

**COMMENT LETTER 49 - BOB SMITHFIELD (SEPTEMBER 24, 1996), RECEIVED
SEPTEMBER 24, 1996**

Response to Comment 49-1

Comment Summary: The comment refers to the use of the term “estero” when identifying the Estero Americano and Estero de San Antonio and suggests that the term may not convey the functional ecological meaning of “estuary” to the public. In addition, the comment suggests that in order to adequately inform and facilitate the involvement of the public and decision-makers, the phrase “the estuary” should precede Estero Americano and Estero de San Antonio. Finally, the comment suggests that the term “estuary” or its plural replace every occurrence of “estero” (or its plural) throughout the Draft EIR/EIS.

On page 4.6-43 of the Draft EIR/EIS, the Estero Americano and Estero de San Antonio are described as “tidal embayments or estuaries depending on inflow from the creek. The esteros are part of the Gulf of the Farallones National Marine sanctuary.” On pages 4.6-45 and 4.6-46 of the Draft EIR/EIS, a description is given for the process of embayment and estuarine conditions for both of the esteros. Further description of the estuarine conditions and periodic embayments of the esteros is provided on pages 4.9-13 through 4.9-16 of the Draft EIR/EIS. From the above referenced discussions in the Draft EIR/EIS, it is apparent that both the Estero Americano and Estero de San Antonio may exhibit estuarine conditions but also, at times of bar development, be tidal embayments. Therefore, it would be inaccurate to replace the term “estero” with “estuary” or to precede the terms “Estero Americano” and “Estero de San Antonio” with “the estuary” since both esteros may either be a tidal embayment or an estuary.

Explanation of both estuarine and embayment conditions within the esteros occurs in several sections of the Draft EIR/EIS (see above page references) and is readily available for review by the public and public decision-makers.

Response to Comment 49-2

Comment Summary: The comment expresses the opinion that concerns regarding noise raised by the public during the Public Roundtables for the Preliminary Draft EIR should have been reported in the Draft EIR/EIS.

The Draft EIR/EIS has not attempted to incorporate a comprehensive compilation of all of the questions and concerns raised by the public at the Roundtables. Substantial public concern about a variety of issues was expressed at the Roundtables, not only about noise, but about virtually every issue evaluated in the Draft EIR/EIS. The comment refers to the table of contents for the Draft EIR/EIS, where technical reports produced by the consulting team in support of the evaluation of impacts are listed. The consulting team did not prepare a separate technical report regarding noise, because all of the analysis is contained within the Draft EIR/EIS chapter itself. Thus the table of contents indicates that no supporting documents were prepared for the noise section. Section 4.13 of the

Draft EIR/EIS contains the evaluation of noise impacts of the project components. In Chapter 1 of the Draft EIR/EIS, Section 1.7, Areas of Controversy and Index of Key Issues to be Resolved, lists noise as one of the key areas of concern identified in public scoping.

Response to Comment 49-3

Comment Summary: The comment states that it seems possible that future political and economic circumstances could put funding for continued implementation of the Irrigation Conservation Management Programs, Sensitive Biological Resources Conservation Program, and Revegetation Program in jeopardy. The comment also suggests that the Draft EIR/EIS needs to describe how the impairment of these programs from the above circumstances would be mitigated.

The comment does not identify what future political and economic circumstances would be expected to result in loss of funding for implementation of these programs. The cost of implementing this mitigation is a commitment that the City of Santa Rosa will make as a condition of Project approval. The cost of the mitigation programs has been evaluated by the Draft EIR/EIS to the extent possible (refer to Response to Comment 95-29) and the funding of these programs through user fees is considered feasible. Any forecasting of future political and economic circumstances that could put funding for implementation of these programs at risk would be pure speculation at this time, especially in the absence of any current identified mechanisms that would make the funding of these programs infeasible from the start. Since no circumstances of this type are identified in the comment, any further evaluation of this issue would be considered speculation. Section 15145 of the State CEQA Guidelines indicates that analysis of potential impacts is to be terminated when further analysis becomes purely speculative. Therefore, no further response to this issue is provided.

Response to Comment 49-4

Comment Summary: The comment states that there is no mention of continued impacts monitoring of irrigation land lost to attrition, referred to on page 1-21 of the Draft EIR/EIS. The comment suggests that ICMPs and impacts monitoring be developed and operated to include post-attrition practices, monitoring, and reporting.

Page 3.1-27 of the Draft EIR/EIS states that the reduction of existing agricultural irrigation acreage would occur under existing procedures for the Reclamation System. This reduction, or attrition, is assumed to result from the non-renewal of contracts. Santa Rosa would not replace those contracts that were not renewed and would not seek to obtain new contracts. This non-renewal was not evaluated as part of the Draft EIR/EIS because it is a current procedure that will not be changed by the Long-Term Project. Chapter 2 of the Draft EIR/EIS describes monitoring associated with the Long-Term Project.

Response to Comment 49-5

Comment Summary: The comment questions the conclusions in the Draft EIR/EIS (Sections 1 and 4-2) that the proposed storage reservoirs are consistent with Sonoma County General Plan and zoning designations for agricultural use, asserting that because the reservoirs are part of a total project which is proposed to serve the needs of an urban/suburban area, the project is not an agricultural development and conservation project.

As stated in Section 1.1 of the Draft EIR/EIS (page 1-4) the purpose of the Project is not only to dispose of reclaimed water but to do so in a manner that maximizes reclamation. Section 1.1 also states that strengthening agriculture through the provision of reclaimed water is a purpose of the Project. Finally, as also stated in Section 1.1, the combined purposes of the project, including reclamation as well as disposal of reclaimed water, have determined the Project alternatives under consideration.

The proposed storage reservoirs are necessary to store reclaimed water for irrigation use during the dry season, and storage of water for irrigation is their only function and purpose. In that respect, they are no different from other storage facilities in agricultural areas which store water for irrigation. Because such storage facilities store water for use in irrigating crops, they are an integral part of the process of agricultural production; production of the crops requiring irrigation would not be possible without such storage facilities to hold water and release it in the dry season. Within the last six months a storage reservoir has been constructed that stores reclaimed water from the Santa Rosa Subregional System for use on the Gallo property located in an agricultural zone west of Cotati. Thus, as stated in the Draft EIR/EIS, while storage reservoirs for agricultural irrigation are not specifically addressed in the Sonoma County General Plan or Zoning Ordinance, the Draft EIR/EIS authors concluded that for the reasons cited above, storage reservoirs should be considered consistent with the General Plan and Zoning Ordinance.

Refer also to Response to Comment 15-9 concerning land use consistency with the Sonoma County General Plan.

Response to Comment 49-6

Comment Summary: The comment references "questions about ag lands with Williamson Act contracts and about consistency with Sonoma County zoning."

Refer to Response to Comment 49-5 for discussion of zoning. Section 4.2 of the Draft EIR/EIS describes procedures that would be necessary to allow cancellation of Williamson Act contracts. Refer to pages 4.2-2 through 4.2-4 of the Draft EIR/EIS.

Response to Comment 49-7

Comment Summary: The comment quotes portions of pages 4.18-1 and 4.18-2 of the Draft EIR/EIS and provides the statement “Factual and consistent, clear presentation in the Draft and Final EIR/EIS is a first and necessary action among all of the choices and actions needed to create workable Project alternatives.”

Although the comment appears to suggest that the Draft EIR/EIS is not factual and consistent, the EIR/EIS authors do not concur. The Draft EIR/EIS acknowledges both that the Project will accommodate projected growth of members of the Subregional System, and that an irrigation project can serve agriculture. This is not inconsistent.

Response to Comment 49-8

Comment Summary: This comment questions the practical usefulness and public and legal applicability of the impact assessment criteria for soil erosion (T value) and trace element loading (from Federal EPA 503 sludge application standards) utilized in the Draft EIR/EIS.

Except as used in farm support programs administered by various agencies of the USDA, the EIR/EIS authors are aware of no other established “legal” values besides the T value that define acceptable soil loss. It is unclear what the comment implies by the statement that “the public is aware of actual soil erosion from farms operating under USDA guidelines.” The EIR/EIS authors are convinced, however, that the findings of the soil erosion evaluation are logical and correct. Appendix E-7 (Evaluation of Soil Erosion Impacts of the West and South County Reclamation Alternatives) of the Draft EIR/EIS concludes that soil erosion and sedimentation rates can be reduced over current conditions on irrigation lands if the provisions of the Irrigation and Conservation Management Program are implemented.

The criteria limits for metals loading in soils from reclaimed water irrigation application, utilized in Table 4.2-12 on page 4.2-25 of the Draft EIR/EIS, represent the best identified yardstick for judging impacts. Conceptually, it should not matter over the long-term if metal additions and build-up in soil are from bio-solids (sludge), reclaimed water, fertilizer impurities, or other sources. The Regional Water Quality Control Board may impose additional monitoring requirements and soil metals loading limits associated with their issuance of a Waste Discharge Permit for any land application project involving reclaimed water.

Response to Comment 49-9

Comment Summary: It appears that the comment is requesting information on the consequences of other large scale irrigation projects which utilize irrigation practices and conservation programs similar to those contained in the Irrigation Conservation and Management Program.

It is not clear from the comment what information is being requested, and whether the comment is concerned with all types of agriculture or only those using reclaimed water.

For this Project, the criteria for soil loss and metals data were the basis for judging water quality impacts (consequences) in the affected watersheds.

The EIR/EIS authors do not believe there is a watershed or geographic area that has employed such a comprehensive document for agricultural land management as that contained in the Irrigation Conservation and Management Program (ICMP), or if there is an area that has a comprehensive program, that there is data available from that program to document consequences of implementation. Such a request to assemble and interpret data of this sort within this EIR/EIS is well beyond the scope of this Draft EIR/EIS.

The ICMP draws ideas from a number of established government programs and Best Management Practices (BMP) handbooks, but is unique in the way they are integrated into a comprehensive program tailored to the needs of a reclaimed water irrigation project in biologically and water quality sensitive watersheds in Sonoma and Marin Counties. The ICMP includes monitoring and provides incentives and penalties to increase the chances that appropriate BMPs are successfully implemented.

