

**COMMENT LETTER 121 - BOB SMITHFIELD (OCTOBER 4, 1996), RECEIVED
OCTOBER 7, 1996**

Response to Comment 121-1

Comment Summary: The comment states that the proposed storage reservoirs and agricultural irrigation will have combined impacts on the project area.

The impacts that are described for any given Project component were analyzed with the assumption that the component functions within the normal operating parameters of the entire system. The combined impacts of all Project components are summarized at the end of each topical section of the Draft EIR/EIS. For example, Table 4.10-11 on page 4.10-59 of the Draft EIR/EIS, gives total acreage of wetland impacts by alternative.

Response to Comment 121-2

Comment Summary: The comment states that the West County alternatives would be in conflict with existing laws and regulations.

The only apparent conflict is with the Gulf of the Farallones National Marine Sanctuary's interpretation of the federal regulations for the Sanctuary, and these conflicts are identified in the Draft EIR/EIS. Other changes that will result from changes in agricultural practices are also identified and evaluated in the Draft EIR/EIS.

Apart from a reference to the Gulf of the Farallones National Marine Sanctuary, the comment does not provide any specific information or evidence supporting the claim that West County alternative is in conflict with existing laws and regulations, and the EIR/EIS authors are thus unable to respond more specifically.

Response to Comment 121-3

Comment Summary: The comment expresses concern that if problems are encountered in irrigation areas, use of reclaimed water would be shifted to other areas with similar problems or constraints.

The Draft EIR/EIS evaluated 19,400 acres of potential irrigation land in West County, with the aim of providing sufficient flexibility to develop a Project that might require up to 6,200 acres of new irrigation land. The Draft EIR/EIS also evaluated discharges to the Russian River up to 20% of river flow. With the variety of options and components that are available, there should be enough flexibility to manage problems as they arise without violations of permit conditions. Ongoing management programs described in Measures 2.2.1 through 2.2.7 on pages 2-21 to 2-36 of the Draft EIR/EIS are intended to provide regular information about irrigation areas so that any problems can be detected early and corrected through appropriate management. These programs recognize that in some instances irrigation may have to be discontinued.

Response to Comment 121-4

Comment Summary: The comment suggests that contingency plans are necessary for the event of sudden or cumulative attrition of agricultural lands from the reclamation program, and that the Draft EIR/EIS does not evaluate potential impacts resulting from such attrition.

The measures described above in Response to Comment 121-3 provide for management of irrigation areas to allow for early detection and correction of problems. Storage and discharge are designed to provide flexibility, and additional irrigation land has been evaluated so that additional irrigation lands can be brought into the system in the future as needed. The City has successfully operated an irrigation system under these types of constraints for a number of years, and with the additional components evaluated in the Draft EIR/EIS there are a sufficient number of options available for reliable system management.

Response to Comment 121-5

Comment Summary: The comment indicates that omission of impact analysis associated with the possible attrition of agricultural irrigation acreage will seriously impair informed decision-making by decision-makers.

A preferred Project has not been chosen. Components of the Project that are analyzed in the Draft EIR/EIS may be combined to provide a solution that takes into account changes in the amount of agricultural irrigation acreage available for the Project. Refer to Response to Comment 121-4. The Draft EIR/EIS has considered foreseeable actions that will be part of the Project, has evaluated both direct and indirect effects, has evaluated impacts for significance, and has considered the policies and goals of the local area in developing significance criteria.

Response to Comment 121-6

Comment Summary: The comment references statements in Comments 121-1 through 121-5 concerning the unknown nature of the land owners who would contract for reclaimed water, substantial opposition to willing participation in the project, and the correspondence between Russian River discharge rates and acreage needed for agricultural irrigation. The comment then states that the Draft EIR/EIS does not specifically address the question of alternative means of acquiring acreage for storage, irrigation and other project components, and indicates that the possibility of the use of eminent domain cannot be treated as simply and completely a socio-economic matter. The comment further states that the possible use of condemnation raises factual questions about the proposed project and applicable general plans, county ordinances and matters such as cancellation of Williamson Act contracts. The comment also states that the Draft EIR/EIS needs to give consideration to use of eminent domain by the City of Santa Rosa in the event that enough attrition of irrigable acreage would threaten the reliability of the system under the corresponding Russian River discharge level.

For response to matters restated from Comment 121-1 through 121-5, refer to the responses to those comments. Also refer to Master Response 6, located in Section 6.2 of this document, for a discussion of the feasibility of West County irrigation. With respect to possible condemnation, the Draft EIR/EIS states clearly in Section 3.3 (pages 3.3-19, 3.3-25 and 3.3-42) that the City of Santa Rosa may use its power of condemnation if necessary to acquire sites for storage reservoirs, pump stations or a new outfall structure. With respect to pipelines, the majority of pipelines are located within public rights-of-way and therefore will not require condemnation. For the segments which lie outside of public rights-of-way, the Draft EIR/EIS (page 3.3-5) also states clearly that the City's power of condemnation may be used if necessary. No use of condemnation is proposed for either the urban or agricultural irrigation components of the Project.

The potential use of condemnation as described in Section 3 of the Draft EIR/EIS was recognized as a part of the Project, and therefore was considered throughout the Draft EIR/EIS in evaluation of impacts. The specific environmental impact associated with acquisition of property (whether by condemnation or other means) is the loss of homes, which is addressed in Section 4.18 (pages 4.18-35 and 4.18-36), and deemed to be a significant and unmitigable impact. With respect to the assertion in the comment that there are questions concerning the general plans, county ordinances and matters such as cancellation of Williamson Act contracts, conformance of the Project with general plans and the county zoning ordinance are addressed in Section 4.1 of the Draft EIR/EIS, while the cancellation of Williamson Act contracts is addressed in Section 4.2. The comment does not provide any further information about what questions or matters it deems relevant, and therefore no further response can be provided.

With respect to the use of eminent domain in the event of attrition of irrigable acreage, the Project does not propose the use of eminent domain to acquire land for agricultural irrigation under any circumstances.

Response to Comment 121-7

Comment Summary: The comment asks for more information regarding reservoir stratification and effects on water quality.

Reservoir stratification is qualitatively described on page 4.6-67 of the Draft EIR/EIS. The precise composition of reservoir water will vary continuously through the year, with stratification varying depending on weather conditions and the schedule for draining and filling the reservoir. For this reason the impact analysis has examined the extremes so that the highest levels of various compounds (or the lowest levels of oxygen) are considered. Refer to Response to Comment 15-14 for additional discussion of potential groundwater impacts of ammonia from reservoirs.

