loudest days or relatively quiet days. (This question also applies to other noise producing uses - Ex. 4.4-1)

4.4-8 Were noise impacts at railroad stops analyzed?

4.4-9 Wouldn't atmospheric effects that create noise exceedances still be a problem? What Policies could help alleviate the exceedances?

4.4-10 The statement is made "... do not appear..." to create noise problems. What information is known to make this more quantifiable?

Charts: 4.4-4 through 4.4-11 could benefit from addresses or cross streets. The "areas" mentioned are quite large and sound levels may vary widely.

4.4-23 "Noise sensitive projects that do not require environmental review that may occur in close proximity to noise impacted roadways are not expected to be substantial in numbers." How do we know this? We are trying to encourage development densities, often along roads.

4.4-27 Please evaluate the noise created by the Sonoma County airport. The fleet mix can be generally predicted by using the mix allowed by the GP ATE breakdown and by consulting the airport manager re. projected uses and contracts.

How would limitations to hours of operation on certain types of aircraft improve airport noise impacts?

Where are repetitive flood areas in Sonoma County that differ from outdated FEMA 100 year flood maps?

4.5-2 Impacts, soil erosion ...

- refers to "no" roads on slopes greater than 30% for discretionary permits; does this include all roads for any use?

How would establishing building standards for driveways (for example) improve soil erosion regulation through ministerial permits?

What are siltation implications for water supply from Lake Sonoma?

What are the expectations for road maintenance given erosion, expansive and creeping soils? How will this affect traffic expectations? What can be predicted relative to road maintenance in the GP time frame?

4.5-8 "... floods generally 3 to 4 days ..." Is this still true? Are there changes to receding waters? Recent weather pattern changes? What are the implications?

"Erosion and sedimentation in main stem is often associated with peak releases from dams." What are other causes? What are trends?

4.5-12 Note: Santa Rosa's runoff and wastewater irrigation has historically contributed to degradation in the Laguna, in addition to Ag runoff. See studies done by NCWQCB and ACE. Currently the

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Laguna is an impaired body. Sebastopol's plans for the city's NE quadrant are affected by Laguna flooding.

4.5-16 Laguna should be included as listed.

4.5-21 Please site recent studies that show where groundwater decline is a problem. Research is available. (SCWA/Kleinfelder)

4.5-30 (this may be a small joke) What are the implications of the recent call for FEMA to be abandoned? (and therefore NFIP could be gone) What local policies and/or programs would be needed?

4.5-34 What is the predictable cumulative impact of development in GP scenarios of construction on sites under 1 acre in addition to the NPDES sites requiring a permit?

4.5-39 Please provide the updated information on the Alexander Valley and Sonoma Valley studies (SCWA & USGS) that were to be completed in 2005 (four year studies).

4.5-41 Please clarify water quality impact 4.5-1 - where is Ag processing addressed, and how is it distinguished from industrial uses in Ag lands?

4.5-42 How do policies that "foster better communication and coordination" improve water quality in any measurable way? Is recommending BPUs be implemented by the general public an effective, measurable policy?

4.5-42 Please discuss the relationship of increased reliance on groundwater, and the potential for expanding or altering areas of contamination and plumes through altering the direction and/or rate of groundwater flow.

WR-1b "would reduce sediment and other pollutants" by preparation and implementation of a BPU manual. Until the manual is written, and practices described - how can it be assured that the implementations will reduce sediment and other pollutants?

WR-1g could "lead to" new storm water regulations. How can these regulations be credited as a mitigation when it is speculative that they would even be an outcome of WR-1g?

Is "seek to protect" by "coordination" used as a mitigation?

Is "work towards" new regulations without a timeline or thresholds a mitigation?

WR-1j policy *could potentially involve* stream restoration and/or the construction of wetlands. Is this a mitigation?

WR-1h "encourage, "consider", "avoid" to the "maximum extent practicable" How would success be measured on any of the above Policies?

4.5-45 If most Ag doesn't require a permit, how do we address water quality impacts cumulatively?

4.5-48 What is predictable sediment runoff of soils from slopes below 35%?

Given this year's weather experiences; how much stabilization of soils could be expected if there were restriction on vegetation removal and/or replanting requirements? Are there any advantages to employing seasonal requirements?

4.5-48 Mitigation Measure 4.5-3 states that policies that would subject agricultural production to discretionary permit requirements "may" risk the economic viability of agriculture. The alternative mitigations that are offered are described as "more" feasible, yet a significant unmitigated impact remains. Since the discussion does not establish that such extra regulation is infeasible, and the alternative is not wholly effective, please provide greater discussion of what level of conditions could be done of Ag production without jeopardizing economic viability.

4.5-50 How would encouraging pretreatment and waste load minimization reduce discharges of pollutants measurably? Policies WR-4a - WR-4o would encourage conservation and re-use, would generally contribute to a reduction, would help reduce the potential for water quality impacts ... How do these un-enforceable policies "assure" that impacts are reduced to a less than significant level?

In the "setting" section - evidence is not just "anecdotal". The county has the results of the Kleinfelder Report showing groundwater depletion in several study areas. Other areas may also be experiencing groundwater depletion but have not been studied.

4.5-51 Assessment of groundwater resources in major basins was last performed in 1970 and may not accurately represent existing conditions. How can we confidently or safely rely on Class I, II, III and IV

designations for any Policies and/or mitigations? We know cities and other uses have been using more water over time as growth has occurred, and we do not have accurate recharge data.

Please analyze the reliability of the Class 1, 11, 111 and IV water availability system currently, and suggest alternate methods of gauging water availability that would be more reliable. Please determine the trends of reliability for the four Class system.

4.5-51 Given that "the majority of groundwater recharge occurs along streams" and "therefore, the protection of the remaining recharge areas for these important aquifers plays an important role in assuring long term sustainability in terms of both quality and quantity -

Large areas of Sonoma County contain soils with high clay content that have poor infiltration and recharge characteristics or are underlain by hard bedrock formations, etc. In such areas, the majority of groundwater recharge occurs along streams. What is the impact of the 50% reduction of setbacks in these poor recharge areas? Additionally, the GP would allow more impervious surfaces (and highly compressed soils from some uses) - please factor in these changes.

If it cannot be determined conclusively that current and future groundwater supply would be sufficient - no assurance of surface or groundwater supply - what are the implications of exportation policies until such a determination can be credibly and reliably made? Please provide thresholds or Policy suggestions that would improve reliability for Sonoma County uses.

4.5-54 The DEIR states that non-discretionary projects in Class 1 and Class 2 areas have lower requirements than Class 3 and 4 areas, and that this contributes to a significant unmitigated impact. Please include discussion of extending the requirements for discretionary projects in Class 3 and 4 to apply to Class 1 and 2 areas - or suggest thresholds or standards to reduce the SUI. Unless this is demonstrably infeasible, it should be pursued as further mitigation. In addition, given the remaining significant impact, please give consideration of the ability to regulate ministerial permits that can be governed by County Code provisions to implement similar requirements.

4.5-56 If there are no limits to some wells (no permits), how can saltwater intrusion be prevented from traveling further into Sonoma County?

What is the predictable impact of the use of cities' and SCWA's emergency wells as standard supply wells over time?

What is the likely impact of cities drilling and using new wells for their needs - on local Ag and/or residential wells?

What is the likely impact of increased areas of compacted soils? Along streams or over wetland recharge areas?

Since the DEIR discusses the factors that contribute to saline intrusion but then dismisses any impact based upon the relatively low densities in these rural areas, please examine potential causes and effects of accelerating or contributing to intrusion. Given the extensive agricultural uses in these areas, the residential densities are not the greatest concern but the large agricultural wells could clearly be a factor (page 4.5-54) and the impact should be shown as potentially significant with a discussion of mitigation options. How will increasing saltwater intrusion affect Ag uses in the area?

4.5-60 Historical flood data and maps used during planning and review processes do not illustrate current conditions. How can they "ensure" development would not exacerbate flooding problems?

4.5-61 If a farmer brought in fertilizer and spread it - would it increase flooding? If gravel was used to improve a roadway - at what point would that increase flooding?

What are the implications of using repetitive flooding areas over the designated 100 year flood areas?

Would number of ACC Lots in flood areas increase flood hazards/impacts? What policies could mitigate (feasibly) residences allowed on Lots established through ACCs?

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- 49 [Please assess groundwater availability trends. Also predictable groundwater demands. (Lots, described by type/quantity of use, times water demand - could use the same information from growth predictions?)
- 100 [Please examine the impacts of reduction of Russian River flows on groundwater and also on wells - including SCWA's and private wells.
- 101 [What would impacts be of droughts? What mitigations would be required initially and over time?
- 102 [How will irrigation with wastewater affect agricultural soils and water quality over time?
- 103 [What will impact of increased use of package treatment plants be on agricultural soils over time? What would the predictable cost of remediation be?
- 104 [What could be predicted to be developments' contributions to groundwater depletion?
- 105 [The DEIR acknowledges changes to drainage patterns. What is the predictable cumulative impact of development related to watersheds? (see Ventura County)
- 106 [Please extend the BAWQCB comments/questions to include the entire county where ever possible.
- 107 [Hydrology 4.5-40
Why is there no stated goal of not to going into adjudication?
- 108 [4.8-2 What is considered "critical mass" for Ag support? Dairies have been impacted by lack of support services - won't the same be true for other Ag production (even beyond grapes).
- 109 [4.8-3 Although limited acres would be lost to tourist facilities - what would the impact be regarding changing the economic emphasis? At what point would Sonoma County be more reliant on tourism than on Ag production?
- 110 [What is the predictable reliability of water sources given the changing situation with the Eel River, Potter Valley and hydro-electric regulations?
- 111 [What would be the impacts of an extension of the ARM plan to allow continuing gravel extractions in or near the Russian River?
- 112 [What is the actual number of affected acres if Draft GP stream setbacks were implemented? i.e. Reduce the number by areas inside urban areas, inside cities, those acres already under cultivation, those areas that cannot be used for Ag crops (i.e. timber, steep slopes, etc.) and other areas where setbacks would not limit cultivation - halving setback areas where Ag receives a 50% reduction.
- 113 [OSRC-7b(3) Address the effects of determining cumulative impacts as part of site assessment.
- 114 [OSRC-7c Provide a definition of "larger ministerial permits" and what an interim threshold might be for warranting a referral to regulatory agencies, and possible site assessment.
- 115 [OSRC-7d What are the long term impacts of not requiring further site assessment if evidence of special-status species are discovered during permit review or site inspection?
- 116 [OSRC-7i What are the cumulative impacts of habitat loss and conversion?
- 117 [OSRC-7n How can existing mapping be improved to meet the goal of improving protection for valley oak habitat?
- 118 [OSRC-8c(12) Define habitat "values" in the reference to "functions" in protecting riparian habitat.
- 119 [OSRC-8c(13) What is the intent of mitigation options toward achieving no net loss of sensitive riparian habitat? What can be predicted over time?
- 120 [OSRC Program: What is the impact if program 7 is not implemented?
- 121 [How will Sonoma County monitor effectively to see if BPUs really work here (i.e. measure sediment yield for one vs. another to find the best designs)
- 122 [4.9-26 Public Service- future water supply
What are seasonal impacts - SCWA says it can meet the needs of its Contracts, but doesn't discuss seasonal fluctuations.

There was no mention of the Eel River, etc. unresolved conflicts, also Lake Sonoma was assumed as supply source but there is no timeline or funding for implementation. How will this be reconciled?	123
How can goal to reduce groundwater use be implemented if there is an exception for WAC contractors? How will this effect neighboring wells?	124
What role should Urban Water Management Plan (SCWA) play? How will it affect water supply in the unincorporated areas?	125
What would be impacts of wastewater re-use? Could it induce growth?	126
If wastewater is offered for agricultural use; who owns the wastewater (how will rights be transferred), and how does it relate to the SCWA contracts?	127
How can climate change predictably affect soil moisture, runoff, evapo-transpiration, etc?	128
State Planning Law & counties regulate uncertain risks already (i.e. FEMA, faults, etc). The county seems to regulate against statistical probability; please provide analysis of drought circumstances (3 year, 6 year, etc)	129
WR 3.8 – Ties land use to water, talks about a moratorium, but without standards, please provide reasonable criteria, thresholds	130
4.5-33 Water – under what circumstances could a short term water emergency can be declared? Given that cities are already using their “emergency” wells, etc.	131
If the SCWA is in conflict with county groundwater management goals and puts cities in the same position by requiring them to use groundwater – how can this be resolved to prevent inconsistency	132
4.5-3 AG	
The proposed policy regarding runoff rate on Ag land only applies to slopes over 35%. How many acres are under cultivation that are over 35% slope? What would be the measurable impact of this mitigation? How much could be achieved with use of a lesser slope standard?	133
“Reduced Alternative” (a “reduced project”, mitigated) recommends things not in the DGP – including mitigations like road improvements. How much of the Reduced Alternative is likely to be done? How many of the Programs from the 1989 GP were achieved? Is it more or less likely that the GP2020 programs will be implemented?	134
The septic section doesn’t acknowledge new state standards	135
WR.1-P Please examine naturally occurring contamination “evaluate & consider” language Please research any instances of toxic plumes	136
Please include Mark West Creek flowing into the Russian River. Please list all creeks as part of the entire integrated watershed.	137
Please analyze SCWA, Ag and other users of surface water, including uses below Lake Mendocino which affect Sonoma County’s water supply.	138
Please update the Laguna’s current listing status using the most recent listing of impairments.	139
6.1 How will the goal of city centered growth be achieved if package treatment plants become more prevalent? In combination with ACC Lots? What is the predictable trend in cost of PTPs if more are used?	140
What is predictable increase in traffic by 2020 if exportation of solid waste becomes a permanent solution? Will there be any energy impacts due to loss of methane production?	141
Where will performance standards be defined?	142
What are standards of significance	
Please integrate stream segments in order to more accurately analyze cumulative impacts.	143

- 144 ☐ When programs were not implemented from 1989 GP – are they identified? Is the “no project” alternative the “status quo” including the old programs – implemented or not?
- 145 ☐ How is an “emergency” rel. to water use defined: What is the threshold in Class I, II, III, & IV water maps?
- 146 ☐ What is the County’s Planning Department’s role in water supply planning? How much can water supply and/or wastewater treatment affect land uses and visa versa?
- 147 ☐ What policies should be enacted during interim to avoid unintended consequences?
- 148 ☐ When using the word “encourage”, is there a standard to be met? How can mitigation be determined?
- 149 ☐ How does UWMP evaluate and / or acknowledge unincorporated area well users? If it does not, where is it done?
- 150 ☐ What are predictable trends in use of geothermal fields re. energy supply? Seismic activity? What are the implications?
- 151 ☐ If gravel cannot be extracted within Sonoma County to meet the county’s needs – what are the implications? (roads, air quality, water quality)
- 152 ☐ What are predictable impacts of continuing floods on gravel pits and surrounding land uses along the Russian River?
- 153 ☐ Given the “70%” predictability of a major earthquake – what timetable for improvements should be adopted? What types of avoidance policies might optimize human safety?
- 154 ☐ What are landslides likely to cost in road maintenance over the next 20 years? What policies could reduce the cost? Also subsidence, settlement and erosion?
- 155 ☐ What can be predicted relative to flood plains if erosion and siltation continue? How will prime Ag lands and soils likely be affected?
- 156 ☐ Climate change predictions for Sonoma County include greater rainfall over shorter duration (more intense storms). What policies could avoid impacts to the maximum extent feasible?
- 157 ☐ How will tourism be affected by LOS F traffic?
- 158 ☐ Given historical changes in agriculture in Sonoma County – what would predictable and allowable uses of processing facilities, tourism facilities, etc. be for wineries if winery facilities were no longer viable for that use?
- 159 ☐ What are likely impacts on agricultural production (growers) if more grapes from Sonoma County are processed and bottled in Sonoma County? What would be predictable traffic impacts, if any?
- 160 ☐ Please update the section on water supply to reflect the current conditions. Please include impacts of urban and District wells on county’s Ag and residential well users. What can be expected to be the impact of transition from emergency wells to more permanent use (SR and/or SCWA) on Sebastopol wells?
- 161 ☐ How could TDR’s be best used? Any opportunities in Community Separators? To affect ACCs?
- 162 ☐ What advantages does the Russian River Watershed Council’s Watershed Management Plan provide the county for long term planning?
- 163 ☐ What are impacts over time of reuse of wastewater produced by package treatment plants? What is likely cost of remediation for failure?
- 164 ☐ Can irrigation and/or frost protection with wastewater predictably affect water quality? Are there soils that are more susceptible to negative impacts?
- 165 ☐ Typo:
Pg. 4.1-28 fourth paragraph fourth line: .. voters in every city ...
- 166 ☐ Pg. 4.2-29 Ely Road ... where necessary from Old Redwood Highway

Lakeville highway - ... four lanes from the City of Petaluma Hill Road to Highway 37 .

(is it from the City or from Petaluma Hill Road or something else?)

Pg 4.3-1 second paragraph, second sentence: (is it a sentence?) "The coastal mountain ranges from several valleys with varying climate regimes."

Pg 4.4-8 third paragraph, last line: ... type_of vehicle ...

4.5-11 Final paragraph, 6th line: "... Elevations in range from 50 ...

I give up

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Denise Peter - Knights Valley Noise Evaluation

re: "Michael Grable"
to: "Denise Peter" <DPETER@sonoma-county.org>, <sbriggs1@sonoma-county.org>
date: 03/28/2006 6:38 PM
subject: Knights Valley Noise Evaluation

Denise,

Per our last conversation, and with input from neighbors, I feel the following locations would be good representatives for a current noise level evaluation:

- Corner of Franz Valley Rd. and Hwy 128
- 18655 Foss Hill Road
- 17050 Highway 128
- Corner of Ida Clayton and Hwy 128.

In addition, given the unique topography of Knights Valley, many suggested the following be considered:

- Measure peak values as well as averaged values (I am certain I have never been startled by an averaged value noise)
- Echoes, echoes, echoes - is there a way to measure/capture this effect
- Measure must include a weekend to be accurate
- Plans must take into account the impact of extended projects - Caltrans project # 04-209914 is due to begin in Knights Valley and is scheduled to last over 800 days - I will forward project details by mail.

As I have mentioned in the past, I am more than happy to assist with any of the above - just let me know what I can do. Thank you again for your help with this matter.

Michael Grable

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APR 04 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT



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For the Public Record

February 14, 2006

General Plan 2020 Citizen Advisory Committee
PRMD Sonoma County
Planning Commissioners
Sonoma County Board of Supervisors
2550 Ventura Avenue
Santa Rosa, CA 95403

RECEIVED
FEB 28 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

Re: Comments on Draft Environmental Impact Report (DEIR) for the Proposed Sonoma County General Plan

Dear Members of the Citizens Advisory Committee:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) of the proposed Sonoma County General Plan. Town Hall Coalition, with a membership of 2,500 Sonoma County citizens, is joined in submitting these comments by multiple county-wide neighborhood and non-profit public interest groups.

The DEIR is legally inadequate in a number of ways. Our detailed comments below explicitly address the DEIR's omissions, faulty reasoning, and inadequacies. The DEIR identifies 78 impacts in its analysis. Of these, 43 are identified as significant before recommended mitigation measures are incorporated. If these additional recommended mitigation measures are incorporated, the number of significant unavoidable impacts including loss of farmlands and habitat lands is reduced to 38.

This DEIR is deficient in that it does not address cumulative impacts, including potential conversion of agricultural lands to other uses, conversion of forests to other uses, and the sprawling development of agricultural processing and support uses in rural lands throughout the county with no infrastructure.

- What is the cumulative impact of forest conversion in Site Class III forestlands and in the approximately 64,000 acres of forests not covered in the Forest Conversion Ordinance? What impact does forest conversion have on water quality and quantity? What impact does forest conversion have on habitat for a diversity of species including pollinators necessary for agricultural production? What impact does forest conversion have on siltation and turbidity which destroys steelhead and salmon spawning grounds?

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- What positive impact does protecting forests have on providing carbon sinks and providing cooling capacity to reduce global warming?
 - How many acres could potentially be converted to other uses under the new Forest Conversion Ordinance? What benefit would there be to the environment if Site Class III and the remainder of Sonoma County forestland was included in the Timber Conversion Ordinance?
 - What is the cumulative impact of conversion of agricultural lands into minor and major residential subdivisions? What is the cumulative impact when this is combined with other development in each of these specific areas: traffic, ground water, water contamination from septic, water permeability from pavement, etc? What is the impact of permitting subdivisions within Agricultural Lands only when a proposed subdivision can be demonstrated to preserve agriculture and not negatively impact the viability of adjoining lands mitigate this?
 - What is the cumulative impact on public health and safety and the environment of the build-out of all the potential agricultural processing and support uses in all three of the agricultural lands and rural residential lands deemed suitable for agriculture?

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The DEIR fails to adequately analyze alternatives. Under CEQA, an EIR must analyze a reasonable range of alternatives. We believe that there is an alternative to sprawling agricultural processing and support services in rural areas with no infrastructure throughout the county.

- The DEIR must include the alternative impact of creating agricultural processing and support services districts located in areas where there is adequate infrastructure such as industrial processing facilities, sewer, water, roads, telecommunication, police and fire protection? What is the impact of requiring agricultural processing and support services to be located in these areas?
- What is the impact of limiting agricultural processing and winery uses and support services in agricultural land to those that would not generate significant impacts on the environment and public health and safety?

The DEIR is faulty and it does not identify or address the significant environmental impacts in many areas. We respectfully request that the DEIR list significant environmental impacts and mitigation measures in the following sections:

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4.8-1 Conversions of Agricultural Lands to Non-Agricultural uses. Implementation of the Draft GP 2020 would result in conversions of both County and State designated farmlands to non-agricultural uses. This is a significant impact. We request that the DEIR address the following impacts and list specific mitigation measures.

- 9 [
- Based on the number of recent applications for minor and major subdivisions on agricultural lands, there is a significant impact to agricultural production when the land is divided into smaller parcels and developed for residential use. How many new lots can be created on agricultural land?

- How many new housing units can be built, including estate homes and guest houses and residential support services in these areas? 10
- How many wells and septic systems will be needed to support these new residential uses and what impacts will this have on the water table? 11
- What assumptions did the DEIR make in analyzing the impacts of minor and major subdivision parcels on agricultural lands for purposes of traffic, air quality, biotic resources, soil permeability and other impacts? 12
- What will be the impact on ongoing agricultural uses if these units are permitted (e.g. replace units needed for agricultural families and workers; create conflicts with agricultural uses, etc.). Potentially significant impacts of this policy must be addressed or the policy changed to require that new residential units on agricultural parcels be accessory to agricultural purposes. 13

4.8-2 Agricultural Processing and Support Uses.

Implementation of the Draft GP 2020 would result in the development of agricultural support uses including processing services and storage on agricultural lands and would therefore remove a portion of the county's agricultural lands from agricultural production. However, due to the limited acreage that would be removed as well as policies and programs contained in the Draft GP 2020 regulating such development, this would be a less-than-significant impact. We disagree. The impact would be massively significant. The DEIR has failed to address a major impact to public health and safety and the environment in this section. 14

- The General Plan allows "unlimited" agricultural processing and "support uses" sprawled on rural agricultural lands outside the city limits throughout the County in areas where there is absolutely no infrastructure. Agricultural processing and support services can include bottling factories, processing services; storage buildings; parking lots; tank farms; pumping stations; garages and outside areas for mechanical and equipment repair, etc. These "support uses" must be sufficiently defined or capped to comply with State law and to allow analysis of potential impacts in the General Plan DEIR. 15
- What is the additional impact on traffic, roads, and public health and safety of importing and processing agricultural products that are not grown on site and where no crops are grown? 16
- What is the impact on traffic, air pollution, roads, public health and safety and quality of product if the grapes or other crops are grown outside of Sonoma County and processed in the county in the form of industrial agricultural processing factories? 17
- What is the build-out capacity of agricultural processing and wine-related uses, including support uses? Please provide detailed information about the scale, type and quantity of agricultural support and winery uses as permitted by the General Plan. 18
- How many wells and how much water is needed to support the agricultural processing and support uses? What is the impact on the water table and existing wells on surrounding properties? 19

- 20 [• How many acres of septic systems, leach fields and holding ponds will need to be constructed to support all of the potential agricultural processing and support services in the unincorporated areas? What are the impacts on potable drinking water, ground water, streams, creeks, and other waterways?
- 21 [• How much traffic will these uses generate throughout the unincorporated areas of the County? It appears that the traffic analysis separately analyzed the traffic impacts associated from other development allowed in the General Plan. Was an analysis completed that included both full build-out of agricultural and wine-related uses and all other land uses? If so, where can that analysis be found in the DEIR?
- 22 [• How will agricultural processing plants and related uses impact the quality of life of the surrounding properties and neighbors including traffic, noise, water, biotic resources, etc. We believe that this will have a significant impact. We request data to support findings in the DEIR.
- 23 [• The DEIR does not identify "in the local area" as it relates to agricultural products being processed and grown or raised" in the local area". There would be significant impacts if the local area were defined as Northern California or all of California. The DEIR must define local area and discuss impacts related to processing products imported from various distances such as Sonoma County, Northern California, Chile, etc.

4.8-3 Agricultural Tourism

24 [Implementation of the *Draft GP 2020* would result in the development of visitor-serving uses on agricultural lands and would therefore convert a portion of the county's agricultural lands to these uses. However, due to the limited acreage that would be lost as well as policies and programs contained in the *Draft GP 2020* regulating such development, this would be a less-than-significant impact. We disagree with this conclusion. There would be massive severe adverse environmental and public health and safety impacts if these policies are allowed to go forward in the General Plan. The DEIR must address the following significant impacts and list mitigation measures for each of these adverse impacts:

- 25 [• Identify "in the local area". What is meant by "agricultural products grown or processed in the local area"? Where is the local area? The DEIR can not address the impacts if the "local area" is not defined.
- 26 [• The DEIR must identify the adverse impact from small scale lodging and outdoor recreational uses, bed and breakfast inns of five or fewer rooms, campground of up to 30 sites in Diverse Agriculture and Land Extensive Agriculture. What is the build-out potential and what are the cumulative impacts for these facilities? Where in the DEIR is the traffic, septic, well, and parking lot study for the potential build-out of these facilities in rural areas of the county with no infrastructure? What is the impact on public health and safety and quality of life for the neighboring property owners, residents, biotic resources, etc.? What is the adverse impact on financial activities other than agriculture?

- The DEIR must address the cumulative impact of allowing the development of wine tasting bars; commercial kitchens and eating facilities; commercial stores selling tourist souvenirs and other items; event facilities; and indoor and outdoor music and dance halls on agricultural land sprawled throughout the county where there is no infrastructure. What is the impact to traffic, water, air, biotic resources, and public health and safety? What is the potential build-out and cumulative impact if every eligible property has agricultural processing and support uses and agricultural tourism in all of the agriculture zones including diverse agriculture, intensive agriculture and rural residential?

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4.8-4 Timberland Conversion

Implementation of the Draft GP 2020 could result in the conversion of timberland to non-timber uses. However, the acreage of timberland converted to non-timber uses would be relatively small and would be a less-than significant impact. We disagree. Conversion of forests will result in a significant environmental impact. The DEIR does not adequately address the benefits of leaving the forest standing such as: habitat for a variety of species, healthy watershed for water quality and quantity, cooling to reduce global warming, etc.

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- Then DEIR must be amended to reflect the new Timber Conversion Ordinance.
- The DEIR fails to list the beneficial impacts of healthy forests other than timberland. What are the benefits of leaving healthy forested watersheds?
- How many acres of forest have no protection and can be converted without a use permit under the new Timberland Conversion Ordinance?
- How many acres of forest can be converted to other uses with a use permit in the new Timber Conversion Ordinance?
- What alternatives have been proposed in the DEIR to protect the forestlands such as: include Site Class III forests in the protected section of the Timber Conversion Ordinance and include protection of the forestland left out of the ordinance.
- The DEIR must clearly define "public benefit" when converting forests to other uses. Once public benefit is clearly defined then the DEIR can discuss mitigation measures to address the significant impact of deforestation.

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6.3 Significant Unavoidable Impacts

4.1-2 Land use conflicts between Agricultural and Residential/Urban Uses

- Implementation of the Draft GP 2020 would result in the intrusion of industrial, commercial, entertainment, and other development into agricultural and forestlands in established rural neighborhoods. This intrusion of industrial and commercial development would be incompatible with farming, conservation easements, and other non-intrusive land uses. Both residential intrusion and urban uses at the fringe may result in land use conflicts and land use incompatibility. The creation of Agricultural Support Service Areas with adequate infrastructure and prohibition of industrial and

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commercial development in rural lands with no infrastructure would mitigate these impacts. The DEIR must include a section on the alternative solution to this significant unavoidable impact such as the creation of Agricultural Processing and Support Service Areas where there is adequate infrastructure.

4.1-3 Incompatible Land Uses in the Rural Area

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Land uses and development consistent with the Draft GP 2020 would result in changes in land use type, density, and scale within rural areas and generate land use incompatibilities. While policies and programs contained in the Draft GP 2020 would reduce such incompatibilities, this would be a significant impact.

- There have been several disastrous changes in land use policy in Sonoma County. The DEIR must address the definition of "agriculture". What changes would occur if the old definition of "agriculture", as in the growing of crops, was returned to the general plan? Wine factories, tasting room bars, dance and music event halls, tank farms, tourist souvenir shops, bed and breakfast hotels, commercial kitchens and eating facilities, trailer parks and campgrounds, and other "support services" would not be allowed on rural agricultural lands where there is no infrastructure. These developments would be located in areas where they belong such as industrial and commercial zones, etc. The DEIR must address the alternatives to mitigate this significant impact.

The DEIR is inadequate under CEQA.

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The DEIR is inadequate because it fails to provide sufficient information to enable informed decision-making by the County, the public, and the permitting agencies (see numerous examples below). CEQA requires that an EIR provide enough analysis and detail about environmental impacts to enable decision-makers to make intelligent judgments in light of the environmental consequences of their decisions. See CEQA Guidelines § 15151; Kings County Farm Bureau v. City of Hanford, 221 Cal.App.3d 692 (1990). Under the law, the lead agency must make a good faith effort to fully disclose the environmental impacts of the project. This requirement cannot be met unless the project is adequately described and existing setting information is complete. See County of Inyo v. City of Los Angeles, 71 Cal.App.3d 185, 199 (1977). Both the public and decision-makers need to fully understand the implications of the choices presented by the project, mitigation measures, and alternatives. See Laurel Heights Improvement Ass'n v. Regents of University of California (Laurel Heights I), 6 Cal.4th 1112, 1123 (1988).

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The DEIR also defers information about project-related and cumulative impacts, mitigation measures and alternatives. This approach is clearly improper and unacceptable given the types of activities and irreversible environmental harm that will result from the initial approval of the General Plan by the Board of Supervisors.

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The DEIR fails to adequately describe the project and project setting.

Complete and accurate project description information is a prerequisite to adequately analyzing and disclosing a number of project-related and cumulative impacts including, but not limited to: demand for services, traffic, jobs-housing balance, water use, water quality, loss of farmland, loss of habitat land, placement of agricultural processing, industrial, and commercial on agriculture land with no infrastructure among other impacts. A revised project description must include specific information about the project to allow full disclosure and analysis of all potentially significant impacts.

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cont. . .

In addition to project description information, the DEIR fails to provide all of the setting information necessary to support an adequate analysis of project and cumulative impacts. Setting information missing from the DEIR, which must be included in a revised DEIR includes, but is not limited to, the list below. A revised DEIR should include this information and identify any new significant or more severe impacts as a result of its inclusion.

The DEIR's analysis of environmental impacts is inadequate.

The DEIR's analysis of environmental impacts fails to provide the necessary facts and analysis to allow the County, the agencies and the public to make an informed decision concerning the project and project alternatives. Without such detail, the DEIR is deficient under CEQA. The role of the EIR is to make manifest a fundamental goal of CEQA: to "inform the public and responsible officials of the environmental consequences of their decisions before they are made." Laurel Heights I, 6 Cal.4th at 1123. To do this, an EIR must contain facts and analysis, not merely bare conclusions. See Citizens of Goleta Valley v. Board of Supervisors, 52 Cal.3d 553, 568 (1990). Any conclusion regarding the significance of an environmental impact not based on analysis of the relevant facts fails to achieve CEQA's informational goal. The DEIR contains conclusions regarding environmental impacts, unsupported by facts and necessary analysis. Furthermore, the DEIR attempts to defer analysis of project components and environmental impacts to a later date.

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The DEIR fails to adequately analyze impacts to hydrology, drainage, and water quality.

The DEIR's analyses project-related and cumulative impacts to hydrology, drainage and water quality are flawed for a number of reasons. Because a number of proposed land uses are not sufficiently defined to analyze their impacts, impacts related to hydrology and water quality are underestimated. These include conversion of agricultural lands, conversion of forest land, and development of wine processing factories and support industry in rural areas with no infrastructure. The DEIR fails to identify all feasible mitigation measures and alternatives capable of reducing significant impacts associated with hydrology and water quality.

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The DEIR fails to adequately analyze and mitigate impacts to biological resources.

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The biological analysis section of the DEIR is inadequate for numerous reasons, including, but not limited to the following: First, the DEIR concludes that a number of potentially significant impacts to biological resources, including the reduction of existing wildlife or fish habitat, contribute to habitat fragmentation, and result in obstruction of movement opportunities and wildlife corridors. Forest conversion, habitat fragmentation, and obstruction of wildlife corridors are a significant impact. The DEIR does not adequately describe the applicable policies contained in the Draft GP 2020 that would serve to partially address these impacts. It does not list the number of specific biological resources, number of acres of wildlife corridors and habitat fragmentation that would be significantly impacted and therefore there is no discussion of alternatives to reduce the impact.

The DEIR fails to adequately analyze and mitigate impacts to water supplies and water supply facilities.

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The DEIR's analysis of impacts to water supply is inadequate for at least the following reasons: First, the DEIR fails to fully describe project-related and cumulative water demand, including demand by foreseeable growth and impacts on existing water users. As a result, impacts related to water supply and water delivery in Urban Service Areas and Rural Private Domestic water systems, small municipal and agricultural wells are underestimated.

44

Second, the DEIR does not describe all likely sources of new water, and therefore fails to identify the significant impacts associated with development of new water, water distribution and storage facilities needed to serve new growth, industrial development, and wine processing in rural areas with no infrastructure.

45

DEIR lacks "analysis" of cumulative water impacts and simply concludes that impacts will be significant. The DEIR states that due to the lack of comprehensive information regarding the county's groundwater resources, it is uncertain if groundwater supplies would be sufficient to meet future demand for water in rural areas.

A revised analysis must provide additional information about the total countywide water demand and potential new supplies. Based on this information, what are the impacts associated with new water development necessary to serve proposed new development without adversely impacting environmental resources and ground and surface water sources? If water imports are a source of water, please disclose the out-of-county impacts associated with such water transfers.

The DEIR fails to address climate change and global warming.

46

Climate change issues should be addressed because they may be the largest issues the County has to deal with in the 21st Century, affecting oil and gas supplies which drive the entire economy, and potential temperature changes which could cause extreme weather events such as flooding, drought, sea level rise, water scarcity and more.

The DEIR fails to address the impact of development in the County on climate change and global warming. There are no proposed mitigation measures for impacts caused by climate change and global warming in the County.

We request a section be added to the General Plan on climate change and global warming. A new Goal should be added to, "Reduce greenhouse gas emissions in the County 25% below 1990 levels by 2015." This is the goal adopted by the Sonoma County Board of Supervisors for both county internal operations and for the community at large, including private businesses and residences. New policies to implement the goal include the following:

- 1) Include greenhouse gas emission impacts in all CEQA reviews done by and for the County of Sonoma
- 2) All County of Sonoma Board of Supervisor actions will address the greenhouse gas impacts of the action
- 3) The County of Sonoma Board of Supervisors will annually issue a report to the public on the County's progress toward its countywide greenhouse gas emission reduction goal

The DEIR's analysis of impacts to other essential public services is inadequate.

The DEIR's analysis of impacts associated with wastewater flows and wastewater treatment facilities on rural lands with no infrastructure is inadequate. The DEIR fails to describe the impacts of the construction of new wastewater facilities and the expansion or retrofitting of existing facilities. Eliminating or further limiting agricultural processing and support services development would reduce public service demands. Moreover, by concentrating development, infrastructure expansion would also be curbed, thereby further reducing significant impacts associated with new and expanded services.

The DEIR fails to adequately analyze cumulative impacts.

The DEIR utterly fails to analyze cumulative impacts in the manner or to the degree required by CEQA. The CEQA Guidelines define cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines § 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects."

A legally adequate cumulative impacts analysis views a particular project over time and must consider the impact of the project combined with other projects causing related impacts, including past, present, and probable future projects. Projects currently under environmental review unequivocally qualify as reasonably probable future projects to be considered in a cumulative impacts analysis. See *San Franciscans for Reasonable Growth v. City and County of San Francisco*, 151 Cal.App.3d 61, 74 & n. 13 (1984). In addition, projects anticipated beyond the near future should be analyzed for their cumulative effect if they are reasonably foreseeable. See *Bozung v. Local Agency Formation Comm'n*, 13 Cal.3d 263, 284 (1975). Alternatively, an EIR may utilize a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or

48
cont. -
evaluated regional or area wide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency. The discussion of cumulative impacts must include a summary of the expected environmental effects to be produced by those projects, a reasonable analysis of the cumulative impacts, and full consideration of all feasible mitigation measures that could reduce or avoid any significant cumulative effects of a proposed project.

The cumulative impacts concept recognizes that "[t]he full environmental impact of a proposed ... action cannot be gauged in a vacuum." *Whitman v. Board of Supervisors*, 88 Cal.App.3d 397, 408 (1977). The requirement of a cumulative impacts analysis of a project's regional impacts is considered a "vital provision" of CEQA. *Bozung*, 13 Cal.3d at 283. Moreover, an EIR must examine not only the anticipated cumulative impacts, but also reasonable options for mitigating or avoiding the project's contribution to significant cumulative impacts. The DEIR does not meet the requirements.

A revised DEIR must identify a meaningful geographic study area and projects within that study area as a basis for analyzing cumulative impacts to land use, biological resources, transportation, hydrology and drainage, growth inducement, public services and facilities, among others. The revised DEIR must describe and ideally map the relevant study area for each impact analysis. For example, for biological resources, the study area should include all areas in the region, which contain the same impacted habitats and species and corridors, at a minimum. Without this level of analysis, a conclusion that the project will result in acceptable losses to habitat, species and wildlife corridors cannot be supported. For traffic, the geographic study area should at a minimum, include the areas where trips will be initiated and end, including employee trips to and from their homes, and recreation trips to the area.

The DEIR fails to adequately analyze cumulative impacts.

49
In addition to relying on a far too small geographic study area, the level of analysis in the DEIR's cumulative impacts analysis is far too cursory. An EIR must include objective measurements of a cumulative impact when such data are available or can be produced by further study and are necessary to ensure disclosure of the impact. See *Kings County*, 221 Cal.App.3d at 729. Despite this mandate, the DEIR fails to adequately analyze a number of cumulative impacts, including, but not limited to, impacts to biological resources, water quality and drainage, policy consistency, services, traffic, growth inducement, among others.

Conclusions reached in the DEIR concerning the significance of cumulative impacts are flawed and devoid of any real analysis, including the lack of adequate study areas. Moreover, the DEIR fails to explore the full range of mitigation measures that could potentially reduce cumulative impacts below a level of significance. An EIR must examine reasonable options for mitigating or avoiding the project's contribution to cumulative impacts.

The DEIR fails to identify feasible mitigation measures.

CEQA requires that mitigation measures be identified and analyzed. "The purpose of an environmental impact report is . . . to list ways in which the significant effects of such a project might be minimized . . ." Pub. Res. Code § 21061. The Supreme Court has described the mitigation and alternative sections of the EIR as the "core" of the document. *Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal. 3d 553 (1990). As explained below, the DEIR's identification and analysis of mitigation measures, like its analysis throughout, is thoroughly inadequate. An EIR is inadequate if it fails to suggest mitigation measures, or if its suggested mitigation measures are so undefined that it is impossible to evaluate their effectiveness. See *San Franciscans for Reasonable Growth v. City and County of San Francisco*, 151 Cal.App.3d 61, 79 (1984). Moreover, an EIR may not use the inadequacy of its impacts review to avoid mitigation: "The agency should not be allowed to hide behind its own failure to collect data." *Sundstrom v. County of Mendocino*, 202 Cal.App.3d 296, 361 (1988). Nor may the agency use vague mitigation measures to avoid disclosing impacts. See *Stanislaus Natural Heritage Project v. County of Stanislaus*, 48 Cal.App.4th 182, 195 (1996). Lastly, the formulation of mitigation measures may not properly be deferred until after Project approval; rather, "[m]itigation measures must be fully enforceable through permit conditions, agreements, or legally binding instruments." 14 CCR § 15126.4 (a). In the present case, the DEIR does not come close to satisfying these basic CEQA requirements regarding impact mitigation. Most egregiously, it fails to identify feasible mitigation measures in the form of land use changes and policies capable of reducing and/or eliminating significant impacts.

The DEIR's consideration of mitigation is inadequate because it fails to identify several feasible measures that could reduce or eliminate identified significant impacts. The Section 6.3 Significant Unavoidable Impacts is inadequate. There are known mitigation measures that would eliminate or reduce to less-than significant level by these mitigation measures. Also, the DEIR fails to identify some impacts, such as impacts to land use, public services and water quality among others, as significant, and therefore omits identification of feasible mitigation.

Mitigation is defined by CEQA as including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Conclusion

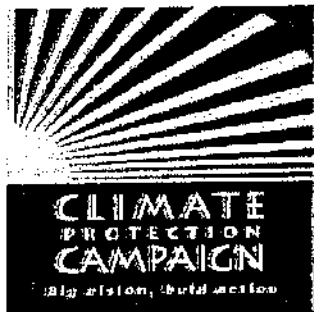
51 [As set forth above, the DEIR suffers from numerous deficiencies, many of which would independently render it inadequate under CEQA. Taken as a whole, the deficiencies of the DEIR are so pervasive as to necessitate extensive revision of the document and recirculation for public comment. We believe that the majority of defects in the DEIR can be addressed by the adoption of feasible mitigation measures and alternatives that will eliminate or reduce significant and unavoidable impacts of the project. Incorporation of these measures in the form of policies and land uses into a revised General Plan would go a long way to eliminate the defects in the DEIR's analysis of impacts and identification of feasible mitigation and alternatives. Failure to address the inadequacies in DEIR would be both fiscally and environmentally irresponsible.

Thank you for your consideration. Please do not hesitate to contact Town Hall Coalition if we can assist you in this very important endeavor.

Regards,

Lynn Hamilton, President
Town Hall Coalition

Exhibit 1: Multi-Group Sign-On Letter on the General Plan



BIG VISION, BOLD ACTION

The mission of the Climate Protection Campaign is to create a positive future for our children and all life by inspiring action in response to the climate crisis. We advance practical, science-based solutions for significant greenhouse gas reduction.

www.climateprotectioncampaign.org

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APR 17 2006
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MANAGEMENT DEPARTMENT

To: Members of Planning Commission and Board of Supervisors
Copy to: Greg Carr, Scott Briggs
From: Ann Hancock
Subject: General Plan 2020 draft EIR

Ann Hancock, President
John Garn, Secretary
Lawrence Jaffe, Treasurer
Elizabeth C. Herron, Director
Martha Kowalick, Director

Strategic Advisors
Jane Bender, Mayor,
City of Santa Rosa
Ernie Carpenter,
Former County Supervisor
Imberly Clement, Attorney
Michael Friedenberg,
Real Estate Broker
Mike Sandler, Coordinator,
Community Clean Water Institute
Hugo Steensma, Sustainable
Asset Management
Alan Strachan, Developer

Science & Technical Advisors
Fred Euphrat, Ph.D.
Dorothy Freidel, Ph.D.
Edward C. Myers, M.S.Ch.E.
Edwin Orrett, P.E.
John Rosenblum, Ph.D.
Zeno Swijtink, Ph.D.
Alexandra von Meier, Ph.D.
Mathis Wackernagel, Ph.D.
Joel Woodhull, Ph.D.
Ai-Chu Wu, Ph.D.

Congratulations and thank you for all your work on the County's Draft General Plan 2020.

The purpose of this letter is to provide comments to the County of Sonoma on the Draft Environment Impact Report for the proposed Draft GP 2020. We aim to make constructive recommendations that will reduce or eliminate the significant unavoidable impacts of the proposed General Plan Update. Without the inclusion of additional, feasible mitigation measures in the form of policies, programs, and land use changes, we believe that the DEIR fails to comply with the requirements of CEQA.

Because the General Plan Update will produce a General Plan that will constitute the blueprint for growth and development in Sonoma County for the next twenty plus years, it is imperative that there be careful analysis and public disclosure of the many significant impacts, especially related to climate change, that would occur if Draft GP 2020 is approved as proposed.

The DEIR operates under the premise that there are no additional mitigation measures that are capable of reducing or eliminating the significant unavoidable impacts identified. We respectfully disagree and recommend that the County consider additional feasible mitigation measures and alternatives in the form of policies, programs, and land use changes that reduce or eliminate significant unavailable impacts, or significantly reduce the County's contribution to those impacts.

Additionally, the DEIR still needs a complete and adequate description of the proposed Project, an adequate analysis of the Project and its cumulative impacts, and, identification and analysis of an adequate range of feasible alternatives. Rather than revise and recirculate the DEIR, we believe that many of DEIR's deficiencies can be addressed by the addition of new measures.

1

2

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4 Foremost among our recommendations is that the Environmental Impact Report for the General Plan include climate change impacts on Sonoma County. California Attorney General Bill Lockyer, in a letter March 30, 2006, regarding the Orange County Transportation Authority's 2006 Long-Range Transportation Plan Draft Program Environmental Impact Report, asserts that under CEQA, climate change should be included in environmental impact reports.

Most scientists consider climate change to be the most serious environmental problem faced by humankind. For example, John Holdren¹ states that global climate change is "the most dangerous and intractable of all the environmental problems caused by human activity."

5 Impacts to include in the EIR follow. Rising sea levels and increased flooding will impact our coastline and low-lying areas. Temperature changes and alterations in precipitation patterns will impact agriculture, air quality, water quantity, and water quality, as well as our biotic communities. All of these have serious implications for Sonoma County, and should be addressed in a DEIR.

6 The impacts of climate change must be considered in the DEIR for the following areas:

- If all development allowed under the proposed Project occurs, in other words full build out, how much total greenhouse gas will this development emit including from increased traffic, increased water, increased wastewater, increased solid waste generation, and from changes in forests and other biota? What impact will these emissions have?
- What will the impact of the Project be on water supplies and water resources given a changing climate?
- What will the impact of the Project be on energy supplies given a changing climate?
- What will the impact of the Project be on agriculture and rural lands given a changing climate?
- What will the impact of the Project be on wildlife, wild lands, and ecosystems given a changing climate?

11 Climate change and energy are related, but not synonymous. Climate change results from greenhouse gas emissions, primarily as a product of our energy choices. Energy efficiency does not necessarily yield a reduction in greenhouse gas emissions and therefore does not address the problem of climate change. While it is important to address energy efficiency and energy resources as the DEIR currently does, these by themselves are insufficient to address climate protection. Scientists say that greenhouse gas emissions must be reduced at least 60 to 80 percent from 1990 levels to avert the worst impacts of climate change.

12 We further recommend that the County's General Plan 2020 explicitly align with climate protection goals set by the County of Sonoma and all nine Sonoma cities. In 2005 the County of Sonoma and all nine Sonoma cities passed resolutions adopting the goal of reducing greenhouse gas emissions from all sectors in Sonoma County 25 percent from 1990 levels by 2015. Of about fifty total votes on the nine city councils and the Board of Supervisors, only two were no votes, reflecting the near unanimous support for this greenhouse gas reduction goal. Moreover, over 50 Sonoma County businesses and organizations such as Coddling Enterprises, the American Lung Association Redwood Chapter, Pinnacle Homes, and the League of Women Voters have endorsed the community emissions reduction target.

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¹ Harvard's Director of Program on Science, Technology, and Public Health at the Kennedy School

Specific language recommended for the General Plan follows:

Goal OSCR# ____:

Reduce greenhouse gas emissions countywide by 25% below 1990 levels by 2015.

Objective:

Work with local governments in Sonoma County and within County of Sonoma departments and agencies to determine and implement the optimum methods for achieving the County's greenhouse gas emission goal.

Policy:

- 1) Include greenhouse gas emission impacts in all CEQA reviews done by and for the County of Sonoma
- 2) All County of Sonoma Board of Supervisor actions will address the greenhouse gas impacts of the action
- 3) The County of Sonoma Board of Supervisors will annually issue a report to the public on the County's progress toward its countywide greenhouse gas emission reduction goal

The County of Marin is incorporating climate protection and adaptation to climate change in its General Plan Update, as an example of how to integrate climate change into a general plan.

Thank you for this opportunity to give input.

Documents submitted with this letter:

1. Letter from California Attorney General Bill Lockyer to Glenn Campbell, Orange County Transportation Authority, dated March 30, 2006 (13 pages)
2. Third Assessment Report, Summary for Policymakers, Intergovernmental Panel on Climate Change, 2001 (20 pages)
3. Climate Change in California: Choosing Our Future, Summary, Union of Concerned Scientists, 2004 (12 pages)
4. Climate Action Team Report to Governor Schwarzenegger and the California Legislature, March 2006 (18 pages)
5. Greenhouse Gas Emission Inventory for All Sectors of Sonoma County, California, January 2005 (56 pages)
6. Marin Countywide Plan (Draft), Sections: Atmosphere and Climate, Energy and Green Building, August 2005 (48 pages)
7. "Global warming: passing the 'tipping point,'" Independent, February 11, 2006 (2 pages)

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Draft GP 2020 FEIR Comment Attachment #5

Climate Protection Campaign
Attachment available for review at
PRMD Comprehensive Planning
2755 Mendocino Ave, Suite #203,
or by request.

March 16, 2006

241

Richard Fogg, Commissioner & Chairman
Sonoma Co. Planning

Dear Chairman Fogg and Commissioners:

Please put me on your mailing list to receive notices of all hearings regarding the So. Co. General Plan Update

I support the Water Resources Element in the General Plan Update. However, there are some flaws in both the DGP and the DEIR, and we the public have not been allowed sufficient time to study and sufficiently comment on these complex documents. I therefore request that you extend the comment deadline by at least 30 days and that the Water Resources Element not be finalized until the Urban Water Management Plan has been released and studied by us, the people.

I await your response.

Sincerely,
Diane Healy

(I don't have e-mail)

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242

Greg Carr - Sonoma County DEIR, GP, public hearings and deadlines

From: <
To: <gcarr@sonoma-county.org>, <sbriggs1@sonoma-county.org>
Date: 03/06/2006 12:25 PM
Subject: Sonoma County DEIR, GP, public hearings and deadlines

Dear Mr. Carr, Dear Mr. Briggs:

First, I would like to thank you and your staff for supporting a second public hearing on the DEIR, as well as personally informing the people that didn't get to speak at the last hearing due to room constraints.

I happened to be present at the last meeting, and I assume that you have recognized that about 80% of the people that also made public comments have asked to extend the deadline for the DEIR process. Not only you have had to work hard on the issues, we are doing the same. Considering the far-reaching consequences the next GP will have on all of the addressed topics for the next 20+ years, a timeline extension seems to be more than practical and necessary in order to be able to address remaining issues in depth. Denying an extension under these circumstances would make people believe that existing timelines and formalities that have been upheld in similar situations are more important than creating a well thought-out General Plan for decades to come.

We will have to spend enormous amounts of money and effort in repairing damage compared to correcting problems before they occur. Just think of the water and traffic issues that have come up already and will increase with new dwellings and proposed heavy industrial use of the remaining open space. We really need more time to work on solutions, and there are already many creative solutions available and even have been implemented in other General Plans in other counties with similar issues, that could help Sonoma County greatly in avoiding mistakes and costs others have made. Those suggestions will be presented to you if you grant more time and are willing to work with the interested public.

I very much hope that this unexpected and creative public response is seen by you as an advantage to come to long-lasting and healthy conclusions, and is not seen as an annoyance that could possibly delay a predetermined time line.

Please, reconsider your first recommendation and grant a time extension.

Thank you for your efforts,

Dr. Harvey Hoefer

707.438.1111

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MAR 15 2006

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MANAGEMENT DEPARTMENT

The Draft Environmental Impact Report for the General Plan 2020 contains numerous impacts, which are, listed as "unavoidable". These "unavoidable" impacts are listed with no concrete means for resolution. Most of them use the excuse that insufficient information is available to allow methods for mitigation to be established in the General Plan.

1

One of the most serious impacts concerns surface and groundwater resources. However, provision of additional water information has been offered to the County. Insufficient information in the hands of the Plan drafters should not be a limiting factor toward finding appropriate measures for mitigation.

2

The County shall require listing of all permitted and unpermitted water users by a Date Certain which would establish a specific date which should not be five years later the date of Plan adoption. All users not currently permitted shall become listed by that date.

New water users shall not be permitted, unless an applicant agrees to be a third party user after current listed users. All unlisted users shall be subject to immediate cessation of any unlisted water use, and also subject to a fine equal to the value of water previously withdrawn plus a substantial punitive amount.

3

Based on recorded water use by all listed users in the order of their ranking, allocations of all water use based on demonstrated actual need and completion of all conservation measures technically available. The sum of water allocations in any groundwater basin or on any stream, river, lake, or impoundment shall not exceed actual water proven to be available as a sustainable resource.

An independent government agency shall be established to monitor and enforce this policy.

This principle shall also apply to all issues in the General Plan where provisions for mitigation are not listed.

Several elements of the Plan are adequate and should be listed and supported. However there are too many areas where the plan does not establish present or future measures to mitigate adverse impacts, and the DEIR should not be categorically endorsed. All adverse impacts covered in the plan shall have a date certain established in the Plan when mitigation becomes mandatory.

4

Leonard Holt



SIERRA
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SONOMA GROUP

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FOR THE PUBLIC RECORD

Sonoma County Planning Commission
2550 Ventura Avenue
Santa Rosa CA 95403
FAX 707-565-8343

March 29, 2006

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MANAGEMENT DEPARTMENT

Dear Members of the Planning Commission;

The Sonoma Group of the Sierra Club appreciates and welcomes the opportunity to provide comment on the Draft GP2020 EIR.

In keeping with our interest in protecting this County's unique qualities, this input is intended to be positive in content and in its result. Due to the volume of the DEIR, this letter is focused on those parts most relevant to the public's concern for protection of natural resources and the environment.

The significant unavoidable impacts (Section 6.3) identified by the DEIR cannot be left unaddressed. They include intrusion of residential uses into agricultural areas and natural communities, problems with water availability, water quality, soil stabilization and the transportation sector. These impacts must not be considered unavoidable; they must be dealt with if GP2020 is to well serve this County.

Although residential sprawl from the cities is restricted by Urban Growth Boundaries, GP2020 will still allow too many uses in unincorporated areas, leading to diffuse and unplanned development throughout the county. This type of growth will worsen many of the problems identified by the DEIR as significant unavoidable impacts: transportation problems, difficulties in delivering public services, groundwater depletion and fragmentation of both agricultural areas and wildlife habitat. The EIR must offer more suggestions and information to help county planners with this problem.

Transportation problems identified by the DEIR will be made worse by development outside of urban areas. Congestion throughout the county is predicted by the DEIR, but will not be sufficiently mitigated either by GP2020 or by the DEIR's added road improvement recommendations. Why doesn't the DEIR suggest further mitigation in the form of expanding the county's alternative transportation networks – such as buses, rail, and bicycle and pedestrian path networks? Since the County has adopted a

3

cont..

greenhouse gas emissions reduction target, mitigations that would reduce, rather than facilitate, car travel need to be included.

4

The Sonoma County Board of Supervisors have been leaders in setting goals for climate protection and adopting a significant greenhouse gas reduction target. Both nationally and locally, the Sierra Club has also adjusted its priorities to reflect the urgency of global warming. We encourage the addition to GP2020 of a complete Climate Protection and Energy Element modeled on the draft plans of Humboldt County and Marin so that steps towards reaching the GHG reduction target can begin as soon as possible.

5

The county's future water problems are real, and must be effectively addressed by its General Plan. The DEIR reports that future supplies of both groundwater and surface water will be insufficient, and that erosion and sediment pollution of waterways will continue under GP2020. Other serious potential problems were not discussed by the DEIR. These include the need for stricter permit requirements for water export from the County, possible injection of contaminants into aquifers, and the need for ongoing monitoring of all water wells.

6

The General Plan should include creation of a county-wide water management plan to be adopted within the next five years. This water management plan should include groundwater management plans implemented pursuant to AB3030 as well as including all surface water users, both those that receive water from SCWA and those that use surface water independently of SCWA.

7

Wildlife habitat and natural communities (Section 4.6 - Biological Resources) will be strongly impacted by the rural development allowed by GP2020. The DEIR accepts this decline as unavoidable, even assuming "stringent enforcement" of General Plan policies. In some cases, mitigation consists only of a potential study - which may then possibly lead to new protection policies. The EIR needs to recommend stronger policies for conservation of Biological Resources. Other issues omitted by the DEIR are: protection of habitat connectivity corridors in areas as yet not invaded by development, notice to appropriate Federal and State agencies prior to any alteration if biotic habitat is at risk, County designation and protection of wetlands recently excluded from Federal regulation, and designation and protection of heritage oak woodlands.

8

Habitat fragmentation and other significant impacts resulting from the conversion of forest to agricultural use is an ever-increasing problem in the County. While a measure of forest protection progress has been made in the form of a County timberland ordinance, it is still too weak to adequately protect forestland. The ordinance would benefit from an amendment requiring that preservation credit be given only for lands which are of like kind to those which are permitted to be converted.

9

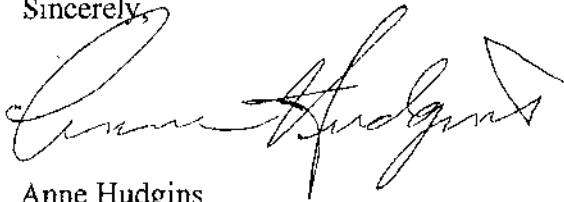
If the EIR expense is to be justified to our taxpayers, the recommendations that it offers of mitigation alternative measures (Section 5.6) and policy additions should be adopted. Compliance with CEQA requirements would support this conclusion as well.

Still, it is unacceptable that the Draft GP2020 includes 47 significant unavoidable impacts and that 38 remain after mitigation. We believe that additional mitigation measures need to be proposed in the EIR so that they can be considered for inclusion in the General Plan Update.

9
cont...

Environmental decline is occurring on an ongoing basis in Sonoma County, and we do not wish to delay the adoption of GP2020, which makes major improvements in the current General Plan. However, this is the time to improve GP2020 further by actively looking for creative solutions to the significant impacts that the DEIR brings up.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne Hudgins".

Anne Hudgins
Sonoma Group Chair
Sierra Club

245

Greg Carr - County DEIR comments

From: "Jared Huffman" <jhuffman@sonoma-county.org>
To: <gcarr@sonoma-county.org>, <sbriggs1@sonoma-county.org>
Date: 04/17/2006 9:13 AM
Subject: County DEIR comments

Dear Sirs:

Please find attached my comments on the DEIR for the Sonoma County General Plan Update 2020.

Sincerely,

Jared Huffman

Jared W. Huffman

April 17, 2006

Via Email: gcarr@sonoma-county.org, and sbriggs1@sonoma-county.org
P.R.M.D Attn: Scott Briggs and Greg Carr
2550 Ventura Avenue
Santa Rosa, CA 95403

Re: Comments - SONOMA COUNTY GENERAL PLAN 2020 General Plan
Update D.E.I.R. (SCH#2003012020)

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for Sonoma County's General Plan 2020. I commend the county's staff and Supervisors for including a water resources element in this important long-term planning effort. Unfortunately, based on my review, there are numerous omissions and inadequacies that cause the water resources element to fall short of the county's stated goal of ensuring sustainable long-term water supplies.

1

To meaningfully assess impacts (including cumulative impacts), alternatives, and potential mitigation measures, the DEIR must include a detailed evaluation of the sub-regional Santa Rosa plain groundwater basin, including current conditions and trends. The DEIR fails to do this.

2

The DEIR fails to include adequate background information for consideration in section 4.5 Hydrology and Water Resources section, page 4.5-25 *Santa Rosa Groundwater Subbasin*. The DEIR references the City of Rohnert Park's new "Water Supply Assessment" and the City's assertions therein as to the status of groundwater in the subbasin. However the DEIR fails to even mention the existence of the County's own Canon Manor West (CMW) Subdivision Assessment District EIR (SCH#2003112088) and the contradictory formal findings in the County's evaluation as to the status and sustainability of groundwater in the same subbasin. During the processing of the CMW EIR the O.W.L. Foundation submitted about 22,000 pages of documents, maps, CD's and videotapes to County PRMD for the CMW EIR record. The failure to

mention, much less consider, this copious information renders the DEIR inadequate.

Further, the DEIR fails to include complete and significant background information for consideration and cumulative impact analysis in section 4.5 Hydrology and Water Resources section, page 4.5-25 *Santa Rosa Groundwater Subbasin* and page 4.5-28 *Groundwater Areas of Concern*. The CMW EIR identified that the groundwater basin has declined and found that the addition of only 109 new homes supplied by local groundwater will be a Significant and Unavoidable impact that would be unmitigatable.

Another substantial omission in the DEIR evaluation is adequate background information and cumulative impact analysis in section 4.5 Hydrology and Water Resources section, page 4.5-25 *Santa Rosa Groundwater Subbasin* and page 4.5-28 *Groundwater Areas of Concern*. The CMW EIR identified that the groundwater divide has shifted southward such that groundwater is captured from the Lichau Creek watershed, which drains into Petaluma Valley. Lichau Creek drains into and through central and southern Penngrove. The "water balance study" states on page 36-37 of Appendix F, CMW EIR:

"The second area of subsurface inflow to the study area is the low watershed divide between Copeland Creek and Lichau Creek, located southeast of the study area. Groundwater pumping patterns have changed over time in the study area. As a result of this pumping increase, groundwater levels declined over a significant portion of the basin and the groundwater divide between Copeland Creek and Lichau Creek shifted southward from its documented 1950 location in the Canon Manor area. This shift induced subsurface inflow into the study area and effectively captured recharge occurring in the watershed drained by the northernmost tributaries of Lichau Creek. The "water balance study" indicates that 999 acre feet of groundwater are captured outside the study area, enough to supply at least 2000 households." (Emphasis added).

The DEIR evaluation is also inadequate as it fails to include complete and significant background information for consideration and cumulative impact analysis in section 4.5 Hydrology and Water Resources section, page 4.5-25 *Santa Rosa Groundwater Subbasin* and page 4.5-28 *Groundwater Areas of Concern*. Letters from the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) were submitted to the City of Rohnert Park (1/21/05) and

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Cont...

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cont...

County of Sonoma (1/21/05) expressing specific concerns about the adequacy of the City's WSA and County's CMW EIR.

For example, the January 21, 2005 letter to the County of Sonoma from SFBRWQCB (copy attached hereto) states: "The (CMW) EIR does not adequately assess the likely magnitude and significance of decline in the groundwater table of the Lichau Creek area with regard to all direct-and-indirect project effects, and cumulative effects on beneficial uses of Lichau Creek, which include cold freshwater habitat, migration, spawning, warm freshwater habitat, domestic water supply, agricultural water supply, and groundwater recharge. Accordingly, we request that the Board of Supervisors not certify the EIR until it has been expanded to evaluate and mitigate potential significant impacts to the environment within the Lichau Creek drainage ... we believe that the CEQA process is the appropriate mechanism to evaluate and mitigate significant potential impacts to the Petaluma Valley Groundwater Basin and Lichau Creek." (Emphasis added).

Moreover, the January 21, 2005 letter to the City of Rohnert Park from SFBRWQCB (copy attached hereto) states: "The conclusions based on the WSA have not been adequately quantified and validated with suitable hydrologic tests and analysis. Accordingly, we request that the City Council not adopt the WSA until it has been modified to adequately evaluate the groundwater supply available and the potential significant impacts to the environment within the Lichau Creek drainage and the Petaluma Valley Groundwater Basin." (Emphasis added).

6 The DEIR evaluation is inadequate as it fails to include complete and significant information for cumulative impact analysis in section 4.5 Hydrology and Water Resources section, page 4.5-25 *Santa Rosa Groundwater Subbasin* and page 4.5-28 *Groundwater Areas of Concern*. The CMW EIR identified that the underlying Santa Rosa Plain Groundwater Basin is recharged by flows in the Russian River. The future flow regime in the Russian River is unsettled, and includes the possibility of significantly lower flows – either pursuant to “low flow” proposals to enhance anadromous fisheries, or resulting from a reduction or cessation of diversions into the Russian River from the Eel River by way of the Potter Valley Project, as those diversions are facing a growing number of legal challenges. The impact of a reduction in Russian River flows on the Santa Rosa Plain groundwater basin has not been considered. The General Manager of the Sonoma County Water Agency has publicly acknowledged this in referring to the Low Flow proposal for anadromous fisheries. Clearly, these issues must be considered in the DEIR. Steve Carle PhD., a Penngrove hydrologist who works for Lawrence Livermore National

Laboratory, has expressed his professional opinion that groundwater overdraft throughout the region is altering flow patterns in the entire North Bay water table. "It's a domino effect," Carle says. The Russian River aquifer extends into the Santa Rosa plain, overlapping with the Wilson-Grove and Petaluma formations, the aquifers in southern Sonoma County. According to an analysis of existing data Carle has conducted, unchecked growth in Rohnert Park and the subsequent increase in that city's groundwater pumping has reversed the underground flow of water, drafting groundwater away from wells in Penngrove and Petaluma. It may even be drafting groundwater away from the Russian River.

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cont..

The DEIR evaluation is inadequate as is fails to include complete and significant information for cumulative impact analysis in section 4.5 Hydrology and Water Resources section, page 4.5-25 *Santa Rosa Groundwater Subbasin* and page 4.5-28 *Groundwater Areas of Concern*. The Sonoma County Water Agency maintains three wells in the Santa Rosa Groundwater Subbasin. Because these wells were originally designated "emergency wells" they escaped CEQA impact analysis. However, these wells were recently re-designated to "full on line" status and have been operating at full capacity in recent years. Failure to assess the cumulative impacts to the Santa Rosa Groundwater Subbasin of operating these huge wells on a full-time basis is a glaring omission in the DEIR.

7

The DEIR evaluation is inadequate as is fails to include complete and significant background information for consideration and cumulative impact analysis in section 4.5 Hydrology and Water Resources section, page 4.5-25 *Santa Rosa Groundwater Subbasin* and page 4.5-28 *Groundwater Areas of Concern*. What are the cumulative impacts to the Santa Rosa Groundwater Subbasin if city wells are being used for future General Plan development instead of SCWA water from the Russian River? SCWA's 11th amended agreement originally sought to expand the Agency's rights for additional Russian River diversions from the existing entitlement of 75,000 acre feet to 101,000 acre feet. The Appellate Court decision in the *Friends of the Eel River* CEQA lawsuit, the dozens of unsettled water rights claims in the Russian River basin pending before the State Water Resources Control Board, and several other legal proceedings with the potential to affect flow in the Russian River, underscores the high level of uncertainty and risk in assuming a future increase in Russian River diversions to supply water contractors in both Sonoma and Marin counties. Additionally, as noted above, due to the recovery needs of federally-listed endangered fish in the Russian and Eel Rivers, existing levels of water diversions may be significantly reduced in the future. SCWA's notice

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cont.,..

of preparation for the WSSTP supplemental environmental impact report is not encouraging, as it states. "Water demands within the agency's service area are currently approaching the limits of the agency's water-right permits and the physical limits of the transmission system.... communities served by the agency may not be able to provide water to meet the population growth previously identified in general plans . . . and may eventually experience severe water shortages." (Emphasis added). Under the existing MOU SCWA has declared the existing transmission delivery system to be impaired and has entered discussions with Agency water contractors suggesting that the cities may have to augment their peak SCWA water usage with local water supply strategies which are likely to include local groundwater usage.

Thank you for considering my comments.

Sincerely,

Jared Huffman

Jared Huffman



Alan Lloyd, Ph.D.
Secretary for
Environmental
Protection

California Regional Water Quality Control Board

San Francisco Bay Region

Internet Address: <http://www.swrcb.ca.gov>
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 * FAX (510) 622-2460



Arnold
Schwarzenegger
Governor

HUFFMAN

ATTACHMENT

January 25, 2005

File No. 2148.02 (wbh)

Ron Bendorff
City of Rohnert Park Planning Department
6750 Commerce Blvd.
Rohnert Park, CA 94928

SUBJECT: Inadequacy of City of Rohnert Park Final Water Supply Assessment

Dear Mr. Bendorff:

We understand that the Rohnert Park City Council is considering adoption of the City of Rohnert Park Final Water Supply Assessment (WSA). We did not receive a copy of this report, and we were only recently made aware of these proceedings. We have reviewed the Draft and Final Water Supply Assessment documents on the City of Rohnert Park's web site and offer the following comments.

We find the WSA deficient for the following reasons:

The conclusions based on the WSA have not been adequately quantified and validated with suitable hydrologic tests and analysis. The WSA does not assess the likely magnitude and significance of decline in the groundwater table of the Lichau Creek area with regard to all direct-and-indirect project effects, and cumulative effects on beneficial uses of Lichau Creek, which include cold freshwater habitat, migration, spawning, warm freshwater habitat, domestic water supply, agricultural water supply, and groundwater recharge. Additionally, the results of this report appear to contradict the conclusions of other reports conducted in the same study area.

Accordingly, we request that the City Council not adopt the WSA until it has been modified to adequately evaluate the groundwater supply available and the potential significant impacts to the environment within the Lichau Creek drainage and the Petaluma Valley Groundwater Basin. Water Board staff is available to work with the City to accomplish this during the WSA approval process. Please be aware that as it is the responsibility of the Water Board to protect the quality and beneficial uses of waters of the State within its jurisdiction. If the WSA is not modified to adequately evaluate potential impacts to ground and surface waters within the Lichau Creek drainage basin, we may need to require technical reports and/or monitoring reports for future projects located within the Southeast Plan Area pursuant to our authority under the California Water Code.

While the study area for this assessment project is located within the North Coast Regional Water Quality Control Board's jurisdiction, the adoption of WSA poses potential adverse impacts to the quality and quantity of waters and associated beneficial uses of the Petaluma Valley Groundwater Basin and Lichau Creek, which are located within the jurisdiction of the San Francisco Bay Regional Water Quality Control Board (Water Board). Based on our review of the Draft WSA, Final WSA, and the Technical Memorandum, we have determined that the WSA fails to adequately evaluate the groundwater supply available and potential impacts to the Petaluma Valley Groundwater Basin and Lichau Creek.

We find the WSA inadequate for the following reasons:

- The WSA relies on simplified water budget analysis that does not quantify inflows to the groundwater basin.
- The WSA ignores the detailed Rohnert Park specific groundwater modeling study used for the current General Plan EIR (2000). The WSA does not discuss or reference the results of this study, even though the USGS MODFLOW code used for the study provides a more detailed assessment of groundwater supplies.
- In the analysis of long-term water levels and pumping trends, the WSA relies on a review of the City pumpage data from 1977 to present despite available data for previous years. In order to accurately predict long-term trends, it is necessary to expand the period of study to accurately reflect the impacts of increased pumping and development. For example, well data provided in the Cardwell Report (1952) could provide additional information on long-term trends.
- The WSA relies on a simplified view of aquifer system by dividing it into zones for analysis with out considering the geologic conditions present at each site.
- The Technical Memorandum does not adequately address conflicts with the conclusions of the Canon Manor DEIR, which concluded that an increase in pumping at the Penngrove Water Company well for an additional 110 homes could be a significant and unavoidable impact.

In conclusion, the Water Board is responsible for protection of the quality and beneficial uses of waters of the State within our Region's geographic boundary. Notably, Lichau Creek supports a run of steelhead trout (Petaluma Watershed Enhancement Plan, 1999), a species listed under the federal Endangered Species Act as threatened in Central California. Our two main concerns relate to potential ground and surface water impacts associated with increased extraction of groundwater that may further lower the groundwater table in the Lichau Creek area:

- 1) It could result in the killing of trees along the Lichau Creek riparian corridor and elsewhere in the drainage basin, cause a loss of groundwater recharge to Lichau Creek, thereby producing a loss of dry season refugia pools and increase in temperature of Lichau Creek during summer and autumn months and degradation of water quality, and potential surface feature subsidence; and
- 2) It may adversely affect the quantity and quality of groundwater available from existing domestic and agricultural wells.

We appreciate your consideration of this matter. If you have any questions, please contact Matt Graul at (510) 622- 2494, mgraul@waterboards.ca.gov, or Abigail Smith at (510) 622-2413, asmith@waterboards.ca.gov, or me at (510) 622-2364, whurley@waterboards.ca.gov.

Sincerely,

William B. Hurley
Section Leader,
North Bay Watershed Division

Cc: List attached



Alan Lloyd, Ph.D.
Secretary for
Environmental
Protection

California Regional Water Quality Control Board

San Francisco Bay Region

Internet Address: <http://www.swrcb.ca.gov>
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 T FAX (510) 622-2460



Arnold
Schwarzenegger
Governor

January 21, 2005
File No. 2148.02(wbh)

Steve Dee
Sonoma County Permit and Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403

**SUBJECT: Inadequate Evaluation of Potential Environmental Impacts - Canon Manor
West Subdivision Assessment District EIR (SCH#2003112088)**

Dear Mr. Dee:

We understand that the Sonoma County Board of Supervisors is considering the certification of the Environmental Impact Report (EIR) for the Canon Manor Subdivision Assessment District (project).

We find the EIR deficient for the following reasons:

The EIR does not adequately assess the likely magnitude and significance of decline in the groundwater table of the Lichau Creek area with regard to all direct-and-indirect project effects, and cumulative effects on beneficial uses of Lichau Creek, which include cold freshwater habitat, migration, spawning, warm freshwater habitat, domestic water supply, agricultural water supply, and groundwater recharge.

Accordingly, we request that the Board of Supervisors not certify the EIR until it has been expanded to evaluate and mitigate potential significant impacts to the environment within the Lichau Creek drainage. As discussed below, we believe that the CEQA process is the appropriate mechanism to evaluate and mitigate significant potential impacts to the Petaluma Valley Groundwater Basin and Lichau Creek, and the Water Board staff is available to work with the County to accomplish this through the CEQA process. However, please be aware that as it is the responsibility of the Water Board to protect the quality and beneficial uses of waters of the State within its jurisdiction. If the Canon Manor project EIR does not adequately evaluate and mitigate potential significant impacts to ground and surface waters within the Lichau Creek drainage basin, we would be obliged to require technical reports and/or monitoring reports pursuant to our authority under the California Water Code.

While the project is located within the North Coast Regional Water Quality Control Board's jurisdiction, it poses potential adverse impacts to the quality and quantity of waters and associated beneficial uses of the Petaluma Valley Groundwater Basin and Lichau Creek, which are located within the jurisdiction of the San Francisco Bay Regional Water Quality Control

Board (Water Board). CEQA mandates that Sonoma County as lead agency evaluate all potential significant impacts and impose all feasible mitigation measures for the project (CEQA Guidelines Sections 15021 and 15091). Based on our review of the subject CEQA documents and responses to comments, we have determined that the EIR fails to adequately evaluate and impose mitigation measures for potential significant impacts to the Petaluma Valley Groundwater Basin and Lichau Creek, as discussed below.

The Water Board is responsible for protection of the quality and beneficial uses of waters of the State within our Region's geographic boundary. Notably, Lichau Creek supports a run of steelhead trout (Petaluma Watershed Enhancement Plan, 1999), a species listed under the federal Endangered Species Act as threatened in Central California.

We believe that the CEQA process is the appropriate mechanism to evaluate and mitigate significant potential impacts to the Petaluma Valley Groundwater Basin and Lichau Creek, and the Water Board staff is available to work with the County to accomplish this through the CEQA process. However, please be aware that under California Water Code Section 13267, the Water Board can require any "citizen or domiciliary, or political agency or entity of this State who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste outside of its region that could affect the quality of waters within its region" to furnish technical or monitoring reports. Accordingly, as it is the responsibility of the Water Board to protect the quality and beneficial uses of waters of the State within its jurisdiction, if the Canon Manor project EIR does not adequately evaluate and mitigate potential significant impacts to ground and surface waters within the Lichau Creek drainage basin, we would be obliged to require technical reports and/or monitoring reports pursuant to CWC Section 13267.

The EIR acknowledges that groundwater is already being withdrawn from the groundwater basin within the Lichau Creek drainage to augment overdrafted/allocated groundwater in the basin to the north, which has apparently caused a significant relocation of the groundwater basin divide (separating direction of groundwater flow) to the south, proximate to Lichau Creek. The sphere of influence of the groundwater drawdown is reported to already extend beneath Lichau Creek at one location. The EIR states that the project "could significantly impact groundwater because it could cause more water to be withdrawn from the aquifer than is currently being recharged." Despite the acknowledgement that the project may significantly impact groundwater recharge, the analysis fails to evaluate the potential impact of reduced groundwater recharge on waters within our Region. Evaluation of the potential impacts to the Petaluma Valley Groundwater Basin and Lichau Creek should be based in part on the City of Rohnert Park's historic high pumping rates, because the court injunction limiting the City's pumping rates is conditioned upon the availability of water supply from the Sonoma County Water Agency, which may not be available under emergency or drought conditions.

We appreciate your consideration of this matter and apologize for our delayed comments. Unfortunately, because the project is located within the jurisdictional boundary of the North Coast Water Board, we forwarded the Draft EIR to that Water Board for its review and comment. The potential for this project to impact waters within our jurisdiction was only recently brought to our attention by local residents. If you have any questions, please contact Matt Graul at (510)

622- 2494, mgraul@waterboards.ca.gov, or Abigail Smith at (510) 622-2413, asmith@waterboards.ca.gov, or me at (510) 622-2364, whurley@waterboards.ca.gov.

Sincerely,

Original signed by

William B. Hurley
Section Leader,
North Bay Watershed Division

Cc: List attached

246

From: David Hardy
To: Gaiser, Bob
Date: 02/06/2006 9:22:03 AM
Subject: Fwd: GP2020 Draft Environmental Impact Report-Comments

Bob,
FYI
Dave

>>> "sad_admin"
Dave,

I have read the GP2020 Draft Environmental Impact Report and we have many concerns over plans along Arnold Drive and Aqua Caliente, Verano and Petaluma connectors in the El Verano Area. The PRMD web site in notes the public comment period is from 1/16/2006 - 3/16/2006 but does not say where to submit comments - where should comments be submitted by mail and email?

Als heard that a Public Hearing on the Draft EIR for February 28, 2006 but at the PRMD site there is no agenda posted yet for the Planning Commission on that date. Can we get and advance copy of that?

Basically the traffic 'Calming' plans for Glen Ellen to Madrone(including Circles /Roundabouts that I proposed some time ago) on Arnold should be extended down through El Verano to Petaluma Avenue where they are really needed to protect a community that deserves such treatment as much as Glen Ellen including the growing El Verano school children population in the area on Arnold.

Roundabouts should be installed at Aqua Caliente at Arnold, Boyes Blvd at Arnold, Verano at Arnold, Petaluma at Arnold, and Madrone at Arnold. Arnold should be limited to two 10ft travel lanes with modest 4ft bike lanes to protect scenic Arnold Drive Corridor in areas where any road reconstruction is planned from Petaluma Ave up through Glen Ellen.

The plans for widening Arnold to three and four lanes and Aqual Caliente, Verano and Petaluma Avenues to three lanes is absurd from an environmental impact standpoint and shows complete lack of appreciation for the unique scenic character of the area.

Putting a priority on traffic over private property access also is very problematic since it will exaserbate an already bad situation for residents on Arnold. Traffic calming methods including reducing travel lane widths and generous use of circles will keep traffic moving, provide safety and and help to protect the unique and scenic Arnold Drive Corridor.

Thanks,

Bob Hughes
Save Arnold Drive

RECEIVED
FEB 06 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

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247

SONOMA COUNTY PLANNING COMMISSION

ENVIRONMENT IMPACT REPORT GP 2020

HEARING MARCH 15 2006

RECEIVED

MAR 15 2006

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

Dear Commissioners,

The Air Transportation Element of the GP 2020 will have a significant environmental impact on the rest of the General Plan. This simple element carries within its belly an issue that will undermine the County's ability to control and operate the Sonoma County Airport and its environs.

As a proprietor of a publicly owned airport, the County runs the risk of having its development authority usurped by commercial airlines. This issue comes to us via federal preemptive action under the guise of interstate commerce. Simply put, the commercial airlines will dictate to the airport proprietor what developments they want while leaving the expense, impacts, and liability in the hands of the owner/operator - the Sonoma County taxpayers.

In this present draft of the EIR for GP 2020, there is no consideration, understanding, or recognition of this significant environmental threat. With airport development dictated by commercial airlines, growth, not compatible with present and long standing local controls, will overwhelm the GP 2020 EIR and severally impact each and every element.

Your first thought may be that I am an alarmist. Well, if I am, I am not alone. Your own County Counsel has express concern and warning in the September 4, 2003 report to the GP2020 Citizen's Advisory Committee (CAC). I refer you to #2, page 2, third paragraph and I quote:

...The regulation of airports is a cooperative venture in which both federal and local concerns compete. Given the federal presence in the area and the significant financial stakes involved, litigation of proprietary regulations is not uncommon. When litigation occurs, the federal government usually jumps to side of the carrier. In light of this, I cannot emphasize too much how important it is to identify the nature of the problem. By engaging in this type of analysis, the likelihood of the successful defense of the Board's proprietary regulations will be enhanced.
(2/8/88)

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Staff concludes (in part) in first sentence, last paragraph of #2:

This advice suggests that care should be taken to provide careful environment analysis and rationale for any significant change in the ATE policy regarding Airport usage by commercial air carrier service.

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cont..

Clearly, what needs to be done is to have County Counsel do a legal review of this issue (above letter is dated 2/8/88) considering 18 years has lapsed. The issue of federal preemption is not just local but national in scope (Alaska Airlines vs. Long Beach Airport). A legal review and case study can only help you and the County understand the threat that is present, not only to local control of the airport, but to every element of the GP 2020.

Just imagine an airline beginning operations at the Sonoma County Airport and they decide they need longer and additional runways to carry their fleet. Can we say no or do we comply? What kind of impacts do you think this change will have on the General Plan and can we prevent it? We need the answers today not in the future when it is too late. If not stopped and we lose local control of airport development, the impacts will be significant to all of the General Plan elements including circulation, air quality, and noise. Look what happened to San Jose. We need to understand today what the risk is for tomorrow. Ask County Counsel to do the legal review and make their findings public.

I thank you for this opportunity to express important and significant concerns that may not be obvious or felt by others. I will be glad to answer any questions you may have.



Allen L. James

Laguna Preservation Council

www.preservelaguna.org

Chairman Richard Fogg
Sonoma County Planning Commission
2550 Ventura Ave.
Santa Rosa, CA 95403

RECEIVED
MAR 24 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

Chairman Fogg and Commissioners;

We are glad to see the County trying to achieve a new Water Resources Element in the General Plan Update. There are many things in the WRE about which the public will need more time to study and prepare comment. We urge you to consider giving an extra 30 days before closing the Public Comment period.

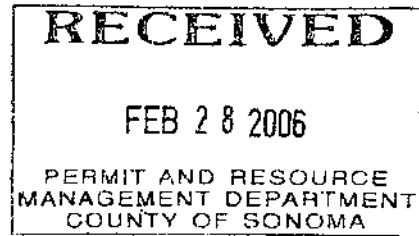
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Thank you for your attention to this matter....

Eric Johnson,



For the Steering Committee of
the Laguna Preservation Council



February 27, 2006

To: PRMD & Sonoma County Planning Commission Members
2550 Ventura Avenue
Santa Rosa, CA 95403

From: Donna Jones

4

Re: Questions regarding Sonoma County General Plan Update 2020 Draft EIR

Dear PRMD Staff, GP 2020 Consultants, and County Planning Commissioners,

My questions concerning the Sonoma County General Plan Draft EIR are as follows:

- 1) The Canon Manor West Subdivision Assessment District EIR identified, for study purposes, a large subregion of the Santa Rosa Plain Groundwater Basin, which included portions of Penngrove, Rohnert Park, Cotati, South Santa Rosa, Sonoma State University, Sonoma Mountains, and other unincorporated County Lands. The Santa Rosa Plain Groundwater Basin is the largest in Sonoma County and provides water supplies for most of Sonoma County's cities, and, is exported daily to the North Marin Water District as well as Marin Municipal Water District including the city of Sausalito. The Canon Manor West (CMW) EIR Impact Summary "identified a number of significant impacts that would result from the project." "The following impacts would be significant and unavoidable, even after mitigating:" (Project includes 109 vacant parcels)

"Impact Air – 2 (Cumulative Impact on Air Quality): Development resulting from this project will increase vehicle miles traveled, which would make a cumulatively considerable contribution to a significant cumulative impact on regional concentrations of ozone and PM(10)."

"Impact Hydro – 3a (Groundwater Impact Caused by Project): Increased water used from buildout of Canon Manor West could result in more groundwater being withdrawn from the aquifer than would be replaced by recharge."

"Impact Hydro – 4 (Future Cumulative Groundwater Impact): Cumulative development within the study area may result in a use of groundwater that exceeds it's rate of replenishment, resulting in another period of groundwater level declines. This would be a significant cumulative impact caused by all existing and future development. The additional water demand from Canon Manor West would be cumulatively considerable."

"Impact Noise – 2 (Cumulative Traffic Noise): Development resulting from this development would increase traffic on Petaluma Hill Road and East Cotati Avenue, which would make a cumulatively considerable contribution to a significant cumulative traffic noise impact."

"Impact – 2 (Cumulative Traffic Impacts on Penngrove Intersection): Traffic from 109 additional residences within CMW would make a cumulatively considerable contribution to a significant cumulative traffic impact at the Petaluma Hill Road / Adobe Road, Old Redwood Highway / Main Street and Old Redwood Highway / Adobe Road intersections."

The Sonoma County Board of Supervisors adopted the final CMW EIR in January 2005.

1	[	2) With the foregoing CMW EIR Summary conclusions dated June 28, 2004, why isn't this Sonoma County sponsored EIR, it's contents, public comments, questions, and responses included in the Sonoma County General Plan 2020 Update EIR? Who directed staff and or the EIR consultants to ignore this recently County adopted document? Would you please include Volumes 1 & 2 of the CMW DEIR and the Final EIR for full consideration?
2	[	3) Why isn't the entire O.W.L. Foundation CMW DEIR 20,000 page submittal included for evaluation in the County General Plan EIR? Would you please also include these documents and OWL videotapes, textbooks, and maps for full consideration in the County GP Update?
3	[	4) Why isn't the O.W.L. Lawsuit and its entire Administrative Record, which is now challenging the Rohnert Park Water Supply Assessment, included for consideration in the Sonoma County General Plan Update EIR?
4	[	5) Why isn't the California Regional Water Quality Control Board letter dated January 25, 2005 to Rohnert Park, directing them not to adopt their flawed Water Supply Assessment in January 2005 not included for consideration in the County GP Update? The County of Sonoma PRMD has a copy of this letter.
5	[	6) Why isn't the California Regional Water Quality Control Board letter dated January 2005 to the County of Sonoma (Board of Supervisors) not

included for evaluation in the County GP Update? PRMD has a copy of this letter.

5
cont...

7) Why aren't all of the Rohnert Park Specific Plans included for evaluation in the County GP Update?

6

8) How has the County GP Update process evaluated the permanent negative impacts on future groundwater availability in the Southern Santa Rosa Plain Groundwater Basin as a result of the anticipated Rohnert Park annexations of State identified groundwater recharge lands along the Petaluma Hill Road corridor?

7

9) How has the County GP Update process evaluated all relevant impacts as a result of the former Agilent Plant being redeveloped in the City of Rohnert Park?

8

10) How has the County GP Update process evaluated all relevant impacts as a result of groundwater contamination at the County Waste Disposal site located on Meacham Road?

9

11) How has the County GP Update process evaluated the most recent location and related impacts as a result of the proposed Casino just outside of Rohnert Park?

10

12) During Sonoma County's Canon Manor West EIR process the County of Sonoma requested of Rohnert Park that they make available Rohnert Park's Consultants PES's work papers. These work papers calculated why the Santa Rosa Plain Groundwater Basin is in decline and has been for over 25 years. How have they been included for consideration in the County General Plan EIR Update?

11

13) The Sonoma County Water Agency is required by law to update the 2000 Urban Water Management Plan. The update has not yet been performed. How does this affect the evaluation of water supplies for the County General Plan Update? How can the Supervisors vote on a document based on outdated information?

12

14) The 2000 Sonoma County Water Agency Urban Water Management Plan Executive Summary identifies that the City of Santa Rosa would need to begin relying on its well field by the year 2010. In 2005 the City of Santa Rosa needed water produced by its own well field 5 years ahead of schedule. How does this affect the County GP Update and can the County realistically guarantee County property owners groundwater rationing will not be necessary for agriculture or homeowners? Can the County General Plan guarantee water supplies and rights will not need to be adjudicated?

13

- 14 [15) It appears that cities in Sonoma and Marin Counties are getting priority of what's left of Sonoma County groundwater supplies for future development. Is this why the County Board of Supervisors announced at the beginning of the General Plan Update process that a groundwater management plan would not be considered?
- 15 [16) How have the populated water-scarce areas of Sonoma County been recognized for future water needs in the Sonoma County GP Update EIR?
- 16 [17) Where will this "bail-out" water come from?
- 17 [18) What plans are included for EIR purposes that will help well owners in the water-rich basins that are already being overdrafted such as the Southern Santa Rosa Plain Groundwater Basin?

I look forward to your responses in the Sonoma County General Plan Update 2020 EIR.



Donna Jones

Exhibit 1: DEIR General Plan 2020 Comments-Sign-On Letter

Larry Hanson-Save Our Sonoma County (SOS)

Lynn Hamilton-Town Hall Coalition

Don Frank-TDC Agricultural Equipment Repair Co.

Mike Sandler-Community Clean Water Institute

Tina Hannon-"Neighborhood Coalition Against Katarina Field Winery"

Kimberly Burr-Esq.

Kate Wilson-Friends of the Mark West Watershed

Beth Robinson-Environmental Education

Jaime Zukowski-Knights Valley Group

David Benefiel-Coffee Lane Alliance

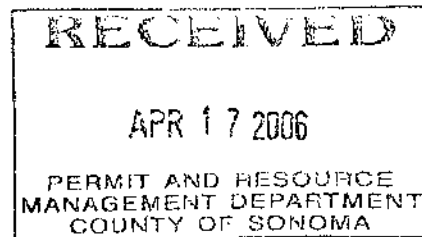
Alberto del Calvo

Pamela Jo Porter

April 16, 2006

To: PRMD & Sonoma County Planning Commission Members
2550 Ventura Avenue
Santa Rosa, Ca 95403

From: Donna Jones



Re: Questions regarding Sonoma County General Plan Update 2020 Draft EIR

Dear PRMD Staff, GP 2020 Consultants, and County Planning Commissioners,

My questions concerning the Sonoma County General Plan Draft EIR are as follows:

The Incremental Recycled Water Program (IRWP) is a four-city partnership that has organized to formulate and further build a series of pipelines and holding ponds to aid in the current and future disposal of 6.7 billion gallons per year of tertiary treated wastewater generated by Rohnert Park, Cotati, Santa Rosa, and Sebastopol. Much of the existing and anticipated disposal of this unfit-for-human-consumption wastewater will take place in unincorporated Sonoma County. The Sonoma County General Plan EIR has not taken the IRWP project into consideration with regard to its impacts on the County Environment – particularly the issues of soil and groundwater contamination.

- 1) What are the expected impacts on fresh groundwater supplies from this expected storage, leaking storage, and irrigated water supply?
- 2) How will surface water in creeks and streams be affected as known contaminates leech from adjacent sprinkling?
- 3) The IRWP talks about trucking-in fresh water supplies to property owners in the unincorporated areas of Sonoma County when contamination of groundwater supplies happens, what are all the expected costs associated with groundwater contamination from this project?
- 4) Where will the fresh water come from for affected property owners?
- 5) How will this affect land use?
- 6) How will this affect property values?
- 7) Is there enough water to be trucked in to the overlying property owners of the Santa Rosa Plain groundwater sub-basin?
- 8) Can the four-city partnership sustain this financial burden?
- 9) How has the County of Sonoma planned to monitor for groundwater contamination in unincorporated areas of Sonoma County?
- 10) How extensive is groundwater contamination today, in Sonoma County, as a result of leaking underground storage tanks, spills, (include maps) etc.?
- 11) If and when contamination occurs, will the Sonoma County Water Agency stop exporting groundwater supplies to North Marin Water District and Marin Municipal Water District?

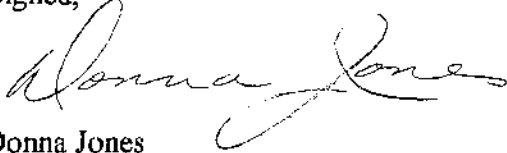
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The O.W.L. Foundation has just gone to Court on April 11, 2006 over a challenge of Rohnert Park's Water Supply Assessment as is required by Senate Bill - 610. The Judges comments indicated that the City of Rohnert Park and its consultants Winzler & Kelly and Luhdorff & Scalmanini departed from California Department of Water Resources prescribed methods for defining and evaluation a groundwater basin.

- 2 [12) When the final court decision is made in the next few weeks, will PRMD Staff and the General Plan 2020 consultants recognize this landmark Court decision and evaluate the impacts (for EIR purposes) on County groundwater supplies as a result of the unsubstantiated claims in the failed Rohnert Park Water Supply Assessment?
- 3 [13) Will Sonoma County recognize the conclusions reached in the Canon Manor West Subdivision EIR that was adopted in January of 2005 and used the same geographical boundaries as Rohnert Park's Water Supply Assessment?
- 4 [14) Will Sonoma County recognize the conclusions reached in Rohnert Park's original General Plan EIR of May 2000 which stated the groundwater basin has declined as much as 150 feet over the past 25 years?
- 5 [15) If either more groundwater contamination occurs and or continued overdrafting of any groundwater basin in Sonoma County, will any branch of Sonoma County Government seek a moratorium on building?
- 6 [16) Will the County place a moratorium on the issuance of new well permits if groundwater contamination, from any source, continues to spread?
- 7 [17) Please identify and list all known areas of soil and groundwater contamination in Sonoma County, both incorporated and unincorporated areas, as of today, and how they will be dealt with?
- 8 [18) Will the County make well monitoring mandatory in affected areas?
- 9 [19) What contaminates are known to be in the tertiary treated water today?
- 10 [20) What contaminates are known to be dangerous but are not yet regulated?
- 11 [21) Why isn't the County Board of Supervisors pushing to build a Reverse Osmosis Treatment Plant (R-O) and do away with the disposal of tertiary treated water?
- 22) How expensive is a Reverse Osmosis Treatment Plant?
- 23) Where should they be built?
- 24) In the long run isn't the Reverse Osmosis approach the most cost effective?
- 25) Has the County done any studies on Reverse Osmosis Plants?
- 26) Will the findings of these R-O studies be printed and included in the County 2020 EIR findings?
- 27) Is the IRWP partnership working with the County to consider R-O plants?

I look forward to your detailed responses in the Sonoma County General Plan Update 2020 EIR.

Signed,


Donna Jones

KARL A. KEENER

April 16, 2006

Sonoma County Planning Commission
C/o Sonoma County Permit & Resources Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403

Re: Public Comments on the DEIR General Plan Update

Dear Members of the Planning Commission:

The complexity of the task you have undertaken in updating the Sonoma County General Plan is exceeded only by the public gratitude to which you and the PRMD staff are entitled. Surely none amongst you when accepting this assignment, being presumably of sound mind, envisioned the time and energy you will ultimately be required to expend while overseeing this project through to a successful conclusion.

As a member of the concerned public who has actively participated through much of this process, the comments and suggestions offered are presented in the hope they might be of some assistance to you in ultimately achieving a 2020 General Plan worthy of this magnificent county. For those amongst us not blessed with clairvoyance, we must strain long and hard to carefully envision the challenges to be confronted in the many years between now and 2020. A successful and sustainable future for Sonoma County demands that we proceed carefully and with great deliberation.

The Goals set forth in the draft 2020 General Plan are worthy of praise and suggestive of great foresight. A number of those Goals however, seemingly have little chance of attainment while based upon a plethora of wishful thinking and a paucity of scientific data and requisite research. None of those involved in this review process should proclaim completion until excellence has been achieved. Fatigue and complacency are potential pitfalls and mortal enemies as one proceeds along the path of such a strenuous journey.

Calling It Less Than Significant Does Not Make It So

Little more than a cursory review of the DEIR is required before one recognizes that the DEIR as currently drafted proposes a draft General Plan the foundation of which rests upon **thirty eight (38) very Significant Unavoidable Impacts**. At just under 50% of the total identified Impacts, this draft General Plan is in a crisis mode long before enactment. Should one upon closer consideration acknowledge that many of the critically important impacts currently gifted with a *Less Than Significant* rating are in fact *Significant Unavoidable Impacts*, it then becomes even more apparent that the draft General Plan as

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currently composed is destined for failure. Whether the number is 38 or 50, the DEIR demands material revisions and re-circulation.

As an example, consider such elements as **Saltwater Intrusion** (4.5-6); **Increased Flood Risk from Drainage System Alteration** (4.5-9); **Place Housing or Structures in 100-Year Flood Hazard Areas** (4.5-10); and **Failure of Levee or Dam** (4.5-12). Surely if we have learned nothing else since December 31, 2005, we now understand how terribly vulnerable this county, and much of the state, is to catastrophic flooding.

It has also been irrefutably established that neither the federal government nor the state has sufficient financial resources to provide meaningful assistance to repair, much less replace, critical elements of our eroding infrastructure. Hundreds of miles of Sonoma County roads stand teetering on the edge, while others have long since failed. Dozens of county bridges stand ready for closure awaiting but a nudge from the next flood, seismic event or State structural inspection. Now that Mother Nature has reminded us all of our vulnerability, it would constitute nothing less than social and fiscal irresponsibility to eliminate the above elements from further consideration simply because someone has chosen to grant them a "SU".

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In passing over those elements, the DEIR has failed to identify or demonstrate the source of the necessary funding to repair and maintain our crumbling infrastructure, much less how they will be replaced after failure, as they surely will at some point before 2020. It is incumbent upon you to demand a responsible analysis and answer to questions such as:

1. *Where will the funding come from to bring our infrastructure up to compliance with applicable county, state and federal standards?*
2. *To what extent was the current science on Global Warming analyzed, and what conclusions were reached before the risks of Saltwater Intrusion, Flooding, and Dam and Levee Failure were rated insignificant?*

Then, looking out over the next several years to 2020, as the DEIR is required to do, answer the next question:

3. *Where will the funding come from not only to maintain our existing infrastructure but also build the new infrastructure that will be required by the growth allowable under the draft 2020 General Plan to assure those risks are insignificant?*

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Consider also the "Less Than Significant" ratings graciously bestowed upon the elements that stand as the vanguards of the heart of Sonoma County's rural character and agricultural heritage: **Conversion of Agricultural Lands to Non-Agricultural Uses** (4.8-1); and **Agricultural Processing and Support Uses** (4.8-2). Other than perhaps the most callous of land speculators and developers, who would demand less from the DEIR and the General Plan than it assure the longstanding viability of the agricultural industry in Sonoma County while maintaining the inherent world renowned beauty of its majestic hillsides, valleys and coastlines?

The DEIR does not offer such assurance, however because it fails to actually analyze the draft General Plan's impacts upon agricultural lands and open spaces. Please consider and respond to the following issue and question:

- 4. *How much actual residential, non-residential and agricultural support development could be built on agricultural lands in this County under the draft 2020 GP?***

While the Goal of striving to concentrate growth within cities, Urban Growth Boundaries (UGB) and Urban Service Areas (USA) is commendable, the draft 2020 General Plan does not in fact mandate that to happen, nor does the DEIR provide the requisite analysis of the extent to which development would be permissible out side of cities, UGB's and USA's. Please consider and respond to the following issue and question:

- 5. *How many new parcels could be created under the draft 2020 General Plan?***

The DEIR has not provided that information and it must do so. Without knowing how many new parcels could be available for development there is no way to meaningfully answer such questions as:

- 6. *How many new individuals will inhabit and/or utilize this new development?***
7. *How much water will be needed to service those parcels and where will it come from?*
8. *How much wastewater and solid waste will be generated from these new parcels and how and where will it be disposed of?*
9. *How many new roads and/or roadway improvements will be required to service these new parcels and how will they be funded?*
10. *As agricultural parcels are downsized how much agricultural production will be lost and at what financial cost?*
11. *At what rate will agricultural lands fall from production if large residential enclaves continue to sprout at the rate they have over the last 20 years?*

Because the DEIR has not provided the necessary information to answer such key questions, it is significantly deficient and must be substantially revised and re-circulated.

If it is determined that to answer such critical questions accurately requires detailed study that cannot be completed prior to adoption of the 2020 General Plan Update, then policies should be put in place on an interim basis to limit new development until we actually know how and to what extent we can support additional development. Basic necessities of life such as reliable sources of clean water and the ability to responsibly dispose of waste generated by such new development must be considered and addressed.

Farmland Conversion

The discussion of Farmland Conversion contained within the DEIR does not provide an analysis by Planning Areas within the county. Such an analysis by planning area is necessary to achieve a realistic, fact based determination as to which agricultural lands within each area are susceptible to conversion over the next 20 years. There is also a lack

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of reflective analysis of the impacts that conversion will have on existing infrastructures. The DEIR is further significantly deficient in not providing an actual analysis, as opposed to summary supposition; of the effect larger parcel sizes would have on the rate of conversion. Please consider and respond to the following issues and questions:

- 5
1. *Consider for example, a prohibition against future subdivisions of less than 40 acres. How many new parcels could then be created and developed over the next 20 years?*
 2. *Compare that with an analysis of how many new subdivision parcels could be created and developed over the next 20 years if the minimum size was 60 acres or 100 acres?*
 3. *How would such restrictions on parcelization impact our infrastructure, our need for water and waste management, fire and police protection, traffic, noise, light, etc.?*
 4. *To what extent would the stated purpose of Sonoma County's draft 2020 General Plan's Agricultural Resources Element to "...establish policies to insure the stability and productivity of the County's agricultural lands and industries" be enhanced by adoption by each of the following policies?*
 - 4.1. *The conversion of agricultural land shall be considered only where continued agricultural production was not economically viable, on average, for the previous five years.*
 - 4.2. *Prime agricultural land shall be retained in parcel sizes large enough to provide for an economic management base.*
 - 4.3. *Agricultural lands shall be conserved and conflicts minimized between agricultural and non-agricultural uses through the following:*
 5. *By zoning overlays creating buffer areas and boundaries separating urban and rural areas to minimize land use conflicts with minimal loss of agricultural land.*
 - 5.1. *By assuring that public service facility expansions and non-agricultural development do not inhibit agricultural viability through degraded water supplies, access systems, air quality, and other relevant considerations, such as increased assessment costs.*
 - 5.2. *By promoting urban infilling.*
 - 5.3. *By promoting agricultural conservation easements.*
 - 5.4. *By broadening the utility of agricultural preserves and the Williamson Act Program to accommodate and encourage intensively managed farms.*
 6. *To what extent would the adoption of the following policies enhance the draft 2020 General Plan's ability to assure stability and productivity of agricultural lands while also protecting water resources from depletion or contamination?*
 - 6.1. *The availability of surface water and ground water, for uses which will not adversely impact biological resources in the watershed, shall be used as a prime factor in determining the allowable amount of residential development in a particular area in order to protect water resources (in-stream and groundwater) from depletion or contamination.*
 - 6.2. *The County shall ensure that land use policies and implementing ordinances protect the long-term value of water and are consistent with sustainability of water resources in Sonoma County*

Agricultural Processing

Our existing policies set a goal of 50% utilization of local produce to be processed on site. Napa County some years ago adopted a far more stringent rule of 75% for wine grapes which have played a large part in higher prices for Napa grapes and the prosperity of growers in that county. This rule has been upheld in a recent by the United States Supreme Court and should be similarly adopted in Sonoma County. During the CAC process some were heard to say a 75% rule could not realistically be enforced. Some might similarly argue that many violate the speed limits and thus should they be abandoned? It should be noted that there are very stringent requirements for appellation and vineyard designated wines. Confirming information is mandatory and is routinely provided by the growers, processing facilities and winemakers. That same information could be utilized to enforce a "75% rule". The DEIR has not provided an analysis of what impact such a 75% rule would have on the agricultural stability of our county and future conversion of agricultural lands. Please consider and respond to the following issues and questions:

1. *What would the impact of a 75% rule have on agricultural conversion in this county?*
2. *How would a 75% rule impact the rate of development, the need for additional infrastructure, traffic, water resources, biological resources, police and fire protection, etc.?*

Agricultural Setbacks

The environmental benefits of significant stream setbacks for new development, whether it is agricultural or residential/commercial, are well established. What is not provided in the DEIR is an analysis of alternatives by which to equitably compensate landowners for the loss of development rights. One alternative would be the use of funds from the Open Space District to purchase such development rights. Another alternative would be a program for the transfer of development rights (TDR's). Please consider and respond to the following issues and questions:

1. *What would be the cost be of stream setback requirements, for example, of 100 vs. 200 feet for future development?*
2. *Could an equitable compensation system be achieved either through funding from sources such as the Open Space District, or with the use of TDR's?*
3. *What would the impact be of such setbacks on*
 - a. *Erosion control,*
 - b. *Flooding,*
 - c. *Ag production and processing,*
 - d. *Infrastructure requirements,*
 - e. *Water resources*

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- f. *Biological resources,*
- g. *Et al.*

Zoning

Under the current general plan and the draft 2020 General Plan parcels zoned LIA, LEA, RRD and AR are permitted a wide range of agricultural uses. Amongst those permitted uses two, Visitor Serving and Event Facilities, present great dangers to the integrity of the agricultural heritage and the rural character of Sonoma County. Event centers posing as wineries are an ever increasing threat. In the absence of specific limiting restrictions in the draft 2020 General Plan this threat can become an environmental disaster.

In order to understand and evaluate the potential for future event facilities and visitor serving centers the DEIR must first identify, preferably in conjunction with regional maps, all of the parcels under existing zoning that could be eventually be used for such entertainment centers. As there are currently no restrictions in place, CEQA requires that all such parcels be identified and evaluated for their impacts on the environment, i.e. noise, light, water, traffic, waste, etc. Please consider and respond to the following issues and questions:

1. *Under the zoning regulations envisioned by the draft 2020 General Plan, how many parcels (including permissible parcelization) in this county could potentially be developed?*
2. *Under the zoning regulations envisioned by the draft 2020 General Plan, how many event facilities and/or visitor serving centers could be developed in this county?*
3. *Under those zoning regulations, what would be the impacts such as noise, light, water, traffic, waste disposal, fire and police protection, etc. be on the environment generated by the potential event facilities and/or visitor serving centers?*
4. *What additional public infrastructure would be needed to accommodate the event facilities and/or event centers that could be developed under the draft 2020 General Plan?*
5. *How would the funding for those public infrastructure requirements be generated?*

In early 2005 the Valley of the Moon Alliance published a study, "The Potential for Events Facilities on Agricultural Land in the Sonoma Valley", (hereinafter "the VOTMA Study"). Copies of that study were then distributed to the Sonoma County Planning Commission and PRMD. Additional copies were recently submitted again to the Planning Commission for your consideration and inclusion into the records of the 2020 General Plan Update proceedings. As a Co-Chair of that study I hope you have by now, or will in the near future, review that document and the many maps and charts contained therein.

What the VOTMA Study did was to examine the potential under present zoning, for a growing number of visitor-serving and events facilities on agricultural lands in the

Sonoma Valley. It also identifies some of the choices that need to be made toward a course for the future that protects and reinforces the rural character and quality of life of the area in which we live. If a group of volunteers can complete such a study and provide detailed graphs and maps recording the results, the authors of the DEIR can undoubtedly do so as well for the entire county.

The VOTMA Study area includes a total of 33,125 acres in the Sonoma Valley. The study focuses particularly on 792 parcels in the Study Area, all of which lie in the large agricultural zones (DA, LIA, LEA, and RRD) under present Sonoma County zoning. Together the 792 parcels contain a total of 26,587 acres. Based upon site evaluations of each of the 792 parcels by two-person teams, the following observations were reached about the future of those parcels:

- Under the present "minimum lot size" regulations of current zoning, the 792 parcels that now exist in the study area could be subdivided to produce a total of 974 legal parcels, all of which could be developed independently at some time in the future.
- 38 parcels already contain events facilities located on agricultural land in the Sonoma Valley. Other events and visitor serving facilities (hotels, restaurants, special event facilities, etc.) already exist on commercially zoned land that is not covered by the study.
- 362 of the potential parcels have been evaluated to possess "high" to "very high" potential for future use as visitor serving facilities associated with agricultural operations.
- If all of the "future" parcels were so developed, the total build out of such facilities would represent a Two Thousand Five Hundred (2500%) increase over the number of existing event facilities in the Study area.
- The potential concentrations of event facilities at full build out (16.6 facilities per mile) in the Sonoma Valley would far exceed the present concentrations found in the Napa Valley along Highway 29 from Yountville to Calistoga.
- At a reduced rate of 20% build out the concentration rate in the Sonoma Valley would still be in excess of the existing concentrations in the Napa Valley.

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At pages 4.8-23 and 24, the DEIR contains a discussion about what they estimate will be the total number of winery facilities and total square footage by 2020 using a series of assumptions they consider to be reasonable. Such assumptions are insufficient under CEQA in the absence of strict regulations to prohibit additional expansion. The DEIR is required to consider and analyze worst case scenarios under such circumstances, and then offer mitigation proposals to address the significant impacts.

The DEIR must complete such a study and then develop recommended mitigation measures to prevent a series of Napa Valley mutations growing throughout the valleys of Sonoma County. Such mitigation should consider significant restrictions on future subdivisions of large agricultural parcels, along with strict limitations on the number, size, scope and location of future event and visitor serving facilities. This will require the DEIR to be substantially revised and re-circulated.

Conversion of Agricultural Land is an Acknowledged Significant Irreversible Change.

9 [While acknowledging the overwhelming need to preserve a healthy Agricultural Industry in this county, the DEIR falls far short of setting out the tough and politically sensitive mitigation measures to protect both our agricultural base and our precious open space. Prime agricultural land must be protected and to do so, commercial structures such as wineries, storage facilities, event centers, amphitheatres, retail stores, etc. must be located on land other than prime agricultural soils.

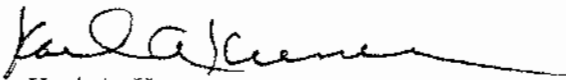
To slow the conversion of agricultural land also mandates a policy decision that not every piece of land on which some quantity of grapes is produced, regardless of how little, is entitled to a winery, tasting room, retail store, weddings, etc., etc. At some level genuine customary agriculture activities must be the prevalent activities on our agricultural lands if we are to preserve our vital agricultural heritage.

Conclusion

10 [Although much has been accomplished, the mission of creating a 2020 General Plan capable of protecting the magnificence of Sonoma County is still a work in progress. While the urge to just get it over with might at times seem compelling, the consequences would be far beneath the integrity and character of the individuals involved.

When all is said and done, we have asked the DEIR to tell us what Sonoma County will look like in 2020. In response it has generated a lot of pages, offered a number of "considers", and then responded without answering. Until the DEIR provides the answer to that fundamental question it will have fallen short of its mission. It should thus be revised and re-circulated.

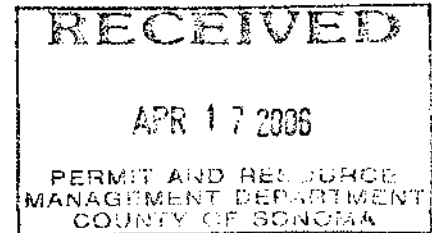
Respectfully submitted,


Karl A. Keener

cc: Greg Carr
Scott Briggs

Friends of the Eel River

April 17, 2006



Sonoma County Permit and Resource Management Department
Attn: Bob Gaiser and Members of the Planning Commission
2550 Ventura Drive
Santa Rosa, CA 95403

Comments on Draft EIR for the proposed Draft Sonoma County General Plan 2020 Update
(SCH No. 2003012020), January 2006 ("DEIR")
Based on the Draft Sonoma County General Plan 2020 Public Hearing Draft ("GP2020")

Dear Mr. Gaiser and Members of the Planning Commission:

This letter and comments are submitted on behalf of Friends of the Eel River. We are pleased to provide comments and additional information in consideration of the Draft Environmental Impact Report for the Draft Sonoma County General Plan 2020.

Friends of the Eel River is dedicated to its mission to restore the Eel River and all of her tributaries to a natural state of health and abundance, wild and free. Plans made and actions taken by Sonoma County jurisdictions subject to this DEIR and GP2020 have both direct and indirect influence on the health and restoration of the Eel River, and as such, we appreciate the opportunity to provide these comments.

We find that the DEIR and GP2020, including the new Water Resources Element, offer a series of improved directions for management of natural and public trust resources during the next 20 years. However, there are a number of critical areas that are inadequately addressed or omitted entirely. These areas of concern would help foster the achievement of GP2020 goals as well as to minimize the significant negative impacts predicted in the DEIR.

In addition, we recognize that while the planning period intended for the GP2020 is until the year 2020, this is a very short planning window when it comes to successful management of many of our natural resources. We are really building the long-term future of Sonoma County. Wood-framed housing is good for at least 100 years if reasonably maintained. Modern concrete and steel commercial buildings can last 200-300 years. Streets and highway roadbeds have lasted thousands of years. Pipelines and electrical transmission towers and cables can last 30-75 years or more. Power plants and water treatment facilities can last 50 years or more. Restoring a polluted or overdrafted groundwater basin may take 10, 20 or 50 years or more. Recovering a lost salmon population is likely never.

The infrastructure and development we build today will last far beyond the lifespan of the GP2020, no less many of us living here now. The impacts on our natural resources - water, earth, air, and all that depend upon them - must be considered for a long term view: a short time perspective, such as until 2020, is not enough to get it right. It is imperative that we get this as right as we possible can, and build in a system to learn and to correct errors when they occur. We are making commitments

for the future generations of citizens of Sonoma County and our region, and to our long-term stewardship of the abundant and precious natural resources we are blessed with.

Please ask yourselves, "Where will we be in 2020?"
And, "Is that good enough for the long term future?"

1. The project definition is unclear and not stable.

CEQA requires a clear and stable project definition, so that the public can understand what is being proposed, and provide suitable commentary, alternatives and analysis. However, in this case, the DEIR has been released based on the Public Hearing Draft of the GP2020 (dated "xx,xxxx"). Public comments on the DEIR have been called for, and comment period on the DEIR closes April 17, 2006. Yet the Draft GP2020 is itself not a stable document and project description: it is now subject to a large series of public hearings at the Sonoma County Planning Commission over the months running at least into Fall 2006, with the intent that the Planning Commission will recommend changes to the GP2020 to the Board of Supervisors along with the Final EIR.

Either the DEIR must be re-released and re-circulated for additional comments at that time so that the public can comment on the changed GP2020 prior to adoption of a final GP2020 or release of the FEIR, or else there will be a strong impetus for the Planning Commission not to make any meaningful changes during that public comment and consideration period, essentially keeping the GP2020 static, so as to avoid the complications of re-releasing and re-circulating a revised DEIR for comments on the revised GP2020.

Another option would be for the Planning Commission to temporarily suspend the public comment period on the DEIR, and re-open it for a period of time after the GP2020 public hearings and recommended changes are completed.

Failure to allow the public to comment on any revised Draft GP2020 undercuts the CEQA mandates for full and accurate disclosure of the project, and requirements to provide for an informed public and decision makers.

2. DEIR demonstrates a failure to achieve core GP2020 Project Goals

Failure to achieve core GP2020 Project Goals is represented by the failure to successfully address 38 Significant Unavoidable Impacts in the DEIR.

Remarkably, the DEIR asks the public to accept at least 38 identified Significant Unavoidable Impacts ("SU") (6.3, p6.0-19/24). This staggering number are identified as "project impacts that could not be eliminated or reduced to a less-than-significant level by mitigation measures that are part of the Draft P2020 or other mitigation measures recommended in this EIR." This does not even include other impacts, individual or cumulative, that are not adequately addressed in the DEIR.

We believe that this represents a substantial lost opportunity to address key impacts that will substantially affect the quality of our environment and quality of life in Sonoma County and its

surrounds. There is an opportunity here, as well as a mandate under CEQA, to find other routes to resolve these critical failures.

Further, one can wonder how this DEIR would pass critical examination, no less potential certification of a FEIR based on it, when many of the project goals are not met even after all the mitigations proposed are evaluated.

Almost all of the SU's represent contradictions to, and failure to achieve, the stated "major goals of the Draft GP 2020"
(DEIR, p3.0-13/14)

For example, these goals are followed with some relevant contradictory SU's:

- *"Accommodate Sonoma County's fair share of future regional growth, consistent with environmental constraints, maintenance of quality of life, and the capacities of public facilities and services. Achieve a better balance between job opportunities and population growth"*
- 4.1-2; 4.1-3; 4.2-1; 4.2-2; 4.3-1; 4.4-1; 4.4-3; 4.5-3; 4.5-5; 4.5-7; 4.5-8; 4.5-11; 4.6-1; 4.6-2; 4.6-4; 4.7-1; 4.7-2; 4.7-3; 4.7-4; 4.7-6; 4.9-1; 4.9-2; 4.9-3; 4.9-4; 4.9-5; 4.9-6; 4.9-7; 4.9-9; 4.9-10; 4.9-11; 4.9-12; 4.9-13; 4.10-2; 4.11-3; 4.12-3
- *"Accommodate most future growth within the incorporated cities and their Urban Growth Boundaries, and within unincorporated communities that have adequate water and sewer capacities in their Urban Service Areas"*
- 4.1-2; 4.1-3; 4.5-3; 4.5-5; 4.5-7; 4.5-8; 4.5-11; 4.7-4; 4.9-1; 4.9-2; 4.9-3; 4.9-4; 4.9-5;
- *"Maintain adequate public services to accommodate projected growth that will be able to provide any needed services"*
- 4.5-3; 4.5-5; 4.5-7; 4.5-8; 4.5-11; 4.9-1; 4.9-2; 4.9-3; 4.9-4; 4.9-5; 4.9-6; 4.9-7; 4.9-9; 4.9-10; 4.9-11; 4.9-12; 4.9-13; 4.11-3; 4.12-3
- *"Protect people and property from environmental risks and hazards and limit development of sensitive environmental lands"*
- 4.1-3; 4.3-1; 4.5-3; 4.5-5; 4.5-7; 4.5-8; 4.5-11; 4.6-1; 4.6-2; 4.6-4; 4.7-4; 4.7-6; 4.11-3; 4.12-3
- *"Ensure that the County's water resources are protected on a sustainable yield basis which avoids long-term declines in available surface and groundwater resources or water quality"*
- 4.5-3; 4.5-5; 4.5-7; 4.5-8; 4.5-11; 4.6-1; 4.6-2; 4.6-4; 4.7-6; 4.9-1; 4.9-2; 4.9-3; 4.9-4; 4.9-5; 4.12-3
- *"Limit the uses and intensity of land development to be consistent with the preservation of important biotic resource areas and scenic features"*
- 4.1-3; 4.3-1; 4.5-3; 4.5-5; 4.5-7; 4.5-8; 4.5-11; 4.6-1; 4.6-2; 4.6-4; 4.7-6; 4.11-3; 4.12-3

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- "Promote a long-term sustainable future that balances environmental preservation with jobs, housing, infrastructure, and services."
- 4.1-2; 4.1-3; 4.2-2; 4.3-1; 4.5-3; 4.5-5; 4.5-7; 4.5-8; 4.5-11; 4.6-1; 4.6-2; 4.6-4; 4.7-1; 4.7-2; 4.7-3; 4.7-4; 4.9-1; 4.9-2; 4.9-3; 4.9-4; 4.9-5; 4.9-6; 4.9-6; 4.9-7; 4.9-9; 4.9-10; 4.9-11; 4.9-12; 4.9-13; 4.11-3; 4.12-3

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It is critical that the DEIR, and the GP2020, find alternative ways and means to fulfill its core goals, which are all laudable, with greater certainty. What is presented in the DEIR is significantly incomplete, and needs to be revised and recirculated.

Throughout the balance of our comments, we will propose some additional routes to success.

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3. DEIR fails to propose and analyze adequate mitigation measures.

Given the 38 identified Significant Unavoidable Impacts noted above, it is clear that the DEIR has failed to propose and analyze adequate mitigation measures, and/or a reasonable range of alternatives to the project that would lessen the project's significant effects on the environment, as required by CEQA and the CEQA Guidelines. CEQA requires an EIR to evaluate a reasonable range of alternatives, including alternatives that will avoid or substantially reduce the adverse impacts of a proposed project. Sonoma County must also examine feasible mitigations measures to address these 38 SU's, as well as other items which will be noted in these comments.

"The CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal.... The lead agency may determine an environmentally superior alternative is more desirable or [that] mitigation measures must be adopted. Environmentally superior alternatives must be examined whether or not they would impede to some degree the attainment of project objectives."

(Kings County Farm Bureau v. city of Hanford, (1990) Cal.App.3d 692, 735-737.)

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4. Mitigations proposed in the DEIR are consistently weak and likely inadequate.

Throughout the DEIR, policies and programs of GP2020 are proposed as mitigations for impacts of the proposed and predicted growth and development anticipated and accommodated in GP2020.

However, in many places the language used contains uniform weaknesses, which will contribute to failure to timely implement policies and programs, and a failure to know if the results are headed in the right direction.

Even though the implementing text frequently reads something to the effect of, "The following policies *shall* be used to accomplish the above objectives:" (implying mandatory implementation and success in mitigations), the policies and programs most commonly use the following directive language:

"encourage"; "help"; "support"; "consider"; "work with"; "involve"; "cooperate with"; "assist"; "request"; "prepare a plan"; "seek opportunities to participate"; and similar language.

However:

None of this reflects a firm commitment to implementation.

There are no timelines for implementation.

There is no guarantee that the work will be done and mitigations accomplished.

Measurable objectives, or performance metrics, to provide adequate assessment of success are rarely stated.

There is no assurance that the results intended will be achieved.

Language in the policies and mitigations could instead reflect a strong and robust commitment to getting the policies, programs and mitigations implemented:

- "shall"; "require"; "apply"; "must"; "prohibit"; "designate"; "design, construct and maintain"; "fund"; "direct staff to..";
- "commit the county to achieving x by year y"
- "before x occurs, y shall be implemented and operational"
- "policy z shall be adopted or implemented by date b"
- "if condition x occurs, then y shall be adopted", etc.

(For comparison, most of the language in OSRC-8c provides a much better example.)

For examples of much stronger, enforceable and very well defined language addressing many of the Water and Natural Resource and other issues of the DEIR, please see the proposals for revised language in the draft Humboldt County General Plan, "Draft Adaptation of Existing Policy Worksheet - Natural Resources and Hazards, Appendix D/NR", 4/17/06; "Draft Adaptation of New Policy Options Worksheet - Natural Resources and Hazards, Appendix E", 4/17/06; attached. Sonoma County would be helped immeasurably by using similar language to address impacts and mitigations in GP2020 and the DEIR.

See details of these policies at: http://epochdesign.com/humboldtplan/App_D_NR_rev02-01-04.doc and at http://epochdesign.com/humboldtplan/App_E_rev02-05-04.doc

While the DEIR for GP2020 is supposed to chart a course for what Sonoma County will become by 2020, very little of that roadmap is emplaced to ensure a reasonably successful outcome. We are given many goals, but as noted above, even the DEIR does not expect many of them to be successfully achieved by 2020.

Instead, to achieve a successful DEIR and GP2020 that will pass both the requirements of CEQA and the test of time, it is necessary to use clear, implementable and enforceable policies and mitigations as elements of a road map that is strategically directed to help Sonoma County actually get to its stated goals. That would make the GP2020 as much a strategic plan as it is a visionary plan and policy documentation.

- What do we want Sonoma County to look like by 2020?
- What are the measurable or tangible goals and intermediary objectives?
- What are the strategic steps necessary over time to get there?
- What enforcement provisions or inducements are necessary to make that happen?
- What are the feedback loops to ensure course corrections?

Unfortunately, much of the lofty goals of the DEIR and GP2020 are divergent from real implementation strategies - as evident from the conflicting Significant Unavoidable Impacts lists -

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weakening the likelihood of success. The DEIR and GP2020 must be consistently more than 'a 1000 platitudes.'

If the DEIR itself cannot or will not find compliance in eliminating large numbers of negative environmental impacts under its own CEQA mandates, then how should the public expect the County to comply with weaker directives and policies in implementing the GP2020?

If the authors of the DEIR and GP2020 really want to implement the policies and mitigations presented, then the language used must reflect that intent, and assure that that happens within the time span of GP2020 to be effective.

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We recommend strongly that the language used in most all GP2020 policies and mitigations of the DEIR be reviewed to strengthen their likelihood of successful implementation, and to find and include the 'missing links' that will assure a complete and achievable strategic plan. Use of language and content similar to that used in the attached Draft Policy Options for Humboldt County's General Plan would be a significant improvement, and is highly recommended. Further, the interactive public dialogue used to develop these draft goals and policies, at www.helphumboldtplan.org, would be highly desirable for the DEIR and GP2020.

We believe that in many cases this kind of improved language for policies, goals and mitigations can reduce the number of SU's in the DEIR substantially.

5. **Sonoma County has a key role and responsibility to manage overall water supplies, and both surface watersheds and groundwater basins.**

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While the Sonoma County Board of Supervisors also sit as the same five Directors of the Sonoma County Water Agency ("SCWA") (as well as other smaller water or sanitary districts), "wearing different hats, but sitting at the same dais" and sharing staff and other resources and budgets, the County has jurisdictions over a much larger territory, over growth in the unincorporated county, and significantly influences and cooperates with growth in the incorporated cities. The Board of Supervisors also have control over land use, development, water and mineral and natural resource protections and policies, budgets and staff, which will have significant impacts on water demands, water deliveries, future projects, and water quality and quantities available. These competing demands are frequently in conflict. It is Sonoma County's responsibility to sort this out, through the use of the GP2020 and this DEIR, to minimize conflicts and maximize a sustainable, livable and productive county's future.

In short, the Sonoma County Board of Supervisors is responsible for the 'big picture.' Water resources for SCWA are not separate from water resources for all other uses.

"The Draft GP2020 is a plan to accommodate future projected growth and development in the unincorporated area of Sonoma County." "The County's objective is to provide an adequate but not excessive supply of residential, commercial and industrial lands to accommodate the projected growth..." (DEIR, p6 0-1)

Sonoma County acts through the DEIR and GP2020 to supply water to accommodate growth. The County's actions, in concert with the nine incorporated cities, SCWA, local water and sanitary

districts and other controlled public agencies, bodies and departments, thereby have direct and indirect impacts on the physical environment. The DEIR is a critical place to address the impacts of individual and cumulative demands and policies on water supply, distribution, wastewater treatment, and disposal.

The County has an obligation to oversee all watershed and groundwater protection and restoration, as well as to ensure that no development or projects will adversely impact those supplies, which benefit human users as well as public trust resources including fisheries.

The DEIR acknowledges that there will be Significant Irreversible Environmental Changes (p. 6.0-24) to non-renewable resources, i.e., "land, air and waterways" as a result of the predicted growth and development incorporated in GP2020.

This overarching responsibility cannot be left to policies and decision making by SCWA and their contractors and other related agencies.

Suggested policy and mitigations:

- Sonoma County acknowledges and declares its responsibility for good stewardship of its water, land, air and public trust resources in perpetuity, beyond the lifespan of any General Plan or other discrete public work or policy.

- Sonoma County shall work diligently with all stakeholders, public and private, throughout Sonoma County, the North Bay, and the North Coast to assure the good stewardship of its water, land, air and public trust resources, in open, public and engaging processes through time.

6. DEIR fails to address emerging and predicted conflicts over water supplies.

The DEIR fails to address the emerging and predicted conflicts between finite or diminishing resources, including clean air, water, open space and wildlife habitat, on the one hand, and resource uses that would be increased or exacerbated by this project. The DEIR and GP2020 fail to address the looming gap between the water resources needed for projected future growth and the declining availability of surface and groundwater resources.

These declines are in part be due to curtailments of diversions of Ecl River flows to the Russian River through the Potter Valley Project ("PVP"), heightened aquatic and riparian habitat protections under the state and federal Endangered Species Act ("ESA"), Clean Water Act, Wild and Scenic Rivers Act, the Public Trust Doctrine and other state and federal laws. In addition, other factors involve the growing discrepancy between the accelerating rates of ground water extraction and declining groundwater resources due to impaired recharge, over-pumping, declining streambed elevations and aquifer porosity due to continued gravel mining in the Russian River and its tributaries, as well as existing and proposed discharges of partially-treated sewage into its tributaries and main stem.

Significant Unavoidable Impact 4.9-1:

"Insufficient water supplies to meet the future water demand of the urban service areas."

"Land use and development consistent with the Draft GP2020 would increase the demand for water. As a result, insufficient water supplies would be available to serve some of the

unincorporated USA's from existing entitlements. New or expanded entitlements would be required." (p. 6.0-22)

Significant Unavoidable Impact 4.9-2:

"Insufficient Water Supplies to meet the future water demand of rural private domestic, small municipal, and agricultural wells."

"Land uses and development consistent with the Draft GP2020 would result in an increased demand on groundwater supplies for rural uses. Due to the lack of comprehensive information regarding the county's groundwater resources, it is uncertain if groundwater supplies would be sufficient to meet the future demand of rural private domestic, small municipal, and agricultural wells. This uncertainty combined with the current regulatory approach could result in insufficient groundwater supplies in rural areas of the county."

Significant Unavoidable Impact 4.9-3:

"New or expanded water supply facilities"

"Land Uses and development consistent with the Draft GP2020 could result in the need for increased water supply facilities, either through the construction of new facilities or through the expansion or retrofitting of existing facilities. Construction of new or expanded water supply facilities could result in site-specific impacts, especially on aquatic organisms and fisheries."

Yet, the DEIR does not indicate with any certainty where these new or expanded entitlements would come from, where the new or expanded facilities might be located, what the impacts might be, while at the same time it acknowledges that there are substantial impediments to acquiring additional water supplies.

The DEIR proposes no alternatives if the uncertainties noted above hold true during the life of the DEIR and project.

This is in conflict with a basic goal, to *"Ensure that the County's water resources are protected on a sustainable yield basis which avoids long-term declines in available surface and groundwater resources or water quality."*

Suggested policy and mitigations:

- Sonoma County shall exercise due diligence to ensure that the County's water resources are protected on a sustainable yield basis which avoids long-term declines in available surface and groundwater resources or water quality in perpetuity.
- Sonoma County shall exercise all efforts under its authority to ensure the restoration and repair of its surface and groundwater resources and their watersheds and basins for the benefit of public trust and human resources in perpetuity.

7. The DEIR understates and omits an accurate and adequate description at 4.5 Water Resources, environmental setting.

CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure. A court does not pass upon the correctness of an EIR's environmental conclusions, but only determines if the EIR is sufficient as an informational document.

CEQA Guidelines (15003 i)

The lead agency must consider the whole of an action, not simply its constituent parts, when determining whether it will have a significant environmental effect.

CEQA Guidelines (15003 h)

The environmental setting described in the DEIR for Water Resources omits important and critical information, and does not meet the CEQA requirements.

Omission of critical information about impacts to the Eel River:

The DEIR, 4.5 Hydrology and Water Resources, Environmental Setting, describes the Russian River watershed (p 4.5-8+), but omits an adequate and accurate description of the imports and inflows to the East Fork of the Russian River that originate in the Eel River, and which are diverted through PG&E's Potter Valley Project ("PVP"). Flows from the Eel River are used to supplement depleted and overappropriated Russian River base flows in the dry season, and SCWA has alternatively stated over the years that the Eel River water 'is not' - or 'is' - necessary to serve its Sonoma and Marin County water contractor customers. Most recently, SCWA states that it is definitively not needed to serve any of its customers ("Report to the State Water Resources Control Board on Water Conservation", April 15, 2005, p.22-23), yet SCWA and Sonoma County continue to seek control, ownership and/or use of the diverted Eel River waters.

The DEIR consequently completely ignores the impacts of those diversions to the Eel River watershed, and does not indicate any of the problems inherent in the PVP, including significant and continuing damage to the Eel River fisheries and damages to Humboldt, Lake and Mendocino County economies.

This contradicts the decision in *Friends of the Eel River et al v. SCWA and PG&E*, Cal. App. 1st Dist., May 16, 2003 (attached), vacating the certification of SCWA's WSTSP EIR, and requiring a new EIR to address cumulative impacts of the diversion on the Eel River salmonid species, to consider project alternatives to address them, and provide an adequate description of the project's environmental setting.

See Friends of the Eel River documentation for economic and environmental impacts, as well as decommissioning studies:

- *"Economic Benefits to Mendocino and Lake Counties from Removing the Dams on the Eel River"* The Center for Environmental Economic Development, Arcata, CA, 2004
This report focuses on the benefits to Mendocino and Lake Counties from removal of dams on the Eel River.
Available at: http://www.eelriver.org/cgi-bin/Publications.pl?function=issue&page_id=4
- *"A River in the Balance: Benefits and Costs of Restoring Natural Water Flows to the Eel River"* The Center for Environmental Economic Development, Arcata, CA, 2002
This study examines the downriver impacts on salmon and other market and non-market values related to restoration of natural water flows to the Eel River.
Available at: http://www.eelriver.org/cgi-bin/Publications.pl?function=issue&page_id=5
- *"Declaration of Robert Curry, PhD, in support of Friends of the Eel River's comment on DEIS on Proposed Reoperation of FERC Project 77-110, the Potter Valley Project,"* April 26, 1999 (attached)

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The annual dewatering of the Eel River below the PVP's Scott and Cape Horn Dams has been instrumental in the declines of ESA listed threatened species of Coho and Chinook salmon and Steelhead, as well as the proliferation of predatory pikeminnow and flourishing of blue-green algae in the remaining warmer flows below the diversion, as the dry season discharges downstream are temperature impaired after languishing in Lake Pillsbury and Van Arsdale Reservoir. Further, inadequate fish screens at the PVP intake kill the majority of juvenile salmonids. The fish ladder at Cape Horn Dam is still too high and antiquated to be very effective, and pikeminnow await migrating salmonids in the pools below the ladder and in Lake Pillsbury. Scott Dam is too high for an functional fish ladder, preventing return access of salmonids (and their nutrients) from the main stem Eel River to the cold and abundant headwaters above Scott Dam, with some 1000 miles of productive anadromous fish spawning and rearing streams (NMFS, personal communication). Both Van Arsdale Reservoir and Lake Pillsbury are clogged with gravels and sediments, reducing their storage capacities substantially, and preventing the flow of critical coarse-grained gravels to the main stem Eel River spawning and rearing habitat downstream. Early season "attraction flows" to trigger upstream migration from the Eel River's mouth and sufficient water for fall and early winter migrations are diverted through the PVP, further damaging Eel River salmonids, as do low oxygen conditions in Lake Pillsbury during the summer. (see, Curry, *ibid*)

In addition, the Eel River is now on the 303(d) list of impaired waterways. Section 7 biological opinions issued by the US Fish and Wildlife Service have found that continued diversions from the Eel and Russian Rivers will cause jeopardy to listed species of salmon.

SCWA has proposed and negotiated transfers of water from Lake Mendocino to the Redwood Valley County Water District and perhaps other Russian River watershed water districts or entities.

SCWA and Sonoma County have proposed a pipeline to extend water deliveries (for fresh or recycled water) and export of perhaps 7-8000 acre-feet to the Napa River Salt Marsh Restoration Project or other San Pablo Bay front restoration projects. The DEIR must address the potential impacts of this water export program, including the not just the positive restoration values for Napa River Salt Marsh, but also the consequences of that water not being available for reuse within Sonoma County, and its lost potential for displacing additional water demand for sweetwater (new water from surface or ground water sources).

SCWA and Sonoma County in 1998 have also authorized and funded planning and preliminary engineering (by Boyle Engineering) for a water filtration and treatment plant along the lower Russian River (in the vicinity of Dry Creek), to treat water intake from Lake Sonoma or the Russian River. This proposed facility has undergone extensive preliminary engineering and cost estimates, and was presented (by Jay Jasperse, SCWA; 2/5/01 presentation attached) to the Water Advisory Committee and (by R. Poole, SCWA General Manager and Supervisor Mike Kerns, 5/16/01) to Marin Municipal Water District public meetings in 2001 as a \$500-700M project, with 6 possible configurations.

This is an existing proposal, and the environmental impacts of this proposal must be included in the CEQA analysis of the GP2020.

SCWA and Sonoma County have proposed a cooperative purchase and/or operation of the PVP, most recently as part of the negotiated Restructured Agreement for Water Supply as well as in the prior 11th Amended Agreement for Water Supply.

2.4 Potter Valley Project

(a) All or part of the Potter Valley Project may be acquired upon a determination by the Board of Directors of the Agency that such acquisition is necessary to insure the Agency's continued ability to make the water deliveries authorized by this Agreement and maintain fisheries and other incidental benefits to the Russian River basin, provided, however, that no part nor all of the Potter Valley Project shall be acquired without the affirmative vote of at least six (6) representatives of the Water Contractors on the Water Advisory Committee representing at least two thirds of the total weighted votes as calculated pursuant to Section 5.3(a). The Agency shall not be liable to any of its Customers for any damage resulting from any Agency decision regarding the acquisition or non-acquisition of any part or all of the Potter Valley Project.

(b) The Agency shall commence a process upon the effective date of this Agreement to evaluate the water supply and fisheries benefits provided by the Potter Valley Project within the Russian River watershed, the economic and operational feasibility of acquiring the Potter Valley Project, and whether alternative actions could reduce the need for the Agency to acquire the Potter Valley Project. Alternative actions to be evaluated may include the increased use of recycled water to reduce agricultural and other diversions from the Russian River and its tributaries; the modification of instream flow requirements in the Russian River; and the completion of state and/or federal recovery plans for salmonid species listed as threatened or endangered in the Russian River watershed. The cost of such evaluations shall be paid from Watershed Planning and Restoration Sub-Charge funds available pursuant to subsection 4.14; however, the Agency shall use its best efforts to obtain the agreement of other interested parties who divert water from the Russian River or its tributaries (including municipal and agricultural diverters) to pay for a portion of such costs and to participate in the implementation of such alternative actions. Before acquiring the Potter Valley Project, the Agency shall conduct an environmental analysis of the acquisition pursuant to CEQA, which analysis may include an evaluation of alternative flow regimes from the Potter Valley Project into the Russian River and the Eel River.

(c) Upon determination by Agency that other actions could reduce the need for the Agency to acquire the Potter Valley Project, the Agency and the Water Contractors shall engage in a cooperative process to implement said other actions.

- Restructured Agreement for Water Supply, Execution Draft, April 3, 2006

The purchase and/or operation of the PVP has also been proposed as part of a proposed program "Management and recovery of California coastal Chinook salmon" for the Russian River, approved by the Sonoma Co. Board of Supervisors on Oct. 4, 2005, as a potential source of water for restoration efforts for Chinook in the Russian River. This proposal completely ignores the impacts of continued diversions on ESA listed fisheries in the Eel River watershed, and has focused only on the purported benefits for the Russian River.

This, again, is an existing proposal as part of the environmental setting for GP2020 and its DEIR, and the environmental impacts of these proposals must be included in the CEQA analysis of the GP2020.

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The DEIR must address the above issues as well as the following implications for continued use of the PVP and the Eel River's diverted waters into the Russian River, which the DEIR postulates as a part of provision of adequate water supplies for projected growth and development.

- impacts to the Eel River associated with the continued diversion of water to the Russian River, including the devastation of the salmonid fishery, and other adverse impacts to that riparian system including the proliferation of blue-green algae;
- impacts to the Russian river associated with the continued diversion of water from the Eel River, including the growth of non-native species;
- negative economic impacts in the Eel River Basin associated with continued diversion of almost all of the Eel Rivers summer flows which also have adverse physical impacts, including changes in development patterns, blight, increased growth and development in Sonoma, Marin and southern Mendocino Counties, and increased pressure for development of other extractive industries, such as timber harvesting and gravel mining;
- The likelihood that Decision 1610 will be revisited and revised by SWRCB within the next several years as a result of Federal Energy Regulatory Commission's ("FERC") changes in flow regimes through the Potter Valley Project and new increased minimum instream flow requirements in the Eel River downstream of Cape Horn Dam. Further, the FERC-regulated flow decisions and the possible decommissioning of the PVP are currently being appealed in the US Court of Appeals, with decisions expected this year.
- Declaration by the State Water Resources Control Board that the Russian River is currently 'over-appropriated', with a large number of unprocessed water rights permit applications, as well as a very large number of unpermitted and illegal appropriations from the Russian River and its tributary streams, the total of which exceed the dry-season flows of the river, and which are substantially contributing to the loss of fisheries habitat and populations. The Eel River transfers through the PVP then become the 'subsidy' to allow the Russian River to maintain dry season surface flows.

Additional critical information omitted from the DEIR:

The Russian River is already over-appropriated, and the county's groundwater is showing clear evidence of overdrafting in several key groundwater basins. Yet the DEIR and GP2020 assume there is sufficient water for future development. *This is "paper water", not real water.*

The DEIR must also consider and disclose other information about current and reasonably foreseeable future conditions which will have significant impacts on the environment as a result of the GP2020.

- comparative energy use and greenhouse gas emissions from all alternatives, including construction, operations and maintenance of the systems and components over their lifespan.
- The SCWA's proposed new Water Supply and Transmission Reliability Project

- The SCWA's MOU Regarding Water Transmission System Capacity Allocation During Temporary Impairment
- SCWA's "Low Flow" proposals to SWRCB (July 2004 and subsequent dates), introduced as emergency provisions for changes in water releases from Lake Mendocino and minimum flow requirements in the Russian River
- Santa Rosa BPU's efforts to foster the use of 'mixing zones' at its wastewater discharge points in the Laguna de Santa Rosa and the Russian River, upstream of the intake facilities for SCWA's water supply, and implications for TMDLs, NPDES requirements, and future water contamination and availability
- Santa Rosa BPU's funded efforts, in concert with SCWA, to create a pipeline to provide treated wastewater through extensions of the "Geysers Pipeline" for agricultural uses in the Middle Reach and Alexander Valley. This effort includes some uses of 'water exchanges' with riparian landowners and operations, and would also involve construction of a number of wastewater reservoirs on private lands, mostly in side canyons and valleys of tributary streams. The impacts of this program must be analyzed and disclosed in the DEIR, including impacts on groundwater tables, cutoff of sediment flows to the Russian River trapped in local water storage reservoirs, water quality and habitat impacts on tributary streams, inducements to land conversions as a result of reliable and increased water supplies, and the impacts of not using this recycled water in place of urban uses of sweetwater drawn from the Russian River wells or groundwater to reduce overall system demands. This program is in ongoing development and funding, and must be disclosed and analyzed within the DEIR for GP2020.
- State Water Resources Control Board direction (Feb. 2, 2005) to SCWA and contractors to "provide the SWRCB with a detailed plan of water conservation efforts that will offset future increases in demand, which in turn will result in no increase in Russian River diversions." SCWA and the contractors have not yet successfully proposed such a program to address this directive. The response provided to SWRCB, "Report to the State Water Resources Control Board on Water Conservation", April 15, 2005, still fails to do so. In fact, SCWA response states that such reductions in demands necessary to achieve that objective are not necessary, as,
 - o "such high levels of conservation probably are not sustainable or cost-effective
 - o "the Agency has adequate water supplies to meet the projected increases in demand without its contractors needing to implement such high levels of additional conservation or needing to use alternate supplies
 - o "no substantial hydrological or environmental benefits would result from such a plan.
 - o "in fact, adverse impacts to other resources, like groundwater resources, could result if the Agency were not allowed to increase its Russian River diversions and re-diversions." (ibid, p. 19)
- The soon-to-be released new Urban Water Management Plan. The existing 2000 UWMP is expired and obsolete, and, by law was to have been replaced with an approved and adopted new UWMP by December 2005. Due to data consistency problems, the water contractors and cities of Sonoma County have not yet produced this essential document, one that contains the premise for water supplies and demands for future growth.

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The DEIR cannot reliably and reasonably use the outdated information and projections from the 2000 UWMP for its declarations and predictions of impacts for this DEIR and GP2020. We urge recirculation of the DEIR when the new UWMP is released, its data is incorporated into DEIR projections, and impacts assessment and suitable policies and mitigations are proposed and disclosed to the public.

- Petition by Trout Unlimited and Peregrine Audubon Society to SWRCB to bring the over-allocated Russian River legal, permitted and unpermitted withdrawals under control.
- Proposals by the Sonoma County Board of Supervisors and industry to extend gravel mining in and adjacent to the Russian River under the ARM Plan beyond its current expiration date.
- Proposals for large residential and commercial development in the Ukiah Valley, including the former Masonite manufacturing site, which could have substantial impacts on water demands upstream of Sonoma County water supplies of the Russian River. ("Cumulative Impacts. Development map of Ukiah Valley", Sept. 2005, attached.)

16

The Surface Water Quality description (p 4.5-16/17, Impact 4.5-1, and Exhibit 4.5-2) also omits data from the North Coast RWQCB which describes several additional important pollutant sources:

- MTBE contamination of the waters in Lake Sonoma, primarily from motor boats
- heavy metals contamination and runoff to the Russian River from the condensate ponds for the Geysers geothermal fields energy generation
- heavy metals, including mercury compounds, resulting from gravel mining operations in the Russian River.

17

DEIR at p. 4.5-42 indicates that SWPPPs and/or SWMPs are not required for rural activities in the Russian River watershed outside Santa Rosa (NPDES Phase I) and NPDES Phase II areas (Rohnert Park, Cotati, Sebastopol, Healdsburg, Windsor). This means that large areas of unincorporated Sonoma County are not effectively regulated under these regulations for stormwater pollutants. There are no longterm Best Management Practices for water quality in the DEIR or GP2020 that would address this significant problem effectively.

18

Other contaminations ignored in the DEIR at Impact 4.5-1 are increasing quantities of treated wastewater, from Ukiah, Cloverdale, Healdsburg, Windsor and the Santa Rosa Subregional System, as well as from septic tanks and leach fields and other residential, commercial, industrial, municipal, agricultural, silvicultural and mining sources in the Russian River watershed, which contain 'emerging toxics' such as chlorination byproducts, hormone disruptors and estrogens, pharmaceuticals, cosmetics, pesticides, herbicides, fungicides and other chemicals and heavy metals, which are not effectively removed through traditional wastewater treatment processing, including tertiary treatment. Their interaction byproducts must be considered as well. While most of these are not yet regulated by state or federal law, there is more and more scientific evidence of their adverse impacts on humans, fish, animals, plants and invertebrates.

For examples of how other public agencies are handling watershed management for potable water supplies, with integrated management strategies and policies for these pollutants and related issues, see:

- Watershed Management for Potable Water Supply, Assessing the New York City Strategy: National Research Council, National Academy Press, 2000; www.hap.edu/books/0309067774/html/ [copy submitted with these comments]
- Massachusetts Dept. of Conservation and Recreation, Watershed Protection Act, <http://www.mass.gov/dcr/waterSupply/watershed/wspa.htm>
- State of the Watershed: Water Quality of Boulder Creek, Colorado; Sheila F. Murphy, USGS, 2006, Circular 1284, <http://pubs.usgs.gov/circ/circ1284/>
- The Quality of Our Nation's Waters: Nutrients and Pesticides, USGS Circular 1225, 1999 <http://pubs.usgs.gov/circ/circ1225/>
- Emerging Contaminants in the Environment, USGS publications, research and bulletins, <http://toxics.usgs.gov/regional/emc/index.html>
- Toxics Substances Hydrology Program, USGS publications, research and bulletins, <http://toxics.usgs.gov>
- Draft Humboldt County General Plan, "Draft Adaptation of Existing Policy Worksheet - Natural Resources and Hazards, Appendix D/NR", 4/17/06; "Draft Adaptation of New Policy Options Worksheet - Natural Resources and Hazards, Appendix E", 4/17/06; attached, and at, http://epochdesign.com/humboldtplan/App_D_NR_rev02-01-04.doc and at http://epochdesign.com/humboldtplan/App_E_rev02-05-04.doc

The DEIR must include an evaluation of these emerging toxics and other damages to our watersheds and groundwater, what impacts they may have on the environment, and what mitigations or policy alternatives can be emplaced in the GP2020 to avoid or minimize their impacts between now and 2020.

The DEIR should also present a series of maps, showing the jurisdictions of all special districts, sorted by type (i.e., water districts, sanitation, flood management, fire protection, schools, ambulance, hospital, etc), in order to visually and clearly understand the present and future demands, responsibilities, interplay and coverage of utilities and public services throughout the county.

(These omissions also apply to the 4.1 Land Use Element.)

The DEIR should also present a series of maps, showing clearly the legally maximum possible parcels and subdivisions of land, by all zoning categories and including certificates of compliance, throughout the county, to better understand where growth, service and infrastructure demands, and environmental impacts might be concentrated. What would the maximum population be for this complete parcelization by year 2020?

What would happen if the Urban Growth Boundaries ("UGB") are not renewed by voters in all or some of the cities and county jurisdictions? Please provide predictions and maps - best and worst cases - for each jurisdiction with current UGBs. How would Urban Service Boundaries, which are expandable through city council ordinances and LAFCO rather than the more restrictive voter controlled UGB's, affect future growth and impacts around cities if UGB's were not renewed for the duration of GP2020? The DEIR is silent on these issues, a significant omission for a plan that is supposed to reasonably predict future growth and development impacts.

What would happen to open space preservation and growth impacts if the Sonoma County Agricultural Preservation and Open Space District is not renewed or funded when it expires in 2010? The DEIR is also silent on these important issues.
(These omissions also apply to the 4.1 Land Use Element.)

Suggested policy and mitigations:

- Sonoma County shall commit, at the adoption of GP2020, to the cessation of diversions of water from the Eel River to the Russian River through the Potter Valley Project by no later 2020.
- Sonoma County will abandon all efforts to acquire, use or control flows of diverted water from the Eel River to the Russian River through the Potter Valley Project with the adoption of GP2020.
- Sonoma County shall work diligently to end any real or perceived dependence of its agencies, departments, citizens, property owners, businesses and all other stakeholders on the use of Eel River water diverted to the Russian River.
- Sonoma County will work with engineering, hydrologic, fisheries, economics, educators, agricultural and other professionals and watershed stakeholders to create an educational and technical assistance program in support of the cessation of diversions of water from the Eel River to the Russian River through the Potter Valley Project, commencing with the adoption of GP2020.
- Sonoma County shall work diligently with stakeholders in the Eel River watershed, including Humboldt, Mendocino and Lake Counties, as well as with Marin County, to provide a program of assistance for the repair of damages to the Eel River watershed resources and its economic health caused by nearly a century of water diversions through the Potter Valley Project, which has been used to benefit growth in Sonoma County and Marin County.
- Sonoma County shall commit to the restoration of salmonid and other native fisheries in the Russian River and its tributaries without the use of any waters diverted from the Eel River.
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- Sonoma County shall develop, fund and implement programs to eliminate inflows of emerging and other toxics to all drinking water source waters, including surface and groundwater, in perpetuity.
- Sonoma County shall work with Mendocino County, Ukiah, Cloverdale, Healdsburg, Windsor, Santa Rosa, SCWA and all other wastewater treatment and disposal entities in the Russian River watershed, to assure that by 2020 no treated wastewater will be discharged to the Russian River watershed without advanced treatment similar to, or better than, that used by New York City's Watershed Management for Potable Water Program.
- Sonoma County, in concert with other wastewater dischargers, shall engage the professional and technical services of the National Academy of Sciences/National Research Council or their equivalent to assist in developing, evaluating and implementing a complete and comprehensive plan to eliminate all such wastewater discharges.

8. Comments at DEIR 4.1 Land Use, 4.5 Hydrology and Water Resources, 4.7 Geology/Soils, and 4.9 Public Facilities: Gravel Mining, morphology and other impacts.

The following are additional comments on the DEIR, Section 4.5, Hydrology and Water Resources

At p. 4.5-9, the DEIR states:

"Gravel mining along the Russian river has also been an important part of the watershed economy, although a major long term goal of the county's Aggregate Resources Management Plan ("ARM

Plan") has been to shift reliance from river and terrace mining to hillside quarries. Major watershed management challenges in this watershed include flooding, and significant bank erosion and streambed downcutting, especially in the upper reaches of the river. *River downcutting may be linked to the geomorphic consequences of removal of bedload from the river, although this is uncertain.* Lateral bank erosion along with agricultural activities has greatly reduced the width and extent of the historic riparian corridor along major parts of the river contributing to elevated river temperatures." [ital. added]

Yet, Impact 4.5-2, WR-1g, WR-1h ignore impacts of gravel mining on water quality, storage and supplies. While Impact 4.5-3 notes that "resource development uses have historically impaired water quality and, on occasion, contributed to the violation of water quality standards ... including sand and gravel extraction", such mining is given a 'free pass' at OSRC-8c, "allow mining operations conducted in accordance with the County ARM Plan and Surface Mining and Reclamation Ordinance," rendering any intended controls ineffective, given the obsolescence of the ARM Plan, and other impacts of gravel mining noted here.

At p. 4.7-11, Geology/Soils: Mineral Resources, the DEIR states:

"Most of the Russian river and parts of other major streams in the county have been mined for sand and gravel to use in concrete and high-quality base and fill. Recent operations have been located along the middle and upper reaches of the Russian River, either within the channel or on adjacent alluvial terraces."

Impact 4.7-9 Mineral Resources, states:

"Land uses and development consistent with the Draft GP 2020 could result in the loss of the availability of a known mineral resource. This would be a less-than-significant impact. (LTS)"
 "Policy OSRC-13b directs the County when approving mining permits to review the individual projects for environmental impacts and land use conflicts. Implementation of the Draft G2020 policies would avoid significant impacts from the loss of availability of potentially valuable mineral resources."

Objective LU-13.4 Land Use Element, states:

"Continue to regulate aggregate and geothermal resource development to minimize adverse impacts."

Policy LU-13j states:

"Use the Aggregate Resources Management Plan and Geothermal Resources Management Plan as the policy documents for development of aggregate and geothermal resources. Avoid terrace mining in the Alexander Valley."

OSRC-13.2 "Minimize and mitigate the adverse environmental effects of mineral extraction and reclaim mined lands"

Policy OSRC-13b "Review projects for environmental impact and land use conflicts and consider the following minimum factors when approving mining permits:... fisheries and wildlife impacts..."

This omits any examination or consideration of water quality and water storage impacts, individually or cumulatively. It omits cumulative effects on river bed elevations

The assertions and conclusions regarding impacts in the DEIR are without merit, are misleading, incomplete and inaccurate. Impact 4.7-9 should be Significant and Unmitigated. The listed objective and policy are weak and insufficient to avoid damages or provide mitigations.

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The negative results, however, are not Unavoidable, if gravel mining in the Russian River were to cease.

The DEIR conclusions are not backed up with any evidence, and pointedly avoid discussion of the cumulative impacts of gravel mining in the channel or adjacent alluvial terraces of the Russian River, even though damages are indicated in the text at page 4.5-9.

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"In rivers where the total sediment budget is very large and aggregate extraction rates are low, the ideal notion of aggregate as a yearly renewable resource may be valid. However, in practice, this is rarely the case.... The inability of a river to replenish the bars and channels with coarse sediment initiates regional channel degradation. On the lower Russian River, where aggregate extraction has produced numerous local impacts, the cumulative effects are extreme. Some channel reaches that once contained large, actively migrating gravel bars are currently devoid of any significant bedforms and the river is flowing directly over bedrock. Because winter flows within the river have excess stream power and competence, bank erosion has become a serious problem in many portions of the Russian River drainage, threatening the destruction of several major bridges and claiming an ever-increasing share of the farmland. channel lowering, which has exceeded 20 feet in some areas, has exacerbated this problem."

"The impacts of in-stream aggregate mining are associated with the tendency of operators to mine sediment at a faster rate than it is replenished. Urbanization and the widespread damming of California's watersheds have reduced overall sediment budgets. Excessive aggregate mining leads to sediment-starved rivers. Excess stream power causes a number of on-site and off-site impacts. When rivers occupy aggregate pits during winter flows, they attempt to smooth their profiles by headward erosion at the upstream end of the pit, deposition of sediment within the pit, and scour of the downstream end of the pit. This smoothing of the profile leads to bridge and road failures upstream and downstream of the mining site. On a regional scale, the decline of sediment yields leads to widespread incision, bank erosion, and loss of gravel bars. The incision lowers local groundwater tables, and bank erosion reduces riparian cover."

- *California Rivers and Streams, The conflict between fluvial process and land use*. Jeffrey Mount, UC Press, 1995, Chapter 11, Mining and the Rivers of California, pgs 216-225.

This should put the recent loss of the Geyserville Hwy 128 bridge, and the prior loss of the 101 bridge at Healdsburg in a more accurate perspective of impacts of gravel mining.

For a number of reasons, the DEIR significantly omits and understates the cumulative and individual impacts of gravel mining the Russian River.

Further, the ARM Plan expired in 2005, and no longer has a valid EIR, given the changed conditions since its original certification, including the existence of ESA threatened fish species in the Russian River watershed, loss of topsoil, and undermining of publicly-owned bridges and roadways.

9. Comments at DEIR 4.5 Hydrology and Water Resources, 4.7 Geology/Soils, and 4.9 Public Facilities, re: Gravel Mining and Water Supply

The 1959 Permit - still in effect - for SCWA to operate a surface water municipal supply system from the California Department of Health Services requires no treatment other than chlorination at the intake works for water withdrawn from the aquifer of the Russian River because of the excellent "natural filtration provided by the sand and gravel below the river."

The Gravel and Sand Aquifer of the Russian River is a large and very important source of water quality and storage, and a vital component of our precious watershed system.

"Drinking water of high quality in a natural storage basin near the Bay Area urban centers is extraordinarily rare, and will increase in demand and value if preserved in Sonoma County.

"It does not make economic sense to excavate the Middle Reach aggregate for short term single-use gravel supplies. This extraordinarily favorably located and geologically disposed waters supply and storage system provides a public trust resource of almost incomprehensible value to present and future generations.

"The Middle Reach gravels supply filtered water presently to over 20 cities, 300,000 people and hundreds of industries in Sonoma and Marin counties. Riverbank terrace mining has potentially impeded bank recharge to over half this invaluable resource. Once the river bank has been mined and the 70 foot deep pit is sealed with silt, that area recharged through can no longer be used for municipal wells.

"The open surface alluvial gravel aquifer of the Middle Reach [of the Russian River] is an aggregate resource that can be managed for extractive gravel mining or sustained water supplies, but not for both.

"It is very possible that if mining of the Middle Reach gravel system continues, Healdsburg, Windsor and the SCWA will all be required to put in water treatment plants or seek new water sources. In the language of the State Department of Health Services, these cities and agency must now prove that their groundwater is not "under the direct influence of surface water." The more that gravels are excavated or allowed to degrade the river bed, the more likely that toxic spills such as the formaldehyde spill of 1982 or human and animal wastes carried in surface water will enter wells and collectors."

"Over a period of time that may be about 35 years, the net value of the gravel, even if it was all mined, would be exceeded by the value of the water and agriculture that could be sustained in perpetuity..."

(Robert Curry, PhD, "Value of Middle Reach Aquifer for Drinking Water Supply", from a statement presented for the ARM Plan update, 1993, attached)

An unconsolidated aquifer of sand, gravel and cobbles, like that of the Russian River, is 20-40% porous. (Water in Environmental Planning, Thomas Dunne and Luna Leopold, WH Freeman Co, 1978, Table 7-1). The "storativity", or amount of water available for supply streamflow or well discharge (ibid, p. 199), of the gravel bed aquifer is a critical component of dry season base flows, well productivity, and recreational uses of the Russian River. Gravel and sand mining of the Russian River has been cumulatively and systematically destroying this capacity for over 60 years.

This porosity and storage capacity is further compromised by sources of finer sediments, such as erosion and upstream gravel mining. The sedimentation with these fines produces an additional and cumulative loss of storage capacity, loss of recharge to adjacent groundwater basins, loss of spawning gravels for salmonids, higher peak discharges during storms, loss of summer base flows for recreational uses and fish habitat, and loss of water purification capacity of the sand and gravel aquifer.

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Further, according to the state Department of Health Services, "Sonoma County Water Adequacy Evaluation" dated 11/2000, these fine sediments clog the Ranney Collectors, forcing more frequent backflushing and a significant loss of pumping capacity: "Wohler collectors were designed to produce 32 mgd. However, impaired aquifer infiltration allows only one pump in each collector to be operated for periods of more than a few hours, and limits the capacity to about 23 mgd on a sustained basis." (p. 5)

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The DEIR must also evaluate the proposed SCWA and Sonoma County water filtration plant along the lower Russian River (in the vicinity of Dry Creek), to treat water intake from Lake Sonoma or the Russian River, and provide for transmission of this water to the Russian River intake facilities down Dry Creek including potential pipeline routes. This was authorized by the Board of Supervisors on 7/20/99, "Surface Water Treatment conceptual design and feasibility evaluation for Diversion Facilities Evaluation", initially at a cost of \$563,000 in a contract to Boyle Engineering. In public meetings in 2001, the preliminary engineering, rationale and cost projections described this as a \$500-700M project. The project is proposed as either 57 mgd or 120 mgd, with 3 configurations for each size. It was alternatively posited as a solution to Wohler Rubber Dam impediments to fish migration impacts and to problems associated with releases of additional water from Lake Sonoma and Dry Creek transmission. It includes several scenarios for transmission of water from Lake Sonoma down Dry Creek. (SCWA Diversion Alternatives Studies Status Update, 2/5/01 presentation to the Water Advisory Committee, attached)

This was described in a Jan. 1999 report to the Board, for facilities "in the event that the existing Mirabel infiltration ponds and rubber dam are decommissioned or rendered inoperable." (see also, Revised Draft of the SCWA Water Policy Statement, December, 2002). Ironically, the Mirabel rubber dam and infiltration ponds are needed to provide additional head to the Ranney Collectors in compensation for the loss of natural head as the river bed has degraded in large part due to decades of gravel mining. There is also the potential that the filtration plant is being proposed or would be used in part to eliminate problems in the future from inadequate or impaired aquifer filtration. This is a project in development, and must be addressed in this DEIR for potential impacts on the environment.

It is also ironic and likely environmentally very damaging that any concrete products needed to build such a filtration plant and diversion facilities would contain gravel and sand mined from the Russian River aquifer. Such a plant would have a useful lifespan of perhaps 50- 70 years, and then have to be replaced.

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Dr. Robert Curry notes other cumulative impacts of continued gravel and sand mining in the Russian River aquifer that are not addressed in the DEIR:

- loss of water storage in the gravel bed aquifer of the Russian River
- loss of storage and recharge of the aquifer and associated groundwater as floodplains are inundated during storm events
- loss of water storage due to lowered river bed elevations due to incision
- loss of agriculturally important top soils that overlaid the mined aggregates
- loss of agriculturally important top soils that are washed downstream, rather than being deposited on floodplain soils during inundations
- increased winter storm water peak flows, producing greater damages
- losses to undermined bridge and roadways

"Declaration of Robert Curry, PhD, in support of Friends of the Eel River's comment on DEIS on Proposed Reoperation of FERC Project 77-110, the Potter Valley Project," April 26, 1999 (attached)

In fact, the DEIR, at 4.5-48, remarkably and misleadingly, states.

"sediment and erosion control plans are an important element of the CEQA review and mine permit process. Many state and federal resource and regulatory agencies participate in the review of such mine reclamation and erosion control plans, in addition to the review of county staff and watershed stakeholders. Therefore, project specific and cumulative adverse changes to water quality resulting from mining activities are generally considered to be adequately addressed through the ARM Plan and the CEQA review process." [emphasis added]

When would the degradation of our natural, free aquifer filtration system stop? When will it be restored to its full capacity?

The conclusory statements of DEIR at p. 4.7-31, "Implementation of the Draft G2020 policies would avoid significant impacts from the loss of availability of potentially valuable mineral resources," are unwarranted.

Suggested policy and mitigations:

- Sonoma County shall commit to the restoration of the full functions of the gravel and sand aquifer of the Russian River for water quality and filtration, water supply storage and transmission, base flows and fisheries habitat by 2020.
- Sonoma County shall end all gravel mining within and adjacent to the Russian River and its tributaries by 2010.
- Sonoma County shall work closely with the aggregate mining and distribution industries, builders, the environmental community and the cities to identify and qualify other sources for aggregate needs for Sonoma County, including the Yuba Goldfields deposits in Yuba Co., California and British Columbia sources.
- Sonoma County will develop a new Aggregate Resources Management Plan for the county's aggregate needs, without any future use of Russian River aggregates, that includes policies and methods to minimize needs for new aggregate while maximizing recycled materials, and prohibits the export of Sonoma County mined aggregate outside Sonoma County, and includes transportation alternatives and facilities, including rail service, for imported materials.
- Sonoma County shall evaluate the true costs of aggregate mining that impacts sensitive resources, such as surface or groundwater, including the externalized costs of potential damages to those resources and energy costs.

10. Additional comments at DEIR 4.5 Hydrology and Water Resources

As previously noted, impacts to water resources in the DEIR are seriously understated or omitted or incorrect. As stated in (4) above, the language again used for mitigations and policies is extremely weak, not time delimited, and imprecise, leading to failure to mitigate many of the negative environmental impacts noted.

32 Further, it appears that much of the efforts to provide for improved and protected water quality is undercut by Policy WR-1r: "resist accepting administrative responsibility for regulatory programs required of state or federal agencies unless a state or federal subvention will compensate the County for costs associated with such shift in administrative responsibility."

The DEIR must describe exactly when and how this would play out in real life, under what circumstances, and what the environmental consequences could or would be.

11. 4.9 Public Facilities, Inadequacy of Water Supply Services Planning; failure to document conclusory and contradictory statements.

Again, as noted in earlier comments, the Environmental Setting is inadequately and incompletely described.

It should be noted that SCWA has no consumptive rights to any waters diverted through the Potter Valley Project from the Eel River, and SWRCB has consistently refused to allow any such rights to SCWA. At "Surface Water" (p. 4.9-3) the DEIR should note that "SCWA is required through SWRCB D.1610 and the soon to be released Biological Opinion and Sec. 7 Consultation with NMFS, to maintain the minimum stream flows at various points on the Russian River and Dry Creek in accordance with its water right permits, for the benefit of instream and fisheries uses. Further flows through the PVP to the East Fork of the Russian River are regulated by FERC. FERC's minimum flow requirements for PG&E were recently increased, and are under appeal by FOER and others, contesting the flows necessary to protect and restore endangered fisheries in the Eel River, and to consider decommissioning of the PVP."

33 At "Adequacy of SCWA's Water Supply" (p. 4.9-3/4), the DEIR states:

"The SCWA has estimated that by 2020 it will need to divert an additional 25,000 to 30,000 acre feet of water annually from the Russian River at its Wohler-Mirabel diversion facilities, and release additional water from Lake Sonoma to support this additional diversion to supply projected increases in its contractors demands." [emphasis added]

As noted above, this presumed "need" is in the opinion of SCWA, which has not undergone CEQA review. This DEIR for GP2020 is the requisite place to perform that analysis, data and information collection, as the impacts and consequences for the environment are far beyond any analysis and responsibility of SCWA, and because so much of the assumptions and environmental impacts of this opinion - or policy directive - or decision - will have consequences for the bulk of GP2020 and this DEIR. Any further presumption of this "need to divert an additional 25,000 to 30,000 acre feet" is conclusory, and must be subject to full CEQA (and likely NEPA) review, including the presentation of alternatives.

34 "California Code of Regulations s. 65302 (Land Use) requires a city or county General Plan to address water supply as a topical issue, using an UWMP as a primary source document." (p. 4.9-16)

Yet, this DEIR still uses the obsolete 2000 UWMP for its predictions of supply and demand. The new UWMP is currently close to completion (R. Poole, statement to WAC, 3/06). The DEIR is thus premature and fundamentally incomplete, and should be recirculated when the new UWMP is available for review and analysis.

The SCWA presumed "need" should likewise be subject to review and consideration of alternatives to water supply and demand reductions. As we will discuss shortly, this will include alternate increases water supplies, such as a restored and replenished Russian River gravel bed aquifer; transfer of water from Lake Sonoma to groundwater recharge in the Alexander Valley (already proposed by SCWA in 1999) for withdrawal and use during the dry season; mandatory and enforceable BMP targets and compliance over a given time period; adoption of water efficiency and avoidance programs and strategies; emphasis on demand reductions during critical hot weather peak periods; financial analysis of alternative strategies and both internalized and externalized costs and life-cycle costs; and other similar strategies and programs, most all of which have not been presented in this DEIR as alternatives to SCWA's alleged "need" for more pumping.

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"The SCWA has adequate supplies to meet the project increases in demand" (p. 4.9-3) is a declarative statement as well, and conflicts with the statement of water supply adequacy above. Does SCWA (and other water suppliers) need more water for anticipated and predicted growth? Or are they adequately supplied now?

Where is the data to support water supply adequacy or inadequacy for all other public water suppliers? Exhibits 4.9-2, 4.9-5 and 4.9-6 do not reveal 'non-public' or 'private' water suppliers, including major agricultural or industrial uses on private wells or pumps

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What are the impacts of non-public water suppliers future demands and predictions? So-called private water suppliers are not covered in the DEIR's disclosure and analysis, yet may have significant, interactive and cumulative impacts on the overall water budgets for the county. The DEIR is just silent on this issue, and should be revised to include them.

Exhibits 4.9-1 and 4.9-2 are likewise based on the obsolete 2000 UWMP, are functionally invalid for the DEIR.

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The DEIR needs to address the water demand and supply balance, as the demand for water supplies is highest during the peak summer months, with approximately 50% of water use during that period for outdoor irrigation. It is during this period that the water sources, particularly the Russian and Eel Rivers are at their lowest flows and are the most vulnerable to diversions and pollutants.

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Exhibit 4.9-6, BMPs for SCWA Water Contractors, does not reveal that the BMPs do not have mandatory water conservation targets or efficiency goals, are not time-delimited, and thus are a very inefficient way to reduce water demands. Since their inception, it has only targeted production of 6600 af of savings/year, and has not achieved even enough water savings to keep up with growing demands since its adoption by SCWA and its contractors.

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The DEIR, in lieu of the poor performance of the BMPs, fails to consider such water efficiency and conservation programs adopted and used by Marin Municipal Water District ("MMWD"), East Bay Municipal Utilities District ("EBMUD") and the Los Angeles Metropolitan Water District ("MWD"), all of which have sustained growth of their populations over the last 15-20 years with *no increase in overall and aggregate water supply demands*.

"Digital computer hydrological models are used by SCWA to analyze the adequacy of its surface water supplies." The model includes presumed continued "maintenance of minimum inst4ream flows required by the SWRCB, the diversions from the Eel River into the Russian River, and various levels of demands by SCWA customers or other water users.... Thus, the SCWA has adequate water supplies to meet its contractor's projected 2020 demands." (p. 4.9-4)

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This conclusion is incongruent with the stated "need to divert additional water" from Lake Sonoma and the Russian River.

"Supply projections on Exhibit 4.9-2 assume that the Water Project [Water Supply and Transmission Reliability Project, or "WSTRP"] will be approved. Exhibits 4.9-1 and 4.9-2 indicate that the SCWA generally has sufficient supplies to serve its water contractors through the year 2020. If the Water Project is not approved, this determination may change." (p. 4.9-4) [emphasis added]

Is there enough water now, with existing conditions? or, do system conditions have to change to meet planned growth? The DEIR is not clear on this point. If there is a "need to divert additional water to accommodate growth", then the DEIR must fully disclose that, the rationale, the data, the analysis, the impacts, and a full range of alternatives.

If SCWA is claiming that there is enough water for future growth stored in Lake Sonoma, but it will need additional facilities, permits, water rights and other features to put that in place to serve anticipated GP2020 growth, then the DEIR must disclose all of that, and be recirculated. This as well would include the information noted earlier in our comments about the proposed Surface Water Treatment conceptual design and feasibility evaluation for Diversion Facilities Evaluation. Again, other water suppliers' future needs must also be disclosed and subject to a full CEQA review in this DEIR.

The conclusory statements noted above ("digital computer...") also assume the continuance of Eel River diversions, even though SCWA has no consumptive rights to any of that water, and has stated explicitly that Eel River diversions are not needed to supply SCWA's existing customers. ("Report to the State Water Resources Control Board on Water Conservation", April 15, 2005; and prior reports to SCWA on water supply issues from Robert Beach, former Gen.Mgr and Chief Engineer and consultant to SCWA) (Also, see "Declaration of Robert Curry, PhD, in support of Friends of the Eel River's comments on DEIS on proposed reoperation of FERC Project 77-110, the Potter Valley Project", 4/26/99)

Regarding "diversions from the Eel River into the Russian River via PGE's PVP, regulated by a number of agencies including FERC and NOAA-NMFS", the DEIR states that "Although there is some uncertainty surrounding this issue because the FERC decision is being appealed, there are no additional proposed reductions pending before FERC." (p. 4.9-5)

Since the DEIR, for the sake of supplying water to support future anticipated and planned growth, assumes the continuance of these diversions from the Eel River through the PVP, the full impacts of them on the Eel River and her fisheries and economies must be included in this DEIR, and it should then be recirculated for public review and comments.

If the DEIR is not assuming that the Eel River flows are necessary for water supply for GP2020's future growth, then it should state that unequivocally, and all references in the GP2020 and all other Sonoma County's goals, policies, programs and planning documents involving any acquisition or continued dependence on the Eel River waters must be deleted as a clearly stated and enforceable legislation, Board of Supervisors' actions, and mitigation measures in this DEIR. The same must also be held for SCWA and its contractors.

"Another uncertainty facing the SCWA's water supply is related to the recent listings of Coho salmon, Chinook salmon, and steelhead under the federal ESA... Changes to either the SCWA's water supply operations and maintenance activities or to required minimum stream flows resulting from the consultation process, may affect the ability of the SCWA to use or deliver its water supply." (p. 4.9-5)

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At "Factors affecting water supply", (p. 4.9-11) several other factors are omitted: loss of gravel-bed aquifer storage volume due to aggregate mining; loss of tributary inflows to the Russian River as agricultural or rural development dams side streams; loss of gravel bed aquifer storage due to sedimentation and siltation (loss of porosity); loss of groundwater storage as inundations of floodplain recharge areas are removed from the effective floodplain overflow areas of the Russian River through development, berms, levees, roads and other barriers, as well as downcutting of the River bed, leaving former floodplains and recharge areas un-inundated during geomorphologically historic flood flows.

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12. 4.9 Public Facilities, Inadequacy of Water Supply Services Planning; Failure to provide and consider alternatives; Eventual system collapse

Exhibits 4.9-1 "Current and projected SCWA water supplies, Multiple dry year hydrologic results" shows an expected increased supply of SCWA water of 39.7% by 2020.

Exhibit 4.9-2, "Current and projected water supplies for SCWA Water Contractors" show an increase in contractor purchases of 36.8% by 2020.

Mysteriously, though, the DEIR completely fails to have any discussion for alternatives if any or all of the supply certainty conditions noted above come to pass.

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At 6.2 Cumulative Impacts, Public Services, Water Supply Services, the DEIR states "Surface water supplies for the SCWA system are considered adequate to accommodate demand for those jurisdictions that contract with SCWA.... However, expansion of the delivery system, approval of the Water Projects, and obtaining additional water rights must be completed before the available supply can be achieved... However, in light of the current uncertainty regarding the availability of water supplies, this would a significant cumulative impact and the Draft GP2020's contribution is cumulatively considerable." (p. 6.0-11)

Despite these statements, the DEIR fails to define and disclose a valid, current water supply assessment and alternatives approach to provide certainty of and verify availability of water supplies that are assumed necessary for GP2020 growth predictions.

The DEIR merely posits the untenable Significant Unmitigable Impacts:

Significant Unavoidable Impact 4.9-1:

"Insufficient water supplies to meet the future water demand of the urban service areas."

"Land use and development consistent with the Draft GP2020 would increase the demand for water. As a result, insufficient water supplies would be available to serve some of the unincorporated USA's from existing entitlements. New or expanded entitlements would be required." (p. 6.0-22)

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Significant Unavoidable Impact 4.9-2:

"Insufficient Water Supplies to meet the future water demand of rural private domestic, small municipal, and agricultural wells."

"Land uses and development consistent with the Draft GP2020 would result in an increased demand on groundwater supplies for rural uses. Due to the lack of comprehensive information regarding the county's groundwater resources, it is uncertain if groundwater supplies would be sufficient to meet the future demand of rural private domestic, small municipal, and agricultural wells. This uncertainty combined with the current regulatory approach could result in insufficient groundwater supplies in rural areas of the county."

Significant Unavoidable Impact 4.9-3:

"New or expanded water supply facilities"

"Land Uses and development consistent with the Draft GP2020 could result in the need for increased water supply facilities, either through the construction of new facilities or through the expansion or retrofitting of existing facilities. Construction of new or expanded water supply facilities could result in site-specific impacts, especially on aquatic organisms and fisheries."

The DEIR completely fails CEQA requirements, no less common sense, to consider or disclose any alternatives that would even point the way to "new or expanded entitlements" or "insufficient groundwater supplies" or "new or expanded water supply facilities". DEIR and GP2020 would fail the tests provided for in SB221 and SB610 if those were applied to it. There is simply no evidence that shows that a sufficient water supply is available to meet the predicted and expected growth.

If these conditions were to remain, then one obvious proposal should be a complete moratorium on growth and development where water cannot be reliably anticipated to be supplied. The DEIR would have to designate when and under what conditions this would occur, where it would occur, and which jurisdictions would be responsible for implementing them. But, the DEIR does not do this either.

Otherwise, the trajectory of the DEIR and GP2020 is towards a complete system collapse and all the immense environmental, economic, social and cultural damages that would ensue.

This is not so far-fetched: examples of these monumental failures are demonstrated today by the Lower Colorado River dewatering and pollution; the Ogallala Aquifer overdrafts throughout the Midwest US; Atlanta's regional water supply overdraft and pollution; and, historically, the end and disbursement of the Anasazi civilization after destruction of watersheds followed by a 40+ year drought period in the 1100's. Other examples around the world are legion.

There is no planning for restoration or replenishment of water resources. The DEIR and SCWA would presume that we can muddle our way through for another 15 years until 2020. Even if that were true, then what would happen?

Global warming puts yet more pressures on the need to get this right and allow for precious and vital margins of safety.

This DEIR and GP2020 are not just fundamentally unsustainable, but they fail the CEQA and any critical tests for long term planning.

13. A proposed environmentally superior Alternative for Watershed management for Potable Water Supply.

FOER here proposes an integrated, multi-objective, and comprehensive Alternative to address the series of very complex and critical questions and problems raised above, including the numerous Significant Unavoidable Impacts of the DEIR and GP2020. This is an incredible and timely opportunity to provide the resources necessary for Sonoma County's continued growth for a healthy, environmentally sustainable and economically productive future.

RESTORATION, RELIABILITY AND RESOURCE STEWARDSHIP ALTERNATIVE **(THE "3Rs ALTERNATIVE")**

A. Resource Stewardship and Efficiency Component

This aspect of the 3Rs Alternative would provide components and services sufficient to reduce the overall volume of water supplied by SCWA, water contractors and other water providers from either riverine or groundwater sources, so as to offset future increases in demand, and result in a decrease or no increase in river diversions. Particularly important are reductions to peak and total system-wide and local demands over the lifespan of GP2020 and beyond. It would also allow a decrease or no increase in total greenhouse gas emissions as a consequence of energy required and water delivered and wastewater treated and transmitted by the Agency and/or its customers. It includes the design and implementation of high performance, highly integrated resource efficiency programs.

The technical potential for large efficiency improvements is indicated by the Pacific Institute's "Waste Not, Want Not: the Potential for Urban Water Conservation in California." Methods include: green building ordinances designed to deliver net negative water impacts for new construction; long-term public financing for efficiency services; marginal costs analysis across water, wastewater, energy and climate protection services; and service delivery mechanisms that are designed to circumvent common barriers to participation (including first cost, education, and utility revenue erosion). Aggressive recycling can and should be used to displace new sweetwater demands of the system.

The locally proven example of this work provided here includes details of the program and its successes:

"Based upon water efficiency experience throughout the United States, it is possible for efficiency improvements to offset all new water required within Petaluma's CII (commercial, industrial and institutional) sector for at least the next ten years... implementing a range of water saving strategies resulting in an overall reduction of water use of 23%." (p. 1)

Hold the Flow! Commercial, industrial and institutional water efficiency program for the City of Petaluma, Edwin Orrett, P.E. and Pacific Technology Associates, Petaluma CA, 6/14/02 (attached)

B. Restoration of the Russian River and Eel River Component.

This component would reliably meet defined current and future needs for water supply quantity and quality while improving habitat and natural functions of both rivers. It would eliminate or substantially reduce the need to release additional stored water from Lake Sonoma. It will increase the amount of water that can be naturally stored, filtered and captured within the Russian River aquifer, with small capital and o&m costs, without materially altering the operation of Lake Sonoma and discharges to Dry Creek. Water could also be transferred from Lake Sonoma for discharge to the Russian River near Cloverdale and the Alexander Valley to help serve upstream needs, as has already been proposed by SCWA.

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cont.

An important part of this solution is to change the aggregate mining management protocol of the Middle Reach aquifer of the Russian River to one that replaces and restores instead of removes gravel and sands. This will increase the natural water storage capacity (captured during winter runoff) and increase the natural filtration capacity of the aquifer. It will provide increased head for the Ranney collectors as the bed and water elevations are restored. The gradual aggradation of gravels and sands can be designed to avoid the need for a water treatment plant, increase drought protection, provide improved summer cold base flows and riparian cover, improve fish and wildlife habitat in the Russian River watershed, and avoid economic loss due to river bed scouring and bank erosion of public and private infrastructure and property. It can also supply enough water not just for future predicted growth of the DEIR and GP2020, but also reduce pressure on demands for additional groundwater withdrawals or continued diversions of the Eel River. Replacement aggregate to support local construction activities may be sourced from the Yuba River Goldfields hydraulic mining overburden, which would assist in restoration of the Yuba River. Aggregate from BLM and local private holdings can be crushed, sorted and transported by rail and/or truck to this region at costs comparable to or less than current aggregate sources, without the environmental damages associated with mining in the Russian River aquifer and recharge zones.

The details of this Water Supply Alternative are laid out in detail in:

- "Declaration of Robert Curry, PhD, in support of Friends of the Eel River's comment on DEIS on Proposed Reoperation of FERC Project 77-110, the Potter Valley Project," April 26, 1999. See particularly pages 9-12 (attached)

The long-term stewardship of the Russian River watershed and Sonoma County groundwater is essential for the future health of our population, businesses, economy and environment, and is also essential for the restoration of the Eel River fisheries. Development of 'new' renewable and essentially free water sources in our own Russian River aquifer will allow elimination of the perceived need and demands for continued transfers of water from the Eel River through the Potter Valley Project. Ending these diversions will allow for a long-term and complex program of restoration of the Eel River and her fisheries to begin after nearly a century of environmental and economic degradation to Humboldt, Lake and upper Mendocino Counties. Each watershed can be restored to health and vigor, but not as long as they remain joined by the PVP diversion.

A further component of the future management of the Russian and Eel River watersheds includes the long term protection and restoration of these surface water sources from current and future degradation and pollution as rural and urban development increase in the watersheds.

The New York City Watershed Management for Potable Water Supply program and policies have been instrumental in avoiding a \$5-8B filtration plant for NYC's surface water supply. Proactive and collaborative preservation and restoration of the five county watershed serving NYC has been undertaken at considerable ratepayer savings, with a capital outlay expected of some \$1.5B and a large savings of annual o&m costs by avoiding a filtration plant.

This is an extraordinarily successful and appropriate model for our use in protecting the long term health and viability of our Russian River watershed and water supply. The program involves development and adoption of strict water quality standards for all discharges to surface water in the city's five county watershed, repair and replacement of local and private failing or substandard wastewater treatment facilities, support for improvements to construction and agricultural activities with non-complying point or nonpoint discharges, voluntary purchases of critical waterway buffers by NYC, and economic assistance to watershed communities to offset potential development losses.

See full reference and background material at:

- Watershed Management for Potable Water Supply, Assessing the New York City Strategy; National Research Council, National Academy Press, 2000; www.hap.edu/books/0309067774/html/
 - "The City's Precious Watershed", New York Times, Editorial, July 15, 2002
- [copies attached]

48
cont..

C. Transmission and Reliability Component

This component would increase the SCWA's transmission system capacity and facilities to meet anticipated but reduced peak month deliveries to customers, reduce greenhouse gas emissions, and increase the reliability of the existing and future transmission system. Increased storage, for instance, will support improvements in reliability, and savings in both emissions and cost via use of cleaner and less expensive baseline power sources.

D. Multi-Stakeholder Performance Metrics Component

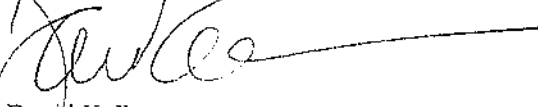
The 3Rs Alternative outlines a way for Sonoma County GP2020 and a large water utility to define and achieve its mission in a way that differs fundamentally relative to traditional practices. In essence, this alternative suggests shifting from a commodity to a service-based business model. Instead of selling natural resources and facing the increasingly intractable and expensive problems that arise, this alternative focuses on selling services that allow nature's replenishment at very small capital and environmental costs. The success of this approach will depend upon Sonoma County, SCWA and other water providers acquiring new competencies to supplement traditional strengths in engineering and project management, through the addition, for example, of interdisciplinary collaboration, communications, social marketing, resource economics and social entrepreneurship.

It is essential to establish a set of performance metrics, both to provide equivalent analyses of all alternatives offered in the EIR, as well as to provide transparency and to attract useful support and feedback. These will include the leading and lagging indicators of performance relative to overall resource consumption, interdisciplinary collaboration, innovations, investment by categories and other relevant measures.

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cont.

We believe that adoption of this alternative would allow meeting many more critically important GP2020 and DEIR project goals and objectives by 2020. We would be pleased to work with County staff, Planning Commission, and consultants to formulate details needed to put these proposals in place.

Thank you for the opportunity to provide these comments on the GP2020 DEIR.



David Keller
Bay Area Director
Friends of the Eel River

Attachments:

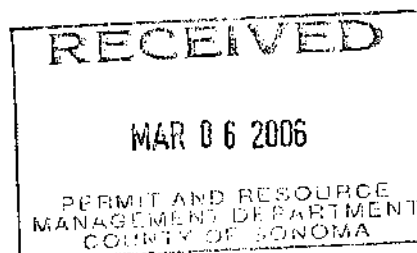
- "Declaration of Robert Curry, PhD, in support of Friends of the Eel River's comment on DEIS on Proposed Reoperation of FERC Project 77-110, the Potter Valley Project," April 26, 1999. See particularly pages 9-12
- "Value of Middle Reach Aquifer for Drinking Water Supply", from a statement presented by Robert Curry, PhD, for the ARM Plan update, 1993
- Hold the Flow! Commercial, industrial and institutional water efficiency program for the City of Petaluma, Edwin Orrett, P.E. and Pacific Technology Associates, Petaluma CA, 6/14/02
- Watershed Management for Potable Water Supply, Assessing the New York City Strategy; National Research Council, National Academy Press, 2000; www.nap.edu/books/0309067774/html/
- "The City's Precious Watershed", New York Times, Editorial, July 15, 2002
[copies attached]
- "SCWA Diversion Alternatives Studies Status Update", Power Point presentation to the Water Advisory Committee, 2/5/01
- "Cumulative Impacts, Development map of Ukiah Valley," Sept. 2005, Ukiah Valley Smart Growth Coalition
- Friends of the Eel River et al v. SCWA and PG&E. Cal. App. 1st Dist., May 16, 2003, June 13, 2003
- "Draft Adaptation of Existing Policy Worksheet - Natural Resources and Hazards, Appendix D/NR", 4/17/06, www.helphumboldtplan.org
- "Draft Adaptation of New Policy Options Worksheet - Natural Resources and Hazards, Appendix E", 4/17/06, www.helphumboldtplan.org

Draft GP 2020 FEIR Comment Attachment #6

Friends of the Eel River
Attachment available for review at
PRMD Comprehensive Planning
2755 Mendocino Ave, Suite #203,
or by request.

March 4, 2006

Permit and Resource Management Department
 Comprehensive Planning
 2550 Ventura Avenue
 Santa Rosa, California 95403



Dear PRMD Staff:

I am writing concerning APN 058-290-051 and APN 058-300-076, adjacent parcels at the south end of the Larkfield Shopping Center. I understand that these parcels are being considered for a change in land use designation from LC to UR for the specific purpose of creating an affordable housing site with a density up to 30 units per acre. I believe this change would have negative consequences and I am writing to describe my concerns. My concerns fall into two categories: 1.) general policy issues, which I will touch on briefly in this letter, and 2.) specific Environmental Impact Report concerns which I will cover in more detail since I understand we are currently in the EIR review phase.

From a policy standpoint, I am concerned about the number of low-income housing sites being concentrated in the Larkfield/Wikiup/Airport area. Burbank Housing's Lavell Village is on Mark West Springs Road, there is a project under construction at the corner of Fulton Road and Airport Boulevard, and three more sites have been designated for low-income housing (APN 039-025-026/028/060 5.2 acres, APN 059-230-051 3.75 acres, and APN 059-350-160 2 acres). Adding more sites in the Larkfield/Wikiup area beyond these will be too many for this small community to absorb. I believe good planning would dictate that sites be distributed more evenly around Sonoma County rather than concentrated in a small area. Since this is a policy issue, and not an EIR issue, I will bring this up before the Planning Commission, and will devote the remainder of this letter to issues related to the Environmental Impact Report which is currently under review.

The first of my EIR issues is traffic. The parcels at the south end of the Larkfield Shopping Center are currently zoned Limited Commercial, and if developed as such, all ingress and almost all egress would be on Old Redwood Highway. We know this from the hearings that took place when Rite Aid was considering building a store on this land. If instead, these parcels are changed to Urban Residential and built as high-density housing, there will be as many as 110 housing units on the 3.68 total acres. This will necessitate ingress and egress on Pacific Heights Drive, and encourage residents of the affordable housing complex to cut through the Mark West Estates residential neighborhood to avoid traffic backups at Pacific Heights Drive and Old Redwood Highway. Let me describe the situation: In the morning (7:30-8:30) it is very difficult to make a left turn from Pacific Heights Drive onto southbound Old Redwood Highway due to the unceasing stream of cars coming south from Larkfield, Wikiup and Windsor. It is

not uncommon to wait in line several minutes to make the turn. Residents of the low-income housing complex will get tired of fighting this situation and will drive instead down Katie Lee Way or Jean Marie Drive to get to Mark West Springs Road and Old Redwood Highway going south toward Santa Rosa. At peak hours, this will create an unacceptable level of traffic on these residential streets that were designed to support neighborhood houses only.

1
cont.. Adding a traffic signal at the corner of Pacific Heights Drive and Old Redwood Highway will not help the morning commute situation much. Residents of the affordable housing complex will still have an incentive to cut through the neighborhood. By doing so, they can make an unimpeded right turn onto Mark West Springs Road and wait at only one light at Mark West Springs Road and Old Redwood Highway. If they don't cut through the neighborhood, they must wait at two lights: Pacific Heights and Old Redwood Highway plus Mark West Springs Road and Old Redwood Highway. As we know, over time local residents will learn the most efficient routes and adjust their driving accordingly.

In the evening, as residents of the affordable housing complex return home, there is a similar problem. Those coming north on Old Redwood Highway from Santa Rosa can avoid stopping at the light at Mark West Springs Road by making a quick right turn on Mark West Springs Road (yield sign only -- no stop needed) and cutting through the Mark West Estates neighborhood thus avoiding all traffic lights.

I don't believe there is any way to have a 110-unit complex on the proposed site without ingress and egress from Pacific Heights Drive, and with ingress and egress from Pacific Heights Drive I don't believe there is a way to keep large numbers of drivers from cutting through the residential neighborhood. The fundamental difference between the two land use designations is that while LC can be developed with ingress and egress from Old Redwood Highway, a change to UR will force traffic at peak hours through the residential neighborhood. This is an undesirable outcome and would be evidence of poor planning.

2 My second issue with the EIR is sewer and water capacity in the Larkfield/Wikiup/Airport urban service area. Sewer capacity in particular is becoming tight and even with the current land use designations, we are likely to run into problems in the area as sites are built out. Converting the Limited Commercial site to a 110-unit high-density housing complex will significantly increase the load on the sewer and water systems compared to developing the land for Limited Commercial use as currently zoned. I believe this issue needs further study before any change is made to the land use designation for this property.

Thank you for your attention to my concerns.

Sincerely,


Doug Knight

SONOMA COUNTY PLANNING COMMISSION

PUBLIC COMMENTS ON DRAFT
ENVIRONMENTAL IMPACT REPORT FOR THE
GP 2020

APRIL 15, 2006

RECEIVED

APR 17 2006

Dear Commissioners,

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

We are members of the Good Neighbors Group of Sonoma County and would like to submit these comments on the DEIR for the GP 2020. Some members of our group may submit comments separately and we hope that your committee will review all of them thoroughly.

The following will address individual sections, subsections or page numbers in sequence of the DEIR report and our response comments and recommendations will be cited for each.

Page 2.0-9: Sec. 4.2-6

There are many major safety issues regarding the Sonoma County Airport, especially concerning the approach and departure patterns of aircraft around the airport. According to a University of California-Berkeley study most aircraft accidents happen within one mile of the airport during take-offs and landings. Most airports in the county have noise abatement procedures for pilots to ensure safety and reduce noise over communities during approaches and departures. These procedures are carefully planned to bring the pilots in over less populated areas through safer flight corridors. Sonoma County airport does not provide any noise abatement (safety) procedures other than requesting jets and heavy aircraft to depart on runway 19 during daylight hours and maximum sound levels for general and commercial aviation. Under noise abatement in the pilots flight guide for the Sonoma County Airport it says "contact manager."

This lack of safety procedures for pilots puts our residents, schools and communities in harms way if there is any aircraft failure or pilot error. This issue should be carefully addressed through mitigation. Aircraft can and should take safer approaches and departures which are feasible at the Sonoma County Airport, for it is not a matter of "if" an aircraft comes down it is more like "when" an aircraft comes down. Please review our past comments in the ATE March 21, 2006 dealing with safer alternatives for landings and departures at Sonoma County Airport. The regulation and policies in the GP 2020 do not address this issue.

Page 2.0-10: Sec. 4.2-8 and 9

Airport Blvd. has one of the highest traffic counts, longest time for passage and poorest rating for road congestion in the county according to information in this DEIR report. To say that the Draft GP 2020 regulations and policies would reduce these issues to less than significant appears to be wrong and insupportable. The plans show upgrading an interchange on Hwy. 101 then merging three lanes into two lanes (each way) along Airport Blvd. Important data appears to be missing, such as time lines and the priority status of this

2
Cont...

emergency at the airport, especially during peak hours, would be very difficult to combat due to the severe congestion along many segments of the roads. The airport is currently working on plans for new commercial airline services that could increase the risk of terrorism and the need for added homeland security. These issues need to be addressed in this DEIR along with additional studies to make sure the GP 2020 also accommodates.

Page 2.0-12: Sec. 4.3-5

3

The Draft GP 2020 ATE projects 550,000 operations per year. Our calculations show that to be more than one per minute, twenty four hours a day, three hundred and sixty-five days a year. This enormous increase in projected future operations would produce a considerable increase of aircraft emissions as well. Therefore it is not reasonable or acceptable to list the aircraft emissions impact as less than significant.

Page 2.0-13: Sec. 4.4-5

4

The ATE 2020 and this DEIR do not address the entire picture when looking at aircraft operations and the noise impacts on the community. Aircraft noise is not only contained within the noise contour lines around the airport, it is also along the flight paths of approaching and departing aircraft. These flight paths can be directly over residential areas, schools and other populated parts of the communities. Aircraft noise can be significant in these flight paths depending on the altitude of the aircraft.

5

There is presently a noise problem with the Sonoma County Airport. (Please refer to Effects of Noise on People and Exhibit 7.7-2 , 3 & 4) What will it take to get the Aviation Commission and airport to recommend noise abatement procedures to the FAA who would then create noise abatement procedures for the airport and pilots. During a meeting in November 2004 the FAA stated that a FAR part 150 Noise Study for the airport was needed. Past mayor Debra Fudge chaired this meeting, and representatives from Berg, Woolsey and Thompson's offices were present along with members of the community. After this meeting Jon Stout published in the Aviation Commission meeting minutes January 20, 2005 that an official request will be made to the FAA for the FAR part 150 Noise Study. Why has this not happened? It seems that we have an enforcement problem with the airport.

6

Due to the limited information given in the GP 2020 and lack of current noise studies how can we know what the true noise levels are. We just don't have adequate information available at this time for determining existing noise levels let alone the future noise impacts. Mitigation can help this issue by providing needed noise abatement policies and new safety programs for the Sonoma County Airport. Enforcing time restrictions for certain operations and changing current approach and departure patterns so that they are not over the more populated residential areas can be accomplished. Please implement these changes. This is very significant.

7

Page 2.0-19: Sec. 4.6-4

There is presently no mention of bird migrations or nesting around the Sonoma County Airport. There are the many vineyards around the airport property which attract birds, especially at harvest time. With more aviation operations for the future this issue needs to be addressed.

Page 2.0-27: Sec. 4.11-2

The visual impact of an aircraft departing or approaching every minute is a disturbing image. This issue should be addressed.

8

Page 2.0-29: Sec. 4.13-3

There are no projections for hazardous materials at the Sonoma County Airport for if or when the 550,000 operations is reached. Additional aviation fuel and related maintenance fluids and materials that will be required to support an operation of this type has not been taken into consideration. The GP 2020 has minimal plans and policies for areas around the airport but nothing for the airport itself.

9

Page 3.0-15: Draft GP 2020 Projected Growth

We appreciate that this is only a draft and projections must be used. We request that as actual numbers become available that they be integrated into this document to give a truer picture. As an example, a recent article in the Press Democrat reported on population declining in the county. When portions of the report are clearly obsolete or incorrect please replace them with current and corrected numbers and information.

10

Page 4.2-13

We want to point out in the report's own exhibit 4.2-7 that Airport Blvd. and Highway 101 are one of the worst traffic areas in the county. This is going to increase dramatically with the new condominium projects being completed and new office complexes coming on-line in the Airport Industrial Park. Traffic is gridlock during certain hours now, to think of expanding the airport and trying to route more traffic in from Humboldt, Mendocino, Lake, Napa, and Sonoma County to use the airport seems unrealistic. This needs to be reassessed.

11

Page 4.2-18

Exhibit 4.2-10 shows how this report grades Airport Blvd. D to F

Page 4.2-27 To Page 4.2-30

These projects listed are referred to in a wish list elsewhere in this report, and they are just that, a wish list. This section notes that the state has declared a fiscal emergency and many funds that were once earmarked for transportation are being used for other needs. This increases the financial burden on the state that can barely maintain roads let alone improve them. This is very evident from the condition of our county roads presently. Back on page 4.2-2 this report states these roads have a Pavement Condition Index of 46, the lowest of any county in the Bay Area and also the largest deferred maintenance backlog in the Bay Area. Given the present situation, expansion at the airport would only exaggerate this problem. It can only make things worse and the money that has been spent on studies, meeting, staff salaries and other related items could have been used for the multitude of road problems and necessary projects that are past due. What are our priorities?

12

Page 4.2-31: Exhibit 4.2.14

Why isn't Airport Blvd. on this list? and evaluated?

13

Page 4.2-48: Impact 4.2-6 Air Traffic Safety

14 This is a subject that should never be treated lightly, but is minimal in both this DEIR and the GP 2020 ATE. Nothing is mentioned about where most aircraft accidents happen. Isn't this a major topic of traffic safety. As stated before, the University of Berkeley study shows that the highest risk for aircraft are on departures and approaches. The majority of air traffic around the airport is either for approaches or departures. These common maneuvers are when accidents happen. We hear about aircraft accidents all the time and some are in resident areas. Does it not make more sense to fly over less densely populated areas than over residential subdivisions, and schools, especially when approaching and departing the airport? There is a bigger scope that pertains to the Sonoma County airport when it comes to air traffic safety, and it is a major issue. This topic should not be treated as less than significant as stated in this report. This can be mitigated as previously addressed and should be required mitigation. Again, it is not a matter of "if" an aircraft comes down it is "when" an aircraft comes down. There are safer approach and departure routes that can be taken that avoid the heavily populated residential areas. We would be remiss if we do not require the county to make this a priority at the Sonoma County airport. The regulation and policies in the GP 2020 do not address this issue and our comment on that were provided.

Page 4.3-19: Impact 4.3-5 Aircraft Emissions

15 The projected operations of 550,000 per year by 2020 is approximately 4.5 times as many operations as there were in 2003 of approximately 122,000. We are not experts but one could reason that the numbers in the exhibit 4.3-5 for 2003 should also be 4.5 times greater by the year 2020. Why are they not? Please get back to us on this one for sure with documentation.

Page 4.4-8: Airports

16 People and communities are becoming a lot more aware and sensitive to airports and the aircraft that fly in and out of them. Recently there were over a thousand people who showed up to an airport expansion meeting near Fresno. They had to re-schedule the meeting to accommodate all the people that had concerns about the expansion. Aircraft noise is not limited to airports, but follows the aircraft over many communities and disturbs countless folks as they pass over. (Please refer to Effects of Noise on People and Exhibit 7.7-2, 3 & 4)

17 The report did a great job with the noise contour lines, the dB's and CNEL's., but as stated before, our neighborhoods go beyond these contour lines and are constantly impacted along with the surrounding areas. If a plane wakes you up at 3:00 A.M. on your day off, or you can not enjoy working in your garden due the constant loud aircraft over your home, this becomes very stressful. How can we expect our communities to tolerate constant noise at all hours from the airport? Sonoma County airport has been unwilling to establish noise abatement procedures that address the surrounding neighborhoods and the noise problem for the last three and half years. These environmental issues need to be addressed and mitigated and are becoming more and more prevalent in communities near airports. Regulations are tightening around airports and many measures such as sound proofing windows, installing air-conditioners, and new technology for noise abatement equipment that precisely reports the offending aircraft are all being used to mitigate these issues. We have suggested mitigation measures to resolve noise and safety problems which seem extremely reasonable. It is also our understanding that the Town of Windsor will be submitting information about the airports noise problem that will include their requests..

Page 4.4-12: Figure 4.4-3 and Page 4.4.13

A twenty-four hour noise survey seems less than adequate to represent a true picture of typical noise levels in noise sensitive areas. What were the qualifications of the person hired for this survey, who selected these areas researched and for what reason were they selected? A thirty day noise survey would certainly be a more adequate snap shot of typical noise levels in noise sensitive areas. The areas of placement of these devices is questionable also. We recommend that a thirty day survey be done at Windsor High school along with the west side of the intersection of Fulton and Hall road as listening locations. Again, a twenty-four hour survey gives minimum information. How can this be all that is expected or required for a report of this magnitude with so much at stake for the next fourteen years. This is unacceptable. There should also be a study of single noise events. These are the ones that do cause stress to people by being woken up early in the morning, late at night, or constant noise during the day. (Please refer to Effects of Noise on People and Exhibit 7.7-2 , 3 & 4)

18

Page 4.4-21: Last paragraph "Goal NE-2

This addresses noise impacts from transportation and aircraft over flights. Hopefully actions discussed in this paragraph can be accomplished because they have not been happening as of yet. Our mitigation suggestions would make this happen. Please re-address.

19

Page 4.4-27: First paragraph.

This addresses the types of aircraft that air carriers can use. There is no mention of the Q400 aircraft's that are quieter aircraft's and can accommodate similar numbers of passengers and can utilize the present runways.

20

Page 4.4-27: Second and last paragraph.

Noise limits not to exceed the CNEL's. There is no mention of any type of monitoring program to determine if these maximum levels are being violated. There needs to be a program in place with specific procedures on how noise limits should be correctly monitored. Specific procedures are also needed on how it will be remedied if violated. We need enforcement here.

21

Page 4.4-28: First paragraph.

Who will monitor the traffic volume and insure that the Board of Supervisors will review the noise impact data? How often is it reviewed and what is the procedure for this review?

22

Page 4.4-28: Last paragraph.

This paragraph assumes that windows and doors are closed. There is no mention of warmer weather when people like to enjoy the natural environment and open windows and doors. This needs to be taken into account and must be addressed in this report.

23

Page 4.4-29:

Again this DEIR and the GP 2020 are not taking into account the environment out side of the box. Only a small and limited area has been addressed around the airport in this report. Most airports have noise abatement procedures on approaches, landings and take-offs

24

24
cont.

except Sonoma County Airport. There are no mitigation measures or policies in either the ATE or Noise Element that address the noise impact of aircraft on approach or departures outside of the contours. We need this to be addressed and mitigated.

This noise problem extends well past the five mile radius of the Sonoma County airport and has environmental impacts, please make sure that these are reviewed and mitigated as well. This is a very **significant** impact and also carries with it important safety procedures to protect residents on the ground.

Page 4.9-62 through 67 Fire Protection & Emergency Services

25

There is no discussion of the environmental impact of aircraft over flights for fire and health safety reasons. The GP 2020 does not have any policies or regulation for this issue either. It is understandable that fire fighting aircraft are needed for fire suppression. However, these are the most risky types of operations to the surrounding over flight communities. These are aircraft that are heavily loaded down with water or fire retardants which can increase the risk factor for potential danger for on the ground. The Reach helicopters are some of the most offensively loud aircraft of all the aircraft that fly over the residents. Yes we need them, but safety must come first and when it is not an emergency they need to have restrictions on what they do, especially when returning to base. Just because they are used to save lives they should not endanger others by constant over flights in highly populated areas. We should not let them have free rein around the whole county to do as they like when not in an emergency situation. These over flights are not all emergencies and if they doing training excises they should be restricted from doing them over residential communities.

Page 4.11-1: Section 4.11 Visual Resources

26

With the projected 550,000 flight operation per year by 2020 at the So. Co. airport it would seem only natural that this would have an impact on the visual environment in the county. The skies would be processing either a departure or a landing, at the airport, once every minute of every day. Then to visualize the air traffic in the county's air space to accommodate the air traffic one minute out and the traffic another minute out and so on. This really needs to be addressed in this DEIR and the GP 2020. Because we do not think this is what the county had in mind when setting these numbers nor is it realistic. This can be mitigated by reducing the number of operations to a more reasonable and realistic number for Sonoma County.

Page 4.13-18

27

There are no projections for hazardous materials at the Sonoma County Airport itself, for if or when the 550,000 operations is reached. This would equate in to additional aviation fuel, related maintenance fluids and materials that will be required to support an operation of this magnitude. This has not been taken in to consideration in this section. The GP 2020 has minimal plans and policies for around the airport but nothing for the airport itself. This needs to be addressed, impacts determined and mitigation measures spelled out. Policies also need to be integrated in to the GP 2020.

Page 5.0-1: 5.0 Alternatives

28

This section is very difficult to decipher. Everything appears to be very vague in context, nothing specific and mostly redundant. (We know that we have and will be redundant in

our comments also. Because sometimes you have to.) This makes it a very difficult process to comment on the topics that we have been consistently been addressing. These topics or elements are: Transportation, Air Quality, Noise, Public Services, Scenic Resources, Hazardous Materials and ATE. We disagree with the analysis of the Comparison of Alternatives Exhibit 5.0-2 in the following section: 4.2-1, 4.2-2, 4.2-6, 4.2-8, 4.2-9, 4.3-1, 4.3-2, 4.3-3, 4.3-5, 4.4-5, 4.9-9, 4.9-10, 4.11-2, 4.13-3. Please refer to comments previously made on these topics, and we hope that attention is given to them. It appears much of the verbiage is repeated in this section on the topic sections listed above that we are concerned about. This section that deals with the analysis of NPA, BOA and MA is less than significant to address without our comments being integrated in to this DEIR, which may change this analysis. So, until a revision of this DEIR is made we disagree with the entire Alternatives section of this report and would like to reserve the right to comment later when there is more data and information to consider alternatives.

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Page 6.0-4: 6.0 Impacts Overview- Last Paragraph and first paragraph next page.

The introduction of "cumulative projects" is not defined enough and needs to be for the public and decision makers to understand the process. Along with a more descriptive explanation of "various stages of entitlement" for each project listed. The airport manager had told us that the master plan was coming for three and a half years. In a meeting back in November of 2004 the Manager said it would be done and up for public review February or March of 2005. Nothing has happened and it is April of 2006, something is wrong with this situation. The public is being misled and now the Airport Master Plan shows up on a "cumulative projects" list. Please enlighten us and the rest of the public and decision makers.

29

Page 6.0-7: Air Quality section second paragraph.

Aircraft emissions may increase but impact is speculative at this time. In section 4.3 Air Quality the air pollution is discussed by us and questioned to how the numbers were derived at. Hopefully when this is resolved this will shed more light on the impact under the present GP 2020 which should and does dictate to the Airport Master Plan.

30

Page 6.0-7: Noise section last paragraph.

Sorry to be redundant but our previous comments are very appropriate for response to this paragraph. Again this DEIR and the GP 2020 are not taking into account the environment out side of the box. Only a small and limited area has been addressed around the airport in this report. Most airports have noise abatement procedures **except Sonoma County Airport**. There is no mitigation measures, policies in either the ATE or Noise Element that deal with the noise impact of aircraft on approach or departures outside of the contours and this needs to be addressed. Because there is a noise problem that extends well past the five mile radius of the Sonoma County airport there are environmental impacts to be addressed and mitigated. This is a very **significant** impact and also is directly related to the safety for residents on the ground. There are many options for mitigating these impacts, several have been suggested, please review this and implement a safe and non-noise impact plan. Hopefully the Airport Master Plan will have the appropriate policies and regulations to resolve these environmental impact noise problems and review the Effects of Noise on People and Exhibit 7.7-2, 3 & 4 contained in this report.

31

This comment is very appropriate to repeat for this section also. The ATE 2020 and this DEIR do not address the entire picture when looking at aircraft operations and the noise impacts on the community. Aircraft noise is not only contained within the noise contour lines around the airport, it is also along the flight paths of approaching and departing

32

32
com... aircraft. These flight paths can be directly over residential areas, schools and other populated parts of the communities. Aircraft noise can be significant in these flight paths depending on the altitude of the aircraft and can exceed past the five mile radius of the airport.

33 There is presently a noise problem with the Sonoma County Airport. What will it take to get the Aviation Commission and airport to recommend noise abatement procedures to the FAA who would then create official noise abatement procedures for the airport and pilots. During a meeting in November 2004 the FAA stated that a FAR part 150 noise study for the airport was needed. Past mayor Debra Fudge chaired this meeting, and representatives from Berg, Woolsey and Thompson's offices were present along with members of the community. After this meeting Jon Stout published in the Aviation Commission meeting minutes January 20, 2005 that an official request will be made to the FAA for the FAR part 150 Noise Study. Why has this not happened?

34 Due to the limited information given in the GP 2020 and lack of current noise studies how can we know what the true noise levels are. We just don't have adequate information available at this time for determining existing noise levels let alone the future noise impacts. Mitigation can help this issue by providing needed noise abatement policies and new safety programs for the Sonoma County airport. Enforcing time restrictions for certain operations and changing current approach and departure patterns so that are not over the highly populated residential areas can be accomplished. Please implement it. This is very significant.

35 Page 6.0-14: Fire Protection and Emergency Services

Hopefully our comment on this section previously made will be integrated in this DEIR and then will be made part of this Impact Overview. Please refer to our comments for this topic.

36 Page 6.0-16: Visual Resources

Hopefully our comment on this section previously made will be integrated in this DEIR and then will be made part of this Impact Overview. Please refer to our comments for this topic.

37 Page 6.0-18: Hazardous Material

Hopefully our comment on this section previously made will be integrated in this DEIR and then will be made part of this Impact Overview. Please refer to our comments for this topic.

38 Page 10 of the Appendix 7.4 Initial Study Section XI

Our previous comments of this type of noise measurement study not being adequate are repeated at this time to refresh your memory, because this is it for the next 14 years. A twenty-four hour noise survey seems less than adequate to represent a true picture of typical noise levels in noise sensitive areas. What were the qualifications of the person hired for this survey, who selected these areas researched and for what reason were they selected? A thirty day noise survey would certainly be a more adequate snap shot of typical noise levels in noise sensitive areas. The areas of placement of these devices is questionable also. We recommend that a thirty day survey be done at a couple of locations. First at Windsor High School and second at the west side of the intersection of Fulton and Hall road as listening locations. Again, a twenty hour survey gives such little information.

How can this be all that is expected or required for a report of this magnitude with so much at stake for the next fourteen years. This is unacceptable. There should also be a study of single noise events. These are the ones that can really stress people out by being woken up early in the morning, late at night, or during the day. (Please refer to Effects of Noise on People and Exhibit 7.7-2 , 3 & 4)

Page 12 of the Appendix 7.4 Initial Study Section XV(c).

As stated before in our comments, there is a noise problem at the So. Co airport and many potential safety issues also. These problems do exist. This DEIR and GP 2020, totally does not address a very real issue and problem. **The air traffic patterns need to be changed now !** With the projected increases in air traffic will only compound this problem if not mitigated now. Which we have demonstrated several times in the public comment for this DEIR and also in our comment in regard to the GP 2020. The residents of Sonoma County are exposing this issue that certain Sonoma County officials want to pretend are not there so they do not have to deal with it. Like the white elephant in the living room everyone dances around and pretends it is not there. Please let's deal with the white elephant now before it gets more out of control.

Page 7.7-4: Exhibit 7.7-2

The explanation or definition if you will, is a pretty good description of what our group is talking about. Why was this not utilized in this DEIR? These are the concerns, the bigger picture looking outside of the box. This information needs to be researched and integrated into this DEIR to determine what are the impacts on the communities in the county as we have asked for several times in our comments and mitigation suggestions. Again, there is presently a noise problem with the Sonoma County Airport. What will it take to get the Aviation Commission to recommend noise abatement procedures to the FAA, who would then create official noise abatement procedures for the airport and pilots. Please refer to the comments in the Page 6.0-7: Noise section last paragraph section.

Page 7.7-5 & 6: Effects of Noise on People and Exhibit 7.7-3 & 4

Annoyance, sleep disturbance and not being able to enjoy our homes and properties (and safety) are the main issues that our group is concerned with. We are requesting that more research and attention are given to these areas and required for this DEIR and GP 2020. Even your own graphs show there is a noise problem. The typical aircraft noise event shows sound level peaks out at 86dB. If you bring that 86dB over to the graph of Percentage of Population Highly Annoyed by Noise Exposure that equates to over 70 % of the population is annoyed. This is a serious problem with great environmental impact significance. You take this same peak number of 86dB and apply it to the graph of Population Awakened by Indoor Sound Exposure Levels it equates approximately 40 % of the population are being awakened by aircraft. These graphs probably do not take into account the weather permitting time when people have their window and doors open to enjoy the fresh air of our nice environment that we have here in the county. These percentages 70 % annoyed and 40 % awakened by aircraft noise are unacceptable. The DEIR does not deal with this significant issue adequately at all and this report and the GP 2020 does not protect the residents of this county from this detrimental noise exposure. This needs to be addressed and steps taken immediately.

This concludes our comments for the time being and look forward to your responses to our comments and suggestions. If you have any questions, our contact person is Marc C. LaMantia, and can be reached at (707) 838-9510. Please leave a message. Or written communication can be sent to Good Neighbors Group of Sonoma County, P.O. Box 366, Windsor, CA. 95492.

Thank you for the opportunity to be part of this process.

Sincerely,

Good Neighbors Group of Sonoma County

To the Sonoma County Planning Commission

It is so discouraging that so few people can hold our future in their hands.

The meetings are frustrating when it is obvious that most staff, commissioners and supervisors have their minds made up and damn the public comments.

Why are water issues so casually addressed ?

1

Why does the General Plan lack a much needed and adequate Urban Water Management Plan?

2

Why does the Draft EIR fail to address the Gravel mining and its impacts on the aquifer, agriculture, the river, fish and wild life?

3

There are experts that have made careful watershed assessments that continue to be ignored.

Surely you can do better planning than you have shown so far.

Sincerely,

Peggy Love

Peggy Love

RECEIVED

MAR 15 2006

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

2560



California Native Plant Society
Milo Baker Chapter

February 27, 2006

Sonoma County Permit & Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403-2829

Re: Draft EIR for General Plan 2020

Dear Planning Commission Members and County Planning Staff,

The California Native Plant Society (CNPS) greatly appreciates the opportunity to comment on Sonoma County's Draft EIR for General Plan 2020. CNPS is a nonprofit organization of more than 10,000 scientists, educators, and laypersons that is organized into 32 chapters throughout the state. CNPS's mission is to expand the public's understanding and appreciation of California's native plants, and to help conserve these resources in their natural habitats through scientific activities, educational programs, and conservation efforts. CNPS provides information on science-based land management policies and practices to those who formulate land-use policies and make land-use decisions.

As the local representative of CNPS, the Milo Baker Chapter of Sonoma County recognizes and takes seriously our responsibility to comment on the county's Draft EIR for the General Plan 2020, and to offer our expertise on issues related to sensitive habitats and individual species. Below are our comments on specific aspects of Section 4.6, Biological Resources, of the Draft EIR.

MAJOR ISSUE #1: CUMULATIVE HABITAT LOSS

Several interconnected processes together have contributed to degradation and a substantial loss of important plant and wildlife habitats in Sonoma County.

First, as the county's population has grown, former open space and rural agricultural land has been converted to urban and suburban landscape. Often during this process fragile and sensitive ecological zones (habitats) such as vernal pools and oak woodlands have been destroyed or seriously compromised. Urban growth boundaries, conservation easements, and wise land-use planning can prevent a continuation of these negative impacts on our shared environment while still allowing for sensible planned growth.

CNPS, Milo Baker Chapter
Comments on DEIR, General Plan 2020
February 27, 2006

Second, the expansion of vineyards into former open space—including grasslands and oak woodlands—through clearing and in some cases timber conversion (the clear-cutting of fir and redwood forest lands) has accelerated cumulative habitat loss in Sonoma County. We recognize that the wine industry is a fundamental contributor to the county's overall economic health. However, any modest expansion of vineyards needs to be balanced with minimizing the potential negative impacts on the county's remaining sensitive habitat areas.

A third process that has contributed to cumulative habitat loss is the disruption of hydrologic integrity through the draining and filling of wetlands (freshwater marshes, vernal pools) and the damage done to seeps, springs, streams, and rivers (including seasonal streams) due to poor conservation practices, especially along riparian corridors. Wetlands are particularly rich and valuable habitats for plants and other wildlife. Despite mitigation efforts to create artificial wetlands, such efforts have less-than-optimal performance rates. This is quite significant, because it means that this mitigation work may require unplanned and costly long-term management commitments with no assurance of producing the expected outcome.

Fourth, the destruction caused by invasive non-native plants, which outcompete native species for space and nutrients, has also contributed to cumulative habitat loss. Throughout Sonoma County, existing infestations of invasive non-native plants continue to expand. Invasive plants are also introduced into new areas from commercial sources, including the agricultural, landscaping, and revegetation industries. Invasives not only lower the biological value of land by reducing biological diversity, but also adversely affect hydrological processes, alter fire frequencies, restrict economic return, and reduce values of recreational areas. The lack of a coordinated, countywide program to address the problem of invasive plant infestations is costing taxpayers millions of dollars annually. Without human intervention, current infestations of invasive plants will continue to degrade and destroy sensitive plant communities in Sonoma County.

The Draft EIR acknowledges some of these changes:¹

"Although past influences have greatly altered the natural landscape, Sonoma County contains considerable land area which remains undeveloped or is used for grazing and timber production and continues to provide important habitat for native plants and animals. These remaining [underdeveloped and] undeveloped lands serve as core areas for habitat biodiversity....the remaining undeveloped, agricultural, and timber production lands, and network of riparian corridors throughout the county serve as a foundation for protecting and restoring the values and functions of the natural environment."

We applaud this acknowledgment of the already existing "great alteration" of our county's natural landscape, and the point that remaining open lands of various kinds are

¹ 4.6 Draft General Plan Update 2020, Open Space and Resource Conservation Element, 4.6 Biological Resources, p. 4.

CNPS, Milo Baker Chapter
Comments on DEIR, General Plan 2020
February 27, 2006

"core areas for habitat biodiversity" and provide a "foundation for protecting and restoring...the natural environment." However, any policies extending protections to sensitive biological resources should not just focus on these "remaining undeveloped...lands," but rather should encompass all areas of the county.

Policy OSRC-7a indicates that areas identified as special-status species habitat, marshes, and wetlands, sensitive natural communities, and habitat connectivity corridors will be designated as biotic habitat areas in the Open Space and Resource Conservation Element. Policy OSRC-7b indicates that all lands designated as biotic habitat areas will be rezoned to the biotic resources combining district and an ordinance will be adopted that provides for the protection of biotic habitat areas.

Both policies are very positive steps toward protecting and enhancing Sonoma County's diverse natural habitats with their associated plant and animal communities. **While CNPS endorses these policies, they are inadequate on two counts:**

- **They do not use the additional standard of cumulative habitat loss within Sonoma County when evaluating the impact of land-use proposals on county biological resources.**
- **They do not establish loss thresholds for specific sensitive natural communities. Without such thresholds, it is impossible to measure future cumulative habitat loss. CNPS highly recommends that thresholds be set for all sensitive vegetation types, including oak woodlands, vernal pools, redwood forests, mixed evergreen forests, riparian habitat, seasonal wetlands, freshwater marshes of the Santa Rosa Plain and Laguna de Santa Rosa, serpentine habitats, and coastal prairie, and that the thresholds be adequate to protect in perpetuity these important remaining habitat types.**

Policy OSRC-7b(1) indicates that applicants for ministerial permits will be notified of protected habitats and species and possible requirements of federal and state regulatory agencies. It also requests identification of known protected habitats and species. However, it is unclear who is responsible for identifying the requested presence of known protected habitats and species.

CNPS proposes that this language be clarified. In particular, the applicant should pay for the biological or botanical consultant *selected by the County* from a pool of qualified professionals.

CNPS supports Policy OSRC-7f which proposes a coordinated review at least every five years of Sonoma County's Biotic Habitat Areas. **However, the County needs to set baseline thresholds now, and not wait five years to do so, as this will result in a further decline in remaining sensitive habitat communities. Further, we recommend substituting the words "and will identify methods to monitor cumulative habitat loss"**

CNPS, Milo Baker Chapter
Comments on DEIR, General Plan 2020
February 27, 2006

3

cont

in place of the current "and will consider methods to identify and monitor

CNPS, Milo Baker Chapter
Comments on DEIR, General Plan 2020
February 27, 2006

cumulative habitat loss..." CNPS requests that it be consulted at the times of these periodic reviews to offer helpful assistance and expertise. Our organization is also willing to offer advice on determining appropriate baseline thresholds.

3 cont

MAJOR ISSUE #2: MORE COMPREHENSIVE MAPPING DATA ON PLANT COMMUNITIES

As indicated in the Draft EIR, The California Department of Fish and Game (CDFG) maintains the California Natural Diversity Database (CNDDDB) in an effort to inventory and monitor the distribution of special-status (rare, threatened or endangered) species. This valuable tool indicates "that special-status plant and animal species occur in a wide range of habitat types throughout Sonoma County," including 42 animal species and 86 plant species.²

Nevertheless, as the Draft EIR states, "Occurrence information for numerous special-status species which are known to occur in Sonoma County is either not monitored at all, or is recorded on only a sporadic basis by the CNDDDB."³ Even when other databases are consulted, such as those kept by the U.S. Fish and Wildlife Service (USFWS) and the California Native Plant Society (CNPS), authors of the Draft EIR acknowledge that "Considerable work is necessary in updating and refining existing mapping records, identifying new occurrences of sensitive natural communities, and expanding the database to include the identification of high-quality stands of all natural communities," and further, that "No comprehensive mapping of sensitive natural community types in the county has been done..."⁴

4

If cumulative habitat loss in Sonoma County is to be slowed and reversed—particularly for sensitive natural communities (those considered rare or threatened)—thorough and up-to-date data collection and mapping must be established as a high priority, and County officials must secure funds for this purpose so that the task can be completed in a timely manner. Without such solid data to underpin decision-making, planners are left in the dark, and irreplaceable biological resources may be destroyed without regard to what percentage remains.

CNPS therefore strongly endorses Policy OSRC-7j to conduct a comprehensive habitat identification and mapping program for use in future policy considerations, and for this effort recommends using the relevé or rapid assessment protocols. We urge that the County immediately initiate applications for funding from public and private sources once the *Draft GP 2020* has been adopted. CNPS is willing to partner with the County and other collaborating agencies and groups and lend its support to this mapping effort through the use of its volunteers who are currently involved in sensitive habitat surveying protocols.

5

² 4.6 Biological Resources, p. 5.

³ *Ibid*

⁴ 4.6 Biological Resources, p. 17.

CNPS, Milo Baker Chapter
 Comments on DEIR, General Plan 2020
 February 27, 2006

5
 Cont. . .
 In order to produce up-to-date information, CNPS strongly recommends that the County require the submittal of Department and Fish and Game California Native Species Field Survey Forms to CNDDB as a condition of project approval when biotic surveys are required. CNPS also recommends that biotic surveys be cataloged for use and review by County staff, resource professionals, and the general public.

MAJOR ISSUE #3: LAND CORRIDORS AND HABITAT CONNECTIVITY

The Draft EIR devotes nearly two pages to the crucial matter of habitat connectivity.⁵ The Draft EIR states: "Protecting and enhancing habitat connectivity and functional movement corridors between the [county's] remaining natural areas is essential to sustaining populations and allowing for the continued dispersal of native plant and animal species."⁶ CNPS strongly supports the County's efforts to maintain and expand habitat connectivity. Such connectivity is essential to slowing and reversing cumulative habitat loss and to preserving high-quality sensitive habitat. We also recognize that habitat connectivity is dependent on current, comprehensive mapping data.

6
 Policy OSRC-7i addresses habitat fragmentation and connectivity loss and seeks to provide policies that will protect, restore, and improve essential habitat corridors and linkages.

CNPS strongly supports this provision in the Draft EIR, and encourages the County to take a more pro-active role in working with other groups such as the Open Space District and the Sonoma Land Trust to expand habitat connectivity by including it as a criterion in land conservation decisions, and by taking a regional approach to park and open space acquisition.

MAJOR ISSUE #4: VERNAL POOLS

The most threatened sensitive natural community type in Sonoma County is vernal pools, in substantial measure because most vernal pools occur on relatively flat open land that is attractive for agriculture and urban development. Vernal pools in Sonoma County contain a host of rare, endangered, and threatened plant species,⁷ and they also provide essential breeding habitat for the Sonoma County California tiger salamander, which is a federally listed endangered species.⁸

The Draft EIR plainly states that "An estimated 90 percent of the original acreage of the

⁵ 4.6 Biological Resources, pp. 19-20.

⁶ *Ibid.*, p. 19.

⁷ 4.6 Biological Resources, p. 10.

⁸ "Most of the occurrences of this subspecies in Sonoma County are from the complex of vernal pools and drainages of the Santa Rosa Plain along the Laguna de Santa Rosa watershed....Extensive habitat conversion and fragmentation of breeding habitat has eliminated this species from much of its former range, and is considered a serious threat to the Sonoma County population." 4.6 Biological Resources, p. 7.

CNPS, Milo Baker Chapter
 Comments on DEIR, General Plan 2020
 February 27, 2006

vernal pool ecosystem within a 28,000-acre area defined in the Laguna de Santa Rosa Characterization Study has been lost."⁹ Given the Draft EIR's stated commitment to sustaining "core areas for habitat biodiversity," "protecting and restoring the values and functions of the natural environment," and "protecting and sustaining habitat connectivity" (all noted above), CNPS strongly believes that the time is long past to finally implement the *Santa Rosa Plain Vernal Pool Ecosystem Preservation Plan*, **provided the Plan affords a greater level of protection to vernal pool species and habitat than the recently drafted Santa Rosa Plain Conservation Strategy**. The remaining 10% of Sonoma County's vernal pool habitat must be protected and preserved.

7

While federal and state agencies have typically required only a few years of minimal monitoring before created vernal pools can be declared "successful," extended scientific monitoring has shown that many vernal pools have actually declined following the required monitoring period. The criteria used to determine the "success" of created vernal pools is rarely based on detailed biological data, as should be the case. **For this reason, CNPS recommends policies to discourage the use of mitigation banks for vernal pools, except as a last resort when no other alternatives are available.** (See CNPS Policy and Guidelines on Vernal Pool Mitigation.)¹⁰ One example of an alternative that would be highly preferable to vernal pool creation would be the restoration of historic vernal pool habitat in the Santa Rosa Plain in city-owned areas that are spray-irrigated.

8

Recent scientific research has shown that habitat-conservation-focused cattle grazing is compatible with, and perhaps even essential to, maintaining the habitat quality of vernal pools and sustaining native plant and aquatic fauna diversity in vernal pools. Consequently, vernal pools located on private lands that are grazed at appropriate levels can be preserved so long as they are not filled in or sold off for other uses.¹¹

Therefore, CNPS supports Policy OSRC-7r to implement the *Santa Rosa Plain Vernal Pool Ecosystem Preservation Plan*, provided it affords a greater level of protection to vernal pool species and habitat than the recently drafted Santa Rosa Plain Conservation Strategy. At the same time, CNPS also recommends that the County seek ways to minimize irrigation on the Santa Rosa Plain and its adverse affects on valley oaks and vernal pool habitat. CNPS further recommends that a start date for implementation of the plan be set, preferably some time in 2006, and that the remaining 10% of Sonoma County's vernal pool habitat be designated as the cumulative loss threshold for this particular sensitive natural community. We also request that a CNPS member of the Milo Baker Chapter be included in any task force overseeing such implementation.

9

⁹ 4.6 Biological Resources, p. 18.

¹⁰ Policy and Guidelines on Vernal Pool Mitigation, California Native Plant Society, 1994.

¹¹ Marty, J. 2005. Effects of cattle grazing on diversity in ephemeral wetlands. *Conservation Biology*, pp. 1626-32; Marty, J. 2004. Vernal pools are at home on the range. *National Wetlands Newsletter* 26(4):12-14; Pyke, C.R., and Marty, J. 2005. Cattle grazing mediates climate change impacts on ephemeral wetlands. *Conservation Biology*, pp. 1619-1625. All three references available at: www.vernalpools.org/literature.htm.

CNPS, Milo Baker Chapter
Comments on DEIR, General Plan 2020
February 27, 2006

CNPS, Milo Baker Chapter
 Comments on DEIR, General Plan 2020
 February 27, 2006

MAJOR ISSUE #5: OAK WOODLANDS

Oak woodlands provide food, shelter, and nesting sites for wildlife, and they are the key to California's biodiversity. For example, a small oak forest can provide habitat for over 4,000 species of insects, birds and plants.¹² Oaks are found in 48 of the state's 58 counties, and most oak woodlands are in private ownership. Oaks preserve water quality and increase water availability by filtering runoff, provide excellent protection from erosion, help maintain air quality, and contribute to a community's "livable" image. It is apparent that oaks and oak woodlands are integral and fundamental to the maintenance and preservation of habitat diversity, and that consistent efforts must be made to preserve them.

CNPS has a statewide Policy on Oak Hardwoods, which states, in part: "Because of the rapid and extensive land conversions in oak woodlands, savannas, and riparian areas of the state, coupled with an apparent lack of regeneration of several species, the California Native plant Society is deeply concerned about the long-term survival of native oaks....Adequate attention—voluntary, regulatory, or legislative—is not being paid to native oaks at the local, county, or state levels....The Society supports an accelerated program of data collection, census information, and mapping of all oak species (*Quercus* spp.), beginning with the valley oak (*Quercus lobata*)....**The Society strongly discourages further conversions of oak habitats to residential, commercial, agricultural, or other uses.**"¹³

Given the centrality and importance of oak woodlands to Sonoma County's environment, as well as their contribution to the overall beauty and quality of life here, it is fitting that they should occupy an equally central place in the Draft EIR. Sonoma County is composed of 28% oak woodlands and 13% of forest oaks (including tanoak); hence, over 40% of our county is oak habitat.¹⁴ According to scientists at the California Oak Foundation, an alarming 23% of Sonoma County's oak woodlands already have been developed, which is the second highest percentage in the state. Moreover, another 9% are at risk, and fewer than 70% are considered safe.¹⁵ Fully 95% of the oak woodlands in Sonoma County are in private hands.

CNPS willingly endorses Policy OSRC-7m to identify and provide greater protection to oak woodlands, and to develop recommendations for regulatory protection and voluntary programs to protect and enhance oak woodlands. CNPS is pleased that this policy will establish a committee and begin the work described therein within one year of its adoption, and we respectfully request that at least one member of the committee be selected from the Milo Baker Chapter of CNPS.

¹² California Oak Foundation, <http://www.californiaoaks.org/>

¹³ Policy on Oak Hardwoods, California Native Plant Society, 1989.

¹⁴ California Oak Foundation, *Oaks 2040*.

¹⁵ *Developed* means oak woodlands with more than 32 housing units per square mile by 2000; *At risk* means oak woodlands not developed by 2000 but expected to develop by 2040; *Safe* refers to oak woodlands not developed by 2000 and unlikely to be developed before 2040.

CNPS, Milo Baker Chapter
 Comments on DEIR, General Plan 2020
 February 27, 2006

Policy OSRC-7n, which concerns the designation of valley oak habitat areas, zoning, and adequate mitigation for trees removed and monitoring of replacement tree survival, is supported by CNPS.

11 [**We strongly recommend that Sonoma County adopt Placer County's model Native Tree Mitigation Policy.** That policy is intended to address the impact of the loss of woodland *communities*, and not just the individual trees contained within those communities, a policy that is in concert with the growing recognition of the important habitat value of the natural communities within which sensitive species are found. Placer County's native tree policy includes standards for tree replacement, understory replacement, and in-lieu fee payment when onsite or offsite replacement is not feasible or preferred. Collected fees are used by the county planning department to purchase conservation easements from local landowners or mitigation banks supporting similar woodland types as those impacted. But as the plan emphasizes: "Wherever practical, impacts to valley oak woodlands are to be avoided." The plan also stipulates the genetic stock of replacement trees, planting densities, tree cages, a weed control schedule and watering regime, and requires five years annual monitoring with remedial planting if mortality exceeds 20%.¹⁶

12 [Given that 95% of oak woodlands in Sonoma County occur on private lands, CNPS supports Policy OSRC-7o. This policy will encourage landowners to voluntarily protect particular trees or groves on their property. **However, because past voluntary programs have not significantly slowed the destruction of oak woodlands in Sonoma County, CNPS suggests that the County actively advocate a number of other nonregulatory options, including the following:**

- **Amend Policy OSRC-7o to provide a modest but meaningful financial incentive to landowners to participate in this voluntary program, perhaps by reducing the property taxes on the designated lands by 1-2%.**
- **Offer conservation easements or transfers of development rights (TDRs) to interested private landowners.**
- **Promote acquisition where the alternative may be the destruction of a sizeable parcel containing oak woodland habitat.**
- **Develop coordinated resource management plans (CRMPs).**

¹⁶ The most often used mitigation requirement is one of the following: (a) One 15-gallon tree for each tree moved; (b) Three 5-gallon trees for each tree removed; (c) Five 1-gallon trees for each tree removed; (d) Fifteen seedlings for each tree removed; (e) Payment of \$100 per tree removed or the cost equivalent to the replacement of one 15-gallon tree. Payments are made to the County's tree mitigation fund. *Placer County Native Tree Mitigation Policy, Placer County Conservation Plan, 2004. Available at: <http://www.placer.ca.gov/planning/pccp/pccp-appendix-d.pdf>.*

CNPS, Milo Baker Chapter
Comments on DEIR, General Plan 2020
February 27, 2006

In addition, CNPS recommends the creation and adoption of an oak woodland habitat ordinance that establishes heavy fines on any party that removes over one acre of oak woodlands without first securing permission to do so from PRMD.

13

A final concern we have is that any species and habitat policies or objectives already established in existing area and specific plans within the county which will be changed or repealed as a result of the General Plan 2020, should be recognized in the General Plan and superceded only when greater protection is offered in the General Plan update.

14

On behalf of CNPS, we appreciate the opportunity to comment on this DEIR. If you have any questions, feel free to call either of us

Respectfully submitted,

Bob Hass
Conservation Cochair

Mac Marshall, Ph.D.
Conservation Committee Member

257

Ad Hoc Committee

1 of 2

PRMD

Re: Draft Sonoma General Plan: Inadequacy of the EIR
No discussion of the Environmental Impacts of allowing Aquaculture in all
agricultural areas

Inadequate discussion of the adverse impacts of the "new" Right to Farm

Regarding Aquaculture:

We could find no discussion of the potential adverse impacts of aquaculture in agricultural areas.
Potential adverse impacts include:

1. Pollution of creeks and streams with toxic runoff from pesticides, fungicides, herbicides, artificial dyes, antibiotics and other chemicals and other substances associated with aquaculture and their potential for increasing the already toxic overloads in Sonoma County streams;
2. Impacts of escaped farm-raised fish on native species and listed species;
3. Eutrophication of creeks from increased runoff of fish manure from aquaculture ponds into waterways (like problems from dairy manure ponds);
4. No discussion of management of above problems and correlation with "sensitive" areas in Sonoma County especially as regards salmon and steelhead spawning;
5. No discussion of need to restrict areas where aquaculture allowed and types of species allowed to be grown, if any;
6. No discussion of alternatives to allowing aquaculture in "all" agricultural areas of the County.

In general, "fish farming" is highly controversial due to bacterial problems and above pollutant problems associated with the industry. Sonoma County is an historically significant area for salmon and steelhead. It has been a shame that the County has allowed our streams and rivers to degrade to the point of causing such stress to the native spawning species. Allowing inclusion of aquaculture as any other form of agriculture does a disservice to all who are in support of maintaining our stocks of wild salmon and "restoring" them to their former abundance. Farmed fish are no substitute for wild caught. To suggest otherwise is an insult to the palate, an affront to our taste buds!

A Sonoma County EIR must evaluate the potential adverse impacts of this highly controversial industry. Let the Sonoma County economy be known for "Wild Caught", not the artificially dyed, cheaper substitute.

Regarding the Right to Farm:

3 The text of the new Right to Farm and the associated notices are not included in the Draft EIR as they should be.

The "new" Right to Farm was adopted with out any EIR. It has the potential to cause environmental damage because it defines as "Normal and Necessary" activities that are neither normal or necessary in Sonoma County -- activities like arial spray of pesticides and seeds.

4 In this era of genetic engineering, arial spray of genetically altered seeds could wreak havoc with the organic farming industry and pollute or contaminate non-target public and private properties and pollute our waterways with toxic chemicals further endangering aquatic species.

There is inadequate treatment of this issue in the Draft EIR. The entire documentation of the legal action taken by Ann Maurice regarding the lack of an EIR when the Right to Farm was passed is incorporated into this letter by reference. Kindly refer to the arguments in our case for our reasons for environmental review.

Ann Maurice





SONOMA COUNTY FARM BUREAU

Affiliated with the California Farm Bureau Federation and the American Farm Bureau Federation

April 16, 2006

To: Sonoma County Planning Commission

From: Lex McCorvey, Executive Director

Re: Draft EIR Comments

RECEIVED
APR 17 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

General Comments:

Land Use, Population and Housing

4.1-2 Land use conflicts between agriculture and residential/urban uses:

While we concur that impacts are significant and unavoidable, the EIR does not acknowledge that residential development in agricultural areas is incompatible with agricultural operations because of the negative impacts the agricultural community faces because of the residential development. Agriculture can be negatively impacted by residential incompatible practices of misuse of pesticides, environmental damage, and predation by stray pets, noise, discarding of poisonous plants, increased traffic, and harassment.

1

Mitigation measures should assist in the minimizing the negative impacts on agricultural operations.

Water Quality – Agricultural and Resource Uses, Pg. 4.5-3

The policy recommendation WR 1i (1) does not factually represent agricultural activity. While grapevines may be grown on slopes, row crops are not and should be deleted from the language because it is not factual and is misleading. (2) Successful federal, state and local development of BMP's already exists and budgeting additional funding for such will have an adverse economic impact on county resources and is a duplication of efforts.

2

Biological Resources

The current General Plan provides adequate and thoughtful protection of biological resources. Major concessions were made by private property owners to protect these resources. Since the 1989 General Plan, numerous federal and state programs and resources have been made available to protect natural resources and many have received special recognition for the stewardship.

3

Sensitive Natural Communities, Pg. 4.6-2

- 4 [The EIR does not provide significant data to warrant suggesting that old growth Redwoods, Douglas fir and riparian corridors are adversely affected nor inadequately protected by the current General Plan. There is a false assumption made that these communities are rare and biologically more important than other species of trees or plant communities. The EIR falls short of the burden of proof to warrant any changes to the GP 2020. While protection of these communities are valuable, so too is the management of these areas for their own benefit, the surrounding ecosystem and that of the public.
- 5 [Policy OSRC-7v will place unreasonable economic burdens on the County with purchasing easements, land and other unspecified mechanisms.
- 6 [Policy OSRC-8c gives no concrete evidence to warrant rezoning of streamside conservation areas to the biotic resource category and further requires compliance to outlined principles whether or not an ordinance is ever adopted.
- 7 [The recommended mitigation measures in OSRC-7v and 8c are unrealistic and do not consider the adverse economic and environmental impacts on private property owners efforts to manage and improve these plant communities. The mitigation measures are not reasonable or economically feasible.

Wildlife Habitat and Movement Opportunities, Pg 4.6-4

- 8 [The EIR falsely concludes that proposed policies like OSRC -7b (1) (d); Policy OSRC-7e; Policy OSRC-8c5 and others would reduce the impacts of land use (agricultural) and development (agricultural) on wildlife movement.

- 9 [The EIR is void of data to suggest that land uses and development has or will result in a reduction of wildlife or fish habitat, will contribute to wildlife habitat fragmentation or obstruction. There is no species analysis or scientific data to prove that any of these false allegations will result in a significant impact as the EIR concludes.

- 10 [In the Geology/Soils section 4.7-14 paragraph 4 Timber Soils, a misrepresentation of information is purported by the EIR that unfairly prejudices against the activities listed. It states that in 1952 about 64% of the woodland acreage was commercial... That over the past 50 years the percentage of commercial woodland has steadily declined. The EIR provides confusing and leading conclusions that timberland has declined dramatically. The California Department of Forestry has more accurate timber conversion figures and no consideration is given to replanting of commercial planting, rezoning or other land use changes. Page 4.8-12 states that from 1989 to 1994 timber conversions less timber planted resulted in a net loss of 119 acres of timberland out of 292,000 acres of commercial timberland in the county (.0004 percent).

Furthermore, the EIR does not provide adequate information relative to the availability of soil types, slopes and climatic conditions that would suggest a level of risk from conversion of timberland to other crops. Pg. 4.8-11 suggests that once timberland is converted to cropland, it is

permanently lost from the timberland inventory. The same but converse analogy could be made that once farm or grazing land is allowed to or converted to timberland; it is permanently lost to farming or effective grazing. The EIR arrives at the wrong conclusion and does not fully relate the environmental consequences of changes to these land uses over time.

The paragraph likewise gives a negative reference to the harvest method of clear cutting as a negative impact on the environment, but neglects to state how selective harvesting can enhance environmental conditions like slope stability, reduction of landslides, improves stream bank conditions and reduces sedimentation risk.

Pg. 4.8-28 further contends that recent trends in timber conversions threatens the county's timber base and effectively represents a permanent loss of timber productivity. It is suggested that trends in timber conversion are alarming and a five thousand acre conversion is considered and implied eminent. The language in this EIR section is alarming and editorial in nature. They are not factual based and inappropriate in an EIR.

Pg. 4.8-29 references Policy OSRC-12c and states that it would greatly reduce both the amount of timber conversions as well as the associated impacts (which were described as negative environmental impacts. (See above) The EIR incorrectly concludes that policy OSRC-12c will greatly reduce threats but has no factual evidence to substantiate its claims.

Range Soils: The EIR incorrectly and insufficiently defines a range area as a region over which livestock may roam and feed. Wildlife typically also roam and feed on much of this region.

Agricultural& Timber Resources:

With regards to farmland conversion, Pg 4.8-4 paragraph 1, the EIR states in sentence 1 that agricultural land has experienced a net decrease since 1992. However in the last paragraph it states data actually indicates a net increase in agricultural land. Interesting dichotomy of facts.

On Pg 4.9-9, Agricultural Water Use, it states that there are approximately 60,000 acres are in agricultural crop production. This figure is grossly understated because there are 58,500 acres of vineyards stated in the EIR and thousands more acres of dry and irrigated farmland, orchards, hay, silage, and other crops.

Public Services

Agricultural Water Use

The data in this section on water use or consumption misrepresents the facts to lead one to believe that agricultural use draws significantly on groundwater sources.

In Exhibit 4.9-3 and 4, water use figures suggest that agricultural water use represents 58 percent of all county water consumption or 105,900 acre feet. However vineyard use is estimated 55,600 acre ft. on 47.3 acres of irrigated grape vines according to the CA. Department of Water Resources (DPR) figures as of 2001.

17 This represents an application rate of 1.2 acre ft. per acre of grapes. Industry estimates are that vines will use about .4 acre ft. which results in usage of only 18,920 acre ft. compared to 55,600 acre ft. suggested. Based on language on page 4.9-9 it suggests that vineyard acreage is only partially irrigated by ground water. Vital data is not provided regarding thousands of acres of vineyards irrigated with wastewater (benefiting the environment) with surface impounded water nor is credit given for water use that encourages water recharge as in nearly all agricultural activity.

Even if one were to believe the vineyard estimates, even more perplexing is how the data in the EIR suggests that above and beyond vineyards, 50,300 acre ft of water is further consumed by a mere 12,000 acres of additional crop land in the county (DWR figures 2001). This would require application of 4.2 acre ft. / acre/yr. Furthermore, of the 12,000 acres of alleged irrigated cropland, 9,400 acres represent pastureland leaving about 2,600 acres of additional irrigated cropland. One would be hard pressed to find 9,400 acres of irrigated pastureland and probably 99% of any such acreage would be irrigated with recycled wastewater and allowed to percolate into the soil for recharge activity.

Summary of Findings

18 We find that portions of the EIR findings accurately represent environmental impacts. However we also find statements, data and portions inaccurately represent environmental impacts. Some do not fairly represent facts nor are they objective. This can lead one to conclude that the EIR's application to the draft GP 2020 policies difficult to assess. In some cases, the absence of base line peer reviewed data and statistical findings, makes suggested alternatives indefensible and unfeasible to determine.

19 Another general concern is that the EIR does not consider the long term negative environmental impact some policies will have which will triggered by economic influences and insufficient management and deterring property owners from employing ongoing programs to improve environmental conditions.

20 One overlying concern with the evaluation of some uses and impacts is the failure to address improvements to environmental conditions as a result of managed agricultural activities. 4.1-32 paragraph 1 of the EIR states that potential adverse environmental impacts related to agricultural activities includes... That bias is pervasive through evaluations and interpretations throughout the document. We find that drawing one sided conclusions on the impacts of agricultural activity does not truthfully represent the environmental impact of agricultural activities.



259

RECEIVED
APR 17 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

April 17, 2006

Attn: Permit Resource Management Department
Sonoma County General Plan 2020

Re: GP 2020 Draft EIR Comments

Via fax to 707-565-8343

In reviewing the various elements in the DEIR we have some general comments to make regarding gravel mining, the ARM plan and this DEIR.

First, We do not see adequate description or mention of current mining operations, proposed mining operations that PRMD is well aware of and the protections in the Water Resources Element. The environmental setting description of the Russian River is inadequate due to no acknowledgement of impacts from currently permitted in-stream mining projects. It has been well documented that the Russian River has a sediment deficit. This has been clearly established by the Phillip Williams report in 1992 that analyzed the county's own data and in various documents and reports produced by USACOE and RRWC located on the RRIIS database. The DEIR makes no mention in the environmental setting of this sediment deficit and how it is made far worse by mining allowed under the ARM plan. The DIER makes no mention of the impacts of the sediment deficit combined with in-stream gravel mining allowed under the current ARM plan that this DEIR relies on. The impacts of the sediment deficit that are not mentioned in the environmental setting in this DEIR include, tributary downcutting, mainstem and tributary channel incision, bank erosion, bank collapse, riparian degradation, increased suspended sediment from induced erosion. In addition, the DEIR makes no mention in the environment setting that continued gravel mining in a watershed with a sediment deficit creates an impact to other property owners as the river will replace gravel from bars that are mined by eroding upstream and downstream properties. This was well established in the litigation between Dry Creek Valley Association and Syar/ Sonoma County regarding mining at the bars at the mouth of Dry Creek.

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The GP 2020 DEIR also does not address mining in the Mendocino reaches of the Russian River and how it pertains to the sediment budget by increasing the deficit. Any mining projects in the Mendocino reaches of the Russian would increase the sediment deficit and increase the impacts of mining in the Sonoma County reaches of the Russian River in Alexander Valley and the Middle Reach. The omission of mining projects and their impacts on the sediment budget in the Russian River from the environment setting in the DIER renders any discussion of mining or mining mitigations inadequate.

2

In section 4.7 page 15 the DEIR mentions that the "...ARM plan currently serves as the regulatory document providing guidelines for sound management of aggregate mining" and

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cont.

goes on to say that it was amended in 1994. The DEIR makes no specific mention of the numerous additional amendments to the ARM plan that occur on almost each individual permit. The additional amendments are not minor but significantly alter the methodologies for determining the methods used by permitted mining operations and demonstrates that the county has no firm "guidelines" but seems to cater to each permit application such as the Syar Phase VI application being considered that would allow open pit gravel mining to continue in direct violation of the current ARM plan. Another new application by Syar, UPE06-0015, is seeking to again overturn ARM plan protections by proposing a totally new mining methodology not approved under the current ARM plan. There is no discussion of the significant past deviations from the ARM plan or their impacts on hydrology, biotic resources or water quality, this is entirely inadequate to meet the requirements under CEQA.

4

In regards to the Syar Phase VI "extension application" that was received by PRMD we do not see any discussion in the environmental setting that acknowledges this application. Either the county needs to address the proposed direct violation of the current ARM plan and General Plan created by this application or deny the application outright anything else would be a violation of CEQA. The Syar Phase VI application requests to violate the current ARM plan and General Plan by exceeding the 100 acre limit of "terrace" or Open Pit mines on the West Side of the middle reach, by continuing mining past the agreed upon April 2006 "sunset" that was itself a mitigation required by law under the ARM plan and current Sonoma County General Plan. We do not see how this DEIR can pass muster under CEQA without addressing the fact that the county is strongly considering allowing continued Open Pit terrace mining in the Middle Reach of the Russian River.

5

The proposed General Plan 2020 DEIR does not adequately describe the environmental setting regarding the sediment deficit coupled with continued mining in the Russian River nor does the DEIR mitigate significant impacts arising from mining as contemplated in the GP 2020.

We are submitting a copy of the Russian River Bill of Rights that was drafted by a group of Sonoma County residents and we propose that this language be included to insure that the GP 2020 addresses the need to protect the Russian River beyond what is proposed in the current draft General Plan.

Sincerely,

Don McEnhill
Riverkeeper

Encl: Russian River Bill of Rights

Russian River Bill of Rights

Preamble

The Russian River is the heart of Sonoma County.

The Russian River is a living system that provides clean water, recreation, tourism, fisheries, wildlife, serenity and aesthetics to the people of Sonoma County. The River attracts thousands of visitors annually, provides an economic base, and is unparalleled in beauty and recreational quality. The River is an important wildlife and cultural corridor linking urban, agricultural, forest and coastal zones of the County. The River and its watershed is an essential source of irrigation (for farms) and drinking water to over one-half million people, in Sonoma, Mendocino and Marin Counties.

Each and every person in the County is entitled to enjoy the benefits of the river. Those benefits include clean water, recreation, safe and clean beaches, and a healthy environment for people, fish and wildlife. With the County's responsible leadership, the River can regain or retain its quality fishing, boating, swimming, ecologic and aesthetic character, and protect its critical water supply.

It is the challenge of the County and its residents to preserve and enhance the River's biological resources, its recreation and water supply, and its support of the local economy. To this end, the County will develop this Russian River Bill of Rights, to protect the renewable, global treasure that is the Russian River.

Russian River Bill of Rights

1. The Russian River shall be maintained in perpetuity as a living system, as a water source, and as an economic asset.
2. The Russian River water shall be a source of drinkable water, of the highest quality as determined by standards of the day, reflecting good watershed management and best available water protection technologies.
3. The Russian River's beauty, both of and from the River, shall be protected by County planning.
4. The Russian River shall be suitable and available for swimming and contact recreation, with adequate flows for non-motorized recreational boating and floating during summer months.
5. The Russian River corridor shall be available for hiking, biking, passive recreation and education through the use of easements and public ownership.
6. The Russian River shall be available as a County trail for boating, with public access points no less than once per river mile.
7. The Russian River shall have clean beaches with adequate toilet facilities, trash cans and security patrols.
8. The Russian River shall support thriving aquatic life and a sustainable sport fishery of native species, with winter flows adequate to rejuvenate fishery resources, reduce invasive vegetation and alleviate the danger of floods.
9. The Russian River shall, with adequate habitat corridors, be an effective and abundant habitat for wildlife, and be protected through the use of easements and public ownership.
10. The waters of the Russian River are a finite resource. The county and cities shall maximize the use of conservation, water efficiency practices, reuse and safe recycling to minimize the additional degradation of the natural flows.
11. The County shall sustain the Russian River as an asset, and promote it to derive economic benefits, to create educational opportunities and to seek its recognition as a global resource.
12. The Russian River shall be sustainably managed by an independent Regional Water Resources Management Board, established through a countywide general election, as recommended by the Sonoma County Grand Jury, 2003-2004.

260

**LYTTON RANCHERIA • Lytton Band of Pomo Indians**

April 14, 2006

Sent via Facsimile to: (707) 565-8343

PRMD Comprehensive Planning

2550 Ventura Avenue

Santa Rosa, CA 95403

Re: General Plan Update 2020 and DEIR

This comment letter is submitted by the Lytton Band of Pomo Indians (hereinafter, "Lytton Band" or "Tribe"), a federally recognized Indian tribe and sovereign government. The Lytton Band is formally requesting, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project").

We request that all comments be part of the official record of approval for this Project and for SB 18 purposes.

THE LEAD AGENCY MUST INCLUDE AND CONSULT WITH THE TRIBE IN ITS REVIEW PROCESS

It has been the intent of the Federal Government¹ and the State of California² that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments such as approval of General Plans, Specific Plans and EIRs. In this case, it is undisputed that the project lies within the

¹ See Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments and Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments.

² See California Public Resource Code §5097.9 et seq.; California Government Code § 65352.3.

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Cont...

resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments such as approval of General Plans, Specific Plans and EIRs. In this case, it is undisputed that the project lies within the Pomo tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the Lead Agency consult with the Tribe in order to guarantee an adequate basis of knowledge for an appropriate evaluation of the project effects, as well as generating adequate policies and mitigation measures.

THE COUNTY OF SONOMA
MUST CONSULT WITH THE LYTTON BAND
PURSUANT TO CAL. GOVT. C. §§ 65351, 65352, 65352.3, AND 65352.4

(SENATE BILL 18 - TRADITIONAL TRIBAL CULTURAL PLACES LAW)

The Lead Agency, the County of Sonoma, is required to consult with the Lytton Band pursuant to a State law entitled Traditional Tribal Cultural Places (also known as SB 18) (Cal. Govt. C. § 65352.3) prior to adoption or amendment of a general plan or a specific plan and when a scared site is placed in Open Space. Such consultation shall be for the purposes of identifying any Native American sacred places and any geographical areas which could potentially yield sacred places, identifying proper means of treatment and management of such places, and to ensure the protection and preservation of such places through agreed upon mitigation (Cal. Govt. C. 65352.3; SB 18, Chapter 905, Section 1(4)(b)(3)). All official consultations shall be government-to-government, meaning they shall be directly between the Tribe and the Lead Agency; and seeking agreement where feasible (Cal. Govt. C. § 65352.4; SB 18, Chapter 905, Section 1(4)(b)(3)). Lastly, any such information conveyed to the Lead Agency concerning Native American sacred places shall be confidential in terms of the specific identity, location, character, and use of those places and associated features and objects. Such information shall not be subject to public disclosure pursuant the California Public Records Act (Cal. Govt. C. 6254(r)).

THE LYTTON BAND IS CULTURALLY AFFILIATED
WITH LAND WITHIN THE COUNTY'S JURISDICTION
AND SPHERE OF INFLUENCE

The Lytton Band has a legal and cultural interest in the proper protection of sacred places and all Pomo cultural resources. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as Pomo village sites and archaeological items which would be displaced by development, and with the proper and lawful treatment of cultural items, Native American human remains and sacred items

² See California Public Resource Code §5097.9 et seq.; California Government Code § 65352.3.

likely to be discovered in the course of development and improvements within the County.

The Pomo people traditionally occupied the geographical area known today as the County of Sonoma for thousands of years. This is verified through stories and songs of the Pomo people that are cultural evidence of the Tribe's cultural affiliation with these lands. Occupation is also evidenced through anthropological studies, archaeological studies, and histories of the area. In addition, Tribal ties to these territories have been maintained to the present day through cultural and governmental actions.

THE LYTTON BAND REQUESTS GOVERNMENT-TO-GOVERNMENT CONSULTATION

The Lytton Band will be requesting that the County adopt specific procedures and policies in its General Plan concerning the protection, preservation and mitigation of sacred places, and all cultural resources. Such policies should address, but not be limited to, consultation with the Lytton Band, minimum general treatment requirements for sacred places, other cultural resources, and human remains, and the adoption of CEQA mitigation measures that are culturally sensitive to tribal interests.

We also request that such policies be considered for inclusion in the general policies and mitigation for all County projects affecting cultural resources.

EXAMPLES OF POLICIES / MITIGATION FOR GENERAL PLAN 2020 and DEIR IN SUPPORT OF GENERAL PLAN 2020

Currently, the General Plan includes Goal OSRC-19 within its Open Space and Resource Conservation Element which identifies the preservation of cultural resources within Sonoma County as a goal of the General Plan. This Goal is further fleshed out by the Objective OSC-19-3 which encourages preservation of archaeological resources through review of all development processes within archaeologically sensitive area and then sets forth policies to achieve the objective (c.f. Policy OSRC-19f and proposed Policy OSRC-19k in the DEIR).

The Lytton Band appreciates the County's concern and intent to preserve the invaluable cultural resources of the Pomo peoples through appropriate goals, objectives and policies within its General Plan. The Lytton Band would like to make some more specific suggestions for appropriate policies which are discussed more fully below. Further, the Lytton Band suggests that it would be appropriate to create separate Objectives and Policies for archaeological and paleontological resources much as the County has created separate Objectives and Policies for historic structures and archaeological resources.

The Lytton Band proposes the following additional policies to achieve the General Plan Goal OSRC-19 and its Objectives:

Archaeological and Cultural Resources Policies

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- Cont.
1. Any project that involves earth-disturbing activities shall require evaluation of the site by a qualified archaeologist retained by the project applicant, which would include at minimum a records search, a Phase I walkover survey, and preparation of an archeological report containing the results of this evaluation.
 2. If Phase II archeological evaluations are recommended, all such surveys with recommendations shall be completed prior to Project approval.
 3. Any project that involves earth-disturbing activities within previously undisturbed soils which is in an area determined to be archaeologically or culturally sensitive shall be conditioned for an archeological monitoring and, if available, Tribal monitoring during all ground-disturbing activities.
 4. All sacred sites are to be avoided and preserved.
 5. The County shall determine the appropriate tribe for consultation (that tribe which has the cultural ties and affiliation with that geographic area) with respect to a specific project and shall allow that tribe or tribes to participate in the development of the project mitigation for cultural resources.
 6. Any project that involves earth-disturbing activities within previously undisturbed soils in an area determined to be archaeologically or culturally sensitive by the County, through consultation with the Project Applicant and the appropriate tribe, will be required to have the following mitigation measures, at a minimum:

CR-1 Prior to the issuance of grading permits, the developer is required to enter into a Cultural Resources Treatment Agreement with the appropriate tribe. This Agreement will address the treatment and disposition of cultural resources and human remains that may be impacted as a result of the development of the Project, and may also contain provisions for tribal monitors.

CR-2 If cultural resources are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease, and a qualified archaeologist and representatives of the appropriate tribe shall be retained by the project sponsor to investigate the find, and make recommendations as to treatment and mitigation of any impacts to those resources.

CR-3 A qualified archaeological monitor will be present and will have the authority to stop and redirect grading activities, in consultation with any designated tribal monitors, to evaluate the significance of any archaeological resources discovered on the property.

CR-4 If the appropriate tribe so chooses, Tribal monitors from the Tribe shall be allowed to monitor all grading, excavation and groundbreaking activities,

including all archaeological surveys, testing, and studies, to be compensated by the developer.

Human Remains and Native American Human Remains Policies

1. In the event of the discovery of a burial, human bone or suspected human bone, all excavation or grading in the vicinity of the find shall halt immediately and the area of the find shall be protected and the Project Applicant shall immediately notify the County Coroner of the find and comply with the provisions of Cal. Health and Safety Code Section 7050.5, including Cal. Public Resources Code Section 5097.98, if applicable.

2. In the event that human remains are determined to be Native American human remains, the applicant shall consult with the MLD to determine appropriate treatment for the Native American human remains.

Lastly, the Tribe also requests that the County provide us with all notices and documentation concerning any County action which triggers SB 18 Consultation.

The Lytton Band looks forward to working together with the County of Sonoma in protecting the invaluable Pomo cultural resources found within the County.

Sincerely,

Margie Mejia

Margie Mejia
Tribal Chairperson
Lytton Band of Pomo Indians

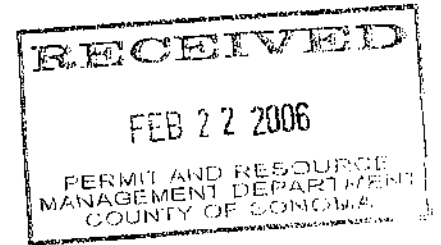
cc: Brenda Tomaras, Tomaras & Ogas

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cont.



February 17, 2006

261



Commissioner Richard Fogg, Chair
Sonoma County Planning Commission
2550 Ventura Ave.
Santa Rosa, CA 95403

Dear Chairman Fogg and Commissioners:

I represent the Sebastopol Water Information Group (SWiG). Our mission is to seek information on local groundwater issues and keep the community informed, working with local officials, County and State water agencies, and other local groups; to safeguard water supplies, establish credible well monitoring for private well owners, organize community forums on issues of concern, and advocate for local and County-wide sustainable water management. Please share this letter with PRMD staff and your fellow Commissioners. I would appreciate a response to the following questions.

SWiG supports the General Plan Update's proposed Water Resources Element, and particularly the portions that can be implemented to manage groundwater resources for the large number of County well owners. Unfortunately, both the Draft General Plan and Draft Environmental Impact Report are extremely complex and the public will not have enough time to study them and prepare meaningful comments before the scheduled February 28 meeting for public comments. We ask that you extend the comment deadline by 30 days, and set the hearing for the final day of that comment period.

Planning Commissioners have already been deeply involved in the documents, and so may not understand the public's difficulty in dealing with their complexity. In addition, the coordination between EIR and draft GP is not obvious and difficult to parse--just figuring out how they relate to each other takes a great deal of time.

It is only fair that the public have a reasonable amount of time to review a plan that will affect their lives for the next fifteen years, and 60 days is simply not enough. I believe that February 28 is too soon for the Commission to hold the only meeting for oral public comments on the whole nexus of issues involved.

Yours truly,

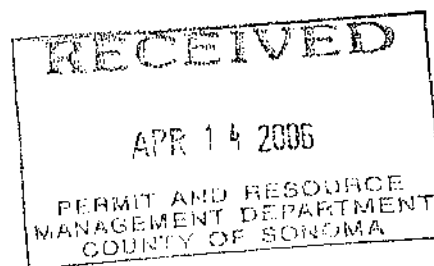
Jane E. Nielson, Ph.D. (SWiG President)

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262



April 14, 2006



Sonoma County Permit and Resource Management Department
 Attn: Scott Briggs, Greg Carr
 2550 Ventura Avenue
 Santa Rosa, CA 95403-2829

Subject: Comments on the Draft Environmental Impact Report for Sonoma County's General Plan Update (GP 2020).

Dear Mr. Briggs and Mr. Carr,

The Sebastopol Water Information Group (SWiG) is a Sebastopol area organization that works to protect and sustain water supplies for human use and natural functions, through information gathering and dissemination, local water monitoring, and action on water issues. The following comments are directed primarily at reducing the impacts on water supplies and water quality of proposed land uses in the General Plan Update (GP 2020).

On the whole, we believe that the GP 2020 document under review contains many policies that will increase public well-being, sustain resources, and lower the hazards to public life and property of life in Sonoma County, especially in comparison with the current General Plan. We strongly support the addition of a Water Resources Element. It is a great step toward better protection and management of our most important resource—for without water, land ownership and rights have no benefit, while flooding and eroding water masses pose the leading hazards to life and property in Sonoma County.

We have found a number of information gaps and incorrect statements in the DEIR, however, and these are the focus of many comments in the following comments. Some of the missing information is fundamental to assessing the impacts of General Plan policies, and some of the incorrect statements relate to issues with significant potential impacts. These impacts are not addressed or cannot be addressed without the missing information or corrections to the statements.

The DEIR properly refers to the General Plan policies as mitigations for the impacts that it does assess, and proposes some additional mitigations to lessen the impacts. For many impacts rated Less Than Significant (LTE), however, we find, that the mitigating policies are too permissive to rate the LTE assessment. And there are too many impacts that remain Significant and Unmitigated (SU), indicating the need for more and stronger mitigating policies, to protect the public from future water shortages, poor and polluted water quality, floods, landslides, and other hazards.

In the following comments, we have pointed out where additional policies are required to lower impacts, validating the LTE and substantially mitigating the SU impacts.

We are watching the GP process carefully, out of concern that the public comment version may undergo changes after the comment period ends. We are hoping that many of our recommended changes will be incorporated into the General Plan, but this incorporation will alter the basic project. We believe that such alterations require substantial re-writing and re-circulation of the DEIR.

Sincerely yours,

Jane Nielson, President
 Sebastopol Water Information Group

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I. MISSING, INCORRECT, AND CONFLICTING INFORMATION

A. General and Water Supply

1. p. 4.9-3 -- The DEIR description of the SCWA Laguna de Santa Rosa (LSR) groundwater production wells should add their locations, on Occidental Road near High School Road, on Sebastopol Road west of Llano Road, and at the northern sharp bend on Todd Road. The DEIR should note that the wells originally were constructed to serve as emergency water supplies in case of severe drought, but were converted to production status in 2002.
2. p. 4.9-9 -- The description of City of Sebastopol wells as "east of the City" should be corrected to state that the City's wells are within the City's eastern boundary, and that they draw water from strata of the Wilson Grove formation. The DEIR also should note that the City wells are close to the sites of SCWA's LSR groundwater production wells, and may compete for water at deep aquifer levels.
3. p. 4.9-4 to 4.9-5 -- The Urban Water Management Plan (UWMP), the estimated water supply and demand for most Sonoma County cities, who are Sonoma County Water Agency (SCWA) contractors, is not even mentioned in the DEIR. This is an egregious omission, even though the UWMP apparently is still in preparation. [The Sonoma County UWMP was due in December, 2005]. Without UWMP estimates, the DEIR and public cannot judge how General Plan water supply policies should be written to minimize the UWMP's impact, nor make meaningful comments on water supply components of the DEIR. These impacts can affect surface and groundwater, and agricultural and open-space areas throughout the County.

The DEIR should describe the UWMP requirement, and the difficulty of estimating the public service section impacts without the figures. The DEIR impact statements also must be highly conservative, and should recommend conservative GP policies, in anticipation of broad mitigation needs.

4. The DEIR's Exhibit 4.9-1, based on the 2000 UWMP, is singularly uninformative, considering the County's current inability divert additional Eel River water. The Exhibit considers only groundwater and surface water sources, whereas the current draft restructured contractor agreement, and consonant draft Water Supply and Transmission Reliability Project, both specify a range of water sources--surface water supplies, conservation, wastewater re-use, and 40 percent from "other" sources, which must include groundwater wells.

The DEIR must assess the impact of implementing this mix of water supply sources, and identify or suggest General Plan policies that provide sufficient mitigations to protect the public health and the sustainability of the County's overall water supply.

5. The DEIR supply and surplus totals in Exhibit 4.9-1 are over generalized and seem overblown, with no records to indicate how they are calculated. The estimate gives no indication that water-years can vary. The DEIR should contain a best, most likely, and worst case water supply scenario to account for that variability. The worst case should consider (1) no approval of the Water Project (no increased withdrawals from Lake Sonoma and/or the Russian River), (2) reductions in Eel River diversions, (3) a possible mandated increase in required minimum Russian River instream flows, and (4) droughts. A comprehensive assessment of the three scenarios would undoubtedly reveal additional impacts and potentially beneficial mitigations.

B. Groundwater

1. p. 4.5-19 -- The DEIR should note that faults and fractures can serve either as aquitards (or aquacludes) or channels for water, and that local artesian conditions are common in Sonoma County.
2. p. 4.5-20 -- The DEIR misrepresents the level of the 1975 and 1982 CA DWR groundwater studies for Sonoma County (published in the 1970s and 1980s as sections of the DWR Bulletin 118-4 series). Carl Hauge, former DWR Chief Hydrologist, has informed SWiG that the studies cited were reconnaissance-level surveys, intended to guide future detailed studies--not to be scientifically definitive. Mr. Hauge indicated that he had expected the

County to timely follow up the DWR groundwater surveys with detailed studies, including evaluation of water budgets and groundwater flow models.

The DEIR should be revised to reflect the current lack of definitive groundwater studies for Sonoma County, and actual status of current studies. Unfortunately, the County did not undertake rigorous groundwater studies until very recently. In a later section the DEIR mentions 4-year collaboration between SCWA and U.S. Geological Survey for groundwater studies on Alexander-Cloverdale and Sonoma Valleys. The extended time frame of DEIR preparation has led to a situation in which these studies have concluded, but the DEIR characterizes them as underway. For the same reason, the DEIR omits mention of the USGS Santa Rosa Plain groundwater study, now underway. The information on these USGS studies should be updated. These studies were finished in 2005, but at the time of this DEIR comment period, neither of the studies has been publicly released.

3. p. 4.5-37 -- **The DEIR should revise the incorrect the statement: "Historically, very few local governments, particularly counties, regulate or manage groundwater usage or withdrawals in order to broadly manage these water resources."** In fact, the California Department of Water Resources (DWR) publication California's Groundwater, DWR Bulletin 118 (revision 2003) lists 167 State locales that have developed groundwater management plans under state laws initiated as AB 3030. Also, 28 counties have established groundwater ordinances. In addition, California has 13 Special Act Groundwater Management Districts, and 26 adjudicated basins.

4. p. 4.5-20 -- **Lack of Groundwater Monitoring:**

- The DEIR should note that the County has not kept complete records of the number of wells in the County, their distribution, or water levels at construction. The data that the County has kept are partial and in contrasting formats.

- This part of the DEIR should mention the deep wells owned and operated by the Sonoma County Water Agency (SCWA) in the Laguna de Santa Rosa (and reference other DEIR sections that describe these wells), and at least mention that other water-production wells are owned and operated by municipal and water districts and private mutual water associations throughout the County. The DEIR should further note that some of these wells monitor water levels in their vicinities, but that the County does not require any level of groundwater supply or production monitoring.

- The DEIR also should describe 1977-78 groundwater tests performed by SCWA, which demonstrated that pumping at the agency's LSR wells could lower water levels in the wells of neighboring LSR householders, (Attachment 1A), and could even impact each other (Attachment 1B). The DEIR also should divulge the 2001 installation of continuous monitoring wells around each of the SCWA LSR wells, and should include graphs of the monitoring data from those wells. They show that pumping at each well has the effect of lowering groundwater levels at the other SCWA wells (Attachment 2).

5. p. 4.5-21 -- **The DEIR must specify the "problematic groundwater supply areas" that "are currently being investigated by PRMD."** Unless the same as the areas studied by Kleinfelder, Inc., the DEIR text must include the names and locations of the areas (ideally depicted on a map), the kind of water supply problem being investigated, and the County personnel or consultant undertaking the investigations, and their qualifications, and the date that a report of the investigations may be expected. If the reference is to the Kleinfelder report areas, the text on this page should supply that reference.

6. Other studies and data are available from a variety of Sonoma County public agencies show groundwater problems in areas that are not defined as water-scarce, including:

- City of Sebastopol well water level records, which show lowering water levels since construction of the wells,
- SCWA monitoring well data for their Laguna de Santa Rosa wells (Occidental Road, Sebastopol Road, and Todd Road, from 2001-2004 (displayed in figures 3, 4, and 5 of Attachment 2).

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16
• Parsons Engineering Science, Inc., Evaluation of Groundwater Supply Alternatives, Water Supply and Transmission System Project, 1995, which noted substantial water table lowering from groundwater pumping the southern Santa Rosa Plain.

• We also submit as attachments letters from householders Holly Downing, Richard and Brenda Nichols, and Donna Turrentine, describing well problems due to lowering groundwater levels south and southeast of Sebastopol (also submitted to the Citizens Advisory Committee, Attachment 3), a letter from the regional Water Board reporting lowering ground water levels in monitoring wells within the Sebastopol City Limits (Attachment 4), City of Sebastopol well water levels logs, as received from the City Department of Engineering (Attachment 5A-D), including original driller reports giving the water level at construction of each well (Attachment 5E-H), and a compilation of yearly averages between 1985 and 2005 (Attachment 5I), and a soil and water level report for a south Sebastopol property close to City Well no. 6, by Kleinfelder, Inc. consultants, which includes conclusions about water level trends in that locale (Attachment 6).

16
7. p. 4.5-25 -- The description of the Santa Rosa Plain Groundwater Subbasin contains unsupported statements that do not conform to descriptions and maps in standard references (for example, in the DWR Bulletins). In particular, the "alluvial plain of the Laguna de Santa Rosa" is described as a "major groundwater recharge area." DWR and some ancillary studies identify some LSR channels as recharge areas, but we have never seen any map or discussion that suggests other parts of the LSR alluvial plain are major areas of groundwater recharge. This lack of recharge capacity is well demonstrated by the Laguna's notorious tendency to flood, rather than to absorb water, and commonly is ascribed to ubiquitous clay layers within the alluvial fills.

17
8. The DEIR also should note that a 1979 DWR study stated, "presently available water level data indicate a gradual lowering of water levels beneath the City of Rohnert Park over time," and "[G]reatly increasing the number of pumping wells may cause an overdraft situation." (Meeting Water Demands in the City of Rohnert Park, California Department of Water Resources, 1979) Another DWR study (in 1982) found SRP groundwater "about in balance," but higher groundwater levels in the northeast than in the south. A 1987 DWR SRP Groundwater model (Santa Rosa Plain Groundwater Model, California Department of Water Resources, September 1987) noted a rapidly increasing demand for water in the Santa Rosa Plain, both from the SRP Subbasin and imported surface water.

To the DEIR's assertions about the equilibrium status of water in the Canon Manor area, public challenges to those assertions in administrative proceedings should be added, and the DEIR also should note that the Rohnert Park Water Supply Assessment has been challenged in court.

18
9. p. 4.5-28 **Groundwater areas of concern --**

In addition to the existence and aims of the Kleinfelder study, the DEIR also must summarize the results, which confirmed that the selected water-scarce study areas are experiencing varying degrees of groundwater depletion, some very serious. The Kleinfelder Report concluded, in part, that "[a]dditional groundwater extraction is likely to increase the rate of overdraft and result in further decline of the groundwater levels. ... Levels will continue to drop as long as extraction exceeds recharge." PRMD reported to the BOS that the Kleinfelder Report findings will need to be considered in connection with any new discretionary applications in the study areas (e.g., subdivisions or use permits) because "at a minimum, the Report will constitute 'substantial evidence' under CEQA that a cumulative groundwater impact may exist ..."

19
10. p. 4.5-32 -- The DEIR's familiar figure of 40,000 wells in Sonoma County often is cited, but without any source or evidence to support it. Since PRMD is in charge of issuing well permits and overseeing well data management, they ought to be the source for such statistics, and PRMD should supply a basis or reference for this number in the DEIR.

The concept of long-term sustainability of groundwater supplies is remarkably missing from the discussion of PRMD's oversight of well water permitting.

11. p. 4.5-36 -- The DEIR asserts that the City of Sebastopol is the only city in Sonoma County that has developed and implemented a Wellhead Protection program, in coordination with and overseen by California Department of Health Services (DHS). To the best of our knowledge, this is not correct. DHS carried out a pilot project in 1998 that developed a Wellhead Protection program for the City of Sebastopol. SWIG has made copious inquiries of the City, including a number of Public Records Act requests, to determine the extent to which the DHS-recommended Wellhead Protection program has been implemented. The City's responses indicate that it cannot claim to have implemented any but the most minor aspects of the recommended DHS Wellhead Protection program. The only implemented portions are 1. production of a periodic "Consumer Confidence Bulletin," circulated in water bills, which fulfill only one aspect of the DHS-suggested water protection information program, and 2. labeling storm drains with their discharge destinations.

The most substantive parts of the DHS Wellhead Protection program for Sebastopol remain unplanned and unimplemented--in particular, the City has not created a public water protection information program specifically aimed at reducing and eventually preventing chemical releases from business and industrial sources that could threaten groundwater supplies; it has not designed a facet of its public water protection information program specifically to become part of local schools curricula; has not entered the Groundwater Guardian network for support of groundwater protection efforts, and to aid its "Consumer Confidence" flyers; has not sought or considered seeking land donations or easements in the vicinity of the city wells, to reduce the abundance of potential groundwater contamination sources; has not established an ordinance, nor amended the General Plan, to prevent contaminating uses of the lands immediately surrounding City wells; has not changed storm drain labels from stencils to stickers, or begun or considered beginning a program for parking lot cleaning; has not instituted or considered instituting a program for monitoring underground tanks used to store potentially groundwater-contaminating materials; has not required or considered requiring that new underground tanks used to store potentially groundwater-contaminating materials must be of double walled construction; has not established emergency response plans and staff training to respond to possible hazardous materials releases that could threaten city drinking water supplies; has no contingency plans for city drinking water contamination emergencies, including emergency water system operation procedures, well shutdown procedures, and Spill-Incident Response plans; has no plans for functioning without its largest supply well, or for alternative sources of water supplies in case of its largest supply well being shut down; and has no plan for supplying water through future droughts.

12. p. 4.5-38 **Groundwater Management** --

The discussion of AB 3030 Groundwater Management plans is largely correct, but omits some critical information. CA DWR representatives have advised an ad-hoc City of Sebastopol Water Committee, consisting of City Staff, Council Members, and citizens, that the state will recognize any level of groundwater-related involvement, including groundwater well permitting, well testing and record-keeping, and well-management policies (such as water quality improvements, and regulations for maintaining or closing wells) to constitute groundwater management.

The DEIR does mention that the only requirement for qualifying a GW management plan under AB 3030 is to hold a widely-noticed public hearing to attract all stakeholders. The DEIR should state further that a GW management plan is organic, and does not require total knowledge for creation and implementation. A preliminary groundwater plan is assembled from existing well programs, however piecemeal, and stakeholder input contributed at the initial hearing. The groundwater-managing agency can apply for local assistance grants as soon as the stakeholder meeting is held (the public notice of that hearing is a required part of the grant application). The plan must include continually seeking information, input, and feedback, and incorporating new information into the evolving plan. The implementation also can be incremental, expanding features and changing focus as groundwater study results, stakeholder feedback, and groundwater monitoring programs demand.

22 13. p. 4.5-40 -- In addition to information about groundwater decline in Sonoma Valley, the DEIR should add the nascent USGS study of the Santa Rosa Plain groundwater basin, and the presence of identified local groundwater overdrafts in the south Santa Rosa Plain, and possibly near south Sebastopol in the vicinity of both Sebastopol and Sonoma County Water Agency's (SCWA) production wells, formerly called "Emergency Wells."

The DEIR also should note that the proposed Restructured Water Agreement (Attachment 7) and other public statements on its water supply system, propose that SCWA water contractors provide 40 percent of the water for their growth plans from water conservation measures, expanded use of recycled water, and "other" sources--which can only mean groundwater. The DEIR should acknowledge that this SCWA requirement means that groundwater supplies are likely to be called upon more in the future than in the time since SCWA began fulfilling water contracts throughout the County, and to water districts outside the County of Sonoma.

23 14. p. 4.5-40 Hydrology and Water Resources Significance Criteria --

The significance criteria should include practices that contribute to groundwater depletion, not just those that significantly deplete supplies or interfere with groundwater recharge in a currently noticeable way.

C. Water Quality and Flood Control

24 1. p. 4.5- 4 to 4.5-19 Laguna de SR 303d impairment --

Exhibit 4.5-2 (p. 4.5-4) shows LSR as impaired for siltation, water quality, and biological resources but narratives on p 4.5-12 and 16, and Exhibit 4.5-3 (p. 4.5-18), showing 303d impairments for Sonoma County streams and wetlands, do not show the 2002 and continuing 303d listing of LSR list for high nitrogen, high phosphorus, high temperature, low dissolved oxygen, and excessive sediments

([http://www.lagunadesantarosa.org/RMP/Project/Progress Report-July-28-2004.htm](http://www.lagunadesantarosa.org/RMP/Project/Progress%20Report-July-28-2004.htm)). A footnote to Exhibit 4.5-3 shows that it drew the 303d list from 1998 and 1999 source documents, which are far out of date. LSR was 303d listed before completion of the General Plan draft, and the general Plan DEIR, and the DEIR must reflect the current status.

25 2. p. 4.5-29 -- *County grading permits and erosion control*

Provisions for sediment control come under storm water management and are not part of NPDES permits. The DEIR confuses these two regulatory areas.

26 3. p. 4.5-31 *Flood control and floodplain management*-- The DEIR states that "flood hazard policies of the 1989 General Plan have likely reduced flooding and flood damage...." Appended to this speculation, the DEIR should note that studies are lacking to confirm the effects of past General Plan policies. General Plan Update 2020 should emphasize monitoring and studies to eliminate speculation and actually assess the effects of its policies, especially on water supplies, water quality, erosion, and flooding impacts.

27 4. p. 4.5-33 -- *NPDES Program*

The NPDES program is incorrectly described on this and following pages. The program actually described is the SUSMP, for Storm water management. NPDES is for management of wastewater. This is a very serious mistake, suggesting how very sloppily the DEIR was put together.

28 5. p. 4.4-37 -- The DEIR names a limited number of community groups that contribute to Watershed Protection and cleanup activities. Elsewhere, we do not find the names of many other non-profit citizen groups active in surface water-quality and groundwater protection, whose representatives contributed substantially to the Draft General Plan Update, and principally to creation of the Water Resources Element. The names of these groups, including the Russian River Watershed Protection Council (RRWPC), Open Space, Land, and Water Foundation (OWL), the Occidental Arts and Ecology Center (OAEC), and Friends of the Eel River (FOER)--and probably many more.

29 In addition, the DEIR omits mention of two issues that will face Sonoma County, along with the rest of the U.S.

• Global warming, which is significantly warming ocean areas, particularly polar ocean areas, melting the icecaps, reducing snowpacks, already is changing weather patterns across the world. The effects cannot be predicted, but they are bound to affect water supplies. Possible impacts include prolonged droughts or extremely wet winters with unusual levels of flooding hazards, and high summer temperatures that dry out soils, requiring much more irrigation water than previously. The DEIR should discuss these issues and establish planning programs as mitigations.

• Petroleum prices are rising, changing the bases for all economic activity. The U.S. imports more than 60 percent of its petroleum from other countries, and many sources believe that world oil production is close to its peak, and subsequent decline. In fact, world oil production has slowed since the last quarter of 2004, so the time of peak oil may be now. Every land use and transportation policy in the GP 2020 is predicated on the belief that oil production and consumption will continue to grow at the pre-2004 rate. The DEIR should consider an alternative that supposes only slight or no growth in oil consumption from 2006 through 2020.

II. IMPACTS AND MITIGATIONS

SWiG supports adoption of the Water Resources Element, but believes that the General Plan policies must be strengthened to protect surface and groundwater quality and supplies from myriad land uses. No water impacts should be allowed to remain Significant and Unmitigated. Unfortunately, the Impacts deemed "Less than Significant" may remain significant if the language is not substantially improved, with implementation required.

In the following, we cite only on the proposed policies for impact mitigations that we hope to see upgraded for reducing impacts on water quality and supplies. Original language is shown in sans-serif type, and our comments and suggested additions are in serif font. Suggested deletions are shown in strikeout type, and suggested replacement or additional language is underlined.

A. p. 4.5-41-43 - Impact 4.51 Water Quality from Residential, Commercial, Industrial, and Public uses

The policies WR-1 a -f, and j, and OSRC-8a-h, can effect substantial mitigations for this impact but SWiG cannot agree that they will yield Less Than Significant impacts, because the General Plan does not require implementation of the policies, and some are too weak to provide substantial mitigations.

1. SWiG strongly suggests that the objectives under Goal WR-1, and the implementation statement, be revised as follows:

Objective WR-1.1 - Work with the Regional Water Quality Control Boards (RWQCB) and interested parties in the development and implementation of RWQCB requirements and provide input to triennial updates of the North Coast and San Francisco Bay Area Basin Plans to reflect goals and objectives of this General Plan element.

Objective WR-1.2 - Require quality of treated waste water to conform with beneficial water use standards ~~to the maximum extent feasible.~~

Objective WR-1.4: ~~Encourage~~ Require new groundwater recharge opportunities and protect existing State-identified natural groundwater recharge areas. Define natural groundwater recharge as increasing groundwater quantity by natural percolation of rainfall or by surface irrigation so as not to have any significant impact on groundwater quality, and exclude intentional underground injection of treated wastewater or other contaminants that degrade aquifers.

2. Implementation statement - The following policies, in addition to those in the Land Use and Public Facilities and Services Elements, shall be used implemented to accomplish the above objectives:

3. In addition, the following policies need strengthening, as indicated below:

Policy WR-1a - Write regulations that ~~C~~ coordinate with the RWQCB requirements, and establish policy guidelines for SCWA contractors, Cities, Resource Conservation Districts, watershed groups, stakeholders and other interested parties to develop and implement public education programs and water quality enhancement activities and provide technical assistance to minimize storm water pollution, support RWQCB requirements and manage related County programs. ~~Where appropriate, Utilize watershed planning approaches to resolve water quality problems.~~

Policy WR-1c - in the place of the phrase "to the maximum extent practicable," a target implementation date should be set, along with a standard of improvement to be met by 2020. For example,

- (1) By 2010, establish programs to ~~Prevent, to the maximum extent practicable,~~ pollutants from reaching storm water conveyance systems, with the objective of reducing stormwater pollution by 60 percent from 2000 levels by 2020.
- (2) By 2010, establish programs that ~~Limit, to the maximum extent practicable,~~ storm water flows from post development sites, at least to pre-development quantities.
- (3) Conserve and protect natural areas to ~~the maximum extent practicable.~~ Protect natural recharge areas, as identified by the State Department of Water Resources (DWR).

Policy WR-1e - Change to an active County role in creating and enforcing TMDLs: ~~Participate~~ Create committees and provide staff support for County participation in the development of Total Maximum Daily Loads for the impaired water bodies and pollutants of concern identified by the RWQCB to achieve ~~to the maximum extent practicable~~ compliance with adopted TMDLs. Work with the RWQCB to develop and implement measures consistent with the adopted TMDLs. Establish a plan for implementing programs to achieve the TMDL standard, including maintaining base in-stream flows to meet or exceed TMDL levels.

Policy WR-1f - Establish a committee to ~~W~~ work closely with the RWQCB, incorporated cities, SCWA and other interested parties, to continuously ~~in the development and implementation of~~ water quality plans and measures.

4. The Open Space and Resource Conservation Element should add a policy that defines recharge lands as a resource category for protection.

B. p. 4.5-43-44 -- Impact 4.5-2 Water Quality -- Soil Erosion and Sedimentation related to Construction -- We suggest changes in WR and OSRC policies to mitigate erosion and sedimentation impacts on water quality, to bring the SU impact level to LTS. In particular--

1. The implementation statement under Goal WR-1 should read - The following policies, in addition to those in the Land Use and Public Facilities and Services Elements, shall be implemented to accomplish the above objectives:
2. In addition, the following policies need strengthening, as indicated--
Policy WR-1g - must include a target for reducing deposition and discharge of sediment and other pollutants.

Policy WR-1h - should be strengthened: Continue to require grading plans to include measures to avoid soil erosion and consider upgrading requirements ~~as needed to avoid sedimentation in storm water to the maximum extent practicable.~~ **The policy also must set targets for reducing sedimentation.**

3. We support all policies in the Open Space and Resource Conservation Element for reducing soil erosion, with the following suggestions for strengthening and correcting:

Change introductory statement for policies under Goal OSRC-11 to read: The following policies shall be used ~~implemented~~ to achieve these objectives:

Change Policy OSRC-11a - Enact regulations to require ~~D~~ designing discretionary projects so that structures and roads are ~~shall~~ not be located on slopes of 30 percent or greater.

Revise Policy OSRC-11c - ~~Strongly Encourage~~ agricultural lands owners to work closely with the ~~U.S. Soil Conservation Service~~ U.S. Department of Agriculture Natural Resources Conservation Service and local Resource Conservation Districts to reduce soil erosion and to encourage soil restoration. (note that the U.S. Soil Conservation Service is now the U.S. Department of Agriculture Natural Resources Conservation Service, see <http://www.nrcs.usda.gov/>)

Revise Policy OSRC-11e to set limits on topographic and vegetation modifications near waterways, and especially limit the volume of additional sediment that can be shed from the lands after modification, with strong penalties. Evidentiary standards should be set for decision-making on appeals based on economic infeasibility.

Revise Policy OSRC-11f - Prepare and submit to the Board of Supervisors an erosion and sediment control report. Use the report to designate areas of greatest concern and focus for educational and oversight activities.

C. p. 4.5-44-48 -- Impact 4.5-3 Water Quality -- Agricultural and Resource uses

The significant impacts of storm water runoff and sedimentation from agricultural and resource land uses can be substantially reduced at very little cost to agriculture or timber industries.

1. The following revisions can lower environmental impacts from SU to LTS :

Policy WR-1i - needs to state the desired evidentiary bases for Best Management Practices. **Instead of requiring these BMPs for slopes of 35 percent or greater, the policy should require determining the degree of slopes that produce the largest erosional sediment loads, from peer-reviewed research on agricultural lands, both within and beyond Sonoma County. Then design the BMPs for slopes of that degree and higher.**

We endorse additions to the policy in proposed mitigation measure 4.5-3(a), but the mitigation also needs language that would more strongly encourage compliance.

We also strongly support mitigation measure 4.5-3(b), and policy OSRC-8c, for lowering the significance of impacts countywide. An alternative would be to make grading permits on agricultural properties discretionary, and require implementation of identified BMPs.

We strongly suggest adding a program for monitoring storm waters and sediment yields from vineyards, with data collection from VESCO-conforming and non-VESCO-conforming vineyards. The data should be used to show that the guidelines have the desired impacts of reducing runoff and sedimentation, or if there are relatively few differences, the data can be used to continuously refine the VESCO ordinance. This program and the data management can be funded by increasing permit fees.

Policy OSRC-12c - Under what conditions would this policy not be applicable? It should commit the county to commenting on timber harvest plans in support of increased protection for Class III streams, including statements opposing construction of logging roads on slopes of 30 percent or greater, and in favor of restoring temporary roads (including logging roads) and borrow pits after use.

Policy OSRC-12d - Strengthen the language, as follows:

Review timber harvest plans adjacent to designated riparian corridors and request state that County policy strongly disfavors clear cutting ~~not occur~~ within streamside conservation areas. Where clear cutting is approved by the applicable state or federal agency along designated riparian corridors, ensure that at least 50 percent of the overstory canopy and at least 50 percent of the understory vegetation be retained.

34 cont.

Policy OSRC-12e - We strongly support this policy.

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2. SWiG believes that the level of Impact 4.5-3 can be lowered to LTS if the County applies these policies to all land uses--that is, we urge that the General Plan be revised to state that protecting rivers in the County from the erosional impacts of all human land uses is a top goal--that lowering the level of erosion from roads, fields, timber harvests, mineral extraction, and all other construction will benefit farmers, whose downstream fields become sedimented and polluted in floods; County fishers, who depend on streams as hatcheries for wild salmonid species; homeowners in landslide- and flood-prone areas; all taxpayers who have to pay for repairs on roads in landslide- and flood-prone areas...etc.. We also urge that the General Plan require that all grading permits will require adherence to well-established, national standards for grading roads on slopes.

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3. In addition to OSRC policies 13a, b, and c, to reduce water quality impacts will require the Water Resources element to include a policy for updating and continuing the Aggregate Resources Management Plan.

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D. p. 4.5-49-50 -- Impact 4.5-4 Wastewater Disposal.

Wastewater management impacts both surface and groundwater, and is a most critical activity for assuring clean water sources in the future, for the economic well-being of Sonoma County and the health of its citizens. The current waste management programs have significant impacts, and future plans for wastewater disposal may threaten to contaminate both surface streams and groundwater reservoirs. Yet the DEIR's explanation of the NPDES program for wastewater disposal is incorrect.

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The DEIR covers all wastewater issues in only one page, without any information on Santa Rosa's plans to dispose of high treated wastewater volumes by letting it percolate into groundwater near rivers and streams, and even by direct discharges into the Russian River, or County (SCWA) plans to provide wastewater in trade for stream-water volumes now used to irrigate agricultural lands. The DEIR's omissions mean that it cannot identify the impacts of such proposed policies--and therefore, policies WR-j through q cannot bring the impacts to the LTS level.

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1. Other than the incorrectly-described NPDES permits for wastewater disposal (p 4.5-33-35), the DEIR does not mention State or County policies or standards governing septic systems or sewage treatment plants. If there are such policies or standards, they should be included in the EIR, and in the Water Resources element. The DEIR also should be re-written to add the currently listed impairments to water quality in the Laguna de Santa Rosa (p. 4.5-11-12, and 16).

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2. We also strongly request strengthening of the WR policies to mitigate the present and future impacts of the County's wastewater systems, and the addition of other policies to protect clean water in both surface streams and underground reservoirs.

Policy WR-1j - ~~Seek opportunities to participate in d~~Developing programs and implementing projects for water quality restoration and remediation, in close collaboration with agencies and organizations such as RWQCBs, CDFG and RCDs, and other local agencies, to monitor areas where water quality impairment is a concern, and establish cooperative policies that will prevent additional water quality impairment from waste treatment or wastewater disposal in any part of Sonoma County.

Policy WR-1k - **This policy** to "Consider development or expansion of community wastewater treatment systems in areas with widespread septic system problems which are a health concern and cannot be addressed by on-site maintenance and management programs..." **should state clearly that it is not to be used to develop wastewater sources to sell.**

Policy WR-1m - ~~Encourage~~ Require pretreatment and waste load minimization of commercial and industrial wastes prior to their connection to sewer systems. Also require source reduction and source control of contaminants that have a reasonable potential to pass through water treatment and contaminate groundwater and surface water due to discharge and wastewater re-use programs.

Revise and combine Policy WR-1c and WR-1n - Actively pursue the abatement of failing septic systems that have been demonstrated as causing a health and safety hazard. Consider on-site in areas of failing septic systems, encourage the formation of local wastewater management districts in areas with septic problems, having the power to apply for grants to help householders and neighborhoods upgrade to meet state and County standards. Establish an education program to reduce and control source contaminants.

Revise and expand WR-1p: Require new development projects to evaluate and consider avoid contributing naturally occurring and human caused contaminants in to groundwater and surface water. Establish a public education program to raise awareness of the need for source reduction and source control of contaminants used in homes and offices.

Add another policy to establish benchmarks to insure that proposed developments will not cause depletion or degradation of ground and surface water quality and quantity.

3. An additional WR element policy should be written to develop and enforce performance standards for package treatment plants to prevent degradation of aquifers within the County.

E. p. 4.5-50- 57 Impacts 4.5-5, 4.5-6, and 4.5-7 - Groundwater Level Declines, Saltwater Intrusion, and Well Competition and Interferences.

In general, the DEIR and mitigating General Plan policies take the route of allowing problems to develop, including severe effects from groundwater depletion, advancing saltwater intrusion, and obvious well interferences, before requiring mitigating action. In contrast, SWiG advocates groundwater monitoring, and groundwater management planning and plan implementation at the early stages, after detecting groundwater use and recharge imbalances, or when monitoring suggests that groundwater pumping risks overdraft and saltwater intrusion.

In 2006, groundwater use/recharge imbalances and overdraft potentials have been evident for a number of years. Cumulative impacts of current policies, which allow unlimited groundwater withdrawals without sufficient monitoring, make groundwater management the highest priority, to insure that groundwater supplies are sustainable for the foreseeable future.

SWiG strongly urges the County to back strong language in the General Plan for starting groundwater management planning immediately in all heavily impacted groundwater districts countywide, followed by staged implementation. State policies on groundwater management under AB 3030, allow formulation of a groundwater management policy on the basis of currently available data and practices. A hearing to seek input from all water-using and -protecting stakeholders, and the general public, is the only requirement for starting this process. A qualified agency for groundwater management may apply for state funding for many purposes as soon as the hearing is noticed.

Groundwater management plans and programs are elastic, and must be constantly reviewed and updated. Data can be sought to support more detailed and comprehensive program elements and new management aspects added to the groundwater management program at any time, as required. Monitoring programs are essential, and required under AB 3030.

F. p. 4.5-50-55 Impact 4.5-5 Groundwater Level Declines - A large number of county residents, including farmers, rely on groundwater from municipal and public wells, and the Sonoma County Water Agency is requiring their contractors to carry out growth plans with alternative water supplies, including waste water irrigation that could contaminate surface streams and groundwater, and also clean water from "other" sources (groundwater supplies).

Therefore, this impact cannot be allowed to remain at the SU level. The following suggestions will bring the impact to LTS.

1. Revise/rewrite the following objectives:

Objective WR-2.3 - ~~Be willing to modify policies and programs as new information becomes available, recognizing the difficulty of assessing and resolving groundwater problems.~~ Establish a process for groundwater management planning and implementation of the County, pursuant to AB 3030. Require formulation of AB 3030 groundwater management plans for all groundwater basins in populous areas, and for major aquifer-based groundwater supply areas in relatively populated outlying areas.

Objective WR-2.4 - Increase institutional capacity and expertise within the County, ~~to competently and obtain competent reviews of~~ hydrogeologic reports and data ~~from professional hydrogeologists for critical indicators and~~ criteria.

Objective WR-2.5 - Work with SWCRB, DWR, DHS, CalEPA, and applicable County and City agencies to seek and secure AB 303 funding, and funding from other sources, for development and implementation of groundwater assessment, protection, enhancement and management programs.

Objective WR-2.6 - Balance groundwater demand with groundwater availability basin by basin, and develop a budget for measurable demand reduction whenever groundwater overdraft conditions exist. Avoid land subsidence caused by groundwater extraction and ~~reduce~~ remediate any subsidence that has occurred.

2. Add another objective, which will establish a CEQA process for addressing the cumulative impacts of new agricultural wells and new residential wells on existing water users and on creeks in all areas of the County.

3. Strengthen the language for implementation:

The following policies, in addition to those in the Public Facilities and Services, Land Use, and Open Space and Resource Conservation Elements, shall be used implemented to accomplish the above objectives:

1. Rewrite or revise the General Plan policies for mitigating potential groundwater overdrafts--

Policy WR-2a - Establish specific and comprehensive groundwater management plans for groundwater basins in the County including but not limited to: the Santa Rosa Valley, Sonoma Valley, Petaluma Valley, the Alexander Valley, the Wilson Grove Formation Highlands bordering the Laguna de Santa Rosa and the Gualala Basin pursuant to AB 3030. Under AB 3030, Encourage and support research on and monitoring of local groundwater conditions, aquifer recharge, watersheds and streams. Establish specific and comprehensive groundwater management plans for the populated outlying water-scarce areas including but not limited to, Napa-Sonoma mountains and hills, Annapolis-Ohlson Ranch area, Joy Road/Coleman Valley Road area, Bennett Valley, the Mark West Springs area and the Pocket Canyon area.

Policy WR-2f (including suggested mitigation measure 4.5-5, with strengthened language to lower the impact level) - Require that discretionary projects, ~~to the maximum extent practicable,~~ maintain or increase the site's predevelopment absorption of runoff to recharge groundwater. Implementation will include standards ~~which could~~ for regulating impervious surfaces, which vary by project type, land use, soils and area characteristics, and provide for water impoundments, protecting and planting vegetation, cisterns and other measures to increase runoff retention and groundwater recharge. Develop voluntary guidelines for permits for rural development that would accomplish the same purpose.

Policy PS-21, which addresses the need for construction techniques that allow rainwater infiltration and groundwater recharge, should be revised to reflect groundwater management goals:

Policy PS-2l - ~~Consider developing~~ Develop regulations that require the use of Low Impact Development (LID) techniques to prevent and reduce stormwater runoff from future development, and permit groundwater recharge through better rainwater infiltration.

Policy WR-2g - ~~Implement and~~ support the establishment and maintenance by the County, SCWA, and other agencies, and neighborhood associations under expert guidance, of a system of monitoring wells throughout the County, utilizing existing wells and, if necessary, new wells ~~where feasible.~~

Policy WR-2h - Establish a computerized groundwater data base from available application data, well tests, monitoring results, study reports and other sources with full integration of local, state, and federal resources; analyze the data collected in an annual report to the Board; provide the data to DWR, and use the data to refine the mapping of groundwater availability classes.

Policy WR-2i - In order to identify areas where groundwater supplies may be declining, in the annual report staff shall prepare a report every year to the Board of Supervisors that shall review well permit data, monitoring data and reported problems and recommend to the Board of Supervisors the boundaries for areas where comprehensive studies are needed... etc.

5. New policies are needed to facilitate creation of groundwater management agencies, public oversight of well permits, cumulative groundwater usage impacts:

Add Policy WR-2p - promote formation of groundwater management districts, including joint-powers districts, to manage the groundwater planning and implementation, in collaboration with County agencies that manage surface water supplies.

Add Policy WR-2q - Deny permits for new and replacement groundwater wells in basins or subbasins in which the cumulative impact of existing water users has created an overdraft condition.

Add Policy under WRE section 3 - County agencies shall coordinate with all cities and other organizations that both receive water from S.C.W.A. and pump groundwater within Sonoma County to formulate and implement groundwater management plans pursuant to AB3030 within five years of the adoption of this General Plan update.

G. p. 4.5-55 Impact 4.5-6 - Saltwater Intrusion -- This impact also is critical to protecting groundwater in coastal areas. To protect coastal wells, strengthen language for preventing and/or controlling saltwater intrusion:

Policy WR-1s - Where area studies or monitoring find that saltwater intrusion has occurred, immediately obtain studies to determine support analysis of how the intrusion is related to groundwater extraction and develop and implement a groundwater management plan, supported by ~~or~~ other appropriate measures, to avoid further intrusion and reverse past intrusion.

H. p. 4.5-56 Impact 4.5-7 Well Competition and Adverse Well Interference -- The General Plan will fail its citizens unless well permits include better monitoring and setback requirements to protect existing wells and prevent new, deep wells from taking water from long-term householders. **Implementation of groundwater management countywide is the best route to protecting wells and groundwater supplies. In addition to the groundwater management provisions suggested above, a groundwater management program must include protection for existing wells, and limitations on drilling new ones.**

I. Effective mitigation can be achieved through several changes to Policy WR-2c:

Revise ordinance requirements for permits to drill, replace, deepen, or repair all wells as follows:

- (1) - Show exact locations, depths, yield, drilling logs, soil data, flow direction and water levels of proposed wells and existing wells on the site, locations of known nearby wells, proposed uses of the water, and

estimated amount of water use. Review available groundwater data and well permit information in the permit area and make this information available to the applicant to the extent allowed by law. Obtain competent reviews from professional hydrogeologists recommended by the California Board of Geologists and Geophysicists on all hydrogeologic reports and data that are submitted to support permits.

- (2) - ~~Based upon available information indicating a need, f~~ Require that new wells be located definite distances from property lines and existing wells. Implementation would d Develop setbacks which could vary by well size, location of nearby wells, water use, groundwater availability, lot size and other appropriate factors. Establish a CROA process for monitoring the cumulative impacts of new agricultural wells and new residential wells, to assess their impacts on existing water users and on creeks in all areas of the County.
- (3) - Require proof of groundwater quantity and quality sufficient for proposed uses and existing beneficial uses on the site in all Class 3 and 4 areas and in Class 1 and 2 other areas with identified water quality and quantity problems, special area studies underway or where adopted management plans require it. Implementation would shall develop procedures and quantitative standards for pump tests, well yields, pollutant levels, and water storage.
- (4) - Require monitoring for all wells. Implementation would includejg procedures for meters, access, testing and reporting water levels, flow direction and quality, and responding to monitoring results. Standards could be less stringent in Class 1 and 2 areas without identified problems. Set standards based on population density to designate the County areas that must be monitored to ensure future groundwater sustainability.
- (7) Mitigation measure 4.5-7 - Require pump tests for new high-capacity wells to avoid well interferences. Define criteria for identifying high-capacity wells, and the guidelines and requirements for the pump tests.

2. Add an 8th requirement:

- (8) - Suspend approvals for new well permits within highly impacted and special study areas until completion of a comprehensive groundwater assessment and reversal of groundwater declines.

3. Change statement of responsibilities -- The Board of Supervisors shall be responsible for passing the suggested policies and for charging the Permit and Resource Management Department (PRMD) with overseeing compliance with the policies. PRMD shall develop a standard list of required elements in proposed groundwater management plans for adoption in each groundwater management jurisdiction. PRMD shall be responsible also for reviewing the groundwater management plans for conformity with GP 2020 policies, and for collecting monitoring data and displaying them on the County website, for public review and comment.

1. p. 4.5-58 Impact 4.5-8 - Changes to Drainage Patterns leading to Stream Bank Erosion.

We strongly support policies OSRC 8b and 8c for protecting stream bank areas, and in addition suggest language to strengthen the following GP2020 policies:

Policy WR-1b - Design, construct, and maintain County buildings, roads, bridges, drainage and other facilities to minimize sediment and other pollutants in storm water flows. Adopt standards for limiting erosion based on current engineering and geological expertise, from state and federal guidelines. Develop and implement "best management practices" for ongoing maintenance and operation based on those standards.

Policies WR-1h and WR-1 g also should be strengthened as suggested under Impact 4.5-1 (see above): Policy WR-1g - should include a target for reducing deposition and discharge of sediment and other pollutants, and Policy WR-1h should eliminate the phrases "as needed" and "to the maximum extent practicable" and add targets for reducing sedimentation.

J. p. 4.5-60 - Impact 4.5-9, Increased Flood Risk from Drainage System Alteration.

To the extent that many of the policies cited are not mandatory, and their benefits accrue only if they are adopted and implemented, the post-mitigation impact significance cannot be rated LTS unless the policies cited by the DEIR are strengthened and language is added that requires implementation.

1. The implementation statement must be changed to read: The following policies, in addition to those in the Land Use Element, shall be used implemented to achieve these objectives:

Policy PS-2a - The DEIR cites this policy as a mitigation that will help to avoid exacerbating flood hazards, but does not explain how maintaining available information on flooding and flood hazards in appropriate county departments would be used to achieve the goal. **The DEIR must explain exactly how the information is to be used for flood mitigation, which requires modifying the policy to contain the same information.**

Policy PS-2f - Basing land use planning and development on FEMA maps and data, or parcel-specific renderings of the FEMA maps, does not help control or reduce flooding without specifics on how this standard will be used, in conjunction with which other policies, to mitigate flooding impacts.

Policy PS-2l - Strengthen, as follows: ~~Consider~~ Developing regulations that require the use of Low Impact Development (LID) techniques to prevent and reduce stormwater runoff from future development.

Policy 2p - Give priority to floodplain management over flood control structures for preventing damage from flooding, and move development away from flood-prone zones wherever possible. Build a minimum of flood control structures, and build them only except where the intensity cost of relocating development requires a high level of protection and justifies the costs of building and maintaining flood control structures structural measures.

Policy 2q - Revise to include a requirement that the County create zoning based on the potential damage from flooding, and establish an action or standard to reduce the risk in each zone.

Policy 2u - Revise as suggested below for mitigation measure 4.5-12.

K. Impacts 4.5-10 Placing Houses and Structures in 100-year Flood Zone, and 4.5-11 Impede or Re-direct Flows in Flood Hazard zones --

Both are impacts that increase flood hazards, but the proposed policies are all far too weak to mitigate the impacts, so the DEIR must explain how 4.5-10 has a significance of LTS with little or no effective mitigation, whereas 4.5-11 is accorded a significance of SU.

L. p. 4.5-63, Impact 4.5-10 Allow Housing and other Structures in 100-year Flood Hazard Zones. The DEIR must explain how the policies cited in General Plan Element section PS 3.3 will be used to avoid exacerbating flooding impacts in 100-year flood zones, to make the post-mitigation effects LTS.

1. We see few policies that mandate actions to reduce flooding impacts. Policies PS-2d(2), 2d(3), and 2d(6), which could mitigate flooding promote planning, lack the actions that would address flood risks and mitigations.

2. Policies PS-2e (combined with Policy PS-2k), 2g, and 2r could help to limit flooding impacts if properly implemented, but implementation language is either missing or weak. Policy PS-2j is similarly active but does not specify what regulations would be applied, or how.

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57 3. Policy PS-2h - makes the FEMA 100-year flood event and corresponding flood elevations the threshold for measuring "acceptable" risk and protections for amending the land use map. But the FEMA 100 year flood hazard zones are based on a 1950s crash program to map the entire country. The DEIR should propose a new policy to require regular re-assessments of the accuracy of FEMA flood zones in Sonoma County. This policy should require mapping of a 200 year flood hazard zone since there is a tangible possibility that floods with recurrence interval of 100 years might, with global warming, become 50 year floods.

58 M. p. 4.5-65, Impact 4.5-11 Impede or Redirect Flows in Flood Hazard Zones.

The DEIR must explain how General Plan Element section PS 3.3 will be used to prevent any new development in the 100 year flood hazard zone from impeding or redirecting flows.

59 N. p. 4.5-66, Impact 4.5-12 - Failure of Levee or Dam.

Policy PS-2u does not constitute a mitigation unless revised as suggested under mitigation measure 4.5-12 to insure inspections and proper maintenance. The DEIR also must explain how the assessed post-mitigation impact significance of LTS is consistent with SU assessment for other hazards tied to extreme seismic or rainfall events, and should address the possibility of dam failures due to landslides that can cause tsunami-like effects in reservoirs.

60 O. p. 4.9-22-31 Impacts 4.9-1 Insufficient Water Supplies to Meet Future Water Demand of the Urban Service Area) and p. 4.9-29-31 Impact 4.9-2 Insufficient Water Supplies to Meet Future Water Demand of Rural Private Domestic, Small Municipal, and Agricultural Wells. If these impacts cannot be reduced below significant, there is no credible future water supply for Sonoma County. All changes suggested for reducing Impacts 4.5-1 through 7 in the above comments, are necessary mitigations that protect the quality of surface water and groundwater resources. The language creating and implementing groundwater management plans and programs--including all language for strengthening these policies--provide additional mitigation for these impacts. The changes suggested below are imperative for assuring that the County will not run out of water during long droughts, brought on by global earth, air, and especially ocean warming trends.

61 GP 2020 Goal WR-3, to assure that public water systems provide an adequate supply to meet long-term needs, is predicated on consistency with adopted general plans that call for continued population growth. The GP does not define the meaning of an "adequate supply" given the growth imperative. Without this definition, Goal WR-3 only aims at providing water "in a manner that maintains water resources for other water users while protecting the natural environment." This goal needs to be rewritten to state that its primary aim is to preserve a sustainable water supply for current residents, and especially for current well owners.

For any growth to occur at all, the county must lower per-capita water consumption, inventory the extent of local water supplies, monitor the withdrawal rate, and limit it during dry cycles. All of the following suggested changes to GP policy (impact mitigations) are aimed to keep Sonoma County water supplies sustainable for current residents, with a limited degree of future population growth. This approach recognizes that the buildout alternative is not sustainable, and cannot be mitigated or funded in the imminent (already-arrived?) future of rising petroleum costs. Ground and surface water are intimately interconnected, so this General Plan Update needs to envision more than groundwater management--it needs to look forward to conjunctive use of all water supplies (see Objective 3.5).

Objective WR-3.2 - Work with SCWA and other public water suppliers in the development and implementation of long term plans for water supply, storage, and delivery necessary to first meet existing water demands and, secondly, to meet adjust plans for planned growth with the goal of lowering consumption within the designated service areas, consistent with the sustainable yield of water resources

Objective WR-3.3 - Work with the SCWA and other public water suppliers in the assessment and provision of sustainable water supplies for the existing customers in those areas under contract for water supply, and those living on wells in rural areas. Include in the sustainability assessment plans for water supply in times of extended drought.

Objective WR-3.4 - Work with the SCWA and other public water suppliers in the to adjust both assessments of sustainable water supplies sustainability, and for the planned plans for growth in those areas under contract for water supply.

Objective WR-3.5 - Work with the SCWA and public water suppliers to establish a surface and groundwater data management program for Sonoma County which would provide a common information management resource for participating agencies to develop various plans for assessment, management, monitoring and reporting, and would provide a basis for planning countywide conjunctive surface and groundwater management.

Objective WR-3.6 - Work with SCWA and public water suppliers to decrease reliance on groundwater and prevent diminishment of groundwater supplies, including revising SCWA and contractor water agreements as necessary, to reverse overdraft conditions and protect groundwater sustainability.

Although we support this Objective, note that current SCWA policy as written in the draft Water Supply, Transmission and Reliability Project (WSTRP), envisions greater reliance on groundwater supplies (along with conservations and wastewater re-use) to meet growth objectives consistent with general plans, etc. **Along with the suggested re-writes of the other objectives, this Objective must stress that current growth plans may need to be downscaled for water supply sustainability.**

As before, the implementation statement must be changed to strengthen all applicable policies: The following policies, in addition to those in the Land Use and Public Facilities and Services Elements, shall be used implemented to accomplish the above objectives:

Policy WR-3a - Work with public water suppliers in assessments of the sustainable yield of surface water, groundwater, recycled water and conserved water. This work should include the exploration of potentially feasible alternative water supplies within Sonoma County, which would not deprive natural ecosystems of necessary water for their life support. Surface and groundwater supplies must remain sustainable and must not overdraft groundwater supplies or exceed safe yields.

Policy WR-3b - Support ~~to the extent feasible~~ the actions and facilities needed by public water systems to supply water sufficient to meet the base water use needs, based on careful estimates of the sustainable water supply, demands which are estimated in adopted master facilities plans, consistent with adopted general plans, urban water management plans and the sustainable yields of the available resources and in a manner protective of the natural environment.

Policy WR-3g - ~~Support~~ Assist public water suppliers in changing adopted master facilities plans, ~~assuring that proposed water supplies and facilities are consistent with~~ and adopted general plans, to be sure that all planning jurisdictions are notified of and consider potential water supply deficiencies in during the preparation of such plans, and that adopted general plans accurately reflect secure water sources.

Policy WR-3i - We support the policy but propose a change to the final statement:

In the event that a master plan or monitoring fails to show adequate public water facilities or supplies for planned growth, consider impose moratoria on plan amendments, zoning changes, building permits or other entitlements in order to protect services to existing residents.

Policy WR-3q - Support inter-regional planning efforts by the public water suppliers, their contractors and involved stakeholders in Sonoma County to determine the preferred combination of sources to meet the water use goals developed in water use plans projected demand.

Policy WR-3r - Instead of this policy, the County needs to resolve issues related to water importation to reduce, as much as possible, the water it takes from the Eel River and from Mendocino County. **Do not allow water use to grow beyond what the County can support far into the future, especially do not expand water importation that would allow development into the agricultural areas that will be needed to supply foodstuffs in an era that is likely to see rocketing oil and gasoline and natural gas costs.**

WR-3r: Work with the SCWA in the following ways to provide an adequate water supply for its contractors consistent with this element:

(1) Support SCWA participation in proceedings of the Federal Energy Regulatory Commission, California Public Utilities Commission, and State Water Resources Control Board involving the Potter Valley Project to ensure that the interests of all water users in Mendocino, Sonoma, and Marin Counties receive consideration and that decisions on the use of Eel River water are made on a sound scientific basis.

(2) Encourage SCWA working cooperatively with Mendocino County interests to resolve reduce environmental and economic impacts, water rights and supply issues, including assessment of water resource projects, groundwater, recycling or other water supply alternatives.

(3) Work with agricultural interests along the Russian River and its tributaries to encourage development of water supply alternatives for existing riparian water users.

(7) In SCWA evaluations of requests by municipalities, districts or other entities to be added as water contractors, support assessment of the available water resources and the long-term effects on water supply needs of the existing contractors, consider impacts on other existing water users, and, to the greatest extent practicable, require innovative measures for large-yield water conservation programs measures, minimizing use of recycled tertiary-treated water and bearing risks, responsibilities and costs as required by for the existing contractors.

(8) ~~Cooperate with the~~ Collaborate with SCWA in ~~the reducing the need for~~ planning, development and construction of the additional expensive storage and transmission facilities ~~needed pursuant to adopted agreements and County policies and support development of the SCWA Water Supply and Transmission System Project.~~

Note that the WSTSP is no longer under consideration (replaced by the WSTRP), and reference to it should be erased from the General Plan.

Add policy WR-3t - County agencies shall coordinate with all cities and other organizations that both receive water from S.C.W.A. and pump groundwater within Sonoma County, to formulate and implement groundwater management plans, in accord with provisions of this General Plan update.

Goal WR-4, change wording to emphasize much greater conservation efforts for fresh water, to serve current residents and wildlife, and to protect clean water from contamination by wastewater re-use - Dramatically increase the role of conservation for protecting clean water supplies, and allow ~~safe, beneficial~~ re-use in meeting water supply needs of both urban and rural users only if test monitoring programs show that it can be safe and beneficial.

Because public information and support will be critical to enacting rational water management and conservation programs, add Objective WR-4.4 - Support public education programs to provide all County residents with information regarding the finite nature of water resources and guidance for the sustainable use of that resource.

Revise implementation statement: The following policies, in addition to those in other sections of the Water Resources Element, shall be used implemented to accomplish these objectives:

In addition, re-imagine and rewrite policies (mitigations) to emphasize the need for advanced conservation programs--

Policy WR-4b - Use water effectively and reduce water demand by:

- (1) Requiring highly water conserving appliances of all sorts design and equipment in new construction, setting a cost-effective goal of between 30 and 65 percent savings over current efforts. Structure program to eventually reduce rates and needs for additional distribution systems.
- (2) Encouraging water conserving landscaping and other conservation measures, establish programs for funding state-of-the-art timers and water flow controllers for apartment and condominium complexes, large business and industrial landscapes, and for retrofitting established landscapes of the same description. Also encourage programs for supporting individual households purchasing high-tech watering controllers for landscaping.
- (3) Encouraging Designing a funding loop to support retrofitting established residences and industrial developments with state-of-the-art, highly water conserving appliances and devices.
- (4) Designing wastewater systems to minimize inflow and infiltration, and encourage ideas for innovative funding to support acquisition of such systems to the extent economically-feasible.
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Policy WR-4c - Support programs to monitor, establish and publicize per capita or per unit water use in each community and area and utilize this data in groundwater management plans, master facilities plans, and wastewater treatment plans. Coordinate with programs to reduce capital outlay on water distribution facilities.

Policy WR-4e - Require water-conserving plumbing and water-conserving landscaping in all new development projects and require water-conserving plumbing and state-of-the-art, water-conserving appliances, from a list recommended by independent organizations, such as the Pacific Institute, in all new dwellings. Educate and promote programs to minimize water loss and waste by public water suppliers. Require County-operated water systems to minimize water loss and waste.

Policy WR-4k - Establish preliminary studies and tests, with copious monitoring and public reporting, to explore. Encourage participation in programs for reuse of advanced treated-waste water, including the establishment of wastewater irrigation districts to supplement irrigation water supplies in relatively unpopulated areas, in times of drought.

Policy WR-4l: Support the use of recycled water to offset use of other water where the quality of the recycled water is maintained, meets all applicable regulatory standards, and is appropriate for the intended use and beneficial uses of other water resources

Add Policy WR-4p: Dedicate water saved by conservation, efficiency and reuse to the environment by leaving it untapped in source groundwater and surface water.

Heading 3.5 Importation and Exportation -

Change the introductory statement to read: For years, Sonoma County municipalities have relied to some degree upon importation of water from sources outside of the County borders. Russian River water is also exported to Marin County. Interbasin water transfers work against the principles of sound water management. However, As statewide water supplies are falling behind demand, areas with relatively abundant water supplies are likely to be targeted for additional exports. An example is the proposal to export water from the Gualala and Albion Rivers to Southern California. Water resources within Sonoma County are no longer adequate to support exports outside the County. Pressure upon water resources will become even more severe as imports of water from the Eel River are curtailed, and While such proposals are within the jurisdiction of SWRCB, Sonoma County needs to be proactive in protecting its water resource interests.

Rewrite GOAL WR-5 - Assure that new proposals for surface and groundwater imports and exports are there are no surface water or groundwater imports into or exports out of Sonoma County unless the proponent establishes by clear and convincing evidence that said import or export is consistent with Sonoma County's ability to sustain an adequate and quality water supply for its water users and dependent natural resources.

Objective WR-5.1: Protect the interests of Sonoma County water users in the review of existing and new proposals to export water from Sonoma County.

Objective WR-5.2: Consider the environmental impacts of all proposed water imports and exports. Assure that existing and new water import or export arrangements have no adverse impact on the quality and quantity of water for existing water users and dependent natural resources in Sonoma County and that no major groundwater basins are in overdraft condition.

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Add Objective WR-5.3: Manage water resources for long-term sustainability within specific watersheds and local groundwater basins.

Implementation statement - The following policies, in addition to those in the other sections of the Water Resources Element, shall be implemented ~~used to~~ accomplish this objective goal and these objectives:

Policy WR-5a - Require full assessment of impacts on the environment and impacts on the quality and quantity of water for Sonoma County water users of all existing and new proposals to physically export water to new locations outside from of Sonoma County or to substantially increase water supply to existing out-of-county locations. Any consideration of exporting additional water resources shall place primary priority upon the benefit of and need for the water resources in Sonoma County and shall assure that water resources needed by urban, rural and agricultural water users and dependant natural resources in Sonoma County will not be exported outside the County.

Policy WR-5b: Require or request full assessment of the environmental impacts of any proposals to import additional water into Sonoma County. Prepare for the curtailment of water imports from the Eel River and redirect financial resources to the development of sound water management strategies for local self-sufficiency.

Add Policy WR-5c - No water shall be exported to locations outside Sonoma County unless the County has issued a permit for such exportations. In the event a permit is issued, it shall set forth with specificity the details of the exportations (e.g. quantity, origination location, destination location, period of exportation, etc.).

Q. p. 4.9-31-32 Impact 4.9-3 New or expanded water supply facilities

Comments and revisions to General Plan Goals, Objectives, and Policy suggested above--all will limit the need to expand water supply facilities, in an era of volatile and rising petroleum prices.

R. p. 4.9-37-42 Impact 4.9-4 Increased wastewater treatment demand

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Comments and revisions to General Plan Goals, Objectives, and Policy suggested above--all will limit the need to increase wastewater treatment, in the face of volatile and rising petroleum prices.

S. p. 4.9-42 Impact 4.9-5 New or expanded wastewater facilities

Comments and revisions to General Plan Goals, Objectives, and Policy suggested above--all will limit the need to expand wastewater treatment facilities, which may not be cost effective in an era of volatile and rising petroleum prices.

T. p. 4.9-48-51 Impact 4.9-6 Increased solid waste disposal demand

Comments and revisions to General Plan Goals, Objectives, and Policy suggested above--all will limit the increase in treated solid wastes, in an era of volatile and rising petroleum prices.

CUMULATIVE IMPACTS

The DEIR lists far too many "Significant" and "Significant Unavoidable" impacts, but does not coherently analyze or summarize cumulative impacts. SWiG believes that the DEIR must re-assess and rewrite the cumulative impacts, because we all will be living with the consequences. The County's failure to manage land, water quality and habitats have already lowered the quality of life for many rural County residents, who are losing wells, suffering from flooding, and other impacts of poor or nonexistent water management policies. The future promises more groundwater depletion and potential groundwater contamination from treated wastewaters and poor land use practices. Wildlife, and particularly spawning salmonids, are showing us that we have unbalanced the natural food chain.

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Cumulative impacts must include the effects of climate warming from greenhouse gas emissions, and the effects of rising oil prices in a world of unstable climate and unstable political influences on the County's long-distance water supply transmission systems, which benefit only cities and may take water from rural residents, on large, centralized sewage treatment and waste-water disposal and use, and on rural well owners. **These conditions are the new context and setting for the GP2020.**

In addition, the DEIR must address the following issues--

- The volume of greenhouse gases generated from the growth projected in the GP 2020, including reaction or decomposition of solid wastes and biowastes. 66
- The impact of population growth in terms of increased point and non-point source water contamination from cities and unincorporated areas, along with mitigation measures and alternatives. 67
- The long-term impact of sewage sludge biowastes applied as fertilizer to Sonoma County farm lands, including an analysis of contaminants that will remain bound to soils, and the ones able to bioaccumulate in crop plants or to react in the environment to produce toxic compounds (such as methyl mercury.). 68
- Contaminants or byproducts likely to migrate into surface or ground water sources. 69
- Drain on County funds of additional public infrastructure, transportation, public education, health and human services, police and fire protection requirements. 70

The approach to water management that we have proposed can moderate the effects of land use policies in the proposed General Plan Update and lower the significance of many impacts, none of which is truly unavoidable. 71

ATTACHMENTS:

- 1A. Sonoma County Water Agency Memorandum, "Impacts Observed on Groundwater Levels by Pumping Agency's Emergency Wells," dated February 15, 1978
- 1B. Sonoma County Water Agency Memorandum, "October 1979 Pump Test of Agency's Three Emergency Wells," dated December 16, 1979.
2. Letter From Steven F. Carle to Randy Poole, SCWA General Manager. "Update on SCWA 'Emergency Wells' Production and impact to Water Levels," dated January 13, 2005
3. Letters from Sebastopol Rural Well Owners to Citizen's Advisory Committee

4. Letter from North Coast Regional Water Quality Control Board to Tesoro Refining and marketing, "Groundwater Investigation," dated July 8, 2005.
5. Data from well water level measurements from Sebastopol's main wells (Nos. 2, 4, 5, 6, 7), original well driller logs showing water levels at construction, and tabulated static water levels taken from these originals.
 - A. Well water level measurements 1985-89
 - B. Well water level measurements 1990-2003
 - C. Well water level measurements 2004-1st Qtr 2005
 - D. Well water level measurements 2005
 - E. Driller's log, Well No. 2
 - F. Driller's log, Well No. 4
 - G. Driller's log, Well No. 6
 - H. Driller's log, Well No. 7
 - I. Summary of static well levels, averaged by year.
6. Report: Portion of Phase II ESA for 961 Gravenstein Highway South site assessment, by Kleinfelder Associates, Inc., dated December 1, 2004.
7. Sonoma County Water Agency Draft Restructured Agreement for Water Supply, dated Feb. 28, 2005.

Draft GP 2020 FEIR Comment Attachment #7

Sebastopol Water Information Group
Attachment available for review at
PRMD Comprehensive Planning
2755 Mendocino Ave, Suite #203,
or by request.

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RECEIVED
MAY 23 2006
PLANNING AND RESOURCE
MANAGEMENT DEPARTMENT

March 12, 2006

Sonoma County Planning Commission
2550 Ventura Ave.
Santa Rosa, CA 95403

Dear Chairman Fogg and Commissioners:

Please add my name and address to your list of concerned citizens; I would like to receive notices of the availability of important documents concerning the Sonoma County General Plan, the General Plan EIR and the Urban Water Management Plan.

The primary issues facing California today are impacts on surface and groundwater quality and quantity. The management of water supplies – balancing the needs of sustainable population and agricultural growth with biological and riparian habitat needs – is poorly defined, inadequately studied and largely unmitigated in the General Plan EIR. I'm an advocate for strengthening the goals, objectives, and policies in the proposed General Plan Water Resources Element. Also, the General Plan EIR cannot be deemed adequate and certified before completing the necessary studies to define meaningful mitigation measures in Section 4.5 "Hydrology and Water Resources".

There are some omissions of critical data and flaws in process for both the Draft General Plan and Draft Environmental Impact Report. Identified mitigations should also include discussion on the means to measure compliance. I respectfully submit comments and would appreciate a response to my questions below:

1. Why is the General Plan Update not using the most recent studies/ assessment of surface and groundwater supply and demand for water resources from the Urban Water Management Plan (due December 2005)?
2. What surface water and groundwater studies were used as the basis for the General Plan EIR (study name, preparer, date)? How was the decision made as to which studies were used to project water quality and quantity impacts for the next 20 years? Why are we relying on data that is several years old vs. known actual water use?
3. How were mitigation measures for the Water Resources Element defined without basis in up-to-date information and findings in the Urban Water Management Plan? What is the one comprehensive planning document for water in Sonoma County, and why isn't this planning document the basis for the General Plan EIR?
4. The EIR does not adequately address resource extraction (4.5-3), most notably the water quality and quantity impacts of gravel mining in the drinking water aquifer. Gravel mining is a development activity that leads to significant alterations of the physical environment.

What studies were used to define the impact of gravel mining on the aquifer? What studies were done and what were the findings about the benefits of aquifer gravel in holding and cleansing water for beneficial use? Is the base data and methodology

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L available for these studies so that the public can make an independent analysis? If so, where and what is the analysis methodology?

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L What alternatives to extracting gravel from our public trust drinking water aquifer were studied? Were studies, such as the Einstein study, or research conducted by Jeff Mount or Dr. Curry taken into consideration to determine the impact of terrace mining on water filtration capabilities or the removal of over 400,000 acre-feet of water storage capability in the aquifer?

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L Alternatives to terrace mining have been expanded greatly in the last year. Gravel is a resource that can be imported to the County; water aquifers and agricultural lands are resources that cannot be imported. How have the gravel barging operations to terminals on the Petaluma River been factored into the analysis of impacts and mitigations? In what ways has the transportation element taken into account the greater availability of gravel in Petaluma, a city closer to the growth centers in the county than Syar's terrace operation?

9
L 5. How can the General Plan be completed to direct growth for the next 20 years when the USGS has not completed their groundwater study? What groundwater studies were relied on to assess the availability of water from the aquifer that feeds the SCWA wells? The MODFLOW study, the theoretical model used to identify impacts on groundwater levels, has been shown to be seriously flawed. Have additional model runs been completed to support the findings of the General Plan EIR?

10
L 6. Were new studies generated by the Syar Pit VI gravel pit approval taken into consideration in the identification and mitigation of impacts from terrace mining? How have studies by Dr. Curry, studies that show how the gravel pits impede or redirect flows in the Middle Reach of the Russian River, a flood hazard area, been incorporated into the mitigation measures? (4.5-11).

Has additional well monitoring on the west side of the river been completed and analyzed? Why hasn't there been any well monitoring on the west side of Ponds V, VI and IV to show the impacts of the gravel pits on groundwater movement from the western hills to the River?

11
L **The MODFLOW modeling conducted by Luhdorff and Scalmanini (LSCE) has been shown to be profoundly flawed.** The GeoTrans analysis and Dr. Curry's studies show the MODFLOW is premised by an erroneous groundwater elevation model. LSCEs MODFLOW analysis is plagued by pervasive data entry errors, erratic and uneven methodology, and confused analyses. In fact, GeoTrans Inc. concluded that, "(t)he three reports from LSCE containing results from the groundwater modeling simulations do not support their conclusions." And, that the LSCE models must be "corrected and rerun prior to being used for any future decision-making."

LSCE's MODFLOW assumes that groundwater contours east of the Russian River *parallel* the River; however, for the west side the MODFLOW erroneously assumes groundwater elevations arranged roughly *perpendicular* to the Russian River, or flowing north to south.

The Westside Association to Save Agriculture's independent field data show that, in fact, the groundwater contours both east and west of the Russian River actually *parallel* the River. Field data was collected by independent professionals under Dr Curry's direction: Dr Curry on March 12, 2005, Luciani Pump and Drilling on April 6, 2005 and Curtis and Associates Surveyors on April 11, 2005. This field data documents a clear eastward groundwater gradient that directly contradicts published MODFLOW calculated water surface elevations/groundwater elevation on which all LSCE's studies and reports for the west side of the Russian River are based.

Field data, both presented by LSCE from monitoring wells and by WASA from adjacent domestic and irrigation wells, confirm that the LSCE MODFLOW model is based on inaccurate and incomplete field data, and thus is useless to predict future groundwater elevations. The actual groundwater flow model looks quite different from that used by LSCE for the MODFLOW reports and technical memoranda. Actually, for much of the year, the flow will be from west to east - flowing directly into or against the pits.

Once the pits are sealed, (a phenomena LSCE February 8, 2005 testimony admitted will happen), compounded by the greatly reduced and mined out separator between Pit V and VI (contrary to the standards in the ARM Plan) and the perimeter berm constructed as proposed on the property, the flow of water from the western hills will cause flooding impacts and the impacts of saturated vineyard lands in both winter and spring. These flooding and agricultural impacts on premium grape production have not been addressed or mitigated.

7. How does the General Plan EIR address mitigations to the temperature and sediment impairment of the Russian River? Given the Russian River is sediment and temperature impaired, what additional mitigation measures are required to address gravel pit sealing and the blockage of flow from the aquifer to the river during critical periods?

Section 4.5-12 is inadequate as it does not identify meaningful mitigations for failures of levee's adjacent to gravel pits along the Middle Reach. How does the EIR address the January 2006 overtopping of the Russian River and the significant erosion/ increase in sediment sealing of the gravel pits. This flooding and sedimentation of the pits are actions that reduce groundwater flow to the river and that will further impair the sediment and temperature of the water in the river - how have these considerations been factored into the EIR for the General Plan?

8. Section 4.5-4 Wastewater Disposal is woefully inadequate. What long term water quality studies have been conducted to reach a conclusion that widespread wastewater disposal will have less than significant impact?

Known projects, such as Santa Rosa's IRWP and the North Sonoma County Ag Resuse Project, are studying the disposal of massive amounts of sewage effluent in the river and through indirect discharge on lands above the SCWA wells. The Incremental Recycled Water Program Discharge Relocation Project is reviewing options to dispose of 4,700 MG per year or 68 mgd of wastewater. How have these known projects been factored into Section 4.5-4.

13
cont... What criteria did you use to identify mitigation measures? What mitigation measures are required to address the impacts of organic chemicals and pharmaceuticals, known to exist in wastewater? What mitigation measures are enforced to prevent the use of wastewater for frost protection and runoff into streams and rivers during the spring?

14 Tertiary treated wastewater is not treated to a standard of "best available technology". It is known that many of the known synthetic chemicals produced and released into the environment are not regulated by current drinking water standards. The 1974 Safe Drinking Water Act and Primary Drinking Water Standards only limit the concentration of a small number of inorganic chemicals, organic pesticides and organic compounds, and subsequent USEPA Maximum Contaminant Levels are only set for a small number of known chemicals. Is the basis for determining that Wastewater Disposal is "less than significant" the current drinking water standards? Are mitigations proposed to ensure best available technology be used to treat this wastewater prior to disposal in the drinking water aquifer? Do mitigations include monitoring using chemical fingerprinting methods to ensure treatment systems are operating properly?

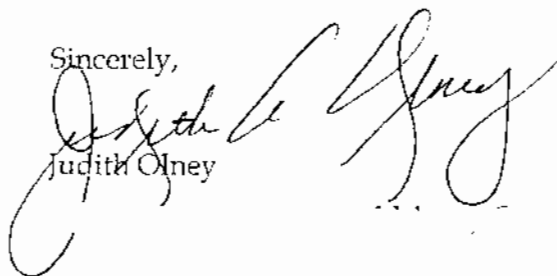
15 How are the Federal and State Anti-degradation policies for groundwater taken into consideration? Disposal of wastewater is proposed for areas with high groundwater quality. What baseline water quality studies have been done? What basis is used to determine disposal of significant quantities of wastewater, known to contain organic chemicals, on groundwater recharge areas will not result in significant degradation of groundwater?

16 9. How does the General Plan EIR address known changes in circumstances and their impact on the quantity of water available to sustain Sonoma County's growth. What studies substantiate mitigation measures for Endangered Species Act listed "threatened" species in the Russian River, such as coho, steelhead and Chinook salmon. How does the EIR address the potential loss of water supplies from the Eel River?

17 How does the General Plan EIR address the known SCWA treatment plant project and its growth inducing effects? Pipelines from Lake Sonoma to the proposed treatment plant are projected to increase water rights for the SCWA from 75,000 AFY to 101,000 AFY. How is the growth inducing impact from additional water rights addressed in this EIR?

Thank you for your consideration of my comments, and I look forward to a revised Environmental Impact Report for the Sonoma County General Plan that addresses the true impacts of known projects to our precious water resources.

Sincerely,


Judith Olney

2164

March 13, 2006

to Sonoma County Planning Commission
re; proposed GP 2020 revisions- draft EIR

Dear Persons,

A major failure of the draft EIR report is to ignore the possible stream of lawsuits which may result from the "TAKINGS" of property rights through excessive regulations. The County must administer all this nonsense, pay attorneys to defend the actions of the affected property owners, and if they should prevail, pay all the judgments. How is the environment affected? The financial resources redirected away from all County budgets!

Thank You



James Parker

RECEIVED
MAR 23 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

From: Steve & Andrea Perry
To: <gcarr@sonoma-county.org>, <sbriggs1@sonoma-county.org>, <ghelrich@sonoma-county.org>
Date: 04/17/2006 2:36 PM
Subject: Comments On Draft EIR

To:
Sonoma County Planning Commission
Comprehensive Planning Staff - PRMD

Please address my comments on the Transportation segment of the Draft EIR (DEIR) covering the General Plan GPU2020 update. They are as follows;

Exhibits 4.2-3, 4.2-4 and 4.2-5 ignore at least one critical traffic point in the northern Sonoma Valley area by not measuring traffic volumes at the intersection of Arnold Drive and State Highway 12, a significant intersection that is in the process of being signalized. This deficiency should be corrected.

Arnold Drive north of Watnaugh Road and north of Verano Avenue. pages (4.2-34 and 4.2-35)

Mitigation Measure 4.2-1(b), which adds new policy CT-6xx: "Consider intersection improvements such as signalization and left turn lanes at various intersections along Arnold Drive to reduce congestion, provided that the improvements are consistent with the designated road classifications.", is an inappropriate mitigation measure because;

- a) the proposed policy applies to the whole of Arnold Drive, including areas in the DEIR's describe area of impact.
- b) the proposed policy is an open ended solution that even when adopted leaves the impact at a 'Significant Unavoidable' level.
- c) the implementation of the mitigation measure and the attendant proposed policy will likely create impacts that are not identified, evaluated nor addressed in this DEIR.
- d) the proposed policy has a very high potential to generate unintended negative consequences.

Respectfully,
Steve Perry

2660



April 17, 2006

RECEIVED

APR 17 2006

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

Attn: Scott Briggs
County of Sonoma
Sonoma County Permit and Resources Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403

Re: Comments on Draft Environmental Impact Report (DEIR) for the Proposed
Sonoma County General Plan 2020 General Plan Update; SCH No. 2003012020

Dear Mr. Briggs:

These comments are submitted on behalf of Greenbelt Alliance. Founded in 1958, Greenbelt Alliance is among the Bay Area's leading land conservation and urban planning non-profit organizations. Greenbelt Alliance has participated in the County of Sonoma's General Plan Update since it was initiated in 2001. In 2004, Greenbelt Alliance published its Report, "Toward a Bright Future: Updating the Sonoma County General Plan".¹ That Report succinctly states the importance of this General Plan Update to the Sonoma community:

"Sonoma County has a blueprint for the county's growth; since 1978, its General Plan has defined where new development will go and what areas will be off limits to development. For over 25 years, the Plan has successfully maintained extensive agricultural and natural areas while guiding new growth toward existing cities and towns. However, as times change and pressure on Sonoma County's landscapes increases, the General Plan must evolve to meet new challenges. Currently, Sonoma County is updating its General Plan. The Board of Supervisors and the Planning Commission now have the opportunity to improve the Plan. They can ensure that the General Plan will be effective at maintaining the County's high quality of life, vibrant economy, and healthy environment." Report, at 1.

The Report identifies a number of critical issues that the General Plan should address to provide a blueprint for sensible growth, including the following:

¹ Prior to completing *Toward a Bright Future*, in 2004, Greenbelt and the Sonoma County Farm Bureau published *Preventing Sprawl*, a report that correctly credits the establishment of UGBs with promoting good land use, but clearly identifies other actions that need to be taken to curb conversion of timber and agricultural lands to rural estates and other non-compatible uses. See Attachments 1 and 2.

MAIN OFFICE ♦

SOLANO/NAPA OFFICE ♦

SOUTH BAY OFFICE ♦

EAST BAY OFFICE ♦

SONOMA/MARIN OFFICE ♦

1. Preserving Open Space and Wildlife Habitat
2. Protecting Farmlands and Keeping Local Agriculture Viable
3. Managing Water and Wastewater
4. Providing Transportation That Works

The Report goes on to make specific recommendations for General Plan policies. Those recommendations, along with the recommendations Greenbelt will be making during the General Plan update process, will ensure the County can continue to accommodate future growth while preserving its quality of life.

The *purpose* of our letter is to provide comments to the County of Sonoma on the Draft Environmental Impact Report for the proposed Draft GP 2020. The central purpose of an EIR is to identify the significant effects of the proposed Project (Draft GP 2020), and evaluate ways of avoiding or minimizing those effects. CEQA also incorporates a substantive requirement that the lead agency adopt feasible mitigation measures or alternatives that can substantially lessen the project's significant environmental effects; in this case, approximately 38 significant unavoidable impacts.

1 **Our letter informs the County that without the inclusion of additional, feasible mitigation measures in the form of policies, programs and land use changes, the DEIR fails to comply with the requirements of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. and the CEQA Guidelines, California Code of Regulations, title 14, Section 15000 et seq. (CEQA Guidelines). Moreover, the addition of feasible mitigation measures in the form of policies, programs and land use changes is necessary for the General Plan Update to be in compliance with California Planning and Zoning Law. Gov't Code Section 6500 et seq.**

2 *The fact that the General Plan Update will produce a revised General Plan that will constitute the blueprint for growth and development in Sonoma County for the next twenty+ years mandates particularly careful analysis and public disclosure of the many significant countywide impacts that would occur if Draft GP 2020, including recommended mitigation measures, is approved as proposed. The DEIR identifies approximately 38 impacts which are significant and unavoidable after mitigation. This outcome is not acceptable. Additional measures can and must be identified to further reduce project-related and cumulative impacts.*

3 The DEIR operates under the flawed premise that there are no additional mitigation measures, in the form of policies, programs and land use changes that are capable of reducing or eliminating those 38 significant unavoidable impacts. We respectfully disagree and recommend the County take the time to consider additional feasible mitigation measures and alternatives in the form of policies, programs and land use changes that are capable of:

- Reducing or eliminating significant unavoidable impacts, or
- Significantly reducing the County's contribution to those impacts.

3
cont...

In addition to its failure to identify feasible mitigation measures, the DEIR lacks:

- A complete and adequate description of the proposed Project: Draft GP 2020;
- Adequate analysis of the Project and cumulative impacts; and
- Identification and analysis of an adequate range of feasible alternatives.

4
5
6

The first of these defects – the lack of a complete and adequate Project Description – renders the DEIR's identification and analysis of impacts incomplete and inadequate. The Project consists of both the policies and physical land uses proposed and allowed by Draft GP 2020.² Along with its goals, objectives, policies and programs, the DEIR must analyze the impact of its overall policy decision to approve the level and type of development allowed under the General Plan Update. The Sonoma County General Plan Update, when adopted, will constitute a present commitment to future development of the unincorporated County, whether or not construction of particular projects are imminent. **Therefore, all allowable development must be analyzed in the DEIR. Nowhere in the DEIR is there a description of the amount, type and location of residential and non-residential development that could occur under Draft GP 2020. This is an omission that must be addressed.**

7

Our detailed comments below provide a summary of the major issues in Section I and then a more detailed exploration of the defects of the DEIR in Section II. During the course of the GP Update process, Greenbelt Alliance anticipates submitting additional comments recommending policy changes to the Draft GP 2020 that may avoid or reduce project-related impacts.

² While the DEIR asserts that the overall objective is to review and consider policy changes only on selected topics (see page 3.0-9), the project will result in the adoption of a comprehensive General Plan update including land uses. As the DEIR appropriately notes, the analysis will include an evaluation of any and all policies and program of Draft GP 2020 that would lead to alterations in the physical environment: "The evaluation includes changes in population, housing, and land use patterns that would occur in Sonoma County as the GP 2020 is implemented. The project encompasses all of the future land uses and development that are projected to occur, including residential, commercial, industrial, agricultural, and other land uses and development, as well as the entire foreseeable public infrastructure that is necessary to serve the projected uses." DEIR at 2.0-2. Even though Draft GP 2020 may carry over the existing 1989 land use designations and map, its DEIR must analyze the planned land uses proposed in Draft GP 2020 as compared with the existing environment. To the extent planned land uses result in significant impacts, mitigation measures and alternatives in the form of modified land uses capable of reducing impacts must be identified.

I. COMMENTS RELATED TO ISSUES OF MAJOR IMPORTANCE TO GREENBELT ALLIANCE

Critical Issue 1: Preserving Open Space and Wildlife Habitat

Draft GP 2020 presents a critical opportunity for the County to preserve its open spaces and wildlife habitat for this and future generations. While policies adopted by the cities and County, including urban growth boundaries (UGBs), Urban Service Areas (USAs) and community separators, are effective means of curbing urban sprawl, more can and should be done to achieve the following goal of Draft GP 2020:

Limit the uses and intensity of land development to be consistent with the preservation of important biotic resource areas and scenic features. DEIR at 3.0

It is a well know fact that Sonoma County is among the most fragmented in California as a result of historic small parcel development.³ It is well documented that this pattern of small lots does not pay its own way, is typically incompatible with sustaining working landscapes and wildlands and will frustrate efficient development patterns in the future.⁴ In exurban landscapes that have been altered by rural subdivisions, natural plant and animal communities cannot survive in the fragmented environment. This pattern of development is an invitation to commuters in search of a rural way of life, but who bring along their large estate homes, traffic, exotic plants, and expectations for urban levels of service. Research by a number of experts, including Shawn Savings of the California Department of Forestry and Fire Protection has demonstrated that once parcelization of lots of 1 to 40 acres reaches a certain threshold, it creates such fragmentation that standard mitigation measures, such as clustering, stream setbacks, and wildlife corridors are ineffective for preserving the biological integrity of the wildlands⁵. One policy change that has been proposed by staff - increasing the number and size of community separators - will go a long way as a mitigation measure to address this issue. However,

³ "One study determined Sonoma County to be the highest ranked 'small parcel' county in California, reflecting the past history of small parcel development throughout much of the county's natural, agricultural, and forest areas. This has created a pattern where much of the county land area experiences an interface between wildlands or agriculture and homes. Individual management of large rural lots and small farms and vineyards will shape the future functionality of wildlife habitat and vegetative and water systems." DEIR at 4.1-2, from *Patterns of Settlement Density in Selected Counties, FRAP Analysis of 1990 Census Data*, California Department of Forestry, 1997.

⁴ It is unlikely that rural residents on small parcels outside of cities will ever support annexation and higher density development. Thus, the proliferation of this pattern of development is likely to frustrate efficient development in the future. A revised DEIR should provide additional information about this impact and additional mitigation measures to address the impact.

⁵ References can be found at the California State Fire and Resource Assessment Program at http://frap.cdf.ca.gov/publications/paper_eldo_buildout.pdf

more can *and must* be done in Draft GP 2020 to address the impacts associated with continued small parcel creation.

What the DEIR Says:

Draft GP 2020 acknowledges the likely impacts of continued parcelization in the rural areas, but proposes only minimal changes to the land uses in the existing General Plan. Instead of analyzing and addressing this problem head-on, the DEIR falls back on the *promise* of policies that direct growth to the cities and USAs and that *allow but do not mandate* denial of general plan amendments that would result in population in excess of projections. Nowhere does the DEIR disclose the full impacts that allowed development under Draft GP 2020 would have on open space and habitat resources. In fact, the DEIR *does not even tell us how much growth is allowed in the unincorporated rural areas of the County.*

The DEIR does acknowledge that smaller parcels, allowed by the current General Plan and carried forward in Draft GP 2020, are an invitation to large homes and estates:

“While building is allowed on existing parcels as small as one acre, the majority of rural home construction requires 20 to 600 acres per home. *Parcels of 40 acres and larger that were once considered undesirable for development now are attractive locations for large homes and rural estates.*”⁶ Emphasis added. DEIR at 4.1-8.

Moreover, the DEIR acknowledges some of the impacts associated with this type of development:

“Continued population growth; an increase in viticulture, wineries, and tourism; and the development of larger homes and rural estates are the predominant factors in recent land use changes...In general, this type of development results in two primary environmental consequences: *habitat loss and fragmentation, and the degradation of water resources and water quality.* Emphasis added. DEIR at 4.1-7.

The DEIR also acknowledges that “...population density [in Sonoma County] is the second lowest in the Bay Area, at 291 persons per square mile” and that “...a lack of concentrated development makes most people in the county dependent on automobiles for mobility and results in more acreage needed for roads, parking lots, etc.... This dispersion results in an increase in the average amount of land consumed by each new dwelling unit.” DEIR at 4.1-9.

Importantly, the DEIR does identify 3 significant and unavoidable impacts of the development allowed by Draft GP 2020 on biological resources:

⁶ The DEIR contains reference to the increase in permits for new rural homes build in the County for 1996 and 2000, but not for current years. DEIR at 4.1-8.

- Impacts to Special Status Species, including direct loss of individuals and populations, elimination and degradation of essential habitat and isolation due to habitat fragmentation as a result of the installation of vineyards, timber harvesting, development and new roads. Impact 4.6-1. DEIR at 4.6-26-27.
- Impacts to Sensitive Natural Communities as a result of land uses and development. Impact 4.6-2. DEIR at 4.6-29-35.
- Impacts to Wildlife Habitat and Movement Opportunities. Impact 4.6-4. DEIR at 4.6-37-39.

However, the DEIR fails to analyze the *actual impacts* that would occur with allowable development under Draft GP 2020 on these areas.⁷ The FEIR should include a full analysis of the Project's potential for development on all unincorporated lands. The closest the DEIR comes to actually providing analysis of the impacts of planned development on biological resources is as follows:

“A large portion of the estimated 162,822 acres (See Exhibit 4.1-1) designated for Land Intensive Agriculture (74,255 acres), Residential (81,895 acres), Commercial (3,960 acres), and Industrial (2,712 acres) land uses under the Draft GP 2020 remain undeveloped today, and the existing habitat could be eventually affected by designated uses over the next 15 years. An additional 561,503 acres (See Exhibit 4.1-1) are designated for Diverse Agriculture (68,845 acres) and Resources & Rural Development (492,658 acres), where implementation of allowed uses could also result in degradation of existing habitat, such as forest, woodland, chaparral, and grassland.” DEIR at 4.6-38.

This is a poor substitute for analysis and mapping which would document the significance of impacts of planned/allowed development under Draft GP 2020 on these resources. Clearly, the County must work harder in its General Plan Update process to identify land use changes and policies to mitigate these impacts.

What the DEIR Lacks:

The DEIR does not analyze Draft GP 2020's actual impacts on open space and habitat lands. As described in this letter, this is in large part due to the fact that the DEIR lacks a complete description of the residential and non-residential development that is allowed by Draft GP 2020.⁸ Instead, the DEIR relies on growth estimates and projections to 2020. This approach contravenes CEQA, which requires a description of the whole of

⁷ Such an analysis is not only feasible, it must be included in a revised DEIR. Using the County's GIS program, maps can be created which overlay allowable parcelization and development patterns on areas containing high agricultural and resource values. Biological experts on the DEIR team can use this information to describe significant impacts that would occur from planned development to existing habitats and species. Other experts on the team can use this information to describe impacts that would occur from planned development on working landscapes.

⁸ Including, but not limited to: potential new rural parcels and their land uses, second units, density bonus units, etc.

the Project; in this case both the proposed policies and physical development that could occur under the Draft GP 2020. Such a description is feasible and required under CEQA.⁹ See detailed comments on Project Description defects below, in Section II A.

Because this information is missing, the DEIR cannot and does not adequately analyze and characterize the impacts of Draft GP 2020's impacts on open space, community separators and biological resources. Instead, the DEIR concludes *without analysis, facts or evidence* that the strength of the agricultural sector combined with policies encouraging urban center growth will avoid sprawl and curb growth pressure in the unincorporated area. There is no guarantee that growth will not exceed growth projections in rural areas with high open space and habitat values. Moreover, there is no evidence that planned development under Draft GP 2020 will not have significant and unavoidable impacts on habitat and open space values.¹⁰

Policies are not included in Draft GP 2020 that **limit** or cap growth in the rural areas consistent with resource land protection and GP goals. Policies only allow the Board of Supervisors to *consider* rejecting general plan amendments that would result in exceeding the growth projections. See e.g. Policy LU-2a and 3b: *Maintain a residential holding capacity that is as close as possible to projected growth. Consider denial of land use map amendments which add residential density in rural areas if residential holding capacity exceeds projected growth...*. Land Use Element, page 35. The DEIR must include additional feasible mitigation measures that could reduce or eliminate significant impacts related to the Project and cumulative development.

Given the importance of the information missing from the DEIR to support informed decision-making, it may be advisable for the County to prepare a revised DEIR with complete information about the amount, location and type of development allowed by Draft GP 2020 and the impacts of that development on biotic, open space, and scenic resources as compared with existing environmental conditions. Such information should include, but is not limited to the following:

- How much development, where and what kind is allowed by the Draft GP 2020 in the County? Outside unincorporated communities/USAs? Within unincorporated communities/USA's? Within designated Community Separators? Within areas of high habitat value?

⁹ In fact, a study prepared by the Valley of the Moon Alliance (VOTMA) and previously submitted to PRMD, titled "The Potential for Events Facilities on Agricultural Land in the Sonoma Valley", includes this information, citing that the 792 existing parcels could be further subdivided to produce at total of 974 legal parcels and each with a suite of allowable uses. The County's GIS system is capable of producing this information for all of the Planning Areas in the County. This information is essential for an analysis of impacts of the proposed Project as compared with the existing environment.

¹⁰ Nor is there evidence that allowable development would be consistent with Draft GP 2020 Goal to: Limit the uses and intensity of land development to be consistent with the preservation of important biotic resource areas and scenic features.

- 9
Cont.
- What impacts will rural development have on wildlife and habitat in terms of direct and indirect species impacts and impacts as a result of conversion of habitat to incompatible uses?
 - What are the impacts associated with rural development on the quality of streams and creeks supporting sensitive species? What are other County's doing to protect these resources from harm, including, but not limited to size of setbacks and restrictions on land uses?
 - What is the County General Plan's contribution to cumulative impacts to wildlife and habitat?
 - Why doesn't the DEIR consider additional mitigation to achieve the GP goal of *limiting the uses and intensity of land development to be consistent with the preservation of important biotic resource areas and scenic features*. What land use changes would be needed to achieve this goal?

Critical Issue 2:

Protecting Farmlands and Keeping Local Agriculture Viable

Greenbelt Alliance is acutely aware that to continue to be successful, the agricultural industry in Sonoma County must be able to respond to changing markets. See Attachment 1, Greenbelt Bright Future Report, page 12. In the last decade, this has meant a significant increase in the number of vineyards, wineries and other related uses. As with the challenge of protecting natural habitat lands and biological resources, Draft GP 2020 presents an important opportunity for the County to preserve its valuable agricultural lands for this and future generations. While policies adopted by the cities and County, including urban growth boundaries and USAs and community separators, are effective means of controlling incompatible growth in agricultural areas, more can and must be done to achieve the goal of Draft GP 2020 as follows:

Protect lands in agricultural production, as well as lands potentially suitable for agricultural use. Retain large parcel sizes and avoid incompatible non-agricultural uses. DEIR at 3.0-14.

The pattern of small parcels, along with the suite of allowable uses, in the agricultural areas in Sonoma County may not be compatible with sustaining working landscapes over the long term.¹¹ Coupled with new policies allowing the development of an unknown number of major agricultural support facilities (e.g. processing facilities) on prime farmlands, Draft GP 2020 presents an uncertain future for agriculture in the County. In addition to more complete analysis of the potential impacts of Draft GP 2020 on agriculture, more can be done in Draft GP 2020 to ensure the long-term success of this important industry and landscape.

What the DEIR Says:

Remarkably, the DEIR finds that all impacts associated with the adoption of Draft GP 2020 on agriculture will be less than significant without mitigation, except for the impact of land use conflicts. These findings are made notwithstanding the DEIR's acknowledgement that:

"A major impact on agriculture is the loss of productive land due to its conversion to other uses. Escalating property values and economic conditions in Sonoma County lend themselves to a continued and increasing pressure to convert agricultural lands to residential or other urban uses. The equity value of an acre of land designated residential use in Sonoma County can be substantially higher than that of agricultural land." DEIR at 4.8-18.

¹¹ A growing body of research by the American Farmland Trust indicates that parcel sizes less than 40 acres may no longer support commercial agriculture except for limited very high value crops. See http://www.farmland.org/reports/futureisnow/current_trendsX.html. A revised DEIR should provide information about the viability of agriculture on parcels under 40 acres. See Attachment 10.

"The many factors that make a piece of property ideal for farming are similar to the factors that make a piece of property attractive for development."

The DEIR states: "...productive lands can also be lost to other uses. The Draft GP 2020 would permit non-agricultural land uses to occur on lands designated LEA, LIA, and DA such as housing, surface mining operations, recreational uses (e.g., campgrounds), and community services facilities (e.g., schools, churches, and playing fields). Development of such uses would convert some portion of agricultural lands within the unincorporated area to these non-agricultural uses. **Data are not available to quantify the acreage that might be affected by these uses.** However, these uses would not be expected to result in a substantial conversion or loss of agricultural land as they tend to be small and scattered throughout agricultural production areas." DEIR at 4.8-19, emphasis added.

The DEIR finds that the impacts of land use conflicts between agricultural and residential/urban uses (Impact 4.1-2) and the impacts associated with incompatible land uses in rural areas (Impact 4.1-3) will be significant and unavoidable after mitigation (application of plan policies).

The DEIR acknowledges that "Goals AR-5 and AR-6 of the Agricultural Resources Element would promote the development of new agricultural processing facilities (e.g., wineries), support services (e.g., vendors of farm supplies), and visitor-serving uses (e.g. tasting rooms) in rural agrarian areas as value added support to agricultural production." DEIR at 4.1-41. While the existence of agricultural support services may be necessary to sustain agriculture, the development of these resources to the detriment of continued agricultural production works against agriculture in the long-run. Policies should be adopted that will both support agriculture and maintain farmlands into the future, such as clustering of support services in Agriculture Service Areas, or keeping activities that require urban support services within USAs. However, the DEIR does not provide complete information about how many and where these new uses will be, or how many acres of agricultural land they may directly pave over or render unusable due to a proliferation of incompatible land uses.

What the DEIR Lacks:

The DEIR does not analyze draft GP 2020's actual impacts on agricultural lands. As with impacts to wildlife and habitat, this is in large part to the fact the DEIR lacks a complete description of the residential, agricultural-support and non-residential development that is allowed by Draft GP 2020. Instead, the DEIR relies on growth projections and estimates through 2020. This approach contravenes CEQA which requires a description of the whole of the Project; in this case both the proposed policies and physical development that could occur under the Draft GP 2020. Such a description is feasible and required under CEQA.¹² See detailed comments on Project Description defects below, in Section II A.

¹² See footnote 7.

Because this information is not provided, the DEIR cannot and does not adequately analyze and characterize the impacts of Draft GP 2020's impacts on agricultural lands. Instead, the DEIR concludes *without analysis, facts or evidence* that the strength of the agricultural sector combined with policies encouraging urban center growth will avoid sprawl and curb growth pressure in the unincorporated area. There is no guarantee that growth will not exceed projections in rural and agricultural areas. Moreover, there is no evidence that planned development under Draft GP 2020 will not have significant and unavoidable impacts on agricultural lands, both in terms of direct conversion and indirect impacts due to fragmentation and incompatible development, including rural estates, churches and schools.

11
cont...

In addition, the DEIR lacks the following information that is critical to an analysis of the impacts of planned development under Draft GP 2020 on agricultural lands and production:

- Information about the current rate of parcelization of agricultural lands for residential uses/ranchetting and the incidences of non-agricultural occupancy of homes in these areas.
- The full buildout potential for residential and non-residential¹³ uses in agricultural and rural areas under the Draft GP 2020. This should include information on the number and size of new parcels that can be created under the Draft GP 2020 land use designations in each Planning Area.¹⁴ These should be mapped so that impacts can be assessed against the existing agricultural and biological conditions.
- The number of each type of agriculture-related and agricultural "support" uses that could result from the adoption of the Draft GP 2020.
- The full suite of impacts that "buildout" of these uses under Draft GP 2020 could have, including, but not limited to the loss of rural and scenic character, increased traffic and noise, impacts associated with nighttime lighting, and eventually, significant conversions of agricultural land.
- The number and location of rural residential "clusters" that could occur under Policies AR-3c to 3e and the potentially significant impacts these rural enclaves may have on the County's ability to provide adequate emergency and other services. Cluster development may be particularly attractive to commuters and retirees who typically demand urban levels of service. The County should also determine what the true costs of are providing these services to rural developments scattered over the rural landscape.

12

¹³ How many new schools, churches and other non-agriculture-related uses could occur on farmland as a result of the adoption of Draft GP 2020?

¹⁴ As stated in Footnote #7, this information can and must be provided to support analysis of the impacts of planned development on the sustainability of agriculture.

13 [The DEIR also lacks a complete identification of feasible mitigation measures in the form of land use changes,¹⁵ additional policies and programs capable of reducing significant impacts associated with land use conflicts and incompatible land uses in rural areas. The DEIR relies on policies, including Policies AR-3a to AR3-d to reduce the number of new subdivisions and require clustering where feasible. Limiting new subdivisions to a minimum of 20-acre parcels in the "Land Intensive Agricultural" category is an open invitation to rural ranchetting for non-agricultural occupants and not necessarily a mitigation measure to preserve agricultural values. **Where is the analysis of current trends for these rural homes and properties being purchased by commuters and retirees?** This information must be provided in order for informed choices about the future of Sonoma County to be made, along with feasible and reasonable mitigation measures to preserve and improve agriculture.

In summary, information provided in a revised DEIR should include, but is not limited to the following:

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- The DEIR states that "In 1997, there were 2,745 farms in the county, averaging 208 acres per farm." What is the number and average size of farms in 2005/06?
 - What are the suite of land uses that could be allowed on a single parcel under Draft GP 2020? Total units? Total support and other uses including B&Bs, processing facilities, events facilities, stores, etc?
 - What are the total number and location of the above new land uses existing in areas designated for agriculture? This could be provided by map and or table for each planning area.
 - What are the prevailing trends in agriculture and what do these trends suggest for the minimum size of parcels to sustain agriculture in both irrigated and non-irrigated conditions?¹⁶
 - What are the trends in occupancy of rural homes – commuters? Retirees?
 - How are these trends affecting the price of farm acreage?
 - What are other County's doing to retain agricultural uses and prevent rural residential sprawl?
 - How many new bed and breakfast inns could be built under the plan and where? How many new wineries? How many new processing facilities?
 - What are the number and location of rural residential clusters that could occur under Draft GP 2020 policies? How many new homes will these accommodate in rural areas? How will adequate services be provided to these new residents?
 - What are the impacts of the above uses on the long-term viability of agriculture in Sonoma County?

¹⁵ Not until the discussion of the Mitigated Alternative does the DEIR suggest that churches and schools should be prohibited in rural areas. Where is the critical analysis of what other uses would be allowed by Draft GP 2020 in these areas that will have major impacts over time?

¹⁶ Note that many of the communities in the Central Valley are no longer finding that 20 and even 40 acre parcels can sustain a farm. This is due to the competition for these parcels for rural estates and the lack of sufficient acreage to make a living farming.

Critical Issue 3: Managing Water and Wastewater

As Sonoma County's population grows, the demand for water will increase. The goals of Draft GP 2020 are clear:

Ensure that the County's water resources are protected on a sustainable yield basis which avoids long-term declines in available surface and groundwater resources or water quality.

Accommodate most future growth within the incorporated cities and their Urban Growth Boundaries, and within unincorporated communities that have adequate water and sewer capacities in their Urban Service Areas. DEIR at 3.0-14.

The County does not yet have a groundwater management plan. Consideration should be given to completing a groundwater management plan or plans before the adoption of a General Plan to be sure that allowable development can be safely served by water. The groundwater management plan should not only identify the sustainable water supply, but also propose how much development can be supported.

What the DEIR Says:

The DEIR finds that the following water and wastewater related impacts would be significant and unavoidable:

- Increases in sediment and nutrients in downstream waterways as a result of planned agricultural and resource uses. Impact 4.5-3.
- Groundwater level decline. Impact 4.5-5.
- Well competition and well interference impacts. Impact 4.5-7.
- Changes to drainage patterns leading to streambank erosion. Impact 4.5-8.
- Impede or redirect flows in flood hazard areas as a result of new development and redevelopment within flood hazard areas. Impact 4.5-11.
- Insufficient water supplies to meet the future demand of the USAs and Rural Private, Domestic, Small Municipal and Agricultural Wells. Impacts 4.9-1 and 4.9-2.
- Impacts associated with new or expanded water supply facilities. Impact 4.9-3.
- Increased wastewater treatment demand. Impact 4.9-4.
- Impacts associated with new or expanded wastewater facilities. Impact 4.9-5.

The DEIR also states:

"Until comprehensive assessment have been conducted, it is not possible to conclude that the county's groundwater resources would be capable of meeting water needs resulting from implementation of Draft GP 2020."

Emphasis added. DEIR at 4.9-29.

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"Existing and future land uses and development in unincorporated areas outside of the USAs have and would continue to be highly dependent on individual groundwater wells and small or independent water companies that rely on groundwater as their primary source of water." DEIR at 4.5-50.

There are no adopted groundwater management plans in Sonoma County. DEIR at 4.5-39.

The preliminary results of a study of the Sonoma Valley and Alexander Valley groundwater basins indicate that the Sonoma Valley Basin is limited in its water-bearing capacity due to its geology and the relatively small size of the basin. There are also indications of localized water level declines. DEIR at 4.5-39.

"...anecdotal evidence indicates groundwater declines have already occurred in some areas of the county...One issue that makes the management of the County's groundwater difficult is the current lack of a comprehensive inventory, assessment, and understanding of groundwater resources throughout the county. The availability and quality of groundwater as well as the effects of historical and present use are largely unknown. Therefore, the long-term viability and adequacy of groundwater supplies necessary to serve land uses and development consistent with Draft GP 2020 is uncertain." DEIR at 4.5-51.

This is an understatement, exacerbated by the fact that there is no disclosure of how much development could occur under Draft GP 2020. The public services section of the DEIR repeats the flaw of the other impact sections by assuming that development under Draft GP 2020 will be limited to 19,100 new residents in the unincorporated area. DEIR at 4.9-29. **This number in no way reflects the total possible population at buildout based on allowable land uses under Draft GP 2020, let alone non-residential use demands for water (e.g. new wineries, processing facilities, bed and breakfasts, etc.).**

With respect to wastewater treatment, the DEIR presents the dilemma that while many areas have failing septic systems and are in need of treatment facilities, such facilities bring their own set of additional impacts:

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"The regulation of privately-operated package wastewater treatment plants that occur in the county could be difficult due to the fact that the financial responsibility for plant operation, maintenance, and potential RWQCB penalties would be in the hands of private districts or property owners. Private owners may lack the financial resources to deal with water quality and maintenance problems when they arise." DEIR at 4.5-49.

"Individual septic systems serving individual residences could also degrade water quality. This would be of particular concern in areas where historical development has resulted in a high concentration of older septic systems that are not regularly maintained or upgraded." DEIR at 4.5-49.

The DEIR does not propose a moratorium on new development until the County is sure of how much water it has to support growth or what the consequences of new wastewater treatment facilities may be. Perhaps it should.

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What the DEIR Lacks:

Draft GP 2020 will direct the type and intensity of growth and development in Sonoma County's unincorporated areas. In turn, this growth and development will require water and wastewater services. The DEIR's lack of a description of how much new development is allowed under Draft GP 2020 is of particular concern with respect to water and wastewater resources for two reasons. First, already there are concerns about the sufficiency of water supplies to serve new growth. If we don't really know how much growth could occur under Draft GP 2020, including non-residential development (e.g. wineries, churches, rural residential uses, schools, visitor-serving uses, processing facilities and the like), the shortfall of water for new development could be much worse than reported by the DEIR. Second, rural sprawl is notorious for its impacts on watersheds and water quality due to failing septic systems, unpaved roads and driveways and general ground disturbance.

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Besides information about how much growth and development are allowed by Draft GP 2020, the DEIR lacks the following information:

- The total demand for water, ground and surface, and the potential sources of water to serve this new demand.
- The number of new wells that would be needed to support buildout of the land uses/parcels allowed by Draft GP 2020, including current land uses and land use designations.
- The likely number of new privately-operated package treatment plants and their locations and the additional amount of new development that could result both in terms of existing parcels being able to develop and creation of new parcels.
- Likely number of new individual septic systems by Planning Area and by areas with high concentrations of older systems not well maintained.
- An adequate analysis of the impacts of new water sources to serve allowed development.

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The DEIR determines that until comprehensive assessments have been conducted, it is not possible to conclude that the County's groundwater resources would be capable of meeting water needs resulting from implementation of Draft GP 2020. It also concludes that, given the above, completion of the study should precede approval of new development beyond existing lots of record. These Plans should be used to identify:

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- appropriate land uses and land use policies necessary to protect watersheds and natural groundwater recharge areas from harmful development;
- measures to substantially reduce overall water demand.

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These land uses and measures should then be the basis for additional growth and development – **if any** – in the General Plan.

As with the issues discussed above, a revised DEIR should include responses to the following questions:

- 20 [] ○ What is the total amount, type and location of new unincorporated development allowed by Draft GP 2020?
- 21 [] ○ How much water, ground, surface and imported will that level and type of development require?
- 22 [] ○ What is the County's contribution to water demand as compared with the cities?
- 23 [] ○ How many new wells will be needed to support allowable new parcels/rural development by planning area and watershed?
- 24 [] ○ How many new package treatment plants would be allowed by Draft GP 2020? Where would these be located? What would be their capacity? What levels of new growth and development would they potentially induce and in what areas?
- 25 [] ○ How many new septic systems will be required to support allowable rural development? In what areas and watersheds?
- 26 [] ○ What are other County's doing to ensure that growth does not outpace sustainable and safe water supply and wastewater services?
- 27 [] ○ What impacts, physical and fiscal, will allowable rural development have on agricultural water supplies?

Critical Issue 4: Providing Transportation that Works

Traffic congestion has reached unprecedented levels on County roads. It is no longer possible to build our way out of this problem with new and wider roads. Other solutions including an effective transit system and development patterns no longer dependent on the private automobile are essential to maintain mobility in the County. Other benefits of these solutions will be more vital neighborhoods and communities and cleaner air!

Draft GP 2020 goals, as follows, warrant a further investigation of stronger policies to achieve these outcomes:

- *Achieve a better balance of jobs and housing growth;*
- *Locate future growth within cities and urban service areas in a compact manner, using vacant infill parcels and lands adjacent to existing development. DEIR at 3.0-13.*

What the DEIR Says:

Of the 38 Significant Unavoidable Impacts identified in the DEIR, 14 of these are transportation related and one is related to air quality. All of the mitigation measures identified in the DEIR consist of roadway improvements, including adding turning lanes, signalization and passing lanes. The DEIR fails to identify land use changes that could facilitate transit and non-automobile forms of transportation in the County.

What the DEIR Lacks:

In addition to a complete description of all the land uses and events that will require traffic capacity, the DEIR fails to make the link between land use and traffic congestion and identify mitigation measures in the form of new land use policies and uses that could eventually reduce traffic impacts. Moreover, the DEIR lacks adequate analysis of Draft GP 2020's contribution to overall traffic in the County.

A revised DEIR must include responses to the following:

- What is the County's contribution to traffic congestion in the County?
- What land use changes could avoid or eliminate significant traffic impacts on rural roadways?
- How can transit in the County be better coordinated? What is the County's role in seeking this outcome?
- What steps can be taken in the General Plan to improve opportunities for residents to walk or bike to work?
- What are other County's doing to reduce reliance on the automobile?

II. SPECIFIC COMMENTS ON THE DEIR

115 As will be described in detail below, the DEIR fails to describe the full scope of the development that could be accommodated by Draft GP 2020, and thus fails to disclose the full range and severity of the Project's environmental impacts. This defect pervades the EIR, and precludes the County from adequately evaluating mitigation measures and/or alternatives capable of reducing or eliminating significant impacts.

A. The DEIR Fails to Adequately Describe the Project and Project Setting

The DEIR's most serious and far-reaching violation of CEQA is that it fails to analyze the whole General Plan Update Project. Though the Project as proposed may not significantly amend the current 1989 land uses and land use designations, adoption of the General Plan Update does include proposed land uses and land use designations. CEQA defines a project as "the whole of an action, which has a potential for resulting in either a direct physical change" or "a reasonably foreseeable indirect change on the environment." Guidelines Section 15378(a); see also Guidelines section 15378(c). Thus, CEQA requires that an agency take an expansive view of any particular project as it conducts the environmental review for that project.

116 The Project in this case is the General Plan for Sonoma County, Draft GP 2020. Under state law, the general plan is the "constitution" for future development to which all local land use decisions must conform. At the heart of the general plan is the land use element. The land use element sets forth the standards for building density and intensity applicable to the territory covered by the general plan. Govt. Code, Section 65302(a). Typically, the land use element and land use map establishes the specific land use designations; defines the range of density and intensity of development allowed under each designation; and maps the designations over the territory of the plan. Thus, the local general plan, through the land use element, defines the jurisdiction's commitment to a particular level of development for the area covered; in this case, the entire unincorporated County.

An EIR must disclose and analyze the project's impacts as compared with the environment, including level of development that existed at the time the Notice of Preparation was released. If the project description does not describe the amount of development, including new parcels that could be created and development on each parcel allowed under the plan, the DEIR cannot evaluate the impacts of the project. In this case, the DEIR fails to describe the amount of development allowed by Draft GP 2020, including both residential and non-residential uses and the location of those uses.¹⁷

117 The DEIR's failure to analyze the impacts of the development allowed by the Draft GP 2020 contravenes the most basic principles of CEQA and forecloses review of alternatives that could reduce significant impacts. Settled cases hold that the approval of

¹⁷ Allowable land uses must include all allowable land uses, including but not limited to: second units, rural uses, density bonus units, etc.

land use planning enactments, such as general plans, serve as the crucial first step toward approval of any particular development project, and thus the impact of the planning enactment itself must be analyzed under CEQA. Case law instructs that an EIR must analyze not only the policies for growth allowed by the planning enactment, but the ultimate amount of development allowed by the planning enactment. See City of Redlands, 96 Cal.App.4th. Critically, environmental review of the development allowed by a planning enactment must take place regardless of whether that development will actually materialize. See Bozung, 13 Cal.3d at 279, 282; Christward Ministry, 184 Cal.App.3d at 194-95.

The County must analyze the impact of its overall policy decision to approve the level and type of development allowed under the Draft GP 2020. Draft GP 2020, when adopted, will constitute a present commitment to future development of the unincorporated County, whether or not construction of particular projects are imminent. Therefore, planned development must be analyzed in the DEIR. A County may not properly claim that its land use element is adequate as a planning document to inform the public and decision-makers about the level of development allowed for an area, while, at the same time, claiming that the allowable level of development is not realistic and/or will not occur during the time horizon for the plan, and is therefore unnecessary for environmental review.

In this case, the DEIR fails to describe the amount, type and location of development that could occur under the Draft GP 2020. Specifically,

- The DEIR's discussion of the potential impacts of Growth and Concentration of Population, is based on growth projections for the County only through the year 2020. DEIR at 4.1-32 – 33. There is no guarantee that population growth in the unincorporated County will be limited to approximately 19,100 new residents. Land use designations would allow significantly more growth than this, including both residential and non-residential growth. This approach is not permitted by CEQA, which requires the whole of the project to be described and the impacts of that project analyzed as compared with existing environmental conditions.
- Moreover, the DEIR fails to analyze the impacts of projected growth on the existing environment. In many cases, the DEIR's analysis compares projected growth to the current General Plan rather than the existing environment. Under well-settled law, **an EIR must analyze a project's effect on the existing environment, not the project's relationship to the existing general plan.** Environmental Planning and Information Council v. County of El Dorado, 131 Cal.App.3d 350, 358 (1982) (EPIC). As the EPIC court explained, comparing the project with an existing plan "can only mislead the public as to the reality of the impacts and subvert full consideration of the actual environmental impacts which would result." Id.; see also Christward Ministry v. Superior Court, 184 Cal.App.3d 180, 186-87 (1986) ("[T]he local agency must examine the potential impact of the [project] on the existing physical environment; a comparison between the proposed amendment and the existing general plan is insufficient.").

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Therefore, the DEIR's attempt to contrast the impacts of the proposed General Plan with the current General Plan fails to meet CEQA's requirements for full disclosure of environmental impacts. For example, in many cases, the DEIR bases its evaluation of the impacts of growth and population not on full buildout potential in the unincorporated areas, but on the basis that there "would not be a substantial change in the land use plan between the existing General Plan and the Draft GP 2020," and that "goals and policies would direct future growth towards USAs with established growth boundaries." DEIR at 4.1-35. As described above, this approach contravenes CEQA which requires the DEIR to evaluate the impacts of Draft GP 2020 *as compared with existing environmental conditions*. Currently included "mitigation" measures (policies) LU-2a only addresses the **possibility of denial of land use map amendments which add** residential density in rural areas if residential holding capacity exceeds projected growth, and does nothing to constrain growth allowed by Draft GP 2020. This measure fails to actually mitigate the impacts of growth.

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- o The DEIR also fails to adequately describe – and therefore, analyze – the proposed services and infrastructure needed to support projected growth. This constitutes another major omission in the Project Description and results in a further underestimation of project-related and cumulative impacts.

Options for addressing this failure include:

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1. Revising the Project Description to include full buildout of all land uses allowed under the General Plan and analyzing that Project's impacts against the existing environment in a revised DEIR. Since this defect pervades virtually every impact analysis within the DEIR, this would require preparation of a new DEIR, rather than supplementing the current DEIR. This approach should include new mitigation measures and alternatives to address significant impacts beyond those identified in the current DEIR. Example Table X below suggests the kind of information that is needed to complete the Project Description:

New Table X

Growth and Development Under Existing Conditions, Existing GP and Draft GP 2020				
General Plan Land Use Designation ¹⁸ For each Planning Area so that locational impacts can be analyzed.	Existing Conditions (Setting) (all of the following: acres/units/non-residential s.f.)	Existing Undeveloped Legal Lots of Record (all of the following: acres/units/non-residential s.f.)	Existing General Plan Beyond Allowable Development on Legal Lots (all of the following: acres/units/non-residential s.f.)	Draft General Plan 2020 beyond Existing Conditions (all of the following: acres/units/non-residential s.f.)
Agricultural Land Uses				
Diverse Agriculture				
Land Extensive Ag				
Land Intensive Ag				
Ag Total				
Resources and Rural Development				
Residential Uses				
List each density category				
Commercial Uses				
List each use/intensity				
Industrial Land Uses				
List each use/intensity				
Other Land Uses				
List each use/intensity				
Total Planning Area				
Total Unincorporated County				

- Limiting "build-out" to the total of 19,064 additional residents and related housing units/non-residential uses the DEIR purportedly analyzes. Ideally, this would be achieved by limiting the amount of development that can actually occur in the rural areas and ensuring new units be built in cities and urban areas by changing land use designations and maps to reflect these limits. This would require amending land use maps/designations to limit development to that described and purportedly analyzed in the DEIR and to achieve the stated goal of the General Plan for city-centered and concentrated growth – outcomes not currently guaranteed by the General Plan. The problem with this approach is twofold: First, this level of development still results in unacceptable significant unavoidable impacts; and Second, this level of development has not been adequately analyzed in the DEIR as noted in the sections above.

¹⁸ This same information should be provided for the cities for the cumulative analysis. It may be useful to expand the table to include existing vacant acres for each use/potential new development.

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3. Deferring adoption of Draft GP 2020, until key planning studies (e.g. groundwater management plan) are completed. This information would then be used to revise Draft GP 2020 with respect to the amount, type and location of new development (above entitlements and existing legal lots of record) that can be accommodated.

B. The DEIR Fails to Include a Stable and Consistent Description of the Project

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An EIR must include a stable and consistent project description. An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.app.4th 713, 730. An inaccurate, incomplete or inconsistent project description renders the analysis of significant environmental impacts inherently unreliable. Here, it is not clear whether the description of the project is consistent throughout the impact sections. It appears that a different description of "build-out" may have been used in the analysis of traffic and air quality, than was used for the analysis of other topics including land use, biological and other impacts. For example, in the description of project assumptions used in the analysis of transportation is based on "Land use data from the General Plan update and ABAG Projections 2002 data..." Emphasis added, DEIR at 4.2-5. In contrast, the land use assumptions used for other topics, including land use, are based on projection of how much development *might* occur in County unincorporated areas by 2020: "The DEIR GP 2020 projects a population of 147,660 in the unincorporated area by 2020. This would be a 15 percent increase between 2000 and 2020 for a total of 19,064 additional residents." DEIR at 4.1-32.

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Based on our review of the land uses listed by TAZ in the DEIR, it appears that land use assumptions are different than those used in the analysis of other impacts, including but not limited to land use, hydrology and water resources, biological resources, agricultural and timber resources, among other topics. Neither set of land use assumptions - those used for the land use and other analysis, or those used for the transportation analysis -- appear to represent the total amount and location of development allowed by GP 2020. The FEIR should provide tables comparing by Planning Area the land use assumptions used for each impact analysis (land use, transportation, air quality, noise, etc.) in the response to this comment.

- How do these assumptions differ by topical analysis (land use, transportation, etc.)?
- Why are they different?
- Are any of these sets of assumptions based on allowable development under GP 2020? If not, why not?
- If not, we believe a revised, complete and stable project description must be completed based on the total allowable development under Draft GP 2020. Revised impact analyses must be completed based on that revised project description.

C. The DEIR Fails to Adequately Analyze and Mitigate the Project's Significant Impacts on the Environment

The chief goal of CEQA is mitigation or avoidance of environmental harm. This is achieved by:

- a. Accurately identifying, analyzing and disclosing the adverse impacts of a project **as compared with the existing environment**;
- b. Identifying mitigation measures for each significant impact; and
- c. Adopting feasible mitigation measures.

CEQA requires that an EIR be detailed, complete, and reflect a good faith effort at full disclosure. CEQA Guidelines Section 15151. The document must provide sufficient analysis to inform the public about the proposed project's adverse environmental impacts and to allow decision-makers to make intelligent judgments. *Id.* To accomplish CEQA's information purpose, "an EIR must contain facts and analysis, not just the agency's bare conclusions." *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 568 (Goleta II). Moreover, an EIR must identify, analyze, or support with substantial evidence its conclusions regarding the project's significant environmental impacts. As described below, the DEIR fails to do so with respect to numerous conclusions reached in the document.

The DEIR's treatment of mitigation measures is similarly deficient. CEQA requires that mitigation measures be identified and analyzed. Pub. Res. Code Section 21061. The Supreme Court has described the mitigation and alternative sections of the EIR as the "core" of the document. *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553. As described below, the DEIR misses the opportunity to identify feasible mitigation measures in the form of new or modified General Plan policies which would substantially lessen the significant environmental effects of Draft GP 2020.

In this case, for the reasons described below, the DEIR fails to adequately analyze and mitigate the Project's (Draft GP 2020) significant impacts to biological and natural resources, agricultural and rural lands, water resources and transportation.

1. The DEIR Fails to Adequately Analyze and Mitigate Impacts to Biological and Natural Resources

As reported in the DEIR, Draft GP 2020 would have significant and unavoidable impacts on biological resources, including:

- o Impacts to Special Status Species, including direct loss of individuals and populations, elimination and degradation of essential habitat and isolation due to habitat fragmentation as a result of the installation of vineyards, timber harvesting, development and new roads. Impact 4.6-1. DEIR at 4.6-26-27.

- Impacts to Sensitive Natural Communities as a result of land uses and development. Impact 4.6-2. DEIR at 4.6-29-35.
- Impacts to Wildlife Habitat and Movement Opportunities. Impact 4.6-4. DEIR at 4.6-37-39.

Though it identifies the above impacts, the DEIR fails to analyze the *actual impacts* that would occur with allowable development under Draft GP 2020 on these areas.¹⁹ In large part this is because the DEIR lacks a complete description of the type, intensity and location of land uses that could occur in areas of sensitive resources. The closest the DEIR comes to actually providing *analysis* of the impacts of planned development on biological resources is as follows:

“A large portion of the estimated 162,822 acres (See Exhibit 4.1-1) designated for Land Intensive Agriculture (74,255 acres), Residential (81,895 acres), Commercial (3,960 acres), and Industrial (2,712 acres) land uses under the Draft GP 2020 remain undeveloped today, and the existing habitat could be eventually affected by designated uses over the next 15 years. An additional 561,503 acres (See Exhibit 4.1-1) are designated for Diverse Agriculture (68,845 acres) and Resources & Rural Development (492,658 acres), where implementation of allowed uses could also result in degradation of existing habitat, such as forest, woodland, chaparral, and grassland.” DEIR at 4.6-38.

This is a poor substitute for analysis and mapping which illustrates the significance of impacts of planned development on these resources. However, it is enough to suggest that the County must work harder in its General Plan Update process to identify land use changes and policies to mitigate these impacts.

Moreover, the DEIR tends to describe impacts to these resources as compared with the development permitted by the current General Plan. Project related and cumulative impacts must be described as compared with the existing environment at the time the NOP was issued. Revised analysis must be completed of both project-related and cumulative impacts to sensitive natural communities and provided for public review in a revised Draft EIR.

Finally, the DEIR fails to identify as mitigation, reducing or eliminating harmful development in areas of sensitive resources. As a result, the DEIR omits feasible measures in the form of modified land uses and policies (e.g. limiting new subdivisions in areas of high value habitat; mitigation fees on development that converts high value habitat). For this reason, the DEIR should be revised and recirculated with complete

¹⁹ Such an analysis is not only feasible, it must be included in a revised DEIR. Using the County's GIS program, maps can be created which overlay allowable parcelization and development patterns on areas containing high agricultural and resource values. Biological experts on the DEIR team can use this information to describe significant impacts that would occur from planned development to existing habitats and species. Other experts on the team can use this information to describe impacts that would occur from planned development on working landscapes.

information about the proposed Plan and how development allowed under the Plan will actually impact biological resources. This revision should also include additional, feasible mitigation measures capable of reducing or eliminating these impacts. See suggestions below.

2. The DEIR Fails to Adequately Analyze Impacts to Agricultural and Rural Lands

Remarkably, the DEIR finds that all impacts associated with the adoption of Draft GP 2020 on agriculture will be less than significant without mitigation, except for the impact of land use conflicts. The problem with the DEIR's conclusions, is that they are neither based on buildout of allowable land uses within agricultural areas nor are facts and evidence provided that impacts will be less than significant without mitigation. In fact, this section of the DEIR is full of conclusory statements that are unsupported by analysis, fact or evidence, such as:

"Data *are not* available to quantify the acreage that might be affected by these uses [housing, surface mining, non-agricultural uses]. However, these uses would not be expected to result in a substantial conversion or loss of agricultural lands as they tend to be small and scattered throughout agricultural production areas." DEIR at 4.8-19, emphasis added.

A revised analysis must include evidence and facts to support the DEIR's conclusions that Draft GP 2020 will not adversely impact agricultural production in Sonoma County. **This analysis should include mitigation measures/General Plan policies proposed below to reduce or eliminate significant impacts on agriculture.** Other counties have addressed these impacts with policies directed at limiting rural development to uses that are protective of agricultural resources, and policies that allow for the continuation of routine and on-going agricultural operations when conflicting land-uses exist. See Attachment 8

Of particular concern to agricultural impacts, mitigation includes measures "reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action," and "[c]ompensating for the impact of replacing or providing substitute resources or environments." CEQA Guidelines Section 15370(d), (e). Agricultural easements satisfy this definition by preserving agricultural land in the project area that is otherwise likely to be developed, thereby ensuring more agricultural acres over time than would exist absent the easement. Agricultural easements permanently restrict the land from more intensive development, and are widely used to reduce the impacts of development on agricultural lands.

The DEIR's failure to account for the loss of agricultural lands that could result from Draft GP 2020 coupled with its failure to consider mitigation for the loss of agricultural lands is particularly striking given the wide variety and number of successful programs that exist to address this issue. Examples for consideration include, but are not limited to the City of Davis and Yolo County policies and programs requiring replacement land

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and/or in lieu fees to mitigate for the conversion of agricultural land to non-agricultural uses and the South Livermore Specific Plan which requires that for each acre developed, an acre be permanently protected and planted, and an additional acre must be permanently protected and planted for each unit built on that acre.

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To provide legally adequate mitigation, a revised DEIR must identify measures that will minimize impacts to agricultural lands on site, and provide new protections for agricultural lands to offset any losses. See suggestions below.

3. The DEIR Fails to Adequately Analyze Impacts to Water, Water Resources, and Wastewater

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The DEIR's water supply analysis violates CEQA because it fails to analyze accurately whether there is adequate water, including groundwater, for the level of development allowed by Draft GP 2020. The water supply analysis underestimates the demand for water generated by the plan because it fails to describe the allowable development that will need water under Draft GP 2020. Moreover, the DEIR fails to identify a water supply sufficient to serve planned growth and a detailed analysis of the ability of that source or sources (imported water, surface and groundwater) to actually deliver the water.

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The DEIR's analysis of the Project's impacts to wastewater service is similarly inadequate. Moreover, the DEIR lacks adequate analysis and disclosure of the growth inducing impacts of policies that would permit private wastewater systems (package treatment plants).

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Finally, the DEIR fails to adequately analyze and disclose project-related impacts to water quality. The justification for policies allowing package treatment plants are in part to address impacts to water quality from leaking septic systems. However, there is insufficient information in the DEIR concerning how allowed development in watershed areas would further impact water quality.

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The DEIR does identify all impacts associated with water supply, water quality and wastewater services and facilities as significant and unavoidable. Yet, the DEIR fails to identify policies that would mitigate these impacts, up to and including a moratorium on development until groundwater management and other needed plans for these services can be completed. A revised DEIR should identify additional mitigation measures to address these impacts.

4. The DEIR Fails to Adequately Analyze Transportation and Air Quality Impacts and Jobs-Housing Balance

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The DEIR's traffic analysis fails to analyze the traffic volume generated by the full development, residential and non-residential, allowed under the draft GP 2020. This is due to an incomplete analysis of the full potential for development at build-out. The full build-out potential is the input to the traffic analysis, and understatement of build-out under the plan leads directly to an understatement of the severity of traffic impacts from

the Project. In addition to its failure to fully describe all of the residential and non-residential uses, including wineries, bed and breakfasts, and the like in the rural and agricultural areas of the county, the plan fails to describe increased traffic that will result from events generated by these uses. In effect, the county has turned a blind eye to potentially significant sources of traffic in the rural areas of the county, in violation of CEQA.

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Sun-

The air quality analysis similarly understates project related and cumulative impacts because it is in large part based on traffic trips generated by the plan. A revised DEIR must include all development allowed by Draft GP 2020, the traffic generated by full build-out and the impacts to air quality from the traffic at full build-out. In addition, the revised analysis must identify additional feasible mitigation measures to address significant transportation and air quality-related impacts, including land use based measures such as locating higher density housing and jobs in close proximity to reduce reliance on the automobile.

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Specifically, among the best ways to reduce both traffic and air pollution is to direct new development into cities where there is the highest likelihood of achieving housing nearby to jobs and services in sufficiently high densities to reduce reliance on the automobile. While Draft GP 2020 proposes sites for an additional 500 affordable housing units on parcels in USAs, the DEIR fails to adequately address the potential impacts to new residents as a result of their close proximity to nuisances from industrial parks. Nor does the DEIR adequately address whether adequate public services will be available for these housing units. A superior approach to providing housing has been taken by a number of counties, including Napa, Solano and Kings. Napa and Solano Counties reached agreement with their Cities to direct new housing into cities where jobs and services could best be provided. Kings County and its four cities adopted a joint Housing Element, which located new housing in the cities. See Attachment 3 – Napa County Housing Element Update, Attachment 4 – Solano County Housing Element Update, and Attachment 5 – Sutter County General Plan Land Use Element.

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D. The DEIR Fails To Identify All Feasible Mitigation Measures

As a result of the DEIR's failure to fully describe the proposed Project, and the Project and Cumulative Impacts associated with Draft GP 2020, the DEIR fails to identify feasible mitigation measures in the form of GP policies, programs and land uses. Other county and city General Plans serve as an excellent source of cutting edge policies and land use solutions to address the same kinds of challenges Sonoma County is currently facing. Such measures include, but are not limited to the following:

- o Policies and/or land use changes that limit new development outside cities and County USAs to levels that will not result in significant impacts to biological resources. See Attachments 3, 4, 5, Attachment 6, excerpt from Yolo County General Plan, and Attachment 7, from Monterey County Community General Plan, Land Use Policy #10.

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- 73 [
 - Increased acreage of the County's urban separators as suggested by County Staff, referencing the designated Priority Greenbelts of the Sonoma County Agricultural Preservation and Open Space District. See Staff Recommendation to CAC.
- 74 [
 - Prohibition of land uses that are not compatible with rural landscapes/agricultural lands and could better be accommodated in USAs and cities, including – but not limited to – churches, schools, hospitals, and other uses more appropriately located in areas with adequate sewer and water.
- 75 [
 - Transfer of Development Credits Program with specified timing for its completion. See Attachment 7, excerpt from Monterey County Community General Plan. Agriculture Policy #11.
- 76 [
 - Limitations on subdivisions of agricultural lands consistent with protecting agricultural production and agricultural resources. Counties including Alameda and Yolo limit such subdivisions. See Attachment 6 from Yolo County GP, Attachment 7 from Monterey County GP, Land Use Policy #9, and Attachment 8 from South Livermore Valley Area Plan, p16.
- 77 [
 - Requirement for specific or area plans that specify the number and type of rural uses that are compatible with maintaining the rural character and protecting agricultural resources. See Attachment 8, South Livermore Area Plan.
- 78 [
 - Clarification of the list of “routine and ongoing” agricultural uses/practices that do not require a permit from the County. See Attachment 9, excerpt from Monterey County GP, Agriculture Policy #5.
- 79 [
 - Mitigation for the conversion of agricultural lands to non-agricultural uses. Many cities and counties, such as Alameda, Yolo, and cities of Livermore and Davis have adopted policies that require one-for-one mitigation and/or in-lieu fees. See Attachment 7, Agriculture Policy #10, and Attachment 8 from South Livermore Valley Area Plan.
- 80 [
 - Policies that ensure residential uses in agricultural areas are supportive of agricultural uses. See Attachment 8 from South Livermore Valley Area Plan.
- 81 [
 - Policies that require the County to work with cities to adopt a single housing element and/or require the County and cities to enter into joint planning agreements/MOUs to locate new housing in cities and urban areas with adequate services. See Attachments 3, 4, 5, and 6.
- 82 [
 - Adopt a transit oriented development overlay and apply it jointly with the cities to appropriate locations within city fringe areas as joint planning projects.
- 83 [
 - Adopt design guidelines for all unincorporated development projects as part of the General Plan. These should be based on form-based zoning practices and be

formed as Transit-Oriented Developments. See Attachment 9, draft policy language.

In too many cases, the DEIR concludes its discussion by stating that there are no other feasible mitigation measures to address significant unavoidable mitigation measures. For example, the DEIR finds that Incompatible Land Uses in the Rural Areas (Impact 4.1-3) is Significant and Unavoidable. The DEIR states that there is "No mitigation available beyond the Draft GP 2020 policies discussed in the impact analysis above." We believe there are other measures/policies that should be adopted, as suggested above.

E. The DEIR Fails to Identify All Significant Impacts

As a result of the DEIR's failure to fully describe the proposed Project, Draft GP 2020, and all feasible mitigation measures, the DEIR fails to identify as significant and unavoidable, the following additional impacts:

- a. The DEIR finds that Impact 4.1-1, Growth and Concentration of Population, is less than significant without mitigation. DEIR at 4.1-32. As described above, there are no guarantees that growth will be concentrated or remain within Draft GP 2020 projections. Unless the land use element and map are modified to "correlate" allowable land uses (allowable land uses) with projections, or firm caps on all types of development are established for each Planning Area, this impact must be identified as significant and unavoidable unless further mitigations/policies are adopted that can be demonstrated to reduce this impact to less than significant.
- b. The DEIR finds that Impact 4.5-4, Water Quality-Wastewater Disposal, is less than significant without mitigation. DEIR at 4.5-49. The DEIR fails to account for all new development that could generate water quality impacts. Furthermore, the DEIR fails to provide facts and evidence as to how proposed policies mitigate potentially significant impacts associated with water quality and wastewater services. As such, these impacts should be redesignated as significant and unavoidable.
- c. The DEIR finds that Impact 4.8-1, Conversion of Agricultural Lands to Non-Agricultural Uses, is less than significant without mitigation. Yet, the DEIR acknowledges that there is no data on the acreage that may be converted due to allowable non-agricultural uses on agricultural lands. DEIR at 4.8-18 -- 19. Moreover, the DEIR fails to include feasible mitigation measures for this impact. This impact should be redesignated as significant and unavoidable.
- d. Similarly, the DEIR finds that Impact 4.8-2, impacts associated with Agricultural Processing and Support Uses, will be less than significant without mitigation. The DEIR includes assumptions about how many of

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cont. | these uses would occur by 2020, but does not cap the uses.²⁰ The DEIR does not disclose how many of these uses and at what locations could occur under draft GP 2020. This impact should be redesignated as significant and unavoidable.

- 89 | e. The DEIR finds that the impacts associated with new Agricultural Tourism uses will be less than significant after mitigation. The DEIR does not provide an estimate of how many of these uses could be built under draft GP 2020. "Although any estimate of the total amount of visitor-serving development that could occur on agricultural lands through 2020 would be speculative, it would be reasonable to expect a significant amount of such development would occur in support of winery development described in Impact 4.8-2 Agricultural Processing." DEIR at 4.8-27. The DEIR continues on to state: "Therefore the development of visitor-serving uses on agricultural lands would result in the conversion of County and State designated agricultural lands and an associated loss of agricultural production." DEIR at 4.8-27. Policies directed at "limiting" the type, intensity and location of these uses do not go far enough to ensure that impacts will be less than significant after mitigation. As such, this impact should be identified as significant and unavoidable.

A revised DEIR should redesignate the above impacts to SU, or identify feasible mitigation measures, in the form of development caps, policies and programs capable of reducing these impacts to less than significant. See recommended mitigation measures contained herein.

F. The DEIR Does Not Adequately Discuss Alternatives to the General Plan Update Project

90 | Under CEQA, an EIR must analyze a reasonable range of alternatives to the project, or to the location of the project, that would feasibly attain most of the basic objectives while avoiding or substantially lessening the project's significant impacts. In this case, the DEIR's failure to disclose the full project (all allowable development under Draft GP 2020) and therefore to disclose the full severity of the project impacts, distorts the documents analysis of alternatives. A proper identification and analysis of alternatives is

²⁰ In fact, County staff went through an elaborate process to estimate the likely number of new wineries that might be built. This is an interesting exercise, but does not substitute for CEQA's requirement that the County must analyze the impact of its overall policy decision to approve the level and type of development allowed under the General Plan Update. The Sonoma County General Plan Update, when adopted, will constitute a present commitment to future development of the unincorporated County, whether or not construction of particular projects are imminent. Therefore, all planned development must be analyzed in the DEIR. A County may not properly claim that its land use element is adequate as a planning document to inform the public and decision-makers about the level of development allowed for an area, while, at the same time, claiming that such level of development is not realistic or will not occur during the time horizon for the plan, and therefore inaccurate for environmental review.

impossible until Project impacts are fully disclosed. Moreover, the analysis that is included is superficial.

The fact that the DEIR has identified 48 significant unavoidable impacts based on less than full buildout of Draft GP 2020 leads to the conclusion that the DEIR preparers will need to comprehensively revise the DEIR to address the numerous additional impacts associated with the whole project. Then, based on that analysis, they will need to identify a range of alternatives capable of mitigation of the full suite of significant impacts associated with the Project and cumulative development. We suggest that included in that list are the following alternatives:

- Growth in the Cities: No Further Subdivision Alternative²¹/Growth in the Cities (under this alternative, growth in SOI's could be accomplished through joint planning agreements with the cities);
- Infill Alternative²²/Limited Urban Development in USAs: A No Further Subdivisions beyond Lots of Legal Record Alternative Coupled with Growth in the Cities and Specified USAs (USAs with adequate services); and
- No further expansion of USAs.
- Constraints based. This alternative would use constraints mapping to identify areas where development currently allowed under Draft GP 2020 should be further restricted or eliminated. Constraints maps would identify areas of hazard (e.g. flooding, steep slopes, etc.), as well as sensitive natural areas, creeks and streams, wetlands as well as areas of prime agriculture as a basis for where development should be avoided. The alternative would locate development in areas that avoid constraints (biological and agricultural lands, high hazard areas, watersheds, etc.) and provide for land uses that truly result in higher density compact development in urban communities and cities.

These alternatives could be further combined where it would result in greater mitigation.

III. CONCLUSION

For the reasons set forth above, a revised Draft EIR must be prepared and recirculated. In doing so, we strongly urge the County to revise Draft GP 2020 to include the mitigation measures in the form of policies and other changes to the GP recommended herein. Sonoma County is a world class environment and a magnificent place to live. We should have a world class General Plan that ensures the preservation of its spectacular landscapes, enhancement of its agricultural and rural economy and quality of life for current and future generations.

²¹ No further subdivisions would permit subdivisions necessary to sustain working landscapes and development of one home on legal lots of record.

²² The DEIR does not provide information on how much development could occur under an infill only alternative. This information should be provided in a revised DEIR for both the County and its cities. It is critical that the County Board understand how much growth can be accommodated by infill and development on existing legal lots of record.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daisy Pistey-Lyhne', with a long horizontal flourish extending to the right.

Daisy Pistey-Lyhne
Greenbelt Alliance

cc.

Sonoma County Planning Commission
Sonoma County Board of Supervisors
Cloverdale City Council
Cotati City Council
Healdsburg City Council
Petaluma City Council
Santa Rosa City Council
Sebastopol City Council
Rohnert Park City Council
Sonoma City Council
Windsor Town Council
US Fish and Wildlife Service
California Department of Fish and Game
US Army Corps of Engineers
North Coast Regional Water Quality Control Board



ALLIANCE FOR DEMOCRACY

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April 13, 2006

RECEIVED
APR 17 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

RE: The Draft Environmental Impact Report for the General Plan Update 2020.

Dear Members of the Sonoma County Planning Department, the Planning Commission, and Supervisors,

The Alliance for Democracy, including members of our Santa Rosa Chapter, has studied international trade agreements in some depth. I would like to bring to your attention our concern about how these agreements can make it more difficult for Sonoma County's appointed and elected officials, as well as public administrators, to carry out the land-use and planning goals and recommendations of the General Plan 2020 Draft Environmental Impact Report as well as to manage and protect the county's water resources for present and future generations as a public trust.

Comments on a Draft EIR usually focus on specific sections and can be highly technical. The comments below, however, raise the broad question about the impact of the trade agreements on Sonoma County's sovereignty and democratic law-making. I have not gone into great detail below about each trade agreement nor all of their impacts.

My remarks are organized as follows: Introduction, Background, Services, Trade Agreements and Dispute Resolution Process, Specific Examples of impacts on local democratic authority, and Conclusion.

The following documents are enclosed to support these brief comments:

1. California's Sovereignty At Risk, The California Coalition for Fair Trade and Human Rights.
2. Trade tribunals must not trump state, local laws. Liz Figueroa, Jesse Colorado Swanhuysen, San Francisco Chronicle, August 23, 2005
3. Is There a Democratic Deficit in the Free Trade Agreements? What Local Governments Should Know, By Mildred Warner and Jennifer Gerbasi, Public Management, March 2004.
4. The GATS, Democratic Governance and Public Interest Regulation, Scott Sinclair, Ottawa: Canadian Centre for Policy Alternatives, 2001 <http://www.rsc.ca/files/publications/transactions/2001/sinclair.pdf>

See also: Scott Sinclair and Jim Grieshaber-Otto, Facing the Facts: A guide to the GATS Debate, Ottawa: Canadian Centre for Policy Alternatives, 2002 that can be downloaded at: http://www.policyalternatives.ca/documents/National_Office_Pubs/facing_facts.pdf. For more on the GATS go to www.policyalternatives.ca and for information on the GATS and Democracy go to <http://www.gatswatch.org/GATSandDemocracy/index.html>
5. Big Box Backlash: The Stealth Campaign at the World Trade Organization to Preempt Local Control Over Land Use. A Briefing Paper by Public Citizen's Global Trade Watch. December 2005.
6. Trade & Sprawl: How Global Trade Rules Could Increase Sprawl. Sierra Club.
7. California's Environmental Laws At Risk, The California Coalition for Fair Trade and Human Rights.
8. When Bad Things Happen to Good Laws: How International Trade Pacts Threaten California's Environmental Laws. Sierra Club, 2004.

I. Introduction:

Under the current trade agreements many county government functions, laws and regulations may be considered as "non-tariff barriers to trade. For this reason, the Alliance believes that it is essential to investigate the potential impact of these agreements on the duty and ability of the country to carry out the goals and mitigation measures and/or alternatives described in the General Plan 2020 Draft Environmental Impact Report.

Such investigation and conclusions should be part of the final EIR and CEQA review, including the potential for cumulative impacts and affect on proposed mitigation measures and alternatives. Such investigation could be carried out jointly by Sonoma County and the CA Senate Subcommittee on International Trade Policy and State Legislation now chaired by Senator Figueroa.

While there are clear benefits to California from engagement in the global community and economy, this Senate Subcommittee was formed because of growing concern that this new generation of international trade policies seriously impairs national, state and local sovereignty and the ability of our elected representatives to govern democratically and in the public interest as they were elected to do.

Over the past years, this committee has convened hearings with expert testimony on the impact of the trade agreements on state and local authority. At a hearing on January 23, 2006, Tom Luster of the California Coastal Commission testified that the authority of the CCC as mandated by the California Coastal Act to make recommendations and rulings in the public interest, for example, in regard to desalination plants along the coast, might be compromised if a foreign investor or corporation is involved (see Seawater Desalination And The California Coastal Act, California Coastal Commission, March 2004, esp. Chapter 4.2: The Potential Effects of the International Trade Agreements on Water Services, pp. 48-53 at: <http://www.coastal.ca.gov/energy/14a-3-2004-desalination.pdf>

The California Senate Subcommittee on International Trade and State Legislation working in collaboration with the Harrison Institute of Public Policy has now identified over 100 California laws that may be at risk of challenge under the North American Free Trade Agreement (NAFTA) and the World Trade Organization (WTO).

California Legislators are learning that what NAFTA and the WTO might consider as "non-tariff barriers to trade" are, in fact, laws passed to protect the environment and public health, such as those governing pesticide residue levels, air pollution abatement, waste treatment, community right to know disclosure laws, and hazardous material and medical waste handling.

It is clear, that even the set of laws governing land-use fundamental to the planning and regulatory framework of the GP 2020 Draft EIR may be at risk, as well as laws protecting county surface and groundwater resources such as those in the air quality and transportation sections.

II. Trade Agreements

A. Background:

The North American Free Trade Agreement (NAFTA) includes Mexico, the U.S., and Canada and was signed in 1994.

The World Trade Organization (WTO) was created as part of the Uruguay Round agreements of the General Agreement on Tariffs and Trade (GATT) that had focused mainly on the regulation of a multinational effort to remove barriers to trade in goods and raw materials. The WTO now includes about 150 countries. The contents of this round were approved by Congress in 1994 and went into effect on January 1, 1995. The General Agreement on Trade in Services (GATS), a WTO agreement, contains measures which renders them binding and enforceable. If a violation of WTO rules by one member

country is suspected, another member country may bring a challenge against it. In practice, member countries often bring challenges at the urging of corporations that operate within their borders.

Rather than focus on traditional trade matters under the GATT such as cutting tariffs and quotas on goods moving across borders, this new generation of trade agreements includes the following:

1. the broad sector of the economy classed as services that now make up more than 70% of the U.S. economy;
2. Systematic set of provisions and rules by which all member nations must "harmonize" their laws and Regulations
3. Dispute settlement mechanisms to ensure that nations and their governments, at all levels, conform, Or harmonize, their domestic policies to achieve global uniformity regardless of national and local Values expressed in all manner of laws and regulations.

B. Services: The General Agreement on Trade in Services (GATS), for example, does not actually define service. But, broadly defined, a service is a product of human activity aimed to satisfy a human need, which does not constitute a tangible commodity. The reason to focus here on services is that for the most part a General Plan is a document that focuses on land-use management using zoning laws and other land-management tools in order to accommodate population and housing, and commercial, industrial, or other businesses that are classified as services in the GATS or other agreements.

"Trade in Services" is defined broadly to include services supplied through four "modes" of supply each of Which might apply to any situation within Sonoma County? The most important regarding the General Plan is:

- * "cross-border" – a service provided from the territory of one member country into that of another Member country, say under NAFTA, from Mexico or Canada
- * "commercial presence" – a service provided by a Foreign Service supplier through investment in the Territory of another member. In this case under NAFTA the foreign service provider would be an investor or corporation from Mexico or Canada and the member country is the U.S., but the location of the commercial presence would be in Sonoma County and thus county laws could be challenged as trade barriers.

C. Trade Agreements and Dispute Resolution Process:

1. Harmonization: The ultimate purpose of these trade agreements (bilateral, regional and global) is to achieve "harmonization (uniformity)" of all rules and regulations across member nations. This is done by identifying all "measures" – government laws, regulations, rules, procedures, decisions, administrative actions, and any other form of government action - affecting trade, including trade in services.

As a general principle, these "measures" must not constitute "unnecessary" barriers to trade or be "more burdensome than necessary."

Beginning with NAFTA and the General Agreements on Trade in Services (GATS), all trade agreements - bilaterals, the Central American Free Trade Agreement, etc. - include an "investor to state" provision. As a general principle, this provision allows a foreign investor or corporation to bring suit before an international tribunal and demand compensation for economic losses arising from local, state or federal regulations in the country where they have invested. This process is to ensure that member governments conform their policies accordingly.

This has effected a major shift in the relationship of international law to national and sub-national (state, country and municipal) law. While the General Agreement on Trade and Tariffs was voluntary, NAFTA and the WTO agreements, including the GATS, and the other current free trade agreements signed or under negotiation are not.

Disputes are brought before an international tribunal whose proceedings are not public and whose decisions are not reviewable by our courts. These trade rules are meant to protect the rights of foreign investors and corporations and do not apply to domestic companies.

2. Two Cases Illustrate this Fact:

A. Under NAFTA, the Methanex Corporation of Canada sued the U.S. for \$960 million for compensation for lost profits anticipated as a result of California's decision to phase out MTBE, a carcinogenic gasoline additive polluting the groundwater, if the state did not agree to reverse the required phase-out. This dispute was finally dismissed not because the international tribunal recognized California's right to regulate to protect the environment and public health, but because it ruled that Methanex did not have standing in that they only made the "M" in the MTBE formulation (see Item 2: Trade tribunals must not trump state, local laws).

B. Another example is the Metalclad case as described in "NAFTA's Threat to Sovereignty and Democracy: The Record of NAFTA Chapter 11 Cases 1994-2005" published by Public Citizens' Global Trade Watch:

"State and Local Governments Are Not Safe From the Reach of Investor-State Tribunals: Not only have federal policies been challenged by foreign investors in NAFTA Chapter 11 tribunals, but an increasing number of measures taken by state, provincial and municipal governments have been challenged as well. These include state and local land use decisions, state environmental and public health policies, adverse state court rulings, and state and municipal contracts. In the Metalclad toxic waste case, the decision of a Mexican municipality to deny a construction permit before a U.S. company could begin expanding a toxic waste facility and a later decision by the [Mexican] governor of the state to create an ecological reserve on the site were both successfully challenged as NAFTA violations and the Mexican government was ordered to pay \$15.6 million in damages."

The National Association of Counties (NACo) wrote in a letter to the Senate Finance Committee in 2002:

NACo is concerned that broad interpretations of Chapter 11 by international arbitration panels may have a chilling effect on local decision making, subrogate legal protections of U.S. citizens to foreign investors, and result in the ultimate preemption and nullification of local government laws and regulations.

Since the Central American Free Trade Agreement (CAFTA) approved by Congress, July 2006, and almost all bilateral trade agreements have the same "investor-to-state" provision, there are many other countries whose investors/corporations could bring such suits against the United States.

D. Two Scenarios Specific to Sonoma County Authority: Here I provide two examples of how the General Agreement on Trade in Services (GATS) might impact the county.

1. Authority over Domestic Regulations

GATS has a chapter on "Domestic Regulation" which says that regulations must be ***"no more burdensome than necessary to ensure the quality of the service."*** Thus regulations intended to protect the quality of water or to prevent water from being used unsustainably or zoning regulations governing the siting of housing or certain kinds of commercial enterprises – wineries, hotels, casinos, big-box, shopping malls, riverfront development - in order to protect the environment, watersheds and water resources could be ruled "more burdensome than necessary" if any foreign country were to challenge the County regulation on behalf of that "foreign-owned" corporation or foreign investor.

The trade agreements come into play:

a. when an already permitted U.S. owned business in the county is sold to a foreign corporation. Would you have any authority over this sale? If not, then the country could be vulnerable to a trade dispute, if sale was denied.

b. if you were to grant a permit for a project and then a foreign-owned company comes to you with an application for required permits. If conditions and regulations have changed this might trigger a trade dispute.

2. Foreign Competition and National Treatment

In this case, if you were to grant permits for a project and then a foreign-owned company were to come to you with applications for a similar project requiring similar permits then "National Treatment" comes into play which is found in just about all of these trade agreements.

This rule says that a foreign corporation must be treated at least as favorably as domestic corporations engaged in the same service. This means, for example, should foreign corporation buys land with the intention to develop it, let's say as a vineyard and winery, or an existing enterprise with the intent to expand, then that foreign investor/corporation will expect "at least as favorable" a decision from Sonoma County as you have given every other vineyard and winery.

But the question is: If environmental or other conditions have changed, how would you be able to limit the number of projects or their impact? And, if you can not limit the number projects of the same service sector, what would be the cumulative impacts on the country in regard to specific sections of the General Plan 2020 Draft EIR? For example:

- * Land Use, Population and Housing?
- * Transportation?
- * Air Quality?
- * Hydrology and Water Resources, including Water Quality?
- * Biological Resources?
- * Agricultural and Timber Resources?
- * Public Services?
- * Cultural Resources?
- * Energy Needs?
- * Hazardous Materials

III. Conclusion: Admittedly, it is uncomfortable, perhaps even shocking, to contemplate that land-use management and planning authority delegated by the state to county and local government may be impacted by the international trade agreements and specifically by the GATS.

To date, as far as I know, no suit citing county or local government actions as a "barrier to trade" has been brought to an international tribunal. It is clear, however, that this is just a matter of time. Such a challenge by a foreign investor/corporation to local sovereignty and local democratic rule-making would create a serious "crisis in jurisdiction."

It is the county's duty and obligation, therefore, is to investigate how these trade agreements may impact county authority in regard to implementation of the land-use and planning goals of the General Plan 2020 Draft Environmental Impact Report and whether the mitigation measures and alternatives outlined in Sections 4 and 5 could be implemented without triggering a trade dispute?

Since it was created, the Senate Subcommittee on International Trade Policy and State Legislation, the California State Legislature and Attorney General have voiced their concerns about the balance of power in resolutions and letters to the U. S. Trade Representative. Laura Metune, Consultant to the Senate Subcommittee on International Trade and State Legislation, can supply copies of these communications

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as well as a record of letters sent to the USTR from a large number of other State Legislatures, State Attorneys-General, State Court Chief Justices, the National Association of Counties (NACo) and from the governing bodies of many Cities, Towns, and Townships (phone: 916.651.1694, laura.metune@sen.ca.gov).

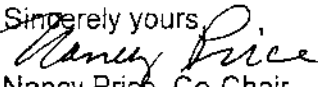
Just within the past month, as negotiations on the General Agreement on Trade in Services (GATS) have accelerated, the Governors of Maine and Oregon have requested that the U.S. Trade Representative remove their states from significant portions of the pending GATS expansion, and Utah has established a Joint Committee to consult with the USTR on trade negotiations.

Thus, as you see, investigation and analysis of the impact of these agreements on County sovereignty and law-making will be a significant contribution to the accumulating evidence of impacts and public's overriding concern that trade agreements are fair and democratic.

If you would like more information, please contact Mark Goodwin, the new Director of the California Coalition for Fair Trade and Human Rights, cell phone (415) 948-7089; email: cacoalition@citizenstrade.org.

Thank you for taking the time to consider these comments.

Sincerely yours,


Nancy Price, Co-Chair

Home:

Email:

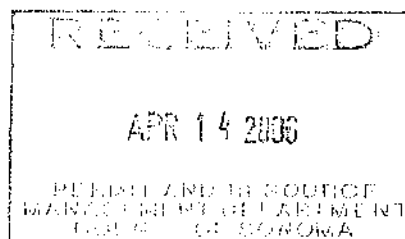
Draft GP 2020 FEIR Comment Attachment #8

Alliance For Democracy
Attachment available for review at
PRMD Comprehensive Planning
2755 Mendocino Ave, Suite #203,
or by request.

Atascadero Creek Green Valley Creek Watershed Council

April 12, 2006

Sonoma County PRMD
2550 Ventura Avenue,
Santa Rosa, CA 95403



Attn: Scott Briggs and Greg Carr
Copy: Richard Fogg, Planning Commission Chair

Dear Messrs Briggs and Carr,

The Atascadero Creek Green Valley Creek Watershed Council (AGVWC) brings together the people who live, own property or work in the watershed of Atascadero Creek and Green Valley Creek in Sonoma County, California, to help each other in taking responsibility for our impact on our watershed through protection, restoration and education.

The environmental conditions of our watershed are not adequately addressed in the draft Environmental Impact Report (DEIR) for the General Plan 2020 Update in the section entitled 'Green Valley Subbasin' on page 4.5-13.

In addition to the issues of inadequate channel capacity and the impact of gravel mining mentioned, there are other environmental conditions that should be in the record.

The Atascadero/Green Valley watershed is habitat for steelhead, coho salmon and California freshwater shrimp – federally listed as threatened and endangered species.

The Wilson Grove uplands in the Atascadero/Green Valley watershed are also prime recharge land for the watershed itself and also for the City of Sebastopol.

Rural sprawl, resulting from excessive parcelization in the past, has led to a proliferation of ranchette development. Current population density in certain areas of the watershed may be above what the groundwater supply of the watershed can support. Residential and agricultural wells may be drawing more water from beneath the surface in these areas than is recharged over the long term. In dry years, the resulting low flow conditions in many tributary creeks create conditions lethal to aquatic life. This is exacerbated by many legal and illegal water diversions from creeks for domestic and agricultural uses. The issue has also become more critical as impervious surfaces continue to cover prime recharge land within our watershed.

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3 [Additionally, as agricultural activities and home building have encroached upon streams, the resulting loss of riparian cover has allowed creek water temperatures to rise to levels that are lethal to fish. This is particularly apparent in the lower reaches of Green Valley Creek and elsewhere. The water temperature gradient between upland tributaries and the lower reaches is striking.

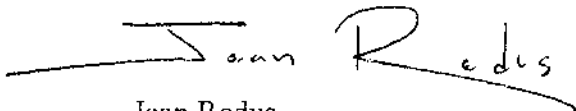
4 [Finally, unwise logging practices in the past and continuing land use practices to this day are causing significant erosion, sedimentation of spawning reaches, and other impairment of water quality in the creeks in our watershed. These practices include (1) poorly constructed and poorly maintained roads and driveways, (2) cultivation within riparian areas of creeks, (3) removal of large woody debris that might otherwise provide refuge for fish and allow deep pools to be scoured and maintained, and (4) the dumping of domestic trash in creek beds.

Many of the policies proposed by the Sonoma County Water Coalition for the new Water Resource Element of the updated General Plan would address most of our concerns.

A review of watershed conditions for the Atascadero/Green Valley Watershed was completed by Laurel Marcus and Associates in 2002 under contract to the Gold Ridge Resource Conservation District. This report is available on our website at:
<http://www.atascaderogreenvalleywatershed.net/AGVWCouncil.htm>

We thank you for addressing these issues and trust that all practicable steps will be taken to mitigate impacts identified in the DEIR, once that document has been edited to fully describe environmental conditions in our watershed.

Sincerely,

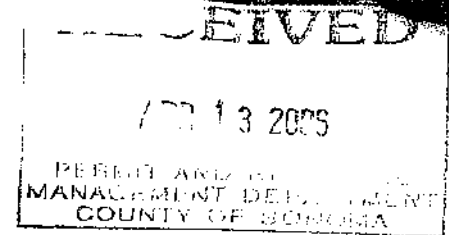
A handwritten signature in dark ink, appearing to read "Jean Redus". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Jean Redus
President

Sonoma County PRMD
2550 Ventura Ave
Santa Rosa, Ca. 95403

Valley of the Moon Alliance

Attn: Scott Briggs, Greg Carr



Re: Comments on the DEIR for the proposed Sonoma County General Plan Update 2020

269

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the proposed General Plan Update 2020.

These comments are submitted on behalf of the Valley of the Moon Alliance (VOTMA), which is an organization that was founded in 2002. Our Mission is to provide a forum for research, information, education and recommendations on projects that affect the environmental qualities of the Sonoma Valley. Our Vision is to promote the preservation, protection and maintenance of the agricultural character, natural resources and rural beauty of the Sonoma Valley.

In this letter we will be focusing primarily on the impacts and completeness of the DEIR within the Hydrology and Water Resources section 4.5. This is not meant to minimize the potential adverse consequences of leaving unmitigated the disconcerting number of significant "unavoidable" impacts pertaining to water within the Public Services section 4.9.

Critical Information is Missing in the DEIR

Considering the critical water supply situation in Sonoma County, a single estimate of the reliable water supply (pages 4.9-4 and 4.9-5) is not adequate for assessing the range of impacts from greater or lesser water availability. The DEIR should contain at least three water supply scenarios - best case, most likely case and worst case. The worst case should consider (1) no approval of the Water Project - i.e. no further increases in withdrawals from Lake Sonoma and/or the Russian River, (2) further reductions in the diversions from the Eel River, (3) a possible mandated increase in required minimum in stream flows in the Russian River, and (4) changes in the hydrologic cycle resulting from global warming. A comprehensive assessment of the three scenarios would undoubtedly reveal additional impacts and potentially beneficial mitigations.

Also the Urban Water Management Plan (UWMP), a CRITICAL calculation of supply and demand of water by both the Sonoma County Water Agency (SCWA) and its contractors, has not been released. Without these figures, the DEIR cannot correctly assess water supply impacts, nor can the public make meaningful comments on water supply components of the DEIR.

The potential impact of water exports on water availability were not addressed within the DEIR. General Plan policies WR-5a and b attempt to address this potential impact. However, since no permit is required for water exports, no CEQA process would be triggered by any proposal to export water from Sonoma County.

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Significant Unmitigated Impacts or Not Fully Mitigated Impacts

Impact 4.5-1: Water Quality – Residential, Commercial, Industrial, and Public Uses

Residential, Commercial, Industrial, and Public Uses consistent with the Draft General Plan 2020 could introduce additional non-point source pollutants to downstream surface waters. The DEIR states that existing regulations and referenced Draft General Plan water quality policies and programs (p. 4.5-42 and 4.4-43) would reduce impacts to less-than-significant.

We believe that the permissive language in many of the General Plan Update's WR policies make them inadequate to produce the less-than-significant level of mitigation claimed. Language submitted to the CAC by SCWC in October 2004 (underlined in red below) would strengthen the proposed mitigations, so that they are more likely to reach that level.

WR-1m: Encourage pretreatment and waste load minimization of commercial and industrial wastes prior to their connection to sewer systems and require source reduction and source control of contaminants that have a reasonable potential to pass through water treatment and contaminate groundwater.

WR-1n: Establish a public education program to raise awareness of the need for source reduction and source control of contaminants used in the home and office.

WR-1x: Prohibit intentional point-source aquifer injection of treated wastewater or other contaminants that may degrade aquifers within the County. Nothing in this language is intended to prohibit customary on-site wastewater disposal through percolation or evapo-transpiration.

WR-1y: Protect water quality for beneficial use by maintaining base-line in-stream flows consistent with TMDL objectives.

Impact 4.5-3 Water Quality - Agricultural and Resource Uses

Agricultural and resource development (i.e., timber harvesting and mineral resources extraction) land uses consistent with the Draft GP 2020 could result in an increase in sediment and nutrients in downstream waterways. This would be a significant impact.

With regard to your policy WR-1i, why limit reduction of peak runoff rates to slopes greater than 35 percent? Per VESCO levels it would only effect level III.

It is still important to include the rest of the policy as written in the Draft GP which continues with "maintenance practices and educational programs and technical assistance to grazing, ranch and dairy operations. Encourage programs to disseminate information on the benefits of on-site retention and recharge of storm waters."

Are there setbacks for grazing or dairy animals from inducing sediment stir up and nutrients as well as pathogens in our streams?

Impact 4.5-4 Water Quality - Wastewater Disposal

Land uses and development consistent with the Draft GP 2020 could result in sewer- and septic-related water quality problems including the reuse of treated water. However, policies provided in the Draft GP 2020 would adequately reduce such impacts to a less-than-significant level (LTS)

The two sentences above seem inconsistent with each other. Please explain.

In the paragraph starting "The regulation of privately-owned package treatment plants ... could be difficult due to the fact that the financial responsibility for the plant operation, maintenance, and potential RWQCB penalties would be in the hands of private districts or property owners. Private owners may lack the financial resources to deal with the water quality and maintenance problems when they arise."

With the suggested wording in 2.2 Sewer Services, as stated below, the impact would be reduced.

"Any package treatment plant discharging more than 1200 gallons of wastewater per day, or any plant in a State identified groundwater recharge area, shall treat the water to levels suitable for human consumption. It shall also require that bonds be posted or sinking funds established to provide for repair, removal or replacement of package treatment plants reaching the end of their intended service life."

It is up to the property owner to renovate or replace their septic systems, why shouldn't owner of private package treatment plants be equally responsible?

Impact 4.5-5: Groundwater Level Decline

Land uses and development consistent with the Draft General Plan 2020 would increase demand on groundwater supplies and could therefore result in the decline of groundwater levels. This would be a significant impact.

We believe that this significant impact in groundwater level decline could be improved greatly by the following Water Resource Implementation Program.

Add new Water Resource Implementation Program:

Establish specific groundwater management plans for each of the major groundwater basins in the County including but not limited to: the Santa Rosa Valley, Sonoma Valley, Petaluma Valley, Mayacamas and Sonoma Mountain ranges and hills, the Alexander Valley, Knights Valley, the Wilson Grove Formation Highlands bordering the Laguna de Santa Rosa and the Gualala Basin pursuant to AB3050. Provide administrative and legal support for residents of these areas to create locally elected and controlled special districts (Govt. Code #16271 [d]) such as groundwater management districts for administering correlative water rights by establishing programs to monitor, meter, conserve, and increase natural groundwater recharge.

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These special districts would be able to handle policies 2a, 2b, advise on regulation for 2c, 2d, 2e, and 2f. Policies WR-2g, 2h, 2i, 2j, 2k, 2l, 2m, 2n and 2o could all be handled through a special district.

The establishment of a special district or board was a recommendation of the Grand Jury report "Got Water?" published in July 2004.

10

With regard to the mitigation wording purposed for policy WR-2f, delete "to the maximum extent practicable" because if a discretionary project can not follow the policy and would therefore be degrading the property and possibly the property around it - the project should not be permitted!

The line added to this policy WR-2f - "Develop (delete voluntary) guidelines for rural non-discretionary development that would accomplish the same purpose." This could be done within the PRMD design acceptance process.

11

For non-discretionary projects within Class I and Class II areas the following objective would also help to lessen the significant impact of declining groundwater levels.

Add Objective WR-2.2 - Establish a modified CEQA process of discretionary regulations to address the cumulative impacts of new agricultural wells and new residential wells on existing water users, upon creeks and of saltwater intrusion in all areas of the county.

It does not seem reasonable or prudent to allow indiscriminate water usage quantities for projects in Class I and II areas. They are our prime resources of water with Class I being defined as major groundwater basin and Class II being a major natural recharge area. We must not allow potential abuse of these areas.

Impact 4.5-6 Saltwater Intrusion

Land uses and development consistent with the Draft GP 2020 would increase demand on groundwater supplies in areas susceptible to saltwater intrusion. Increased groundwater pumping in certain areas of the lower Petaluma River, Sonoma Creek, and Bodega Bay could result in saltwater intrusion. This would be a less-than-significant impact. (LTS)

12

Please explain how increased saltwater intrusion can be a less-than-significant impact?

As stated in the DEIR, page 4.5-56, "the County would react to saltwater intrusion problems after the problems had developed or increased in severity." We believe that by adding the Objective WR-2.2 as stated above, saltwater intrusion could be identified as a potential factor with the drilling of new wells.

Also by having a locally elected special district overseeing groundwater management, as stated in Impact 4.5-5, it could be aware of the potential of saltwater intrusion through computer modeling and monitoring of which it would be responsible. The Sonoma Valley Groundwater Study, which was to be completed in 2005, has not been made public as yet. It is to include a groundwater flow model and a detailed quantitative investigation of water resources in the Sonoma Valley. We are told that there will be other basins studies done as well. We need these studies to decide land use in these basins before adoption of the 2020 General Plan.

Impact 4.5-7 Well Competition and Adverse Well Interference

Land uses and development consistent with the Draft GP 2020 could result in an increase in the number of private wells in unincorporated areas of the county. Approval of wells in Class I or Class II areas could result in well interference impacts. This would be a significant impact. (S)

Again, adding the Objective WR-2.?, as stated above, could provide more information about the potential effects of drilling a new well in our unincorporated areas.

The mitigation language added to policy WR-2c of (7) "Require pump tests for new high capacity wells to avoid well interference between proposed."

What is the definition of "high capacity"? Is it determined by diameter of well shaft and/or pump size?

Would this also include any new SCWA or municipal wells that might be re-opened or newly drilled that are outside the USA boundaries?

Also, at least required notification of pump tests to neighboring well owners and monitoring of any nearby creek flows needs to be included in evaluation of these pump tests.

Would these comments implemented, along with a management plan, reduce the significant impact?

Impact 4.5-9 Increased Flood Risk from Drainage System Alterations

Land uses and development consistent with the Draft GP 2020 would result in increases in storm water runoff and peak discharge. Existing storm drain systems, including urban creeks and rivers, may be incapable of accommodating increased flows, potentially resulting in on- or off-site flooding. However, policies and programs contained in the Draft GP 2020 would reduce such impacts to a less-than-significant level. (LTS)

On page 4.5-61, the first sentence is, "Policy PS-2b would allow for continued coordination among the US ACOE, the FEMA, the SCWA, and other responsible State and local agencies associated with flood hazard analysis and surface water management." Would not a proposed special district per basin to manage groundwater also be included in coordination with flooding and surface water? Surface water and groundwater are very much related. An integrated special district would be a way to see the whole water picture.

The above comments on the DEIR are submitted in expectation of a substantive response to each distinct issue or question. Paraphrasing or summarizing submitted comments for the purpose of then responding to those abbreviated comments will not be appropriate and may result in those responses being inadequate under CEQA because they do not reflect the comments as submitted.

We appreciate your consideration with our comments and mitigation suggestions. We hope our work will help to create a beneficial, working Environmental Impact Report that will then direct us toward a picture of what we want for our Sonoma County.

Sincerely,

Valley of the Moon Alliance

Board of Directors

Del Rydman, George Ellman, Nigel Hall, Karl Keener, and Kathy Pons

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conf. in Sonoma Valley (planning district 9 & 5) could be significant. Agriculture lands situated in the back country or on steep slopes would probably never be farmed and could also result in reducing conversion impacts in the comparison. The DEIR should look at each of the planning map locations and elevate the 20 year projected farmland conversion impacts. It should also eliminate farm lands that have a high probability of never being utilized from the total and recent conversion; i.e., 30 acres of ag land converted to high density housing development at Oakmont. The approval of the Sonoma Country Inn and home subdivisions on 187 acres of ag, community separators and scenic landscape land that have been converted.

3 Another problem with generalizing farmland conversion statistics in the country is the number of small parcels zoned for ag usage. Retaining large parcel sizes will avoid incompatible non-agricultural uses and conflicts with non-ag land. The DEIR fails to indicate that small farms and smaller wineries with productions and event centers can overwhelm neighboring rural residents. The pattern of permitting small parcels with multiple uses, and allowing development in the ag areas in Sonoma County may not be compatible with sustaining working landscapes over the long term. The DEIR should do a more complete analysis of the potential impacts of the proposed GP 2020 on small farm/winery agriculture. (See study of Sonoma Valley, April 2005)

4 **Agricultural Processing (page 4.8-7)** indicates that both local and imported crops are utilized in the ag processing. Currently the county sets a 50% goal as to how product should be produced on site or come from the local area (which is not defined). The large corporate production wineries feel it provides flexibility regarding the sources of grapes during different economic cycles. This flexibility idea allows large wineries a method of controlling the prices they pay for farm products by utilizing (or threatening to utilize) cheaper imported grapes. I am sure if you could talk to the local grape growers off the record and without any possible contract implications, you would get a different story. The 75% rule would also support our local ag community during economic downturns. It would be very important to support our local farming communities to insure their existence and future production.

Napa County requires and court cases confirm that local farming product include at least 75% from the local community. The recent Gallo expansion project also agreed to use over 80% of its production from Sonoma County ag products.

Sonoma County is concerned about how to measure compliance with the 75% rule? We are sure Napa has figured out how they will do it! How did Sonoma County monitor the 50% rule for compliance? The County should be able to work with Napa County to develop a method to measure compliance with a 75% rule over the next five years. It should be included in this 2020 general plan update (Policy AR-5a).

5 **Agricultural Tourism (pages 4.8-8)** indicates that "there has been a marked increase in the number of wineries, family farms, and other producers who have added new activities to market and promote their agricultural products." The DEIR doesn't detail the number of events currently allowed by use permit or special permit. Nor does it try to identify

the differentiate ag related events from the non-ag events. It also states that selling of different types of products, food, gifts, arts, merchandise are being done at ag stores. These are not controlled nor are there any guidelines or policy being developed to determine what is appropriate merchandise. It is left up to the ag business and no monitoring is down by the county. The County truly open to a "Disneyland effect" on ag lands, with unlimited sales of non-ag related products taking place in retail stores built on ag lands.

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We have not been able to identify policies, goals or objectives in the 2020 General Plan updates which prevent only market/event-related facilities Ag land. Not all winery processing facilities have wine tasting; not all wineries will need processing facilities; tasting rooms on ag lands will need a processing facilities. c.f. Ledsen Winery. What policies, goals or objectives that will prevent only wine tasting (marketing facilities) on Ag land?

Sonoma County Agricultural Preservation and Open space district (page 4.8-10) indicates the number of acres protected by the Open Space District and their programs. We need to continue to purchase land in the rural ag community separators to restrict expansion of the urban service bounties and minimize the Board of Supervisor's action in allowing developments in the community separators; i.e. Sonoma Country Inn in the Sonoma Valley)

6

The Open Space District needs to be proactive in identifying key parcels of land that would be beneficial to the public and inform current owners on what is available and some idea of money that could be expected. In the Sonoma Valley the current property owners are reaching retirement age and will need to do something with their lands. The developers are already in contact with many of the land owners. Many of the younger generations don't want to carry on with the farming business and will subdivide property or sell it off to a developer.

Agricultural setbacks (pages 4.8-14) talks about 100- to 200- foot set backs on agricultural land that will be used as a buffer. Other setbacks from streams are also established in the 2020 general plan update. The DEIR doesn't explore using funds from the Open Space District to purchase development rights or buy the strips of affected land. The public will benefit by getting clear water and streams that are productive and be protected from ag chemicals and noise.

7

County regulations

Zoning (pages 4.8-11) indicates that LIA, LEA and DA permit a full range of ag uses. A study done by the Valley of the Moon Alliance of Sonoma Valley (released as new input to 2020 General Plan April 2005) called "The Potential for Events Facilities on Agricultural land in the Sonoma Valley" indicates under present "minimum lot size" zoning regulations, the 792 agricultural parcels that now exist in the study area could be subdivided into a total of 974 legal parcels, any of which could be developed independently. Further review of the 974 parcels indicates that 362 have a high to very high potential for future use as ag processing and visitor serving/events facilities. Even

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ccr... if only 20% of the "future" sites were built, 75 new facilities would be added to the Sonoma Valley. **Exhibit 4.8-4 (page 4.8-24)** estimates the growth of vineyard development in Sonoma Valley at an increase of 19. Total of 43 projected in 2020. Valley of the Moon Alliance study summary and table is attached and those estimates indicate 16% more potential growth than what is in the DEIR.

9 Sonoma County ag zoning regulations allow the subdivision of large parcels subject to Board of Supervisor approval. This situation has not been addressed in the 2020 General Plan update or the DEIR but has a potential for a lot of smaller wineries to be developed through subdivision of larger parcels that will impact all other areas of the 2020 general plan update. Historically smaller family owned wineries are then purchased by large corporate entities whose only interests are not locally oriented.

The DEIR (**Exhibit 4.8-4 page 4.8-24**) makes an attempt to determine the impact of the General Plan proposed changes to Ag production and Visitor Serving facilities between now and 2020 by estimating the number of acres of grapes to be planted and then calculates how many processing plants it would take to handle the grape harvest. VOTMA feels that the estimates are very low, based on the information obtained from our study of Sonoma Valley. The DEIR forecasts the Sonoma Valley planning area currently has 24 Ag productions/visitor severing facilities and will grow to 43 by 2020 or almost 100% growth. Our study, provided to the Planning Commissioners last year, was done in conjunction with the Sonoma Ecology Center and Sonoma Valley Citizen Advisory Commission and looked at the actual parcels in Sonoma Valley that have a high probability of becoming Ag production/tourist facilities.

10 The Sonoma study area was a little larger than the Planning Area Nine, but its trends and results are worth review and consideration. We examined about 50% of total Ag acreage in Sonoma Valley - 33,125 acres. We focused on 792 parcels that had easy access to major roadways and did onsite observations and made a survey form for each parcel.

The study summarized the data into three development scenarios. Full built out, 20% build out and a 20% build out utilizing the current 2020 general plan update policies.

A key 2020 update policy is the establishment of an ag concentrations definition. Even with this policy in place, the study indicates an increase of 50 new Ag productions and visitor servicing use facilities. This is 16% higher than the DEIR estimated. Without the concentration definition the increase could be 75 new facilities, or 74% more. With a full build out and no concentration policies there could be as many as 362 new facilities by 2020.

The conservative position of a 16% error rate in new facilities for Sonoma County would have the total county winery population growing from 112 to 150. This would double the current number of wineries to 277. These figures don't reflect the number of commercially zoned ag production and visitor serving facilities. The DEIR should also look at the current rate of winery development in the county and adjust its forecast for 2020 growth.

11 The DEIR comments (**pages 4.8-26**) on the demand for visitor-serving uses would primarily affect ag lands designated LIA, LEA, DA. The Ag and Residential (AR) and

Resource and Rural Development (RRD) categories areas would also allow ag tourism uses, but at a more limited scale. The DEIR fails to discuss the impacts of AR and RRD. It doesn't address the "limited scale." It indicates that visitor-serving is allowed on any Ag lands. That will lead to impacts that will significantly affect ag lands conversions and/or reductions as well as the number of small winery production/tourist serving uses.

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Goals AR-5 and AR-6 of the Ag resources element would promote the development of new agricultural processing facilities (e.g. wineries) support services (Vendors farm supplies) and visitor-serving uses (wine tasting / events) in rural agrarian areas as value added support to agricultural production. (DEIR at 4.1-40) The DEIR does not provide complete information about how many and where these new uses will be, or how many acres of agricultural land they may directly pave over or render unusable due to a proliferation of incompatible land uses.

12

Policy AR-5g (page 4.8-25) & AR-6f (pages 4.8-27) "would further reduce cumulative impacts resulting from the concentration of processing etc" This statement is incorrect for both policies AR-5g (AR-6f). The General Plan Update addresses the density of ag development in proximity to each other. It fails to take into consideration the cumulative impacts of other developments in the area. Almost all new wineries don't go through the EIR process and don't do a cumulative affects analysis. Therefore Policies AR-5g (AR-6f) should be changed to include the cumulative affects of nearby ag and other projects. The negative declarations process should also be expanded to include cumulative affects. Otherwise the piece-meal approach will lead to over-developing a specific area even with local concentrations policies in effect.

13

The DEIR failed to explain or define what will be detrimental to the rural character in factor 4 of AR5g. Completion of the Rural Character Design Standards and zoning code incorporating those standards should be completed immediately and be included for General Plan update approval.

14

The statement in the 2020 General Plan update "In cases where the proposed processing use would process only products grown on site, such use would not be penalized in accordance with this concentration policy " was not discussed in the DEIR; its impact should be evaluated. We suggest that this sentence should be deleted. There is no assurance that only products grown on site will always be used. Smaller wineries generally are sold to larger corporate winery/s and the county does not have anyway to monitor this statement.

15

The DEIR (page 4.8-27) mentions AR-6d "would reduce the likelihood of projects resulting in cumulative traffic impacts or operate at higher than permitted levels by requiring participation in visitor tracking and event coordination program as a condition of approval for qualified projects." The DEIR fails to analyze the impact of what will occur if the event coordinator position is not authorized or is not a county staff position if authorized. It failed to clearly identify what action the coordinator will be able to enforce and control. Currently Sonoma county has no idea of the impacts of events, number allowed, the number occurring in a specific area nor be able to enforce weekend

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activity limits. There are wineries currently asking for compliance and legalizing the un-authorized events they are already having. Attaching the number of permitted events to use permits goes with the land and can't easily be adjusted. They are also not be approved in a consistently, nor is consideration of the size of the winery. More and more events will be occurring in the future.

Valley of the Moon Alliance

Board of Directors

Karl Keener, Cathy Pons, George Ellman, Nigel Hall, Del Rydman

Del Rydman, President

The Potential for Events Facilities on Agricultural Land in the Sonoma Valley

August 2004

Choices for the future

Executive Summary

This report contains the results of a yearlong study. It examines the potential, under present zoning, for a growing number of visitor-serving and events facilities on agricultural lands in the Sonoma Valley. It also identifies some of the choices that need to be made toward a course for the future that protects and reinforces the rural character and quality of life of the area in which we live.

"Events facilities" and "visitor-serving facilities", for the purpose of this study, include the ancillary buildings and/or outdoor facilities associated with agricultural activities that are used on a regular basis for gatherings, celebrations, tastings, weddings, concerts and other such activities.

Concerns

This study was undertaken in response to the rising concern voiced by many residents of the Sonoma Valley about:

- The growing number of events related facilities that are now in place, or are likely to be built in the future, in association with agricultural operations on agricultural land in the Sonoma Valley,
- The potential concentrations of such facilities along the highways and country roads of the Sonoma Valley,
- The continuing erosion of the rural character of the Sonoma Valley by large scale development,
- Traffic & Safety issues associated with increased use of the Valley's road infrastructure
- Cumulative effects of large facilities on ground water and on its availability to other residents who depend on it in the Sonoma Valley,
- The potential cumulative effects of in-the-ground and package sanitation services likely to be built to serve events facilities on the quality of the ground water in the

Valley

- Cumulative effects of noise (sometimes amplified) from events facilities on the peaceful enjoyment by neighbors of their properties in the Valley
- Cumulative effects of lights from events facilities on the night sky of the Sonoma Valley
- Cumulative negative effects of event facility development on hillsides and viewsheds, especially noticeable with night lighting,
- The continuing lack of official coordination and monitoring of the frequency and size of events throughout the Valley., including the seeming lack of follow-up investigation of on-going abuses of the permitted frequency and size of events at existing events facilities.

Summary of Findings

The Study Area for this report includes a total of 33,125 acres in the Sonoma Valley. The study focuses particularly on 792 parcels in the Study Area, all of which lie in the large "agricultural" zones (DA, LIA, LEA and RRD) under present Sonoma County zoning. Together the 792 parcels contain a total of 26,587 acres. On site evaluation of these 792 parcels by two-person teams leads to the following observations about the future of those parcels:

- Under the present "minimum lot size" regulations of present zoning, the 792 agricultural parcels that now exist in the study Area could be subdivided to produce a total of 974 legal parcels, any of which could be developed independently at some time in the future,
- 38 parcels already contain events facilities located on agricultural land in the Sonoma Valley. Other events- and visitor-serving- facilities (hotels, restaurants, special event facilities, etc.) also exist on commercially zoned land that is not covered by this study.
- 362 of the potential 972 parcels in the Valley have been evaluated to possess a "high" to "very high" potential for future use as visitor serving and/or events facilities associated with agricultural operations and have been designated as potential "future" event sites.
- If all of those "future" parcels were to be developed to their full potential under existing zoning, i.e. subdivision of parcels based on the existing minimum lot size currently established for the parcel, the resulting total build-out would represent a more than 2500% (Two thousand five hundred percent) increase over the present day number of events facilities in the Valley. Even if only a 20% of the "future" sites were build out 75 events facilities would be added to the Valley, for a total of 113 events facilities Sonoma Valley wide.
- The potential concentrations of events facilities (see Figure M) under three possible scenarios are summarized on the chart below.

Under Scenario C (the least dense alternative, which assumes 20% build-out with the text proposed for GP2020 in force), the density of events facilities over the 24 miles of the Sonoma Valley would be 3.5 per mile. In some areas of concentration densities may exceed 4 per mile, however.

By comparison, the present density of the Oakville-to-St. Helena stretch of Highway 29 in the Napa Valley is 4 facilities per mile while the overall density from Yountville to Calistoga is 3.2 per mile. Traffic congestion in the St Helena section is acute both on

weekdays and on weekends, even though the Napa Valley has a parallel road to serve as an alternate route for traffic, which the Sonoma Valley does not.

Scenario B (20% build-out) would result in an average of 4 facilities per mile in the Sonoma Valley, with higher densities in popular areas, while Scenario A (maximum build-out under present zoning) would produce a density in excess of 16.6 facilities per mile.

In summary, therefore, the residents of the Sonoma Valley seem to be facing, under present zoning regulations in Sonoma County, the following alternatives:

- at best, build-out densities as high as the most congested sections of the Napa Valley, and
- at worst, a build-out density over 4 times the level that already causes grid-lock in the Napa Valley over a much shorter stretch of highway.

Concentration Area				Scenario A - maximum build-out			Scenario B - 20% build-out			Scenario C - 20% w/ CAC GP2020 language		
Sector	Area	Location	Length	Now	Future	Total	Now	Future	Total	Now	Future	Total
North Valley	1	Oakmont	1.7 miles	2	13	15	2	3	5	2	2	4
	2	Kenwood North	1.7 miles	5	19	24	5	4	9	5	0	5
	3	Kenwood South	1.3 miles	3	12	15	3	2	5	3	0	3
	4	Trinity	1.7 miles	3	18	21	3	4	7	3	3	6
	5	Glen Ellen East	0.5 miles	2	6	8	2	1	3	2	1	3
	not in areas of concentration			11	36	47	11	7	18	11	7	18
	Subtotal for North Valley			26	104	130	26	21	47	26	13	39
Mid Valley	6	Madrone	1.3 miles	2	17	19	2	4	6	2	1	3
	7	Grove Street	1.3 miles	1	14	15	1	3	4	1	2	3
	8	Sonoma West	1.5 miles	0	38	38	0	8	8	0	4	4
	9	Mid Valley	1.5 miles	0	13	13	0	3	3	0	4	4
	10	116 Grade	2.3 miles	0	37	37	0	7	7	0	5	5
	11	Big Bend	1.7 miles	1	35	36	1	7	8	1	3	4
	not in areas of concentration			0	55	55	0	11	11	0	11	11
Subtotal for Mid Valley			4	209	213	4	43	47	4	30	34	
SR 121	12	Schellville East	1.5 miles	0	15	15	0	3	3	0	3	3
	13	Schellville West	1.7 miles	5	13	18	5	3	8	5	0	5
	14	SR121 Corridor	1.1 miles	1	9	10	1	2	3	1	2	3
	15	Sears Point	1.1 miles	2	9	11	2	2	4	2	1	3
	not in areas of concentration			0	3	3	0	1	1	0	1	1
	Subtotal for SR 121 area			8	49	57	8	11	19	8	7	15
Totals for the Sonoma Valley				38	362	400	38	75	113	38	50	88

271

Greg Carr - General Plan DEIR Comments

From: "Mike Sandler" <mike.sandler@sonoma-county.org>
To: "Greg Carr" <gcarr@sonoma-county.org>
Date: 02/15/2006 5:49 PM
Subject: General Plan DEIR Comments
CC: <pkelley@sonoma-county.org>, <mkerns@sonoma-county.org>, <vbrown@sonoma-county.org>, <tsmith@sonoma-county.org>, "Rue" <pqrst@monitor.net>, <maddybook@sonoma-county.org>, <gcarr@sonoma-county.org>

February 15, 2006

FOR THE PUBLIC RECORD

To: Members of the CAC
 CC: Board of Supervisors, Planning Commission, County Planning staff
 Subject: General Plan 2020 draft EIR

Thank you for accepting these comments on the Sonoma County General Plan Update and General Plan 2020 draft EIR (DEIR).

These comments address the following issues:

1. Water Resource Element
2. Climate change
 - Recommended New section- Energy and Climate Protection
 - Recommended New goal: Reduce greenhouse gas emissions from all sectors of the county 25% below 1990 levels by 2015.
 - Look at Humboldt County Energy Element
3. Forest Conversions
 - Recent Conversion ordinance not included in the DEIR
 - New impact: 64,000 acres in DA, Rural Residential,
 - Suggested mitigation: Expand conversion prohibition to Site Class III
 - Suggestion mitigation: Require conservation easements and greater than 2:1 ratio
4. Agriculture Processing
5. Community Separators
 - Suggested Policy: Transferable Development Rights: County work with Cities to put County's affordable housing allocation within city limits in return for County setting aside open space around city urban growth boundaries.
6. Transportation

The DEIR identifies 78 impacts in its analysis. Of these, 43 are identified as significant before recommended mitigation measures are incorporated. If these additional recommended mitigation

measures are incorporated, the number of significant unavoidable impacts including loss of farmlands and habitat lands still numbers 38.

- 1 This DEIR is deficient in that it does not address cumulative impacts, including water quantity impacts, impacts presented by climate change and global warming, potential conversion of agricultural lands to other uses, conversion of forests to other uses, the sprawling development of agricultural processing and support uses in rural lands through out the county with no infrastructure.

Water Resource Element

Community Clean Water Institute is pleased to see the inclusion of a Water Resource Element for the first time in Sonoma County's General Plan. The purpose to ensure water resources are sustained and protected is commendable.

- 2 The DEIR should attempt to address the 17 or so water related unavoidable, or unmitigatable, impacts. The Alternatives analysis must consider all possible solutions for dealing with the problem. Alternatives analysis must consider all possible forms of mitigation in an attempt to reduce impacts. This includes suggestion and comment made by the public or experts. If this analysis is not included in the DEIR, it is not consistent with CEQA.

- 3 The DEIR should analyze the incorporation of a section in the Water Resource Element dealing with impacts of climate change and global warming. Global climate change is one of the greatest threats to water resources and ecosystems over the next century. Climate change is expected to impact U.S. water resources and water availability in the western United States, including the following: decreased snowfall and snowmelt, a major source of drinking water for much of California; rising sea levels threatening coastal aquifers and water supplies; increases in lake and stream temperatures threatening fish, water species, and critical habitats such as wetlands.

- 4 The Sonoma County Water Agency has adopted a new energy policy which recognizes the need to reduce greenhouse gas emissions (GHG). The DEIR should analyze how General Plan objectives can reinforce the Water Agency Energy Plan's goals of conservation and GHG reduction.

- 5 The Pacific Institute, a nonprofit research organization based on Oakland, CA has developed a "Water and Climate Bibliography" online at <http://biblio.pacinst.org/biblio/> which gives technical and scientific background on the relationship of water and climate change. The bibliography includes articles such as "Asymmetric warming over coastal California and its impact on the premium wine industry." By Nemani, R. R. et al. The DEIR should include this bibliography for references on water and climate change.

- 6 The DEIR should analyze Section 3.4 of the WRE and the implications of The Conservation and Reuse section having a goal of "no net increase" in water usage from the Russian River or groundwater basins. The DEIR should analyze the alternative of accommodating population growth for the next 15 years through increased efficiency, conservation, and re-use.

- 7 Section 4.5-3 of the DEIR mentions water impacts of forest conversion (also mentioned later in this letter). The DEIR notes a 123% increase in agricultural use in the Sonoma Coast, and 85% increase near Knight's Valley.

- 8 Section 4.5-6 of the DEIR mentions saltwater intrusion. There should be a mention of the sea level rise due to climate change (see below).

Use newer 303d list: Exhibit 4.5-3 on page 4.5-18 and 19 of the EIR shows the Sonoma County/303(d) List of impaired water bodies and has neglected to list the Laguna de Santa Rosa. The Exhibit uses the 1998 list, not the 2002 list. 1998 was the year that the Laguna was secretly and illegally taken off the 303(d) list. The Laguna is the most impaired water body in Sonoma County and must be listed for all six of its impaired constituents: sediments, temperature, nitrogen, phosphorus, dissolved oxygen, and bacteria. Community Clean Water Institute has submitted lengthy comments to the State Water Resources Control Board regarding the listing of the Laguna for nutrients.

Water quality data collected by Community Clean Water Institute also suggests that Santa Rosa Creek is impaired for conductivity. This may be due to stormwater runoff. The DEIR should address stormwater runoff from cities, and analyze how the General Plan can encourage the County to work with Cities to reduce impacts from stormwater runoff.

Climate Protection

The DEIR fails to address climate change and global warming.

Climate change issues should be addressed because they may be the largest issues the County has to deal with in the 21st Century, affecting oil and gas supplies which drive the entire economy, and potential temperature changes which could cause extreme weather events such as flooding, drought, sea level rise, water scarcity and more. Some impacts to include in the EIR include: Rising sea levels and increased flooding will impact our coastline and low-lying areas. Temperature changes and alterations in precipitation patterns will impact agriculture, air quality, water quantity, and water quality, as well as our biotic communities. All of these have serious implications for Sonoma County, and should be addressed in the draft EIR.

The DEIR fails to address the impact of development in the County on climate change and global warming. There are no proposed mitigation measures for impacts caused by climate change and global warming in the County.

The DEIR should consider whether climate change should be addressed in the energy section of the Conservation Element. Climate change and energy are related, but not synonymous. Climate change results from greenhouse gas emissions, primarily as a product of our energy choices. Energy efficiency does not necessarily yield a reduction in greenhouse gas emissions and therefore does not necessarily address the problem of climate change. Therefore, while it is important to address energy efficiency and energy resources, these by themselves are insufficient for climate protection. Scientists say that greenhouse gas emissions must be reduced at least 60 to 80 percent from 1990 levels to avert the worst impacts of climate change. The DEIR should analyze whether climate change should be addressed in the Air Resources section. The Bay Area Air Quality Management District is beginning to address climate change through a Climate Protection Program they created in June 2005. However, the impacts of climate change are not only air resources impacts as noted; there are impacts on land use, water, transportation, and more.

We, along with the Climate Protection Campaign, further recommend that the County's General Plan 2020 explicitly align with climate protection goals set by the County of Sonoma and all nine Sonoma cities. Section 4.12-7 in Energy Resources mentions Sonoma County's GHG reduction goal for internal operations. There should also be mention that in 2005 the County of Sonoma and all nine Sonoma cities passed resolutions adopting the goal of reducing greenhouse gas emissions from all sectors in Sonoma County 25 percent below 1990 levels by 2015. Of about fifty total votes on the nine city councils and

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out. the Board of Supervisors, only two were no votes, reflecting the near unanimous support for this greenhouse gas reduction goal. Moreover, over 50 Sonoma County businesses and organizations such as Coddling Enterprises and the League of Women Voters have endorsed the community emissions reduction target.

3 We request a section be added to the General Plan on climate change and global warming. A new Goal should be added to, "Reduce greenhouse gas emissions in the County 25% below 1990 levels by 2015." This is the goal adopted by the Sonoma County Board of Supervisors for both county internal operations and for the community at large, including private businesses and residences. New policies to implement the goal include the following:

- 1) Include greenhouse gas emission impacts in all CEQA reviews done by and for the County of Sonoma
- 2) All County of Sonoma Board of Supervisor actions will address the greenhouse gas impacts of the action
- 3) The County of Sonoma Board of Supervisors will annually issue a report to the public on the County's progress toward its countywide greenhouse gas emission reduction goal

14 Other counties have taken action to incorporate climate and energy issues into their General Plan. The County of Marin is incorporating climate protection and adaptation to climate change in its General Plan Update, as an example of how to incorporate climate change into a general plan. Humboldt County has a draft Energy Element in its General Plan Update. The Humboldt Energy Element is online at <http://www.redwoodenergy.org/ContentPage.asp?ContentID=106> and I have submitted it by email to Scott Briggs of PRMD. The DEIR should analyze the benefits of the addition of an Energy Element to the General Plan.

Forest Conversion

15 Forest Conversion (called Timber Conversion in the General Plan) is the conversion of forestland to uses besides timber production. Forests provide habitat for wildlife, and store water and provide benefits to watersheds. When they are converted to other uses there are negative impacts which must be mitigated.

16 The Board of Supervisors has passed a Timber Conversion Ordinance which limits forest conversion. This ordinance is not reviewed in the DEIR. The DEIR should review the ordinance and discuss the impacts which would still result due to flaws in the current ordinance language. For example the current ordinance does not prohibit conversions in Site Class II forestlands. The DEIR should address the cumulative impact of forest conversion in Site Class III forestlands. The Forest Conversion Ordinance does not cover the approximately 64,000 acres of forests in other zones including Diversified Ag, Intensive Ag, and Rural Residential. What impact will this have? What impact does forest conversion have on water quality and quantity? What impact does forest conversion have on habitat for a diversity of species including pollinators necessary for agricultural production? What impact does forest conversion have on siltation and turbidity which destroys steelhead and salmon spawning grounds? What positive impact does protecting forests have on providing carbon sinks and providing cooling capacity to reduce global warming? How many acres could potentially be converted to other uses under the new Forest Conversion Ordinance? What benefit would there be to the environment if Site Class III and the remainder of Sonoma County forestland was included in the Timber Conversion Ordinance? **The DEIR should analyze the impact of the General Plan mitigating the impacts of forest conversion by amending the Forest Conversion Ordinance to include a prohibition on forest conversion in Site Class III timberlands, to increase the 2 for 1 land swap to 3 to 1 or higher, to assure land swapped is equivalent in slope to land being converted, and that restocking are**

required along with conservation easements on swapped lands.

16
cont..

Agricultural Processing

The DEIR must include the alternative impact of creating agricultural processing and support services districts located in areas where there is adequate infrastructure such as industrial processing facilities, sewer, water, roads, telecommunication, police and fire protection? What is the impact of requiring agricultural processing and support services to be located in these areas? The General Plan allows "unlimited" agricultural processing and "support uses" sprawled on rural agricultural lands outside the city limits throughout the County in areas where there is absolutely no infrastructure. Agricultural processing and support services can include bottling factories, processing services; storage buildings; parking lots; tank farms; pumping stations; garages and outside areas for mechanical and equipment repair, etc. These "support uses" must be sufficiently defined or capped to comply with State law and to allow analysis of potential impacts in the General Plan DEIR. What is the build-out capacity of agricultural processing and wine-related uses, including support uses?

17

The DEIR must address the additional impact on traffic, roads, and public health and safety of importing and processing agricultural products that are not grown on site and where no crops are grown.

The DEIR should address the impact on traffic, air pollution, roads, public health and safety and quality of product if the grapes or other crops are grown outside of Sonoma County and processed in the county in the form of industrial agricultural processing factories. **In order to mitigate this, the DEIR should analyze the impact of the General Plan requiring a very high percentage of grapes to be grown in Sonoma County. The DEIR should also analyze the impacts of requiring an upper limit on the number of ag processing facilities in the county, and make it more difficult to put them in once that limit is close to being reached.**

18

Community Separators and Tradable Development Rights (TDRs)

There is a significant impact of placing the County's affordable housing allotment from the State in areas such as Mark West Springs, the County Airport area, Bodega Bay, Occidental, and other rural areas which lack infrastructure. This is sprawl. The County should meet with the Cities and develop a program of tradable development rights (TDRs) to put the County's affordable housing allotment inside City urban growth boundaries. In return the County would provide park and open space amenities (or acquisition) in the Community Separator areas surrounding the urban growth boundaries. The DEIR should analyze the addition to the General Plan of clear objectives and goals to address this impact. The DEIR should analyze the impacts of directing ALL new development within City urban growth boundaries, not a "majority of development."

19

Transportation

The DEIR should analyze how the Transportation Element should be altered to make the highway system less important than other modes of transportation including walking, biking, carpooling, and taking buses and trains. The DEIR should look at how additional growth should be focused in ways that remove the necessity of driving on the freeway.

20

Thank you for this opportunity to give input.

Sincerely,

Mike Sandler
Program Coordinator
Community Clean Water Institute

Mike Sandler
Program Coordinator
Community Clean Water Institute

www.ccw1.org



Community Clean Water Institute

07 RECEIVED ccwi.org

MAR 15 2006

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

March 14, 2006

FOR THE PUBLIC RECORD

To: Planning Commissioners
CC: Board of Supervisors, County Planning staff
Subject: General Plan 2020 Draft EIR

Thank you for accepting these comments on the Sonoma County General Plan Update and General Plan 2020 draft EIR (DEIR). These comments are supplementary to CCWI's letter dated February 28, 2006.

In the February 28th letter, CCWI recommended a new section on the DEIR and also for the General Plan Update on Energy and Climate Protection. CCWI also recommended a new goal: **Reduce greenhouse gas emissions from all sectors of the county 25% below 1990 levels by 2015.**

1

CCWI also discussed the DEIR's failure to address climate change and global warming.

Sonoma County contributes to global warming through the emission of greenhouse gases (GHGs) including CO₂, methane, and others as referenced in the Climate Protection Campaign's Inventory of Sonoma County's Greenhouse Gas Emissions (available online at www.climateprotectioncampaign.org). An analysis of Sonoma County's GHGs and the GHGs of each County and the community at large are available from the Climate Protection Campaign and should be incorporated into the General Plan, and especially as impacts.

2

The DEIR is inadequate based on the omission of cumulative impacts

The DEIR fails to address the impact of development in the County on climate change and global warming. There are no proposed mitigation measures for impacts caused by climate change and global warming in the County.

3

The DEIR fails to analyze cumulative impacts in the manner or to the degree required by CEQA. The CEQA Guidelines define cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines § 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects."

The DEIR provides insufficient data regarding greenhouse gas emissions resulting from growth allowed in the General Plan in order for officials and the public to create informed opinions. For example, new housing will result in increased energy use, population growth will result in greater vehicle miles traveled and higher energy use, and the transportation element will result in increased fossil fuel use. With future greenhouse gas emissions predicted to increase, the DEIR

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4

out...

must provide an accurate picture of the GHG inventory, but does not. This omission is a clear violation of CEQA and must be rectified and resubmitted for public comment.

Since increased GHGs will be the result of housing, population, and transportation growth as envisioned in the General Plan, the DEIR should analyze and quantify the environmental impacts to this region that the General Plan will create. These projected impacts must be available to compare with existing conditions.

5

The General Plan Update Process and thus the DEIR Process was flawed

The Citizens' Advisory Committee (CAC) deliberated in 2003 at the same time that climate protection was becoming a higher priority in the County. The CAC was not given access to scientific reports showing the impending impacts of climate change and global warming. Climate protection was not given sufficient time to be considered, and the CAC was not made properly aware that this was a high priority for the County.

6

No alternatives scenario involving GHG emissions

In addition to the DEIR's failure to analyze impacts, the DEIR failed to provide alternatives where the impacts are reduced, minimized, or mitigated. The DEIR must provide alternative scenarios, where in at least one of them, the County's GHG reduction policy is implemented. The alternatives analysis will provide decision makers a basis from which to make an informed, and CEQA-compliant, decision.

7

Below are some proposed mitigations to address climate change in the DEIR and the General Plan:

In addition to the new Goal from the previous letter, "Reduce greenhouse gas emissions in the County 25% below 1990 levels by 2015."

New policies to implement the goal include at the Board of Supervisors::

- 1) Include greenhouse gas emission impacts in all CEQA reviews done by and for the County of Sonoma
- 2) All County of Sonoma Board of Supervisor actions will address the greenhouse gas impacts of the action
- 3) The County of Sonoma Board of Supervisors will annually issue a report to the public on the County's progress toward its countywide greenhouse gas emission reduction goal

8

Additional policy recommendations:

Title 24

The County can to make a commitment to ensuring that the State Energy Code "Title 24" for buildings is being fully implemented.

Title 24 and County Facilities:

The County can commit to making any new or remodeled County facilities exceed Title 24 by 10%, and complete energy efficiency retrofits of its own existing facilities. These retrofits would save energy and save the County \$\$ on its utility bills. The County can also look at a Green Building policy for its own buildings – the County already has one and the County can promote its use, especially in its own facilities. One of the best things a County can do to increase local awareness of energy efficiency, is for County government to improve its own energy performance and then to brag about the \$\$ savings and associated health and other benefits throughout the local community.

9

Transportation and Climate Change:

Transportation efficiency measures can help both to reduce energy use and energy costs in the County and by reducing contributions to global climate change – *the county's climate change emissions have increased by 26% overall and by 43% in the transportation sector in the last dozen years or so. Again the place to start is with the County's own vehicles, by buying the most energy efficient vehicles and by reducing unnecessary travel where possible.*

10 For non-County private sector transportation the County should try to limit unnecessary travel by discouraging sprawl, especially residential sprawl, by encouraging higher residential densities close to local shopping and other destinations, by promoting mixed use developments, and by encouraging transportation alternatives such as walking and biking and by making them safer and more convenient.

The County should actively work with the Sonoma County climate change program to promote efforts to reduce local emissions – this will help with both local air quality and with slowing down the impacts of global climate change.

11 **Renewable Energy:**

Looking ahead, the County can make it easier for people to retrofit their buildings with solar systems (especially with solar water heaters); by encouraging good building orientation, etc; ensuring that all buildings have good access to the sun (Solar Rights Act 1978) and by requiring that buildings be built with roofs, pipework and wiring chases already in place ready to accept solar systems.

General Energy Efficiency:

An easy measure is to improve the general performance of buildings, especially residential, by encouraging passive energy design, and by requiring shade trees on the south-west facades, etc to reduce summer heat gain

12 Reduce the overheating of buildings in the summer, and the expensive air-conditioning it requires, by requiring light colored roofs and tree shading to parking lots adjoining buildings, and by reducing the amount of dark colored asphalt in streets and parking areas adjacent to homes.

Discourage overlighting of gas stations, markets, parking areas and other outside lighting (eg the State of Vermont has excellent guidelines)

Reduce water use (and consequent electric water pumping) in landscaping and planting designs

All these and other similar measures can contribute to improving energy efficiency in Sonoma County. All of them have appeared in the General Plans of other cities.

Circulation and Transit Element

13 The following section proposes language for the Circulation and Transit Element to integrate the County's climate protection pledge. Proposed additions are underlined.

1.1 PURPOSE

It is correlated with the land use element to assure that the transportation system serves future travel demand, helps attain the desired land use plan, and helps improve the health and quality of life in Sonoma County.

1.2 RELATIONSHIP TO OTHER ELEMENTS

(Third paragraph) For example, the County's air quality will be affected by the mobility of vehicles and the degree to which the transit system succeeds in attracting riders. (Small grammar edit.) Also, Sonoma County will succeed in implementing its climate protection pledge only if it significantly reduces greenhouse gas emissions from circulation and transit, the leading source of such emissions.

2.2 TRANSPORTATION CONDITIONS IN 2000

(Third paragraph) Congestion on roadways in Sonoma County has been steadily increasing as growth in the Cities and County has continued. Vehicle miles traveled in Sonoma County increased by about 43 percent between 1990 and 2000, according to the Metropolitan Transportation Commission. Greenhouse gas emissions from circulation and transit during the same period increased by about the same amount. Meanwhile, construction of planned improvements has not kept pace.

2.3 STRATEGY FOR THE PLANNED CIRCULATION AND TRANSIT SYSTEM

(8) Integration of the County's pledge to protect the climate, by reducing transportation related greenhouse gas emissions.

7. GOALS, OBJECTIVES, AND POLICIES FOR CLIMATE PROTECTION

Goal CT-6: Integrate Sonoma County's pledge to protect the climate, by reducing transportation related greenhouse gas emissions.

Objective CT-6.1 Require that circulation and transit system improvements result in an overall reduction of greenhouse gas emissions.

Objective CT-6.2 Require that the overall impact of new development with respect to circulation and transit results in a reduction in greenhouse gas emissions.

Policy CT-6a: Any circulation and transit system improvements, and any new development shall help Sonoma County achieve an overall greenhouse gas emission target of a 20 percent reduction by 2010 from 2000 levels.

Policy CT-6b: To determine the success in implementing the above climate protection goal, objectives and policy, the County will calculate the amount of greenhouse gas emissions produced by circulation and transit in Sonoma County for each calendar year, and report results to the Board of Supervisors by June 30 of the following year.

The following section includes Language for the Sonoma County General Plan For Energy and Climate Protection:

Fleet Fuel Efficiency

The County shall operate its vehicle fleet to improve fuel efficiency and reduce costs. Within one year, the Fleet Manager shall develop an energy conserving fleet management plan. The Council/Board shall provide the support necessary to implement the plan, which will then serve as a model for private fleet operators in the community.

Going Beyond State Energy Efficiency Standards

The County shall adopt new building efficiency practices for commercial, industrial, and residential buildings to reduce energy and water consumption below the amounts which would

13
cont...

be used if the buildings only complied with the existing state standards.

Retrofitting Residences

The County shall adopt an ordinance requiring residences to be retrofitted with energy and water conservation devices upon resale.

The County shall adopt an ordinance requiring energy and water audits to be performed on residences prior to resale.

13
cont...
The County shall work with the local electric, gas, and water utilities to develop education and incentive programs, including rebates, for home-owners, landlords, and tenants to install energy- and water-conserving fixtures and equipment. The objectives of the program will be to retrofit __% of the residential units built before the State Energy Efficiency Standards with energy conservation measures and __% of all homes with water-conserving fixtures by [year].

Efficiency Program for County Facilities

The County will develop a comprehensive strategy to reduce energy and water consumption in public facilities. The strategy will include a management structure to oversee energy and water efficiency programs, quantitative objectives for reductions in energy and water consumption, specific programs to achieve objectives (including regular audits of facilities), a time schedule for implementation, identification of responsible departments, and sources of funding.

Efficient practices for County Facilities

The County will evaluate the effectiveness of retrofitting all facilities with energy and water saving devices, including efficient indoor and outdoor lighting, improved heating, ventilation and air conditioning equipment, low flow plumbing fixtures, and energy and water efficient landscaping.

All new County facilities will be built using highly efficient and economical equipment and design. Lifecycle costing will be used in major purchasing and construction decisions.

Efficient Wastewater Treatment

GENERAL PLAN LANGUAGE IDEAS

14
The Public Works Department shall undertake regular audits, implement cost-effective retrofit measures and perform regular maintenance to reduce energy use (kWhr/million gallons processed) by 10% by [date].

In order to reduce the amount of wastewater to be treated, the County shall adopt a water conservation program, including requirements that new buildings include water conserving fixtures and existing buildings install water conserving fixtures upon resale. The objective will be to reduce wastewater flow by __% by [year].

Reference: California Energy Commission Publication Number: 700-93-001
"Energy Aware Planning Guide" http://www.energy.ca.gov/reports/energy_aware_guide.html

Thank you for this opportunity to give input.

Sincerely,

Mike Sandler, Program Coordinator
Community Clean Water Institute

Y. TITO SASAKI

em

28 February 2006

Sonoma County Planning Commission
 2550 Ventura Avenue
 Santa Rosa, CA 95403

Re: Draft EIR on GP 2020

Chairman and Commissioners:

I would like to reiterate below my verbal comments made at your meeting of February 28.

The Draft EIR may meet the legal requirements of CEQA, but it is inadequate for your making decisions on GP2020. Let's take an example of the Riparian Corridors section of the Open Space and Resource Conservation Element

The Draft EIR states, on page 4.6-34, "Overall, the additional Riparian Corridors and related policies would expand protection of important riparian corridors in Sonoma County. The riparian-related policies would not affect existing crops or timber production, with only limited changes for replanting, and future assessment for grazing." Then it cites selected sample policies to support this general view.

The Riparian Corridor policies may protect some riparian corridors, but may also degrade many. An obvious consequence of these policies is the removal of incentives for the landowners to take care of the proposed Streamside Conservation Areas. It is well known that a neglected streamside increases fire and flood hazards and promotes propagation of undesirable plant and animal species. Realistic impacts of the policies on each locale should have been examined. These policies are so specific in terms of geographic locations and designs that they call for a level of analyses of a Project EIR rather than sweeping statements allowed for a Programmatic EIR.

More importantly, the proposed Riparian Corridor policies would affect, according to the PRMD staff's estimate, over 70,000 acres of land in the County. The economic impact would be in the order of hundreds of million of dollars in terms of diminished land values and lost tax revenues. Because of its enormity, the economic impact should be analyzed even if it calls for a separate study.

It would also be useful for the decision makers to know exactly what benefits the proposed policies would bring about: what species would be saved, by what quantity, over what period of time, etc. I have not seen any clue as to what the benefit side of the benefit/cost ratio of the proposed policies is.

The proposed Biotic Resources Combining Zoning District (i.e., Streamside Conservation Areas), if established, will be tantamount to a "taking." It would be prudent for the County to notify every affected landowner with full information on the extent of the proposed policies' effects on his land, rather than simply mailing them a notice saying "recommended changes in policies may directly affect the future use of properties." This comment applies also to other Elements where potential "taking" is involved.

Sincerely,

Tito.

Y. Tito Sasaki

cc: Sonoma County Board of Supervisors
 Sonoma County Counsel
 Sonoma County Farm Bureau



274

www.lagunafoundation.org

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PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT**Board of Directors**Susan Churchill
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Director*Maggie Hart
*Administrative Director*Joe Honton
*Laguna Restoration Plan
Project Manager*Amber Manfree
*Project Technician*Julian Meister
*Restoration Projects
Manager*Anna Warwick Sears
Research Director

April 10, 2006

PRMD Comprehensive Planning
2550 Ventura Ave.,
Santa Rosa, CA 95403**Members of the Sonoma County Planning Commission:**

The Laguna de Santa Rosa Foundation appreciates the opportunity to comment on the Draft Environmental Impact Report for the Sonoma County General Plan 2020. The Foundation is a non-profit organization founded in 1989, with broad representation of the conservation, business, and landowner communities on our board of directors. Our mission is the protection, enhancement and celebration of the Laguna, which is both the largest tributary to the Russian River and Sonoma County's richest and most diverse wildlife area.

Overall, we are pleased to note that both the draft General Plan and the DEIR identify the critical importance to our county of the habitat, natural resource, flood management and water quality roles played by the Laguna. The Foundation encourages that all specified goals and objectives for improving the water quality, hydrological functioning, and habitat values of the Laguna and its tributaries be retained in the final plan.

The Foundation's comments on the DEIR fall into two categories: comments and corrections of factual errors in the draft text.

Comments:

Need for basin-scale watershed modeling and monitoring: The Hydrology and Water Resources section of the EIR does not fully consider the effects of dynamic changes to the hydrology and hydraulics of the watershed, or changes in weather patterns as a result of global climate change. These processes may alter floodplain elevations over time, and alter the environmental characteristics of wetlands and waterways. We do not at present have basin-scale hydrologic or hydraulic models of surface waters in county watersheds, or even an adequate system of data collection to supply these models. Rigorous flood protection planning will require a large-scale coordinated research effort by SCWA, the Army Corps, USGS and others.

USGS Blue line creeks: The draft plan identifies as an objective to "Designate all perennial and intermittent streams, as shown on USGS topographic maps as of March 18, 2003, as riparian corridors and establish streamside conservation areas along these designated corridors." The associated policy in the draft General Plan reads, "'Designate all perennial and intermittent streams, as shown on USGS topographic maps as of March 18, 2003, as riparian corridors and establish streamside conservation areas along these designated corridors.'" It is unclear what is meant by these designations: do they include both blue-line and dotted blue-line streams, as does the county's vineyard development ordinance?

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out... If not, reducing the scope of protection from the designation in the ordinance would constitute a reduction of riparian protection and thus an impact. The General Plan 2020 should recognize not only blue line creeks, but dotted blue line creeks, and further should establish protections for the many ephemeral waterways which feed into our county's creeks.

Corrections to the GP 2020 DEIR

3 [**Accuracy of USGS maps:** There are accuracy issues with the USGS maps used as baseline references in the DEIR. Through "ground-truthing" of watercourses in the Laguna, we have observed that "blue line" designations are not always mapped accurately. The plan should contain language stating that regulatory actions must be based on accurate surveys of the precise location of stream channels.

4 [**Location of Colgan Creek:** Although Colgan Creek originates within the city limits of Santa Rosa, it is not within the Santa Rosa Creek sub-basin, and has its confluence with the Laguna south of Hwy 12 (p.4.5-11), in the Laguna de Santa Rosa sub-basin.

5 [**Channel designations and watershed boundaries:** There has been ongoing confusion over the name of the channel segment that connects the confluence of the Laguna and Mark West Creek to the Russian River, with different maps giving different designations. The confusion over channel names arises, in part, because the Mark West Creek channel has twice been moved, so that now it enters the Laguna far south of its original location, and is clearly a tributary to the Laguna de Santa Rosa. Most local residents and agency staff recognize the reach downstream of the confluence of Laguna-Mark West as the Laguna de Santa Rosa, and this is the dominant usage in Laguna planning documents. The DEIR perpetuates confusion over the designation. In the description of the Laguna sub-basin, the DEIR states, "Laguna de Santa Rosa converges with Mark West Creek prior to flowing to the Russian River," and in the description of the Mark West sub-basin the DEIR states, "...Mark West Creek, is a tributary to the Russian River." The US Army Corps' Laguna Sedimentation Study, published in 2004, uses a compromise designation, referring to the disputed reach as "Laguna-Mark West". For the purpose of clarity in this long-term planning document, we believe that the General Plan has an obligation recognize that there are two different designations for this channel section, and at a minimum, adopt the "Laguna-Mark West" designation used by the US Army Corps. Without this clarification, citizens may become confused about important environmental issues facing this drainage – for example, relating to impacts of water quality and flood control on the Russian River, which are problems identified for the Laguna, but not Mark West Creek.

6 [There has been similar confusion over watershed boundary designations. Although the GP2020 and the DEIR define the Laguna de Santa Rosa watershed as a sub-basin at the same scale as the sub-basins of Mark West Creek, and Santa Rosa Creek (p. 4.5-3, 4.5-5, 4.5-11, 4.5-12, 4.5-13), the forthcoming Laguna Restoration and Management Plan, as well as the US Army Corps Laguna Sediment Study, and other historical planning efforts, recognize the greater Laguna basin as a management unit encompassing these three sub-basins. This management unit, referred to as the Laguna-Mark West drainage or the Greater Laguna de Santa Rosa watershed, defines the boundaries of the area that drains into the Russian River at Mirabel. We believe that recognition of this broader-scale drainage is much more explanatory of the system's impacts to the Russian River basin. Watersheds represent natural boundaries for the water and pollutants that enter the system, and the biological processes that affect or are affected by the quality and quantity of water. Although the divisions given in the GP2020 are standard regulatory boundaries, and may be efficient for water quality planning purposes (reflecting sub-basin distinctions from the Basin Plan), they are less useful for developing a watershed-scale understanding of environmental processes, and basin-scale management solutions. For clarity in planning efforts into the future, we recommend that the GP2020 should at minimum, recognize that there is a separate, distinct operational definition of the Greater Laguna de Santa Rosa watershed, which has been widely utilized for environmental planning purposes.

7 [**Laguna impairments:** The Laguna sub-basin should be included on the list of impaired waterbodies (p. 4.5-18, 4.5-19), as it is currently listed for excess sediment, nutrients (nitrogen and phosphorus), elevated

temperatures and low dissolved oxygen (California's 2002 Section 303(d) List of Water Quality Limited Segments). The Santa Rosa Creek sub-basin is listed as impaired for pathogens, sediment, and temperature.

Salmonids: Coho salmon (Central California ESU) is now listed as federally endangered, rather than threatened (p. 4.6-7; and in table on 4.6-11); Chinook salmon (now listed as federally threatened) should be included in table on p. 4.6-11.

Birds: The following bird species of concern are residents of Sonoma County, and should be included in table on p. 4.6-12

Common name (Scientific name)	Federal status	State status	Habitat characteristics
Bald Eagle (<i>Haliaeetus leucocephalus</i>)	FT	SE	Observed in the county primarily in winter; seen increasingly in the Laguna on CDFG Wildlife Area north of Occidental Road. Winter resident. Year-round.
American White Pelican (<i>Pelecanus erythrorhynchos</i>)	None	CSC	Pelicans are found in the Laguna from late summer to early spring. Large flocks live on the Laguna, particularly on CDFG Wildlife Area north of Occidental Road and reclamation ponds throughout the winter.
Northern Harrier <i>Circus cyaneus</i>	None	CSC	Breeding habitat is open, usually moist, terrain intermixed with woody growth; freshwater marshes, wet meadows, moist grasslands, and hayfields.
Vaux's Swift (<i>Chaetura vauxi</i>)	None	CSC	Nests in hollowed out snags especially old growth and fire swept stands, also breeds in within chimneys.
Olive-sided Flycatcher (<i>Contopus cooperi</i>)	None	CSC	Nests in open conifer and mixed conifer forests; also uses non-native stands of eucalyptus and Monterey pine and cypress where conditions are appropriate.
Loggerhead Shrike (<i>Lanius ludovicianus</i>)	None	CSC	Inhabit open lowland valleys of grasslands, fields, and broken woodlands; need perches for foraging and, locally, blackberry, rose, and willow thickets for nesting. Loggerhead Shrikes have declined in the Laguna in the last decade.
Yellow Warbler (<i>Dendroica petechia</i>)	None	CSC	Breeds in well developed riparian habitat; typically nest in area with early seral stage riparian with taller trees present for foraging. Alders may be important locally.
Yellow-breasted Chat (<i>Icteria virens</i>)	None	CSC	Dense riparian areas with abundant blackberry patches.

The Foundation appreciates the opportunity to comment on the DEIR for the Sonoma County General Plan 2020. Please contact our offices if there are questions regarding these comments.

Sincerely,


 Dan Schuman
 Executive Director

PAULA LANE ACTION NETWORK (P.L.A.N.)

a 501(c)3 nonprofit public benefit corp.

February 22, 2006

General Plan 2020
Sonoma County Permit
and Resource Management Division
2550 Ventura Avenue
Santa Rosa, CA 95403

Attention: Mr. Gaiser and Ms. Dahl

Re: Comments on Draft General Plan

Dear Mr. Gaiser and Ms. Dahl:

Thank you for the opportunity to provide written comments for the record on the Draft Sonoma County General Plan 2020.

The neighborhood organization, Paula Lane Action Network (P.L.A.N.), was organized six years ago in 2001 and has obtained a 501(c)3 nonprofit public benefit corp. status. Comprised of approximately 70 West Petaluma households, P.L.A.N. focuses on research and communication on rural land and open space, wildlife habitat and wildlife, and historic resources in our West Petaluma area.

The comments in this letter, thus, relate to concerns and suggestions, based on our experience, as the General Plan relates to county properties and county-city interfaces in the West Petaluma area.

As, generally, a review of both the General Plan Draft and Draft EIR seemed less focused on documentation and planning for our area, as compared to, for example, the Petaluma River-Highway 101 corridor, we hope the information we provide will be helpful and we respectfully request its inclusion.

Our comments on the Draft General Plan itself are in the areas of open space, land use and other natural resources.

Draft General Plan Comments:

Open Space:

For the Petaluma area, the focus on preserving the Marin County-Sonoma County open space area as a priority is appreciated, but the description of other possibilities, particularly in the West Petaluma rural and agricultural area, is lacking. We wish to see an expansion of discussion of potential open space acquisitions, wildlife corridor

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General Plan 2020
February 22, 2006
page 2

preservation and innovative thinking in this section as open space relates to Petaluma. In particular, a discussion of preserving uplands and grasslands areas in West Petaluma should be included. This ties into preserving wildlife habitat and corridors as a significant wildlife population survives in the West Petaluma area and the habitat and open space have been shrinking. Protection of these areas is critical.

Land Use:

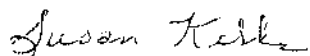
We wish to see a policy recommendation for the Petaluma area similar to what was read about Sonoma in regard to annexation. We wish to see a policy statement of area annexations from county to city, with a discouragement of piecemeal annexations of individual properties.

Other Natural Resources:

Please see comments in the accompanying Draft EIR comment letter.

Thank you for accepting these comments. We would be happy to participate when the public workshops begin.

Sincerely,



Susan Kirks, for
Paula Lane Action Network

cc: Mike Kerns, 2nd District Supervisor

PAULA LANE ACTION NETWORK (P.L.A.N.)

July 7, 2004

Mayor David Glass and Members of City Council
Michael Bierman, City Manager
City of Petaluma
11 English Street
Petaluma, CA 94952

Re: *Wildlife Update on Paula Lane/Sunset Drive*

Dear Mayor Glass, Councilmembers and Mr. Bierman:

Additional wildlife species continue to be identified. New species are designated in **bold & italics**.
An asterisk "*" = Special Animal List of the California Natural Diversity Database, Department of Fish and Game.

The completion of a Paula Lane area avian species list by wildlife biologist Dan Nelson (his list submitted under parate cover) results in expansion of identified birds, as well as addition to the amphibians list. Our review of Mr. Nelson's list, compared to our list and avian biologist Heather Howitt's review and professional opinion, have added 26 birds. Mr. Nelson's observation extended southward from the Paula Lane property and includes migratory fly-overs. We would like to see the wetlands characteristics on the Paula Lane property enhanced to sustaining wetlands as an educational project, to encourage seasonal migratory stopovers to add to the Great Blue Heron, Snowy Egret and Great Egret now seen on the Paula Lane property in the winter. This would be part of the proposed open space acquisition and habitat enhancement. We would like to see the nesting habitat and foraging area preserved and protected.

Mammals:

*American Badger (Species of Special Concern)

Deer

Grey Fox

Skunk

Raccoon

Opossum

Grey Squirrel

Gophers

Mice

Red Fox (information provided on 10/28/03)

Meadow Vole

Birds (Cont'd)

1
cont...

Golden-crowned Kinglet

Mourning Dove

Rock Dove

Belted Kingfisher

Tree Swallow

Violet-green Swallow

Cliff Swallow

Barn Swallow

Nuttalls Woodpecker

Downy Woodpecker

Acorn Woodpecker

Nuthatches

Bullock's Orioles

Common Red-Shafted Flicker

Hooded Orioles

Cedar Waxwings (seasonal)

Brown-headed Cowbirds

Black Phoebe

Say's Phoebe

California Quail

Western Kingbird

*Oak Titmouse (G5,S?, (FSC), Birds of Concern Watch List, Audubon Watch List, Dept. of Fish & Game Species of Special Concern)

Bushtit

Western Tanager

Ash-throated flycatcher

Pacific-slope Flycatcher

Hermit Thrush

American "Water" Pipit

Wood Duck

Great-horned Owl

Bewick's Wren

White-breasted Nuthatch

Red-breasted Nuthatch

*Redbreasted Sapsucker (nesting, G5S?, Federal Species of Concern, Fish & Wildlife Service Migratory NonGame Birds of Management Concern)

*Snowy Egret (rookery, G5,S4, Federal Species of Concern; US Bird Conservation Watch List)

*Great Egret (rookery, G5,S4, Calif. Dept. of Forestry & Fire Protection Sensitive)

*Great Blue Heron (rookery, G5,S4, Calif. Dept. of Forestry & Fire Protection Sensitive)

*Black-Crowned Night Heron (G5, S3, Bureau of Land Management Sensitive)

*Long-Billed Curlew (G5, S2, Dept. of Fish & Game Species of Special Concern, Forest & Wildlife Svc. BCC, Birds of Management Concern Watch List, Audubon Watch List)

Orange-crowned Warbler

Yellow-rumped Warbler

Common Snipe

Western Meadowlark

Burrowing Owls - Undetermined - habitat may have been destroyed by fire prevention disking - grasslands habitat with expansive open space lend to possibility - official study not conducted.
(Burrowing owls are G4,S2, Federal Species of Concern, Dept. of Fish & Game California Special Concern Species, Fish & Wildlife Service, Migratory NonGame Birds of Management Concern, and Bureau of Land Management Sensitive).

Summary:

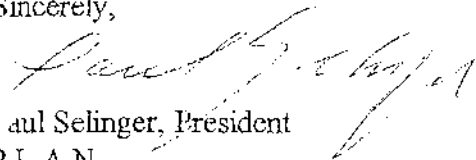
The updated avian species list now includes 8 birds on the Special Animals List - 2 species are federally protected (*White-tailed Kite, Red-breasted sapsucker*) and 7 are Species of Special Concern (*Sharp-Shinned Hawk, White-tailed Kite, Allen's hummingbird, Redbreasted Sapsucker, Great Blue Heron, Snowy Egret, Long-billed Curlew*). The *American Badger* is also on the Special Animals List and currently is classified as a Species of Special Concern. We are in the process of completing a petition to submit to the Fish and Game Commission in Sacramento, requesting a review of the American Badger status with possible reclassification to threatened or endangered. We believe substantial evidence exists to merit this request.

Seasonal wetlands on the Paula Lane property may contain additional amphibian and reptile species. Additional bird and other species are yet to be identified.

The abundance of wildlife species and documentation of same, significant loss of habitat and displacement westward from Petaluma, topography of grasslands, uplands trees and wetlands characteristics, and continued identification of diversity and adaptation of species all contribute to the Paula Lane property as a significant critical habitat area. This very special feature of Petaluma exists within the context of one of Sonoma County's early areas of rural agricultural life. As decision makers continue to consider the situation on Paula Lane and possibilities within that, we continue to hope the preservation of this precious open space corridor will become a priority.

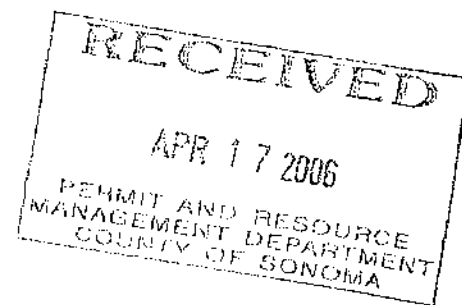
Sincerely,

1 cont.


Paul Selinger, President
P.L.A.N.

cc: Irene Borba, Senior Planner, City Planning Department
Heather Howitt, Avian Biologist
Kim Fitts, Bioconsultant LLC
S. Sanborn Consulting
Brandt-Hawley Law Group
Bodega Land Trust
Robert Floerke, Dept. of Fish and Game
Elizabeth Cooper, Asst. Exec. Director, LAFCO
Andrea McKenzie, Exec. Director, Open Space District
Mike Kerns, Supervisor, 2nd District
Tom Furrer, Casa Grande High School
Mike Simpson, Principal, Petaluma High School
Kim Arnst, Faculty, Petaluma High School
Petaluma Educational Foundation
Steve Bolman, Deputy Supt., Petaluma School District
Pamela Tuft, General Plan Administrator

276



FOR THE PUBLIC RECORD

April 14, 2006

Sonoma County Permit & Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403

RE: **Comments on Draft EIR** for Sonoma County General Plan, GP2020
ATT: Scott Briggs sbriggs@sonoma-county.org and Greg Carr gcarr@sonoma-county.org
PRMD fax 555-7380 (confirm letter is received)

Dear Sonoma County Planning Commissioners and Planning Staff,

The Area Plan for Knights Valley and Franz Valley was first adopted as a Specific Plan in 1979 and continues under the name of the Franz Valley Area Plan to maintain the agricultural and resource conservation values of this part of Sonoma County for future generations. We are participating in this General Plan update to ensure that the policies of the Franz Valley Area Plan remain consistent with the General Plan and continue to be applied by PRMD and the Agricultural Commissioner. We take the review of GP2020 most seriously and appreciate your careful review of the DEIR.

We are commenting on the DEIR for GP2020's findings of *significant unavoidable impacts*, providing disclosure where the DEIR does not adequately address *significant cumulative impacts*, and identifying *policies or alternatives* to mitigate these impacts as required by CEQA. Our intent here is to improve the DEIR in addressing the impacts affecting the geographical areas covered by the Franz Valley Area Plan and other agricultural and resource conservation zones of Sonoma County.

I. SIGNIFICANT UNAVOIDABLE IMPACTS (DEIR 6.3)

A. AGRICULTURAL RESOURCES

Land Use Conflicts between Agricultural and Residential / Urban Uses, 4.1-2
Incompatible Land Uses in the Rural Area, 4.1-3

Sonoma County's General Plan glossary does not define "Agricultural Support Uses." Uses beyond "Agricultural Production Activities" that are routinely approved during the use permit review process on agriculturally zoned parcels conflict with goals and policies within the Water Resource, Open Space & Resource Conservation,

1

1
Cont. Circulation, Noise, and Public Safety Elements. The inherent conflicts created in allowing event centers, tasting rooms, retail outlets, and employee offices on agricultural land must be addressed in the DEIR. Conditions of approval that attempt to mitigate conflicts between uses during project review are regularly changed and/or not enforced.

2 Policies in the Agricultural Resource Element allowing "agricultural support" uses which 1) require the provision of services to unincorporated outlying areas, 2) encourage parcelization of agricultural land, and 3) stimulate surrounding development should be identified as *growth inducing impacts* in DEIR. Growth inducing impacts must be addressed as part of the DEIR. Sonoma County Transportation Authority's past and projected *Land Use Conditions by Traffic Analysis* (TAZ) demonstrate the intensification of land use in GP2020 on agricultural land. This data was used for the Circulation Element of GP2020. These year 2020 projections should be referenced in the DEIR to give a quantitative description of changes in land use expected to occur on agricultural land with current zoning. The August 2004 study "The Potential Events Facilities on Agricultural Land in Sonoma Valley" conducted by the Valley of the Moon Alliance should be included.

3 Policies within the Agricultural Resource Element that include event centers, tasting rooms, offices and retail outlets under "Agricultural Support" encourage development on agricultural land. These land uses create significantly more traffic, noise, light and other impacts on visual resources than does farming. These uses defined as "agricultural support" demand more public services, natural resources, and energy than primary uses of the land for growing food and fiber. These are *significant cumulative impacts* that can be reduced through alternative policies, programs and mitigation measures.

Mitigations:

4 -Separate "Right to Farm" policies from tourism, events, offices, and retail uses in agricultural zones which conflict with Land Conservation Act principles.

5 -Designate within Area Plan (or overlay zoning of the General Plan) where "agricultural support" uses can be accommodated.

6 -Develop incentives for wine appellations or other regional associations, to collectively market, sell, and/or process products in locations with existing public services and infrastructure.

7 -Enact policies which support the purpose of zoning, segregating conflicting uses.
Example: Policy 3.11 of Napa County (and other General Plan's) applies the same regulations to processing agricultural products as other industrial uses.

B. VISUAL RESOURCES

Light Pollution and Nighttime Sky 4.11-3

8 The DEIR states that land uses and development from GP 2020 "would result in a significant cumulative impact on the visual quality of county lands that are not designated Scenic Resources, including impacts from light pollution." The Franz Valley / Knights Valley area is recognized as a visual resource in the Franz Valley Area Plan and one of few remaining regions in Sonoma County where the night sky is not illuminated by development.

The DEIR does not consider that some area plans have scenic resource designations that pre-date those used in the General Plan.

9 Commercial and visitor-serving developments in agricultural zones contribute to unregulated nighttime light sources. Although nighttime lighting may be conditioned through the use permits, the DEIR does not consider that conditions of approval to mitigate light pollution from rural development are often changed to provide security lighting. Requests to remove such conditions of approval are common and violations are enforced on a complaint

basis only.
Mitigations:

-Scenic Resource designations should be consistent between the General Plan and Area Plans so that they are appropriately applied in the project review process. The intent of scenic route and scenic vista applied to 4 planning units of the Franz Valley Area Plan (Knights Valley, Chalk Hill, Franz Valley, and Resource Conservation) are consistent with the scenic landscape unit designation of the General Plan. Figure OSRC-1 of GP2020 should include the geographical area of these planning units within the scenic landscape designation.

10

-GP2020 should include Healdsburg / Calistoga as a community separator consistent with the intent of the large-parcel, resource conservation zoning designations and goals and policies of the Franz Valley Area Plan.

11

-Area Plans may prohibit uses that would require permanent night lighting

12

-Lighting Ordinance for unincorporated Sonoma County

Example: Ordinance of Tucson, AZ and other jurisdictions that protect the night sky as a visual resource.

13

-Develop policy whereby change in conditions of approval require new use permit or greater public notification

14

C. NOISE

Traffic Noise, 4.4-1

Roadway noise has not been sufficiently analyzed in the DEIR. The estimates and projections of noise levels in the DEIR rely on outdated measurements, from an era when traffic levels were much lower. Evidence of this is the pre-1973 figures used to reflect current conditions for the geographical area of the Franz Valley Area Plan. The DEIR did not consider today's commuter traffic, trucks regularly exceeding speed limits, "jake brake" users, private and tourist-related helicopter transport or the 24-hour casino traffic now impacting Highway 128. The DEIR considered only topography that blocks noise, not that which carries noise impacts such as occurs in Knights Valley. There is no evidence that actual on-site measurements were taken for Highway 128 for the DEIR.

15

DEIR should provide policy recommendations to reduce noise exposure in the implementation of GP2020. The Noise Element should include mapping of noise sensitive areas so that existing noise conflicts and future noise exposures can be reduced through the project review process.

16

"Cumulative development" (6.0-7) has not been quantified in the document and requires full disclosure.

The DEIR should include actual data on "cumulative development" used for "the analysis of noise impacts" rather than merely referencing the data by name. (6.0) Density levels, changes in land-use designations, or use restrictions may need to be changed in GP2020 to reduce future noise exposure.

17

Mitigations

-Require on-site noise measurements and correct errors estimating "existing" and "future" noise exposure for Highway 128 (and other locations inadequately studied for DEIR)

18

-County Noise Ordinance must be adopted (as required in 1989 General Plan)

19

20 [-Noise Sensitive Areas and Noise Sensitive Uses should be mapped in Noise Element to prevent noise conflicts in the project review process. (See Napa Co. General Plan Noise Element)

21 [-Area Plan should provide ability for county to restrict use permits for projects which will create on-going noise exposure in noise sensitive areas.

D. HYDROLOGY AND WATER RESOURCES

Water Quality – Agricultural and Resource Development Uses 4.5-3

Groundwater Level Decline 4.5-5

Well Competition and Adverse Well Interference 4.5-7

Insufficient Water Supplies to Meet the Future Water Demand of the Urban Service Areas, 4.9-1

Insufficient Water Supplies to Meet the Future Water Demand of Rural Private, Domestic, Small Municipal, and Agricultural Wells, 4.9-2

22 [The significant impacts identified in the DEIR are of critical concern for the geographical area of the Franz Valley Area Plan, which includes Class III and IV water scarce zones. This region, and many others in Sonoma County, has already experienced groundwater level decline, well competition, and reduced flows of surface water in dry season. History demonstrates that when water supply is at a crisis level, urban areas have priority over agricultural needs. To provide for the future, Sonoma County must limit new demands on water resources and mitigate the water-related impacts of GP2020. A *statement of overriding conditions* will not be legally defensible where measures have not been implemented.

Mitigations:

23 [-GP2020 should commit to a GROUND WATER MANAGEMENT PLAN for all of Sonoma County.

Changes to Drainage Patterns Leading to Streambank Erosion, 4.5-8

Impede or Redirect Flows in Flood Hazard Areas, 4.5-11

Landsliding, 4.7-3

Soil Erosion, 4.7-6

24 [DEIR addresses impacts from the proposed stream setbacks of the Agricultural Element only from the perspective of reductions in potential agricultural production. The DEIR should address impacts to flooding, landslide and soil erosion that would be expected with new development without the proposed policy. Riparian setbacks (already adopted in the Franz Valley Area Plan) contribute to public safety in reducing floods, landslides, loss of soils, allow the recharge and filtration of the water supply as well as protecting biological resources. Mutually supportive policies demonstrate internal consistency between GP elements and assist in implementation of GP goals.

Mitigation:

25 [-GP2020 should provide bridging language between Public Safety, Water Resource, Open Space & Resource Conservation, and Agricultural Elements referencing policies that affect storm water runoff, conservation or loss of soils, flooding, landslides, water supply and quality, and biological habitat so that the goals of GP2020 support each other and are implemented.

II. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGE (DEIR 6.4)

A. Conversion of Agricultural Land is identified as a *significant irreversible environmental change*.

Mitigation:

-Enact policy to prohibit wineries, offices, events centers, tasting rooms, retail outlets, or visitor-serving and other commercial developments on prime agricultural soils.

(Ex. Policy 3.13 of Napa General Plan restricts winery development to sites off of prime agricultural soils.)

26

-County should have buyers and sellers who request certificates of compliance for Williamson Contract properties sign a disclosure that the land must continue to be used for agriculture.

27

Conversion of Timberland to Agriculture cannot be considered replacement for loss of agricultural land because timberland now remaining for conversion is at higher elevations with less productive soils. Timberland Conversion occurring today in Sonoma County is a high-impact, low yield agriculture.

28

-DEIR should consider Sonoma County's native forests as a category separate from "agriculture and timberland resources".

B. Loss of native forests for conversion to agriculture is a *significant irreversible environmental change*.

Despite policies of the Timberland Conversion Ordinance, clear-cutting native forests to agricultural land use is a trend that will be increasing due to current market conditions favoring "mountain-grown" wine grapes over wood products. In combining Agricultural and Timber Resources (6.0-10) as a category unto itself, the DEIR does not quantify the loss of native forests as a "non-renewable resource" (6.4) and "feature of the natural environment" of Sonoma County. The multiple public benefits of maintaining forests as selectively-harvested timberland include the protection of the water supply, maintenance of soils, slowing storm runoff for flood and landslide protection, and maintaining biological habitat.

29

-DEIR should identify the loss of native forests as *significant unavoidable impact* (6.3) and *significant irreversible environmental change* (6.4) resulting from GP2020.

Submitted by,



277

WILLIAM J. SMITH

April 7, 2006
PRMD
Comprehensive Planning
2550 Ventura Drive
Santa Rosa, CA 95403

RE: Comments on Draft GP 2020 EIR

Dear PRMD:

At the very outset of the General Plan update process, the Dry Creek Valley Association submitted a letter of comment on the Agricultural Element dated August 17, 2001 (copy enclosed), which was attached to the "white paper" dated February 25, 2002 prepared by Greg Carr of PRMD for the assistance of the Agricultural Processing Subcommittee of the CAC.

All of our original comments remain valid, and certain of them are directly applicable to the Draft GP 2020 EIR, and bear repeating. In particular, we noted:

"The basic problem in formulating countywide guidelines is that there is no baseline data showing existing conditions, such as traffic, noise, water availability, and the like, from which to measure cumulative impacts of new or expanded winery operations, especially including visitor serving uses.

"Thus, we strongly urge that such studies of existing conditions be undertaken in those areas where a large concentration of wineries occur: Dry Creek Valley, Alexander Valley, Sonoma Valley, for example. Without such basic data, it is difficult to make rational decisions regarding the cumulative impacts of new applications."

The intervening years have demonstrated the validity of our concerns. Thus, the EIR for the Gallo expansion showed that the intersection at Dry Creek Road and U.S. 101 would deteriorate from level D to level F, an unacceptable level not foreseen in the 1989 General Plan. The proposed mitigation, signalization, has not yet occurred, but is required. Also, that

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same EIR disclosed that General Plan noise standards were being exceeded, and additional mitigations were required.

Now, Section 4.8 of the AGRICULTURAL AND TIMBER RESOURCES portion of the Draft GP 2020 EIR projects, in our particular area, by way of example, an increase in the number of wineries in the Healdsburg Planning Area from 37 to 56 (a more than 50% increase), and an increase in the Cloverdale Planning Area from 34 to 71 (a more than doubling) by the year 2020. Corresponding square footage increases of these facilities are likewise projected. (See Exhibit 4.8-4). Indeed, the Exhibit projects an 88% increase in the number of wineries countywide, and an 81% increase in area (square feet).

2

The only potential adverse environmental impact specifically considered by this projected development is that it would "remove a portion of the county's agricultural lands from agricultural production." (4.8-22; see also 4.8-26 and 4.8-28). The Draft EIR concludes, "However, due to the limited acreage that would be removed as well as policies and programs contained in the Draft GP 2020 regulating such development, this would be a less-than-significant impact." (4.8-22 and 4.8-26).

The problem here is that the focus on the impact of the amount of agricultural land being taken out of production -- the only impact which is quantified -- ignores other, very real, potential adverse impacts which we identified 4 1/2 years ago, namely "traffic, noise, water availability and the like". None of these other potential adverse impacts are quantified. Rather, reference is simply made to proposed policies in the draft General Plan that, it is asserted, "would" reduce impacts. (See 4.8-25 and 27).

3

This may or may not be true. But there is no way of telling from the Draft EIR. More specifically, there are two unstated assumptions made: first, that all policies contained in the Draft General Plan 2020 will be adopted; second, that these adopted policies will mitigate all potential adverse impacts. But even if we accept the first assumption, there is no data presented to substantiate the second. In other words, if the number and square footage of new winery development by the year 2020 can be projected by planning area, then surely tools are available for projecting traffic and noise impacts, additional water usage, and the like.

We understand and appreciate that this is a program DEIR, not a project DEIR and that, hence, there is inherently a

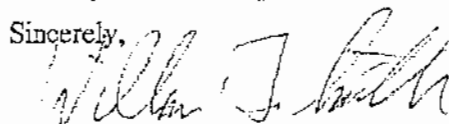
higher level of generality. But the fact that it is possible to make a "best estimate of wineries that would be required to process grape production associated with projected vineyard expansion" (4.8-23) means that it is likewise possible to make a best estimate of increased traffic volumes, noise levels, water consumption, and so on. This has not been done in the Draft EIR, but should be.

Nor will it suffice to simply refer to other proposed policies and assert that these will ensure mitigation, for we know this not to be the case. After all, in the recent Gallo experience there were in existence traffic standards and noise standards which were found to have been exceeded, but would have been overlooked but for the insistence of the public. Further, reference to the "service level objectives described in the Circulation and Transportation Element" (4.8-25 and 27) are insufficient in that they are invoked only when the defined level of "concentration" is reached (i.e. three or more such uses within 1/2 mile of each other, etc.), whereas it would be quite possible to reach the projected development build-out without triggering the "concentration" factors.

In conclusion, more work is required to quantify the cumulative impacts. The issue is of obvious importance given the Draft EIR's frank recognition (at 4.8-27) that "Ultimately, this type of development, if unregulated, could threaten the long-term viability of Sonoma County agriculture."

Thank you for the opportunity to comment.

Sincerely,



William J. Smith

Chair, Planning and Zoning Committee
Dry Creek Valley Association

3
cont...

4

278

DRY CREEK VALLEY ASSOCIATION
P.O. BOX 1221 HEALDSBURG, CA 95448

August 17, 2001

County of Sonoma
Permit & Resource Management Department
Attn: Scott Briggs
2550 Ventura Avenue
Santa Rosa, CA 95403-2825

RE: General Plan Update

Dear Mr. Briggs:

The Dry Creek Valley Association submits these comments on the issues identified for the update of the Agricultural Element. Our organization is comprised of more than 500 residents and property owners in the Dry Creek Valley and has been in existence for more than 25 years.

1. Visitor Serving and Support Uses on Agricultural Lands

We participated in the 3 or 4 years of workshops and hearings previously held on this issue.

The basic problem in formulating countywide guidelines is that there is no baseline data showing existing conditions, such as traffic, noise, water availability, and the like, from which to measure cumulative impacts of new or expanded winery operations, especially including visitor serving uses.

Thus, we strongly urge that such studies of existing conditions be undertaken in those areas where a large concentration of wineries occur: Dry Creek Valley, Alexander Valley, Sonoma Valley for example. Without such basic data, it is difficult to make rational decisions regarding the cumulative impacts of new applications.

Once such data is obtained, we suggest that the following principles be included in the Agricultural Element as to visitor serving uses at wineries:

First, special events, at appropriate facilities, should be allowed as a specified number in the use permit only where they genuinely promote the winery, as distinguished from events (such as weddings) where the facility is simply let for hire. These latter, and "for pay" events, such as concerts, should require individual permits on a case by case basis.

Second, food service standards need to be carefully drafted to avoid allowing de facto restaurants or delis from being established on Agricultural lands.

Third, retail sales at winery tasting rooms should only allow for the sale of items which directly promote the winery (logoed t-shirts, caps, wine-openers, glasses, and the like), but should not

Page Two

August 17, 2001

County of Sonoma-Attn: Scott Briggs

allow for the establishment of ~~de facto~~ commercial gift shops, boutiques, or cookware shops on Agricultural lands.

If not controlled as suggested above, visitor serving uses will inevitably transform Agricultural lands into commercial strips.

2. Preservation of Sonoma County Agriculture

The explosive growth both in the number of wineries and the production capacity of existing wineries, while attesting to the success of the wine business, likewise raises questions for the future. Dry Creek Valley, for example, has approximately 40 permitted wineries. At the rate of about 4 new applications per year, this number would double within 10 years, although the infrastructure will remain pretty much the same. This does not take into account expansions of existing capacity (there is a pending application, for example, for one winery to expand to 5 million cases per year). At some point, we will be killed by our own success.

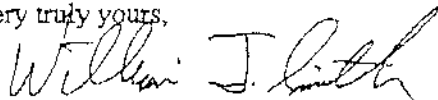
To the extent that grapes processed come from Dry Creek Valley, (or elsewhere in Sonoma County), expansions of winery production capacity are legitimate and must be accommodated.

However, there seems to be no reason to allow large amounts of grapes to be imported for processing here on agricultural lands. (A winery processing significant amounts of imported fruit would seem to be more like a factory, permissible in industrial zones, rather than an agricultural operation). When the 1989 General Plan was adopted, no one was contemplating 5 million case wineries.

The time has come for Sonoma County to adopt provisions similar to those which have been successfully in place in Napa County since 1990: namely, that "at least seventy-five percent of the grapes used" in new wineries or expansions be grown within the County. This will go far to protect and encourage agriculture in Sonoma County.

Thank you for your attention to these comments.

Very truly yours,


WILLIAM J. SMITH
Chair, Planning & Zoning Committee
Dry Creek Valley Association

cc: Rand Dericco

Craig Harrington

Tony Korman

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WJS/cb
o:Sonoma County Briggs Letter

March 15, 2006

Planning Commissioners of Sonoma County
PRMD of Sonoma County

RECEIVED
MAR 15 2006
PLANNING COMMISSION
MANAGEMENT DEPARTMENT

Subject: Comments on Inadequacy of the Draft Environmental Impact Report (DEIR) for the Proposed Sonoma County General Plan 2020 in the Area of Traffic Related to Tourism in Agricultural Areas

Dear Planning Commission members and PRMD staff,

Thank you for the opportunity to comment before your commission. I am a member of Save Our Sonoma County a countywide network of citizens and neighborhood associations dedicated to keeping agricultural lands in food production and defending agricultural lands from the impact of unbridled tourism development. The draft environmental impact report (DEIR) in its current form is legally inadequate and does not sufficiently or accurately assess the impacts related to the draft General Plan 2020 regarding traffic impacts related to tourism in agricultural areas.

1

DEIR's analysis of the impact of agricultural tourism on rural traffic is inadequate

The DEIR's analysis of transportation is flawed for a number of reasons in examining traffic impacts on rural area roads. David Benefiel of Save Our Sonoma County has providing the Planning Commission with a letter dated 3/15/06 detailing the many deficiencies of the draft EIR in examining traffic impacts generated by tourism in agricultural areas. My focus is to provide you with a trail of information that illustrates how the current draft EIR is inadequate and is currently operating in a realm that does not reflect rapidly changing conditions in the tourism industry in Sonoma County and the impact it has on agricultural areas.

2

First, I would like to set the tenor for the DEIR's inadequacy by quoting from a statement made by Greg Carr of PRMD to the Planning Commission at the February 27 meeting. You can hear this same comment if you listen as I did to the audio tape of the February 27 meeting. This comment by Mr. Carr came during the section of the meeting as PRMD staff were giving an overview of the general plan 2020 and DEIR processes to Planning Commission:

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cont.

".... In many cases, the impacts identified in the EIR are driven largely by development that is occurring within the incorporated cities. Traffic is a really good example of a cumulative impact countywide that looks pretty bad when you look at overall traffic in this county, but the unincorporated area has a fairly small portion of development that drives that traffic impact."

When I listened to this comment in the audio tape I was disturbed because it sounded like a simplistic examination of traffic issues in the county. While it is true that rural traffic is small compared to Highway 101, the importance is to analyze the carrying capacity of the roads in relation the traffic volume. When I later examined the draft EIR, I found that it provided little or no analysis of traffic generated by tourism in agricultural areas of the county. That bothered me because all of the county residents I talk to comment that traffic on rural roads is getting significantly worse in recent years particularly because of special winery events which are increasing in number and because of casino traffic in agricultural areas.

Public News Stories Run Counter to Draft EIR and PRMD Public Comments

However, my skepticism of Mr. Carr's comments and concern that the draft EIR fails to assess traffic impacts in rural areas was intensified by reading a headline story in the Press Democrat's Business Section on Tuesday, March 7, 2006 which was only a week after the February 27 commission meeting where Mr. Carr made the above statement. This news headline entitled: "Wineries 'Floored' by Crowds at Barrel Tasting" was about the 28th annual Russian River Wine Road which had a "2006 attendance of more than 21,000". I would like to quote from the article regarding the stratospheric growth in attendance and traffic associated with this tourism event:

"What was once an intimate affair between the Russian River, Dry Creek and Alexander Valley winemakers and small groups of their loyal fans has grown into something else entirely. Limousines full of revelers now crisscross crowded backroads, cars spill out of winery parking lots into muddy vineyards, and throngs of drinkers crowd tasting rooms for the first taste of how the 2005 vintages are aging."

The article later continues: "Last year, about 18,000 people paid \$5 for a glass that was good for barrel samples at area wineries. This year, event coordinators ordered 21,000 glasses, and the number of participating wineries grew to 113...."

"In previous years, the tastings were limited to Saturday and Sunday, but the number of wineries now offering tastings on Friday has grown from a handful to more than 60...."

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cont...

The article later continues: "The crowds were so large Saturday at Davis Bynum winery on Westside Road that cars couldn't get into the parking lot. "Each year it gets bigger, especially for us," said owner David Coffaro."

This event is representative of the growing tourism in agricultural areas that is generating traffic impacts combined with safety issues caused by the concentration of drivers who have been drinking.

**DEIR's analysis of the cumulative impact on rural traffic by
Agricultural Tourism and Casino Tourism is inadequate**

My concern that the draft EIR fails to reflect the reality of traffic on rural roads was reinforced by this news story. However, the truly frightening aspect of how profoundly deficient the draft EIR is in evaluating the dynamic of tourism impacts on traffic and public safety came in another Press Democrat article that appeared the next day on Wednesday, March 8, 2006. The article is entitled "Casino Liquor License Debated" and details how the River Rock Casino and its lawyers are applying for a liquor license and are meeting opposition from Alexander Valley residents. I quote from the article:

3

"Attorneys for the Alexander Valley casino questioned opponents as to why they don't have similar objections to tasting rooms and weekend events organized around wine. "

"Attorneys for the casino pointed out that an estimated 21,000 people attended Russian River Wine Road barrel tastings last weekend in northwest Sonoma County, including the Alexander Valley."

"Yet, they said, there was no big outcry over the potential for inebriated drivers on winding country roads."

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cont...

Unbridled and unregulated tourism is a double-edged sword as residents in agricultural areas are beginning to find out. Unfortunately if tourism in agricultural areas is allowed to come in under the radar screen of the General Plan 2020 these residents will only find their traffic and safety concerns increasing each year. This illustrates the danger of having a draft EIR that fails to examine broad areas of development impacts in agricultural areas that are non-food production related and fails to analyze the interrelationship between activities such as agricultural tourism, casinos, clogged rural roads, safety issues, and noise problems from agricultural tourism events.

DEIR's analysis of the noise of agricultural tourism on rural traffic is inadequate

4

Since the DEIR does not analyze traffic levels adequately in these rural areas it also means that noise levels associated with tourism in agricultural area have not been adequately analyzed. Lisa Carr of Knight's Valley provided outstanding public comments regarding the inadequacies of average noise measurements over twenty four hour periods and the questionable statistics that claim noise levels are declining in rural areas. I urge you to examine her comments at the February 27, 2006 Planning Commission hearing especially in light of the problem that the assessment of traffic volume related to tourism in agricultural areas has not been adequately assessed or mitigated in the draft EIR.

Policy linked to Objective AR-6.3 in General Plan is Missing

5

Objective AR-6.3 that is included in the draft General Plan 2020 does not have a supporting policy statement. This objective states: "Develop a comprehensive event coordination program that provides for monitoring and scheduling of special events so as to minimize the adverse cumulative impacts of such uses, particularly in areas of concentration." This an objective mixed up with a policy statement. The objective should be modified as follows: "Minimize the adverse cumulative impacts of special events particularly in areas of concentration." This objective requires a new policy that would include the current language: "Develop a comprehensive event coordination program that provides for monitoring and scheduling of special events." This appears to be missing from that policy section. I would also note that since it is missing from the policy section this probably means

that it has not been analyzed in the DEIR which would be required once that policy was included.

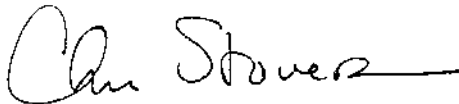
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Conclusion

The draft EIR fails to analyze the traffic impacts related to oversized processing facilities, tasting and shopping complexes, and large scale tourist events attended by thousands of people that, if allowed, will transform the face of Sonoma County's agricultural areas and render long-term food production financially impossible because land values would be driven higher by increased commercial and industrial activities on agricultural properties. There is no logical reason that a EIR should not include mitigation related to these types of development and tourist activities. The draft EIR must fully identify traffic issues on rural roads caused by tourism in agricultural areas. It must also provide full analysis and mitigation as required by CEQA. The failure to include this information in 4.2 Transportation is unacceptable and legally impermissible under CEQA.

6

Sincerely,



Chris Stover

Member of Save Our Sonoma County

Attachments provided to the Commission:

Press Democrat Article: "Wineries 'floored' by Crowds at Barrel Tasting", dated March 7, 2006

Press Democrat Article: "Casino Liquor License Debated", March 8, 2006

Business

SECTION E TUESDAY, MARCH 7, 2006

THE PRESS DEMOCRAT
SANTA ROSA, CALIFORNIA

ON THE AGENDA E2
MICHELLE SINGLETARY E2
MARKET MONITOR E3

WWW.PRESSDEMOCRAT.COM/BUSINESS

Wineries 'floored' by crowds at barrel tasting

Russian River Wine Road event attracts record turnout, with most of 21,000 glasses selling out quickly

By **KEVIN McCALLUM**

THE PRESS DEMOCRAT

Record crowds of wine tasters braved heavy rains over the weekend for a barrel-tasting event that has grown so big some vintners wonder whether they're becoming victims of their own success.

"I was floored," said Beth Costa, executive director of the Russian River Wine Road, a group that promotes wineries and lodgings

in northwest Sonoma County.

Despite fears the winter storm would keep people at home, she said "it seemed to have no bearing whatsoever."

The event has grown dramatically in recent years, a result of the increasing prominence of the winemaking areas involved and the organization's beefed-up marketing efforts.

What was once an intimate affair between the Russian River, Dry Creek and Alexander Valley winemakers and small groups of their loyal fans has grown into something else entirely. Limousines full of revelers now crisscross crowded backroads, cars spill out of winery parking lots into muddy vineyards, and throngs of drinkers crowd tasting rooms for the first taste of how the 2005 vin-

tages are aging.

"We sold 195 glasses, and if I had twice that many, I would have sold them, too," said Betsy Nachbaur of tiny Acorn Winery in Healdsburg.

Last year, about 18,000 people paid \$5 for a glass that was good for barrel samples at area wineries. This year, event coordinators ordered 21,000 glasses, and the number of participating wineries grew to 113. Most, if not all, wineries sold out of their allotment of glasses quickly, Costa said.

In previous years, the tastings were limited to Saturday and Sunday, but the number of wineries now offering tastings on Friday has grown from a handful to more than 60,

TURN TO **WINE**, PAGE E5

RUSSIAN RIVER WINE ROAD

Years: 28th annual event

Wineries: 113 participating

Regions: Alexander, Dry Creek and Russian River valleys

2006 Attendance: More than 21,000

Cost: \$5

"To me, it's sort of the first real sign of life in the new year ..."

SCOTT ADAMS, Bella Winery owner

WINE: Growing crowds change event dynamic

CONTINUED FROM PAGE E1

Costa said.

"Now people are starting to show up on Thursday," she said.

While few wineries are complaining about the popularity of the event, the dynamic has changed as the crowds have grown, Costa said.

"The idea behind barrel tasting all day is to talk with people about your wines, but if there are 400 people in your tasting room, it's hard to do that," she said.

The crowds were so large Saturday at Davis Bynum winery on Westside Road that cars couldn't get into the parking lot. "Each year it gets bigger, especially for us," said owner David Coffaro.

The winery is a particularly

popular one for the barrel-tasting event because it sells a large percentage of its wine through futures. Wine futures work by customers purchasing the wine now and taking delivery of it after the winemaker says its aging is complete, often more than a year later.

The event is so popular in part because the \$5 fee for the wine glass is inexpensive compared to other area tasting events such as the Passport weekend.

Coffaro said he worries about people drinking and driving during such events and thinks something — such as higher admission prices — might be needed to control the crowds.

Bella Winery, at the north end of Dry Creek Road, has less of a parking problem than

other wineries because of a large field near the winery, said owner Scott Adams. But the large crowds still pose a challenge for winery staff.

"We'll get one or two cars stuck in the mud, but that doesn't seem to slow this crowd down too much," he said.

To avoid everyone bunching up in the tasting room, Bella's wines were spread out over the grounds to "keep people moving," he said.

Despite the challenges, Adams said the event is good for business and a good gauge of the strength of the year ahead.

"To me, it's sort of the first real sign of life in the new year in the wine business," he said.

You can reach Staff Writer Kevin McCallum at 521-5207 or kmccallum@pressdemocrat.com.

Casino liquor license debated

THE PRESS DEMOCRAT • WEDNESDAY, MARCH 8, 2006

Attorneys for River Rock
question opposition
in Wine Country

By CLARK MASON

THE PRESS DEMOCRAT

A tribal casino's right to serve alcohol in the heart of Wine Country was debated Tuesday on the opening day of a hearing on River Rock Casino's liquor license application.

Attorneys for the Alexander Valley casino questioned opponents as to why they don't have similar objections to tasting rooms and weekend events organized around wine.

Attorneys for the casino pointed out that an estimated 21,000 people attended Russian River Wine Road barrel tastings last weekend in northwest Sonoma County, including the Alexander Valley.

Yet, they said, there was no big outcry over the potential for inebriated drivers on winding country roads.

Candy Cadd, an Alexander Valley resident in the forefront of the fight against the casino liquor license, said she assumes wineries will obey the law and not serve intoxicated people.

She acknowledged the casino probably would be law-abiding if it gets the liquor license sought by the Dry Creek Rancheria Band of Pomo Indians.

But in her testimony at the hearing, a quasi-judicial proceeding conducted in Geyser-

TURN TO CASINO, PAGE A9

CASINO: Selling alcohol would still be at least a year away

CONTINUED FROM PAGE A1

ville by the state Department of Alcoholic Beverage Control, Cadd made a distinction between the casino and tasting rooms.

"The tasting room is for one half-dozen people. The casino is 2,000 to 3,000 patrons at a time -- and hard alcohol," she said.

In a tasting room, casino attorney Ralph Saltsman said, "there are three, four, six bottles you can taste from?"

"Yes, but sips of wine, not the entire glass," Cadd responded.

"Unless I ask for more. May I ask for more?" Saltsman said.

"No" came the response from some of the about 100 people in the audience, largely made up of property owners, grape growers, tribal members and other residents of the valley.

Alexander Valley residents, such as Karen Passalacqua, noted wineries typically are open from 10 a.m. to 4 p.m., while the casino would be able to serve alcohol for 20 hours a day, from 6 a.m. to 2 a.m.

The hearing, which is expected to last through most of this week, is being held at the Alexander Valley Community Hall, where, casino attorneys noted, alcohol often is served at weddings and other func-

the hall is just a few miles from River Rock Casino, which has been without a liquor license since it opened in September 2002.

Last year, the state ruled the casino was entitled to a license because it had complied with building and fire safety requirements.

But no license was issued, pending a review of objections raised by area residents, the county Board of Supervisors and the Sheriff's Department.

Traffic accidents on Highway 128, fire danger, crime and poor access to the casino are problems that critics say would be exacerbated by alcohol use.

Casino attorneys sought to establish that opponents have fought the casino every step of the way and said alcohol use is a

red herring.

"It's the casino, not alcohol. They object to the casino," Saltsman said during a break in the proceedings. "How can anyone not accept another ABC license in Wine Country?"

Among those who testified against the liquor license was a Healdsburg woman who was knocked off her bicycle last week by a casino tour bus on Alexander Valley Road.

Katherine Widing, 50, said she fractured her pelvis, tore ligaments and cracked her helmet when the bus sideswiped her and knocked her off the bike.

Her cycling accident took place at 10:30 a.m. Thursday, when conditions were clear and dry. Widing said it would be

worse if casino patrons consumed alcohol and tried to drive in the dark or the rain.

Administrative Law Judge Sonny Lo's ruling on the license is not expected to be issued for 30 days, or more, after the hearing concludes.

Even if the tribe obtains a favorable ruling, it probably would be at least a year before it could sell alcohol at the casino, said ABC staff counsel Thomas Allen.

Regardless of which side wins, Lo's decision is likely to be challenged before an ABC appeals board, which can take a year or more to issue a decision. The matter could be appealed even further in court.

You can reach Staff Writer Clark Mason at 521-5214 or cmason@pressdemocrat.com.



CHRISTOPHER CHUNG / The Press Democrat

Candy Cadd, president of the Alexander Valley Association, told attorneys representing applicants for the River Rock Casino alcohol license during a hearing Tuesday that there is a difference between serving wine during tastings and serving hard liquor at a casino.

280

RECEIVED
APR 17 2006
PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

April 12, 2006

Planning Commissioners of Sonoma County
PRMD of Sonoma County
2550 Ventura Avenue
Santa Rosa, CA 95403

Subject: Comments on Inadequacy of the Draft Environmental Impact Report (DEIR) for the Proposed Sonoma County General Plan 2020 in the 4.8 Agricultural and Timber Resources Element

Dear Planning Commission members and PRMD staff,

I am a member of Save Our Sonoma County a countywide network of citizens and neighborhood associations dedicated to keeping agricultural lands in food production and defending agricultural lands from the impact of unbridled tourism development. The draft environmental impact report (DEIR) in its current form is legally inadequate and does not sufficiently or accurately assess the impacts related to the draft General Plan 2020 regarding agricultural processing and agricultural tourism.

This letter focuses on deficiencies contained in Section 4.8 Agricultural and Timber Resources. The detailed comments below explicitly address the DEIR's internal inconsistencies, factual errors, faulty and incomplete reasoning, and various deficiencies under the California Environmental Quality Act (CEQA). The pervasiveness of the deficiencies is so great as to require extensive revision of the document and recirculation for public comment.

The DEIR fails to adequately analyze the level of Farmland Conversion that has occurred (4.8-3 & 4)

DEIR Deficiency #1

The DEIR fails to adequately analyze the level of farmland conversion in Sonoma County in Exhibit 4.8-2 Farmland Conversion. The DEIR states: "The loss of Grazing Land (21,258 acres between 1992 and 2002) was primarily due to a reclassification of lands that were developed in previous years." The DEIR fails to provide how much of the change in acreage is due to reclassification versus how many acres were actually converted. The term "primarily" is a grossly crude approximation that could mean anything from 50.1% to 99.9%.

Requirement: The number of acres caused by reclassification must be provided separately from the specific conversion acreage.

DEIR Deficiency #2:

Exhibit 4.8-2 Farmland Conversion shows that there are Net Change 1992-2002 (acre) declines in Important Farmland Total, Grazing Land, and Agricultural Land Total. However, the DEIR in the paragraph prior to Exhibit 4.8-2 Farmland Conversion states: "As a result, it is likely that the data actually indicate a net increase in agricultural land."

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The DEIR provides no hard data as to how it is able to make this conclusion. In addition, "it is likely" is not an adequately or convincingly supported conclusion.

Requirement: The DEIR needs to give actual acreage figures to demonstrate its claim the "it is likely that these data actually indicate a net increase in agricultural lands". The general claim that reclassifications of lands caused the decline must be fully analyzed, including detailed acreage numbers contributing to the declines.

3

DEIR Deficiency #3:

Impact 4.8-1 Conversion of Agricultural Lands to Non-Agricultural Uses also includes insufficient examination of conversion information. This impact states on 4.8-18: "Urbanization and the increased mapping capability by the FMMP were the major causes of agricultural land conversion, a loss of 27,271 acres during this same period. As mentioned in the setting section, the primary reason for the relatively large decrease in acreage experienced by grazing and ranchland between 2000 and 2002 was the improved mapping of existing rural ranchettes and not the conversion of farmland to development." The DIER does not provide the amount of conversions caused by urbanization versus the amount due to the increased mapping capability.

Requirement: As noted in DEIR Deficiency #1, DEIR must provide the number of acreage that was converted due to urbanization and other development activities. It must then frame its analysis and comments regarding agricultural land conversion based on this more accurate assessment of actual land conversion.

4

DEIR Deficiency #4

Impact 4.8-1 Conversion of Agricultural Lands to Non-Agricultural Uses bases its analysis on problematic and incomplete information. This impact states on 4.8-18 that: "Problematic to this analysis is the fact that the FMMP data does not delineate between county and city lands, nor does it directly correlate with Sonoma County agricultural land designations. Furthermore, it does not quantify how much conversion is the result of development occurring within adopted urban growth boundaries."

Requirement: These qualifications to the conversion data included in the DEIR indicate that the information is not accurate and may give an grossly incorrect assessment of the level of agricultural acreage conversion. The DEIR must present accurate information regarding conversion of agricultural lands.

5

DEIR Deficiency #5

Impact 4.8 Conversion of Agricultural Lands to Non-Agricultural Uses does not adequately examine the impact of non-agricultural lands conversions such as housing and community services facilities. On 4.8-19 the DEIR states: "Data are not available to quantify the acreage that might be affected by these uses. However, these uses would not be expected to result in a substantial conversion of loss of agricultural land as they tend to be small and scattered throughout agricultural production areas. As such, they generally would not result in the conversion of all agricultural uses on every property. "

Requirement: The DIER fails to analyze the impact of these conversions particularly in combination with the increased tourism development that the General Plan 2020 allows

in agricultural areas. It must provide analysis or trended data supporting its claim that these conversions would not be substantial.

5
cont....

The DEIR fails to adequately describe and analyze Agricultural Processing

DEIR Deficiency #6

The DEIR states on 4.8-7 that "The relationship between production and processing has become increasingly important as consumer demands for fresher, more convenient, and specialized products have increased." The DEIR fails to analyze the more likely possibility that the relationship between production and processing has increased because it (the relationship) allows wineries to increase money-generating tourism activities that are loosely regulated by the county. It also fails to give any survey evidence that consumers are demanding that processing facilities are located in agricultural areas next to food production lands.

Requirement: The DEIR fails to examine why there is an increased relationship between production and processing. The DEIR must examine why there is a rapidly increasing trend for wineries and associated tourism developments to be placed in agricultural areas.

DEIR Deficiency #7

The DEIR states on 4.8-7: "The County currently allows agricultural processing to be located on agricultural lands when related to the primary agricultural activity in the area." The DEIR does not specify what "in the area" means, nor does it point out that "in the area" is a vague term that would not be enforceable.

Requirement: The DEIR must determine what "in the area" means or note that the term is vague and cannot be enforced as policy language.

DEIR Deficiency #8

The DEIR on 4.8-7 states: "According to an assessment by County staff, the importation of grapes for processing in Sonoma County is estimated to be about half of the existing production capacity of Sonoma county wineries." The DEIR does not provide any data or analysis of this "assessment by County staff" or whether the assessment is based on a specific written analysis or is merely a verbal guess.

Requirement: The DIER must include the data that supports the "assessment by County staff".

DEIR Deficiency #9

The DEIR fails to analyze Agricultural Processing by examining the level of activities for wine processing versus processing for other agricultural products. This failure does not allow the wine processing industry that is growing rapidly to be adequately examined in the DEIR in terms of employment, production levels in dollars, and other factors that help measure processing activities. By analyzing the agricultural processing industry as a whole, the DEIR does not adequately analyze the true factors behind the growth in this category.

9
cont.

Requirement: The DEIR needs to separately analyze wine processing activities versus other types of agricultural processing activities.

The DEIR fails to adequately analyze the growth of Agricultural Tourism

DEIR Deficiency #10

10 The DEIR on 4.8-8 notes that "there has been a marked increase in the number of wineries, family farms, and other producers who have added new activities to market and promote their agricultural products." The DEIR fails to analyze Agricultural Tourism by examining the level of tourism activities for wine processing versus tourism for other agricultural products. By analyzing the agricultural tourism industry as a whole, the DEIR does not adequately analyze the true factors behind the growth in this category. It may be found that there is an increase only in wineries and not in "family farms, and other producers".

Requirement: The DEIR needs to adequately analyze agricultural tourism and examine how changes in levels of tourists, tourist development, tourism events, and associated traffic and noise impacts are affecting agricultural areas.

DEIR Deficiency #11

11 The DEIR on 4.8-9 states: "The escalating property values tend to force some rural property owners to seek to convert to or add these higher earning, tourist uses." The DEIR fails to analyze this important statement and how agricultural lands could be affected by allowing property values to escalate. It also fails to provide trend analysis on tourism-serving development activities to determine whether this trend is increasing and thus potentially contributing to the escalating property values.

Requirement: The DEIR needs to examine the relationship between increasing tourism activities in agricultural areas, rising land costs, and the potential for agricultural lands to be vulnerable to conversion to other commercial or industrial uses. The potential that increasing tourism activities in agricultural areas may be contributing to conversion to other non-agricultural activities must be thoroughly examined.

DEIR Deficiency #12

12 The DEIR in Impact 4.8-3 Agricultural Tourism does not analyze the total number of agricultural tourism events and the estimated traffic levels associated with these events. It also fails to project the growth in the number of these events based on policies in the General Plan 2020. As a result, it also does not evaluate the traffic impacts of the new wineries projected by 2020 and the cumulative impact of this traffic in combination with other traffic sources. It also fails to analyze the current noise levels associated with agricultural tourism events and projected noise levels associated with projected winery growth and increasing tourism-based activities.

Requirement: The DEIR must analyze the existing level of special events in agricultural areas and provide projections of these events. It must then track and evaluate current and projected traffic levels generated by special tourism events. It must also track and evaluate current and projected noise levels generated by special tourism events.

The DEIR fails to adequately analyze Urban/Rural Conflicts (4.8-9)

DEIR Deficiency #13

The DEIR on 4.8-9 states that: "In Sonoma County, residents, trail users, and visitors most frequently complain about the use of pesticides, dust from cultivation, noise, and odors from agricultural operations." The DEIR fails to examine conflicts that will arise between agricultural tourism developments that create complaints regarding groundwater, noise related to outdoor tourism events, and traffic generated by tourism special events.

Requirement: The DEIR must analyze these conflicts and whether these conflicts will intensify in the future if tourism activities are allowed to increase in agricultural areas in General Plan 2020. The DEIR must also evaluate the integrity and thoroughness of County staff's monitoring of complaints regarding noise, traffic, and safety complaints regarding agricultural tourism activities. Anecdotal commentary by County staff regarding these impacts does not provide sufficient analytical information required by CEQA.

The DEIR does not accurately analyze the amount of agricultural land displaced by processing and tourism developments.

DEIR Deficiency #14

The DEIR provides an incomplete and misleading analysis of land conversion related to processing and visitor-serving uses in Exhibit 4.8-4. This analysis assumes that the only land lost to agricultural processing and tourism activities is the actual building square footage. This fails to analyze the acreage conversion involved with parking lots, areas between buildings, sewage treatment ponds, paved plazas, and setbacks from the building complexes. These areas can account for an increase in the acreage loss by a factor of four times or greater.

Examples demonstrating the gross inaccuracy of the DEIR's measurement of land conversion caused by processing plants and agricultural tourism areas are highlighted by the following exhibits. Exhibit A shows the Chateau St. Jean winery located at 8555 Sonoma Highway in Kenwood. Exhibit B shows the Landmark Vineyards winery located at 101 Adobe Canyon Road in Kenwood. The aerial photos of these wineries are from the GIS Sonoma County website. The photos clearly demonstrate that the processing/tourism development displaces a far greater amount of acreage than simply the square footage of the buildings.

Requirement: The DEIR must provide an Exhibit that shows the true amount of agricultural lands removed from crop production by agricultural processing and tourism-based development. This exhibit must show the true winery complex acreage that includes buildings, parking lots, area between buildings, tourist and event plazas, and setbacks from crops.

Exhibit A: Chateau St. Jean Winery located at 8555 Sonoma Highway, Kenwood, CA



Note the large parking lot and paved areas spread throughout the winery complex, the large size of the main road, the extensive spaces between the buildings, the tourism plaza (dominating the left side of the development) and the significant crop setbacks from the parking areas and the main entrance road.

The total acreage size of the winery complex is roughly four to five times larger than the size of the complex buildings.

EXHIBIT B: Landmark Vineyard winery located at 101 Adobe Canyon Rd., Kenwood



Note the large parking lots that surround the winery complex, the large tourist plaza (with the T shape), the pond and surrounding tourist picnic areas, and the significant crop setbacks from the pond, the parking areas, and the main entrance road.

The total acreage size of the winery complex is roughly eight times larger than the size of the complex buildings.

The DEIR does not accurately analyze the number of wineries and expected winery growth.

DEIR Deficiency #15

Exhibit 4.8-4 should show more a more current baseline that "Existing 2000". Sonoma County experienced skyrocketing winery development between 2000 and 2004. By selecting 2000, the analysis is possibly understating the magnitude of anticipated growth through 2020. For example, a baseline of 2004 could indicate that the number of wineries in that year is already much closer to the anticipated 239 wineries shown for the year 2020. That would indicate that the current projections are flawed and understate the level of winery growth by 2020.

Requirement: The DEIR must use a more recent year such as 2004 for baseline wineries. County staff should also evaluate whether winery and/or special event permit applications since the baseline indicate that the projected growth rate trend line is realistic.

The DEIR fails to identify that language in Policy AR-5a is vague and unenforceable.

DEIR Deficiency #16

In describing Policy AR-5a the DEIR simply lists the criteria and does not evaluate whether the criteria are vague or enforceable: "Additional criteria contained in this policy would require the processing operation be dependent upon a long-term commitment to purchasing Sonoma County products, that a demonstrated processing need exists, that size be proportional and minimal to accomplish processing, that future use of the facility would be limited to consistent uses in the event the agricultural product is no longer available, and that accessory space would be limited within such facilities."

Requirement: The DEIR must analyze and evaluate each of these criteria. It must analyze 1) how a "demonstrated processing need" would be proven to exist, 2) how it would be shown that "size be proportional and minimal to accomplish processing", 3) how "future use of the facility would be limited to consistent uses", and how "accessory space would be limited". If it cannot do this, it must conclude that the policy statements are vague and unenforceable.

The DEIR fails to identify that language in Policy AR-5b and AR-5c is vague and unenforceable.

DEIR Deficiency #17

The DEIR states: "Policies AR-5b and AR-5c would reduce impacts by limiting the size and intensity of processing facilities to that which would actually be required to meet the demands of the growing operation." The DEIR fails to analyze that Policy AR-5b provides no specific standards other than "a reasonable limit on total impermeable surface coverage, as a percentage of total parcel area, that a processing facility ... may occupy." The DEIR fails to analyze whether this policy language would lead to an increase or decrease in impermeable surface coverage compared to that allowed under the

current General Plan. It gives no analytical basis for why it concludes that this policy will reduce impacts compared to the existing General Plan.

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cont.

Policy AR-5c also includes vague policy language: "Permit storage, bottling, canning, and packaging facilities for agricultural products either grown or processed on site provided that these facilities are sized to accommodate, but not exceed, the needs of the growing or processing operation." The DEIR fails to analyze that AR-5c provides no specific standards other than "sized to accommodate, but not exceed, the needs". The DEIR fails to analyze whether this policy language would lead to an increase or decrease in the growth of processing plants in agricultural areas. It gives no analytical basis for whether this policy would reduce or increase impacts compared to the existing General Plan.

18

Requirement:

The DEIR needs to analyze the language and potential impacts of these two policies.

The DEIR fails to identify that language in Policy AR-6a will make agricultural lands more vulnerable to non-compatible development.

DEIR Deficiency #18

Policy AR-6a allows various tourism-based development activities "which support and are secondary and incidental to local agricultural production." The DEIR claims on 4.8-27 that "Policy AR-6a would reduce impacts from visitor-serving uses...". The DEIR fails to recognize that the policy does not require that the policy uses are compatible with agricultural production. By only requiring that development activities "are secondary and incidental", this policy would allow a loophole for expansion of commercial and industrial activities in an agricultural area as long as the scale was limited in relation to the agricultural production. This is a major weakening in policy language that the DEIR failed to analyze.

19

Requirement: The DEIR must analyze the type of commercial, industrial, and tourism-based developments that this policy would allow. It must also evaluate whether the policy would contribute to significant acreage conversions caused by these tourism-based development activities or contribute to cumulative impacts that would make agricultural areas more vulnerable to land conversion.

The DEIR fails to adequately analyze and support its conclusions regarding Agricultural Tourism

DEIR Deficiency #19

The DEIR in 4.8-28 concludes regarding Agricultural Tourism 4.8-3: "In the long-term, this economic viability would more effectively reduce conversion of farmland to non-agricultural use. Therefore, further limitations on visitor-serving uses through proposed mitigation measures may not be as effective in achieving project objectives and therefore may not be feasible." The DEIR fails to provide evidence why it concludes that allowing increased commercial, industrial, and tourism-based development in agricultural areas in pursuit of "economic viability" will ensure that these activities do not become pervasive in the agricultural areas. It also fails to analyze the traffic, noise, sewer, and water

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impacts caused by allowing these developments into agricultural areas. In effect, it completely neglects to analyze the risk that looser regulation of processing and tourism based activities in agricultural areas would make these areas ripe and vulnerable to suburbanization.

Requirement: The DEIR must convincingly analyze the rapid growth in agricultural tourism development in Sonoma County and whether the policies in General Plan 2020 will tend to increase, moderate, or lower the level of development growth generated by tourism activities.

In Summary:

- The DEIR fails to provide an accurate assessment of agricultural land conversion.
- The DEIR fails to adequately or accurately analyze agricultural processing.
- The DEIR fails to adequately or accurately analyze agricultural tourism development and activities.
- The DEIR fails to adequately or accurately analyze noise and traffic impacts generated by agricultural tourism development and activities.
- Based on the major failures listed above, the DEIR fails to adequately analyze whether the General Plan 2020 will make agricultural lands more vulnerable to land conversion and development.

Conclusion

The draft EIR fails to analyze the impacts related to agricultural processing facilities, tasting and shopping complexes, and large scale tourist events attended by thousands of people that, if allowed, will transform the face of Sonoma County's agricultural areas. The draft EIR must provide an accurate assessment of agricultural land conversion. It fails to examine that long-term crop production in agricultural areas could become financially impossible if land values are driven higher by increased commercial and industrial activities on agricultural properties. There is no logical reason that a EIR should not include mitigation related to these types of development and tourist activities. The EIR must identify noise, traffic, sewer, and water issues caused by tourism in agricultural areas. It must also provide full analysis and mitigation as required by CEQA. The failure to include this information in 4.8 Agricultural and Timber Resources is unacceptable and legally impermissible under CEQA.

Sincerely,



Chris Stover

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Member of Save Our Sonoma County

281

Paul D. Stutrud

18 March 2006

Sonoma County Planning Commission
Sonoma County General Plan Update 2020
2550 Ventura Avenue
Santa Rosa CA 95403-2829

Re: General Plan Draft EIR

I have attended the latest meetings of the General Plan Update 2020 draft EIR hearings and I have yet to hear any mention of the proposed Graton Rancheria casino and hotel and the high-end shopping center (to be built inside the city limits of Rohnert Park but adjacent to the casino/hotel complex. Over the term of this General Plan update I have raised the question about the casino/hotel complex a couple of times but other than being acknowledged, it appears that there is not plans to include the casino/hotel complex.

1

I am also aware of county-controlled property east of Snyder Lane, north of the Rohnert Park Expressway and extending northward to wrap around 'G' Section, the northeast section of Rohnert Park. According to official documentation this land is state designated ground water recharge land. Rohnert Park has been sued once regarding the topic of water, ground water and over-drafting of the aquifer and the City of Rohnert Park is being sued again by the O.W.L. Foundation regarding issues of water and ground water and state laws that address development and water uses.

It appears that Rohnert Park is moving as quickly as it possibly can through the processes to reach the annexation platform from which there will be 4,500 new homes and 5 million square feet of commercial space built on the above mentioned *state designated ground water recharge lands*.

On top of all this has been the flooding on New Year's weekend and the storms since then that have caused serious flooding.

2

Along with the above mentioned proposal to build 4,500 more homes and 5 million square feet of commercial construction there is also a proposal to build three earth filled dams that straddle a creek leaves only 50 feet on each side of the creek. These earth-filled dams are about one mile from the Rodgers Creek Fault and are intended to hold sewage waste water.

There are many of us who live in Rohnert Park and pay taxes here that disagree with the Rohnert Park city council's attitude of encouragement to developers to make their plans for more housing which in turn brings more people, more cars and more of a load on the water needs, sewerage treatment and traffic impacts. The streets won't hold the local traffic without impact just on Rohnert Park, let alone Penngrrove and all the homes along Petaluma Hill Road from and including

Paul D. Stutrud

Re: General Plan Draft EIR

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the town of Penngrove all the way to south Santa Rosa.

At least five surveys were taken regarding the issue of growth in Rohnert Park. All of the surveys expressed a majority NO GROWTH. The 1992 Grand Jury Report discusses this and other issues of planning and growth in Rohnert Park. Essentially, we have a city council that does not encourage the public to speak out against proposals in spite of the City of Rohnert Park having to pay an ongoing 15% penalty for excessive over-use of its sewage treatment allotment, having an aquifer that has been drawn down more than 150 feet and has caused hundreds of wells in the land surrounding the city limits to go dry.

3

In my opinion, the county should impose a moratorium on any future annexations beyond the current city limits until such time that Rohnert Park has taken care of the problems within the current city limits.

4

As for the Graton Rancheria Indian Casino and Hotel and all of the problems that will be instigated by such a project, this matter should be given the highest of attention instead of being ignored. It is proposed for construction on lands that regularly flood. That contains at least five federally listed endangered species including the Tiger Salamander and California protected vernal pools. There is no water available for such a project and definitely no sewage treatment capacity.

If all of the above items are not included in the County's Draft and Final E.I.R., I believe there will be litigation that may go even further into the details of the E.I.R. for the 2020 General Plan.

Yours truly,

via Fax

Paul Stutrud

282

Paul D. Stutrud

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FEB 15 2006

PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT

15 February 2006

PRMD

Scott Briggs, Project Manager and Public Participation Program
2550 Ventura Avenue
Santa Rosa, CA 95403

Re: Response to the Draft EIR for the 2020 County General Plan

Dear Mr. Briggs:

I am responding to the Draft EIR for the Sonoma County General Plan 2020.

It is my opinion that the extraordinary flooding on the New Year's weekend had enough impacts that changes should be made to this Draft EIR to reflect not only the actual effects of the flooding but to give consideration for future flooding episodes.

I have lived in Sonoma County for twenty years and have witnessed some pretty good flooding episodes. I lived ten years in Marin County and experienced the drought and then a so-called "Hundred Year" flood. The first year after the drought, we had heavy rains and my home and all my neighbors homes were in the severe flooding in Novato and we were told by the City of Novato that "it was an act of God" and the flooding damages were our own expense to bear.

However, the next year, we had two so-called "Hundred Year" floods, a week apart. Luckily, I was involved in litigation with the builder of my house and he was forced to buy my three-times flooded house back as though it was new in a current market. My neighbors were not so lucky.

With the Sonoma County New Year 2006 flood we were told that a lot of silt came down off Sonoma Mountain during the New Year's rains. I have heard that this was not just ordinary siltation but may well have been an episode of land mass subsidence - which I didn't notice being mentioned in the General Plan Draft EIR! Land Mass Subsidence caused by several years of serious overdrafting of the aquifer. The aquifer under Rohnert Park has been sucked down more than 150 feet because of Rohnert Park's unlimited water use for years.

Rohnert Park has had between 30 and 44 wells in operation. They also buy water from the Sonoma Water Agency (SCWA) as well as another purchase from the City of Petaluma's 14% surplus of Petaluma's water allotment from the Sonoma County Water Agency. This additional water from Petaluma is, according to information from the Sonoma County Water Agency, gives Rohnert Park a 400% boost in their water allotment.

Response to the Draft EIR for the 2020 County General Plan

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All of this water-taking activity by Rohnert Park has caused hundreds of wells in properties outside the city limits to go dry, at least once. Some people are on their third well.

Hundred of wells going dry certainly does not support the county's support for more growth in both the county lands and in the incorporated areas.

4

Furthermore, the litigation against the Sonoma County Water Agency by the Friends of the Eel River and the "win" by the Friends of the Eel River that limits the amount of water the Water Agency can take from the Eel River surely must be included in the calculations for future growth in Sonoma County.

And another lawsuit by the Friends of the Eel River may find decreases in the water taken from the Eel River.

On top of that, we have the water that is piped to the North Marin Water District and the Marin Water District. I am predicting that within four years, Marin County is going to be cut off from the Sonoma County Water Agency's water because of the present growth in both counties.

5

And what about the proposed Graton Rancheria Casino? Why wasn't any mention made of the plans to build a casino/hotel complex near the City of Rohnert Park. The casino proposes to dig at least two 1,000 foot deep wells and to build an independent sewage treatment plant. Neither of which the county has any capacity to support. And, of course, the footprint of the casino/hotel will only cause even more severed flooding upstream. More than is currently being experienced.

To reiterate: this Draft EIR for the County's 2020 General Plan has left out some very serious issues that effect every planning decision in the county, as well as each city.

Flooding, lack of potable water and the Graton Indian Casino and Hotel proposal.

If these three issues are not in the EIR and not in the General Plan, the General Plan is worthless.

Thank you,

Paul D. Stutrud

Stephan C. Volker
Joshua A.H. Harris
Marnie E. Riddle

Law Offices of
STEPHAN C. VOLKER

283

April 16, 2006

VIA FAX AND U.S. MAIL
Sonoma County Planning Commission
Permit and Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403-2829
FAX (707) 565-8343
(707)565-2624

RECEIVED**APR 17 2006****PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT**

Re: Comments of Westside Association to Save Agriculture, et al. on Draft
Environmental Impact Report for the Sonoma County General Plan 2020

Dear Commission:

On behalf of the Westside Association to Save Agriculture, Russian Riverkeeper, North Coast Rivers Alliance, James T. Love, Peggy Love, Dennis Hill, Melinda Hill, L. Martin Griffin, Jr., M.D., Scott Adams, Lynn Adams, John R. Soracco, Sean Swift, Bishop's Ranch, and other concerned residents of the Westside Road and Foreman Lane neighborhoods near Healdsburg, we submit the following comments on the Draft Environmental Impact Report for the Sonoma County General Plan 2020 ("DEIR").

I. INTRODUCTION

The DEIR, as written, falls far short of the requirements of the California Environmental Quality Act, Pub. Res. Code §§ 21000, *et seq.* The DEIR fails to (1) disclose and discuss the true impacts of the "Buildout Alternative," (2) demonstrate why most of the General Plan's significant impacts are not mitigated to insignificance, (3) provide essential information regarding the impacts of alternatives, (4) independently analyze the raw and incomplete data on which it relies, (5) evaluate important growth-inducing impacts; (6) take the impacts of global warming into account; (7) fully evaluate hydrological impacts; (8) compare a reasonable range of alternatives; (9) adequately evaluate and protect biological resources; (10) evaluate and mitigate the impacts of increased traffic; and (11) address water quantity and quality issues that are required to be identified in the overdue 2005 Urban Water Management Plan.

For these reasons, the DEIR frustrates the underlying purpose of an environmental impact report: informed public participation and decisionmaking. The California Legislature enacted CEQA to protect the environment of California, Pub. Res. Code § 21000(a), to protect the environmental health of Californians, Pub. Res. Code §§ 21000(b), 21000(d), 21000(g), to prevent the extinction of plant and animal species due to human activity, Pub. Res. Code §

21001(b), to create and maintain ecological and economic sustainability, Pub. Res. Code § 21001(e), and to “take all action necessary to protect, rehabilitate, and enhance the environmental quality of the State.” Pub. Res. Code § 21001(a). The purpose of an environmental impact report (EIR), in meeting the objectives of CEQA, is “to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.” Pub. Res. Code § 21002.1(a). The use of EIRs by each “public agency *shall* mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.” Pub. Res. Code § 21002.1(b) (emphasis added). Moreover, the “purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment.” Pub. Res. Code § 21061.

1 [As shown below, Sonoma County must substantially revise, and then recirculate, the EIR. Recirculation is required when the addition of new information to an EIR changes the EIR in “a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect.” *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1129-1130 (“*Laurel Heights II*”); see also CEQA Guidelines § 15088.5. An EIR which does not address potentially substantial effects must be recirculated. *Mountain Lion Coalition v. Fish and Game Commission* (1989) 214 Cal.App.3d 1043, 1050-51; *Stevens v. City of Glendale* (1981) 125 Cal.App.3d 986, 998-99; *Sutter Sensible Planning, Inc. v. Board of Supervisors* (1981) 122 Cal.App.3d 813, 823. Due to its failure to include complete information and analysis about the effects of General Plan policies, the DEIR should be revised and recirculated.

II. THE EIR EXAMINES CUMULATIVE IMPACTS ONLY THROUGH 2020.

2 [The cumulative impacts section of the DEIR projects population growth only through 2020. DEIR 6.0-3 – 6.0-4. This level of population growth then forms the basis for evaluating the cumulative impacts of the General Plan on all other impact categories. DEIR 6.0. Cumulative impacts at any later date – including those from full build-out under the General Plan’s proposed land use standards – are not considered. *Id.* The impacts of each alternative are only evaluated on the basis of projected growth through 2020 and not beyond. DEIR 5.0-3 – 5.0-80. Traffic levels of service under each alternative are only projected through 2020 and not beyond. DEIR 5.0-19; 5.0-40; 5.0-62. Population growth for purposes of predicting air quality is only evaluated through 2020 for each alternative. DEIR 5.0-23; 5.0-45; 5.0-65. Impacts to hydrological, biological, visual, and other resources are only projected through 2020 for each proposed alternative. DEIR 5.0-3 – 5.0-80.

The Buildout Alternative purports to consider "a scenario in which each parcel in the unincorporated portion of Sonoma County would be developed to the maximum extent permitted by the parcel's land use designation." DEIR 5.0-38. Although there is no indication that this would occur by 2020, the impacts considered for the Buildout Alternative are based only on projected growth up through 2020 *and not beyond*. DEIR 5.0-38 – 5.0-59. Consequently, the true impacts of the "Buildout Alternative" are never disclosed and addressed.

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An accurate projection of the impacts of each alternative would consider the consequences of extending each alternative's policies into the future as far as can be reasonably projected, without stopping at an arbitrary date such as 2020. The County has given no indication that it cannot forecast beyond a mere 14 years from now. Under CEQA, the County has a duty to disclose the reasonably foreseeable impacts of the proposed project and its alternatives so that the public and the decisionmakers can make an informed decision about the proposed alternatives and their expected impacts. CEQA Guidelines § 15144; *Citizens to Preserve the Ojai v. County of Ventura* (1985) 176 Cal.App.3d 421, 430; *Laurel Heights Improvement Ass'n v. Regents of the University of California* (1988) 47 Cal.3d 376, 396. This critical omission must be rectified.

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III. THE EIR FAILS TO EXPLAIN WHY IT FAILS TO MITIGATE MOST IMPACTS TO INSIGNIFICANCE.

The DEIR identifies dozens of significant impacts which it claims cannot be mitigated to insignificance. DEIR at 2.0-5 – 2.0-29. But CEQA's primary objective is to reduce environmental impacts to insignificance. Pub. Res. Code § 21002. "Public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. . . ." *Id.* "Furthermore, the County has a duty to interpret [CEQA] in such a manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." CEQA Guidelines § 15003(f), citing *Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal.3d 247, 259. Contrary to this duty, the DEIR fails to document its facile claims that it is not feasible to mitigate these many significant impacts to insignificance. DEIR at 2.0-4; 2.0-5 – 2.0-29; 4.2-34 – 4.2-38; 6.0-6 – 6.0-25. This fundamental flaw must be rectified.

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IV. THE DEIR LACKS ESSENTIAL INFORMATION THAT IS REQUIRED BY CEQA FOR ADEQUATE PUBLIC AND AGENCY REVIEW OF IMPACTS.

The Summary of Findings (DEIR 2.0-5 – 2.0-29) does not evaluate the impacts of the three proposed alternatives to the Draft GP 2020 such that the significance before and after mitigation of each impact of each alternative could be examined in comparison to the status quo. Instead, all impacts are said to result from "[i]mplementation of the *Draft GP 2020*,"

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cont. without reference to any of the contemplated alternatives. It is thus impossible for members of the public to quickly understand the relative merits of each alternative and the Draft GP 2020 with regard to environmental impacts. This lack of information prevents adequate and well-informed review by the public as required by CEQA.

V. THE DEIR UNCRITICALLY RELIES ON RAW DATA PROVIDED BY OUTSIDE AGENCIES, AND THE PRMD HAS FAILED TO PERFORM ITS OWN INDEPENDENT ANALYSIS OF THIS DATA.

7 As the DEIR notes, the CEQA Guidelines require independent review of information that assists in the preparation of the EIR. DEIR 1.0-3. Although some of this information was provided by staff reports, most was provided by independent consultants. DEIR 1.0-3. These independent reports are listed in Appendix 7.3 of the DEIR, but there is no indication that the information contained in them was independently reviewed by the PRMD as CEQA requires. DEIR 7.0-5 – 7.0-13. Instead, where they are cited, no apparent analysis of their conclusions has been performed. For instance, a report by Brown-Buntin Associates (DEIR 7.0-5) is cited throughout section 4.4 of the DEIR to support its conclusions about noise, but the data, findings, and methodology of that report were not apparently analyzed separately before being reproduced in the DEIR. DEIR 4.4. Similarly, a report by David Ballanti (DEIR 7.0-2) provides a table of potential Transportation Control Measures to support air quality, but there is no indication that this information has been independently evaluated by the PRMD. DEIR 4.3-12 – 4.3-14. The County must revise the DEIR to reflect its independent evaluation of these consultants' reports.

VI. THE DEIR FAILS TO ACKNOWLEDGE THE GROWTH INDUCING IMPACTS OF SONOMA COUNTY'S INCREASING URBAN POPULATION.

8 The County asserts that it has no control over the impacts resulting from urban growth because "[e]ach city in Sonoma County exercises complete authority over land use and development within its city limits." DEIR 3.0-12. Apparently because of this erroneous premise, the DEIR fails to identify and mitigate impacts to the unincorporated areas that result from predicted changes to the incorporated areas of the county. DEIR 1.0-1; 1.0-4; 3.0-1. For instance, the DEIR's evaluation of Impact 4.1-1, Growth and Concentration of Population, focuses on the impacts to unincorporated areas that are due to growth only of unincorporated areas, and concludes that because *this* growth is limited, the impact of population growth will not be significant. DEIR 4.1-35-36. But the unexamined impacts of urban growth within incorporated areas on unincorporated lands are potentially enormous. The County has a duty under CEQA to consider the cumulative impact of urban growth from both incorporated and unincorporated areas.

9 Likewise, the DEIR fails to address the mitigable impacts of revisions in Urban Service Boundaries (USBs). Expansions of these boundaries will have unidentified negative

environmental impacts. DEIR 4.1-23-26. In most cases USBs are projected to expand, creating additional pressure on the county's available water supply and increasing potential traffic and noise locally by allowing populations and housing development within these USBs to increase. However, several potential impacts are deemed less-than-significant because the impacts considered are primarily to services and infrastructure *rather than* to available natural resources. DEIR 4.1-32 – 4.1-42. This flaw in the EIR must be corrected.

Finally, some impacts of growth are not evaluated at all. The DEIR purports to consider land use conflicts between agricultural and industrial/commercial/residential/urban uses, but fails to fairly evaluate the potential adverse impact of continued gravel mining and urban growth on the County's agricultural land uses and natural environment, including its fish and wildlife, particularly in the Russian River Valley. DEIR 4.1-36-39. For example, "Impact 4.8-1," Conversion of Agricultural Lands to Non-Agricultural Uses, concludes that such conversions would result in a less-than-significant impact after the implementation of several toothless General Plan policies. DEIR 4.8-18. But many of these policies are either voluntary or designed simply to promote agriculture in general through "advertising and marketing assistance" and brand promotion, rather than to preserve and protect agricultural lands. DEIR 4.8-20. The DEIR claims that such vague promotion policies will "maintain the viability of Sonoma County farms and reduce the likelihood of their conversion," but the DEIR provides no evidence supporting the efficacy of such an approach. *Id.* Another policy purports to limit agricultural conversion by "voluntary purchase of development rights" in the hope that this will reduce residential encroachment. DEIR 4.8-21. Again, no facts showing that such a voluntary approach could succeed are provided. The DEIR also fails to consider the potential conflicts posed by converting natural habitat to new agricultural uses. DEIR 4.1-36-39.

VII. THE DEIR FAILS TO ACKNOWLEDGE AND ASSESS THE IMPACTS OF GLOBAL WARMING ON THE ENVIRONMENT.

The DEIR fails to disclose and assess the likely actual impacts of global warming. The DEIR never discusses in the appropriate sections whether global warming is expected to cause future changes in weather and climate, reservoir storage, river flows, groundwater levels, and patterns of urban and agricultural water use.

These climatic changes have the potential to alter the projected impacts of policies described in the General Plan 2020 and its alternatives, and should be discussed rather than ignored. Global warming is expected to increase the frequency and severity of floods and droughts in the Russian River Valley, magnifying the importance of the aquifer that could be harmed by changes under the General Plan. As global warming proceeds, rainfall events are expected to become increasingly erratic and extreme, leading to longer droughts and more severe storms and floods, generating serious implications for flood plain, surface water and groundwater management. The need for wider flood plains and greater groundwater storage capacity may increase as a result.

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cont... Because global warming phenomena will have far-reaching effects on almost all areas of impact that are evaluated by the General Plan, the DEIR should acknowledge and discuss the impact of global warming on Sonoma County.

VIII. THE DEIR FAILS TO ANALYZE HYDROLOGICAL IMPACTS DUE TO INCREASED GROWTH.

15 The DEIR fails to address the looming conflicts between continued urban growth as proposed in the draft General Plan and declining surface and groundwater supplies. Increased growth is likely to encourage greater diversions of water from the Russian River to serve an increasing population, but the DEIR does not disclose and evaluate the potential adverse impacts of such diversions on the river's fish and wildlife and of increased groundwater pumping on the quality and quantity of groundwater throughout the Russian River watershed. The EIR should acknowledge and assess the recent studies which indicate that continued diversions of water from the Eel River may harm Russian River salmon (as well as the Eel River salmonids). As disclosed in the Water Agency's Russian River Draft Biological Assessment dated January 16, 2004, prepared jointly with the U.S. Army Corps of Engineers under the Endangered Species Act, the unnaturally high summer flows resulting from continued Eel River diversions may result "in velocities that are generally higher than optimal for juvenile salmonid rearing in most faster water sections of the upper Russian River . . . i.e., riffle and run habitat types)." *Id.* at 3-109. The Russian River's unnaturally "[a]ugmented summer flow [due to the Eel River diversions] results in the need for an artificial breaching program [at the mouth of the Russian River] that may . . . affect [important habitat] components [including temperature, dissolved oxygen, salinity, the availability of aquatic invertebrates and shallow water habitat, and the concentration of nutrients and toxic runoff], and may allow adult Chinook salmon early access to the river when flows and temperature may be unsuitable." *Id.* at 3-110. Other impacts from the unnaturally high summer flows in the Russian River may include increased water temperatures due to the loss of thermal stratification in pools, directly harming salmon and creating favorable conditions for warm water fishes that prey on juvenile salmonids.

17 The Environmental Protection Agency has designated the Russian River as sediment- and temperature-impaired under Section 303 of the Clean Water Act, necessitating more protective management measures to restore the Russian River's fish and wildlife. Both EPA and the State Water Resources Control Board have determined that the Russian River is sediment impaired, and listed this river as a water quality-impaired water body under Clean Water Act section 303(d) (33 U.S.C. § 1313(d)) due to deleterious impacts from sedimentation. The sources of this excessive pollutant include "erosion/siltation" from gravel mining and other resource development activity. See, North Coast Regional Water Quality Control Board, 2002 *C.W.A. Section 303(d) List of Water Quality Limited Segments*, at http://www.swrcb.ca.gov/tmdl/303d_lists.html. Both EPA and the State Water Board have also designated the Russian River as water quality-impaired under CWA section 303(d) due to high water temperatures as a result of altered summer flows and other factors. *Id.* This impairment

was not discussed in the DEIR, but should have been, in order to realistically evaluate the conditions under which threatened and endangered species are attempting to survive.

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Continued urban growth will only increase the demand for surface and groundwater from all sources in Sonoma County. The EIR should examine the continuing adverse impacts of Eel River diversions and of increased urban demands for water on protection and restoration of the Russian River's endangered salmonids. The EIR should explain the primary reasons for the listing of these species (habitat degradation), including the deleterious impact of the increased sediment, excessive summer flows and loss of cold water pool habitat due to the Eel River diversions, as well as mitigation measures and alternatives that would help restore these salmonids to healthy populations in both the Eel and Russian Rivers.

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Some water quality protection measures promulgated in the DEIR are illusory. The impact of urban, industrial and agricultural runoff is determined to be less than significant in the DEIR because "existing regulations and water quality policies and programs contained in the Draft GP 2020 would reduce this to a less-than-significant impact." DEIR 4.5-41. However, it is unclear whether conditions required for implementation of the listed policies will ever come to pass. For instance, "Policy WR-1j would require the County to seek opportunities for water quality restoration and remediation where water quality is a concern. This policy could potentially involve stream restoration and/or the construction of engineered wetlands." DEIR 4.5-42. But such "opportunities" are unspecified and may be lost in the future if they are not specifically identified and pursued now.

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Saltwater intrusion in both the western and eastern reaches of the County due to global warming and declining groundwater supplies may pose unanticipated problems. The Draft EIR concludes that saltwater intrusion will not be a problem in the future in part because "the Bodega Bay Public Utility District was able to develop wells in areas not affected by saltwater intrusion." DEIR 4.5-56. Yet just one page earlier, the EIR admits that "the Bodega Bay PUD is continuously battling saltwater intrusion in its wells." DEIR 4.5-55. There is no evidence provided in the DEIR to suggest that the Bodega Bay PUD will continue to win this battle in the face of increased future groundwater demands. The EIR should not so hastily conclude that saltwater intrusion will be a less-than-significant impact in the future simply because vulnerable PUDs have been successful in the past.

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Finally, potential impacts to water quality due to new residential, commercial, industrial and public uses are considered less-than-significant, with no mitigation measures required, because according to the DEIR, "the *Draft GP 2020* policies would help to ensure that future urban-type development does not result in an increased violation of water quality standards." DEIR 4.5-41-43. However, the proposed policies are speculative and often rely on programs that do not yet exist and may never exist. For example, "Policy WR-1j would require the County to seek opportunities for water quality restoration and remediation where water quality is a concern." DEIR 4.5-43. Such opportunities may no longer be available by the time it is

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cont. clear they are needed. For instance, "construction of engineered wetlands," a proposed remediation measure, may not be economically or environmentally feasible if it *follows*, rather than *precedes*, urban development. *Id.* The EIR should include realistic mitigation measures that are presently feasible instead of relying on vague policies that may be unenforceable when they are needed.

IX. THE COUNTY FAILED TO ANALYZE A REASONABLE RANGE OF ALTERNATIVES AND MITIGATION MEASURES.

22 The DEIR fails to consider a reasonable range of alternatives and fails to compare them to existing conditions. The DEIR examines just three alternatives to the current proposed draft general plan, labeling them No Project, Buildout and Mitigated. DEIR 5.0-1. The No Project Alternative (NPA) assumes the continuation of the existing General Plan *policies*, rather than maintaining existing *conditions*. *Id.* The Buildout Alternative (BA) evaluates less restrictive environmental protection policies, and the Mitigated Alternative (MA) examines more restrictive policies. DEIR 5.0-2. The proposed plan makes many of the same population, employment and household number assumptions as the NPA. *Id.*

23 The Mitigated Alternative fails to present a true alternative to growth. In 26 of 79 impact areas, the Mitigated Alternative has the *same* impact as the proposed project. DEIR 5.0-12-16. Certain impacts, such as impacts to water supply services, are unmitigable under the Mitigated Alternative because the alternative presumes "additional urban land uses and development" that would create greater water demand than the Mitigated Alternative can provide. DEIR 6.0-12. Thus, all of the alternatives and their evaluation are skewed in favor of rapid urbanization, because current growth rates are assumed to continue as the "No Project Alternative" under the existing General Plan.

24 Because the alternatives are so similar, their cumulative impacts show little difference. The DEIR's section titled "Impact Overview" (DEIR 6.0-1-19) reveals that in many impact areas, the cumulative impacts of each alternative are similar and significant (Land Use, Air Quality, Geology/Soils, Cultural Resources, Energy) or similar but not significant (Noise, Agricultural and Timber Resources). DEIR 6.0-5-18. This confirms that the alternatives are not substantially different in the long term, defeating CEQA's purpose of forcing agencies to expand their horizons by considering alternatives that make a real difference.

25 The DEIR likewise fails to identify a reasonable range of mitigation measures, such as conservation programs, urban infilling, and the substitution of alternative building materials such as the use of recycled concrete, shale or imported gravel in place of terrace and river gravels. As noted above, the DEIR systematically fails to demonstrate why it is not feasible to mitigate significant environmental impacts to insignificance.

X. THE EIR FAILS TO ADEQUATELY EVALUATE BIOLOGICAL

RESOURCES.

The DEIR fails to adequately survey biological resources. It relies on the California Natural Diversity Database (CNDDDB) inventory to evaluate potential hazards to endangered, threatened, and special-status species. However, the County admits in the EIR that "the occurrence records of the CNDDDB tend to focus on listed species or those with a high inventory priority. Occurrence information for numerous special-status species which are known to occur in Sonoma County is either not monitored at all, or is recorded on only a sporadic basis by the CNDDDB." DEIR 4.6-5. The only other source the County considers is the U.S. Fish and Wildlife Service's listing of endangered and threatened species. *Id.* Thus, other special-status species are largely ignored. Despite this information gap, the County has not performed any analysis of its own to determine how General Plan policies will affect special-status species.

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It appears that the County intends to postpone the necessary analysis until specific development plans are already in place, citing the "need for detailed assessments when proposed development could affect sensitive habitat." DEIR 4.6-5. The County acknowledges, however, that such detailed assessments might never occur in many cases, as "land uses permitted under the Draft GP 2020 which require only a ministerial permit application may receive little or no review by local, State or federal authorities." DEIR 4.6-27. Consequently, unless the DEIR examines the impacts of these uses, they will never be assessed.

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XI. THE EIR FAILS TO EVALUATE AND MITIGATE INCREASED TRAFFIC IMPACTS.

The County finds that the increase in vehicle miles traveled will remain a significant unavoidable impact in part "because *GP 2020* policies can only affect the unincorporated portions of the county." DEIR 4.3-16. Although the County lacks planning and zoning controls over incorporated areas, it nonetheless has a duty under CEQA to address the effects of traffic originating in incorporated portions of the county in its analysis and to construct mitigation policies that take such traffic into account.

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The impact of increased traffic, and consequently reduced levels of service, on the visual and aesthetic characteristics of State Scenic Highways such as Highways 12 and 116 and County scenic roads such as Westside Road are not considered, and thus impacts to this visual resource are considered less than significant with no mitigation required. DEIR 4.11-16. Although the impacts of the projected reduction in level of service are considered significant and unavoidable, they are not mitigated. DEIR 4.2-32. Yet Scenic Highways are key to the County's tourism industry and rural quality of life. The DEIR's failure to demonstrate why this impact cannot be mitigated must be rectified.

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Funding failures may create an unacknowledged significant impact due to increased traffic. Because many transit decisions are made by agencies other than the County, transit

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CONT. service may not keep pace with demand. DEIR 4.2-48. Nevertheless, the increased projected demand for transit services is considered a less-than-significant impact, and no mitigation is required in the Draft EIR. *Id.* The EIR should have contemplated the possibility that transit services will not keep pace with demand, and proposed mitigation measures accordingly.

31 Finally, the DEIR asserts without factual support that it is impossible to determine how future land use and development will affect future roadway congestion without further study. DEIR 4.2-40. Until such study has been completed, the DEIR states that "it is not feasible for the County to mitigate traffic congestion within city limits." *Id.* It is not clear how traffic congestion *outside* city limits will be mitigated without such further study, as well. The DEIR improperly ducks the issue by simply labeling this impact significant and unavoidable. *Id.*

**XII. THE EIR MUST ADDRESS GROUND AND SURFACE
WATER QUANTITY AND QUALITY ISSUES IDENTIFIED
IN THE WATER AGENCY'S OVERDUE 2005 URBAN WATER
MANAGEMENT PLAN.**

The County should not certify an EIR for the Sonoma County General Plan 2020 before the County's 2005 Urban Water Management Plan is finally adopted. As the courts have pointed out, "[i]n determining whether and where to permit development, a county must necessarily consider the availability of consumptive water supplies. If additional water supplies are available, growth and development are feasible. Conversely, if that water is not available, growth is necessarily limited." *County of Amador v. El Dorado County Water Agency* (1988) 76 Cal.App.4th 931, 950. Thus, adopting a final version of the EIR before the Urban Water Management Plan is finalized puts the development cart before the water supply horse.

32 Similarly under the Urban Water Management Planning Act, the County through its Water Agency must assure that proposed ground and surface water supplies are uncontaminated and available for projected growth. *Friends of the Santa Clara River v. Castaic Lake Water Agency* (2004) 123 Cal.App.4th 1, 13-15. "For any water source that may not be available at a consistent level of use, given specific legal, environmental, water quality or climatic factors, [the urban water management plan must] describe plans to replace that source with alternative sources or water demand management measures, to the extent practicable." 123 Cal.App.4th at 14, quoting from Water Code § 10631, subd. (c).

As the Court of Appeal pointed out in *Friends of the Santa Clara River*, where a water agency has impermissibly assumed that shortfalls in groundwater supply will be cured to meet projected urban growth, "[s]imply stating that . . . a groundwater treatment plan is being developed without discussing when the plan may need to be implemented and the amount of time needed for its implementation leaves a temporal gap in the description of the liability of the water source. This gap renders the [urban water management plan] legally inadequate." 123

Cal.App.4th at 14.

So too here, the County's assumption that adequate surface water supplies will become available in the future to support the urban growth projected by the General Plan without a full explication of when and how this additional water supply will be provided *without harming environmental quality* in the Eel and Russian Rivers, threatens to violate not only CEQA, but the Urban Water Management Planning Act as well.

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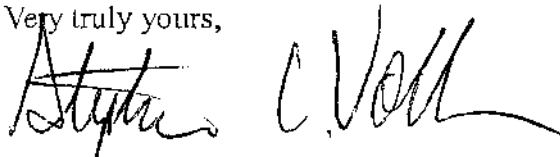
Finally, the EIR must discuss the emerging groundwater contamination and overdraft issues that threaten projected as well as existing land uses throughout Sonoma County. The EIR must, consistent with CEQA and the Urban Water Management Planning Act, address these emerging water contamination and overdraft problems, and realistically assess the likelihood that they can be solved in time to meet the County's projected increases in demand for water and building materials such as gravel to serve projected urban development.

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XIII. CONCLUSION

Sonoma County's proposed General Plan 2020 Draft Environmental Impact Report ignores or overlooks significant adverse impacts posed by future development on Sonoma County's ground and surface water quality, fish and wildlife, agricultural resources, traffic, aesthetics, recreation, habitat, noise levels and air quality. Substantial revisions by the Planning Commission and the Board of Supervisors are clearly needed.

Very truly yours,



Stephan C. Volker
Attorney for Westside Association to Save
Agriculture, Russian Riverkeeper, North Coast
Rivers Alliance, Dennis Hill, Melinda Hill, James
T. Love, Peggy Love, John R. Soracco, Scott
Adams, Lynn Adams, Dr. L. Martin Griffin, Jr.,
M.D., Sean Swift, Bishop's Ranch and other
concerned community members

cc: Steven Woodside, Sonoma County Counsel

cc: Richard Fogg, Chairman c/o Sue Waxman [swaxman@sonoma-county.org]
Sonoma County Planning Commission
c/o Permit and Resource Management Department

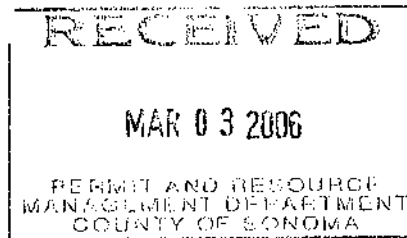
Sonoma County Planning Commission
Permit and Resource Management Department
April 16, 2006
Page 12

County of Sonoma

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Victoria Wikle



March 2, 2006

Planning Commission
Sonoma County Permit & Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403-2829

Re: Draft EIR for General Plan 2020

Dear Planning Commission Members and County Planning Staff,

Thank you for taking my comments on Sonoma County's Draft EIR for General Plan 2020.

All areas of the county have been under immense development pressure and as a result a significant amount of land has been converted by human use with many negative impacts:

- Increases in flooding,
- Loss of ground water recharge,
- Erosion,
- Degraded water quality,
- Habitat loss for indigenous wildlife, and
- Infestations by weedy invasive plants (plant spam)

The standard of cumulative impacts and cumulative habitat loss within Sonoma County should be included when evaluating the impact of land-use proposals in the county. "No net run off" policies should be in place for any new development regardless of the size. Ground water recharge should be part of every development permit. Erosion prevention measures must be required and stringently adhered to. Protections of water quality must be

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included during decision making processes. Loss thresholds for specific sensitive natural communities should be established including oak woodlands, vernal pools, redwood forests, mixed evergreen forests, riparian habitat, seasonal wetlands, freshwater marshes of the Santa Rosa Plain and Laguna de Santa Rosa, serpentine habitats, and coastal prairie.

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Sonoma County needs stronger tree protection policies and laws. Oaks and redwood that have reached sexual maturity should require a permit before removal, even on private property. Any trees removed should be mitigated with a strongly enforced replacement policy. The replacement trees should be monitored and replaced again with new trees until success is achieved when the replacement trees have reached sexual maturity and are capable of producing their own offspring. This protection policy should be enforced with significant fines imposed on those that violate the law.

Respectfully submitted,

Victoria White

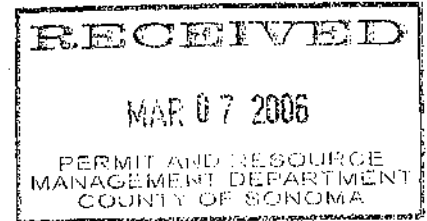


Public Employees for Environmental Responsibility

website: <http://www.peer.org>

March 6, 2006

Sonoma County Permit and Resource Management Department
Attn: Bob Gaiser
2550 Ventura Avenue
Santa Rosa, CA 95403-2829



The following is a review by Public Employees for Environmental Responsibility (PEER) of the Draft Environmental Impact Report for implementing the proposed Sonoma County General Plan 2020 as it pertains to the Public Safety Element Sections of the DEIR. Those sections are Protection from Geologic Hazards, encompassing Impacts and Mitigation Measures 4.7-1 through 4.4-7 and 4.8-4; Protection from Flood Hazards, encompassing Impacts and Mitigation Measures 4.5-9 through 4.5-12; Hazardous Materials, encompassing Impact and Mitigation Measure 4.13-1; and Protection from Fire Hazards, encompassing Impacts and Mitigation Measures 4.9-9 and 4.9-10.

PEER expects that the comments, clarifications, and proposals in this communication will be taken into consideration to be sure that the DEIR correctly and thoroughly evaluates environmental impacts arising from the Draft General Plan policies. We expect substantive replies to our suggestions for changing policies for lowering the impacts of proposed County land-use policies.

General Comments

In many places the DEIR does not use modern geologic terminology to describe geologic processes and earth materials. Examples of non-standard terminology and concepts include:

p. 4.7-10, where "soil creep" is related to the presence of expansive clays, even though the term describes general downslope movement of soil due to many factors, including clays--but also the degree of slope and of water saturation in soils that may lack expansive clays. The only expansive clay mentioned is "montmorillonite"--only one member of the large smectite group of expansive clay minerals (see American Geological Institute, Glossary of Geology 5th edition). And why is the non-expansive clay mineral "illite," included in a discussion on expansive clays?

Some statements, such as "The geology ... is continually evolving because of its location at an active plate margin," make no sense. Use of Richter, instead of moment, magnitudes in estimating earthquake probabilities (4.7-4) is long outmoded. The low level of geologic competence displayed in the DEIR suggests a low level of professional input, and no reviews from professional Earth Scientists. The DEIR lists input on Geology and Soils from only one individual identified only as a professional geologist (PG-p. 7.0-2), with no degrees or other qualifications or state registration.

On p. 4.7-20 (Impact 4.7-1) and elsewhere, the DEIR refers to maps illustrating geologic hazards. The maps provided on costly PRMD-provided printed DEIRs and CDs are illegible and cannot be

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used to assess hazards or proposed mitigations. If maps of suitable scale and legibility are available for public review, why is their location not provided in the DEIR or in public notices?

Protection from Geologic Hazards

General

4 General Plan section 2.3 is titled "Reduction of Potential Damage from Geologic Hazards," which builds the expectation that the related policies will tend to reduce the damage from geologic hazards. Unfortunately, the wording of the DEIR's Significance Criteria and of the General Plan's policies on geologic hazards, which must serve to mitigate the impacts of GP2020 land use policies, are weak and unlikely to have the desired effect. In particular, on p. 4.7-19, what criteria are used to establish "substantial" soil erosion and "substantial" risk (of expansive soils) to property?

5 p. 4.7-21. The permissive wording of Policy PS-1c "Consider amendments of the Element," does not mandate a fundamental--and hardly controversial--County duty to incorporate new data for the purpose of lessening potential impacts from geologic hazards. The DEIR incorrectly cites this permissive policy as a mitigation for Impacts 4.7-2, 4.7-3, 4.7-6, 4.7-7, 4.7-8. Inasmuch as the policy deals with information that can significantly change hazard assessment, and inasmuch as the impact of the new data could save people's lives and property, its permissive form contributes to a significant unmitigated impact of further development under the General Plan. Why is it not mandatory?

If the wording of Policy PS-1c is changed to "The County shall amend the Element to incorporate new data..." this policy could become a valid mitigation for the cited impacts, and help reduce the significance of the cited impacts.

6 p. 4.7-21. Policy PS-1d, as fundamental as PS-1c and no more controversial, only "encourages" research on geologic hazards, probabilities, and effects in the County. In this form it contributes to the significant unmitigated rating of Impacts 4.7-2, 4.7-3, and 4.7-5. Unless the wording is changed to "The County shall establish a program for supporting research on geologic hazards, their probabilities and effects within Sonoma County, with funding sources from developer or other appropriate fees, it cannot be cited as a mitigation."

7 p. 4.7-22. Required studies under policy PS-1f may serve as a mitigation for Impacts 4.7-1, -2, -3, -4, -5, -6, and -7, if done properly. But the policy does not specify that geologic and engineering reports/certifications come from State-registered geologists and engineers. Is this policy legally defensible without requiring at least that level of professional qualification for the certifiers and preparers of such reports?

Earthquake Hazards

8 p. 4.7-22. Policy PS-1g. The DEIR elaboration of this policy is misleading. Because the time of last movement on many Sonoma County faults (the criterion for designation as active or not) has not been evaluated, the Policy would reduce impacts along faults that might be active as well as those that are known to be active. On what basis does the DEIR identify any fault not currently listed as active as an inactive fault, or one "extremely unlikely to reactivate"?

p. 4.7-22. Why does the EIR list policy PS-1j as a mitigation for the impacts of seismic ground shaking (Impacts 4.7-1)? The policy only encourages strong enforcement of state seismic safety design and construction standards for bridges, dams, powerplants, hospitals, and schools, contributing to the significant unmitigated rating for Impact 4.7-1). Since these standards demonstrably save lives and protect property, why is this policy not mandatory? We strongly suggest that this policy require strong enforcement of state seismic safety design and construction standards, and that it expand to require the County to encourage similar strong enforcement countywide.

p. 4.7-22. Policy PS-1l would allow construction of buildings for essential services, including buildings of high public occupancy, in high-risk seismic zones. It would further allow construction of those buildings to standards lower than possible, based on an unidentified standard of "feasibility," with no standard or criterion for the determination of feasibility, and without naming the agency that must make the determination. Contrary to the DEIR's analysis (4.7-22) the "feasibility" standard means that this Policy cannot mitigate Impact 4.7-1, does not support the stated goals of General Plan 2020, and actually contributes to the significant unmitigated rating for Impact 4.7-1. Does it make any long-term economic or safety sense to locate essential service buildings in high risk areas if it is not feasible to meet the highest construction standards? PEER strongly urges the County to make mandatory the avoidance of Very Strong to Very Violent zones on the Modified Mercalli Intensity scale for such buildings (Policy PS-1l (1)) and to require that any buildings located in such zones in the past be upgraded to the highest safety standard. Can the County not mandate these standards when people's lives depend on it?

p. 4.7-23. Mitigation Measure 4.7-1 (revise policy PS-1o to require strengthening of multi-family, but not single-family, masonry buildings), but does not require that the strengthening meet State standards to reduce impacts. If there are State standards for reinforcing masonry buildings, why not write this policy to specify that those standards be met to reduce impacts below the SU level?

p. 4.7-24, Mitigation 4.7-2. Why is there no mitigation for seismic-related ground failure other than permissive Policies PS-1c, 1d, and 1k allowing Impact 4.7-2 to retain a rating of significant and unmitigated (SU), possibly contributing to loss of life? PEER has suggested re-wording of all these policies, which provide enough mitigation to lower the rating to less than significant.

p. 4.7-25, What are the grounds for rating the post-mitigation significance of impacts from seismic ground failure as SU? Avoiding development in areas at risk for seismic-related ground failure is sufficient to reduce potential impacts to acceptable levels. Why is this avoidance not integral to the proposed General Plan policies for promoting public safety ?

Landsliding

p. 4.7-22. Permissive policy PS-1k cannot be cited as a mitigation for Impacts 4.7-2, 4.7-3 (p. 4.7-44.7-5), and 4.7-6 (p. 4.7-28) and actually contributes to the significant unmitigated rating of those impacts. Inasmuch as roads in steep terrain are known to be proximal causes of debris flows and landslides it would be beneficial to eliminate the hazards of temporary roads (e.g., established for logging and other purposes) after their intended use by requiring closure and restoration? (see, for example: R.C. Sidle et al., Hillslope Stability and Land Use, *American Geophysical Union, Water Resources Monograph Series 11* (1985), 72-119; F.J. Swanson and C.T. Dyrness, Impact of Clear-

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Cutting and Road Construction on Soil Erosion by Landslides in the Western Cascade Range, Oregon, *Geology* 3 (1975): 393-396; D.N. Swanston and F.J. Swanson, Timber Harvesting, Mass Erosion, and Steepland Forest Geomorphology in the Pacific Northwest, in *Geomorphology and Engineering*, ed. D.R. Coates (Stroudsburg, Pennsylvania, Dowden, Hutchinson, and Ross, 1976), 199-221). To bring the rating of the cited Impacts to less than significant, is it not only prudent but wise to re-write this policy to require measures that mitigate identified geologic hazards from County projects to acceptable levels, and to require the elimination or restoration of temporary logging roads on State and private lands within the County?

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p. 4.7-25, Mitigation 4.7-3. Landslides and debris flows are very different types of hillside mass-wasting, but the DEIR apparently considers them equivalent in terms of impact and mitigation. Debris flows constitute a very common and damaging mode of ground failure under conditions of intense rainfall, which can be life-threatening, whereas landslides may destroy property, but rarely move fast enough to kill people. Debris flows should be accorded a separate policy for mitigation. As elsewhere, road cuts and logging clearcuts in Sonoma County commonly induce ground failures (see above references). Why does the DEIR not include this well-known fact? Landslides may occur in the absence of seismic shaking and abnormal rainfall, yet the DEIR attributes the post-mitigation significance (SU) only to extreme seismic or rainfall events.

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The list of policies that the DEIR alleges will mitigate landslides includes permissive PS-1c, 1d, and 1k, which in fact contribute to the significant unmitigated rating of those impacts. If these policies are to qualify as mitigations, they must be mandatory. p. 4.7-26. Why does the DEIR focus on extreme seismic shaking and slope failure impacts to rate the post-mitigation impact significance, so that only complete elimination of extreme seismic and rainfall events can reach a less than significant impact? Even the impacts of non-extreme seismic and rainfall events cannot be completely eliminated, but they can be extensively mitigated, and even the impacts of extreme events can be substantially mitigated by policies that mandate avoiding development of the most hazardous areas. Why does the DEIR not apply a avoidance policies more prominently?

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Subsidence and Settlement

p. 4.7-26, Impact 4.7-4. Why does the DEIR consider it is well known that ground subsidence can affect areas varying from large regions to single sites? (Devin Galloway, D.R. Jones, and S.E. Ingelbritsen (editors), *Land Subsidence in the United States*, U.S. Geological Survey Circular 1182 (1999), 177 p.). Why does the DEIR limit subsidence impacts to be "site and project specific"?

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p. 4.7-27. Why does the DEIR focus on earthquakes and rainfall as causes of subsidence and settlement when they represent independent hazards? How does use of extreme seismic/rainfall events justify summary post-mitigation impact significance of SU for these independent hazards?

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Tsunamis and Seiches

p. 4.7-27, Impact 4.7-5. The DEIR should specify how policies PS-1a through 1f, and 1k and 1m apply to tsunami and seiche impacts. The term seiche applies to ocean wave phenomena unrelated to seismic activity, so the DEIR discussion is irrelevant to seiche impacts. These issues need to be separately categorized and analyzed in the DEIR. Why does the DEIR not include a specific policy for avoiding road building and other development in currently undeveloped seiche zones, and in zones undergoing significant sea cliff retreat? Why does the DEIR not add a policy for moving

roads, residences, and businesses from those zones whenever feasible? Such mandatory policies would mitigate the impacts to a less than significant level.

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p. 4.7-28. A major tsunami event is likely to cause significant impact, but this can be significantly mitigated by avoiding development in vulnerable areas. Why does the DEIR not include a specific policy for avoiding development in currently undeveloped tsunami run-up zones, and in undeveloped zones undergoing significant sea cliff retreat? Why does the DEIR not add a policy for moving residences and business from those zones whenever feasible? Such mandatory policies would mitigate the impacts to a less than significant level.

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The DEIR does not address the potential impacts of waves caused by landslides into standing bodies of water, such as reservoirs and stock ponds. Why is this problem omitted?

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Soil Erosion

p. 4.7-28, Mitigation 4.7-6 (soil erosion). How do permissive Policies PS-1c and 1k qualify as mitigations? Rural roads are major contributors to stream pollution (see U.S. General Accounting Office, Oregon Watersheds, Many Activities Contribute to Increased Turbidity During Large Storms, *U.S. General Accounting Office GAO/RCED-98-220* (1998), 69 p.), therefore, the impact of soil erosion can be lowered by modifying Policy PS-1k to require restoration of temporary roads and borrow pits after use. The policy also should set construction standards for long-term erosion reduction.

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p. 4.7-29. The impacts of even maximum rainfall events can be substantially reduced through appropriate erosion control practices. Why make complete elimination of an impact the standard, yielding a post-mitigation impact significance of SU? The focus should not be on complete elimination of an impact but rather on developing policies to reduce the impact. Why not set low soil erosion targets, particularly for unimproved roads, logging, and land conversion operations and formulate policies to meet the goals, supported by a substantial monitoring program funded out of road construction, and improvement, and other grading permit fees?

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p. 4.7-29, Impact 4.7-7 (expansive soils). The DEIR should explain specifically how permissive policies Ps-1c and 1k qualify as mitigations for the impacts of expansive soils? Why is there no County policy proposed for removing expansive soils from building sites, or any reference to state or federal standards for improving expansive soil sites?

24

Protection from Flood Hazards

p. 4.5-60, Impact 4.5-9 (increased flood risk from drainage system alteration). The DEIR cites Policy PS-2a, which advocates maintaining available information on flooding and flood hazards in appropriate county departments, as a means to avoid exacerbating flood hazards but does not explain how this policy would actually be used to reach the goal. The DEIR must explain exactly how the information is to be used for flood mitigation. The DEIR also lacks specific statements about how Policies PS-2f, 2l, 2p, 2q, and 2u are to be applied, or else it fails to specify required actions.

25

To the extent that many of the policies cited as reducing (or not changing) flood hazards are not mandatory, and their benefits accrue only if they are adopted and implemented, how can it be

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cont.

concluded that no mitigation is required? Without substantial and mandatory policies, how can the post-mitigation impact significance be rated LTS?

26

p. 4.5-63, Impact 4.5-10, on continuing to allow housing and other structures in 100 year flood hazard areas. The DEIR must explain how the policies cited in General Plan Element section PS 3.3 will be used to completely avoid exacerbating flooding impacts in 100-year flood zones, and the post-mitigation so that the impact significance is LTS. We see few policies that mandate actions to reduce flooding impacts--ones that could mitigate flooding, such as Policy PS-2d(2), 2d(3), and 2d(6) are aimed at planning, not actions. Policies PS-2e (combined with Policy PS-2k), 2g, and 2r (if properly implemented) could help to limit flooding impacts, but the implementation language is either missing or weak. Policy PS-2j is similarly active but does not specify what regulations would be applied, or how.

27

p. 4.5-64. The DEIR states that Policy PS-2h makes the FEMA 100-year flood event and corresponding flood elevations the threshold for measuring "acceptable" risk and protections in considering amendments to the land use map. But since the FEMA 100 year flood hazard zones are based on a 1950s crash program to map the entire country, isn't it likely that a thorough revision is necessary? The DEIR should add a proposed policy to require regular re-assessments of the accuracy of FEMA flood zones in Sonoma County. This policy also should require mapping of a 200 year flood hazard zone since there is a tangible possibility that floods with recurrence interval of 100 years might, with global warming, become 50 year floods.

28

p. 4.5-65, Impact 4.5-11 to impede or redirect flows in flood hazard areas. DEIR must explain how General Plan Element section PS 3.3 will be used to prevent any new development in the 100 year flood hazard zone from impeding or redirecting flows.

29

Impacts 4.5-10 and 4.5-11 will similarly impact flood hazards, so the DEIR must explain how 4.5-10 has a significance of LTS with little or no effective mitigation, whereas 4.5-11 is accorded a significance of SU.

30

p. 4.5-66, Impact 4.5-12 (failure of levee or dam). Permissive policy PS-2u does not constitute a mitigation unless it is revised to mandate timely completion and filing of inundation maps for dam failures. Since the possibility of dam failures due to landsliding into reservoirs is well known (see R.K. Mark and D.E. Stuart-Alexander, Disasters as a Necessary Part of Benefit-Cost Analysis: Water-Projects Should Include Events Such as Dam Failure, *Science* 197 (1977): 1160-1162), why is there no mention in the DEIR of this risk? The DEIR also must explain how the assessed post-mitigation impact significance of LTS is consistent with SU assessment for other hazards tied to extreme seismic or rainfall events.

31

Protection from Fire Hazards

Policies PS-3b, 3g, 3h, 3j, 3m, and 3n are too permissive to constitute mitigations. Since experience in the Oakland Hills and southern California fires has underscored the importance of emergency vehicle access to fires in and near remote developments, would a policy requiring specified minimum access standards that allow simultaneous rapid access and evacuation be in order?

Protection from Hazardous Materials

The problem of groundwater contamination from dump leakage is well known in Sonoma County. The DEIR should recommend a policy prohibiting siting of such facilities in areas of high risk to groundwater, requiring double liners, and adequate monitoring, paid for with dumping fees.

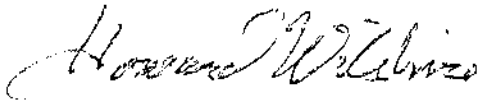
32

Policy PS-4n is too permissive to constitute a mitigation for excessive pesticide use. The DEIR should state that the County shall strongly promote the use of alternatives to toxic pesticides (whether synthetic or considered "organic"). Policy PS-4o can be strengthened by requiring use of non-toxic alternatives to all pesticides where they are available.

33

The above comments on the Sonoma County General Plan Update DEIR are submitted in expectation of a substantive response to each distinct issue or question. Paraphrasing or summarizing submitted comments for the purpose of then responding to those abbreviated comments will not be appropriate and may result in those responses being inadequate under CEQA because they do not reflect the comments as submitted.

Sincerely,



Howard Wilshire, PhD
Chairman, Board of Directors
Public Employees for Environmental Responsibility

Tom Yarish

4/11/2006

County of Sonoma

PRMD

2550 Ventura Blvd.

Santa Rosa, CA 95403 Fax 707-565-8343 9 pages total.

SERVICE BY MAIL AND FAX

re: GP2020 Update DEIR Comments

I am submitting the following comments on my own behalf as a property owner and taxpayer in both Marin and Sonoma Counties and as the co-chair of Friends of the Esteros, an environmental group representing interests in the watersheds of Estero Americano and Estero de San Antonio (Stemple Creek watershed).

My analysis of the GP 2020 update DEIR finds that the document is deficient in many regards, so much so that I doubt the process can be completed without substantial redrafting and recirculation as required by CEQA. In general, impacts discussed under "No Project," "Alternatives" and "GP2020" as "Significant Impacts" and "Significant Unavoidable Impacts" are not sufficiently addressed and are constrained by comparison to the existing and badly dated General Plan.

1

In fact, many compelling issues of environmental, financial and social importance have overshadowed the framework and context of the existing plan, rendering comparisons to dated assumptions and planning methodologies somewhat moot and irrelevant in the light of Twenty-First Century conditions. Most compelling are the tragic declines in public and private funding for critical public services and environmental protections. This trend cannot be expected to improve in the foreseeable future.

My own areas of concern are: 1) Ground water management and conflicts with land use planning; 2) Ineffective mitigations and ambiguous policies for enforcement and implementation; 3) Protection of agricultural zoning and uses; 4) Conflicts between water resources management and the policies and practices of the Sonoma County Water Agency; 5) The exportation of

Sonoma County solid waste to Marin County; 6) The lack of cumulative impact analysis for existing populations and future development.

GROUND WATER MANAGEMENT

2 It is clear that several areas of Sonoma County are now suffering from documented declining ground water tables due to overdrafting. The County currently lacks a management plan that would protect the many ground water basins from further depletion under the terms of its existing General Plan or under the buildouts projected by the GP 2020 document or the individual city general plans collectively and cumulatively. Moreover, the Sonoma County Water Agency (SCWA) has predicated its future growth demands upon projects that may depend on future groundwater depletion in the Santa Rosa basin and other aquifers that serve as part of the potable water supply to its various contractors.

The SCWA has even encouraged its contractors to expand their own local ground and surface supplies in face of supply delivery constraints in the foreseeable future, a policy which conflicts with the need to preserve or restore already degraded ground water resources in both incorporated and unincorporated area. In fact, ground water aquifers are not separated by local or regional agency jurisdictions and subject to mutual interference and degradation beyond quantifiable "safe yields." Moreover, language in the proposed Restructured Agreement between SCWA and its water contractors makes little or no provision for the protection of declining groundwater resources, particularly in times of scarcity or shortage due to impairments in source waters or delivery capacity.

- 3
- Please explain how the GP 2020 will reconcile the conflicts between city and county growth projections, groundwater resources and the policies of the Sonoma County Water Agency without comprehensive and accurate inventories of groundwater demand and capacity?
 - Please describe the funding sources that will be committed to completing groundwater inventories and the implementation and enforcement of a comprehensive groundwater management plan.

- How can the SCWA and the county implement policies for conservation and protection of groundwater resources without relying on greater demands on the Russian River and Dry Creek flows? 3 cont...
- While the GP 2020 DEIR describes the increased use of treated wastewater for agricultural and landscape irrigation, does the plan account for potential long-term degradation of environmental and public health from contaminants known to be constituents of the recycled treated municipal wastewater from the Santa Rosa Subregional system or other municipal systems? 4
- Does the plan contemplate the long-term liability and failure of agricultural and landscape projects from recycled wastewater projects? 5

SONOMA COUNTY CENTRAL LANDFILL AND EXPORTATION OF SOLID AND BIOSOLID WASTES

- The current county central landfill at Meacham Road is closed due to serious leachate contaminant problems in local ground waters that are within the Stemple Creek and Estero de San Antonio watersheds. What kinds of monitoring, enforcement and mitigation measures will insure that potable rural supplies and estuarine waters will not be subject to contamination from the landfill? Please include all documents and technical references. 6
- If and when the landfill is permanently closed what measures will be taken to insure that solid waste is not transported outside of Sonoma County? 7
- The DEIR does not describe the toxic constituents in the solid and biosolid wastes that are currently exported from Sonoma County and that are also used as agricultural fertilizer. What are the constituents of the diverted solid and biosolid waste streams that have the potential to adversely affect the health of human and natural ecosystems? 8
- What levels of contaminants will be transported to the Redwood Sanitary Landfill in Marin County or other regional landfills from all 9

9
cont. [Sonoma County sources due to the growth buildout projections of the GP 2020?

10 [• What levels of additional traffic burden will be added to Highway 101 by the transportation of additional loads of Sonoma County solid and biosolid waste streams into Marin?

11 [• What levels of air pollution will be generated by the additional traffic burden of out-of-county waste transport by highway or rail?

INTEGRATION OF WATER RESOURCES AND LAND USE POLICIES.

12 [While policy WR-3s requires the integration of water and land use policies the language supporting these elements is ambiguous and lacks clear mandates, timelines for compliance, enforcement, funding, public access to and review of documents, and clear accountability. These are critical lapses in the existing General Plan either due to omission or the lack of enforcement.

13 [Similarly, most counties in California are suffering major budget deficits and continuously struggle to meet critical infrastructure demands and public services from insufficient tax rolls. Also, foreseeable circumstances like severe climate change and escalating energy costs raise questions about the impacts of future growth on public budgets.

- To what degree will the impacts and demands of future population growth projected in GP 2020 improve or worsen public services such as education, water and sewage, police and fire protection? How will these impacts be funded or offset?

14 [• What are the cultural and social consequences of insufficient or under-funded public services and infrastructures associated with all alternatives from “no project” to “full buildout?”

15 [• The SCWA is considering several water supply and distribution projects to augment or increase the delivery of potable water to its contractors to meet projected population growth figures. What are these costs and how will they be apportioned to existing ratepayers

and contractors in both incorporated and unincorporated service areas?

15
cont...

- What are the anticipated costs of transportation improvements and maintenance associated with the GP 2020 growth projections versus the other alternatives?
- How will "affordable housing" be subsidized by public agencies or by private developers? What is the definition of "affordable housing" and how does that meet the needs of low and moderate income workers?
- What measures or alternatives could stabilize or lower housing costs to achieve an equitable balance of housing for low and moderate income residents? Could the GP 2020 moderate the escalation in land values by limiting the square footage of single-family homes.

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LAND USE, WATER RESOURCE MANAGEMENT POLICIES AND AGRICULTURAL VIABILITY

Policies that lead to the fragmentation and inappropriate development of rural and semi-rural agricultural land (Rohnert Park, in particular) are inconsistent with the desire to sustain and support desirable agricultural operations, including livestock operations, food and fiber, wine production and other operations that do not lead to net degradation or loss of soils, habitat and open space.

19

- What mitigations or alternatives are available to prevent the fragmentation and conversion of agricultural properties in the face of constant pressure for housing and development, such as in the case of ag land conversion on properties adjacent to Sonoma State University?
- How many Administrative Certificates of Compliance (ACC) exist on agricultural properties? Does the county have an estimate?
- Does the county have a mapping of ACCs? Please submit a mapping of all parcels in the county with known or recorded ACCs.

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23 [• Does the county have a definition of ACCs and permitted agricultural uses? Please submit a definition as part of the DEIR and GP 2020 update.

24 [• What policies and alternatives would be required to protect agricultural zoning from urban sprawl and encroachment, such as in the case of the properties adjacent or near Sonoma State University?

25 [Policies that encourage or mandate the recycling of treated municipal wastewater may adversely impact all forms of agriculture by allowing agriculture to expand beyond the level sustainable by naturally available fresh water supplies. Many farmers are reluctant to accept recycled wastewater due to concerns over acknowledged toxic contaminants that remain in the water after treatment.

26 [Long-term consequences of agricultural use of recycled wastewater are not predictable without advanced site specific studies and some assurance of public acceptance. Known contaminants in treated wastewater do pose threats to humans and wildlife at all levels of the ecosystem. Apart from the direct biological consequences, the long-term failure of soils and the contamination of ground water aquifers poses an unacceptable risk from the widespread use of municipal wastewater in lieu of traditional surface and ground water resources.

27 [County policies that promote the agricultural use of recycled wastewater are inherently growth inducing because they expand the supply of potable water by displacing historical agricultural demand and entitlements. Hence, agricultural operations are put at additional long-term risk from the policies that allow or promote the transport and sale of local fresh water resources outside the county to SCWA contractors in Marin--and elsewhere outside the Russian River Basin--predicated upon the additional supplies of potable water realized from the displacement of agricultural demand with treated wastewater.

28 [Until the SCWA Urban Water Management Plan is completed this DEIR cannot move forward with land use and water policies because it is impossible to calculate the safe yields of local resources without a complete knowledge of local surface and groundwater supplies as suggested by AB3030. Moreover, importation of water from distant watersheds, notably

the Eel River, violates both the spirit and the letter of state law that ostensibly forbids the transport of water out of watersheds and state law which ostensibly forbids the degradation of fisheries, such as the Eel and Russian Rivers that host endangered salmonid species.

- What are the cumulative impacts of recycled wastewater use with regard to:
 - 1) soil and aquifer contamination;
 - 2) growth inducing impacts of potable water supply expansion;
 - 3) exportation of Russian River potable water supplies outside the Russian River Basin via SCWA contracts (to Sonoma Valley and Marin);
 - 4) the sale and wheeling of treated wastewater outside its basin of origin (by SCWA or other contractors);
 - 5) the further degradation of fish stocks within the Russian River Basin.

CUMULATIVE IMPACTS

The DEIR lists many "Significant" and "Significant Unavoidable" impacts, but provides a fragmented and marginally coherent analysis or summation of cumulative impacts. For example, as a resident of Marin County I am particularly concerned about the increased burdens of Sonoma County commuters on the Highway 101 corridor south of the Sonoma-Marin border.

From a regional point of view, I think it is outrageous that Sonoma cannot manage its solid wastes within its own borders. From a global point of view we are witnessing catastrophic changes in climate and massive challenges with the management of pollution and the generation of energy. Ocean fisheries are being depleted partially because of our failure to manage land, water quality and habitats that are required to sustain the spawning salmonids and a balanced food chain. These conditions are the new context and setting of the GP2020, stated or not.

- 33 [• What are the net increases in Green House Gasses that will be generated as a result of the growth projections of the GP 2020?
- 34 [• What will be the additional automobile and truck traffic impacts on Highway 101 and alternative commuter routes?
- 35 [• What will be the impact of increased point and non-point source water contamination attributed to population growth from cities and unincorporated areas?
- 36 [• What mitigation measures and alternatives are available to reduce or eliminate the additional sources of water contamination?
- 37 [• What will be the net increase in all solid waste and biowaste products exported to landfills in Marin and other areas from Sonoma County?
- 38 [• What will be the long-term impact of sewage sludge biowastes applied as fertilizer to Sonoma County farm lands?
- 39 [• Which of the contaminants will remain bound to the soil?
- 40 [• Which of the contaminants will bioaccumulate? (e.g. mercury conversion to methyl mercury.)
- 41 [• Which of the contaminants or reactive byproducts are likely to migrate into surface or ground water sources?
- 42 [• What gasses are anticipated from the reaction or decomposition of solid wastes and biowastes generated by the growth anticipated by the year 2020?
- 43 [• How will the additional demands for public infrastructure, transportation, public education, health and human services, police and fire protection be funded?
- 44 [• What additional measures will be required to insure adequate funding for all vital public services?

- Will the above stated public services be improved or degraded by the realization of the GP 2020 growth projections?

45

ADDITIONAL NOTES

Descriptions of the watersheds of Stemple Creek, Estero de San Antonio and Estero Americano are inaccurate or wrong. Section 4.5-16 of the DEIR needs correction. Stemple Creek is not part of the Americano watershed. Estero de San Antonio is not correctly identified as the destination of Stemple Creek. See the WRE at pp. 214-215.

46

Thank you,

Tom Yarish

287



Friends of the Petaluma River
Celebrate and Conserve

PRMD

Attn Mr. Greg Carr

2550 Ventura Ave.

Santa Rosa, Ca. 95403-2829

April 17, 2006

Comments on the DEIR for Sonoma County's General Plan Update

Dear Mr. Carr

Friends of the Petaluma River is a grassroots organization that works to celebrate and conserve the Petaluma watershed. We are commenting on Solid waste Mgt. Services Sect. 4-9 of the above document with the concern that it does not adequately address the safe disposal of Sonoma's solid waste. In fact the whole section is lacking a plan for solid waste disposal due to uncertainties. Since the closing of Meacham Rd. landfill Sonoma Co. waste is being sent to unspecified private landfills outside the county. Where these landfills are and what percentage of waste they receive is not revealed. Where is it going?

I believe Redwood Landfill in Novato is a major recipient of Sonoma's garbage. Since expansion of the Redwood facility has not yet been permitted and it poses a major threat to Sonoma's Petaluma Marsh, its wildlife and the entire estuary it is not safe or reasonable to count on using this facility in the general plan. For more information see www.NoExpansion.org.

I strongly recommend that other solutions be found. One possibility that is not addressed is using the RR line to transport solid waste to Nevada, where the dry climate and lack of population pose less of an environmental impact. Focusing on reduction and zero waste are potentially superior options that should be laid out and documented for the general plan and EIR.

Please consider these options in the best interest of Sonoma Co. and its environment.

Sincerely,

David Yearsley - Executive Director
Friends of the Petaluma River



COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403-2829
 (707) 565-1900 FAX (707) 565-1103

Transcript of CAC meeting from February 16, 2006

Roll Call

CAC Members:

Don Marquardt	Dick Fogg	Rick Savel	Andy Rodgers	Rand Dericco
Tamara Boulton	Dick Osborn	Steve Butler	Craig Harrington	Gayle Goldstone
Vickie Mulas				

Staff

Greg Carr Scott Briggs Amy Wingfield Susan Dahl

Chair Marquardt began the meeting at 6:05 p.m.

Chair Marquardt: "I would like to welcome you all here tonight. It's been a while since we have seen faces that we knew and new ones that are here tonight. The commissioners are mostly here, so I will ask staff to take roll call. I've forgotten how to run a meeting."

Scott Briggs: "I've got that, Mr. Chairman, we've got the roll."

Chair Marquardt: "Tonight we are looking at the environmental document that has been circulated along with the General Plan, which is part of this process, but is not going to be reviewed tonight as I understand it. We will be working on the Draft EIR. There are some policy directions that I think are new to some of us, but they are incorporated, so what we're hoping is that when we are through with this tonight at 9:00, there will be no need for this group to attend any more meetings. We have been here since 9/11/2001, so we started this meeting on a occasion that was tragic, but anyway, we've moved ahead and had a number of meetings over the four years. So with that, Dick, do you have any comments?"

Dick Fogg: "No, I'm fine."

Chair Marquardt: "Staff, would you please give us directions as to what...."

Greg Carr: "Just a brief sort of description, Mr. Chairman. You said that the essence of tonight's meeting is the EIR, and I think that's important for the public to understand that this is really your CAC members opportunity to kind of tell us what you think about the EIR- to point out areas where you feel it needs work, or you like it or don't like it. That's a very important

function not only in your own view, you asked for this quite some time ago because you did your CAC recommendations without having an EIR to use as a tool to make those policy calls, so I would like to ask the public to try to help your committee focus this on giving you the time to make the comments that we can then take on to the Planning Commission and provide them with that input. You have the knowledge and the experience of having gone through all of the lengthy meetings and wrestling with the various policy issues. What I would like to do- there are a lot of familiar faces in the audience, and I think I am probably saying things that they don't need to hear, but in case there are folks here who are here for the first time, and are kind of wondering what the heck's going on, what I would offer those folks is that the staff, Scott and I, will stay after your meeting is over tonight for as long as it takes to help anyone that needs it understand what is going on and where the right time and place is to participate. I think we have been receiving a lot of calls in our office over the last couple of weeks from people who got public notice for the first time and are wondering what the heck this General Plan is doing to me, so we anticipate that there are some of those folks in the audience tonight. So again, we'll stay here and give some guidance. The real important step that is coming up next is the Planning Commission's review and consideration of what you are recommending to them; what's in that draft plan, and there will be many hearings on that draft plan, and a lot of policy wrestling again with what you have recommended, so I would really ask that at least as many people as we can let this meeting be for your chance to comment, and I also know that there are folks out there that probably want to make comments themselves on the Draft EIR. That's OK, we are not going to...we'll take everything, we are not going to ignore any comments that come in from the public tonight, but the public really needs to focus those comments to the Planning Commission, and that step is coming up on the 28th, so if folks want to talk about the EIR and make comments on it, where those comments will be most effective a week from Tuesday night, February 28th, same time as this, will be the Planning Commission hearing on the Draft EIR, so I think those comments are better brought right in front of the folks who are going to actually review and recommend on the EIR. Unless Scott has anything to add to that, I think we are ready to go with your agenda, Mr. Chairman."

Chair Marquardt: "I think one of the things I want to find out is how many plan to speak on some portions of this document and determine whether we are going to need to put time limits or whether we are going to allow them to speak as they will without limitation. Comments from the committee? Does anyone have any feelings one way or another, because if you don't, I am going to impose about a five minute time frame. That's what it is going to be then. How many people plan to speak? Ok, good. We'll be flexible about the five minutes, we are not going to cut anybody off or anything of that sort, so that people will get their time to comment. Is there any public comment on items not on the agenda from the public? You get a one-shot on this too. OK, would you come forward and give us your name and address please?"

1 **Paul Friedman.** "My name is Paul Friedman, I live in Rohnert Park, and it is right behind the Agilent site it where I live. I have a picture of the Agilent site- the old Agilent site is no longer there of course. I am concerned about this project. Number one, I would like it to be part of the plan-I think the Agilent site was part of the plan before and of course they are no longer there.

But it's new now, Coddling Enterprises has purchased this plot of land, I think it's 175 acres, and they are proposing a mixed use development. I am concerned about traffic, water, the impact on the environment, what they are going to be proposing...I've written a lot of documents here, just very recently, about the impact on traffic, water, and maybe wetlands in the area, which I don't know enough about, but I have spent quite a bit of time on it, and I would like to have these documents considered when you add this project to the plan, I am hoping."

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cont.

Chair Marquardt: "I think you realize that we are not dealing with any specific plans in this process, but let me just assure you and the rest of the people that are here, that our staff is taking notes, and they have been good at this over the years- well trained, and these will be made available as this document, will be added to the document and will work its way through the hearing process from this group, to the Planning Commission, to the Board of Supervisors. You can expect that those will be part of the body of information that will be sent over along with the document."

Rick Savel: "Mr. Chair, for clarification, because I had spoken with Paul briefly earlier, rather than the General Plan, I think what his concern is when we assemble the EIR, the City of Rohnert Park's plan at that time was the use permit for the existing Agilent plant and the entitlements, and what Paul I think is suggesting is rather than in the General Plan that the EIR consider that that project has been changed altogether, that the impacts are going to be significantly different than were evaluated in the EIR when it was first put together, so they would be comments basically to be considered for the EIR. Is this correct?"

Paul Friedman: "That's exactly right, I've kind of outlined all of our concerns. I've formed a committee of homeowners around our area, very small right now, but I've only had a couple of weeks to form it. I think it's going to get larger. If you take a look at some of this stuff that I have written, it basically talks about the problems of traffic between Rohnert Park and Penngrove, and possibly ahead of Rohnert Park traffic going into Penngrove. And I have evidence of traffic, and I'm sure everybody else knows, that there is tremendously difficult traffic in that area without this proposed project, which is a 2,000 unit home project. 2,000 homes and mixed use of dozens of businesses. I've spent a lot of time to try to find out what kind of impact this is going to be, and I think it is going to be very large, and I don't think Penngrove is going to be able to handle this kind of traffic capacity, it's already at total capacity, and I also think that the impact on water is going to be high, and actually, what I am asking for in some of these things I have talked about is that I think it is simply too large, and I think it should be reduced."

2

Chair Marquardt: "You'll submit the material to staff, and it will be incorporated."

Paul Friedman: "Thank you."

Chair Marquardt: "Does anyone else have any comments on items that are not on the agenda? Seeing no one come forward, we will move to the agenda, which is the # 2 item. If I'm skipping over something, staff, that were not covered on these, let me know, because I plan

General Plan 2020 DEIR
CAC Meeting
February 16, 2006

to wiz through the agenda."

Greg Carr: "Go for it, Mr. Chairman."

Chair Marquardt: "Do any of the commissioners have anything that they would like to share with us....trips that they have taken...No? Then we will move to the review of the GP2020 EIR. Staff...?"

Scott Briggs: "Thank you, Mr. Chairman. What we wanted to do, I am going to start with a just a couple of slides to just walk through the process for the benefit of everybody, and maybe we can knock the lights down, so that the slides are easier to read. I am just going to walk through and remind everybody in the audience what the key steps are as we go forward, and where tonight's session fits within all that, and then, I am going to turn it over to Amy Wingfield, a planner we have here working in Greg's group now, and she is going to walk through basically a summary of the EIR document before you get into discussion tonight. I did want to run through and point out the key steps."

"Basically there are two things to talk about, the Draft General Plan EIR and the Draft General Plan, and, as you have heard from Greg, really the focus tonight is the Draft General Plan EIR, so we will talk about that first. This was released for public consumption back on January 16th, and CEQA, the California Environmental Quality Act, has a procedure in place where the public is afforded a comment period on a document. The normal requirement is a minimum of 45 days; we've elected to go 60 days to give the public more time - it's a big document, and there's a lot of information, obviously. So we are in the midst of the official public comment period, if you will, January 16th through March 17th, so I just want to make sure you all understand that you have until March 17th, close of business--that's a Friday, and I think it is actually the 61st day, but we rounded it to the end of the week--to submit any additional comment in writing that you may have on the Draft EIR. We are just in the midst of that."

"The second bullet there is reference to this evening's meeting. The February 16th meeting of the Citizen's Advisory Committee, as Greg said, our Board offered the CAC one last opportunity to come back as a group of people that were so familiar with the process they felt it was really valuable to get CAC member's opinions regarding the Draft EIR, so that's what our purpose is tonight."

"And then, as Greg also mentioned, on February 28th will be the official hearing on the Draft EIR by the Planning Commission. That will be here in this same room, that's a Tuesday night, and we have all these meetings starting at 6:00. So that's the EIR portion and when we are done here, we will be getting back to the EIR for this evening. But then lets talk about the Draft General Plan itself, because I know a lot of people, based on the calls that we got when these notices went out, have issues and concerns regarding the policies of the Draft General Plan that the CAC has prepared over the last three years or so, and a couple of things to point out there. On March 7, we are going to have a workshop in this room, with the Planning Commission, to

talk about the Draft General Plan. The purpose of that meeting, which will be rather informal, is to again review for everybody the steps as to how the Planning Commission is going to actually deal with the General Plan as it comes forward, and also to begin to summarize and to have staff do a summary of the key issues that came up during the deliberation process by the Citizen's Advisory Committee. So from that perspective, it's an opportunity to get the Planning Commission keyed in- they have all the documents in hand, but it's a chance for us to give them a summary of key issues and areas of concern that came up, areas where there was more controversy - many areas were kind of 15 votes in favor, there were other areas that weren't so unanimous. So it's our chance to set the stage for key policy issues."

"March 21st, however, is when the Planning Commission will first meet to actually start deliberation on the General Plan itself. What I have listed are the first four elements of the General Plan that we will be bringing forth to the Planning Commission for consideration- the Public Safety Element, The Noise Element, the Public Facilities and Services Element, and the Air Transportation Element. These four were chosen at the beginning, because (and there are exceptions to this, obviously) they tended to be elements where there were not a lot of issues of major concern, so it sounded like a good place to get the Planning Commission started, and hopefully, to get a process in place that is working well by the time we get to some of the elements that may have some tougher issues to grapple with. That is not to say that there are not important issues there, but they did not have as many that seemed to be as controversial. If we could get through all four of those elements with the Planning Commission that night it would be great. I don't think any of us are assuming that this will happen, but nonetheless, if you want to get involved with any policy discussion related to any of those four elements, you should be prepared to show up on March 21st. Below that, I've listed the order in which the remaining elements will be brought forth to the Planning Commission--and they are, following those first four--Circulation and Transit, Agricultural Resources, Open Space and Resource Conservation, Water Resources, and Land Use."

"There is no way of us knowing how many evening sessions the Planning Commission will devote to any one of those, and we can't at this point give you an absolute calendar that says on this date, we will be talking about Agricultural Resources, and that's why, if you look at the time line that is amongst the handouts that you have gotten, you see an idealized timeline that shows the order in which these elements will be discussed, but really is just a guess as to the general time frame in which they will happen. We will endeavor to get word out as best we can as we go forward with this process, so that you can call in, go to the website, whatever is easier for you, and find out, OK, next Tuesday - if they are meeting that Tuesday and are not taking a week off for a break--what are the items that are on the agenda for that evening. We can talk later on March 7th about the actual process of how those Planning Commission hearings will run, but I don't think that it is as important for tonight, but I did want you to understand that, if you really want to get into the policy issue, your day starts March 21st. You can certainly come on the 7th if you want to hear how it's going to go forward--that would be wonderful, but starting March 21st is really where it happens in terms of policy deliberation."

"With that, I will hand it over to Greg and Amy to kind of walk through this summary of the EIR, which is the topic of this evening's discussion."

Greg Carr: "Real quickly, Mr. Chairman, I am going to cover mostly the points that are in your staff report for tonight, and am going to try to do it as briefly as possible so we can get right to your comments. This is a General Plan EIR, and as such, is really a different beast, a different type of an EIR, and the project that it is actually analyzing is all of the future land uses and development that could occur under the Draft General Plan that is recommended by the CAC. And all of those land uses—in some cases, you are doing some forecasting—you are trying to anticipate what might occur, but it is the full range of issues, includes public projects, private projects, includes activities that are subject to ministerial permits, activities that are subject to discretionary permits such as use permits, but also activities that are not subject to any permits at all. So, what you are really doing is putting on your forecasters hat and saying 'what's likely to happen in this county for the next 20 years, and what will be significant and what maybe won't be.'"

"The second point is—it's a program EIR, and a program EIR is almost by definition a very general EIR. It's typical for a plan, especially a plan covering a large territorial area like the entire county, and a program EIR is not going to look at individual projects. It won't look, for example, at the Agilent project specifically; it won't look at Sutter Hospital or the Sonoma Valley Hospital or those types of projects. What it will do is look at a range of development that is likely throughout the county for that long range period. By definition, a plan EIR is a cumulative impact analysis for the same reason-- that you are not looking at individual projects, you are trying to build a vision of the future, and then analyze what the impacts would be. It is by its nature cumulative. You can think of any number of different projects, and --as the CAC heard a lot of during its deliberation--a lot of the projects are not county projects. They are not those that we are necessarily going to propose, or that private property owners in Sonoma County are going to propose to the County decision makers. You may have projects that are sponsored by cities, districts, sewer and water providers, the land fill folks. You can have a wide array of projects, and frankly, in many cases with some impacts, the impacts of the Draft General Plan 2020 are more determined by the development that occurs within the cities, and oftentimes, by public projects, rather than development in the unincorporated area."

"Mitigation measures are also a little bit different in a plan than they are in a project. If you have a development project, your mitigation measures are often times to move the development over here, or reduce the development, or condition it in such as way as to reduce the impacts, and oftentimes, those mitigation measures are changes in the activity. In a General Plan, since you are not looking at specific projects, what you are really doing is using your goals, objectives, and policies as your mitigation measures. So you see, when you read this EIR, that as the analysis takes place in each of the impacts sections, there is a listing of the policies that are in the draft that help reduce impacts in particular areas. Also, important to note in this EIR, and is fairly common in general plan EIRs is that the EIR is charged with the responsibility of determining if there are any other mitigation measures that can be considered that might further reduce

impacts. Those mitigation measures –there are actually a set of some 30 or so, I am forgetting the number exactly--recommended mitigation measures in this EIR that go above and beyond what your CAC recommended. And they are coming from the EIR team as specific mitigation measures that would help again further reduce the impacts. Whether those mitigation measures are added to the General Plan as a policy is up to the Commission and Board as they go through the process. Part of that debate will be whether those mitigation measures are feasible for various reasons; so there is a feasibility test to these types of mitigation measures, but if you think about it, that's the real link between the EIR and the Plan. The real link is the mitigation and policies, and how you and your successors on the Commission and Board determine and make the policy decisions that go forward."

"The other weird thing about general plan EIRs is the way the alternatives are structured. Fresno County recently did a general plan update, and the big decision that Fresno County had to make was should we put development over here, or should we put development over there, and they were able to compare where the development was located, and how much of that development was projected, as ways of determining what the choices were in terms of significance. So, if they had an impact that was much reduced by placing development over there, location A as opposed to B, they could take advantage of that if that was their goal.

"In our case, the alternatives are quite a bit different, and the reason for that is that the land uses and maps are virtually unchanged in any of the scenarios or alternatives. If you recall, that was by direction of the Board of Supervisors. What they said was the community told them that they did not want to see those maps changed, and so the Board placed very strict limits on how many changes could occur. To evaluate those changes in a broad EIR was almost impossible for us to make any distinction between any alternatives."

"We were challenged with how to come up with alternatives that would make sense and that would allow impacts to be reduced through policy decisions if that is the desire, so our alternatives are policy alternatives. We have created three alternative scenarios, all based on the relative restrictiveness of policy choices. I guess a good example of that might be riparian corridors (a favorite topic). If you look at it, there is a recommendation from the CAC in the draft plan that says "these are the setbacks and these are the rules in riparian corridors." You could relax those rules, and make them less restrictive in terms of future development, and you would be in the Buildout Alternative. The Buildout Alternative is generally an alternative which has less restrictive policies than the Draft GP2020. You could make those policies in riparian corridors more restrictive, and that would typically make impacts less significant, and if you did that, you would be looking at the Mitigated Alternative... in other words, policy choices that are more restrictive and would reduce some level of development potential. The No Project Alternative is simply what happens if you do not adopt any new general plan and you just stick with the current one. So you get a chance to compare in a gross way the different policy choices that you will have as you go through the process."

"So what did the EIR actually do? In fact, it looked at 78 different impacts, and determined that 43 of those impacts were significant without those additional mitigation measures, and determined that 35 of those impacts were less than significant. You know, when you look at that, you say "you know, we didn't do a very good job, you know, couldn't we have reduced the impacts more?"...but I think the best way that I can explain, in spite of what I think is a very ambitious general plan, you still have significant impacts, and one reason for that is it is a very conservative approach. If we were not fairly certain that we could identify mitigations that would really reduce impacts to less than significant on a county-wide scale, we said that we can't say it is less than significant. So it is very conservative in that sense. Frankly, the main reason why, in most cases, is because of the limited ability of the county to actually mitigate impacts from new development."

"If you think about that, it is a combination of things. One is certainly the types of permits that are typically required that different types of development has to meet, but it also has a lot to do with decisions that are made in city governments and decisions that are made by districts that influence the significance of those impacts way beyond what the County can actually do. A couple of examples, of those 43 significant impacts, 12 of them are in public service impact areas, and if you think about these –criminal justice services, fire services, sewer and water services–the funding that is available to service providers to keep up with the growth and development that is occurring in the County is unlikely to be sufficient. It is a constant problem for all providers to keep up with the pace of development, even though the county's amount of development that we are talking about is fairly minimal. But if you were to inventory, as our EIR team did, all the different service providers, you would find a pretty uniform conclusion that you can't be sure that they are going to have capacity. In many cases, they probably will have capacity, but we can't be sure of that, and in those cases, we are saying there is a chance it may not be sufficient, it is a significant impact. Hydrology and water resources--and those of you that were involved in the issues around those subjects know well from our discussions ~6 of the 12 impacts dealing with hydrology and water resources were significant. And a lot of that, frankly, has to do with a lack of really good information about what the impacts of what we are going to do those water and other resources. And then geology and soil, the same way--interestingly enough, even though we have requirements on development that require seismic issues be addressed fairly rigidly on most development, because we live right in the middle of a fault zone- the entire county is a seismically challenged zone --and a lot of our soils, as you saw during the latest storms, are susceptible to erosion and slippage--even though we have good mitigation, we can't really say for sure that we are not going to have some future impacts that could be significant. And finally, transportation, noise, and air quality I put together, because the impacts tend to interweave between these three areas. 9 of 19 impacts are significant in this general area, and based on the plan we have, there are going to be impacts where we are not going to be able to mitigate to less than significant."

"Just very briefly, on the impacts of the alternatives, you will see that compared to the 43 significant and 35 less than significant with the project, you have 46 -32 in the No-Project, 50 and 28 in the Buildout Alternative, and even under the Mitigated Alternative, which has

everything feasible that we can think of, you still have 41 significant impacts and 37 less than significant impacts. And finally, just a general conclusion about some of these alternatives: The No Project Alternative, if we didn't adopt this new general plan, the impacts would be worse than if we did. There is a margin of improvement in most of the impact areas, even though some are significant in both. There is a nice little table in the EIR that kind of tells you where it is better and where it is worse. In the Buildout Alternative, it also has greater impacts than the Draft GP2020, it also has greater impacts than the No Project Alternative; again, as an array of decisions as we go forward. The Mitigated Alternative, which is identified as the environmentally superior alternative, would result in lesser impacts than Draft GP2020. I want to make one more point and then I'm done. On Mitigated Alternative and mitigation feasibility. We had a lot of situations in this analysis where we identified mitigation measures, and described those in the EIR discussion, and then chose not to include those as recommended mitigation measures, in spite of the fact that they would reduce impact, and the reason that we did that is that there are some feasibility issues around some of the impacts, and the analogy or example that I would use here is traffic: You remember that we had a "wish list" of traffic improvements, and it was basically everything that the experts could figure out that could be done to reduce congestion, and the list of road improvements was pretty long. A lot of those road improvements, although they are feasible and they could physically be built, suffered from problems or feasibility of another nature. One is simply the cost; it is not realistic to think that we could pay for all those improvements, especially given that we still can't pay for the improvements that we had in the 1989 General Plan. Secondly, it may be just as important as there was not a lot of community support for some of those improvements. There was a lot of testimony and folks who came out against road improvements in particular areas, because of the effect it would have on that community. So there is a good example of some impacts which are feasible physically, but which we argue are not feasible from a standpoint of funding or community support or other environmental impacts. In all of our cases where we are looking at mitigation, we are also looking feasibility of mitigation when we lose or don't include something in there. Hopefully that helps as you go forward and think about this it helps you at least understand the approach that we took."

"Lastly, in the staff report, we offered a couple of options for you tonight in terms of how you want to approach your comments and how you want your comments to go forward. In talking with the Chair team a couple of weeks ago when we were setting up the parameters for this, we do want to hear how you want to do this, but we are recommending that in order to streamline this process, and also in order to make sure your comments are given the weight that they deserve, is that you have some ability to provide us not only comments tonight, but also give us comments in writing by a time certain. We would package them together as CAC comments on the Draft EIR, and deliver those to the Commission. If you can do that within the next week or so, we can actually deliver those to the Commission on the 28th. That's not critical in terms of being in the record, but I think the Commission has an interest and has expressed an interest in hearing what you have to say, so I would urge you, if it is at all possible, if not tonight then maybe by the middle of next week, give us some written comments and then we will actually get them to the Commission as soon as we can and give them a chance to review them as they are

considering other public comments. Do you have any questions?"

Chair Marquardt: "When you talked about the four items that are on page 5 of the staff report, those are the ones you are talking about that we should look at and discuss and decide which ones do you recommend we follow...."

Greg Carr: "I think we are recommending #2 is basically what we are recommending that you do, but it is certainly within your, if you want to go a different way, there is no problem there."

Chair Marquardt: "Or we can prioritize them, number 1, 2, 3, etc. I think what I would look forward to doing besides just asking the committee for their comments on what you have basically presented to us, but also that we look at these four items and establish the priorities for those items, so it's clear to staff what we are doing and what we are expecting the committee members to provide to staff, if that's OK with the Committee. At any rate, are there any comments or questions on the draft?"

Dick Fogg: "Greg, you talked about in this write up that the DEIR recommends 23 new policies and 11 revised policies programs. Now, is the genesis of that PRMD, or are those the outside consultants—who came up with these?"

Greg Carr: "It's a combination of the consultants and the PRMD team. Typically, they were generated by the consultant team, and then went through our review."

Dick Fogg: "And they were all clearly indicated in the EIR?"

Greg Carr: "Right, they are in the EIR, and you may have seen them in the Planning Commission staff report. There is a pull out that actually lists the various policies."

Dick Fogg: "So the reader can understand whether they came from this Committee or from the professional staff.?"

Greg Carr: "We did have a question or two on that. These are not coming from your committee. In fact, I suspect that there may be some that your committee maybe does not necessarily agree with. They are EIR recommendations to the commission, coming from the staff and consultant team that worked on the EIR."

Dick Fogg: "OK, thank you."

Chair Marquardt: "Does anyone else have any comments on the information that was provided us by staff?"

Tamara Boulton: "You are not asking for comments on the EIR?"

Chair Marquardt: "If anyone has any comments on the information that was provided to us by staff in the oral demonstration. To me, the main issue is providing the response to staff's suggestions as to the method of forwarding our comments, concerns, whatever and that those be established, I would think in my mind, prioritize them. 1 is preferred over 2, 2 over 3, and down the list, that would then be given to staff with our directions to carry that forward on the General Plan that hopefully we were delivering to the Planning Commission, what date was it...March...?"

Dick Fogg: "Two weeks."

Chair Marquardt: "Does that help?"

Tamara Boulton: "I just want to know if right now you wanted us to talk about us prioritizing or that we are actually...."

Chair Marquardt: "...Through the thing in the final item that will I hope we'll cover the final prioritizing of these items. We will discuss that and make a recommendation and place it on the table before us and let's

Scott Briggs: "If I could, through the chair, really all we are trying to give you folks is some ideas of how you might use your time tonight, let's put it that way. And there are four bullets where there are different ways you may choose to get your comments in the record. And what we are saying is that's a list of different things that you could choose, what we're suggesting is that I think you go around and let anyone here speak verbally what they want to say in terms of the General Plan. What we were really hoping for, so that rather than it just be a verbal discussion, that you amplify that by offering each of the CAC members an opportunity and by some time certain to submit in writing the issues and concerns that they have, if any, with the Draft EIR. So that was it. What we were saying is that the second item was our thought on an approach that you might do to provide comment to us, and if we can get it in writing, as Greg said, in a timely fashion, then we'll assemble that in a package and deliver it to the Planning Commission.

Chair Marquardt: "It has been suggested that we review the draft items number 3 on the agenda. Any comments from the committee on that?"

Tamara Boulton: "Are we going to have everyone have the opportunity to say something that they want to on this? I mean, we could also have written comments."

Chair Marquardt: "Yes, or what will happen is if someone says "Gee wiz, I wanted a time frame that would provide for written comments that can be submitted for the CAC comment package to the Commission. That's something individually the commissioners or committee members will do that, plus any of the public. I want preferably them to understand that's their most direct means of getting their comments to the Planning Commission, although whatever they give us letter or handwritten form will become part of the report to the Commission, and that would

respond to what that condition would be. So, is that?...go ahead."

Tamara Boulton: "I had quite a number of things that I had written down in my notes and whatnot, but in the interest of time, and to save the committee member's having to sit here and listen to all my concerns, I would like to submit those to the staff, but then I wanted to highlight a couple of things because I thought they were important and they give a flavor for my concerns. I had some concerns - I thought there were a lot of very good things in the EIR that perhaps we didn't think of. I do have some concerns about some of the others, and I'll give you a couple of examples."

3 "Under water resources, the EIR talks about the need for a groundwater management plan and how important it is, and how other places have it, and the state wants us to have it and stuff like that, yet they never suggest that as the mitigation—that we require a groundwater management plan. That's a deficiency I felt. On the other hand, they go to extremes in changing some wordage by requiring under Public Safety under the area where it talks about wildland fires, they want to change our wording to require that sprinkler systems be required in all new construction, which would mean, even as far as I gather from that wordage, even if you were only adding on 100 square feet. That to me is too onerous for the public, because with the cost of housing and everything getting so expensive, a lot of people who have lived here for awhile, and new people who come here and buy small in order to afford it— their only choice is to go ahead and add on, and by requiring these things, you would add on so much cost that you would make that an impossibility. And so I think that is a case of where the mitigation is maybe too severe."

4 "Another area that I thought needed to have a little more thought for the local input was under Transportation where it talks about some changes and it talks about it being (and I don't have it written down here), that the improvements for Hwy 116 and 121 and Adobe Road and various other ones throughout the county and it talks about it meeting with the scenic or specific categories for the particular roadways, but there is never isn't anything in there that says that the people that live along those roads should have any input, and I think that is really critical. I think it is great to have all the statistics and what not, but the people that live in the area should have some say in whether a road is widened to four lanes, and turn lanes, and all those kinds of things, and so I would like to see something like that. So those are just a couple of examples of areas that I thought that either the EIR had gone too far in one direction or was insufficient. And I will make sure I get all the other comments to staff."

Chair Marquardt: "Next, anybody else?"

5 **Steve Butler:** "Mr. Chairman, I just had a question for Greg and Scott. On the Mitigated Alternative, was consideration or analysis given to potential secondary impacts, and again, let's take the favorite example, which is the riparian example: If protection is given to ephemeral streams, I don't see in the Ag and Timber Resources section that the potential secondary impacts to agriculture are analyzed. Was there any effort to look at those mitigation measures

and determine what secondary impacts might flow from them?"

Greg Carr: "Well, we included the loss of ag land to riparian, we made an estimate based on the Draft GP policy, but we didn't look at greater acreage, but I think it would go without saying that as you go one way or another down the center of the highway, as you veer off you will get into situations where you might have a significantly greater impact. We didn't provide a range of numerical analysis."

Chair Marquardt: "Anybody else?"

Dick Fogg: "Just as a kind of a general observation, in the water thing, which is new and we initiated this, I think the sense of the commission was that this is a potentially an extremely serious issue that we should get into. I kind of think that we are not using a size 12 Florsheim where we should be using them in getting this thing through; for example, we talked about groundwater studies, and we just say it would be nice to have one, but then we only talk about the four major groundwater basins, and there are 11 or 12 groundwater basins in the county. So I think if we are going to do this, seeing the impending issue of some very serious water issues, the county has the secondmost wells of any county in the state, all drawing down the water, that we should go for the bigger picture rather than the smaller picture."

Chair Marquardt: "On the five #4 items, have you any thoughts on prioritizing those or direction?"

Dick Fogg: "Are you talking to me?"

Chair Marquardt: "Oh, I'm sorry, yes."

Dick Fogg: "Yeah, I would suggest we not ask staff to write up our own personal observations about this thing; that we are better off doing that. And I would also really urge the CAC members, particularly those who are members or active members of the subcommittees, cause you are going to have expert testimony that no one else is going to have, to show up to the Planning Commission and testify before the Planning Commission because a) you are going to have standing, b) you are going to have respect, and c) you are going to know what you are talking about. So I would really urge that, and I'll call on you first."

Chair Marquardt: "On down the line...?"

Rick Savel: "Like committee member Fogg, I wanted to point out something here that was a little troubling to me and seemed to stick out. It says when we are listing the basins and subbasins, and I might note on (this has to do with the impact-with the data that was used in the analysis and what my concern is) on Page 4.5.25 when we are describing the Santa Rosa Plain groundwater subbasin, the last half of the paragraph references urban growth in Rohnert Park and it reaches conclusions about the state of the groundwater basin and references the water

supply assessment conclusions within the cities, water supply assessment, when in fact the County has already produced its own two volume Canon Manor EIR project with the same groundwater basin. The San Francisco Bay Water Quality Control Board sent letters to both the cities of Rohnert Park and the County of Sonoma related to their concerns as I described it in my notes that concluded that the traditional draft groundwater divide had shifted southward such that the groundwater is being captured from the Petaluma watershed and drawn north into Zone 1a, and thirdly that the...and those were comments on both the water supply assessment and the County's Draft Canon Manor EIR, and thirdly, that the County of Sonoma reassured and came into agreement with the Water Quality Control Board that some sort of monitoring of Lihau Creek would be done related to summer base flows and their concerns. I don't see that, I guess what I am saying is I am seeing part the city's conclusions and their study, but not our own in-house analysis, and that a state agency had commented and the County had come into coordination with the state agency, is not even referenced here at all. So it's that lack of balance, and that was 4.5-27, and similarly on 4.5-25 and 4.5-28, it's my guess, because it lists groundwater areas concerns but only references the Kleinfelder Report. I would certainly think that the conclusions that came out of the Canon Manor West DEIR and the concerns expressed by the State Water Quality Control Board Sf Bay Region would certainly qualify to be in the category as a groundwater area of concern in my opinion, but those are the County's own in-house studies, and fresh, I might say, as fresh as the water supply assessment. Secondly, and this would reference the...I think Greg, did you note that the staff report for the Planning Commission and you had pointed out that these are actually new policies that were directed at as provided as possible mitigations for impacts? What there were wholly new policies and one that was my particular concern on page 36 although it was a revision, that seems to work at cross purposes with the original policy and it is "utilize the County traffic model as a foundation to prepare a detailed operational analysis of roads and streets in the Penngrove community to identify specific traffic calming improvements within the community and route traffic to Highway and the rail corridor. As part of the study, consider expanding the area designated for traffic calming to include the remainder of Adobe Road from Sonoma Mountain Road to Freitas Road....but the revision is the bolded section which has been added now, "also consider improvements to the intersection of Adobe-Carona Roads and Adobe-Freitas Roads that would reduce congestion along Adobe Road," and my concern is usually that's code for signals, and that would seem to be working at cross purposes with traffic calming. And then I don't know whether it would be the Commission hearing, Greg, or tonight, it's my understanding that the administration may be taking a little different position on traffic calming, but I don't know if that's an EIR topic or a policy evening topic?"

Greg Carr: "Well, you're noting it for the record here, and so either way it goes, it will be in the record."

Rick Savel: "I'll leave that up to you."

Greg Carr: "But I actually to think that discussion is really better held at the Planning Commission on the Circulation Element."

General Plan 2020 DEIR
CAC Meeting
February 16, 2006

Rick Savel: "OK, very good. It's up to you. Those are my comments, Mr. Chair."

Chair Marquardt: "Thank you."

Andy Rodgers: " Hello, CAC, it's been a long time. Let's see; it was quite an amazing thing to get the EIR and look through that, and you really have to wear, or at least I did, a whole different set of glasses, because my tendency was go right to the policies and things, but to read the settings and all those things is a very different experience. So I commend the effort I couldn't imagine trying to put something like that together...is the consultant team here?"

Greg Carr: "They are not here tonight, no. We are trying to save some bucks."

Andy Rodgers: "With that in mind, I would think that the notes from our verbal comments would be a good thing to....."

Greg Carr: "Just so you're comfortable about it, there will be a transcript made of tonight's meeting, and along with the transcript from the 28th Planning Commission and all of the other written comments, it will all go to the consultant, and we'll be huddling with them on how they are going to be responded to, so they'll hear everything word for word."

Andy Rodgers: "And I would certainly support the #2 here, putting written comments in a package together, and if the notes from the meetings are done too, slip them in there. It's great to see a number of planning commission members here. It's pretty good to see. Let's see; I guess I have a number of things I am going to bring up and kind of follow in Tamara's approach a little bit; I'm not going to go over all the things that I do have written comments that I am submitting tonight, but I will have more. I tried to keep to kind of the time allowed or time projected to say these things. But I have some general questions. I am concerned about the process, and again I had to ramp up a bit what how this is supposed to fall out, and what I have learned, and correct me if I am wrong, is this process is a self-mitigating EIR, and the way I understand that is that, ultimately, in the end, the mitigations adopted are put into the General Plan, so the General Plan itself becomes the document of mitigations. Is that correct?"

Greg Carr: "That's the approach."

Andy Rodgers: " That sounds really great, but what I wonder is in the process I am concerned because I, like most of us, I am sure, feel some ownership on these things. I am concerned about how this is going to move through the process- the General Plan and stuff. The Planning Commission is going to start looking at and probably making enhancements to the General Plan itself. What then happens to what we are reviewing for the EIR process, particularly when (I am not sure of the dates) there is actually a Planning Commission meeting before the end of the EIR comment period? How does that happen when policies get changed and voted on...."

Greg Carr: "I touched on this a little bit in the presentation, but I didn't go into much detail with

it...and basically, that's why the alternatives are structured the way they are. So there....there are variations in policy assumed under these different alternatives, and what typically happens with a plan EIR or any EIR that covers this magnitude of a project where you can have those changes, decision makers are naturally going to want to move one way or the other as they go along the way. What the alternatives do here is they allow a relative amount of movement, less or more restrictive, along certain policy avenues to occur and still be within the scope of the EIR, and that's where your alternatives come into play. So if you move more restrictive in one area or less restrictive in another, within some bounds, you have the ability to say, well in this one I'd like the mitigated alternative, and in this one I like the Buildout, or whatever....but there is a qualifier there, and the qualifier is if the decision is desired which goes too far outside those bounds, what it probably means is the EIR has to be changed in a significant way, and is subject to recirculation and a new round of comments, at least with respect to those particular areas where the EIR is changing. And it's not uncommon to have that happen, where you have to recirculate. We're trying to do this process in a way that allows the Planning Commission and the Board to move a little bit, and to have some flexibility in decision making without having to recirculate, but it's an unknown, and one of the things our attorneys will be doing and we will be doing as we go along is watching to see what happens and being able to inform the decision makers if you go that way that's fine, it's a policy decision, but we might need to recirculate if it changes the impacts. It does kind of operate a little bit as a constraint on decision making and that's just one of the risks of the process."

Andy Rodgers: "Well, my guess is just, as noted in my written comments, I just hope that the process is on solid enough ground so that all the deliberations are about crafting policy and appropriate mitigations rather than process conflicts and things like that. A couple of questions, and a lot of these questions are to hopefully calibrate comments to come by mid-next week or so, but do the cumulative impacts that you talk about with the Draft EIR take into account the 1989 plan and maybe the programs that weren't implemented from that one, or..."

Greg Carr: "In the No Project Alternative?"

Andy Rodgers: "Certainly in the No Project Alternative."

Greg Carr: "You know the No Project Alternative (end of tape).. potential under that with a different set of policy guidance."

Andy Rodgers: "So, probably not."

Greg Carr: "I'm just saying that it didn't get as specific as looking at whether programs were implemented or not."

Andy Rodgers: "OK. It was in the Circulation Element, I believe the study included areas outside the County if I am not mistaken, impacts and things like that, so I was wondering, and this is a question to be brought up probably when these other elements come up at the Planning

Commission, is should other elements, like the air quality discussions, the water element, also include impacts and relationships with areas outside of the county as well? It seemed that...."] 9 cont...

Greg Carr: "For some impacts, you need to look at impacts outside the county—traffic, and air quality and noise that generate from that traffic is one you do, and we look at...."

Andy Rodgers: "But do we? I don't remember seeing it in here."

Greg Carr: "In this EIR, if you look at the traffic model, you will see that all the various inputs you're looking at flow into and out of the county. It doesn't actually look at what the impacts are in Mendocino County, but it does look at what traffic flow crosses borders."

Andy Rodgers: "But what about water?"

Greg Carr: "Water, it has to, because you are talking about water coming from outside the county to serve and you are also talking about water to be exported."

Andy Rodgers: "And especially, just in this last week, I have seen a lot of thoughtful letters and emails and stuff strongly suggesting that the DEIR specifically consider impacts on climate change, and my question is, I guess, do we not yet have enough information to do that, or...?"] 10

Greg Carr: "Well, probably the easy bureaucratic answer is that climate change isn't one of the topics that CEQA includes in it's list. I think, arguably, you are looking at that in a number of different ways, whether you are talking about air quality, ozone emissions from automobiles, and the other, not maybe as a title or as comprehensively, but I mean I think that basically we followed the standard impact list from the CEQA."

Andy Rodgers: "I don't know if all of you have seen the Sonoma County Indicators Report for 2006, Economic Development Board put together....it's kind of a nice overview of stuff. I printed out a couple pages. Of course, I looked at the water first. It says that (and this is a 2006 report) and I assume it's Water Agency with these numbers, citing that 38% of the water that we drink in this County is from non-Russian River sources...and I can only assume then that 38% is groundwater made up by groundwater. And I would assume also that that doesn't include community wells, rural residential diversions, agriculture, and anybody not hooked up to the pipe. So specific to mitigation measure 4.55, my question is, could developing a comprehensive countywide groundwater management plan be an appropriate mitigation measure?] 11

Greg Carr: "Sure."

Andy Rodgers: "Ok, I thought so. I was hoping you'd say that."

Greg Carr: "You mean like the one that's in the water element?"

12 **Andy Rodgers:** "That would be something, but maybe even a little bit better....let's see, going through some of the setting information, I believe it's called, there was a list of impaired water bodies or waterways, and the Laguna wasn't listed. It looked like there was a footnote that comes from a list in 1998. Wouldn't it be a good idea to use an updated list. Is there a cutoff on reference information?"

Greg Carr: "No, we can update that if there..this is what the consultant used, but it could be updated if there is more current information."

13 **Andy Rodgers:** "I think that would be a good one to add. Related to flooding, fresh on everybody's minds, FEMA maps do not appear exactly useful anymore, so it made me think about how many things we have tied to the 100 year line as a delineator, between some planning procedures and some not, or some mitigations and some not. And I am not sure how that can be addressed, but it seems like we should come up with a better delineator than that, and maybe there is none. I bring it to the attention, and can watershed assessment in conjunction with the newest flood control planning, be a viable mitigation measure to maybe redraw some things for drainage impacts. There were 3 of 4 flood related drainage mitigations. I thought that was interesting. I thought it was very interesting that saltwater intrusion was a less than significant impact. I'll leave it at that."

14 "The EIR didn't mention though the General Plan did mention the manmade contaminant issues, and their impact on water quality development, etc., and perhaps even more overwhelming could be the naturally occurring contaminants areas; arsenic in groundwater and things that is a huge concern for rural development. I think that they should be mentioned and addressed. Maybe the central core of my comments and reviewing this is when we finished up our elements and were very tired at that point, we never really got a chance to come back and review (and you've heard me say this years ago) the General Plan as a sum of its parts. As we wrap up this thing and give it to the Planning Commission with a little card on it that says "good luck," I want to really encourage the Planning Commission and staff to facilitate this, that after the Planning Commission goes through the elements, that it get reviewed in its entirety, because I think there probably are brand new policies that can be developed or others modified to tie them together better, maybe even simplified. The water stuff is in at least four elements, there is probably some policies that can be developed that can tie that together, and I hope the Planning Commission does that before it goes to the Board of Supervisors, to make it not just an internally consistent document, I think it will be a much better document, and I think the public would have a lot of good ideas on how it works and how it flows as a user. We need to have users giving input on this. So that's kind of my overview, and I do have this in writing, and I will submit it tonight."

Chair Marquardt: "You'll submit that to staff? You said that you preferred #2 in the choices?"

Andy Rodgers: "I will certainly be doing that, and putting a time table does force us to get to the keyboards, but I think also, like I said earlier, that tonight's notes would be great to go along with

it, and #3, I think is going to happen anyway, so..."

Chair Marquardt: "I think, without saying, that will happen with several of these, and #2 is to me the one that says, if you really believe it, you write it up and put it in, so it takes some effort on the part of the committee members to respond to #2 more so than if we just pick one of the others, so at least we will put that forward when we decide which way to submit it. Any other questions at this time, cause I will open the public portion of the hearing? Ok, is there a number of people that wish to speak on this item? Ok, let's start right up here in the front row. Give us your name and address please for the records, and I have got a five minute time frame, but we'll play with it."

Brenda Adelman, Guerneville. "I had a number of concerns. Basically, at this point in time, I have just examined the surface water section of the Water Resources Element and also that section that is connected to the EIR also, and (I just lost my notes). But I had quite a few concerns. I am very concerned about the potential for having changes for either or both of these documents after you have closed the public comment process. That's a great concern to me. This is an extremely complicated document, the EIR, and I think you were all struggling with it, and I think public comment, to be more liberal with that is exceedingly important. Anyway, I had quite a few concerns, and I felt that the setting portion, the way the data was presented, had a lot of serious problems with it in terms of the water quality section. There was a lot of misinformation, incorrect information, missing information, and I really question the validity of much of it because of that. I'll give you some examples of what I am talking about. In the section "Water Supply," they looked at annual averages, rather than looking at summer flow shortages, and, from what I could find, didn't really indicate a problem that there was a shortage of water during the summertime. That's a serious problem. They didn't look at the seasonality of water flows in the river."

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"They used old data that Andy mentioned already - the 303D list. That is a very important process that there was it was done the last one that was completed was in 2002. There's been a whole recent controversy around the 204 listing which is the process isn't complete. But the 2002 listing was complete, and the Laguna was listed for six constituents. You don't know any of this by looking at this EIR, and that's a great concern to me."

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"Another example is they gave very old data on dry weather flow for the Russian River County Sanitation District. That's the one I am familiar with, for all I know they did it for other entities also, and didn't talk about the problems with the system, so they were claiming that there was adequate capacity when in fact, #1, the dry weather flow was actually much higher, and #2, they didn't address the issue of converting summer residences to full time use, and also they didn't talk about the shortage of irrigation area in the summertime, so they can't..., the system, while it supposedly is a 3/4 of a million gallons per day capacity, it can't really process that much in the summer, because there is a shortage of irrigation area. In the winter we have problems with floods, and the water inundates the system and the system has been in violation of its NPDES permit for the last ten years or so, I think almost every year of the last ten years it's been in

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out violation. There are serious problems with the system - serious limits to that, and yet, this isn't identified in the EIR. "

18 "The Urban Water Management Plan was legally required to be completed by December 31 of 2005. The Water Agency is holding that document up, even though they have all the information, and they are holding it up, last time I heard, for about six months. Because they are holding it up, the various contractors can't apply for grant funding, and it's very important information. Obviously, it's not in this document or not considered because the Water Agency has not made it available."

19 "The EIR states that the treatment plants are operated under WDR's (Waste Discharge Requirements)—they're not. They are under NPDES permits. The NPDES permit described in the EIR was really the stormwater permit, and they don't mention or they don't describe the NPDES for wastewater treatment plants. When they talk about NPDES stormwater, they mention it's under CTR (California Toxics Rule), which is untrue. California Toxics Rule applies only to point discharges- wastewater treatment systems that discharge directly into a water body. It doesn't apply to stormwater, that's a very controversial thing - some people want it to apply to stormwater, but as yet it doesn't."

20 "There is nothing about unregulated toxins, the EIR assumes that if all of the treatment plants follow all the regulations then everything is hunky-dory and there are no problems. I don't think it anywhere mentioned unregulated toxins such as pharmaceuticals and personal care products, which, I understand EPA is in the process of promulgating some standards for that, but it hasn't happened, but it should be at least talked about. I have enormous piles of information about all the serious problems from various chemicals."

21 "It talked hardly at all about waste water, but it talked a lot about all the failing septic, but it didn't provide any evidence of any failing septic, it just assumed they were there."

22 "I thought that the goals, policies, and objectives very often were very non-specific, non-committal, unclear, fail to demonstrate how compliance will be measured, and I just don't feel they did the job. The Endangered Species Act in the listing of three species, I don't even know if it's in there, and if it's in there, it is barely talked about at all. And that's just a taste of what I am getting into, and I just started this, and I hope I am going to get as much done as I can by March 17th. I think there is a lot of problems with this, and I feel badly. I wasn't expecting quite these many serious problems, but I mean, some of these, if they are not changed, could be show stoppers for a lot of people, and something needs to be done with that. Thank you."

Chair Marquardt: "Thank you Brenda. Next person in the second row."

Jane Nielson: "My name is Jane Nielson, and I live in Sebastopol in the rural area, and I represent the Sebastopol Water Information Group. I think my comments really sort of dovetail with Brenda's because you know, it looks to me like there's so much misinformation in this EIR."

To straighten that out, it's really going to have to be recirculated. I have a short list of the kinds of things that are incorrect in the description of the groundwater situation. It says there is a relatively small amount of information on groundwater--there is a huge amount of information on the county's groundwater--much more than is implied in the EIR. The Water Agency has in its files-- public records--long standing well before the NOP for the EIR was issued-- many groundwater studies. Just one is a report by Parsons Engineering, that was done in the 1990's, showing, for one thing, huge groundwater draw down in the Rohnert Park area, and predicting extensive impacts on groundwater in the Laguna de Santa Rosa, should the Water Agency go ahead with the plan, which may have been a fantasy, to drill six additional water production wells in the Laguna. The Water Agency has reports that is attained from consultants that are 25 years old, back when the wells were first put in as emergency wells, which they are no longer - they are no longer emergency wells, and that should have been described, but they have tests that show that those wells, at that time, had impacts on nearby householder wells close to their sites in the Laguna. They have extensive monitoring - automatic monitoring wells - surrounding their wells, and in analysis of those data, obtained by SWIG and analyzed by Steve Carle of the Owl Foundation, show that they interfere with each other; they affect the groundwater at depths over four miles. There is a lot of information out there folks, and that needs to be in the EIR."

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"Just one more sort of an indication of how...there's rumors in this EIR. That well head protection program. One in the county, it says. Sebastopol has a well head protection program. That's not true. The Department of Health Services did a pilot project for a well head protection program in Sebastopol, but it's never been implemented; I mean, it's there, it's in the books, it was handed to them on a silver platter, and they haven't implemented it. So there isn't one, even one in the county. So I am sorry to say that there is a lot of misinformation on water in this EIR, and Brenda mentioned others, and Mr. Savel mentioned others, other pieces, and in order to really know what's going on, and understand especially how critical the water situation is, these things need to be corrected. And one last comment I'd have, and that is that this little table really does help with where the issues are - the pages and so forth in the General Plan itself, but, in order to even review the EIR, I had to make myself a concordance between the way the subject matter is organized in the EIR and how it applied--where the policies were that were being discussed under hydrology - they were all over the place; they were in many different elements. And, subject matter, you know, it was all kind of scrambled the way the General Plan policies were addressed. So, it would be really nice if, maybe, you would join with me in kind of suggesting that the public needs to have something like that concordance handed to them because it takes a week to construct it. Thank you very much."

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Chair Marquardt: "Next person in the second row, anyone else in the second row? Move to the third row? Yes, we're in the second row--I thought you had something..."

Ann Hancock: "Ann Hancock, I'm from the Climate Protection Campaign, and we will provide written comment. I want to thank the members of the CAC for your public service- it's been generous and long, and I really really appreciate that you have done this. Thank you very much."

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cont. "I want to remind you that the County and all nine of the cities have achieved six national climate protection precedents, including, in 2005- actually in this very room - recommendations were made by a citizens committee and all adopted the bold community greenhouse gas target. It's the boldest one in the United States-- 25% below 1990 levels by 2015. And out of about 50 votes on our nine city councils and the Board of Supervisors, there were only two no votes against this very bold target, and it's been endorsed by over 50 businesses and institutions, and over 1,000 citizens in Sonoma County. Using Commissioner Fogg's admonition to "go for the bigger picture," I would like to underscore the importance of addressing climate change in the Draft EIR. Scientists assert that this is the biggest environmental impact that we all face, and it needs to be addressed in each of the sections; for example, water, agricultural, and air quality all are going to be impacted by climate change--are being impacted right now by climate change. Scientists say that this is the biggest environmental problem that we face; so, given the county's and the city's and the public's commitments, and, given the science about global climate change, I am surprised at how scant the references are in the Draft EIR. I understand, I heard Greg, that you said you had followed the CEQA standards, but I do feel that the County has taken leadership in this, and I think the science is there, and even if CEQA only requires a certain level, I think that we need to go beyond that. We in the Climate Protection Campaign, and I know others throughout the county are happy to work with you on this, and I urge members of the CAC and members of the public to express their support for aligning the Draft EIR, the County's General Plan, and the targets that the cities and the County have all set, so that we can have a document that reflects how we are going to move forward into the future. Thank you."

Chair Marquardt: "Thank you. Scott, did you get her name and address?"

Scott Briggs: "Yes."

Chair Marquardt: "Next one in the second row? OK."

28 **Veronica Jacobi:** "Good evening, my name is Veronica Jacobi. I am a resident of Santa Rosa. Thank you to the CAC members and staff for your extensive efforts. I am speaking on behalf of the Sierra Club. Sierra Club echoes the comments made for the Climate Protection Campaign by Ann Hancock on the inadequacy of the Draft EIR in addressing climate protection and energy. We appreciate that the Board of Supervisors is a leader in setting of goals for climate protection. That Draft EIR and General Plan 2020 should thoroughly address climate protection. We encourage further additions, or a complete climate protection and energy element, be adopted modeled on the draft plans of Humboldt County and Marin County, to thoroughly address climate protection, air quality, and energy. Climate protection is even more urgent than scientists had previously thought. Sierra Club has adjusted its priorities to acknowledge this. We encourage the GP2020 process to guide us to the year 2020 and preserve our Sonoma County environment for future generations. Since CEQA was adopted, climate protection concerns have grown. Air quality, energy, and greenhouse gas emissions are all interlinked. The asthma rate continues to increase, and climate protection and lack thereof has very significant impact

on water supplies, also. Thank you."

Chair Marquardt: "Thank you. Next person in the second row? Move to the third row, anybody in the third row? Come up"

Leonard Holt: "My name is Leonard Holt, and I live at a, and a speaking on behalf of myself. I understand the Draft EIR makes attempts at addressing issues, but what I see in there is that many resources and the impacts and the amelioration of these impacts are suggestive, they are not required. Specifically, the information says that there is insufficient information on surface and groundwater supplies, and those resources should not be a limiting factor towards finding mitigation to that problem. I believe that the County region and all of the cities should together require a listing of all permitted and unpermitted users by a certain date, a very specific date, and this should not be deferred into the future forever. They should establish, I suggest five years after the date the General Plan is adopted, that everybody that is using water be listed, their water use by listed, and that following that, and during that period, new water users coming on line should not be permitted unless they agree to be a third tier user behind those currently using water, and agree that they could have to forego their additional water use. I don't see this as a limiting factor on growth, but I see that the people that have been using water, many people do have permits, they should have priority, and those who do not have permits should get them and at least be listed. Following all this information, the County should make an allocation of water use to the users based on demonstration of need, and also on the actual needed use, and they should completion of all feasible methods for conserving water. I also believe that when we come to date certain, if it is not possible to get any program into the General Plan including climate protection, that the General Plan require that such a measure be adopted by a very date certain, and that they comply with that and meet that deadline. Thank you."

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Chair Marquardt: "Thank you. Next person?"

H.R. Downs, OWL Foundation: "I will try to keep my comments short. First of all, thank you, everybody, for putting in your time. This is a lot of work, and it was a huge effort to get this out, and it's out, and we all thank you for it. I agree with Dr. Nielson and Ms. Adelman about the serious problems in the water section. There are scientific inaccuracies, there are policy options that were not taken that could be taken, that have proved successful in other parts of the state that are not impossible to do. I think a lot of that has got to be put into place. We will submit our written comments later; we've got scientists, and urban planners, and attorneys that are working on this right now, going through the entire document and to help fix the problem. This is not something that is terrible so we just threw up our hands. Many of the issues that have been listed in the DEIR we can fix, and there are ways to do this, and we will provide some suggested policy language on how that might happen and compare it with other parts of the state where that has helped. Another thing, too, that I have to also echo Ms. Jacobi's and Ms. Hamilton's comments about global warming. This now really is a huge problem, and it has an enormous effect on our water supply, because California stores a significant fraction of its water resources"

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30 in the Sierra snowpack. That isn't going to be there. We are going to lose an enormous source
of water that feeds these rivers, and we're living off two rivers - the Eel and the Russian, and
those simply aren't going to be in the quantities that we have been used to. That's going to start
to become much lower. If you read British newspapers, last week the Independent had a ... (gap
in tape)... and we are going to see a two degree rise around the world that means we're going to
lose snowcaps, it's going to flood the oceans with fresh water, which will change the salinity of
that you know the gulf stream, I mean this is a big, big, deal, and nobody is planning for this.
We have to start looking ahead of having a very a much smaller amount of water to live in, and
right now, most of the plans are that ... the analogy that use is that the water system here is
they are trying to take a size 14 foot and fit it in a size 6 shoe, and they swear up and down this
is going to work. Well, it's not going to work. We've got--there are mountains of studies and
data and measurements of the water resources in Sonoma County, and to say that there is not
enough information is not true. There is plenty of information. These are studies, some of them
that the County itself had commissioned. There, anyway, we'll put this all together, but I think
that one last thing I might mention about information that is available-- a lot of the information
was made available after the CAC stopped meeting. Things that had come out that you did not
have the benefit of this information, and it's available, it's still there, and I think we've got to
really look at this carefully. This document is to the County what the Constitution is to the
Country, and we've really got to make sure that we get this right. And so, I will be at your
disposal for helping whatever I can do, but anyway, thank you again for all that you've had to
do."

Chair Marquardt: "Thank you, next one in the third row..."

Stephen Fuller-Rowell: "I live in the west county between Sebastopol and Occidental. I'm
speaking this evening on behalf of the Sonoma County Water Coalition. This organization came
into existence after you completed your discussions of water is the General Plan update. First of
all, I would like to thank you for, as a resident and taxpayer in the county, for your gift of 4 ½
years of your life to this process. Thank you."

32 "The Sonoma County Water Coalition has been in existence for about two years now, and it has
32 member organizations, and if you total the membership and supporters of all those
organizations, you get over 27,000 people. So there's a lot of people who are looking at water
and looking at what our policies should be on water. We, as the Sonoma County Water
Coalition, will be submitting comments before March 17th on the Draft EIR, so I won't go into a
lot of detail about what those comments will be. We have been meeting over the two year
period for at least twice every month, and several months we met three times during the month,
and I have a request this evening. Three members of your committee submitted comments in
October and November of 2004, with concerns about the information that has come to light after
you completed your discussions on water. H.R. Downs eluded to this in his comments. My
request is that other members of the Committee go on record with concerns about the
information about water that came up after you had finished your work, particularly...there are
many, Mr. Savel has listed these and more concerns in his comments back in October 2004.

The four big ones that I'd like to just touch on before I complete my comments, the first was the letter from the Chief Engineer of the Water Agency to the contractors, the cities and the water districts, back in August 2003, so this was almost four months after you finished your discussions on water...his letter to the contractors conveyed the message to them that the water supply from the Russian River wasn't secured, and shouldn't be taken into consideration to support the growth plans of the cities. That was new information that came out after you finished your discussions. The Kleinfelder Report came out in September of 2003, also five months after you finished your discussions, that pointed to clear evidence of significant groundwater overdraft in each of the three areas that were looked at. The third piece of late information that came out was the draft new water supply agreement being negotiated between the Water Agency and the contractors. In May 2004- the version that came out then, and I think the current version still has this- the Water Agency is telling the contractors that they should be looking for groundwater to other sources for up to 40% of their peak demand. Other sources being conservation, storage, reuse, and groundwater. Now of course, groundwater is going to be the lion's share of that, so up to 40% of the peak demand of the contractors is going to come from groundwater. So that's another big impact on groundwater that came out after you finished your discussions, and finally, in June 2004, the Sonoma County Grand Jury called, amongst other things, for groundwater management and water management planning in the County, and that call was rejected by the County and by at least one or two of the cities. So we will be submitting our comments in writing before the comment period, and many of our comments will be based on the comments that we submitted to you in October 2004, after you completed your discussions. We are looking forward to participating in the process at the Planning Commission and at the Board of Supervisors.

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cont.

Thank you so much. Thank you for 4 ½ years."

Chair Marquardt: "Thank you. Anyone else in the third row? Move to the fourth row..."

Steve Perry, Glen Ellen resident: "First a question that hopefully can be answered. I thought at the beginning of this, Chairman Marquardt made some comment about the CAC making a packet of comments, and I thought he referenced that there were..that public comments go into that. Maybe I misheard that. If I didn't, please expand upon how we do that, otherwise, I'll go on down the road."

Chair Marquardt: "We'll get staff to copy them down."

Steve Perry: "OK. My specific comments on the EIR are going to be limited at this point to the Circulation and Transit Element. I'd like to support the concerns the concerns that Commissioners Boulton and Savel had on those particular policies and policy revisions, and would like to raise one additional. The new policy CT3-m is kind of an overarching authority for improvements, and it discusses improvements at key intersections. My concern on that is key intersections are in the eyes of the beholder, so can we add some definition as to how you could become a key intersection if you are not one now, and just clarify it a little bit. And finally,

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thank you all each and every one for all the work that you have done on this. It's helped us get a long way through this process, and, unfortunately, there is still a long way to go. Thank you."

Chair Marquardt: "Thank you. Next in the fourth row?"

Jamie Zukowski, Agricultural Resource and Conservation District of Knight's Valley:

"The Planning Commission hearing appears to have been scheduled for the DEIR for ease of processing, and it seems to be premature. Committee members have pointed out some deficiencies and conflicts in the Draft EIR, and citizens are finding those as well. As the advisory committee to the Board of Supervisors, I would like to ask if the Committee would recommend that the Board schedule the Planning Commission hearing on the Draft EIR after the public comment period is expired. It is not sufficient time for all that needs to be addressed. Thank you very much for the years of your life you have put into planning for Sonoma County."

Chair Marquardt: "Thank you. Next person in the fifth row, fourth row? Nobody else? OK, we will close the public hearing on this item and bring it back to the committee. Comments? If there is none...staff, any comments"

Greg Carr: "Maybe I heard consensus earlier that you were headed toward #2, but I'm not so sure....do you want to try to do that?"

Chair Marquardt: "As I read through, I prefer #2, but that doesn't include that the other two items- three items are not valid, because they are automatic..."

Greg Carr: "It's really just, how do you want us to present your comments to the Commission, if...obviously, any members of the CAC can appear at any point in time and participate in the process. I thought there might be some value for your committee in having a thing labeled as a CAC comment package, and give it the weight that it deserves. So, if you want us to do that, we are willing and happy to do that, but if you want to do it in one of the other ways, that's fine. Or, if you want to do it in all three or four ways..."

Chair Marquardt: "I have not heard any strong objections to #2. It's going to be my directive, based on the comments that I can perceive, that #2 be the selected approach."

Greg Carr: "OK. Do you want to settle on a date for written comments?"

Chair Marquardt: "Yes, that would be my next comment...let me get the...go ahead."

Rick Savel: "(unintelligible)...help us are we reinventing the wheel or..."

Chair Marquardt: "Request that from staff, wants a copy of the minutes..."

General Plan 2020 DEIR
CAC Meeting
February 16, 2006

Scott Briggs: "Frankly, I am not sure we'll have time to give you the minutes of this meeting, and then get your comments and still get to the Planning Commission on the 28th."

Rick Savel: "Is that what you were asking for, Andy, were the minutes?"

Andy Rodgers: "I wasn't, but that's not a bad idea, but I am not sure it's feasible. What I was saying is that the minutes would go with the packet to the Planning Commission."

Scott Briggs: "And that we would do."

Chair Marquardt: "That's the same thing, it's just not broken down."

Tamara Boulton: "Can I just ask you a question, because the last speaker did bring this up, and I was wondering about it when I was watching the slide show. Why is it that the Planning Commission hearing on the Draft EIR is actually before the end of the public comment period on the Draft EIR?"

Greg Carr: "We sort of developed that process over time. We use it for all public projects, and the main reason that it seems to work best that way, is oftentimes people come to the public hearing on the EIR and walk away from that hearing wanting to make comments that they didn't think about beforehand. It's basically, we try to do it about 30 days out, so there's time for folks to review it if they want to present, but then also give people some more time afterwards if they hear something at the meeting maybe they didn't think about it or they want to support someone else's comment, or whatever, and do it. So that's kind of why it is that way."

Chair Marquardt: "Do you have a time frame?"

Greg Carr: "We can deliver it to the meeting. If we get it by the 24th or 25th of February, we'll be able to turn it around and get it to the Commission by the 28th. We'll hand it to them that night."

Chair Marquardt: "Well, are we talking about now the written comments?"

Greg Carr: "Your written comments. In other words, today is the 16th, so if you give us a week-maybe you can stretch it to eight days or something, get it to us by Friday the 24th, we can get it to the Commission."

Chair Marquardt: "Any comments on the timeframe? All right, pick that time."

Greg Carr: "Want to do that, say 5:00 on Friday the 24th?"

Chair Marquardt: "Anything after that....(unintelligible)"

Greg Carr: "And yeah, I don't think there's any reason why you folks aren't going to be listened to all through this process, and you might as well take advantage of that, and, by the way, committee member Fogg, soon to be Commissioner Fogg, mentioned earlier that the letter that we drafted with the Chair team to send to the Commission expressing some of your concerns, has in it a specific recommendation that subcommittee chairs be offered the opportunity to present on their issue to the Commission when those particular issues come up. So I think that thinking process is already engendered into the Commission's thinking, and I think they are going to want to hear those, to the extent you are willing to do it. So, you know, on those big issues, I think the commissioners are looking for your input."

Chair Marquardt: "All right, what type of motion or action are you now seeking from this group? We've got the time frame."

Greg Carr: "We don't need anything more other than your agreement, and it sounds like we have it."

Chair Marquardt: "Do we just walk up and handshake, can we..."

Greg Carr: "Well, we'd like to make a couple comments before you get up and leave, but not on business."

Chair Marquardt: "Go ahead, make the comments."

Greg Carr: "Well, no, we've been kind of waiting for the last CAC meeting, so we can basically tell you that we do want to have a get together not to deal with General Plan policies or EIRs, sort of a "thank you" reception, and the bosses and all that have given us a little dough set aside to do a reception some afternoon. We don't have a date for it, but we do want to find a date that works for all of you and set it up, and have a dog and pony show."

Chair Marquardt: "The Board will be there?"

Greg Carr: "I certainly anticipate that at least representatives, maybe not all five..we don't want to make it a Brown Act meeting, you know. With my guess, just to be straightforward about it, I mean- to have the subcommittee, the Ad Hoc committee that worked on this at the Board level, and a couple of commissioners that worked on that level as your Ad Hoc membership, and you all, and some staff. It would probably be in the afternoon. I don't think it will be anything in the evening. I know that the Chair really wanted an evening thing really bad...."

Chair Marquardt: "As long as we have it."

Greg Carr: "We'll put together a package for you in appreciation. I know a lot of people in the audience said it, but I know how hard you guys worked and how much beyond what you expected you worked."

Chair Marquardt: "Hopefully, if they feel left out, we won't invite them to come, but they are certainly acknowledged that they can walk through the process. As we've always said, we are in conformance with the Brown Act. It's been difficult at time, but it's worked for us, and I think where we have gotten together in some group that may have exceeded it...(unintelligible), so at any rate....Andy?"

Andy Rodgers: "I have a question, and I hate to be a real drag, 'cause those are kind of like completing comments, and I have kind of more...I'm not there yet. Just clarification, for March 17th, who would actually make that decision if that date were to change, and can it change?"

Greg Carr: "Planning Commission."

Andy Rodgers: "Planning Commission. So if we had suggestions along those lines, we would include them our written comments, and I will do that from the perspective of that, this is a huge thing, and I think in addition to the Planning Commission hearing on the EIR, the workshop on the General Plan is going to be very helpful I think to people to formulate an understanding of it and perhaps they will be able to comment. So I am going to suggest that that period be extended. (Applause)

Chair Marquardt: "Pass that on."

Andy Rodgers: "Didn't expect that."

Chair Marquardt: "OK. In winding this thing down, it's been a long process, as many of you know. Remember back from the night, as I mentioned earlier, 9/11/01, a lot of things have happened. A lot of things have changed. I will say one thing that has not changed is our ability - this Committee's ability - to sit down and work together in an atmosphere of congeniality, and get along and come up - whether you like the document in its entirety, or not at all, or whatever--at least we put something together that I think all of us can walk forward with in our hand and not be ashamed to give it to the Planning Commission. What they do with it at this point is going to be theirs. We've done it, it hasn't been all fun and games, but it's been nice serving with you. One of the things I missed in a way over this last year was coming Thursday night to a meeting. You get in the habit. Some of you people that have followed us diligently--and thank you for doing that because we need your support--have had that opportunity to sit in and join us in the long deliberations and meetings that we've had for this, so it's with some joy I get to go home and see my wife and grandchildren, what was it--a couple of weeks ago or something, I was going someplace and my grandson, who is nine years old, at least knew where I was normally going on Thursday nights, and mentioned it. So he gets the flavor of the fact that I'm involved in the community. I've seen my children grow and change. When we were going to college in San Francisco, my again children asked "when do we get to go?" They had been sitting there watching us go. I'd stay home and my wife would go, and then we would reverse it...so. At any rate, it's an experience that I would recommend to a lot of people. It's fun, and you meet some very nice people, and all of you are that. So best of wishes, and thank

General Plan 2020 DEIR
CAC Meeting
February 16, 2006

you all for supporting this over the years (Applause), and if anybody else would like to say anything, be my guest. Dick?..."

Dick Fogg: "I'm saving my energy."

Chair Marquardt: "He's cleaning his office out already!"

Andy Rodgers: "You run a nice meeting, Don."

Chair Marquardt: "Oh, thank you! It's been a pleasure, you guys have made me. See you in Pennngrove."

Rick Savel: "(unintelligible)...thanking us for three and four years, what they missed was "would you have done this, had they told you it was going to be three or four years..(Laughter)."

Meeting ended at 8:40 p.m.



Sonoma County Planning Commission MINUTES

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Date: **February 28, 2006**
Meeting No.: **06-005**

ROLL CALL

COMMISSIONERS

☒ Don Bennett
☒ Nadin Sponamore
☒ Dennis Murphy
☒ Rue Furch
☒ Dick Fogg, Chair

STAFF MEMBERS

☒ Jennifer Barrett
☒ Bob Gaiser
☒ Scott Briggs
☒ Greg Carr

STAFF MEMBERS

☐ David Hurst, Chief deputy
☒ County Counsel
☒ Sally McGough

CONSULTANT: Bob Berman

Item No. 1	Time: 6:00 p.m.	File: GP2020
Applicant:	County of Sonoma - PRMD	Staff: B. Gaiser/S. Briggs/G. Carr
Owner:	N/A	
Env. Doc.:	Draft Environmental Impact Report	
Proposal:	Request to amend the Sonoma County General Plan; to amend the Windsor Specific Plan, Larkfield-Wikiup, Bennett Valley, West Petaluma, Penngrove, South Santa Rosa, Sonoma Mountain, Franz Valley, and Petaluma Dairy Belt Area Plans to conform to the amended General Plan; to rezone certain properties to implement the amended General Plan.	
	The purpose of this meeting is to hold a public hearing on the Draft Environmental Impact Report.	
Location:	Countywide	
APN:	Various	Sup. Dist: All
	Board of Supervisors Hearing to be determined.	
Action:	Continued until March 15, 2004 at 4:00 pm at the Board of Supervisors meeting room	
Resolution No:		

Transcript of meeting on Draft EIR. Hearing was opened at 6:00 p.m.

Chairman Fogg: "I'd like to call the Sonoma County Planning Commission meeting 06-005, please. For those of you in the room, if you have cell phones or pagers, I would appreciate it if you would turn them off or disable them. That goes for people up here too, please."

"As you may know, this is a public hearing- the first public hearing, and the purpose is to review the draft environmental impact report on the proposed 2020 General Plan. We're going to devote three hours tonight, so we will close at 9:00, or a minute or two after, although staff- Greg and Scott, have offered to stay late if there are any specific questions, or they can help you with anything. So please utilize their talents."

"I am assuming, because there are so many people here tonight- I understand they are all the way out to

the sidewalk- that we will not finish tonight. We will not finish. So, in deference to those who are outside- I don't know if they can hear me or not- ("no's from audience)...."

Commissioner Furch: "The speakers aren't on....Sue, did you check the speakers?"

Chairman Fogg: "We'll see what we can do. Again, let me repeat: The purpose of this meeting tonight is to review the draft environmental impact report, and only the draft environmental report. Because there are so many people here tonight, I am assuming we will not finish, and I would rather give you an opportunity to speak than cut you off at an arbitrary time limit that is probably not enough time so that you can get your point across."

"Therefore, my plan is to continue this meeting after three hours tonight, to March 15th- that's a Wednesday. Given that the...can the rest of us make it? At least four of us? OK. So we'll do it on March 15th, and we are going to try to schedule it at 1:00 pm in the Board of Supervisors chambers, which holds a great deal more people than this room...."

Chairman Fogg: "Madam, we will call on you... Part of the schedule tonight, is that I want people who can't make that meeting- that can only make a night meeting - to speak, out of deference to those who work and can't come during the daytime. Hopefully, that will work. I urge your use of the speaker cards, which someone is sitting on over here, because these meetings are taped, and very often, your name does not come across with clarity enough so that the secretarial help gets it correct. Those are my introductory comments."

"Are there any reports from the Planning Agency or correspondence?"

Deputy Director Barrett: "Mr. Chairman, you have a number of letters and correspondence regarding the hearing tonight, but we have no other correspondence."

Unidentified persons in audience: Asked that the Deputy Director turn up her microphone.

Deputy Director Barrett: "Mr. Chairman, you do have a number of letters and correspondence regarding the item on the agenda tonight, but other than that, we have no other correspondence. Did you want to look at dates now or not?"

Chairman Fogg: "Why don't we look at dates."

Deputy Director Barrett: "The next meeting of the Planning Commission is on Thursday, March 2, which there are no items, so that is a date that is open, if assigned. It's a Thursday."

Unidentified persons in audience: "We can't hear you..."

Deputy Director Barrett: "March 9, there is no meeting of the BZA, March 16th is a Planning Commission open agenda date. There is no meeting scheduled right now, but it is available for the Planning Commission. March 23rd is a BZA meeting date, and we have a Planning Agency meeting scheduled for March 30th. I should also mention that we do have a Planning Commission meeting on March 7th, Tuesday evening, at 6:00 p.m., which is scheduled now as a workshop for the General Plan. So that's also a meeting date for this topic."

Chairman Fogg: "OK. Would it be worthwhile for someone to go outside and tell the folks that in fact, we are going to hold a second session with a bigger room, and that those who cannot make that meeting are encouraged to stay—we will try to get to them, and those who can make that meeting, tentatively scheduled for 1:00 in the afternoon....."

Greg Carr: "Mr. Chairman, we will go out and say that, and let me also say that I have been out there for about the last ten minutes, and by far, the majority of the people are here just to find out what's going on. There are not very many people asking for speaker cards. I think it would be good, as you say, to go out there and inform people that there will be another hearing, if they do want to speak. I feel fairly good that, given a little bit of time, and folks can talk to the staff out in the vestibule and learn what's going on, it won't be nearly as crowded as it is looking right now."

Chairman Fogg: "For planning purposes, how many people would like to speak tonight? OK, all right. Any other comments from the commission?"

Counsel Hurst: "Mr. Chairman, I would also point out that if you do get through your testimony tonight, then you would be able to close the public hearing, so you might..."

Chairman Fogg: "That's correct, I know that."

Commissioner Furch: "Can I make one comment?"

Chairman Fogg: "Sure, go ahead."

Commissioner Furch: "I would just say that if a number of people are unable, if we somehow learn that there are a number of people who are unable to come at 1:00, I would be willing to come in the evening in order to accommodate people's working schedules."

Commissioner Murphy: "I merely had a message about the March 7th informational meeting that we are having. We talked about a conflict that day..."

Deputy Director Barrett: "Mr. Chairman, you do have a scheduled Planning Commission meeting date on the General Plan for March 7th. It's currently scheduled to be a workshop to review how we are going to work through the General Plan, but if the Commission desires, you could use that evening meeting date- it is scheduled in this room, so we might want to change the venue, but... that is an option if you want to choose an evening meeting date as opposed to the 15th."

Commissioner Murphy: "Well, I was trying to find out if we have conflicts with some of the commissioners. If it is just informational, we wouldn't be taking public testimony."

Deputy Director Barrett: "No. It wasn't intended to be a hearing, it was just a workshop on the General Plan-sort of an overview of what we are doing with the General Plan, and how the schedule would unfold, and...."

Commissioner Murphy: "Bring us up to speed."

Deputy Director Barrett: "Yes. The staff was going to cover that in their staff report tonight."

Chairman Fogg: "Nadin?"

Commissioner Sponamore: "What is our notification requirement for public hearings on the General Plan, and/or the EIR?"

Deputy Director Barrett: (to Counsel Hurst) "Do you want to answer that, or do you want me to. The question was, what are the notice requirements for the General Plan EIR? We noticed the availability of the General Plan. The minimum requirement is 45 days for public review, and we noticed a 60 day public review period, which would close on March 17th. The best way to submit testimony is, of course, in writing. That way we can make sure we address your comments when we prepare a final EIR document, which

would respond to those comments. The notice was mailed to 40,000 addresses, as well as published in the newspaper and posted in the vestibule, so I think we have met the minimum for that. If we do schedule another public hearing, there is no real requirement that we notice that meeting, but we do want to make sure people know about it, so you can continue to a date certain and time, but we would post it on the website, we could post it here. It might be a little difficult to do a mailing with such a short time period to all the people that received the original notice.

Don Bennett: "I have a question. The first actual General Plan hearing is scheduled for March 20. Is that correct?"

Deputy Director Barrett: "March 21st."

Don Bennett: "March 21st will be the first hearing on the General Plan. Ok, thank you."

Counsel Hurst: "I would simply point out, Mr. Chairman, that you have met the noticing requirements for this hearing, and what you would do is...if, in the event that you do wish to continue the hearing, then you would continue it to a time and date certain. I think that by the show of hands, Mr. Chairman, if you proceed expeditiously, you may well be able to get through your testimony this evening, in which case....my only concern is that you are building an expectation that there will be a second hearing, and that may not be necessary."

Chairman Fogg: "Yes. Are there any other comments?"

"This is the section of the hearing where we open it to the public who would like to address the Commission on any other subject than the draft EIR. Any other subject that the draft EIR or General Plan.

Unidentified person in audience: "Does that include comment about...(unintelligible)"

Chairman Fogg: "Sure!"

Unidentified person in audience: "Where do I go?"

Chairman Fogg: "Right here (speaker table). Would you please give your name and address?"

Mark La Mantia: "I am Mark La Mantia, from Windsor, and my address is 609 Leafhaven. I understand this man said that the requirement of the notices were (unintelligible) inadequate..."

Unidentified person in audience: "We can't hear you."

Deputy Director Barrett: "You have to turn on the button."

Mark La Mantia: "It's pretty inadequate...the facility that you guys have provided, when you sent out 40,000 notices. This is ridiculous! There's many people here who want to be involved in this, where they can hear you out there or do testimony out there. This is unacceptable, really unacceptable (applause from audience)...I don't know what you are thinking. I don't know what you are thinking, you know, this is a sham. This is a EIR draft, and people are involved, and you're putting them out there. They are probably walking away going "this line's too long. You know, this isn't right, and I want to go on record, and I think we should stop this meeting and make it in a facility that accommodates everybody."

Chairman Fogg: "Anyone else like to speak? Miss?"

Lisa Carr, Knight's Valley: "I, too, wish to accommodate on this notice that was sent out. There was a number provided to call to find out why am I being notified. Knight's Valley, by the way- for those of you

hat don't know-it's in the Franz Valley area, kind of the northeast section of Sonoma County. In any case, I tried multiple times by phone- never got an answer - always busy, and also by email. The answer I got is the gentlemen I was supposed to reach was on vacation, would be home a week before this meeting. So I can just second what the gentlemen said before me, that the notification and the information provided- and the time allowed, has been totally inadequate. Thank you."

Chairman Fogg: "Thank you. Sir?"

Charles Sackett: I live at [redacted], and I would actually like to applaud this commission for its effort to attain community input, although you did blow it on where you had it. Your decisions will be far reaching, and affect many families and generations. I would encourage you fine people to be open minded enough to realize that each property has a unique character and impacts. Because of that, I would suggest that this Commission not take a "one size fits all" approach to your regulations, but rather, a willingness to look at variances. For instance, my own property is an island in the county surrounded by the city. I was invited here this evening because of a potential biotic habitat impact, yet my concern relates to an affordable housing impact. I am .17 acres short of land necessary to add a granny unit. The property is surrounded by city, and if I annexed into the city, I could put up 25 or so units, and my neighbors would hate me. My main concern providing affordable housing for my disabled mother in law, so that she doesn't have to live under the same roof with my wife. I don't want to be forced to develop a high density project to house my mother in law. There are many unique cases in the audience this evening, and I plead with this Commission to encourage your staff to allow variances. Thank you."

Commissioner Sponamore: "Mr. Chairman, could we have a little bit more decorum, and a little bit less clapping....it just really reduces the seriousness of it..."

Commissioner Bennett: "Mr. Chairman, I will rephrase it for her. The crowd is being rude, it is not pleasant up here to listen to the clapping and applauding and so forth. We're here trying to have a hearing. We are also here at this point to have input on items not related to the General Plan and that's basically what we are discussing. I think what we need to do is get back on track, so we can open the hearing on the environmental impact report. This is not what we are supposed to be doing at this point, and we are being overwhelmed with applause and clapping and we are losing our way here."

Chairman Fogg: "Miss?"

Jamie Zukowski: "I live at [redacted]. I want to comment on the notice of public hearing for comment on the draft environmental impact report. To hold a public hearing before the comment period has ended is a disenfranchisement of the public. It is inappropriate to hold this hearing before that period closes. You must schedule another hearing that is at the same time that you can accommodate the numbers of people you have this evening, and it should take place after the public comment period is sufficient. You have reached a minimum required by law for a project and for public input on an EIR. This is a General Plan update, planning the next 20-25 years of Sonoma County. It cannot be treated as an individual development project. Please leave the public access as you are required to. Thank you very much (Applause)"

Chairman Fogg: "Please - we don't need applause. It just is going to extend..."

Unidentified person in audience: "It's a free country!"

Unidentified person in audience: "Yeah!"

Chairman Fogg: "...It's going to extend the amount of time and it is going to deny people the opportunity to speak tonight. Thank you."

Brenda Adelman: "I just briefly want to allude to- I believe Ms. Barrett mentioned-there was some correspondence but it wasn't really described, and I know that our group sent out a number of form letters to our supporters. There were 1,100 sent out. Some of the people have Bay Area addresses, but they own property in Sonoma County, and I have about approximately 57 letters here, and I would very much like to know how many letters were sent in, if not tonight, then sometime in the near future. I would like to know who to leave these with."

Chairman Fogg: "Leave them with staff. Anyone else like to speak? OK. May we have a staff report, please?"

Scott Briggs: "Thank you, Mr. Chairman. What I'd like to do for the Commission's benefit, and the public at large, is very briefly (and can we knock the lights down a little bit?) just to briefly review where we are in the process, and I just have two slides with some key dates. Then I will pass it on to my colleague, Greg, who will present a summary of key aspects of the environmental impact report."

"As you have all heard tonight, the purpose of this meeting is to focus on the draft General Plan EIR, so that's what this first slide is about. We issued the notices back on January 16th, beginning a 61 day - actually I think it is 61- we rounded it off to the Friday, March 17th-60 day comment period. This is within that, which is our standard approach on any EIRs that we do at the County. The Planning Commission meets a minimum of 30 days into the public comment period. On February 16th, we held a meeting to review the draft EIR with the Citizen's Advisory Committee. As a reminder, most know this, but we started back in early 2002, actually in 2001, but in detail with policy considerations in early 2002 with a Citizen's Advisory Committee - 15 members of the public that dedicated immeasurable numbers of hours to this process, and they had requested one last opportunity to come forward after we had a draft EIR to comment on it, and we did so back on February 16th. Hopefully, a number of members of the public were able to be here for that. It's a little hard to read at the bottom (referring to the slide)-the one in red (which is supposed to be the most visible, but is the least visible) that's simply tonight's meeting. That's the February 28th meeting, which is the meeting we are at here today before your Commission, which is the starting point for the Commission's consideration in this entire General Plan update process."

"Just to set the stage for the future: When your Commission has completed its work in terms of taking comment on the draft EIR, we will then move on to the work at hand in terms of considering the General Plan itself, and the policy deliberations policy recommendations that have been presented to you as a result of the work by the Citizen's Advisory Committee, so I wanted to throw again, some key dates here-some of which Jennifer already listed for you earlier. On March 7th, at 6:00 p.m., tentatively, in this same room, we have a Planning Commission workshop scheduled. Our intent here is to review -mainly for the public's input, the process- the details of how we plan to work with the Commission to bring the General Plan and the various elements of the General Plan and the various policy issues forward to the General Plan. So we will summarize that."

"I might note that we are doing a lot of work on our website right now to try to help make it much easier, as the public gets ready to join with you in this effort to look at the General Plan. We are working to make all of the work that's been done during the time we worked with the Citizen's Advisory Committee much more easy to trace, track down, get copies of- and so on, through our website."

"You will see the elements, the order in which we bring them forward to the Commission, who the staff person is most familiar with it, what the staff reports were, where the issue summaries are. We're working on that now, and hope to have that up and running in the next couple of days."

"The second part of the meeting on the 7th-the intent there is really for staff to begin to review key issues that the CAC wrestled with, quite frankly. We'll run through the list of the issues, the topics that were on the scope of this update, as directed by our Board of Supervisors. It will be staff's attempt to get the Commission focused in on some of those tougher issues; some of the more controversial issues that were

wrestled with, and maybe what some of the key policy recommendations that might represent changes from the existing policy might look to be. And again, we'll do that in an order of issues that reflects the order in which your Commission will eventually look at these elements.'

"After that workshop on March 21st, as Commissioner Bennett referenced earlier, that will be the first meeting of the Commission to formally focus on the General Plan update itself, and that hearing, of course, will be continued by this Commission as long as it takes to do its deliberations and take public comments on all the elements of the General Plan. The intent is to have the elements come forward to you in a particular order. On March 21st, you will see four elements listed there: Public Safety, Noise, Public Facilities and Services, and the Air Transportation Element. Those are the four elements that we have begun to package materials- in fact, I think we have submitted all the materials to you as background for those elements, and that's what- if the public is interested in any particular issue area, or policy issue, in any of those four elements-I would be here on March 21st."

"When you are done with those four elements, we will move on to remaining elements of the General Plan, and below, you see the order in which we plan to bring those forward. The Circulation and Transit Element, followed by the Agricultural Resources Element, then the Open Space and Resource Conservation Element, the Water Resources Element, and then, lastly, the Land Use Element. These are attempts to order these things in some respects that goes from a little bit easier, or less controversial, to some of the tougher ones; I mean, the Open Space and Resource Conservation and Water Resources, obviously, where there is a lot of long, hard fought deliberation on some of those -it seemed good to kind of get the Commission up to speed on some of the other elements first before we get into those."

"There is also an order in terms of how they play out; Circulation comes before Open Space and Resource Conservation; when you look at air quality and noise and things like that, it's good to have considered Circulation first. So, nonetheless, that's the order that we would propose to bring these forward, and we will be working hard to make the public aware as best we can through posting notices, through our website, through them calling us to get information as we go, as to where you are in that process, so that people will know in advance when a particular element is coming before you, so that they can be here that night to participate in that discussion."

"That's all I had to say, unless there are any questions on where we are, and with that, I will turn it over to Greg."

Commissioner Furch: "I had one question. Maybe I should ask this at the workshop, but I am curious as to why land use last, since it drives so much of everything else?"

Greg Carr: "Through the Chair, a couple of reasons. One is that the Land Use Element is the synthesis, if you will, of all of the other elements, so you have all the policies that are set forth in Open Space and Air Transportation and all the others come together in the Land Use Element. That's where you are looking at everything else that you have done, and apply that in the Land Use Element. The other reason why that's the case in this General Plan, is that the Land Use Element is not really one of those issues that is being changed. From the beginning, the Board of Supervisors said "we aren't interested in major changes to the land use itself. So we are actually operating in a number of policy arenas, without really having a major effect on the zoning and land use of property at this point. It's kind of a couple reasons, it's really because when you are looking at land use requests, and the individuals that have come forward, and very specific proposals, it's helpful to have the policy background that you have considered and evaluated when you do that."

Commissioner Furch: "I wasn't thinking so much about zone changes...."

Greg Carr: "...Just the general land use...."

Chairman Fogg: "Go ahead, please, Greg."

Greg Carr: "I thought, before I go on to the EIR, I would add a couple more comments and maybe....in talking to some of the folks almost in the rain out there....a lot of the people are here because they got the notice that was sent to a large number of properties that are affected by riparian corridor and biotic habitat. All those people will find this out as they come in and spend some time with the staff. What I wanted to do was point the people who are interested in those issues--the time to come is when we get to Open Space and Resource Conservation. At this point, that time frame is June or July of this summer, so what I want to emphasize for those folks that are interested in that issue, is there is plenty of time to get acquainted and become familiar with that issue, even if you didn't get a call back during the last two or three weeks. Our staff is committed to returning all the calls we get. You leave a message with us - I apologize, sometimes it takes a few call backs, but we will get you the information that you need, we'll keep you plugged in to when the critical times to comment are, and help facilitate your involvement in this process so you know what's going on. We're not trying to speed this up to get something through without you having the chance to look at it."

"The other big issue that got a lot of notices out there are the affordable housing sites. I don't remember exactly how many there are, but all of the people who are within 300 feet of potential affordable housing sites were provided a notice, and we got a lot of calls on this. I wanted to point people to the Land Use Element, which is the last element of this process, where the Commission will be considering comments and hearings on that particular issue. So, if you are here for and your notice has that little "AH" on the front, and you're here for affordable housing, you probably have until July or August at the earliest before that issue comes up. Hopefully, with some of that information that can be obtained out there, maybe folks don't feel like they have to stay for the whole night if this isn't what you want to do."

"As Scott said, tonight is on the draft EIR, and it is at least the start of the public hearing on that process. I'm going to even try to be shorter than I was at the CAC meeting, and I apologize, Mr. Chairman. This is probably the second time you have heard this. A General Plan EIR is, by its nature, an EIR which looks at not specific projects, not specific development proposals on a particular parcel of land, but looks at the whole of land uses and development that could occur in the county for the period of the General Plan. In this case, it's what we are projecting to occur for year 2020. So it's very broad in scope, and it's a program EIR. By its very nature, it's looking at a general view -maybe you're flying 50,000 feet over the County- of what could happen. It's by definition a cumulative impact analysis, it's not attempting to look at site-by-site details, but rather is focused on the bigger picture."

"Another aspect of this EIR that is of note is the fact that it really includes the type of projects that might be proposed by cities or special districts. In Sonoma County, special districts operate virtually all of the sewer and water services that are provided to urban communities, such as Forestville or Sonoma Valley. All of the various projects that they might consider development of in the course of their providing service to their constituents would be included in this as well, and in fact, in many cases, the impacts that are identified in this EIR are driven largely by development that's occurring in the incorporated cities. Traffic is a really good example of a cumulative impact countywide that look's pretty bad when you look at the overall traffic in this county, but the unincorporated area has a pretty small portion of development that drives that traffic impact."

"I want to talk a little bit about mitigation measures. Again, because this isn't a project EIR, it's sort of a global picture EIR- it's a program EIR- the mitigation measures are the goals, objectives, and policies that go into the plan. This is even more of the fact in the case of this update, because we aren't changing the land use maps very much at all, and we don't have a lot of different impacts that occur based on land use changes."

"As the EIR team went through this analysis and prepared this EIR, the team also looked at the potential that there might be additional mitigation measures that could be included in the EIR and included in the

General Plan, that might further reduce impacts beyond what the draft General Plan 2020 currently includes. In fact, as this EIR unfolded, there are 23 new policies that are recommended by the EIR for your consideration when you go through the policy review aspects of this plan, and there are 11 revised policies and/or programs that are also recommended. All of those additional recommended mitigation measures are added, recommendations of the EIR, but have been viewed in the EIR through a feasibility screen. What I mean by that is, that we tried to look at all the potential mitigation measures that were feasible for the County to do. By feasible, we not only mean they are physically possible. We also mean they are within the jurisdiction of Sonoma County, as opposed to cities and districts; and do they meet community needs and social and economic desires. So we are really looking at feasibility from a wide range of perspectives. That's why these 23 mitigation measures - 23 new policies and 11 revised ones—are proposed. They passed through that feasibility screen."

"Another odd thing about a General Plan EIR, compared to a project EIR, are the way the alternatives are addressed. In this particular General Plan update, as I mentioned, the land use changes are not very widespread. As a result, it's difficult to compare, and frankly, rather useless to compare land use scenarios under each of the alternatives. What you end up with is virtually the same impact from all the alternatives. The purpose of an alternatives analysis in CEQA is to look at different scenarios that actually help mitigate and reduce environmental impacts. In our alternatives analysis for this EIR, the team came up with three alternatives that are based not on different development scenarios, but they are based on policy differences. If you will, as you go down this -I like to use the analogy of a highway- a draft general plan is a series of policy decisions that go down the center line of that highway, you have alternatives where you may choose a policy that's less restrictive than what's in the draft general plan, or you may choose a policy that's more restrictive, and of course, there are gray areas in between. Generally, the alternatives serve as a way to compare what the impacts would be under those lesser or greater restrictions, depending on what your Commission decides it wants to go forward with. It provides a bracket, if you will, within which you can operate and make decisions. A good example of this might be the riparian corridor issue, where the CAC recommended general plan has riparian setbacks with provisions about what land uses can occur within those setbacks. With the Buildout Alternative, which is generally speaking the less restrictive policy alternative, you might be looking at a lesser setback, so if you decide you think a 50 foot setback is more appropriate than a 100 foot setback, your impacts are going to be analyzed under the Buildout Alternative. In the Mitigated Alternative, it's the opposite. The Mitigated Alternative assumes greater restrictions in various areas. So under riparian corridors, you may have larger setbacks, and more restrictive land use policies that can occur within those riparian setbacks. The third alternative is the No Project Alternative, and that is simply what would happen if we did not adopt an updated general plan; we would go forward under the current general plan for the time frame of this 2020."

"So, taking that approach, what did we determine? What did we find when we did this EIR? I think I want to first say that this EIR takes a very conservative approach toward whether impacts are significant or not. We felt that there are so many land uses and development that could occur in the future that are not within either our jurisdiction or power to affect, or that would occur "under the radar" in terms of our permitting systems, and if we were not able as a team to decide that we could clearly reduce those impacts through mitigation measures and through policies, that we would conclude that those impacts were significant and unavoidable. For the most part, for many of the impacts in this EIR we were not able to determine that we could fully mitigate those impacts. In fact, in this EIR, we looked at 78 different impacts. For 43 of those we determined that they would be significant and unavoidable, in spite of the policies in draft GP 2020, and 35 we did find could be reduced to less than significant. The four biggest areas where that's the case are in public services, hydrology and water resources, geology and soils, transportation, noise, and air quality. In each of those areas, there were a number of impacts identified, and most of them were determined to be significant. It probably comes as no surprise in many cases, to those who try to drive on the roadways or try to call the fire department to come and put out a fire. In public services alone, 12 of the 13 impacts are significant. If you think about that, it's pretty understandable why. Almost all of the public service agencies- whether you are the landfill, fire department, or water or sewer providers-struggle with the ability to keep up with the demands of people that need that service, and usually, it's because of a lack of enough

funding to carry out those services. In hydrology and water, about 6 of the 12 impacts were determined to be significant. In this area, probably more than anything else, a lot of land use activities occur without being subject to any jurisdiction by the County. In the case of geology and soils, anybody that's lived through an earthquake - it's been awhile since we've had a big one - but, in Sonoma County, about 6 of the 9 geologic impacts we thought to be significant. That's in spite of the fact that the general plan and EIR assume a fairly rigorous review of projects. In this county, we have some pretty high standards for geologic requirements and analysis of buildings, because we live in a very seismically active zone. But even with that, it wouldn't take much more than a couple of good earthquakes to cause a lot of damage and impact a lot of people. And finally, in transportation, it's kind of getting old hat to say that the traffic impacts in the county are going to get worse. Again, I eluded earlier to this, not just as a result of county development - it has a lot to do with what's happening in the cities and driving habits - a lot of things that we can't seem to keep up with. Noise and air quality are tied closely to transportation, so that's why they are grouped together. 9 of 19 impacts in that particular section were determined to be significant and unavoidable."

"Just a couple of slides here on comparing the alternatives: There's a table in the EIR that allows you to compare impact-by-impact the three alternatives and the project. It is sort of a subjective comparison of the level of impact, but you do have some variation. The number of significant impacts differs as you look at each alternative, and so does, obviously, the number of less than significant. The No Project alternative has a slightly greater impact than draft GP 2020, so if you adopt draft GP2020 as it is today, you will, effectively over time, have less impact than if you didn't adopt it. The Buildout Alternative, which enables, again, those slightly less restrictive land use policies, would have a greater impact than draft Gp2020, and would also be slightly greater than the No Project alternative. Finally, the Mitigated Alternative, again, which is typically the more restrictive policies- would result in a lesser impact than draft GP2020 and in fact, all of the other alternatives. So it is the environmentally superior alternative identified."

"That's all...just a couple of points to finish up, Mr. Chairman, and then, obviously, if the Commissioners have any questions we'll try to answer them and hopefully get to the public comment. At the CAC meeting a couple weeks ago, there was a lot of concern expressed about the relationship between the draft EIR and the draft general plan. I think that stems from this notion that the general plan is mitigated by its own policies- it's called self-mitigating. That leaves a little bit of- I think it leaves people wondering, "If I comment on the EIR, or if I don't get my comments on the EIR, have I then lost the opportunity to further mitigate under the plan?" I think it would be best to explain it this way: If you are of the view that the EIR doesn't do enough mitigation, because there are so many significant impacts, and you feel like you have suggestions to offer the Commission, or you as Commissioners have suggestions to offer them that would effectively reduce impacts, that could be done through the general plan review process. That does not need to come out during the review of the draft EIR. The purpose of the review of the draft EIR is to make sure that the EIR has a sufficient, adequate enough information for you, as decision makers, to make your decision on General Plan 2020. Those two will, of necessity, come together at the end of your deliberation, but if you are able to further mitigate impacts beyond what they are currently stated in the EIR, that's not harmful to the EIR at all, and the staff and counsel can work together to make sure that that matches up with your decision. Where it gets a little dicier is when you want to do something that would create greater impacts than were identified in the EIR, and in those cases, we may run into situations where an EIR may have to be recirculated, based upon what your decision and recommendation may be. Counsel, staff, and PRMD staff the whole way through- as you are debating the policies, will be ready to pounce, if you will, or at least to let you know when there are situations arising where that might be - you might be getting into that arena. Quite often it does happen. It would not be unforeseen to see that occur. From the perspective of adding mitigation and being able to suggest ways to mitigate impact, it's not a concern - as much of a concern. We obviously still want to be watching the EIR for that process, but it's a little bit easier to deal with, and, although there is a number of people who have asked for more time to review the EIR, we don't think that is necessary, if, in fact, the interest is to change the policies in the general plan and make those policies better reflect the desires of the person who is testifying. any Questions, Mr. Chairman?"

Chairman Fogg: "Any questions for the staff? Nadin?"

Commissioner Sponamore: "Would it be fair to say that the analysis in the EIR addresses, under the No Project alternative, the maximum amount of impact that would occur if we were not going to change policies to being regressive of the existing general plan? So, in other words, we do almost have our worst case scenario..."

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Greg Carr: "We're not sure we understand the question."

Commissioner Sponamore: "It's probably a hypothetical one, anyway, but we can get to it later..."

Greg Carr: "Are you talking about the Buildout alternative?"

Commissioner Sponamore: "Well, the No Project alternative is the general plan as it exists today, so, ideally, if you are doing an update, you are approving the scenario, whatever the scenario is. So, if we did nothing, our worse case scenario is our existing general plan, because we can't do anything that would have more impact in policies than our existing general plan. The only place where I can where we might have issues in the future is if you are doing substitute mitigation that is equal to or better than- which is what I think you are talking about- than not having identified the indirect impacts so we can cut those mitigations."

Bob Berman, Nichols Berman: "For the record, if there is going to be substitute mitigation, there at least have to be some form of review to insure that the mitigation doesn't result in a worse impact than discussed in the EIR, or an impact that's not discussed at all in this EIR. There would certainly have to be that type of initial review."

Commissioner Murphy: "I believe the graphics showing the No Project, the Mitigated 2020, and the Buildout alternative....the Buildout alternative had 50 significant impacts. The No Project had 46, and the Mitigated 2020 had 41. And of course, you said that the 41 was the environmentally superior alternative. But it looks like you've actually added a more worse case scenario than the current general plan, as well..."

Staff: (agreement)

Commissioner Murphy: "...and that is one of the alternatives - or some of the alternatives - that we will consider. Not necessarily all 50, but we may choose partial-some of the maximum Buildout, some of the No Project, and some of the Mitigated 2020, so the most we will get to is 50, and the least we will get to, in this plan, is 41, and possibly better than that:

Bob Berman, Nichols Berman: "I think that it's always difficult to say what is worst case, but, I think the Buildout alternative assumes less restrictive policies than the existing plan. It also assumes maximum buildout on all the parcels in the unincorporated area, so, in a sense, that does become your worst case in terms of the combination of both least restrictive policies and the most amount of development."

Greg Carr: "Through the Chair, just to add to that, Commissioner Murphy, it is possible that you could decide that you want to do something beyond what the Buildout or Mitigated alternatives are...those are much more likely to result in us probably raising our hand and saying this could be a recirculation issue, so that's a better way to say it. The other thing that is important to remember about that too, is that it depends on which impact and which policies you change, because the EIR was built on a series of assumptions about certain policy differences, and you may decide to go down a path in one of those that we didn't assume. It isn't quite a 50-28; it really depends on what you decide you want to do."

Counsel Hurst: "I would simply note that you would not be precluded from doing that, as Greg said. It would raise the issue of whether by doing it you would then trigger the need to recirculate the EIR. But you

are not precluded simply because it is not covered in the EIR.

Chairman Fogg: "Any other comments,,,,yes..."

Commissioner Furch: "I just have a final clarification. You just said that the worst case scenario was buildout on all the parcels, and I thought that I read in the document that you really haven't said that every single parcel that currently exists will be built on."

Greg Carr: "The buildout isn't every single parcel. There are a lot of parcels where it is clearly obvious that it is infeasible to build on. If you have a parcel that is in the center of the Russian River, for example. There is a little bit of analysis that goes behind that buildout scenario, and it will never be in the county that all parcels will build out. It is a theoretical sort of buildout, and there are some numbers behind what is in there, but it isn't every single parcel gets every single....."

Commissioner Furch: "...I just wanted to clarify that, because people might think that there was some assumption or description of a reality where, between now and 2020, every single parcel in all of Sonoma County had something on it."

Chairman Fogg: "More questions for staff? Before we open the public hearing, would you or someone on staff, define what a draft EIR comment is, as opposed to a general plan comment, so that both the audience and your Chairman knows what's going on?"

Greg Carr: "Mr. Chairman, if only that was completely possible....actually, because they are so interrelated, oftentimes when you get a comment, it does have aspects of both policy and EIR, but an EIR comment is: Does this particular document that Bob has in front of him adequately provide the environmental information that is necessary for your decision making. It is closely tied to policy, so a general plan comment is "I don't like that policy; I'd rather you did this," or, "I think you're being too restrictive," etc....it's really a comment on what does the policy actually say, whereas the EIR is what are the impacts of that policy decision. So I think that's probably the best way I can do it. It is almost every case, I think it's better for the public to not worry too much about that distinction. As we go through and tabulate all the comments for you that we receive tonight, and that we receive in our mail, we will make sure that everything that even remotely sounds like an EIR comment will get packaged and organized as an EIR comment and you will see all those labeled for you at the end of the review period, and you'll get a chance to see all those. I am sorry to make this a longer answer than you were probably looking for. The general plan comments- sometimes even in the same letter or comment - we'll pull those out and when those policy issues come before you down the road as months go on, you'll have those in front of you for your review when you are doing the policy section that's related, so that will help."

Chairman Fogg: "And I would remind the audience of two things. I think we've raised both these points before. It's immensely helpful if you put these comments in writing, because then we can respond to specifically to the comment. If it's in writing, we understand your comment. Secondly, as detailed earlier, when these policy areas come up-if your cause is traffic, or water, or riparian corridors, or whatever-please come to those specific meetings and talk to those specific issues, because, again, it's immensely helpful to us to hear your comments as we are discussing that specific policy. There are literally hundreds of policies in here, so with that admonition, I would open the public hearing. I would ask that we start with a three minute limit please on your comments. If you need more time, raise you hand, and we'll see how it is going. So, if you would like to comment, will the first person come up please? Folks against the wall, there are open seats if you would like to come in. May we have our first speaker please?"

Larry Hanson: "I live at 10440 Ocean Drive in Forestville, I am submitting comments on behalf of SOS - Save our Sonoma County, a newly formed group. It's a coalition of rural neighborhood and regional groups from all over Sonoma County that are negatively impacted by misplaced industrial and commercial enterprises, especially large wineries. The comments submitted will pertain to inappropriate zoning,

negative impacts of agricultural tourism, traffic, and noise associated with the above, and the concern with negative impacts of water associated with industrial and commercial uses in rural areas. I did try to fax this in, but I don't think the whole thing got in, so here it is, intact. Thank you for your consideration."

Chairman Fogg: "Would you please give it to staff and they will give it to us. Thank you, Mr. Hanson. who would like to speak next, please?"

Tito Sasaki: "Good evening, Chairman and the Commission. My name is Tito Sasaki. The EIR is legally sufficient, but inadequate for your decision making in the proper sense. Let me take an example of the EIR treatment of the riparian corridor or biotic habitat in the Open Space and Resource Conservation Element. The staff has emphasized that this is a program EIR, and it is probably true for the most part, and certainly, the EIR, treated as a program EIR, and the newly proposed riparian corridor setbacks and the habitat reservations, do not effect the environment because they are created more of a safety zone, so no significant impact. However, riparian corridor, for example, is not just a policy- it's more of a program, or an ordinance - a very specific ordinance; so many feet from the streams of certain types, etc... it's really a project. It should be treated more like a project EIR. Also, certain aspects of the impacts do not seem to be addressed right or addressed at all. Riparian corridors, if adopted, will become a kind of no-man's land, and property owners will be deprived of any economic use of it, therefore, it will be neglected. And so it will be abandoned land, so it has some environmental impact, and can create more fire hazard, more inducive to the undesirable kind of wildlife habitat, etc. Of course, the cumulative impact would be humongous here, because we are talking about taking over 70,000 acres of land out of economic production, and that means probably several hundred million dollars, or even reaching a billion dollar economic impact. Of course, it is not required by CEQA to address the economic impact, but, nevertheless, it is not prohibited either. So, when the economic impact is so huge, I think it should be looked at, and this is not the EIR mandate, perhaps, that the Planning Commission should consider, over sponsoring a separate study as to the economic impact as to the proposed regulations. Lastly, I certainly commend the staff for mailing those thousands of letters of notification, but what I regret is that the notification does not really tell the notified as to what is really going to happen to their land. Your parcel might be affected by affordable housing, but where is the proposal about affordable housing zones? It's not shown, and the same old thing as the riparian corridors. It would be good if the staff made sectional maps for one square mile area, certain maps and so people know how they are affected. Thank you very much."

Chairman Fogg: "Thank you, Mr. Sasaki. Next speaker, please?"

Mac Marshall, California Native Plant Society: "My name is Mac Marshall, 1301... and I want to thank the Commission members and staff for all the hard work that's gone into the draft EIR and allowing us the opportunity to comment on it this evening. Bob Haas, back here, and I, are here representing the concerns of the Sonoma County Chapter of the California Native Plant Society, and we've already sent in written comments, so our comments this evening will concentrate on specific aspects of the biological resources section. Given the organization that we represent, we will try to "plant some seedling" ideas with you that we hope may grow and eventually become part of the final EIR and the new county GP. Since time is limited, we'll just highlight the issues with which we are concerned, and offer brief thoughts on each one."

"Our five major issues are cumulative habitat loss, more comprehensive mapping data on plant communities, land corridors and habitat connectivity, vernal pools, and oak woodlands. First is the matter of cumulative habitat loss as a consequence of population growth- the spread of cities and suburbs, the expansion of vineyards, the destruction of or damage to wetlands of all kinds, and the introduction of invasive, non-native plants. The DEIR acknowledges some of these reasons for the great alteration of our County's landscape, and Policies OSRC 7(a & b) offer positive steps toward protecting our county's diverse natural habitats. We endorse these policies, but we urge that they be strengthened; first, by using the additional standard of cumulative habitat loss when evaluating the impact of land use proposals on county biological resources; and second, by establishing loss thresholds for specific sensitive natural communities

5 cont. that will be adequate to protect these important remaining habitat types in perpetuity. We urge that such baseline thresholds as discussed on Policy OSRC 7(f) be set NOW and not five years from now, following a further decline in our remaining sensitive habitat communities."

6 "Our second major issue is the urgent need for more comprehensive mapping data on plant communities. The DEIR notes that no comprehensive mapping of sensitive natural community types in the county has been done. If cumulative habitat loss is to be reversed in Sonoma County, especially for threatened natural communities, thorough data collection and mapping must be a high priority, and county officials must secure funds for this purpose. Without firm data to underpin decision making, planners are left in the dark, and irreplaceable biological resources may be destroyed; therefore, we strongly support Policy OSRC 7(j) to conduct a comprehensive habitat identification and mapping program for use in future policy considerations, and we recommend using the rapid assessment protocols in this effort. We urge that the county immediately initiate funding applications, once the draft GP has been adopted."

7 "Our third major issue is land corridors and habitat connectivity. We strongly support the county's stated efforts to maintain and expand habitat connectivity. Such connectivity is absolutely essential to slowing and reversing cumulative habitat loss, and habitat connectivity depends on good quality current comprehensive mapping data. We suggest that the county be more proactive in working with such groups as the Open Space District and the Sonoma Land Trust to expand habitat connectivity by including it as a criterion in land conservation decisions, and by adopting a regional approach to park and open space acquisition."

8 "Our fourth major issue is vernal pools. Vernal pools are the most threatened natural community type in Sonoma County, and they contain a host of endangered and threatened species. The DEIR states that a full 90% of the county's original vernal pool ecosystem already has been lost. Therefore, we believe that the time is long past to finally implement the Santa Rosa Plain Vernal Pool Ecosystem Preservation Plan. The remaining 10% of Sonoma County's vernal pool habitat simply must be protected and preserved without further delay, or it too will be lost forever."

9 "Our final major issue, the fifth one, is the matter of oak woodlands. Dare I say that we have the gaul to make comments on this? Oak woodlands are the key to California's biodiversity. Just for example, a small oak woodland can provide habitat for over 4,000 species of insects, plants, birds, and animals. 28% of our county is composed of oak woodlands, and another 13% is made up of forest oaks, hence, over 40% of Sonoma County is oak habitat. Yet, according to scientists at the California Oak Foundation, an alarming 23% of our oak woodlands already have been developed. This is the second highest percentage of any of the state's 58 counties. Another 9% are at risk of development, and less than 7% are considered safe. We endorse Policy OSRC 7(m) to identify and provide greater protection to oak woodlands, and beyond this, we strongly recommend that Sonoma County adopt Placer County's model native tree mitigation policy, details of which are mentioned in the written comments we have submitted to you. Since 95% of oak woodlands in our county occur on private lands, we fully support OSRC Policy 7(o) to encourage land owners to voluntarily protect oaks on their property, but we suggest that the county also implement a number of other non-regulatory options, which we spell out in our written remarks to you. We further recommend the creation and adoption of an oak woodland habitat ordinance, that places heavy fines on any party that removes over one acre of oak woodland without first securing permission to do so from the PRMD. Finally, our society advocates that any species and habitat policies and objectives already established in existing area and specific plans within Sonoma County that will be changed or repealed as a result of the GP2020, should be recognized in the GP and superceded only when greater protection is offered by the General Plan update. Thank you very much."

Chairman Fogg: "Thank you, Mr. Marshall. Scott, could someone over there - one of you folks - raise your arm when three minutes are up, so the speaker knows that it is time to begin to sum up...thank you. Next speaker, please?"

Steven Volker: "Good evening, honorable Chairman and members of the Planning Commission, my name

Steven Volker, I'm a lawyer, I grew up in Santa Rosa, and I currently have an office in Oakland. I represent tonight the West Side Association to Save Agriculture, the Russian River Keeper, the North Coast Rivers Alliance, Bishop's Ranch, and a number of families that live in the west side area. I will be submitting detailed comments later in writing, and I will enumerate all the folks who I am privileged to represent tonight at that time, so as not to waste your time."

"This evening, I'll limit my comments as best I can to three minutes. We have seven key points that we would like to make. #1, we believe that the draft EIR does not provide an adequate assessment of the impacts of Russian River gravel mining; it does not address the need to restore the Russian River and its adjacent stream banks and terraces to their historic ecological health and agricultural productivity. Although it mentions that the Russian River is impaired due to sedimentation and siltation, it fails to mention the significant role that gravel mining- both within the river and along its banks on terraces- has had in causing this degradation. I would refer you to Pages 4.5-9 and 4.5-17 and Exhibit 4.5-2."

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"My second point is much broader. We don't believe that the draft EIR provides the public with a reasonably broad range of alternatives. As your staff has explained, it has three alternatives. The plan itself which is currently in effect is the No Project alternative. You are then provided with a Buildout alternative and a Mitigated alternative. Review of those indicates that, in many respects, they are quite similar. For example, in 26 out of 78 impact areas, the Mitigated alternative has the same impact as the proposed project would. This suggests to us that the County needs to work a little bit harder to identify a true low growth or low impact alternative, so as to maximize environmental protection. Additionally, the alternatives examined are not compared with existing conditions, except the proposed project, because the EIR does not explain to the public the difference between existing conditions in the county and the conditions that would obtain under the alternatives -it's difficult for the public to ascertain the true impact of the alternatives, so we would encourage you to work on that."

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"That brings me to my next point. If you examine the cumulative impacts assessed in the draft EIR, you find that they are frequently very similar for all of the different scenarios; the three alternatives that are explored. We think this, again, highlights the lack of true diversity, a truly reasonable range of alternatives which is necessary for an informed decision by the public, comparing alternatives that are available to the County."

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"The next point, we believe that the draft EIR does not provide an adequate inventory of biological resources. It relies heavily on the California Natural Diversity database inventory, but also acknowledges a number of omissions and inadequacies in that inventory. It relies, to a certain degree, on project-specific environmental reviews to take place in the future; however, in many cases, those reviews would not unearth the threshold information that are necessary to decide whether the County should adopt a high growth, a middle growth, or a low growth alternative. So we encourage the County to mass a greater database identifying biological resources, and to that extent, we concur in the comments by the California Native Plant Society representative, Mr. Marshall."

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"If I might sum up, we have three other quick notes. First, we would encourage you to engage in a more extensive review of the potential impacts of global warming. There is rich literature out there which tells us that there are very significant effects that should be considered by the planning community."

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"The sixth point is that the EIR does not provide sufficient information on the number of scenic highways in the county, with regard to existing and future levels of service. We encourage you to do that, particularly for Westside Road, Hwys 116 and 12."

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"Finally, we don't believe that the EIR provides an adequate assessment of ground and surface water supplies. As you probably are aware, there is a law in this state - the Urban Water Management Planning Act - which requires each county to adopt an urban water management plan. Yours was due in December, 2005, and the County apparently is remiss in not adopting that. That plan should be included in your

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ent. appendices to the draft EIR so the public understands the water supply and demand scenarios likely to unfold for this county. Obviously, that places the cart before the horse, if you are planning without knowing whether or not you have the water resources to conduct, or rather, buildout to the levels that are proposed. Thank you very much for considering our comments."

Chairman Fogg: "Thank you, Mr. Volker. Next speaker, please?"

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Mark La Mantia: "I'm Mark La Mantia. I'm here representing the Good Neighbors Group of Sonoma County. We're addressing pretty much the Airport Transportation Element. Last November, we met with Thompson's representative, Woolsey's representative, the Town of Windsor, and the Airport. One of the key issues- well, two key issues - were noise and safety, and I feel that - we feel that - the EIR does not address, you know, the Airport Transportation Element very well at all. One of the things they told us would be done was a Part 150 Noise Study, which has not been completed, and I don't see how you can complete an EIR without this study. And we would love to see this study done, and they told us it would be done, I think it needs....it's unacceptable to not have it in this EIR. We would also like to have one of our members as a...on the study to see that the beacons are placed in certain places and things of that sort. Pretty much, we'll be submitting our written comments to you before the 17th-is the 17th the last day?...and I'm sure we'll have more than that, but I just wanted to....this study was promised to us back in November, it hasn't happened, and we need it, and there is a noise problem, and a safety problem. Planes have been going down left and right throughout the state, so we need to address this issue. Thank you."

Chairman Fogg: "Mr. La Mantia, would you answer one question please?"

Commissioner Furch: "I just wondered if you have the name of the study?"

Mark La Mantia: "It's a Part 150."

Chairman Fogg: "Thank you. Next speaker, please?"

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Lisa Carr: I'm here to talk about the draft EIR- two elements in particular that deal with noise. I believe it's quite pertinent to the gentleman before me, those would be Section 4.4 and the Appendix 7.7, to be explicit. Now, in reviewing these documents from the EIR, I noticed time and again, and I would urge ladies and gentlemen here today to look at the standard that's adopted here. Consistently, this noise impact report talks of 60 decibel Ldn...that's an averaged value- night and day. And it's applied to many rural areas. In particular, I was interested in my neck of the woods; that's the 128 corridor. 60 decibels night and day, is actually a policy that has been evolved for urban areas with airport traffic, and you're applying this to urban areas. So essentially, you are asking the urban areas of Sonoma to accept airport traffic noise of a highly urban density. Is this what you really want in Sonoma County is my question, by adopting these average noise values. Average means you can have excruciating noise throughout the day, a couple of quiet hours during the night will negate that completely. OK? So just remember that."

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"Secondly, measurements are offered in both these reports I mentioned-1970 measurements and 2002 measurements, taken also on rural roads. Notably, in the 1970 measurements, most of these average measures again are over 60. The ones mentioned in 2002 are all miraculously *under* 60 decibels. This seems to be the magic standard that I urge you to review critically for rural areas. And how can that be? It's gotten quieter? I mean, all my neighbors will tell me it is certainly is not...traffic noise-big trucks-in rural areas are one of the major complaints you'll hear. So just by pure logic, comparing these 1970 values to the 2002 values, I would say some people have to get out there and do proper measurements. It doesn't add up-the noise has gotten less...and the projections, of course, now are it's going to even get less...well, humph, it just doesn't stand to logic."

"Secondly, I was noticing as I was going through here...what are the mitigation measures here? Again, for rural areas. Well, the plan here that the EIR proposes is well, perhaps open space may mitigate all the increased noise--suddenly the word "increased noise" again. Where I happen to have my little house--I'm a grape grower- on such an open space...it echos greatly in our area. But if you wish to mitigate with my property, is that funded? Question mark."

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"Finally, I have two more points to make. Cumulative noise: Traffic is talked about here, and indeed that is a major element. I must note, there's been increased noise by helicopters. Wineries operate with all their events. I live at the Napa County border. The winery that's going up there directly at the border makes a huge amount of noise and light pollution. We hear from Calistoga the race tracks...rural area...that's not in the cumulative impact. The vineyard operations are also night and day operations. Nighttime picking, the wind machines that go on are automatically--seems to be a lot of absentee landlords that have their wind machines on automatic, so they're not affected by it--and then finally, the Casino! The beautiful building structure that so fits into the landscape up in there in Alexander Valley...that were getting night traffic. And then finally, the gentleman here was talking about if I compared the noise impacts that were discussed in the EIR vs. airport noise, vs. maybe a railroad - like a BART up here. I urge you to examine the logic of the findings of the EIR. They're saying that something to the magnitude of 15,000 commercial flights - there are no commercial flights in Sonoma County right now - plus an additional 30 I guess private planes as to what's there now...but this impact in terms of noise is not significant. And why? Well, technology is going to take care of that, because everything is going to get quieter, OK.....let's accept that logic."

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"Now go on to the proposed SMART system. Well, that's going to be significant, so, I guess, maybe the mitigation here is to dump SMART and allow all these additional planes in. I ask you really, is that smart planning? So, I thank you for your time."

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David Keller: "Good evening, David Keller, speaking as Friends of the Petaluma River Council, and I will also be supplying written comments for Friends of the Eel River. First of all, I would like to ask that the comment period be extended an additional 30 days. This is a huge, complex document that will be in play for 20 years, and I think it's very important that the richness of intelligence and experience from the residents and businesses in Sonoma County be able to be incorporated effectively into this document, which will guide Sonoma County for 20 years, and I think an additional 30 days-in time to do that - is nothing in terms of the length of time this document will be in force. So I urge you to really consider that very carefully, and please extend the time."

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"I'm concerned about a number of things. I am going to focus on a number of things here. In LU-4(c), it says "assure that new development occurs only when it conforms to Policy CT-5(e) of the Circulation and Transit Element, so that attempting to constrict or constrain development in rural areas, depending on infrastructure. And yet it says in CT-5(e), "review and condition discretionary development projects in the unincorporated areas to assure level of service objectives of Policy CT-3(a) are being met. And here's the problem statement: If the proposed project would result in levels worse than these objectives *consider* denial of the project, unless one or more of the following circumstances is met."...."Consider" is language that is ineffectual. It should be "deny the project unless none of the three circumstances that are laid out clearly in the document are met."

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"Because there are a lot of cumulative impacts here that are not really addressed, and it's really unclear how the county intends to coordinate those impacts on infrastructure, such as 101. One mitigated negative consequence that's here is 101 capacity. And there is really no comprehensive approach to do that. When I sat on SCTA, that wasn't part of our mission. The cities each worked individually, and there was no larger guiding hand. This is your opportunity to be that guiding hand that says "Cities, if you want to use up capacity on 101, you are going to have to figure out where it's coming from, because it's coming from some other city, or the county's ability to use that freeway- that circulation system- to deliver goods and people. There is no approach in this document to handle that. I'll finish up very quickly."

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"In the Petaluma River watershed, it's water quality limited segment is the worse quality inflows into San Francisco Bay...there's really no comprehensive program here that mandates cleaning that up. It's left to the RCD, it's left to the state board. The county should have a very active hand in this. There should be flood plain maps incorporated by reference into this that are actually up to date. Virtually every FEMA floodplain map in the country is at least 10 years out of date. The county's for the Petaluma River watershed are 1989, and some since then. By definition, not only are they out of date, but the base flood elevations are all too low. And they are too low in Petaluma by 1 to 4 ½ feet. The critical protection for the storage in Denman Flats, which is a critical piece of the flood protection for Petaluma, is not even touched by the County. There is currently a zero-net fill policy for portions of the Laguna, and that should be in place in every part of the county where there is downstream flood plain construction that is in jeopardy, particularly in the County jurisdictions in the Petaluma River basin. Not only zero net fill in the 100 year flood plan, but also zero increment in stormwater runoff, so that new construction in the County jurisdiction does not contribute to the flooding downstream that has serious impacts in the Petaluma watershed....again, this is your opportunity to take advantage of that and put it in place in the general plan."

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"There is no discussion of impacts of hauling the county's solid waste to the Novato dump, which, as you probably know, is undergoing an EIR in Marin. There are serious development project problems there--serious environmental impacts that have not been resolved, and yet, that is a target for solid waste from this county. That has serious impacts on the Petaluma Marsh water quality, wildlife habitat, and so forth."

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"Finally, I will leave you with this one. There needs to be an inclusion in here of the degradation of the Russian River's water supply to the point where the county has commissioned the preliminary engineering for what is now a billion and a half dollar water filtration plant, to be built in one of four locations at Dry Creek in the Russian River, to compensate for water quality losses or water access from Warm Springs. That- the impacts of what happens when you build a treatment plant --to taking care of the upstream watershed, no less the cost of operation and the cost of expansion than the cumulative impacts and growth inducing impacts of that need to be incorporated within this document. Royal Engineering documentation is all in the County's hands. Thank you very much."

Chairman Fogg: "Thank you, Mr. Keller."

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James Boulter: "I live at 100 Lyon Court, in Larkfield. My comments are centered mostly about the impacts on infrastructure in Larkfield, but I believe for the most part, my comments will have implications Countywide. The infrastructure in Larkfield is already stressed. Traffic on the Old Redwood Highway, River Road, and Airport Blvd. are at or near capacity during the morning and evening commute hours. The sewer system is nearing capacity. The water system is already beyond its capacity during peak days, yet plans are on the way to locate Sutter Hospital into Luther Burbank Center in Larkfield, which will greatly exacerbate the problems with all of the infrastructures. And Sutter is only the beginning. It is certain that all of those medical offices and auxiliary facilities in the Chanate Road area will want to follow Sutter to Larkfield, and the general plan is proposing zoning changes to add an affordable housing combining zoning district, which will allow residential densities of 20-24 dwelling units per acre. That, again, will have a great impact on an already stressed infrastructure in Larkfield, and will not contribute to the tax base sufficiently to pay for the cost of providing the additional services and facilities needed. In the case of schools, sewer, and water- the cost of expansion of those facilities to accommodate the added growth will fall as a direct burden on the residents of Larkfield. The cost should be shared equally by all the residents of the county, and not just the residents of Larkfield."

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"Affordable housing typically brings young families with school age children, necessitating hiring new teachers and expanding facilities to accommodate them. Yet no consideration has been giving to providing funding to the Mark West School District to pay for those added costs. That burden should not fall solely on taxpayers in the Mark West School District."

"Larkfield's sewer system is nearing its capacity. There are many houses in the old Larkfield area that are not connected to that sewer. Those houses should be connected before any consideration is given to adding new facilities, new development."

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"Water has become a major issue in Larkfield. We already pay twice what our neighboring communities pay for water. We're served by an investor owned water company. That water company requested permission to drill a new well in their rate case file in 2004. Our committee, the Larkfield-Wikiup Advisory Committee, was successful in getting the cost of the well removed from the rate base, but it will be back in the next rate case in 2007."

"In January, Cal-Am issued a Will-Serve letter to Sutter Hospital, indicating that they would serve water to the hospital. They have since withdrawn that letter, and told Sutter Hospital that they do not have water to serve Sutter. Sutter will need to bring their own source of water. Cal-Am has issued three additional conditional Will-Serve letters, conditioned upon additional sources of water being found, or conditioned upon the developer providing wells on their own property."

"So an assessment needs to be made as to how water is to be supplied to these affordable housing units, and who is going to pay the cost. As it stands right now, the cost would be paid for by the existing rate payers in Larkfield. We do not want to pay that cost. Those costs, again, should be shared by the county at large."

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"In addition to that, the California Public Utilities Commission has ordered regulated water companies in California to implement a low income subsidy for rate payers. Cal-Am has applied to the Commission for permission to implement such a program. As it is currently planned, rate payers meeting the low income guideline would have the service charge reduced by \$5.00 a month. The cost of that would fall on the other rate payers. As the county is bringing more affordable housing and, with it, low income families to Larkfield, they are also increasing the burden on Larkfield rate payers."

Chairman Fogg: "Can you begin to sum up, sir, please?"

James Boulter: "Those costs should be shared by all residents of the county. Thank you."

Chairman Fogg: "That was a very quick summation. Thank you. Next speaker, please?"

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Barbara Green, Rohnert Park and Cotati Creek Council: "I want to commend all you for your stamina. I worked on the general plan 20 years ago, and it's a killer. I would like to second David Keller's comments. We do need 30 days, particularly we're all absorbing the results of the flood, which were substantial in Rohnert Park, Cotati, and Petaluma. And finding out the myth of a FEMA 100 year flood plain is indeed a myth. It may be true in New Orleans, but it's not true here. So that information should go into the general plan, because it has profound implications."

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"Secondly, there's concurrently-SCWA- the Water Agency, is going through an EIR for channel maintenance, and my understanding- this is really a question for County Counsel - is that both the EIRs done by the County and both the planning have to be consistent. So I talked with SCWA staff about that. They accepted our recommendation that we follow Santa Clara's EIR, which includes a groundwater element, because their rapid urbanization drew down their water table so far that their trees died and the creeks dried up. So we are hoping to learn from their bad example. It's not the issue of is-there or is-there-not enough water, but they used GPS tracking to find out, if the ground is sinking, we're probably drawing too much water out, and we'd better stop so we'll recharge. It's very simple, and I believe that SCWA is going to follow that in the EIR. So the question is whether these two processes are tracking."

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"Lastly, to be brief, we are videotaping this, so we'll try to get it on Santa Rosa public access TV for those who could not attend this meeting. Thank you."

Chairman Fogg: "Thank you very much."

Greg Carr: "Mr. Chairman, while the next speaker is coming up - it's not true that Barbara worked on this very general plan update."

Daisy Pistey-Lyhne, Greenbelt Alliance: "I live at a. I'm here tonight representing Greenbelt Alliance, as the Sonoma-Marin field representative for the organization. Greenbelt Alliance is the Bay Area's land conservation and urban planning non-profit. I want to thank you all for the opportunity to speak to you tonight, and for your hard work, and the many long hours you will be putting into this process."

37 "With the release of this DEIR, we looked forward to assessing the full impacts of the policies of draft General Plan 2020, and the impacts that it will have on the environment. However, the DEIR in its current form does not sufficiently evaluate the potential impact of development and growth that these policies would allow. First of all, the DEIR finds a huge number- at a minimum, 38- significant, unmitigated environmental impact after mitigation measures. CEQA, the California Environmental Quality Act, requires that the county make every attempt to mitigate these impacts to the fullest extent possible under law. The County needs to come up with more policies, programs, and mitigation measures that will act to preserve the special quality of life that we have here in Sonoma County from further environmental degradation."

"Fortunately, many other counties have policies that have successfully worked to combat many of the impacts that we have in our own general plan, and these policies can be analyzed and potentially included. I look forward to bringing these to you during this process."

38 "Secondly, and more importantly, the DEIR has utterly failed to provide the full scope of development that could be allowed under draft General Plan 2020. As pointed out by Commissioner Furch, there is no full buildout analysis that actually looks at all allowable development under the general plan. Because of this, it fails to disclose the full range and severity of the project's environmental impacts. The DEIR does not analyze the General Plan's full potential for growth, and thus, total impact on open space and habitat land. The DEIR's discussion of the potential impacts of growth are based on projections for the County only through the year 2020; however, there are no controls in place in the General Plan that would limit growth to these levels. CEQA requires that the project description be whole, and that both the proposed policies and all physical development that would be allowed under it, that could possibly occur under the draft General Plan, be allowed. Such a description is feasible and legally required. What is the full potential for residential and non-residential development in unincorporated areas as allowed by draft General Plan? We would like the County to provide a full analysis of this. The County legally must analyze the full impact of its overall policy decision to improve the level and type of development allowed under the draft General Plan."

"When it's adopted, the draft General Plan will constitute a present commitment to future development in unincorporated counties, whether or not the construction that is allowed of particular projects is imminent. A county may not properly claim that its Land Use Element is adequate as a planning document to inform the public and decision makers, while at the same time claiming that the allowed level of development is not realistic or will not occur during the time horizon for the plan, and is, therefore, unnecessary for environmental review. Therefore, full allowable development legally must be analyzed in the DEIR. The failure of the DEIR to provide full legally required analysis of the draft General Plan's project is a liability to the County, as it leaves the document open to potential legal challenge and time delays. As we all move forward with this project, in the hope of keeping this moving at a reasonable pace, we encourage the County to address this issue completely before certifying the EIR, in order to meet all the legal requirements of CEQA. While the logical means of remedying the DEIR main deficiencies would be to review and recirculate the DEIR, we believe that many of its defects can be addressed by full analysis of the development and the inclusion of new and creative mitigation measures in the form of land use policies, programs, and changes. We look forward to working with you, the Commissioners, the Board and

County staff to find innovative solutions to the problems of unmitigated impacts created by the draft General Plan 2020. As well, I would like to echo the concerns of several other people tonight in asking for an extension of 30 days for the public comment period, as this is a massive document, and it's very complex, and the public really serves as the watchdog for this public process. As people have jobs and many personal commitments, the time that it takes to go through this huge document - both the DEIR and the General Plan—is significant, and we hope that we can get more time to come up with creative solutions that really work constructively to criticize this."

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"In closing, we'd like to say the number of unmitigated significant impacts are unreasonably high, and we hope to find ways to mitigate them, and we'd like a full analysis of allowable growth and development. Thank you very much for your time."

Chairman Fogg: "Thank you very much. Next speaker, please?"

Brenda Adelman: "Brenda Adelman, I've been going to so many meetings lately I haven't had time to do justice to these two massive documents. When I got up earlier, I forgot to mention the most important thing about those letters I turned in and others you received asking for an extension of time to...you know, there's just 2 ½ weeks left before the deadline, and there's simply no way...it's so complex and so difficult to wade through all of these...you know, someone seriously wants to spend time doing a very in depth analysis. The amount of time we have had just simply is inadequate, and I appeal to you to give us some kind of extension on that. 30 days would be fine - *anything* would be fine."

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"There's a lot to say, and almost no time to say it in. I made very many comments at the CAC meeting about alot of the inadequate and misleading information in both the plan and the EIR, and I enumerated a number of things. I would like those comments incorporated into this hearing as well, because I don't have time to repeat them all."

"I had a lot of concerns about water supply, but I'm going to leave those for another time. I am going to submit written comments. There's simply a lot of misleading information, and I have a map here - I apologize that it got a little bit funky. I'm not sure your planning department has ever seen it. I started coloring the river and flood plain, but didn't get to finish that, so just kind of ignore that part. This is a map showing all the parcels in the Russian River County Sanitation District by the Sonoma County Water Agency, including 750 parcels they intended, at one point- whether they still do or not I don't know- to add on to the Russian River County Sanitation District. I'm going to submit this as part of the record. At this time, there's a strong push to...well, there's a lot of talk in the EIR about failing septs, but to my knowledge, I didn't see any evidence talking about what strong evidence there is that this is indeed happening. I know there are septs that are out of compliance in the lower river, but I've never seen any strong data to indicate that the extent of the problem, and whether or not they are actually polluting the waterways."

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"The Russian River County Sanitation District has serious problems. We've been tracking that for 25 years now. I could spend hours telling you many details about the history, of course, I can't do that, but...and you'd probably be bored, but, at any rate, there are serious problems with that system, and the information in the EIR is very misleading. I'll give you a few examples. It said the dry weather flow is around 250. Well, that's an old number. Lately, it's closer to 400,000 out of a possible 700,000. There's been a lot of conversion...while there hasn't been a lot of growth in the river, there's been a lot of conversion of summer cabins to full time use, and that's had a significant impact. I'm not sure if that was addressed or not, but, at any rate, a friend of mine saw this sign on a property that had about 70% slope, completely wooded, not in the sewer district- but right next to the sewer district....says "could be opened up to get pleasant view (now all you get is the trees). I'll leave this as part of the record too. Then it talks about how it's next to the sewer system but would have to be annexed."

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"Now, we have serious problems with mudslides. I just went home the other night on River Road, and there

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ont. was a huge mudslide on River Bend covering half of the road. If someone had been driving by when that happened, they could have been killed. This is happening more and more in the Russian River area, where people are disturbing the ecosystem, and we are having more slides. I haven't had enough chance to study the policies to see how this situation is dealt with, but, as I recall when I was working at the subcommittee level, it was very inadequate and that was one of the concerns I was expressing."

44 "I know, probably my time is up, and I just want to mention a couple of real quick statements here. Policy mitigations are weak and no means provided to measure compliance. And reliances on unfunded projects to mitigate growth, and the EIR should correlate parcelization to proof of adequate water. Again, it's just these projects- these paper water promises - that have no meaning in real life. And just one quick statement about the water situation....the EIR talks about annual use, and it doesn't look at seasonal use and the problems we have with adequate water supply in the summertime, so if you give the average numbers and the annual numbers - those things don't give you the true meaning and the extent of the problem. Maybe as I read more of the document, I'll find it's addressed somewhere. But those are the things that I am going to be looking at, and I'd like those entered into the record."

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Chairman Fogg: "Thank you Brenda, and we will incorporate your comments to the CAC."

Greg Carr: "Brenda, could you leave the map with us? Thank you so much."

Chairman Fogg: "We've been asked to have a five minute break, so we will be back in five minutes."

Break

Chairman Fogg: "Can we resume the hearing, please? Please take your seats!"

46 **H. R. Downs:** "I am president of the OWL Foundation, which is open space, water resource protection, and land use, and, first of all, I would like to thank all of the Commissioners and staff for putting a great deal of time and effort into what is really an enormously complicated document and effort. It's really something, and I know you all get the big bucks for it...so anyway, this is very good. We will be submitting some written comments for you that will be specific, and somewhat voluminous. Right now, I just have a couple of very short things to say. First of all, I would strongly urge you to consider tacking on at least an extra 30 days for comment period. This is a very complicated set of documents. A lot of people have day jobs and can't go through it all, it takes a lot of considered time and effort to think about these things to produce quality comments, and I just think you get a much higher quality response from the public if you are able to do that."

17 "Another thing that kind of shows how difficult this is, and Mr. Volker had referred to this earlier - the Urban Water Management Plan, which is mandated by state statute - is late, and this is the water figures for everybody. The Water Agency, all of the contractors, and the public, is being denied these figures. To be able to comment on the Water Resources Element, for example, is nearly impossible if we don't have these figures. The statute states that the Urban Water Management Plan has got to be out by cities, and, in this case, SCWA is being the contractor for it, every five years ending in 05. So, December was the date, and they are not going to have it. According to the general manager of the Agency, he's...(END OF TAPE)....we'd be flying blind, but remember- the contractors know what those figures are, and the Water Agency knows what those figures are. We would be denied those figures. That's a very crucial thing, I think. And it underscores just what is going on here in the 21st century, water is not like it was in the old days. It's not like it was in '89 when this current general plan was put together! We're going to be looking at water issues a lot more in the future. This isn't some choice; either we do it now and we get our act together, or it's going to be forced upon us later on. There are many ways to solve these problems, and they are not difficult. There are 167 localities already in California that already have groundwater management plans, just like the AB3030 style plans, and I think that's what we are going to be seeing a lot more of. When we talk about development or growth, in the old days, it used to be development and

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growth. Today, you have to think of this as water demand. Can we supply the demand? We're going to have to start looking at it in that type of an equation. Thank you very much for your time, appreciate it."

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Chairman Fogg: "Thank you, Mr. Downs."

Jane Nielson: "I live on Burnside Road, near Sebastopol. I'm here to represent Public Employees for Environmental Responsibility and the Sebastopol Water Information Group. both PEIR and SWIG will submit written comments on the draft EIR. I have a PhD in Geology from Stanford University, and for 25 years I worked as a research geologist for the U.S. Geological Survey. I have already sent correspondence to the Planning Commission asking for extension of the comment time. It's a very complex document, it's very difficult to relate the parts of the EIR to the Elements, and I believe that the public and I, myself, need more time to look at this document and to comment on it."

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"I will just start by stating that the basic EIR information has to be correct before impacts can be correctly addressed. Unfortunately, this EIR, although it's quite an improvement - it talks about a project and a general plan that is far superior, I believe, to the old one- contains many incorrect or insufficient statements or assertions and has significant missing information in many areas. Global warming impacts, of course, is a huge one, and it's not there at all. The water use estimates have been mentioned. There are also incorrect statements about groundwater data. There are many groundwater data that are available. In the files of public agencies, SWIG and OWL and other groups have obtained many of these documents. There is actually quite a lot of information about groundwater that is out. The County is now having groundwater studies done by USGS Water Resources Division, but only the first ones are done, and the big one for the Santa Rosa Plain will not be done until probably 2009, at the earliest. I'm in touch with Eric Reiford, who is managing that project, and as far as I know, the USGS part hasn't actually gotten underway yet. We cannot base future plans on something that's not coming down the road until 2009."

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"The data on impairments - the 3030 D Impairment by nutrients of the Laguna de Santa Rosa, is missing from this EIR, because the data that are used are too old. There are recent listings of impairment, and we believe that's going to be continued."

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"On geologic hazards there are many problems also, and I'm just going to list a few of them. Soil failures are linked only to expansive clays, but there are many other factors, including slope steepness and water saturation, that cause soil failures. Roads cause soil failures, and road mitigations can bring those kinds of failures way down to lower impacts than are listed. Many issues on geologic hazards required are lumped together requiring different policies that need to be separated. For example, the DEIR assumes that earthquake and flooding impacts cannot be effectively mitigated unless the impacts from the most extreme events can be eliminated, and this is simply not true. That's not a conservative way of looking at it. The more conservative approach would be to establish required policies that significantly reduce the future impacts on future construction for the higher probability, low impact events, and support upgrades to lower impacts on older constructions, avoiding flood zones and major earthquake zones."

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"On the other side, the EIR states that there should be no construction within 50 feet of any fault, whether it has moved in the past 1, 2, 5 million, 30 million...years or older, which doesn't make much sense. That's far too restrictive. So this EIR shows me that there is not very much professional geologic input, and that certainly is required under CEQA. There should at least be professional geologic review to separate out and separately classify the kinds of geologic impacts. That way, many more can be mitigated. Thank you very much."

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Chairman Fogg: "Thank you very much, Ms. Nielson. Is there a next speaker, please"

Stephen Fuller-Rowell: "I live at _____ al. I am speaking this evening for the Sonoma County Water Coalition. This is an organization that came into existence after the Citizen's Advisory Committee completed their work on the Water Element of the General Plan update."

56 We came into existence in March 2004, and we now have 32 organizations, with a combined membership of over 27,000 concerned citizens. We will be submitting our comments on the DEIR in writing before March 17th; however, we do feel that an additional 30 days is needed for the comment period. The preparation of the DEIR itself was promised to us on many occasions, and that date- that promised date- was pushed back for many, many months. So the preparation of the document itself was given many extensions. We should be given an extension in the time that we have to respond to it."

57 "There are many defects in the EIR, and some of these defects may be so serious that it needs to be resubmitted. The DEIR is commenting on policies that were developed by the Citizen's Advisory Committee, in the absence of key information, particularly about water. On water supply, both the General Plan update and the DEIR assume that additional supplies of water will be available in the future from the Russian River. The general manager or chief engineer of Sonoma County Water Agency wrote to the contractors - the people that the agency supplies water to- in August of 2003 telling them that they should not depend on that water, and that additional water was insecure. Additionally, in May 2004, the draft supply agreement between the Water Agency and the contractors suggested that contractors should depend for up to 40% of their peak water demand from other sources; conservation, reuse, storage...but most particularly, groundwater. This is going to affect groundwater. This is the second document that came out after the CAC completed their work. The third document - a very important document - was the Kleinfelder Report, which came out in September 2003, several months after the CAC completed their work on water. The Kleinfelder Report, for those that are not familiar with it, looked at three unincorporated areas of the County: The Joy Road area, Bennett Valley area, and the Mark West area. They found clear evidence in all those areas that there was significant declines in groundwater levels. So, while for our water supply, we are going to be more dependent on groundwater...groundwater is shown to be in decline in many parts of the county."

"Fourthly, the Grand Jury, in May 2004, recommended much more upgraded water planning in the county, and these recommendations were rejected. The area of water exports was not addressed in the DEIR. Water exports were mentioned in the General Plan update, but the environmental impact report does not look at this. We believe that the policies recommended or developed by the CAC do not adequately address the potential environmental impacts of additional water exports. If Mr. Davidge comes here again looking to export more water to San Diego or somewhere else, we don't believe that language effectively addresses that potential mitigation."

"Many of the mitigations that were rejected by the CAC were considered unfeasible. The Department of Water Resources have provided contradictory information there. We will be submitting our language to you when you address the Water Resource Element, and we will submit our comments on the DEIR by March 17th. Thank you so much for letting me speak to you this evening, and have fun with the process."

Chairman Fogg: "Thank you, sir. Next speaker please?"

8 Caitlin Cornwall, Sonoma Ecology Center: "Two points: We would add to the list of people asking for a 30 day extension- considering the amount of time that it took to see the EIR, we could use some more time to go through it. Second point: We were very much involved in the prior CAC process with riparian policy with riparian setbacks and all that, shaping up to continue to be an extremely hot topic. It would really help the process if there were accurate numbers in the EIR that state how many acres are actually going to be affected by the draft policy. The acreage figure should reflect two factors. One is that the draft policy only affects new construction and new agriculture, and does not affect existing uses, and fact #2, that there are many parcels in the county that are not developable, not buildable, and will never have a vineyard on them....we've had huge acreage numbers being thrown around in sort of a war of words, and that will continue unless there is a credible number that is associated with this EIR, so I ask for that."

Chairman Fogg: "Thank you, Caitlin. Are there any other speakers please?"

Brock Dolman, Occidental Arts and Ecology Center: "on Coleman Valley Rd. I wasn't planning to speak, but couldn't help myself with all this juicy stuff tonight. And Brenda brought up a point that I would love to ask staff, on behalf of my desire to save trees. In the CAC process, I submitted some volumes of paper - I don't know where the stack ends - if we are allowed to request it, those documents are made part of the EIR process - I would love to do that, that would be great. I would have to go find them again."

"A couple things, I guess I resonate with the comments on water, so I don't need to repeat them. Considering, from what I gather, that this is a self-mitigating document, and the EIR supports the goals and policies and such to do that, there's a number of instances in my written comments I'll submit hopefully by the 30 day extended comment period, that detail these out. Places where the EIR supports a certain policy that says "this mitigates this impact," and then, when you get into that detail back in the draft General Plan, there is language that says we'll "promote" something, or we'll "encourage" such and such, or we'll "support" that...and it strikes me that the language "Promote, support, and encourage" vs. "it shall be done," or "it will be done" is a little wiggly, and I am not sure that it can be justified as -that language can be useful as a mitigation, unless you are going to strengthen that language, so I would support a thorough evaluation of that relationship between the two documents."

"Say, for instance, in one area that I was tracking that has been mentioned tonight - I think it was Water Resource Element 4.5.4 in the EIR- talks about runoff rates regarding agricultural land and such relating to siltation and sedimentation section...proposes that basically, on slopes above 35%, there would be runoff types of mitigations, and that it is listed as a significant unavoidable impact. This strikes me, based on the significance criteria that are listed in the Water Resources Element- one of those has to do with Land Uses must basically mitigate their peak runoff impacts, and that's all land use, not just agriculture land uses. So why we would put a limit on runoff mitigations for slopes above 35% and not below-in fact on any slope-I'm not sure why there is a percentage thing in there- I mean, I can understand it maybe in other sectors, but from a policy perspective, and as someone who does slope stabilization, erosion control, groundwater recharge type of work - it's a lot easier to mitigate runoff on a less steep slope than on a steeper slope, for many of the reasons that Jane Nielson just brought up earlier, and, ironically, I think some of the unavoidability that's perceived there, if slopes were managed in such a way where that surface water was spread out, slowed down, and sunk into the land in appropriate ways to augment groundwater recharge, retain sediment in situ, we can improve water quality. We can decrease flooding downstream because we are taking the peak runoff off of the runoff....it seems to me that we get a bunch of creative win-win benefits that Daisy was mentioning, and could get at mitigating some of this impact. Every watershed in the county as far as I can tell, except for maybe Salmon Creek, is 303D listed for sediment impairments and salmonid issues, and we've had salmonid listings subsequent to the development of this document that further requires us to look more closely at these kinds of things, so that's just one case study, and I know that the VESCO process is there to mitigate those things, but I don't think it adequately does that."

Chairman Fogg: "Thank you Mr. Dolman, next speaker, please?"

Scott Stegman: "ol. I wanted to start by commenting on one of the implications of a self-mitigating general plan, and that is: A general plan is not a discreet project, and when you do a self-mitigating EIR, it creates a loop that reaches back into the policies. My concern is, you're both the closing of the public comment period, and the first staff recommendation on Page 11, is that you complete the DEIR hearing, close the DEIR review period, and ship it off to the consultant to begin working on the FEIR. My comment is, if you are going to be spending months going through the actual elements themselves one by one and adjusting the policies, you are concurrently or simultaneously adjusting dozens of the mitigations in the EIR. So, however you want to handle the comment period, it makes no sense to me to initiate final preparation of the EIR when the basic project and document will remain in motion for months to come. You could have a final EIR, and by the time it's in print, it's already out of date because of policies that were changed in the General Plan, which were presumed as mitigations in the EIR. So I think there needs to be - however you want to handle the comment period itself - I think you need to step

62
ont. back and logistically decide how you want to make this process work in some way that will be effective for the public and for you."

63 "Secondly, I have some concerns that in a number of places there are policies, as a previous speaker noted, that are not binding. A general plan policy can be optimistic, it can be well intentioned, a mitigation for a declared unmitigated or significant impact has to be enforceable, and has to address the problem. You cannot mitigate an impact by saying "someone should consider doing something." It is not a mitigation under law- it won't stand. With that in mind, there are a number of those in the Water Resources Element, which is the first one I've started going through. In addition, there are areas in the Water Resources Element where they offer mitigations, and then say there is a significant and unavoidable impact....and that's allowed, but before you get there, you have to prove that not only is there a significant impact, but it is infeasible to mitigate it. Not that it's awkward, not that it's painful...not that there is going to be grinding of teeth....but infeasible doesn't simply mean inconvenient - it means infeasible-that is, financially infeasible, structurally infeasible, legally infeasible....there are a number of cases where the EIR did a good job of assessing impacts and concluding that there were problems, and then balked at taking that final step, which is saying "You're going to have to bite the bullet. You're going to have to impose stronger policies than already expressed in the EIR," and unless you can demonstrate that those policies are impossible to do - are infeasible - you need to go there. In most cases, the document does not demonstrate or explain why further mitigation is infeasible. It just says it is; we can go this far, no more-live with it. And again, that is not adequate under CEQA. If it is infeasible, so be it...you can make that policy choice. But first, you have to establish that."

64 "Lastly, there are errors that I think fell between the cracks, and this will be my last comment- I saw that look, and I knew what was coming--and that is, as the EIR was done in sections, some issues tended to fall between the cracks, and there was an assumption, because different staff people and different consultants were doing things. And one example, which is both a water quality issue and a hazardous materials issue, is the question of contaminated sites underground, leaking underground storage sites, superfund sites, brown fuel sites, and so on. They are not addressed in the Water Resources Element in any way, the Hazardous Materials acknowledges, them, but, ironically, does not discuss any impacts associated with that. The specific thing I am concerned about is, the combination of well drilling and altering the pathways of existing contaminated plumes. This is a source of high concern with the Regional Water Quality Control Board in a number of areas of the county. It is not on the radar in this EIR, and I think, either in the Hazardous Materials Element, or, preferably, in the Water Quality Element, you need to address how well drilling, even in a Class 1 area of sufficient volume, can not only redirect the movement of a plume, but can end up contaminating a well that appears to be very good - very strong, very sustainable...and yet, within a matter of weeks, may be permanently fouled because it relocated a plume. I'll submit other specific comments, but, as I say, I think by and large, with some specific exceptions, the analysis is very good. I am concerned about how some of the mitigations were designed or not provided for."

Chairman Fogg: "Thank you very much. Next speaker, please?"

65 Jamie Zukowski: "Board member of the Knights Valley - Franz Valley Residents Association, which has been an agricultural and resource conservation district with zoning regulations that property owners have depended on since 1978 in our Franz Valley Area Plan. This agenda this evening is the first notice that our association and residents have received that there would be changes inherent in the General Plan update to the Franz Valley Area Plan. We ask that the specific changes that will take place, inherent in this General Plan update, be provided to us in writing, so the property owners are aware. I know that this meeting is for the draft environmental impact report, but certainly, any changes to the Franz Valley Area Plan will have environmental consequences, and we need to be informed. Because three times the number of people that have attended this hearing have had to leave and have not been able to participate, I reiterate the requests of others, that another public hearing be scheduled, so the public is fully involved. Thank you."

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Yael Bernier, Dry Creek Valley Association: "I live in Geyserville, and I just want to further reiterate and reinforce the need for at least an extra 30 days in order to really be able to review this correctly, and do a good job. I do feel that all the delays make it so it really should be granted. Thank you."

67

Veronica Jacobi: "I am speaking on behalf of the Sierra Club. We are submitting these comments for the record on the DEIR and General Plan 2020. The Sierra Club finds the draft EIR inadequate in addressing climate protection and energy. We appreciate that the Board of Supervisors is a leader in setting goals for climate protection. How will the EIR thoroughly address a plan for reaching adoptive climate protection goals? We encourage further additions, or complete climate protection and energy element be adopted, modeled on the draft plans Marin County and Humboldt County, to thoroughly address climate protection, air quality, and energy. Climate protection is even more urgent than scientists had previously thought. Sierra Club has adjusted its priorities to acknowledge this. We encourage the EIR and General Plan 2020 process to guide us to the year 2020 and beyond, and preserve our Sonoma County environment for future generations. Since CEQA was adopted, climate protection concerns have grown significantly, and global warming has huge impacts on environmental quality. Air quality, energy, and greenhouse gas emissions are all interlinked. The childhood asthma rate continues to increase, and climate protection and lack thereof has very significant impacts on air quality and water supplies. Thank you."

68

Chairman Fogg: "Thank you, Ms. Jacobi. Next speaker, please?"

Al Wood: "I live at _____ I am going to be a refreshing heretic. There is an urgency in the General Plan update process. The existing plan, with all its quirks, was better than none, but must be improved. If the draft EIR expense is to be justified to our taxpayers, and I believe it is, it is recommendations of mitigation alternative measures and policy additions should be adopted. CEQA compliance requirements would confirm this decision. It is unfortunate that the draft General Plan 2020 includes 47 significant environmental impacts, and 38 remain after mitigation. Also distressing are the significant unavoidable impacts that would deserve further examination. In spite of these deficiencies, any revisit to the General Plan 2020, as our environment declines, is not warranted. I believe this DEIR is obviously thorough and reasonable, and should receive your endorsement without alteration or delay. I reserve further comments for the General Plan."

69

Chairman Fogg: "You are a refreshing heretic, sir. Any more speakers?"

Kathleen Solaris: "I'm a resident of Oakland and Sonoma County. I simply wanted to remind everyone that we just had an international bike race that went through Marin County, Sonoma County...all the remarks that kept coming up from the cyclists- we had four international, the very best cyclists - and they all said it was one of the most beautiful places that they have ever ridden. We are really lucky to live in this precious, beautiful place on this earth. It is truly one of the most beautiful of all. And I feel 20 years is a long time before we come up with the next set of ideas. Therefore, I think with the documentation that has been done, with all the work that you have done, and with the work of all these folks and many others that we don't even see, but have spoken through their letters - I really ask you to consider giving us an additional 30 days to continue to make comments. 30 days is a terribly short time, but I think it is a reasonable request, considering the amount and the voluminous number of pages one has to go through. Thank you all for your help, it's very appreciated."

70

Don Howland: "_____ I want to address the issue of water again. I know it's been addressed several times. How many of you like good neighbors? We have some neighbors up north - Mendocino County...Lake Mendocino, as I understand, Sonoma County owns 90% of the water in Lake Mendocino, is that correct? Does anybody know that? That's how I understood it, since they funded the majority of the construction of it. At this time, I believe the Eel River system is undergoing some kind of studies on the salmonids, and so, we will not be getting, at some point, the same amounts of water from Lake Pillsbury. Obviously, our water is a big issue. I don't know how many of you like to talk to older people that have lived around here for a long time. I know a man who came out to Redwood Valley in the

20's. He said when he came there, they had a 12' deep well on the back of the property, and in the summer time, the water was 6' from the top. When my parents bought the property in the middle 50's, I remember going down and looking into the well, and at that time it was 36' deep. In the summertime, we would go down with a flashlight and look to see if there was enough water just to do a load of laundry. The water tables are dropping. This same man also told me that some of the individuals in the area could not get into their vineyards to do any ground work until June or July. That's how wet the soils used to be. So with all these houses going in, I think it's really an issue to look at affordable housing. I know the state mandates that a certain amount has to be done. I know Sebastopol was rather aggressive on some of their ways. I don't think they were really within their legal rights all the time, but the opposed Ghilotti's construction there below the Palm Drive Hospital, and they finally gave the land to the City and said "you take it, we don't want to fight with you anymore..." and so I just urge you to really consider seriously this issue of water and growth, because it's real. The water tables are dropping, and they are getting contaminated, so that's basically what I have to say."

Chairman Fogg: "Thank you, Mr. Howland. Next speaker, please?"

Helen Bates, Sonoma Mountain Preservation: "We have members from the Sonoma Valley, Petaluma, Glen Ellen, and we basically encircle Sonoma Mountain in the southern part of the county. I really have one comment, which is the request for a 30 day extension. I personally haven't had time to review the EIR. We have several areas of concern within it, so I echo that plea for more time. I happen to be living on top of an unmitigated environmental impact, which is called a landslide, which has closed Sonoma Mountain Road for a month and a half, and I am a little distracted and haven't been able to study the document and I know that winter is a difficult time for many of us, so please consider the extension. Thank you."

Loretta Antolino Brocco: "I have a piece of property at That's the smallest little spot that you have on one of the maps outside, so, what I really wanted to start off and say, with all the discussion that you have on this EIR, that you don't forget Cloverdale. All of you know, my family happens to have been in Cloverdale for many, many years...and there used to be hardly anyone there but a resort town. And as you know, new homes have come in, all of our wells on McCray Road on one portion were at 30'. I just got through putting in an 84' one because mine just dried up, and the rest of them in my area are also pretty well dried. It happened right after two dozen wells got put in by Cloverdale to offer water to the new development at the south end of town."

"So, I actually have four concerns. One is water level, and I hope you do look at this for the whole county. I also have a piece of property in Petaluma, that I don't worry too much about water there. For Cloverdale, I do worry for water. Secondly, flood control. We haven't had a major flood in Cloverdale since the 50's, and we were left off the tv, but all of us had somewhere between 4-9 and 10 feet of water that covered our buildings this year, because the river totally went over the edge and flooded us out. And I never have had flooding on our property until new development happened on the other side of the road, and there's a lot of cement that covers property, so I hope when you look at your plan, that you consider what is on it now, and when you think about what you're going to put on it, how you are going to allow property available for floodwater. Thirdly, noise- every year I have to appraise my property because of my senior mom, and every year I get frustrated with what's marked on the appraisal because of the noise from the freeway, which used to be my uncle's ranch, and so I hope you pay attention to noise. Lastly, and most importantly in my heart, are history of our county and artifacts that I know we specifically have a tremendous amount of indian artifacts of McCray Road, because I have quite a bit of them at my house that I collected when I was young. I hope that you don't just arbitrarily allow big developments to come in without seriously looking and seeing what types of artifacts are there, and are preserved for history for our children to know about. Thank you."

Chairman Fogg: "Any other speakers, please?"

Kathy Pons: "I am a member of the Valley of the Moon Alliance, and also the Sonoma County Water

Coalition. We would like to ask for a 30 day extension on the comment period to help us look this draft EIR over. And what I have noticed in what I looked at is that a lot of the mitigations that are marked less than significant are because of the implementation of the draft GP 2020, so it seems to me that the No Project alternative would add many, many more significant impacts to it. And I would also encourage that the policy language be used in the draft EIR or in the draft General Plan be of a stronger wording than just "we'd like you to," or "would you please," and that these policies would be implemented and enforced, so that we could count on this General Plan to become a guideline for what the county will be in 20 years. Thank you."

Chairman Fogg: "Thank you, Ms. Pons. Any other speakers?"

Bob Anderson, United Wine Growers: "I will submit written comments by the deadline. It is a complicated document, and takes some time to think it out, but I will make an effort to do that. I just come forward to underscore - maybe a good omen, I'm not sure, but December 4, 1986, when the Planning Commission met on the 1989 plan for the first time, the room was overflow capacity at that time as well, so... they started out that way, and ended up, I just want to note, Les Perry, George Mertans, Les Meyer, Alan Nelson and Gary Mills did the yeoman service to knock down some major issues in the county, and landed a document that... I have been listening tonight, and there are lots of comments appropriately made for the 2020 plan, but people remain happy with what was crafted and we know as the 1989 plan, and that's the bedrock for us. And just one process where substantive question.... I'm not a lawyer, but I do have some concern.... I don't quite understand as this policy, or this document, is a review of policies—it recommends new policies, and by my count, there are 29 new policies or revised policies made, and even after the policy, you still remain significant unavoidable impact. I don't quite understand you add a policy that doesn't get you anywhere, and what good is that policy putting it out there if it hasn't gotten you up over the top of the hill and gotten rid of that significant unavoidable impact? So I'll leave at that, and submit written comments."

Chairman Fogg: "Thank you, Mr. Anderson. Are there any other comments? Okay, we need to continue this hearing until - let's determine which day, and let's determine when we want to have it, morning, evening, or afternoon.. Is March 15th OK?."

Deputy Director Barrett: "We don't know without talking to the Clerk's office if the room at the Board of Supervisors would be available, but it generally is available during the day, and probably at night. We would have to confirm that, unless you want to..."

Chairman Fogg: "Would this room be available as a back up?"

Deputy Director Barrett: "I believe so, for the day time. But I would have to check. Wednesday mornings we usually have this room booked, but I have to check."

Greg Carr: "I just wanted to say that, in the anxious moments at the beginning of this meeting, I kind of ducked in here and heard that you had decided on March 15th at 1:00, and I went back out to the folks that were standing in the almost rain and announced that, and a bunch of people left. I do think there's at least some folks who are thinking it's going to be at 1:00 on that day. Now, I did not commit to any location, and I said, as far as we knew, it would be here, so I think you are OK here. Again, we'll double check on the availability of the room, but I think that's what several people are expecting."

Deputy Director Barrett: "We certainly can post notice here if it's over there, and there if it's over here, to make sure that people are aware of the meeting location. We can also post notice on the internet site. If people have access to the internet, they can check that. Those who have the notice, have the phone number for staff and can call if there is any question they want to confirm the meeting location."

Chairman Fogg: "We also have 5 people who signed these little cards and who did not speak, so can we

call them or write them appropriately, so they specifically know what's going on?"

Deputy Director Barrett: "Yes, I think we can."

Chairman Fogg: "OK, so it's the 15th? Timing is the issue. What's the Commission's pleasure?"

Commissioner Murphy: "To be real...an anarchist...there are both people who can't come in the daytime or can't come at nighttime....I would actually, if it was necessary, work towards a split session that would work both through the earlier part of the day and then into the early evening, to accommodate those who are just getting off work, even if we had to take a little break. I would leave that to my fellow Commissioners to talk about, but, as far as I am concerned, I am available both times."

Chairman Fogg: "Would you suggest starting at 3:00?"

Commissioner Murphy: "3:00-5:00 and then a half hour or an hour break and then 6:00-7:30 or so, so we can accommodate those who needed to speak. Plus, we may want to reserve part of the afternoon time for our own selves, and reserve the remainder of the evening of the time for the speakers that were necessary then for ourselves as well..."

Chairman Fogg: "any other Commissioner thoughts?"

Commissioner Furch: "It's equitable....I'm betting that we won't have a cast of thousands at 3:00 on Wednesday afternoon, so...we'll have a long break, possibly."

Chairman Fogg: "Commissioner Sponamore?"

Commissioner Sponamore: "It doesn't exactly accommodate Mr. Carr somewhat..."

Greg Carr: "...Oh we can be available to people at 1:00 here, and let them know that it might be two hours later, but I am sure there are some people who are going to come at 1:00 expecting to speak, and we can make efforts to notify them, but whether we can get to them all...."

Deputy Director Barrett: "Mr. Chairman, you might want to consider starting at 1:00 and having a longer break."

Chairman Fogg: "Sure, why don't we do that."

Commissioner Bennett: "I don't care for long breaks, if it's two or three hours...it's a matter of us commuters have to sit around. I mean, I don't mind you taking an hour or something off, but meeting from 1:00-3:00 and then coming back at 6:00 is not convenient."

Deputy Director Barrett: "I'll buy you dinner."

Chairman Fogg: "Jennifer offered to buy you dinner...no, I can understand."

Commissioner Bennett: "I think we're just trying to make pretzels out of this, and I think it is just a question of either have a daytime meeting or a night meeting, and I am happy with the night meeting."

Commissioner Furch: "My only concern with the night meeting is there are people who have been told 1:00. I think that there will be more people who would respond favorably to a night meeting, because look at the turnout we had tonight. It's because people can..."

Greg Carr: "I think all we can offer, clearly sense the Commission wanting to go that way...staff can be here at 1:00, and we can do what we can to notify people by the web and other ways, but we weren't out there taking names, so it's not going to be possible to call everyone who might or might not come back. That's how I would propose we deal with that if that's the way you want to go. We'll be here, we'll make ourselves obvious to folks, and we'll ask people and let them know what was decided."

Chairman Fogg: "On my role as Louie Brandeis, what would happen if we convened at 4:00? So be it!" We will continue to keep the public hearing opened till 4:00 with DEIR comments only....

Counsel Hurst: "What you will be doing is continuing this meeting with the hearing opened, and it would be to give people who have not spoken and opportunity to speak. It won't be another opportunity for those who have already spoken to speak again.:"

Chairman Fogg: "Correct- that's a good point."

Deputy Director Barrett: "but written comments...."

Counsel Hurst: "...again, written comments are always welcome

Chairman Fogg: "OK. Anything else we should discuss the next 12 minutes? Please"

Commissioner Furch: "I would like to discuss the request that has been made multitudes of times about the extension of review time, and perhaps staff time could tell us what the down side of doing that is...why would we not do that?"

Greg Carr: "Couple of points. I guess, to me, on the practical level, the downside is that it will delay our preparation of the responses to comments, and there is going to come a time in your deliberation when you are going to want to have those responses in hand....and I think the earlier that you can get that, the easier and better information you are going to have for your policy making. You're going to have it anyway at some point in the process, but, that's the biggest downside. I think for a practical side, from our standpoint, is we expect it to take several months to do the responses and have them reviewed by all the staff, counsel, and everybody, so....and our Board has said their goal is to have this in front of them in the Fall, so....you know, we are mindful of all of those aspects of this."

"Just from a I know Counsel has looked into the legal aspects of this....CEQA does say you should not extend it beyond 60 days. They don't say you cannot, they suggest that you should only do so when there are unusual circumstances. Obviously, that's the Commission decision, whether this is unusual....I look at other EIRs and parallel situations is that it is very untypical to ever go beyond 45 days, and we have already committed to the full 60 days from the outset....so, I think...while people are struggling with a big document, we certainly understand why people want more time, but we're sort of urging you to stick with the 60 days and let us get the EIR done. And again, I think that if you heard a lot of the testimony tonight, if I had to draw some numbers on the testimony tonight, what I heard was about 20% comment on EIR and about 80% comment on general plan policy. I know that people want to tie those things together. It is important to do that, but the sooner that your Commission can begin to wrestle with the policy issues in this general plan, the sooner people are going to be able to actually get in here and talk about what they want to see, and the sooner some of the promised ideas about how we can mitigate can come forward. I think there's a benefit in getting to that part of this process as quickly as possible...I sort of agree with Al Wood, the only guy that I completely agreed with.

Commissioner Furch: "I just wondered, because, well two things: One of them if that extending the comment period won't change our ability to proceed through the general plan; that's going to happen anyway through the policy statements, so that's really not an issue. Secondly, my experience, at least with the CAC's process, is that we could have a little more time than we know! It was just so common a

theme, I thought we should take it up, at least respectfully...."

Chairman Fogg: "My position on this is that I was going to take it up when we closed the public hearing."

Commissioner Furch: "...Oh, I'm sorry!"

Commissioner Bennett: "At this point, we still have 17 days left as I understand it on the comments, so really, asking for 30 more days...the implication was from tonight...we actually have 17, so we are really spreading the difference on another two weeks....So I think the other thing that a lot of people, perhaps, don't fully understand, is that this document (unintelligible) with about 11 all this big in the General Plan - about 40 pounds worth of documents that we are going to be going through, and the public comment on all of that is going to continue through the summer and into the fall. So we are only really talking about, when we are talking about public comments, we are only talking about regarding the EIR, but not regarding the general plan. So I think that's got to be real clear."

Commissioner Fogg: "Again, I would prefer to resolve this when we close the public hearing. Any other issues to come before the Commission?"

Commissioner Murphy: "I have two questions. One, twice tonight, the Urban Water Management Plan was addressed, even though that is outside of the EIR. It piqued my curiosity....my assumption is it's a "wink and a nod" process...any ideas of what to get it close to being done at the time it is "required by the state?" It seems there is a lot that goes on. Do you have any idea what goes on there?"

Greg Carr: "Not directly, I know that the gentleman testified based on his conversation with the Agency, I assume is correct. I know the agency is working on this, but they have some estimate of when it's going to be done. I think it's good maybe to clarify that it is the Sonoma County Water Agency, not the County of Sonoma—that's doing the Urban Water Management Plan. It's not within the jurisdiction of Sonoma County. I don't know why it's delayed, and maybe we can find out for you by the continued hearing date if you would like, but other than that, I'm afraid I don't know the answer."

Commissioner Murphy: "And the last one is more of a comment to the people that came tonight. I appreciate you all. You saw us all probably writing names down and comments down. It's very frustrating, the years that I spent down in your position, kind of asking questions that never got answered at the time you asked them. We wrote those questions down - they wrote those questions down. We listened. They will be answered. It's hard to not get the response right back, but that's part of this part of the process. Later on, when questions are asked outside of an EIR, we will take your questions personally whenever we interests it the most, and we will take it and incorporate it into our questions to staff. So your questions, for the most part, will almost always be answered, it just won't come immediately in situations like this. But thank you for coming and bringing them to us."

Commissioner Furch: "I was personally ecstatic at the turnout; there are a lot of communities where people don't care, and one of the reasons that our county is like it is is because so many people take the time to care."

Greg Carr: "And 40,000 notices."

Commissioner Fogg: "Any more comments from the Commission or staff? Then I will close the hearing, and it will be continued till March 15th at 4:00 p.m. Thank you."



Sonoma County Planning Commission MINUTES

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

**MEETING TO BE HELD IN BOARD OF SUPERVISORS HEARING ROOM
AT 575 ADMINISTRATION DRIVE SUITE 100A ON
WEDNESDAY, MARCH 15, 2006 AT 4:00 P.M.**

Date: **March 15, 2006**
Meeting No.: **06-008**

REVISED 3/14

ROLL CALL

COMMISSIONERS

☒ Don Bennett
☒ Nadin Sponamore
☒ Dennis Murphy
☒ Rue Furch
☒ Dick Fogg, Chair

STAFF MEMBERS

☒ Amy Wingfield
☒ Bob Gaiser
☒ Scott Briggs
☒ Greg Carr
☒ Sue Dahl

STAFF MEMBERS

David Hurst, Chief
Deputy
County Counsel

REGULAR CALENDAR

Item No. 1	Time: 4:00 p.m.	File: GP2020
Applicant:	County of Sonoma - PRMD	Staff: Bob Gaiser/Scott Briggs/Greg Carr
Project:	Sonoma County General Plan Update	
Cont'd. from:	February 28, 2006	
Env. Doc.:	Draft Environmental Impact Report	
Proposal:	Request to amend the Sonoma County General Plan; to amend the Windsor Specific Plan, Larkfield-Wikiup, Bennett Valley, West Petaluma, Penngrove, South Santa Rosa, Sonoma Mountain, Franz Valley, and Petaluma Dairy Belt Area Plans to conform to the amended General Plan; to rezone certain properties to implement the amended General Plan.	
	Continued public hearing on the Draft Environmental Impact Report.	
Location:	Countywide	
APN:	Various	Sup. Dist: All
	Board of Supervisors Hearing to be determined.	
Action:		
Resolution No:		

Transcript of hearing on DEIR that was continued from February 28th. Addresses of speakers removed for confidentiality purposes.

Irman Fogg: I'd like to call to order, please the Sonoma County Planning Commission, March 15, 2006, Meeting #06-008. Be courteous, please...if you have cell phones or pagers, we'd appreciate it if you would turn them off please. Is there an approval of minutes?"

Greg Carr: "No minutes tonight, Mr. Chairman."

Chairman Fogg: "OK, is there some correspondence?"

Greg Carr: "Yes, Mr. Chairman, a couple of letters that I placed before your Commission are related to the General Plan update, but were just general letters commenting on the process, and they didn't hit the General Plan or EIR per se, but just wanted to make sure that you received that correspondence, since it was mailed to you. Also in front of you are some information pertaining to your meeting next week, which is the first public hearing on the update dealing with the Public Safety, Public Facilities and Services, Air Transportation, and Noise Elements. What you got is the agenda for the meeting, as well as the public comments that have come into us so far on those four elements. So you'll have those a week ahead of time. At that meeting on the 21st we will also provide you any comments that come in over the next week of so, so that at least at the meeting, you will have all the written comments that have been submitted."

"In those comments, you also have a copy of the transcript - or portions, I should say, of the transcript from the February 28th hearing, which was an EIR hearing, but during that hearing, a number of people made comments about the General Plan itself, so we excerpted those comments for those four elements, and you have that as well. I believe that's all the correspondence I have."

Chairman Fogg: "And the meeting you are talking about, is Tuesday March 21st...one week from tonight, but it will start at 6:00 p.m. in this room."

Greg Carr: "Mr. Chairman, before you go on to the next item, you asked me to make sure everyone was aware that at last week's workshop, the Planning Commission extended the environmental impact report review period for an additional 30 days, and that means that written comments on the EIR will be accepted until 5:00 on April 17th at the PRMD offices. You basically have another 30 days to plod through that monstrosity and provide your comments to us. In addition to the February 28th public hearing, and in addition to tonight's comment period, you've got that remaining time to provide written comments. Thank you, Mr. Chairman."

Chairman Fogg: "Thank you. Any questions on these issues for staff? Okay."

"It is at this point that the Planning Commission invites anyone in the audience to address the Commission on items that are not on the agenda, but are affairs of the County...items that are *not* on the agenda. Items that are *not* on the agenda...would anybody like to approach the podium? Would anybody like to approach the podium.....seeing none..."

Someone in audience: "I don't understand the question"

Chairman Fogg: "Who was speaking? Oh....as a regular part of our agenda, sir. All right, please come forward. Again, sir, the groundrules are that it is an item that is not on the agenda—not agendized. May we have your name and address for the record, please?"

Jim Love: Well, that's a little vague, but you can flag me...my name is Jim Love. My wife and I live at 3280 Westside Road in Healdsburg. We've been involved in the issues that are related to this meeting for six years or so.

Chairman Fogg: "Is your mike on, sir?"

Jim Love: "I don't know... I can talk louder. Is it on now? Six years we've been fighting this, discussing this, being involved in this....don't doubt our sincerity, or we wouldn't spend six years in this manner. We've spent on legal fees approximately \$120-125,000 dollars...hard earned money, hard earned money, and we have a purpose. We're not going away. We've had hundreds of meetings, we keep our mouths shut and we listen, we've talked to as many professional people as we could find, we've had environmental engineers - two on our staff- all voluntary. We've had two biologists, and numerous other people that have had experience in this

...biologists that are of some repute. We noticed that we do the research, we don't see the research being done on the other side. We see it's the County vs. us, and, if nothing else, we don't see the objective. We wonder who are the constituents...whose representing whom? We just look for the facts, don't confuse me, give me the facts. We don't see that. We feel discouraged by that. We hear growth, growth, growth. The lady from Sacramento Board of Supervisors come on recently...she shocked us completely when she made an impassioned plea of the value of gravel. "We are in a constant, never ending battle which will never end....it's county vs. county, it's dog-eat-dog—gravel is it, and we have, in the form of the gravel here that we all know about, a national asset, and we can't let it get away." There was no negative comments to that comment, which was just said off the cuff. In that little diatribe, there was no mention of water, and how it relates to this entire issue. We see a valley that's being destroyed, and it's being destroyed just as surely as we are sitting here. Who's watching over the aquifer? We don't observe anyone observing it. We observe it—we do the various testing that we can, we're looking for the facts, we don't profess to be any authority—we're just trying to get to the bottom of the entire issue. We would love to have someone tell us the aquifer is safe for a long, long period of time. And all the people that use that water are then protected. We have no evidence that that is the case, and we sure as shooting we know what can happen as we study this."

"You and the supervisors- the way my mind works—you work for us. Us meaning all of the people that are in this county, and, again, we are taxpayers. And we pay a lot of taxes! As long as we make sense, and are not wasting your time- and we do make sense, that has to be noticed and observed. We're here for the common good. The DEIR is, in our opinion, in our specialist's opinion, is woefully lacking in what it doesn't say. We know what it does say, and what are omissions. There is no discussion of any length of any value in terms of gravel mining and what that does and doesn't do. There's no mention of alternatives....."

Chairman Fogg: "Mr. Love, the agenda item tonight is the DEIR."

Jim Love: "I respect that."

Chairman Fogg: "Okay."

Jim Love: "All right, the DEIR, in our opinion is woefully deficient. The subject will be explained in another form."

Chairman Fogg: "Thank you."

Jim Love: "Gravel mining is involved in that and we have many things to say on the deepness of it and the protection of the aquifer...it's unchecked. Nobody measures how deep gravel mines are going. We know, we are out there and we walk it. We know what's going on. The wells, the depth and quality of those wells is not checked. We check them, but nobody else has ever checked them, because we asked! Nobody is monitoring those wells and offering us any assurance - all of us- that there is an area of protection there. As to the General Plan, and I'm about through—as far as the General Plan, that's impossible. There's no way there could be a General Plan now, and to tie up this county for fifteen to twenty years, or whatever it ends up being - there's that's—you have to do the research before you can make any decisions! You have to know what's going on. There's no urban water management plan. It's not an objective study, because there hasn't been any study involving the population trends, environmental issues, and the things we know. We were horrified to hear one of your group mention, when you were challenged, as well what about the urban water management study? And the answer was, that's recorded - we can handle that with a wink and nod. I hardly call that research - with a wink and a nod....we'll be back, we'll be in court. We're not going away, and you can never doubt our sincerity. Thank you."

Chairman Fogg: "Thank you, sir. Anyone else want to discuss something that is *not* on the agenda?" *NOT* in the DEIR?"

Stephen Fuller-Rowell: "I would like to speak very briefly about two items that are not on the agenda. My

name is Stephen Fuller-Rowell, I'm with the Sonoma County Water Coalition. The first item is, I would like to thank you very much, on behalf of the Water Coalition, for extending the comment period on the DEIR. It is much appreciated, thank you. The second point I would like to make is that one of the first elements you will be considering starting next week is the Public Facilities Element. The Public Facilities Element includes language on package treatment plants. We've spent many months researching and working on language, and we would like to give you language that the Water Coalition has worked on, approved, and I'm delivering it to you...I'll give it to Scott."

Scott Briggs: "Give it to Sue."

Stephen Fuller-Rowell: "OK. There's seven copies here, - five for the Commissioners and two others."

Chairman Fogg: "Thank you, sir. Would anyone else like to speak on issues that are *not* on the agenda? OK...a couple of housekeeping points here, please. This will be a continuation of the previous public hearing. What that means, is that those who have already spoken are registered, and we have your words, and you have had your "kick at the can," as my mother used to say. Due to a potential scheduling issue, one of the calendars indicated that this hearing would be at 6:00. One of the other schedules indicated it would be at 4:00. Therefore, if we have completed the public hearing before 6:00, I will simply take a hiatus, and we will reopen at 6:00 if someone shows up and wants to speak, so that everybody gets the opportunity to be heard. OK. I remind you of what Greg Carr said: Our objective, if we can, is to complete the public hearing tonight and move into Commission deliberations. If we can't do that, we will schedule additional hearings, but if we can do that, we will close the public hearing. You can still provide comments in writing through April 17th, and those comments will be given due consideration. Any comments or questions from the Commission? Allright..."

Greg Carr: "Mr. Chairman, if I might....I think Scott has a couple of brief announcements regarding ways to contact us...we have our hotline up and ready to go and a couple of other...."

Scott Briggs: "Yes, if I could through the Chair....while we have as many folks here as we do, I would like to give a couple of announcements. One, as we mentioned at our last meeting, that staff was endeavoring to get a hotline set up that people could call in and get information regarding upcoming meetings and agendas for those meetings - at least what the key topics will be - we have that in place now. The number is 565-8354. That will always start with a statement as to when this was last updated, and will go on to explain what the next meetings and topics are. So that's in place as of today."

"The other thing I wanted to say is that I demonstrated the website on the General Plan at the last meeting at our workshop. I indicated a couple of things we were working on, so let me give you a status report there. One thing that we were working on was to get copies of the side by side policy comparisons...for every element that we have prepared for the Commission's benefit, pages that showed existing General Plan policy on one side and proposed General Plan policy on the other..we'll put that on our website, and if you go to the home page of the General Plan website, under the link right near the top called Planning Commission Review Process...that's the one I demonstrated last time that takes you to a matrix that allows you to get to all of the various staff reports and so on. You can now go there, and it also lists the elements in the order that the Planning Commission will be considering them, and you will see right there on the first column a link to all those policy comparisons, so I hope that will help the public."

"The last point I wanted to make is that we are still working and endeavoring to get better quality land use and open space maps available on our website. There are some technical difficulties there associated with the size of these files, and the ability to have the average person who may not have very fancy internet access able to open and download these things, so it may take us another month or two to get those done. If people really need maps, they can come to us and buy copies of maps, but we are still working on that. Thank you very much."

Irman Fogg: "Thank you, Scott. I received 15 of these little things that people want to speak. One gentleman filled out two...can I see a show of hands of the number of people who would like to speak? Okay....slightly more than 15. Can I ask that you keep your comments to four minutes, please? That way we can move right along. First speaker, Mr. Cooke, would you like to lead off?"

Charles Cooke: "Charles Cooke, Sonoma. Planning Commissioner, First District. It's kind of fun looking at you guys face to face, rather than trying to see you from the side....I don't know if it is an improvement or not, but what the heck....we'll take whatever we get."

"The people on the Planning Commission have heard some of my delightful comments about EIRs previously, but that doesn't mean I won't repeat them here. There is one thing I think that we have to put in front of us that all ties to the EIR and General Plan. We're talking about the future. We're talking about fourteen years from now, and we are all trying to predict what that is, and what we can do about it. I will read you a couple of quotes, which I think apply. It says "if history has anything to teach us, it's that despite all our efforts, all our best or worse intentions, despite our touchingly indestructible faith in our own foresight, we poor humans can actually not think ahead. There are just too many variables, and, so, when it comes down to it, it always turns out that no one is in charge of things that really matter," and I would suggest to you that the EIR examines a lot of things that don't really matter when you get to dealing with what we have to deal with. There is one other American philosopher's comment that I think would be useful—actually, two from him...."the future ain't what it used to be," and a second comment, "it was deja vu all over again," that famous Yogi Berra, and how right he is. What we are confronted with in reality is we are going to have 50-60,000 more people in Sonoma by 2020 according to the estimates that we have. That means we are going to have more cars, that means we are going to have more demand on the water, that means we are going to have more demand on electricity, that means we are going to have more demand on schools, roads, and the entire infrastructure. And we're in a situation in which that's what we've got to deal with. It's not a question of whether we want growth, it's not a question of whether we don't want to do this. The question is, when we are confronted with it, you've got to do something, and so our job—your job—basically, is to come up with something that has some bearing, one hopes, on what we will see in 2020. This EIR, as I say, Yogi Berra's comment applies particularly - deja vu all over again."

"I have some problems with EIRs in general, with...the economic impacts and the kinds of things that they are recommending...and this EIR is no different. As I said kind of crudely, in the EIR of gravel mining, this is the same kind of thing that has a diarrhea of facts and a constipation of analysis. You can illustrate that best when you look at some of the things in there, which, if they had any understanding of the economics of this County, they would not be saying these things. They are talking about an expansion of vineyards by 2020 of I think some - I forget the exact number right now, but let's say 20,000 acres. Whatever it is, they don't understand what the economics of vineyard business - the winery business - is. To think that we are going to have a 27% expansion of vineyards in 2020 is living in some dream world that doesn't exist. We had vineyards go down the tubes this last year because there were too many grapes and not enough buyers. Of course, I suppose if we have this enormous increase in population, and figure out that each person is going to drink a bottle of wine a day, they indeed we will have a 27% increase in acreage for vineyards. Somehow, I doubt that that's going to be the actual outcome. So, throughout the document, again and again, the data is not examined. There's a lot of discussion about sedimentation in the Russian River caused by erosion from agriculture, be it vineyards, or whatever. There's no data whatsoever in there—which there can be. We've had a vineyard ordinance now for I think five or six years. And the people in the Agricultural Commissioner's office can tell you, I think, how many vineyard actually have an erosion problem that went into the rivers or streams around that vineyard. If they can't, if they don't have all of it, then there's also something called the North Coast Water Quality Control Board, who has been knocking people for such things as getting erosion into the river. We also, of course, have district attorneys that have gotten into that issue also and taken them to court, so it would be nice to have something in this EIR that says, in checking all the sources "this is how many instances of erosion we actually had in the past five years," rather than make the statements they make in this EIR. I could go on forever, as you know, about these things, because my problem is - where you can get data, get it, and use it, and the data is available in many cases here."

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"The second thing is, how about presenting the data in something you can actually understand? How about a chart or a graph? How about something like that, rather than these columns of figures? Come on, gang- you ought to be able to do that! I have many more comments, but I'll write 'em, baby. Thank you."

Chairman Fogg: "Thank you, Charlie. Our next speaker, please? Anybody can come - come on down!"

Jack Soracco: "My name is Jack Soracco, I'm from Healdsburg. My family has been in the farming business for over a hundred years. I'm third generation - fourth generation is coming right along behind me. I had a bang about what Charlie had to say there about sedimentation of the river, and he's 100% right in my opinion. There would not be hardly any - I agree- I don't think agriculture put any of that mud down the river, if they did it was very little. Right at the present time, if you had a washout on your ranch - Dennis can go along with me on this- you can't do anything about it unless you go to about five agencies, and you still may not get any relief. To buy nice clean rock here that came out of the hill in Santa Rosa, and fix up your banks - they don't allow you to do it! So what do you do-you let it wash. That's something that you people have to look into, I believe. Now I'm going to go back on some of this that maybe has been reviewed before me, but...inadequate assessment of Russian River gravel mining. I think you people have got a lot to look at there, who's at fault about what, and how long it should go on. After all, we had a ARM plan in 1980, that went on for ten years and they kept doing what they were doing. Then we had another ARM plan in 94, I believe. It was put into use, and they still are doing what they were doing before - terrace mining, and to me, that's wrong. It affects are water supply- just as an example, there is approximately in my figures, and I think you can go along with this - there's about 1,000 acres of mining pits out there right now, and about 80-90% of them are already silted in with overflow from the river. We had one happen this year just simply because the water got into Pond 4 simply because the levee was not put up there in time to be ahead of the floods, and it got in there anyway. Now, that affects our water system. My property is right next to these pits out on Westside Road, and I've farmed on both sides of the Russian River. I've been around here since 1934 when we moved here from San Francisco, and I've seen what goes on in this river. It's a beautiful river, but it's been changed around quite a bit. I think what they did in past years in the river gravel bars was a good thing. What they are doing now is wrong. Evaporation, as an example of approximately 1,000 acres of open pits-I'm not a hydrologist, but I'd like to know how much water just went up into the atmosphere - sucked right out of those pits. We are talking about acre feet of water, and I'll bet there's a lot of them went up there."

"One other item I would like to discuss is the fact that we have roads that are beautiful drives, and you are looking out on the countryside, and what are we looking at....scenic....from certain roads and streets....well, anyway, they left out Westside Road. Westside Road's got at least a half a mile of just bad views of the river and what's going on near the river, not necessarily the river itself. Charlie made a few comments about what you people have a lot to look at, and I agree. Thank you."

Chairman Fogg: "Thank you, sir. Next speaker, please?"

Mike Sandler: "Good afternoon, my name is Mike Sandler, and I am with the group Community Clean Water Institute, based in Sebastopol. I have submitted some written comments previously to the Commission on February 28th and again yesterday, March 14th, and so I am just going to summarize some of my comments that have been submitted to you, but they will be in the record as well. In my written comments, I mentioned issues regarding the Water Resources Element, riparian zones and the importance of setbacks, the forest conversion issue, which the Board of Supervisors took action on yesterday, creating a new timber conversion ordinance, and other issues, but in my few minutes here right now, I would mainly like to focus on climate protection and the issue of climate change in Sonoma County. CEQA requires that an EIR address environmental impacts, and the environmental impact report would cover the relevant environmental impacts of a project. At this point, there is very little mention of climate change and greenhouse gas emissions, even though, over the past several years, every jurisdiction in Sonoma County has passed a resolution to quantify and reduce their greenhouse gas emissions. Many of those were unanimous decisions by city councils, and the Board of Supervisors, by a large majority, supported taking action on greenhouse gas emissions. The issue was largely overlooked, perhaps because of timing, by the Citizen's Advisory Committee, but, we, and

Several other groups that you may hear from today, believe that greenhouse gas emissions and climate change are an important environmental impact that have been recognized by the County, and the County has already incorporated policy addressing this. Therefore, the DEIR should include greenhouse gas emissions in its analysis. We also believe that there should be an alternatives analysis done on the General Plan, which would assess the implementation of various ways to reduce greenhouse gas emissions, and that this would provide your Commission and the Board of Supervisors the information with which to approve an EIR on the General Plan. The County greenhouse gas emissions inventory is currently available at the Climate Protection Campaign website at www.climateprotectioncampaign.org. It would be important for the EIR to incorporate the information from that emissions inventory. There is also a lot of technical information available at the County Waste Management agency, which has been doing a lot of work on this issue as well."

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cont.,

"THE PCL- Planning Conservation League- is a group in Sacramento, and they believe that greenhouse gas emissions are currently covered by CEQA as an important environmental impact. In my written comments, I also recommended that an alternatives scenario be put together to analyze the impacts of greenhouse gas emissions and alternative scenarios where greenhouse gas emissions could be reduced over the next 15-20 years."

"Lastly, we believe there should be a new goal, which would read as follows: Reduce greenhouse gas emissions in the County 25% below 1990 levels by 2015. Thank you."

Chairman Fogg: "Thank you, sir. Next speaker, please?"

Ann Hancock: "Good afternoon, I am from the Climate Protection Campaign, and I want to reinforce many of the ideas that Mike has just talked about. The last time we did a General Plan update, I don't think that climate protection was even on people's radar screen, but now it is imperative that we include it in this General Plan 2020. Many people - many scientists, believe that if we do not take action now, that as time goes on, it will be too late. Carbon dioxide- the main greenhouse gas- stays in the atmosphere for 100 years. This means that we have to act now. Sonoma County has the boldest greenhouse gas emission reduction target in the nation. If we do not have our General Plan in conformity with this policies that have been set by all nine cities in the county, it just shows fragmentation of overall effort. As Mike pointed out, the opinion that we got from the lawyer at the Planning Conservation League is that CEQA already requires that climate protection be included in EIRs because it is an environmental impact. If our General Plan does not include this- the draft EIR does not include this - then it would be inadequate. So we urge you to include this in the draft EIR, and I want to just say a few other remarks from a draft that I have - we will be submitting written comments, that some impacts to include in the EIR are rising sea levels and increased flooding that will impact our coastline and low lying areas, temperature changes and alterations in precipitation patterns that will impact agriculture, air quality, water quality, and water quantity, as well as our biotic communities--all of these have serious impacts of course for Sonoma County and should be addressed in the draft EIR. Marin County is doing it in their draft EIR, so it gives an example for other counties that are pursuing this important area."

"Climate change and energy are related, but not synonymous. Energy efficiency does not yield a reduction in greenhouse gas emissions, and therefore, does not necessarily address the problem of climate change. Therefore, while it is important to address energy efficiency- which we can see in the draft, and energy resources, these by themselves are insufficient for climate protection. Scientists say that greenhouse gas emissions must be reduced by at least 60-80% from 1990 levels to avert the worst impacts of climate change, and in Sonoma County, between 1990 and 2000, our emissions increased 28%. You can see that we have a long, long way to go. Echoing, once again, Mike- we recommend that the General Plan 2020 explicitly align with the county climate protection goals set by the County of Sonoma and all nine cities, and a specific goal - we have other language for policy statements - but a specific goal to include in OSRC would be to reduce greenhouse gas emissions from all sectors of the county 25% below 1990 levels by 2015. Thank you."

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Chairman Fogg: "Thank you, Ms. Hancock. Next speaker, please?"

7 **Julie Pollock:** "I am the property owner at Mill Station Road in Sebastopol. The east side of my property adjoins the Atascadero Marsh, through which runs Atascadero Creek. This area between Occidental Road to the south, and Graton Road to the north, is also called the Graton Wetlands. This is a small area with development already surrounding it. I, along with a number of my neighbors, are eager to see this wetland or marsh area protected- ideally, managed and protected as a low lying wetland marsh for bird, amphibian, reptile, and plant habitat- as a groundwater recharge zone, and as a connecting corridor for migrating animals. It's a valuable natural resource, especially with the Atascadero Creek as an integral feature. The creek is a part of the greater Russian River system, and if the creek is properly restored, would be a salmonid stream. The Atascadero already has Coho, and historically, has been home to Steelhead. There are two additional, briefly, areas here that I would like to stress. One is that this marsh is both part of an contiguous with the scenic resource area or scenic resource unit, and, secondly, that because of the immediate proximity to the Graton Wetland of a number of concerned neighbors, it would be very easy to establish a monitoring program for the marsh. As an older man in the neighborhood, who has lived there in the area for most of his life, said, "there is no better use for this property than what it is doing now." Thank you."

Chairman Fogg: "Thank you very much. Next speaker, please?"

3 **Yael Bernier:** "I live on Canyon Road in Geyserville. For 30 years, my husband and I have been growing grapes and a farm market garden as well. I was involved in attending the General Plan CAC meetings from the beginning, and it's been a long process, and I commend both the planning department and the Citizens Advisory Committee for such long, hard work. However, I do feel that there are areas in the document that has resulted where we can further the goals of protecting Sonoma County agriculture, and, therefore, the agricultural industry in Sonoma County. Sonoma County grapes and wines are world renowned. Over the years, the grape growers have worked hand in hand with the wineries to produce a fine product. As the grape production and the number of wineries have increased, the potential to continue producing world class wines continues. But, in order to sustain this relationship in production, there needs to be some definition of policy in the General Plan 2020 to assure that our land will continue to be economically viable in the production of grapes. We are all too aware of the pressures for the development of agricultural land. We must provide policy that will help us maintain their agricultural use. 2.5 of the Agricultural Resources Element policy AR-5(a), states "At least 50% of the agricultural product being processed is grown or raised on site or in the local area, and that the processing use is proportional to the agricultural production in the local area." "Local area" is not defined. There is a footnote - 51- on Page 4.8-25 of the DEIR, and it reads that "local area has further been interpreted to mean Sonoma County." Unless it reads Sonoma County, it can be interpreted as Sonoma County, Napa County, Lake County, Mendocino County....even Lodi or other California counties! If "local area" means Sonoma County, then let us write it as Sonoma County in the DEIR as well as the General Plan 2020 document."

"During the CAC meetings, Tamara Boulton, a Citizen Advisory Committee member, wrote a letter titled "agricultural processing alternative." It is referred to, also, as a footnote 52 on Page 4.8-25...Ms. Boulton wrote a letter asking that the committee consider increasing the local area portion of products processed in Sonoma County from 50% to 75%. In order to substantiate my argument for changing our required percentage from 50% to 75%, I spoke with many local growers and winery owners. Everyone agrees that that would be a healthy percentage for Sonoma County. The Executive Director of Napa County Farm Bureau, Sandy Ellis, also said that it works well in Napa County, even though Counsel here said that it didn't work and that it would be hard to monitor. I also spoke to winery owners and growers in Napa County. They all agree that it works."

"A required 75% Sonoma County grapes makes good sense. Imported grapes might be less expensive, but allowing wineries to process large amounts of imported grapes degrades the partnership between wineries and grape growers, it degrades Sonoma County's reputation for producing great wines, and it degrades agricultural lands by converting them into facilities that process imported grapes, and permanently, it takes that same land out of agriculture. Over the years, the growers have seen winery grape contracts been broken and prices chiseled down because grapes from the Central Valley area available at lower prices. We've seen

... grapes still hanging when the winter cold forces dormancy. If we had a weak regulation regarding importation ... is 50% from the local area, our agricultural lands would have difficulty remaining economically viable. The percentage of grapes required for new winery permits should be a 75% minimum. The 75% minimum will additionally curb the confusion that occurs when labeling wine as "bottled in Sonoma County." Policy AR-5(g)....."

Chairman Fogg: "Can you begin to summarize, Mrs. Bernier?...."

Yael Bernier: "...Yes, I'm just about finished. Policy AR-5(g): Local concentrations of any separate agricultural support uses, including....well...actually, I'll just summarize...that's the policy where we talk about concentrations as far as the approval or non-approval of permit applications...I believe that the 75%, again, would limit that problem that happens in terms of concentrations and overconcentrations on our prime agricultural land. The DEIR refers to the 75% requirement as a viable alternative policy to help reduce the loss of land to processing facilities on Page 4.8-26. Finally, by increasing that same percentage, we will decrease the chances of importation of the Glassy Winged Sharpshooter, the Vine Mealybugs, the Grape Leaf Skeletoniser, and other such pests. Last week brought news of another incident of the importation of the Glassy Winged Sharpshooter. All these pests have the capacity to 'hitchhike' into Sonoma County on bins full of grapes. Please give consideration to strengthening Sonoma County agriculture by adopting a policy that requires wineries to crush 75% Sonoma County grapes. Thank you."

Chairman Fogg: "Thank you. Next speaker, please, and may I remind our audience of the four minute rule, please?"

Del Rydman: "You would remind them now....Del Rydman, from Kenwood. I'm a representative of the Valley of the Moon Alliance. The DEIR makes an attempt to try to determine the impact of the General Plan proposal changes on ag production and ag tourism facilities between now and 2020 by estimating the number of acres of grapes to be planted, and then calculates the processing plants necessary to take care of the grape harvests. Valley of the Moon Alliance feels that this estimate is low, and based on the information that we have obtained in our study of Sonoma Valley, the DEIR forecasts for the Sonoma Valley Planning Area currently has 24 ag production visitor servicing facilities will grow to 43 by 2020- or almost 100% in that valley. Our study, provided to the Commissioners last year, was done in conjunction with the Sonoma Ecology Center of Sonoma Valley Citizen's Advisory Committee, and looked at the actual parcels in Sonoma Valley of high probability of becoming ag production and tourist facilities. Just in case you've lost the study in the ten binders of data that have been provided to you, I have made you another copy and will leave it with you today."

"The Sonoma study area was a little larger than the ninth planning area, which is Sonoma Valley, but its trends and its results are worth review and consideration. We examined 50% of the ag regional in Sonoma Valley, or about 33,000 acres. We focused on 792 parcels that had easy access to the major roadways. We did a site observation on each of those parcels, and a survey form for each of those parcels. The study summarized the data into three development scenarios: A full buildout, 20% buildout, and a 20% buildout using the current 2020 General Plan policies that were in place at the time. A key 2020 Update policy to establish an ag concentration definition was key to that study. Even with this policy, the study indicates that 50 new ag production and visitor serving facilities - which is about 16% higher than what the DEIR is suggesting will occur -without the concentration definition, there would be 75 new facilities, or 74% more...and, for heaven sakes, if we went to full buildout, with no concentration policies in place, we could end up with as many as 362 new facilities by 2020."

"The conservative viewpoint of 16% error rate in these new facilities, if applied to the county, it would grow the number of facilities from 112 to 150 facilities. This would double the number of current wineries to 277 in the county. These figures don't even reflect the number of wineries and visitor producing services zoned as commercial. To summarize, the study provides the following insights: Under the current zoning minimum lot sizes, the 790 parcels that now exist in Sonoma Valley area could be subdivided into 974 legal parcels, which means 182 of these parcels could be developed completely independently on their own. Between large parcels being

subdivided, and the number of smaller ag parcels that can easily be converted into homes, the county has a significant exposure to subdivisions and smaller parcels due to the current zoning rule. Nothing in the current 2020 General Plan update addresses these parcels and subdivision zoning issues. Certificates of compliance further complicates and exasperates the decision...I'm almost there....OK."

"Cumulative impacts analysis was not included in the definition of local concentration, nor are they included in negative declarations in the review process- and most of the wineries go through that process. The definition of local concentration included in the General Plan—we don't want to kill the golden goose by overwhelming specific sections of the county—increasing the requirements utilizing the county's ag products to 75% also could reduce the number of new ag production serving facilities required. In regards to visitor servicing uses—which needs more attention by PRMD- and the impacts are understood and controlled. By accepting the local area concentration definition for visitor serving uses, and providing a County event coordinator, both of which will go a long way towards helping understand and controlling events. By 2020 or earlier the number of ag production or tourist service facilities per mile in the Sonoma Valley will equal or surpass Napa's rate. I am through. I am going to submit these in writing, and thanks again for the opportunity to present the information."

Chairman Fogg: "Thank you very much."

Del Rydman: "...Oh, if you take the actual number of potential ag production wineries per mile, we would have greater density than what Napa would have by at least 2020, or even earlier, depending upon the development. That's just looking at 12."

Chairman Fogg: "Next speaker, please?"

Steve Schwartz: "My name is Steve Schwartz, Sebastopol. I'm the chair of the Government Relations Committee for the Sonoma County Farm Trails and also a member of the Community Alliance with Family Farmers Board. We sent in some recommendations for the General plan update to all the Commissioners, and want to summarize a little of that first. before making a couple of comments on the draft EIR. Essentially, we believe opportunities for direct sales, value added processing and sales and ag tourism are especially important tools for farms located on small acreage, and we want to make sure that thresholds are set so that we're not treating...subjecting these smaller farms to the same types of permitting requirements that would be required of a large scale operation....Petaluma Poultry is totally different than an operation that is making 50 pounds of honey a year, or 100 pounds of goat cheese. We've had some recommendations on that, and we will talk more about them. In terms of the draft EIR, I just want to connect one or two dots..I mean, it talks in here about two to ten acres - those size farms are making an increasing contribution on the economy, when many of those two to ten acre farms are in the ag residential designation, and that's really the thrust of what we are saying....the protection should be extended to the AR and RR designations."

"In terms of processing, you talk about the scale of ag processing producing a significant amount of jobs. It's also making a big difference for small scale farmers that are not hiring people, but, whether they can do on farm processing determines whether they can stay in business and choose to continue their activity. Similarly, you talk about local sales, which includes on farm sales. We need to, again, make sure that we are welcoming those on farm sales in the AR and RR designations."

"In terms of ag tourism, the phrases "visitor serving uses should be limited to bed and breakfast inns..." I think it probably inadvertently puts you in conflict with state law, which allows for farm stays in addition to formal bed and breakfast inns, so that "farm stays" is a key thing that came promoted through state law in the last six or seven years, and we want to make sure that we are able to do that in Sonoma County."

"The draft EIR talks about urban/rural conflicts, and refers to the right to farm. I know this has come up in the last few years, but we want to again push the right to farm law to the ag residential zoning categories or areas. With that, we will submit some formal comments on the draft EIR. I hope you get my...take this with a little bit of humor....I'd like to challenge the Commissioners here to work at least four times as fast as the CAC did,

we are looking forward to a quick resolution. Thank you."

Chairman Fogg: "Thank you for those aspiring thoughts. Next speaker, please?"

Celia Lamantia: "I am a representative from Sonoma County Good Neighbors Group, and live in Santa Rosa. I am also a representative from that group that is working with Jon Stout and a group of other folks on the neighborhood guide pamphlet. At our meeting yesterday, and it was noted in the General Plan 2020 done by the CAC committee notes dated August 8, 2003, that this Board is ready to approve an extended runway, added to the airport as it is, to attract commercial air service, so the planes can hold more passengers. My question first is- is this true- and if it is, it was noted in 2003, and again stated yesterday by the airport manager, isn't it necessary to do a noise abatement study-not just have a noise abatement pamphlet....a Part 150 Study has not been done since the 1980's, and it's not included at all in the draft EIR. Nor is it included in the General Plan 2020. Sonoma County has grown, changed, population's increased, traffic's increased...traffic noise has increased, there are more houses in the affected areas...and there will be more houses in the affected areas, affected by fly overs in the flight plans, and also with just in general jet noise. Jon told me that the FAA- I'm dyslexic, so I want to call it the Future Farmers of America-I'm trying real hard here....Federal Aviation Administration will not pay for the Part 150 study, and that the County will have to pay for it. That is an excuse we view as unacceptable not to perform this study due to that lack of funding."

15

"And then I have another question. Doesn't the General Plan guide the Master Plan and the ATE, not the other way around? Because, my understanding is that the General Plan 2020 does not include the extended runway and all the additions of - they've got a whole bunch of series of the parking lot and additional terminals and all of that included. Right now, as it stands, the ATE in the General Plan 2020 is a 5,000 foot runway, and a weight limit of 9,500 pounds for each aircraft....so it's kind of like...my question is, isn't it a little bit deceiving if it's already been noted that this is going to occur, or that is the plans of this Commission to have it occur, but it's not included in the General Plan, nor is it included in the draft EIR....Isn't it necessary for a noise abatement study? Don't you think that's that is would behoove you to do that as well as a Part 150....question is, it's kind of like -how much are you limiting or controlling the information to the public to have it afterwards, also to the expense of having it happen after the General Plan is accepted and approved, and then having to go back and do an EIR based on a new ATE....so, our general feeling is that the draft EIR is inadequate if it doesn't contain a noise abatement study and a Part 150 study, and also a complete survey of *everybody*, vs. do you just want to participate - but everybody in the flight plan, and everybody to know what the flight plan is, because it extends a lot further out than the two miles and five mile radius that is required by law. Thank you very much."

16

Commissioner Murphy: "Can I ask a question...since I haven't sat on any of those hearings, you talk about the two studies - the noise abatement study and the part 150 study, correct...can you enlighten me on what a Part 150 study is?"

Celia Lamantia: "A Part 150 study, as my understanding...can the next speaker answer that better than I can?"

Commissioner Murphy: "See if somebody later can..that would be great."

Celia Lamantia: "He can do the technical part. A noise abatement study is an informal study saying look this is what we are going to do and then recommend to the pilots 'turn left, turn right in this kind of condition, please fly above a certain limit-start your decline here...' and to really look at what ways they can abate the noise. The Part 150 is really what is the noise and how does that impact the local community?"

Commissioner Murphy: "All right, thank you."

Chairman Fogg: "Thank you, Next speaker, please?"

Greg Carr: "Also, through the Chair, for Commissioner Murphy...at our meeting next week, we will have Jon Stout, who is the airport manager, will be here, so we can discuss...."

Commissioner Murphy: "We've had very few discussions about the airport up to this point, so...."

Greg Carr: "We'll have lots of people here next week that will be able to answer that."

7 **Allen James:** "Members of the Commission, County Counsel, and staff....Allen James, Petaluma. One of the issues that was coming up that a previous speaker was talking about, the Part 150 Noise Study....this was something that is available through the FAA. It is a complicated process, but one that is very useful. However, many organizations run away from it because of many of the strings attached and also the results. However, it is extremely valuable and I think it is warranted, and has been for over 20 years, considering the history of the airport. To give you details, I am sure that the airport manager can give you all of the specifics, and I am sure they are several pages long.
I think that will give you the detail you want, especially that level."

"I'm here tonight because I have a specific interest that has been of important interest to myself and others for more than 20 years. In the last go round in the Air Transportation Element and the General Plan update, and that is the issue of federal pre-emption. Now, we are not talking about federal pre-emption issues when grants are given by the FAA, with sun downer laws that give limitations to various grants. I'm talking about federal pre-emption in dealing with interstate commerce, and also international flight treaties. Why this is important...because these two subjects give us

8 great concern, because it gives great leverage to the airlines. When they do come in, then, if they wish, they can start demanding certain things happen at the airport to satisfy their needs. The proprietor-owner of the airport, in our case, the taxpayers of Sonoma County, have to respond. This is evidenced in one of the cases, and there are many around the United States, but one is Alaska Airlines vs. Long Beach Airport. What I'd like this Commission to do is to take this issue, get information about it, and ask County Counsel to do a legal brief and search so they can come back and report to you what you can and can't do, and how you can maintain local control of your airport. I think at that point, when you have that information, you will be able then to make decisions based on the environmental impact report, because, bottom line is-airlines come in, they decide to change things. Everything that you have done with the whole environmental impact report on the complete General Plan will be invalid, and every aspect of their expansion or their activity at the Sonoma County Airport will have a severe impact on *everything*, every element in the General Plan 202. So please, take this time and ask County Counsel to give you that information on those specific issues relative to that pre-emption at the airlines level. I think at that point you would have enough information to proceed on. And certainly reflect that in the policies and procedures, and also the General Plan itself for the ATE. I have submitted some comments, and I hope if you have any questions, staff can also get ahold of me. I do plan to submit some other specific issues relative to the EIR. Thank you for your time."

Chairman Fogg: "Thank you, Mr. James. Next speaker, please?"

9 **David Benefiel:** "from Sebastopol. I'm here to talk about the inadequacy of the draft environmental impact report for the proposed Sonoma County General Plan 2020 in the area of traffic related to tourism and agricultural areas. Thank you for the opportunity to speak before you today. I am a member of Save our Sonoma County, which is a countywide network of citizens and neighborhood associations dedicated to keeping agricultural lands in food production, and timber lands in sustainable timber production. "SOS" supports restricting the importation of grapes brought into Sonoma County in order to support food production of local growers. Agricultural tourism is a major threat to agricultural lands, and SOS opposes its unregulated growth into rural areas. Tourism in agricultural areas is probably the fastest growing component of that industry, and yet, the DEIR does not assess the impacts or the mitigations that need to be accurately measured, assessed, and legally defined for CEQA. The DEIR, in its current form, is inadequate. As it stands, it is in violation of environmental law, and creates substantial liability for the County of Sonoma. First of all, the existing baseline component of tourism in agricultural areas, in terms of traffic, has not been defined.

tion 4.2 of transportation does not adequately examine traffic impacts on rural roads generated by tourism activities. The land uses associated with non-food production activities in agricultural areas, such as tasting rooms, special events, wine related shopping centers, and other non-food production, commercial activity, which I will refer to as ag tourism, are not sufficiently characterized at this time in the DEIR. The temporal and geographic distribution, vehicle type, load, etc. are not adequately described. Since those baseline figures have not been adequately described, the analysis of the impacts of proposed agricultural tourism activities that will occur in the future cannot be adequately evaluated. Further, the impact of the projected growth is also missing, and this also makes the DEIR inadequate. To do so would require an analysis of the existing industry, as I said, which has not been done. Finally, it does not analyze the impact on traffic caused by projected growth in processing, visitor serving uses associated with vineyard development. Exhibit 4.8-4, which projects an 88% increase from 2000 to 2020 in the number of wineries. When you take the ag tourism and then you combine it with all prior areas of traffic and all areas of possible increase in traffic, the cumulative affect is completely unknown. And, so, the problem is that rising population in urban areas and other infrastructural limitations are also not adequately looked at. The DEIR fails to address mitigation of traffic. Since it does not address these traffic issues, mitigation, of course, can not be analyzed, and in consideration of the time, I have submitted these full comments for the record."

Chairman Fogg: "Thank you, sir. Next speaker, please?"

Chris Stover: "I live in Sebastopol. I thank you for this opportunity to speak. I am also here as a member of Save our Sonoma County, which, I would reiterate, is a network of citizens where we are dedicated to keeping agricultural lands in food protection, and keeping agricultural lands from the onslaught of unbridled tourism development. I'd also say that the DEIR, which I want to stick with, is legally inadequate. David submitted information that tells the various areas and gives details on that. What I would like to do is talk more about to rate something to you that as to why this DEIR and potentially the draft General Plan does not capture this."

"First, I would like to set the tone of this by quoting from a statement that Mr. Carr made to the Planning Commission at the last meeting, and I'm going to quote from this. I listened to the tape and I wrote down this quote and a lot of those when quoting: "In many cases, the impacts identified in the EIR are driven largely by development that is occurring within the incorporated cities. Traffic is a really good example of a cumulative impact countywide that looks pretty bad when you look at the overall traffic in this county, but the unincorporated area has a fairly small portion of development that drives that traffic impact." Now, when I listened to this comment in the audio tape, I was disturbed, because, first of all, it sounded like a somewhat simplistic examination of traffic issues in the county. While it is true that rural traffic is small compared to 101, the importance is really the relationship of traffic to the capacity of the roads. So I was bothered by this....I was skeptical and it made me look at the section on transportation, and I think there are a lot of problems with it. Now, the train that I want to go with you on, and I hope that I have enough time for this... In the Press Democrat, about a week later, there was an article, which I will submit to you...there was a news headline entitled "Wineries floored by crowds at barrel tasting," which was the 28th annual Russian River Wine Road, which had "a 2006 attendance of more than 21,000." And I would like to quote from this article- I'll try to do this quickly: "What was once an intimate affair between the Russian River, Dry Creek, and Alexander Valley winemakers and small groups of their loyal fans, has grown into something entirely else. Limousines full of revelers now crisscross crowded backroads, cars spill out of winery parking lots into muddy vineyards, and throngs of drinkers crowd tasting rooms for the first taste of how the 2005 vintages are aging." It later continues, "Last year about 18,000 people paid \$5.00 for a glass that was good for barrel samples at area wineries. This year, event coordinators ordered 21,000 glasses, and the number of participating wineries grew 13." Also, "in previous years, the tastings were limited to Saturday and Sunday, but the number of wineries now offering tastings on Friday has grown from a handful to more than 60." I think this event is representative of the growing tourism in agricultural areas that is generating traffic impacts, combined with safety issues caused by the concentration of drivers who are drinking."

"Now, if you will bear with me, I want to go to the next article, that appeared the next day in the Press

20
2097. Democrat, and I am also going to give this to you. This article is entitled "Casino Liquor License Debated," and details how the River Rock Casino and its lawyers are applying for a liquor license, and are meeting opposition from Alexander Valley residents. And I want to quote from this article: "Attorneys for the Alexander Valley Casino question opponents as to why they don't have similar objections to tasting rooms and weekend events organized around wine. Attorneys for the casino pointed out that an estimated 21,000 people attended the Russian River Wine Barrel Tasting, including the Alexander Valley, yet they said there is no big outcry for the potential for inebriated drivers on winding country roads..." I think this illustrates an unbridled and unregulated tourism as a double edged sword, as residents in the agricultural areas are beginning to find out."

11 "This is what we really need to examine; whether the DEIR is fully looking at all these traffic impacts. I also want to point out that, since the DEIR hasn't really addressed these traffic impacts, it hasn't addressed noise impacts in rural areas either. I think Lisa Carr of Knight's Valley provided outstanding public comments, which you will find if you listen to audio tapes or get a transcript of that February 28th meeting. Questionable statistics such as average noise measurements over 24 hour periods and questionable statistics that claim noise levels are declining in the rural areas...one more point. This is also for the PRMD staff. There is an objective AR-6.3 that is a very important objective, but I want to point out something with it that is in the General Plan. This objective states "Develop a comprehensive event coordination program that provides for monitoring and scheduling of special events, so as to minimize the cumulative impacts of such uses, particularly in the areas of concentration. Like Del Rydman, who spoke before, I agree. This is a critical thing, but I'd like to point out this: This is really an objective mixed up with a policy statement. I believe that the objective should be something like this: Minimize the address cumulative impacts of special events, particularly in areas of concentration. And then, what we need is a policy statement that would say: Develop a comprehensive event coordination program that provides for monitoring and scheduling of special events..."

2
Chairman Fogg: "Would you please begin to summarize....."

Chris Stover: "...and that appears to be missing from the policy section. Because it is missing from the policy section, I really don't think it has been analyzed for the DEIR. I thank you for letting me speak, and I hope you will look at this, and I'll give copies.."

Chairman Fogg: "Thank you, sir. Next speaker, please?"

3 David Griffin: "I live in Santa Rosa. I'm here concerning the airport. As you get ready to approve the EIR study and General Plan 2020 without an adequate study included regarding the impact of increasing the runway length at the airport, and increasing the weight of the airplanes allowed, have you looked at the specific safety problems that will arise due to schools and homes being located in the flight path, as well as the noise impact on the school and the surrounding residential areas and Sonoma County in general. What kind of neighborhood-friendly noise abatement procedures along the flight path and approach patterns does this EIR address? I know, for me, the noise is too much at this point, and just thinking about increasing the length of the runway and the size of the jets, well....I don't want to think about it. Anyway, please address these issues before considering the EIR, and that's all I've got. Thank you."

Chairman Fogg: "Thank you. Next speaker, please? Mr. Keener!"

4 Karl Keener: "Good afternoon, my name is Karl Keener, and I live in Kenwood. First of all, I want to thank the Commission for allowing the public to have an additional 30 days in which to provide comments on the DEIR. That will be very helpful. The stated goals of the draft 2020 General Plan are, for the most part, excellent and deserve to be supported and implemented by legally concise, enforceable, and binding policies and programs. Protecting people and property from environmental risk, insuring the county's water resources are protected on a sustainable yield basis, protecting ag lands and agricultural production and those potentially suitable for ag use, to mention a few....these are terrific goals, but what assurances do we have that they will in fact become reality? With a draft General Plan that starts out with 38 or more unavoidable significant impacts, the majority of its goals have little or no chance of achievement. When you look carefully at the language used,

I the unsubstantiated conclusions offered, as purported mitigation of many other significant impacts, you will see that, in fact, they are inconcise and unenforceable, and, in actuality, there are far more than 38 unavoidable significant impacts."

"Take a look at the language. It suggests things, but there is no enforceable language in many of those, so that, in fact, they have been and will be mitigated. As time is at a premium, I suggest that if we were to do nothing else in analyzing the draft EIR, we should concentrate on land use. If the Land Use Element fails, the goals of the draft General Plan cannot possibly survive. If for no other reason, and I think there are many, the draft EIR is fatally flawed because it does not analyze or disclose the amount, type, and location of residential and non-residential development that *could* occur under the draft General Plan, and *could* is a criteria that CEQA says you must look at, just like the VOTMA study that was done along the corridors in the Sonoma Valley, they looked at all...under the existing zoning...all the potential parcels that could show up there, and those numbers were staggering. And that needs to be done throughout the county, and that has not been done under the draft EIR. And, of course, without that information-- that is, amount, type, and location that could occur...without that information, it is impossible to analyze the full impacts of permissible development that could occur under the draft General Plan. How much additional traffic, noise, night lights, and water pollution will be created from the development that could occur under the Draft General Plan? How much development could occur on agricultural land? How much water will be needed for ag and non-ag purposes, and will it be available? These are just a few of the critically important questions that must be answered for the goals of the draft General Plan to become a reality, and just not a bunch of flowery words on a piece of paper. But, of course, they cannot be answered without knowing how much, what type, and where development could occur under the draft General Plan. The absence of this information in the DEIR violates the basic dictates of CEQA, and prevents an analysis of the alternatives that could mitigate significant impacts. What a tragedy it would be if the incredible amount of time and effort that you have put forth, and staff has put forth, and will undoubtedly continue to put forth before this process is over, turns out to be for naught because the County failed to establish sufficient policies, programs, and mitigation measures to substantially reduce the true, significant, unavoidable environmental impacts of the draft General Plan. Thank you."

Chairman Fogg: "Thank you, Mr. Keener. Next speaker, please?"

Bill Smith: "Good afternoon, Commission members. I am here on behalf of the Dry Creek Valley Association. It's an association having approximately 500 members; property owners or residents of Dry Creek Valley. Our main purpose is the preservation and protection of the agricultural aspects of Dry Creek Valley, with about five winery operators on our board of directors, over half our board are grape growers in Dry Creek Valley, and close to half of our membership is directly involved in the wine industry, either as growers, winery owners, or employees or in marketing and sales, etc. For the last five years or so, we have also been concerned about the cumulative impacts. I think there is increasing concern, but the cumulative impacts of some of the visitor serving uses, especially- and events- in wineries in certain areas of concentration, and Dry Creek Valley, as you heard from the Valley of the Moon folks...and if we project things out to 2020 there is going to be an increase in these facilities, whereas infrastructure is going to remain about the same as far as the county roads and so forth...so it is a question of what the carrying capacity of these areas is. And I would like to just...it's in the draft EIR before you, but this Exhibit 4.8-4, which is very interesting--it really pays close attention I think - it's in the Agricultural Resources section of the draft EIR-it's at Page 4.8-24...and it lists by planning area- the nine planning areas in the county- both the existing number of wineries and then also the existing square footage. These are factual things...and it totals out for the county as a whole. Then it also projects out for each planning area and the county as a whole as a total the number of wineries and the area by square footage for the year 2020. Mr. Cooke might say this is largely overstated, and Mr. Rydman might it is understated... it seems to be of some reality. There is a several page discussion of the methodology...we are projections, of course...their guess is it could be right, it's probably wrong in some ways- it would be a miracle if they would be exactly right....but they are certainly intelligent guesses. In our experience in Dry Creek Valley in the last six or seven years, we've had about three new winery applications per year, we have about 40 wineries in our appellation. Incidentally, our organization was the organization that obtained the Dry Creek Valley appellation as an appellation 20 some years ago. That would indicate about a doubling in the

26
cont.
next 14 or 15 years to the end of 2020, and that's about what the estimate in the draft EIR is...said there would be an 88% increase countywide in the number of wineries and corresponding increase in square footage. Now, the conclusion - this is the only things that are quantified, and I want to underscore some of the things that some of the previous speakers have said....the only things that are quantified are the numbers of wineries and the square footage. The conclusion of no adverse impact is the same - this is both the ag tourism and in the ag processing section, they use the identical language, which says "due to the limited acreage that would be removed, as well as policies and programs contained in the draft GP2020 regulating such development, this would be a less than significant impact. That may be true—in other words, they say there are going to be about 200-300 acres removed from ag by 2020 because of new wineries and expansions of existing wineries, and this is insignificant compared to the several hundred thousand acres of ag land. Ok, we can accept that. What is lacking, though, is what has been alluded to by speakers; baseline studies of the existing traffic impacts in these impacted areas, and noise, and water availability, and then some reasonable projection of the increases... In other words, you can reasonably anticipate there will be "X" number of new wineries, "X" number of square footage of wineries, as well as taking into account the events and so forth...there should be a methodology by which the existing traffic in these very concentrated areas - two or three in the county, three or four perhaps - can be estimated, and I think that's really what is lacking, that kind of factual data. I think it is a good base, we can accept it for valid as far as it goes, but I think some further work could be done both on establishing some baseline and some projections for the future. This is very I think crucial because the EIR does- and I'll finish with this-it does say that, ultimately, and - this is Page 4.8-27- correctly, "ultimately, this type of development, if unregulated, could threaten the long term viability of Sonoma County agriculture. Thank you so much."

Chairman Fogg: "Thank you, Mr. Smith. Next speaker, please?"

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Leonard Holt: "My name is Leonard Holt, I live in Santa Rosa. I want to speak on the water resources. Our water resources are limited, yet we really don't have a comprehensive plan to assure a sustainable future for intelligent use of our water resources. The draft environmental impact report contains numerous impacts which are listed as unavoidable. These unavoidable impacts are listed with no concrete means for resolution. Most of them have the excuse that insufficient information is available to allow methods for mitigation to be established in a general plan. One of the most serious impacts concerns surface and groundwater resources. However, provision of additional water information has been offered to the county. Insufficient information in the hands of plan drafters should not be a limiting factor towards finding the appropriate means for mitigation. The County shall require a listing of all permitted and non permitted water users by a date-certain, which would establish a specific date, which should not be greater than five years later than the adoption of the plan. All users not currently permitted shall become listed by that date. New water users shall not be permitted unless an applicant agrees to be a third party user after current listed users. All unlisted users shall be subject to immediate cessation of any unlisted water use, and also subject to a fine equal to the value of water previously withdrawn, plus a substantial punitive amount."

9
"Based on recorded water use - this is after we adopt the plan - all listed users, in the order of their ranking, we shall have allocations of all water use based on demonstrated actual need and completion of all conservation measures technically available. The sum of water allocations in any groundwater basin, or on any stream, river, lake, or impoundment, shall not exceed actual water proven to be available as a sustainable resource. An independent government agency shall be established to monitor and enforce this policy."

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"This principal shall also apply to all other issues in the General Plan where provisions for mitigation are not listed. In other words, if you can't do it right today, set a date when you are going to do it, and enforce it. Several elements of the plan are adequate and these should be supported. There are too many areas where the plan does not establish present or future measures for adverse impacts in the DEIR should not be categorically endorsed. All adverse impacts covered in the plan shall have a date-certain established in the plan where mitigation becomes mandatory. Thank you."

Chairman Fogg: "Thank you, sir."

Commissioner Murphy: "...If I may Mr. Chairman, I may be wrong, but I am going to make a comment here....I think what was asked for there was a complete rewriting of state water law, and forgive me for the comment, but I just couldn't resist. "

Chairman Fogg: "Sir, can we get a copy of your remarks? Thank you."

Nick Frey: "The Sonoma County Grape Growers Association, on behalf of it's 750 members, appreciates the opportunity to comment on the draft EIR, the Sonoma County General Plan 2020....the 1989 General Plan has, and is, serving the County well. The Sonoma County Grape Growers Association supports minor updates to the plan, as requested by the Board of Supervisors. The proposed update has major additions and revisions that add significant new costs for landowners and for the county, and the public benefits of many changes were not established. We feel that conflicts between goals have not been adequately addressed in the draft EIR. Goals to preserve agriculture, and to provide affordable housing need greater consideration when assessing the impacts of policy recommendations in other areas of the General Plan. The EIR must be adequate to inform decision makers of the environmental impacts of their policy decisions. We feel the document includes inappropriate and inaccurate information, making it difficult to assess impacts and recommend appropriate mitigation. We highlight the following deficiencies: Vineyard acreage is projected to grow using data from 1999-2002, when significant new planting was occurring, but there has been no additional acreage planted from 2002-2005, and that is not noted in the projections; Sonoma Coast AVA is projected to grow by 5,000 acres- we think that is an excessive estimate, and the only likely area for significant new acreage is in the Lakeville-Petaluma area; estimates of applied water for crops is excessive- croplands other than grapes total 12,000 acres - and there is a table in the plan that shows it this; and the estimated applied water average is four-acre foot per crop acre on those 12,000 acres. Oat, hay, and silage comprise 3000 acres of those crop acres, and those don't use water in the level of four acre feet by any means. In addition, water applied to grapes is reported to average 1.2 acre feet per grape acre, and we think that is probably about double what the average grape acre uses today."

"The beneficial impacts of the Vineyard Erosion and Sediment Control Ordinance in reducing sediment movement from vineyards has not been considered when recommending increased setbacks. Literature showing the effectiveness of buffer strips and sediment removal exist to show the adequacy of buffer required under VESCO, and it appears not to have been considered when assessing policy recommendations for increased setbacks. Requests were made during public comment before the CAC for acreage designated as wetlands, that's figure 4.6-3 and the additional acreage affected by 100 foot setbacks from those wetlands. No acreage was supplied, nor was there any biological rationale given to justify the setback recommendations. The EIR fails to address those issues as well. The conversion of 61,000 acres of ag land due to increased stream setbacks was considered to have no significant impacts, because 600,000 acres of agricultural lands exist in the county. That's 10% of the ag lands, even if you use that 600,000 number. But what percentage of those 61,000 new setback acres exists in important farmland, which total only 162,000 acres? And then, of course, 61,000 acres is slightly more, or at least equivalent, to the total grape acres in the county, so what will the impact of these setbacks be on land values and county tax revenues?"

"The feasibility of policy recommendations was not discussed for the following item: Policy WR-2(e). Permits are required to repair wells, which suggests families or businesses would be unable to make timely repairs to wells they rely upon for water. Furthermore, if those wells are in a Class Three or Four water scarce area, they have to do a study to prove that there is adequate water to even do the repair, and if they have been using that well for 20 years, it seems to me that it is not only unfeasible, but unreasonable."

"Policy WR-2(f) requires discretionary permits to the maximum extent practicable to maintain or increase the pre-development absorption. What impacts might this have on project cost and on groundwater quality. If you have a five acre plot and you put on it two acres of building and parking lots, and you have to have three acres take in as much water as five did - or more - you have to increase it, perhaps...that could have negative impacts on groundwater, because you might have to drill a dry well or something like that to really do that. So there's things in there that I think are just unreasonable."

"We appreciate the opportunity to provide these comments, and we will do some additional written comments later. Thank you."

Chairman Fogg: "Thank you very much. I suspect our last commenter..."

Lex McCorvey: "Thank you, Mr. Chairman. Lex McCorvey, representing the Sonoma County Farm Bureau. The few comments that I have for you today are basically sort of a...hopefully a guide, as you read and re-read and analyze and study this particular draft EIR. I think it is really important that you understand from an agricultural standpoint some of the issues that we are facing on a daily basis. But what some of the suggestions in this particular document would have for agriculture...I want to echo Mr. Cooke's comment earlier in the day, about looking at the economic impacts and the ramifications on this community, on property owners, on agriculture, and what the benefits are that agriculture has for the community. I also want to emphasize the secondary impacts that are not suggested in this document that can have adverse affects on local property owners in the community in general, not only from an economic standpoint, but also from a practical standpoint, as Mr. Frey pointed out. I also think that in your analysis that one of the things that I would like you to look for here in the draft EIR is--has the burden of proof been met to make some of these suggestions that are being made in this draft EIR? Is there significant or sufficient peer review scientific evidence to support some of the suggestions or allegations that are being made. Some of the proposals and policies that are being suggested in the document... In reading through the draft EIR, I found that that is a particular deficiency in the draft EIR that what is being suggested does not meet the burden of proof in terms of a need. I also believe that, as an earlier speaker said, that having County Counsel and legal staff look at some of the federal, but also the state pre-emption regulations or laws and case laws that are already on the books affecting what we are suggesting here in terms of policy development in our General Plan. I think, as a whole, all of those components need to be considered, because they will have a dramatic affect on people's everyday lives, and from my perspective, and Sonoma County Farm Bureau's perspective, many of the policies that are suggested will have very detrimental affects on the agricultural community, as well as the environment. So I think we all need to weigh how these policies are going to affect us on the ground and in real life. Thank you."

Chairman Fogg: "Thank you, Mr. McCorvey. Are there any other speakers...are there any other speakers? Seeing none, why don't we take a five minute break."

Chairman Fogg: "For the record, it's one minute past 6:00. Are there any other members of the audience that would like to speak to this Commission on the draft EIR? Is there anyone else who would like to speak to the Commission on the draft EIR? Okay, then I close the public hearing and bring it back to the Commission, and what I would like to do is ask staff to articulate specifically what they want, need, and anticipate from the individual members of the Commission, so that you can go off and finish up the EIR."

Greg Carr: "Mr. Chairman, I think - hopefully it won't be too oversimplified - I think that the what the critical use of an EIR for your commission is that you need to be informed about the impacts of your decision when you make it, use that as a template, "What information do I need, where in the EIR that I see before me are there gaps in the information, or where you are not comfortable with having the information necessary to do that...that's the point of this EIR hearing, and you have heard a number of the people in the public make comments about it, and I'm sure you'll weigh those, but I think the basic thing we'd like to hear from you is what we have heard from the public: Where the EIR does not provide you, in your view, enough information to make your decision. And I think it's also important to mention that, in the end, you will be making a recommendation on the EIR to the Board of Supervisors, so I think now is an early enough time in the process for you to start identifying those things you think you will need, and you don't, in the long run - after you have gone all through your decision making process and you have the responses from the comments before you - you are not today pre-judging that decision whether you are going to recommend that EIR. As you get some of the responses back, what we found in many cases, is there is not as much information available as we wish there was. But I think, if I was in your position, I would want to be focusing on what I needed to know about the impacts of this General Plan to make some policy decisions."

Airman Fogg: "Okay. I just want to make one thing clear. We are expected to have our comments in to you by the end of the time that the public has for written comments, is that correct?"

Greg Carr: "I think you might want to ask Counsel about that, but...."

Counsel Hurst: "That would be our preference, Mr. Chairman."

Chairman Fogg: "Okay...that would be your preference. Okay. And, simultaneously, we will proceed with going through the specific elements exactly one week from tonight, where we start off with the Public Safety Element....is it Tuesday night? Ok. Tuesday. And these two things can go on simultaneously? Any comments or suggestions from the Commission?"

Nadin Sponamore: "In normal scenario, of course, we would have a project that we would have before us and we would be reviewing it concurrently, or we certainly would have had the opportunity to test the project against the EIR...so it's always difficult, when you are doing a General Plan EIR, and going through the General Plan over the next how every many months it is to anticipate whether or not the policies that have been identified to mitigate are adequate, and in light of any change of policy that we might foresee making in the future. So that was one of my first questions. (End of tape)...which is that we have a pretty good General Plan right now, and maybe very little tweaking is necessary. Do we have enough of an analysis in this document to be able to go that route, or, if we want to—and I'm not so much concerned about adding more mitigation, because we can always add equal to or better mitigation, and generally not have too many indirect impacts that we would have to add to the document....so, it's that wiggle room that I am concerned about working within at this point in time. Other than a few typos and a few minor changes, I don't have that many comments on the document at this point, and in this first sight it's the "chicken and the egg" thing."

"There is one other issue, and that is that it is always extremely helpful to me, in reviewing an EIR, to see the agency comments, which we probably won't see until very close to the end of the comment period. I appreciate that it's the County's preference that we comment before the close of the comment period, but there is no guarantee that we are going to get those agency comments in time. So those are my frustrations."

Chairman Fogg: "Commissioner Murphy, comment?"

Commissioner Murphy: "Well, I do think there is a place right now for some preliminary comments about whether we feel that certain facts are really in evidence, or whether more information is needed to be gathered. One of the things that concerns me is that if assumptions that are made within the EIR itself over the next 30-60 days tend to show themselves to be different, how do we bring the public back into that process? For example, there is airport studies that will or will not be done, or that we have five out of twenty years projected of growth in either population or wineries, or vineyards, or whatever other projections are there—and we do have five year's information—and that's not currently in these documents. If that shows trends that are significantly different, whether greater or smaller...so, is there going to be the capability of the public to comment....what is the potential to have significant changes within the DEIR that may require reopening the public comment?"

38

Greg Carr: "...Through the Chair, as we talked a little bit about that on the 28th, at the presentation on the 28th, there is the potential that you could decide to take a different approach with a policy that would require recirculation- some additional analysis and a recirculation of the EIR. There is also some flexibility in your decision making where we think you are still within the scope of this EIR. The best suggestion I have is that, you debate your policies in the General Plan, is that we can provide you some information, with what ever we need to at that point, to guide you as to whether or not alternative policies that you are looking at might trigger one....you know, recirculation, or whether it could be done within the EIR that is before you. It may also help Commissioner Murphy if mention this question about the projections. In looking forward to trying to, as Bill Smith said, make an educated guess about what might be the activities in the future, I don't think it is necessarily harmful to the EIR to over-project, or to predict more acreage than might actually occur."

In fact, I think, in many cases it is better for the EIR to over-project slightly. I think we want to be real in those projections, so assumptions could change, but I think it's an advantage to the EIR because it allows you to do some decision making within the range of your policy setting...75% vs. 50, or some of the other ag setbacks or not...to vary your policy decisions and still be within the scope of that EIR. Although I think sometimes an EIR's job is to identify significant impacts, and and EIR's job is not to say whether those impacts are good, bad, or indifferent...it's really to say whether they are significant, and to try to look at a long enough, wide enough breadth of impacts to, if you will, protect you in your decision making, so you can avoid recirculation. It's actually the purpose."

Commissioner Murphy: "One of the things, if I may continue, is you talk about the differences in the significant impacts last time of the three various styles of interpretation, the 1989 General Plan, the 2020 General Plan, and the ultimate buildout General Plan. It seems that we were not gaining, in raw numbers, we were not mitigating the tremendously larger number of impacts from 89 going to 2020, although it was stated that they are different impacts. They are still significant, but they are different, and I need some clarification on that, in particular. As well as—I think there are things that still are not addressed within the General Plan update, that I believe will be significant, particularly in the safety issues and some of them in traffic. My worry is that we get so far down the road in the DEIR, and assumptions are made, that it impacts, literally, the fiscal responsibility that the County has to look at things as they will be. We may be creating more harm than is necessary be overcompensating for projections that are extravagant. That's a big worry of mine. We already see, as a comment, that the ability of the county to grow has been extremely curtailed population wise; it looks like it is zero population growth within the county in a number of sectors. That may be a good thing - it may be a policy we are looking for- so, like I said, I am just trying to worry about the long term implications of that."

Chairman Fogg: "Rue?"

Commissioner Furch: "Well, I concur with Commissioner Sponamore, and I think Commissioner Murphy alluded to this even at the very beginning of this process....that is the "chicken or egg" scenario, where we are being asked to comment on a draft EIR that refers to a not very well described project, and my fear is that, if we proceed with comments that are really detailed, which I have some of - as you can well imagine- I know, it's a shock, isn't it?...I also have some broad comments about it, that what we're doing is setting the consultant and staff down a path where they are burning hours, and no doubt, dollars- and the implication of that could be that staff and the Commission are left with the sense that really we should only "tinker" with the policies and impacts and statements in the General Plan itself, because, otherwise, it would so remarkably change the project description that it would drive the DEIR to necessarily be recirculated....that's the part I really don't like- if we can't make amendments that we think are important in the General Plan because it would cause recirculation or it would make changes in the DEIR, that's the wrong "chicken-egg" for me from this standpoint. And so, if we begin ...if we close the public hearing, and we all make our detailed comments, and staff and consultant run out and start this process, we are spending a lot of money on behalf of the County, that may be premature- or we are basically constraining our ability to amend policy....and that, I don't think that works real well for me."

Commissioner Bennett: "I am somewhere in the middle of all the other opinions that I have heard here. The EIR is a body of information to help us make decisions, first and foremost. It is not the policy document. And as such, the question here...we will not be certifying this until sometime this fall in any case. It is not a finished document. The point is, are we researching things that could be changed? I think everything that has been said by the public here, by law, has to be responded to by the consultant. So that's going to happen, regardless. If we have concerns about the adequacy of the information here, now I want to stress adequacy...to make a decision, then this may be a good time, before the 17th, to make that input. Whether we want to go with a different direction....I don't have a problem with that, and I think the fact that we have put our input where we saw the adequacy of information has no bearing on what decision we are going to make down the road if we change it...and if, at some point, it does have to be changed, I don't think- in any case, the response of Commissioner Furch - this Commission would ever not speak its mind on any policy that it didn't agree with, and would not be bound. So I think that's a non-issue; it really - I think we are going to proceed

...this by our own lights, and by our own judgment what we think is best for the county, and I think this is a body of information that is supposed to help us get there. If it's not there, this is not a bad time to say it. I think as far as inhibiting down the road - there's no question we are going to have any number of changes, we're going to either agree with the CAC or we are going to do in a different direction. We are going to have some spirited debates on all that, and that, to me, is separate from the EIR. We have this to fall back on to support whatever decision we want to make, but I think the policies are going to come out through the public hearing process, and I think the question is- do we have to recirculate the EIR for public hearing? I think, once we get into each of these policies- doing public hearings on each of these issues- we heard through the staff said about two weeks ago that about 80% of what was submitted was really General Plan testimony, and was not EIR testimony....we're going to...all of these things we have concerns about- these policies- we are going to be having public testimony at length on these. And I think that's going to frame this as much as the EIR. I think it's just that we started with the EIR, and I think we just tend to get so wrapped up in this, because it is policies as well in here...and we are going to be separating those out...so."

Chairman Fogg: "Do you want to respond in some fashion from the County's standpoint?"

Greg Carr: "Well, one of the problems with chickens and eggs is that at some point, you have to choose the chicken or the egg....we spent a lot of time trying to structure this EIR in such a way that you had freedom to make decisions. We really spent a lot of time trying to do that, and it was difficult, because if you were to tie the EIR up first, as you usually do when you review an EIR—you get the EIR all tied up together, and then you and make your conditions on a project and make your project decision so that they fit together....we are still doing that here, but if you were to follow that normal process, you would have an EIR before you, and I think you would feel more constrained about the decision making, because you would have pretty much arrived at what you wanted in an EIR. So I actually think this process makes it a little bit less work for us—it's fraught with of having to repeat work, but I also think that's really...County Counsel and I spent a lot of time figuring it out, and we think that's probably still the best way to go. And I think we said at the last time that we don't want you to feel constrained about making decisions that are different than what the draft General Plan says... all we want to be able to do is to try to give you, on an issue by issue basis, an idea where you are with respect to that EIR. The consultant helping us do all the responses will provide us that information as we go along. I guess I am still hoping you will follow the process we have, and again, there is risk in it - we may repeat ourselves or do additional work down the road, but that is part of the General Plan and EIR process, and we will probably do it again at the Board."

Commissioner Furch: "...May I? I wasn't suggesting that we not comment at all, I was simply stating a concern. As I stated initially, I have comments....I have some broad comments and I have some detailed comments, and so you won't get away from that. But I did just want to state the concern that we do have this 'oddity' of a self mitigating General Plan, and it didn't work really well when Santa Rosa did it, so I would like to avoid that pitfall."

Commissioner Murphy: "If I may...I actually have a comment and a question. The comment is that, from what I heard, from many parties of the public and from myself as well, is I think we have...there is a question of some facts that are not really in evidence...assumptions of facts that are not in evidence, and I hope that through the process of hearings and information that we gather that we will be able to clear these up - especially the public hearings on each element. The question I have is, it was brought up a couple of times about the necessity of the EIR to cover what is probable and what is possible. And, I would like staff's best opinion of how the DEIR should treat those two elements....is it a document about what is probable, or is it a document about what is possible, meaning ultimate buildout-if you have 40,000 lots left in Sonoma County, we assume there are 40,000 homes on them....I would like to hear comment on that."

39

Greg Carr: "I guess I'll take a shot at it, unless Bob or Scott want to jump in. I think the best way I would say is that it asks you to look at both in this case, because the project- as a General Plan, there is a certain amount of projected growth, there's an estimate made of what is likely to occur, which I would put in the category of 'probable,' and that's an estimate, a projection—as Bill said, it's an educated guess...and then

there's the 'possible,' and I would link that more with the Buildout alternative, for example...that 'possible' is sort of a theoretical maximum that could occur. It has some estimation going into it too. There's no automatic number, as Del and Karl found when they did the tourism study in Sonoma Valley. There's always judgment made as to what the two differences are. So, I think, really, that an EIR is to do both, but I think in a General Plan, you are looking at what is likely or projected to occur, as opposed to what the total buildout would be. Buildout hardly ever happens."

Commissioner Murphy: "So do you think that this document will ultimately satisfy those who asked specifically that it review the impacts of 'full buildout' or 'full potential uses of all resources within the county?'"

Greg Carr: "Yes, and we will look at all the specifics of all the individual comments, but I think yes, that we have a reasonable alternative, based upon a higher level of development that could occur, called the Buildout alternative, and policies under that alternative that are generally less restrictive, compared to the draft General Plan...and if the purpose of that is to look at what would happen if it's worse than we projected to occur, from an environmental perspective. I think we feel fairly comfortable with that approach. It can be questioned, and has been a little bit in some cases."

Scott Briggs: "As a practitioner of CEQA, not as an attorney, to be up front about it...I think our job is to - and I think our buildout approach tries to do this - I think our job is to project what is reasonably foreseeable by way of buildout. I don't think there is anything in CEQA that says 'you have to put in there the worst possible, if it can't happen. That's not, in my opinion, what CEQA asks us to do. It asks us to put in and provide information that supports a reasonable estimate of what buildout would be, and I think that is what we have tried to do here."

Chairman Fogg: "Do you want the Chair to summarize, or...."

Commissioner Furch: "I would just like to ask one question, if you wouldn't mind. Commissioner Sponamore made a comment about the responses from agencies and other formal entities that might be coming in late, and the value of reviewing those....I think in my instance it might not only be helpful to me, it might be helpful to you if I look at those before I submit all of my comments, because they may answer some questions- their confidence level and their credibility may lend themselves to helping me formulate my own questions. Or you may just get a barrage from me, which is probably what you want."

Chairman Fogg: "When do we expect to hear from the agencies?"

Greg Carr: "Well, I don't know. I suppose the general rule of thumb is the last day....but it is possible that we may get some comments earlier than the last day simply because we have gone 90 days on it."

Scott Briggs: "I always hate to get my hopes up that we will get anything, quite frankly. Hopefully, we will. Some agencies are more likely to respond than others, but I wouldn't hold my breath that we will get it until the last minute, and oftentimes, it comes in after the last minute, so....and of course, we give them the benefit of the doubt and accept that comment when it arrives."

Counsel Hurst: "Mr. Chairman, if I may....Commissioner Sponamore raised a question: Was it possible to give your comments after the close of the comment period? My response was, it is our preference that you do that. The statute talks about when comments must be received from members of the public and public agencies. The statute does not specifically refer to when this body or the decision making body or recommending body has to have their responses in. Why I said that it is our preference that it come within the comment period is so that you conform, as closely as you can, to the requirements to the public and other public agencies. Having said that, if you think that there would be value to giving your comments shortly after the close of the period- and again, we have not looked at this, and our office can look at it and give you further advice later on. But if you wanted to schedule a session shortly after the close of the comment period, I think you can...as much as anything, it is just a burden you will be placing on staff and the EIR consultant, in terms

eing able to respond."

Scott Briggs: "If I could, too, through the Chair...the one thing staff could certainly do is commit to getting the Commission copies of any correspondence we do receive as we receive it. If we get something sooner from any of these agencies, then we can get it to the Commission."

Chairman Fogg: "Let me suggest a course of action. Vice Chair Bennett and myself, and you folks, are meeting with Mr. Smith and Mr. Kelley next Monday to discuss process and timing, and where we are. I would suggest we tell them the following: This Committee feels, that are part of our responsibilities, that we assume the freedom to make policy decisions as we see necessary, and recommend them to the Board of Supervisors, and we aren't to be feathered by anything. Secondly, if this involves substantive changes to the EIR, so be it. I hope it doesn't, from a desire to see my great grandchildren, but, you know...if it does, so be it! We will provide our comments, understanding that this is a self mitigating General Plan, particularly in principal, I think, as opposed to great and infinite detail. But, the April 17th close on the public written comments, I don't think, should hinder our need to review the comments of the agencies and/or any discussions we've had between us or by review of the draft EIR. I would suggest, as Counsel suggested, that we would establish a reasonable date after April 17th when all of our comments have to be in, and then we proceed with the work at hand. What do you think?"

Commissioner Murphy: "Do you expect all of those comments in writing, or are we going to have an open hearing for both written comments, delivery, and oral comments?"

Chairman Fogg: "I think an open hearing for both written and oral."

Commissioner Murphy: "So it would be within 14 days of the close I don't see any time constraints. I think all agree it's a lot of work."

Commissioner Sponamore: "I actually just have a question of staff and the consultant, and that is more of a recommendation in the form of a question. Were you planning on doing this in the form of master responses, in referring back to those master responses for your responses to comments?"

Scott Briggs: "I think it's fair to say we will make as much use of the master response concept as we can. There are always a number of individual comments we will have to do, but, usually, comments fall into groups and you put together master responses."

Commissioner Sponamore: "Because that would certainly be my preference...it certainly makes the review easier. I think it gives staff, in the future, a much more usable, user friendly document as the years go by, so I would strongly encourage that."

Commissioner Bennett: "I concur."

Chairman Fogg: "OK, so let's establish the groundrules. We will make the necessary decisions as we go with regard to policy. If it involves substantive changes to the EIR, so be it. We will provide our comments, understanding the nature of the animal, in principal, hopefully, and we will close it after both oral and written comments, fourteen days after April 17th...and we will review this with the Board on Monday, and if it's not OK with them, we'll probably get fired."

Counsel Hurst: "Mr Chairman, I would suggest that you pick a date now for the Commission to meet, and I suggest you might want to do it the Tuesday after, but one week after that. I am a little leary of scheduling it out 14 days. My preference would be to have it close by April 21st or something like that."

Chairman Fogg: "Why don't we meet on Tuesday, April 25th, which we have scheduled on our calendars?"

Counsel Hurst: "You could do that."

Chairman Fogg: "If anybody has a comment to make, you have to make it by then? So be it."

Greg Carr: "6:00? Scott, is the Board room available that night?"

Scott Briggs: "Mr. Chairman, just a note....that day may be fine, but Bob Berman cannot be here on the 25th. Staff can, but..."

Chairman Fogg: "Bob, do you think it is necessary for you to be here, or would you prefer to be here?"

Bob Berman: "Well, I don't want you to say anything nasty behind my back....no, I think that is fine, the staff is able....I have another meeting that night, and I would rather have you complete the process so we can get all the comments, so we can begin the laborious process of trying to organize all the comments and..."

Counsel Hurst: "Would Bob be available one week later, the week of the 2nd?"

Bob Berman: "I believe I am available on May 2nd."

Counsel Hurst: "And just for the Commission information, it looks like the Board calendar that day is completely open..."

Chairman Fogg: "Is everyone OK with May 2nd?"

Commissioner Bennett: "Yes."

Commissioner Furch: "Yes."

Commissioner Murphy: "Yes."

Commissioner Sponamore: "Yes, what time?"

Chairman Fogg: "6:00, here."

Commissioner Furch: "Mr. Chairman, the reason that I think it is valuable to have the consultant here is that there are points in which, the consultant in history, has said I'd like clarification of that, and I would like to be able to clarify them, so that they don't answer the wrong question or interpret the question..."

Counsel Hurst: "Mr. Chairman, I would also urge Commissioners, if you have preliminary comments, to get them in before the close of the comment period, and just reserve till the final time those comments that you want to see....agency responses."

Chairman Fogg: "OK. We had planned to adjourn the meeting at 7:00, which would be a three hour meeting, so we really don't have a lot of time to kick off discussions tonight. Mr. Bennett had an observation on the agenda next week."

Commissioner Bennett: "Right. On next weeks agenda, it says there is a workshop for General Plan, and I think we had that last week. I think we really need to identify that this is the first time we are actually starting the General Plan hearings, and..would you call this a workshop next week?"

Counsel Hurst: "No, it's the first...I think there was probably a clerical error in how it was referenced. It should be noted as a public hearing if the notice said that."

Commissioner Bennett: "And this is nit-picking, but item number 4, I would like that to say 'public hearing' and not 'public comments.'"

Jnsel Hurst: "I would agree with that."

Commissioner Bennett: "...So it is very clear that we are commencing with the public hearings and public participation on each of these elements we are talking about."

Greg Carr: "We'll redo that agenda, too."

Commissioner Bennett: "Thank you."

Counsel Hurst: "So, Mr. Chairman, the actual agenda only needs to be posted 72 hours in advance, so I would just consider this as a draft for your comment."

Chairman Fogg: "Staff....Rue? Get ready. Meeting adjourned."

Minutes adopted April 4, 2006



Sonoma County Planning Commission GP2020 MINUTES

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

MEETING TO BE HELD IN THE BOARD OF SUPERVISORS CHAMBERS AT 575 ADMINISTRATION DRIVE SUITE 100A ON TUESDAY MAY 2, 2006 AT 6:00 P.M.

Date: May 2, 2006
Meeting No.: 06-017

ROLL CALL

COMMISSIONERS

☒ Don Bennett
☒ Nadin Sponamore
☒ Dennis Murphy
☒ Rue Furch
☒ Dick Fogg, Chair

STAFF MEMBERS

☒ Jennifer Barrett
☒ Scott Briggs
☒ Greg Carr
☒ Amy Wingfield

STAFF MEMBERS

☒ Denise Peter
☒ Sue Dahl
☒ Sally McGough, Deputy
County Counsel
☒ David Hurst, Chief Deputy
County Counsel

CONSULTANT: Bob Berman

Item No. 1	Time: 6:00 p.m.	File: GP2020
Applicant:	County of Sonoma - PRMD	Staff: Various
Owner:	N/A	
Cont'd. from:	April 25, 2006	
Env. Doc.:	Draft Environmental Impact Report	
Proposal:	General Plan 2020: Continued discussion to consider the Citizens Advisory Committee's recommendations on the Draft Sonoma County General Plan; to amend the Windsor Specific Plan, Larkfield-Wikiup, Bennett Valley, West Petaluma, Penngrove, South Santa Rosa, Sonoma Mountain, Franz Valley, and Petaluma Dairy Belt Area Plans to conform to the amended General Plan; to rezone certain properties to implement the amended General Plan. Continued discussion of the following:	
	- Draft EIR - Air Transportation Element - Public Safety Element - Circulation and Transit Element	- Greg Carr/Scott Briggs - Denise Peter - Lisa Posternak - Gary Helfrich
Location:	Countywide	
APN:	Various	Sup. Dist: All
	Board of Supervisors Hearing to be determined.	
Action:	Continued to May 4, 2006 at 2:05 p.m.	
Resolution No.:		

Chairman Fogg called the meeting to order at 6:05 p.m.

Correspondence: Written comments received by May 2 pertaining to Agricultural Resources were given to the Commissioners.

Planning Agency Report. Deputy Director Barrett said that the Board adopted a one year moratorium on medical marijuana dispensaries to have time to develop an ordinance. The CAC was also recognized for it's work on the General Plan Update

Public comment on items not on the agenda: Stephen Fuller-Rowell, Water Coalition, noted that the Sonoma Ecology Center, the Town Hall Coalition, and Graton Community Projects, were also included as members and authors of the Water Coalition DEIR comments that had been submitted.

Air Transportation Element, Sonoma Skypark. Denise Peter summarized a memo that answered questions asked by the Planning Commission and Counsel that involved two issues with the Skypark. The first issue involved how a local jurisdiction can override the CALUP prepared by the ALUC. The current General Plan authorizes an override on a case by case basis, consistent with state law, and it can be done by the Board of Supervisors with a 4/5 vote. The second issue involved the proposed overlay zone, which would encompass CALUP's referral area and would be an alert to property owners and potential buyers of additional CALUP restrictions around airports. The CAC recommended exclusion of the Sonoma Skypark from the overlay zone by a 6-4 vote, but Staff and ALUC felt that if an overlay zone was to be used, it should apply equally to all six public use airports.

Chairman Fogg asked what the County's liability would be if the Skypark was left out of the overlay zone or CLUP. **Counsel Hurst** cautioned that there must be a rational basis for the omission, or equal protection problems could result. In the case of a general override by the County, the public airport operator becomes immune to liability from any damage brought about by the public agency's decision to override. General tort immunity would protect the County. **Counsel Hurst** recommended that staff work with counsel to craft a policy which allows the Board to retain the flexibility to look at projects on a case by case basis as opposed to a general override of ALUC requirements. **Commissioner Murphy** asked if the County could regulate through the Skypark use permit. Staff Carr said the current use permit was issued in 1985. If the airport were to expand it would have to be updated. There were neighbor complaints about the airport over the years, but none went to revocation or modification. **Commissioner Furch** said that the main objection during the CAC process centered around property values near the Skypark, and she feels that the Planning Commission needs to decide the County's legal responsibility and obligations on the greater whole rather than specific community concerns. **Chairman Fogg** made a motion to keep the Skypark in the airport zoning overlay to keep it consistent with other airports in the County, stating that land use regulations must provide equal protection under the law, and that a procedure for VOS override is clearly established if they feel it is in their best interest of the cause. **Commissioner Furch** seconded the motion. A straw vote was taken and the vote was unanimous in favor of the motion.

Planning Commission review of the Draft Environmental Impact Report (beginning of transcript)

Chairman Fogg: "Let's go into the EIR comments. Does staff want to position this in any way, or how do you want to proceed here?"

Staff Carr: "Mr. Chairman, just by way of brief background, just to remind everyone where we are with the EIR process. The EIR review period started on January 17th and concluded on April 17th. The Draft EIR comments that you have in your binder that was passed out last week include all the written comments that were received by the department during the review period. They also include all the oral comments made at three different public meetings in the transcripts that are in your packet...those three meetings were the February 16th meeting of the CAC- that was a meeting that they held to go over the EIR, and then your public hearing, which lasted on the evenings of February 28th and March 15th. So all of those transcripts are also in your packets and they are also considered part of the draft EIR comments for the record. Tonight's discussion will include all of your comments that you make on the draft EIR in that same record, so that will comprise all of the comments that are in the record as far as the draft EIR, and all will be responded to according to the CEQA process for preparation of a final EIR for your eventual recommendation."

"I just wanted to point out- you probably noticed this when you went through the comments. - but we actually received about two or three boxes of information with the comments that were submitted during the course of the last three months, and we did not include all the attachments in your reading material for tonight. I think you could probably guess why...we have only glanced at those attachments so far, and most of those are information or supplemental stuff that may be good for reading material but don't necessarily raise questions or comments about the adequacy of the EIR. We will be looking at those as part of our EIR process, but most likely, if they don't actually bring up points in their letters that you have received, we probably will not go into responses to those. Again, the duty is on the comment tell us what's the matter with the EIR and not just throw a bunch of stuff on the wall and see if it sticks. We have not yet had an opportunity on the staff to go through and read all of these comments in detail or look at all those attachments yet, and we anticipate doing that once we receive your Commission's comments. Mr. Berman, our consultant team, and Sally McGough from County Counsel's office, Scott Briggs, Amy Wingfield, myself, and staff will be going through and cataloging and beginning the preparation of responses to those comments. After that, Mr. Chairman, it's up to you and the Commission, if you have any further questions before you give us your guidance."

Chairman Fogg: "OK, how would you like to proceed with this. Should we just go right around the table?"

Commissioner Furch: "I would like....I think you want to make your motion? ...I have more comments than I am sure you want to hear, so...."

Chairman Fogg: "Why don't you go last?"

Commissioner Furch: "...and I don't have them all typed up, so I could make a few of my comments tonight and be willing to type them up and bring them in on Thursday, because I could take up the night, and I am sure you don't want to sit and listen to that."

Chairman Fogg: "Yes, and staff has asked time and time again that if we can, would we put our comments in writing, because it is that much easier for them to respond."

Commissioner Furch: "Well, I did get through most of it, but I didn't get it all typed."

Chairman Fogg: "Well, then why don't we proceed that way, is it OK with you folks?"

Staff Carr: "I can tell you that there is one person in the room that would absolutely love that, and it's Sue Dahl, who is going to do a transcript of any comments that come in orally tonight, so...."

Commissioner Furch: "Oh...so you owe me something..."

Chairman Fogg: "Mr. Bennett, why don't we start with you?"

Commissioner Bennett: "I haven't read through all the comments that are coming and going from agencies and so forth....I can't really think of a whole lot that I don't like about it that hasn't already been said in the past for right now. And if there's comments I may want to debate or something....I think what we are really looking at tonight is what we don't like about the EIR and I don't really have problems in areas that have not been identified, and there is some substantive information that is going to have to be developed, and that covers any concerns I would have had."

Chairman Fogg: "Don't we also want to identify if we can tonight what we believe are items left out of the General Plan that should be covered in the EIR. Areas of interest?"

Staff Carr: "Not so much items of the General Plan, but items of the EIR. If you feel there are items, impacts, or discussions that are not in the EIR that should be, and are important for your knowing the impacts of the General Plan projects, that is absolutely relevant and important to include."

Commissioner Sponamore: "I would like to commend the consultant. I think he has done an incredible job of trying to second guess what a four year process has evolved into a General Plan...or a project description. I think it's a horrible task, and I have great appreciation for what you have been through. I really think you have done a great job, and your staff has done a great job, and the advice you have gotten along the way certainly shows. I am particularly impressed with the internal consistency among elements and among environmental factors as they relate back to the General Plan elements. It is commendable, and I also know exactly how hard it is to look at this much paper and try and have a sense of sanity and good feeling at the end of it. You sit there in a puddle, and you can't help but cry at some times, because it is just what goes through the process. I guess that's ahead of you yet, so, my empathy. When you get to that point, call me and...."

Bob Berman: "We've already done a little crying..."

Commissioner Sponamore: "I have some general comments, because I think specific comments are going to change over the course of how we respond to the various elements and policies. What I would like to see happen--and the reason for this is the institutional memory concept--I would like to see a little bit in a master response; better explanation of what is not addressed and why. There are a lot--I mean, I understand, generally, how this works. But there are a lot of letters from what I think is a relatively astute population that should understand this process a little bit better than they evidently do, judging by the comments that they provided. So maybe we need to take the time, yet again, to explain what it is that we did look at in the General Plan-- what policies were evaluated by staff, and then how the EIR looked at the General Plan overall, and then the policies that were adjusted. As an example, I think there needs to be a bridge between the statement on Paragraph 1 of Page 3.0-10...it starts with comment...you don't need to go there- it's just a concept... it was the intention. But then in the EIR in Section 4.1, 33-35 we start talking about the changes in impacts to urban service boundaries. It seems like those two are a disconnect. I know that they are not, but that's the kind of response I am looking for, or some sort of a master response that does that bridging, so that fifteen years down the road, we have a document that people can understand how and why we got there."

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2 "I think it might be a good idea - I know it's not an environmental impact, but it is certainly going to beg some questions
3 of an impact nature - is the relationship between special districts and their consistency with the General Plan; whether
4 they need to be or don't need to be, and then how the impacts fall out of this. I don't know where else to do that other
than in the EIR. I would suspect that there are more indirect impacts and so in that line of discussion. I would like to see
an acknowledgement in the public education section of SB50 and some verbiage from the bill and what the implications
are on public education as mitigation. In case you are falling into the interest of adding mitigation that is suggested by a
lot of commentators—my caution is that mitigation is always suggested, and I worry when you have a special interest
suggesting mitigation that seems reasonable, looks good, and feels good, and we could throw it in, but it really has a
potential for causing the unintended consequence of forcing on applicants and projects the inability to act on documents,
and pushing things into the EIR realm, where subsequent or supplemental EIRS—however you look at that, when we
don't need to have them go in that direction. It's an experience I have personally, because that's what we do for a living,
and so there's a lot of times where you are looking at something being significant and unavoidable just because you
have thrown in a mitigation, and then there is an implication that you have to follow those mitigations and you have to live
up to them. If you are looking at adding mitigation, if you are looking at bolstering the document - make sure that it's
written in such a way that there is a real long term look at the flexibility of the lack of flexibility that mitigation offers."

5 "There are very few specifics at this point, because I think we will get these answers along the way. Perhaps you can call
out setbacks for NOAA critical habitat streams. I caution against the addition of additional TCM's. I think that we are
finding that they are difficult to live with in other communities, and to staff. I also caution against deleting a lot of the
recommended policy language that some of the public agencies have recommended, because I don't think that that
necessarily takes a long term look at what the agencies are looking at- particularly the Water Agency comments. I think
their comments have a shorter planning horizon than what we are looking at in the General Plan. And that is it!"

Chairman Fogg: "I can take three minutes and go through my comments." I was overwhelmed by the great number of
comments that talked about CEQA inadequacies, and I am going to have to rely on you guys to lead us by the nose
through this, because a lot of the agencies jumped into that one feet first. So under the theory that you know what you
are doing and we don't..."

6 "I identified five areas that we are going to have to challenge, and will have major environmental impacts that in our
7 review we will come to. Just let me run through those quickly, then I'll let go. The first one- the whole issue of the
stream setback policy. My position is I lean towards moderating the CAC recommendations because of the economic
8 impact and the 60,000 plus acres that are involved. That would make a major change in the way we are approaching
9 this thing. My second one would be, as recommended both by the Dry Creek Valley Assn. and inferentially the VOM
Alliance, to establish baseline data covering such conditions as traffic, noise, water, number of events, etc. - so there is
a baseline from which to measure cumulative impacts of adding new or expanded visitor serving uses to wineries. And
that is going to change this thing. Third, and I feel strongly because this is a leadership issue for us, is that we need
10 some kind of definitive action or at least a process that would lead to that of a countywide groundwater management
plan. We need to be more specific and we need to address what has to be done to develop that, and that, again, is going
to make some major changes. The last one - I went back and did some research where the Board has set goals for
climate protection and global warming, and we don't even mention that in the General Plan, so I think we have to go
back and address the issue of climate change and global warming. This obviously has environmental impacts, and I
don't know how you quantify that, but I think we ought to take a shot at it. Finally, I don't understand why we don't have
the County's urban water management plan—as fundamental as one is led to believe, or with the changes in there that
one is led to believe inferentially that there are-I think we have to have that and it is going to make a major impact on
environmental aspects. So those would be my general comments."

11 **Commissioner Murphy:** "I was somewhat fascinated by the agency comments to the DEIR. With agency driven
comments, you wonder if some of these agencies recognize that anyone else is watching the store out there, because it
appears that they don't see that there are multi agency oversights on almost every project that is developed within the
County, and I would love to admonish them and say, "hey-pay attention!" The other thing, actually, I found some of the
comments by independent groups to be better supported by facts and tables and citations than agencies. The agencies
made a lot of blind statements. However, I did find that the Water Agency, when they changed verbiage, were probably
in the ball park in a lot of cases. When they eliminated verbiage I didn't really understand why they were eliminating it in
some cases. That aside, one of the comments by the public that struck me was the lack of evaluation of economic
12 impact, and whether we thought we would go there or not. I would certainly love to see whether economic impacts could
be judged within a DEIR. I doubt if we are going to go that way, but personally, I think it would be important to at least
address why you are not going to do them, or acknowledge that they exist- that there are economic impacts that exist,
whether they have consequences to state law and CEQA and everything else, they don't. But it might be nice to
recognize they exist. I do have some individual comments, and being from the agricultural community, I tend to look at
soil and water issues and agriculture in general. Some of the specific mitigations and ongoing studies going to report
those...I talked to Mr. Briggs about some of the tables that were derived both from the grape growers and from other

agencies about future expansions and number of wineries and acreages and things like that and actually, those numbers were hard to pin down. I believe staff was going to see if we could come up with - I don't know what you were planning to do over time - but whether you were going to an addendum or, more precisely, attach better numbers... as an example, you have got homes built within the Alexander Valley projected to increase 500 in the next 15 years, when there haven't been five built in the last five....those kinds of things -that's a hyperbolic statement, but it's somewhat accurate. And then there are some of the mitigations that are brought forward that, I would say, are maybe best described as experimental or currently being studied. For example, within the water quality statements within Agricultural Resources, there is some discussion about biomechanical bank stabilization- meaning using organic materials to stabilize banks. That works pretty good in small stream situations. I know for a fact it does not work in large stream situations, yet it is suggested as the mitigating type of use in all situations. So some of those, whether you are willing to put wiggle words in or add flexibility into some of those statements, I think they would be a better mitigation statement. I realize that we are not going to dump car bodies full of oil down the river bank anymore, but hardscape bank protections are sometimes appropriate, and I think you precluded some of their use in some of the mitigation statements."

"I was fascinated to find, in the very end when you talked about the impact statements - as an example, Public Services Impact 4.9-1, or whether we do or do not make changes from the 1989 General Plan - that how many of them the No Project Alternative was the superior alternative, meaning that the 1989 plan was a good plan, and yes, it really only needs tweaking or recognizing things that we just didn't think about in 1989...whether there were legal things about water and the Eel River, or low income traffic, traffic mitigation, things like that that we just didn't realize to talk about. But I still was fascinated. I am going to leave you pretty quick. I am just trying to find the most egregious, and I will do like Rue here and I will type out- if I am allowed till Thursday, anything I forget today in order to shorten things up. Let's see. On Page 4.1-10, the use of the word - the last bullet about the 1,2,3 - when it says "all land use amendments shall fit." Most of the document you move between shall or may or must, and I think we are going to have a lot of comments when we go through the specific plans about "shalls, may, and musts." I am of a general mind to put flexibility into a document and allow discretion to the people who make discretionary decisions. That one stuck with me a little bit, as it seemed like it was a harsh use of the word "shall." I can't remember exactly why, but it tweaked me pretty hard."

I wanted to go back to traffic. I would love to hear and see written a four or five paragraph statement really defining what traffic calming is. I generally understand it, but just to put it blankly as a blanket statement to say "traffic calming will be a mitigation" in this situation-I am not sure I always understand what that means. Sometimes it means opening up passage ways and sometimes it means narrowing - if there is something you can dig up that is already written somewhere, that would be a wonderful thing to put in the glossary. There was a discussion from one of the agencies about latent traffic, meaning the pent up demand to travel...and if we built a road wider or better that people will decide to drive just because it is there. I'll use as an example the Richmond-San Rafael Bridge. It was three lanes wide, built in the late 50's when I was a kid, and it's still underused. It will probably never be overused because it does not have a large number of people that need to get from Marin to San Pablo. It just doesn't exist. And whether it was planning, or for whatever reason - it's a pleasant drive, you never have to worry about getting over the bridge - so I think it is possible to build roadways that are a comfort to people that accommodate traffic, and that is not necessarily the case that they will be filled. Just because you make three lanes does not mean that you will have three lanes of bumper to bumper traffic because it was two lanes of bumper to bumper traffic. Our population within this county has slowed tremendously, as you read in the paper today, and what you read last month, and I do not expect that if we build a five lane freeway it would ever be bumper to bumper. I could safely suggest that would be the case, so I suggest the statement - that if you would build to accommodate traffic that you are always building towards a bigger traffic jam - I resist that. Thank you."

Commissioner Furch: "Thank you. I promised, so I will try and behave myself. It's not going to be easy. Some general questions...I remember the 89 General Plan and the projects that were part of the mitigation of that General Plan, and the number that were actually or partially undertaken, and I wanted to know if you could predict two things. One, does the analysis that has been done in the current scenario alternative include those projects, and if so, does it assume they are done? I know there was discussion by the CAC, and surely will be by us as we move through this, about how many of the projects that are used as mitigations or to in some way deal with an impact and if they aren't done, or partially done, what will the impacts be? If they aren't done and the mitigations are sort of all the 'shalls and might's' and so on...what will Sonoma County have to do in 2021 to achieve the community goals? How much worse will it be thinking 50 years out or whatever your notion is, if we don't actually do these things like we didn't actually do them last time? 'What will the impacts be?'"

"The other question was about ...I don't know how you would do this, but if there is any way to look at what would the likeliest projects or programs to be done...because when I use the word project I am also meaning program...and, given whatever the projectable future is relative to implementation of things, which basically comes down to funding, how will priorities be set, can we predict in any meaningful way what the CIP will fund.....what will the impacts of partial implementation likely to be...some of the things, and I think Commissioner Sponamore alluded to this....they note in the

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General Plan the increased demands for services that include libraries, criminal justice facilities, human services and so on, and the impacts of building those. I didn't see an analysis of what the impact would be of not building them. It would be nice to know what we would wind up with if we were not able to do those. Somewhere in some document or another it said that our number two growth economy is the Sonoma County experience, which has to do with our open space, agriculture, and what we call 'quality of life' issues. What are the predictable impacts on our ag tourism industry of current traffic trends? What are the predictable greatest losses of ag land production, what would be the things that would create the greatest losses? For example, would it be lack of water, parcelization, residential uses, loss of processing facilities, what would have the greatest impact on loss of ag land? How does the General Plan realize the goal of concentrating future growth by limiting....what it says in the DEIR repeatedly is that future growth is concentrated by using community sewer and water systems. How do we reconcile that with our unknown number of ACC's and the current draft General Plan's language regarding package treatment plants? What would the logical implications be of those two circumstances. In 4.1-29, the words "other infrastructure use..." could you analyze what that would mean, including alterations of intensity of existing land uses? How does that reduce the potential for growth?"

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"I had some concerns about the study relative to traffic. I would like to understand better why speed was used as the primary measure of determining the level of service, and how would the outcome be different if it were based on safety or travel time or continuous flow....how would the impact on pedestrian and bicycle safety at intersections be different, if at all? Since we agreed that adding freight stops in the county or cities would be a good idea, we should probably analyze any results that might occur, either positive or negative to alleviate some traffic congestion or improve air quality, offsetting costs of rail...those would be the benefits....what would the negatives be? Relative to the statement that some roadways operate at level of service D, E, or F in the future, and the level of services are acceptable due to a variety of circumstances, could you explain how these standards can be applied equally and fairly at the outcomes if the same outcomes are not achieved?"

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"One of the things that I looked at was in the alternatives was the more conservative alternative, and it seemed that it would be prudent to examine the impacts of no improvements due to lack of funding in that alternative. In a previous 101 Corridor Study, there was consideration of the value of onramps as a mitigation, and it was actually determined at that time - whether it is true or not now- that the longer onramps and improvements to onramps would be the most cost effective way to deal with 101, and I wondered if we could take a look at that."

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"Given the age of some of our information relative to water, I wondered if you could take a look at the reliability of the Class 1, 2, 3 and 4 water availability system that is currently used, and suggest alternate methods of gauging water availability that might be more reliable, and if you could take a look at the trends in each of those classes and the trends to any groundwater information we may have. I didn't see anything about droughts. I know we haven't had one in awhile, but I did live here when there was a pretty long one, and the impacts were fairly dramatic. I wondered if we should not take a look at what the impacts of droughts for 1, 2, 3, 4, 5, 6, 7 years....I don't know exactly how far you want to go, but concurrent years of drought had a fairly significant impact on us at one point, and if we are going to look at climate change, which I do agree about, I think we need to do that....we should probably take a look at drought and what mitigations would be required initially and over time."

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"The Sonoma County Water Agency says that it can meet the needs of contracts. In the letters that we received, the Sonoma County Water Agency seems to be taking a different perspective position than what is in the General Plan and in the DEIR. Perhaps we need to take a look at what current situations are and include the upstream supplies of water and the various federal, state and local potential changes. We have unresolved conflicts. We have issues with supply relative to surface water and groundwater and how the surface water changes might affect agricultural uses. There was some examination of groundwater impacts to agriculture, but not a great deal that I found relative to surface water."

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"Should we ever get the Urban Water Management Plan, how would it affect water supply in the unincorporated areas? How will the I don't know what word to use here...the request, requirement, encouragement....of the Sonoma County Water Agency on cities to use their backup wells and/or provide new wells affect agriculture and rural residential private wells and also the City of Sebastopol's wells?"

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"There wasn't a lot of discussion about wastewater reuse, and we did add some language about wastewater. I wondered if we could take a look at what the impacts of wastewater reuse would be, both on agriculture and the advantages."

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"Relative to climate change - based on whatever it is we know about climate change, is there any predictability to the affect on soil moisture, runoff, evapotranspiration, and so on....what I have read about the changes that are predicted relative to climate change for Sonoma County is that we will have larger storm events that are more intense, which will mean that we will have a lot more surface runoff, which means that our recharge potential would be reduced. So I hope we would take a look at that."

"I think that's the bulk of the...I mean I have about 20 pages of questions, and I am sure you don't want me to get into them, but that gives you the gist of things, I guess...."

Commissioner Bennett: "I do have a comment I want to make. I was going to save it for later on, but comments both you (Commissioner Furch) and Commissioner Murphy brought up the economic impact....you mentioned in terms of the riparian setbacks and...assuming you also said (illegible)...I don't think this has to do with the EIR. The EIR is about the environment and it's all environmental questions. What I didn't see in the General Plan, and it's probably too late for this, but I just wanted to have this on the record, is basically, essentially economic data and statistics and the significance of the decisions we are making in terms of the economy. That information is probably available in separate studies, but I think a number of things that we are looking at, particularly when we get into agriculture, and that's probably when I was going to make this speech. I think there are a number of issues we are going to be dealing with economic impacts on this county, that are going to be substantial, and we really don't know what that impact is or how severe it might be. I think this is not a new area, as Dr. Blakely at Berkeley, about 27 years back, came up with Economic Strategic Plans as elements of the General Plan. I think there are cities in particular that are doing this now. Back four or five years, when we started a decision was made not to do this. I think what we are looking at is each of us now is basically being asked to individually make those decisions based on each of our individual perceptions of that economic impact. I don't know if there is time to have data. I do know that separately you have the Economic Development Board in this County that is working to promote agricultural business, tourism, and high technology and other things and those are all one way or another impacts on what the County does and what the County is going to be doing, but it has not found it's way into the planning process. So I want that on the record - that is data we do not have and we do not have a separate economic impact report. I don't think it belongs in the EIR, but I think it is an issue that we will be discussing further down the road as we go."

Chairman Fogg: "Ok, any other comments?"

Commissioner Furch: "Not unless you want me to go on..."

Chairman Fogg: "...Well, why don't you go on...we're going to break in 15 minutes and then we will caucus. Would you prefer not to?"

Commissioner Furch: "I think that staff would prefer me to put them in writing, and I am fine with doing that. There are things about charts and graphs, and where did we get certain numbers...when I start getting into the details, people glaze over, so..."

Chairman Fogg: "This could be the shortest meeting in the history of General Plan!"

Staff Carr: "You owe yourself one..."

Commissioner Furch: "Oh, I have one thing that I would like to get in the DEIR. In the opening statement 3.1, Highway 12 isn't mentioned. Is there some reason for that? You don't need to answer that, I just wondered...on Page 3.0-1 it lists all the primary North /South and Hwy 116 traversing....but it doesn't list 12, and 12 is sort of significant in my part of the world, and Dick's part of the world."

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Staff Carr: "Oh, under project location?"

Commissioner Furch: "Yes."

Staff Carr: "It's on the exhibit. We just didn't include a line for it, and didn't include all the state highways....it's your choice. If you want to put it on there we are glad to do it."

Commissioner Furch: "I know, it's just a funny thing to leave off."

Chairman Fogg: "Written comments will be submitted from the Commissioners."

'end of transcript session)

Future meeting schedule: Deputy Director Barrett reminded the Commission that Thursday, May 4 at 2:00, the General Plan element to be discussed will be the Circulation and Transit Element. Counsel Hurst indicated that no one from Counsel would be present at the hearing. Deputy Director Barrett said that the public hearing for the Agricultural Resources Element will be held Tuesday, May 9, at 6:00 in the Board chambers, and deliberation on that element is set for Tuesday, May 16th. May 23rd is also listed for continued discussion. June 1 could be held open for General Plan,

since no Planning Commission items are scheduled. **Staff Carr** indicated that on May 16th and 23rd, staff would be bringing back some of the elements that have been reviewed with final actions based on Commission discussion, and would ask for concurrence that those changes reflect the straw vote.

The meeting was adjourned at 7:25 p.m.

Minutes were adopted May 16, 2006

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