

AGRICULTURAL PROPERTY RIGHTS ALLIANCE

2030 Fallon Road
 Petaluma, California 94952
 (707) 762-7777

October 4, 1996
 Marie Meredith
 City of Santa Rosa
 Community Development Department
 P. O. Box 1678
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CITY OF SANTA ROSA
 P.O. Box 1678
 Santa Rosa, CA 95402
 OCT 07 1996
 DEPARTMENT OF
 COMMUNITY DEVELOPMENT

Re: Draft EIR/EIS 1996 Santa Rosa Subregional Long-Term Waste Water Project

[We, the membership of the Agricultural Property Rights Alliance, hereby present the following comments, questions, and criticisms of the DEIR/EIS for the Santa Rosa Subregional Long-Term Wastewater Project. We expect an answer to all comments, questions, and criticisms other than the response "*Comment noted*". We further expect that your responses be included along with these questions, comments, and criticisms in the final EIR/EIS. A written response to these questions, comments, and criticisms is also expected and should be directed to Richard Shannon, Chairman of the Agricultural Property Rights Alliance at the above address.]

001

[The DEIR/EIS does not meet its requirement for access of information to the public in two ways:

002

1. the cost is prohibitive. A hard copy of the document including all 17 volumes (if they were all available) is over \$1000. A CD version is \$120 and many do not have access to a CD ROM. Library copies were not available at locations indicated (especially volumes 16 and 17). Locations that had volumes available were open only during normal business hours so those that work those hours could not gain access. Some property owners have not received a summary copy of the DEIR/EIS.

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Why not? Why was there not adequate copies available ? How do you plan to
inform the public adequately? | 002
(cont.)

| 2. The DEIR/EIS is not comprehensible to an average, intelligent person. It is not
possible to follow discussions of mitigation or effect on the combination of possible
alternatives. A reasonable, logical flow does not exist so that any given alternative
may be understood by the reader. Please explain how you intend to satisfy your
obligation of accessibility of information. | 003

| **There is not an adequate study** of noise in the West County. The is no data about the
existing ambient noise levels so that an evaluation of the resulting noise levels is not
possible. this study must include various times of the day, various weather conditions,
and all residence and business areas likely to be affected by all the alternatives. How
do you plan to accomplish this? | What is the long term effect of the resulting noise
levels for each of the alternatives? | 004
005

| **Some septic systems** in the West County are expected to be destroyed with some of
the mitigation and sub alternatives. The DEIR/EIS does not adequately examine this
probability. Who will be responsible for the affected septic systems? | Who will pay for
their replacement and maintenance? | What if the affected property owner does not have
adequate property to facilitate a new system? | Who will pay for the new land
(condemn?) necessary to construct a new system? | 006
007
008
009

| **The irrigation suitability in paragraph 2.2.1** is inadequately studied. The DEIR/EIS
acknowledges that not all land was surveyed or studied. Further, the United States
Department of Agriculture publication "Soil Survey-Sonoma County, California", last
reviewed and published in 1990, which is acknowledged to be an accurate and
010

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accepted reference source indicates specifically that the soils in the West County are 010
 of Steinbeck-Los Osos association and have a total available water capacity of 4 to 11 (cont.)
inches. The DEIR/EIS claims, within a few paragraphs, two different water capacities. 011
 One is 19 inches, the other is 23 inches. This variation is 21% in itself and varies from
 the USDA publication by 73% to 375%. How can this be justified? How can the 19 and
 23 inch numbers be substantiated? The study is inadequate and must be done 012
 thoroughly or accept the USDA data. If you will not accept the USDA data, the
 DEIR/EIS cannot be certified. Which will it be? In addition, a reference could not be 013
 found as to the water table level in the West County area. Has this been studied? How 014
 does this effect the water capacity of the West County? How will this be accounted for? 015

In Section 4.2 of the DEIR/EIS, reference is made to cancellation of Williamson Act 016
 contracts due to parcels remaining after selection, being smaller than 40 acres. This
 analysis does not account for the fact that Williamson Act parcels will need to be
 condemned to implement the West County alternative. The Williamson Act , in Govt.
 Code § 51290 and 51292(b) states that no condemnation of contracted land shall not
 take place if "there is other land --- on which it is reasonably feasible to locate the
 public improvement". The DEIR/EIS has four major alternatives that are not in the
 Williamson Act. This eliminates the West County alternative. The EIR has not
 accounted for this. How can the DEIR/EIS justify the West County alternative in light of
this? This same section 4.2 does not acknowledge that a significant amount of 017
 Williamson contract land would have to be condemned for the irrigation itself. This
 could be between 3,800 to 11,400 acres depending on the scope of the project. This
 just compounds the issue. How can the West County alternative be justified after the
 Williamson Act law is studied?]

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The EIR refers in several sections to crops to be considered for the agricultural options. It refers to a letter from Questa Engineering describing these crops. The EIR does not satisfactorily reflect the negative warnings included in the Questa Engineering letter. Here are some highlights: 018

- The shallow soils and generally poor drainage conditions in the West County are not conducive for the deep rooting requirements of orchards.
- Micro-climate conditions are not suitable for most wine grapes.
- Cool summers and pockets of summer fog may restrict growing of forage crops.
- Even where irrigation is available, alfalfa hay has not been grown very successfully.
- Since infrastructures are largely missing in the West County, rapid conversion of pasture and oat hay land is not currently expected.]

Most significantly, *no* economic studies have been done on irrigated crops in the West County. Can *any* crops be grown on a competitive basis? Can the massive transition be made and leave the agriculture participants in a position to compete on the open market with *any* existing producers? The EIR should reflect these facts and acknowledge that the growing of irrigatable crops in the West County is not viable. 019 020

The dam sites are on known active faults. Earth filled embankment dams do not offer much security to land owners and communities down stream, especially when the dams are an average of 2500 feet long and 250 feet high. The DEIR/EIS in § 3.4.1 to 3.9.3 indicate that when the dams break, there will be a wall of water from 15 to 80 feet high released. We do not accept that it will be built safely. Experience has shown that devastation happens. How can it be justified to consider selecting a project with such inevitable results? 021

The DEIR/EIS acknowledges that ground water will be affected in the West County. It is further suggested that drinking water will be brought in to those affected areas. It 022

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does not, however, indicate where this water will come from, who will pay for it, who will maintain it, and who will continue responsibility for it. What are the answers to each of these points? | 022 (cont.)

The DEIR/EIS acknowledges that both the Estero Americano and the Estero de San Antonio will be affected by a West County project. How can any project in the West County be justified in light of this? This requires much more than a brief answer! | 023

The West County Alternative is an irrigation project. If it is to be feasible it requires irrigators. The EIR devotes significant space discussing the feasibility and cost of obtaining about 300 acres for a reservoir site. It all but ignores the 6,500 acres required for the irrigation component. Section 3.1, page 36 and D06, page 25 of the EIR state that one of the primary reasons why the Chileno Valley Irrigation Proposal was not pursued was because of a lack of landowner interest. It then cites a preliminary survey of landowners conducted by Harland-Bartholomew that identified 3,450 acres of willing irrigators in the West County. There are no documents in the EIR to support this survey. The city has used this 3,000 acre figure to justify the West County Alternative to the public. | 024

That survey, conducted in 1994, consisted of a letter informing landowners that their property was being studied for a possible wastewater irrigation project, and a return postcard asking them if they wanted more information. The postcard clearly shows that those who responded were asking for information- they were not signing up to be irrigators. Early in 1995, the Agricultural Property Rights Alliance conducted their own survey in the form of a petition. The landowners who signed the document represent almost 26,000 acres in the West County, completely blanketing the project area. They state that they will not accept the wastewater for irrigation. Assistant City manager Ed Brauner has stated several times in public that, "If there are no irrigators, there is no project." The petition clearly demonstrates that the West County Alternative is an irrigation project that has no irrigators. To paraphrase Mr. Brauner- Since there are no irrigators, there is no project. Why does the DEIR/EIS not include this legal petition? | 025

In order to complete the project, the City would have to condemn land for a reservoir, for irrigation land, for pipeline and power line right-of-ways, | 026

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for pump stations, and for access roads. They would have to condemn about 10 to 15,000 acres. This would add about 50 million dollars to the price tag and force ranchers and dairymen from their homes and ranches. Why have these facts not been included in the DEIR/EIS?] 026 (cont.)

[**Final Biological Resources Technical Memorandum- Volume 1, A-12 The Carroll Road** 027
 Wildlife Species List is incomplete and inadequate. No attempt was made to contact the owners or manager regarding the wildlife they know to exist on the site. Jim Jacobs, Manager for Boothe Ranch, sent a bird species list to Joyce Hunting at HBA but it was not referred to or included in the studies. Since this is a reservoir site that would destroy habitat, all possible species should have been reported. No attempt is made here to list all species, just those commonly seen.] Mr. Jacobs has submitted a complete list of species known to be on the 028
 Carroll Road site for this DEIR/EIS comment review. These lists do not include accidentals or one-time observations. Jim Jacobs talked with Joyce Hunting of HBA and the biologist in charge of the surveys and informed them of these facts but no follow-up studies were done and no mention of these facts is in the DEIR/EIS.] Biological studies for the other West County 029
 sites were equally inadequate. How can informed evaluations be made?] How do you plan to 030
 update the DEIR/EIS to reflect an accurate biological evaluation?] This clearly affects the 031
 conclusions in the DEIR/EIS. How do you plan to account for this?]

[**Members of APRA have submitted** other points that must be considered before certification. 032
 They have submitted more detailed accounts of the above mentioned points. We do expect answers to each point or question. Attached to this letter is a list of members who have authorized this letter to be submitted.]

Again, please respond to Richard Shannon. I will distribute these responses to the attached list.

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Submitted by:



Richard Shannon
Chairman, APRA

Submitted for:

Albini, Americo
Albini, Louis
Allcorn, Vic
Angelesco, Nancy & David
Armstrong, Norm & Pat
Aughney, Elizabeth
Axelrod, Peter
Aycock, Otis
Azevedo, Ernest
Azevedo, Pete
Azevedo, Semax & Marilyn
Bailey, Thomas & Lynn
Baker, Dennis
Baptista, Adele
Baroni, Jim
Beal, Frederick
Beck, Leon & Nadine
Beebe, Wilson D.
Beeson, Mick
Benedetti, Willie, Walter & Aloha
Beretta, William
Bianchi, George
Bianchi, Paul & Helen
Bienhoff, Kathleen
Bissig, Richard
Blanchard, W.P.
Bles, John & Marlene
Bliss, Shepherd
Boatwright, Janell & Leroy
Bonini, William & Denise
Boothe, D.P. & Catie

Bordessa, Arthur
Bordessa, Gary
Borradori, Imelda
Bradley, Margaret & James
Brannndt-Hawley, Susan
Brazil, William
Briggs, Colleen
Briggs, Emmert
Bruhn, Les & Amelia
Burbank, Herbert
Burbank, Luther G.
Callahan, Cindy & Ed
Camacho, Marci & Don
Campbell, Yonne
Caselli, Gary & Bernice
Cerini, Butch & Gail
Cerini, Leroy & Joan
Cerini, Romeo
Chaddock, Nina & Shelia
Charter, Richard
Cheek, Ellen
Clapp, Mike/Page, Dominic
Coffin, Curtis & Jill
Coletti, Mary Blanchard
Collings, Eunice
Collings, Kathleen & Walter
Cook, Liz & Wayne
Cooper, Don
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Dallas, Valerie / Fuge, Eric
DeBernardi, Don & Bonita
Del Curto, Mike
Deniz, Raveill
Diaz-Romero, William
Dixon, Mike & Jenni
Doms, Juliana
Dogan, Roberta
Dunham, Roger/Courtwright, Carolyn
Dutra, Steve & Marilyn
Erickson, Lee
Evans, Roger/Smith, Linda
Feraco, Anna
Fero, Marc
Friedman, Nancy
Furlong, Greg
Furtado, Davide
Garcia, Fred/Mutto, Linda
Gemitsen, Gladys & Arnold
Glazier, Frank & Bea
Gledhill, Katherine
Gleiss, Carleen
Graham, Carl
Graham, Olivia
Greppi, Chester
Gruget, Bernard
Hamilton, David
Hanlein, Jon & Elizabeth
Hannan, Lynne & Lee
Harper, Michael
Hernandez & Cunningham
Herrerias, Bob
Herrerias, Ron
Hess, Daniel & Sharon
Houtz, Forest & Heidi
Howell, David & Rachelle
Hurlbutt, Gina & Dan
Ielmorini, Leo
Jacobs, Fred & Marianne
Jacobs, Jim & Nancy
Jacobsen, Julie & Ray
Johnson, Linda
Johnson, Mark
Joseph, Kenneth

Kaplow, Roanne & David
Kettler, Kathryn
Kibler, Karen
Kieffer, Rita & Charles
Kirkland, Tom
Klein, Darrell & Clo
Landis, Ray
Lehman, William & Marie
Lepori, Becky & Pete
Lindsay, Gary/Shormann, Linda
Maffia, Steve & Jean
Maloney, Kevin & Mike
Marcucci, Al
Martin, Andrew & Virginia
Martin, Ken
Martin, Paul
Martinoni, Alfred & Bernice
Marvier, Philip & June
Matteri, Robert & Jean
Matthews, Jeff & Christina
Mattos, John
Mazetta, Ken & Clarence
Mazzuchi, Armond
McDonald, Dorothy
McIsaac, Denise & Neil
Meadows, Harold
Merga, Ray
Moody, Steve
Moreda, Darlene & Jim
Mossi, Stanley & Karen Marie
Murphy, Gerald
Myers, John, Doris & William
Nadale, John & Dorothy
Nunes, Judy
Olsen, Eric
Olson, Susan
Orr, Trent W.
Padbury, Jack & Connie
Pagliaro, John
Pallo, Dan & Wendy
Pallo, Diane
Pallo, Raymond
Pearlman, Derek & Jennifer
Piccinotti, Marilyn & Vernon

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Piccinotti, Vern
 Pilegaard, Solveig
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 Ponte, Joe
 Porter, Charles
 Porter, Jim & Wendy
 Pozzi, Ed
 Pruett, Jim, Jeff, Jean & Jay
 Pulis, Leonie
 Radin, Seymour & Jessica
 Raggio, Nancy
 Rake, Dorothy J.
 Raven, Hans
 Reeves, Chuck & Nancy
 Renati, Rocky & Elenore
 Righetti, Christine
 Righetti, Frances & Sharon
 Roberts, Shirley
 Sanchez, John
 Schell, Susan
 Schmitt, Lynn
 Scholze, Rozlyn
 Scott, John & Anna
 Secco, Priscilla
 Shannon, Dick & Deleaua
 Shurtcliff, Lawrence & Francis
 Sikes, Craig
 Silacci, Larry
 Silva, James
 Silva, Stan & Marge
 Silvestrini, John
 Sivestrini, John
 Soares, Ronald
 Soldati, Al & Armeda

Sonnichsen, Mable
 Soreng, Keith
 Souza, Ron
 Spaletta, Henry & Elaine
 Spicer, Susandra, Vince, Crilly
 Spinhoven, Jack & Elena
 St. Anthony Farms
 Stein, Leonard & Tissa
 Sterner, Betty
 Strozzi, Richard & Arianna
 Swenson, Gordon
 Swenson, Riona
 Tamba, Linda & Frank
 Terribilini, Frank
 Thompson, Kerin (CA. Farmer)
 Tischler, Jim/Head, Susan
 Tremari, Joe
 Tremari, Les & May
 Tresch, Joe & Kathy
 Upton, Edwin
 Van Eck, John & Joanne
 Waelbing, Clarence & Louise
 Wallace, Dorothy / Nugent, Fernando
 Walton, Bill & Janet
 Wambald, Karen & Bill
 Ward, Richard/Edger, Debra
 William, William B.
 Wilson, Kenny & Clarette
 Wilson, Ron & Kathy
 Winkelman, Anton/Peterson, Linda
 Witt, Martin
 Wright, Anthony
 Yarish, Tom
 Zimmerman, Stuart & Clorinda

