

The following "letter" is a transcript of the September 24, 1996 meeting of the Santa Rosa City Council, the Board of Public Utilities, and the Army Corps of Engineers.

Mayor Wright:

Let's call to order the meeting of the Santa Rosa City Council, the Board of Public Utilities, and the Army Corps of Engineers.

Before we start the formal part, I have a couple of announcements that I want to make to make sure that the meeting is orderly, and safe, and comfortable for everyone who is in attendance today.

First of all, I want to announce that if there are individuals who need listening-assisted devices, we do have a limited number of listening-assisted devices available. You need to go out to the front lobby and they will make those available for you.

Second, we do need you to fill out a card. Dave Pinsky and Scott Steinbaugh, other members of our staff have the green speaker cards. You must fill out a card in order to be recognized to speak. We will collect those cards, have your names on a viewfoil, so that you will know when it's your turn to come to a microphone.

A couple of other things -- I know this is an emotional issue. You all have a message you want to get out to us. I would ask that you be respectful of the people that are sitting behind you if you have signs that you want to hold up, so that you don't block their view, and if you have signs you want to hold up continually, we ask you to go to the back of the room and stand in the back. We have a request from the fire marshal. The fire marshal has asked for you to sit in any of the empty seats that will help us in crowd control, and -- rather than stand in the back, which contradicts a little bit of what I said, but those are ones with the signs. So those in the back, if you would find a seat, that would be helpful. At this time, this is the time that we call for personal appearances. This is for anyone who wishes to speak to this board on anything that is not on the agenda. That is not on the agenda today. If there is anyone who wishes to speak to the council or the BPU at this time, they should go to a microphone, give their name and address for the record, and limit comments to three minutes.

Seeing no one rise, we will move on to -- to the reason that we are all here today, which is the public hearing on adequacy of the EIR/EIS.

I would like to read some prepared statements to help get us through the procedures that we will be going through today.

This is a joint public hearing by the Santa Rosa City Council and the Santa Rosa Board of Public Utilities and the U.S. Army Corps of Engineers. Today the corps is represented by Lars Forsman, who is -- excuse me -- seated with us. He is at my far right. And Lieutenant-Colonel Richard Thompson will be here in about a half an hour and will assume his seat with the hearing board.

Our Board of Public Utilities chairman Tom Yokoi could not be here, but he will review all of the tapes and all of the actions prior to him taking action on the EIR. This hearing is being conducted to receive oral and written comment from local, state, and federal

governmental agencies, groups, and interested individuals on the adequacy of the Draft Environmental Impact Report and the Environmental Impact Statement for the Santa Rosa Subregional Long-Term Wastewater Project dated July, 1996. The Draft EIR/EIS was released on July 31st, 1996, at which time the comment period began. The comment period is scheduled to close on October the 7th, 1996.

In addition to any testimony received today, agencies, groups, and interested individuals are welcome to submit written comments within the comment period. In fact, given the number of people who may wish to speak to us today about the Draft EIR/EIS and the short time available for each speaker, more detailed comments are encouraged to be placed in writing and submitted to us, and there are boxes in the back of the room where if you have written information we would ask that you drop that off to make sure we have all of that. Today's testimony is being recorded by a court reporter, audio taped, and video taped.

All testimony given today and all written comments on the Draft EIR/EIS submitted during the comment period will receive written comments in the Draft -- in the Final -- excuse me --EIR/EIS.

Today the hearing board, staff, and consultants will not be answering any questions about the document. That will be done in writing in the Final EIR/EIS. There have been many people who have participated in the preparation of the Draft EIR. Their comments and concerns have been incorporated in that document. I do want to point out to you that only the comments received during this comment period which opened in July and closes October 7th will become a part and receive responses in the Final EIR/EIS. In the interest of time and the many speakers we anticipate, we've established a few ground rules. All speakers are required to fill out a speaker card so that we may put the speakers in order and maintain an adequate record of each speaker. We will ask for comments from elected officials first, then comments from local, state, and federal agencies next, then others are invited to comment. Within those groups, comments will be taken in the order that the cards are received. We will periodically post names of speakers, so that those whose time is approaching can prepare themselves to be ready to move to a microphone. We're limiting statements to five minutes. However, at the end of the time that everyone has spoken and wishes to speak, if we have additional time, the hearing board may decide to hear additional comments if you have more that you would like to add.

Staff will keep track of the time and will indicate a card having one minute remaining, and when you're out of time. In addition, we have an electronic timer that is on the center podium. It will give you -- it indicates the time. It will give you, I think, 30 seconds and 15 seconds and then a yellow light will come on at 15 seconds, and it will beep at -- when your time is up.

If you are out at the podium to my left, to your right, you will not be able to see that. It won't be as visual. It's only mounted on the one. So you'll have to listen to that note. I'll

forewarn you. This is a technique that has been used successfully, and we feel that this is the best way for us to receive comments.

This hearing will continue to the dinner hour, then a break will be taken and we will commence again at 7:00 p.m. in this room. It will then continue until there are no more speakers, or until those holding the hearing decide that they have -- need to take a rest.

If there are more speakers at that time, we will discuss and make a decision about any continuation of the hearing.

I would like to point out that the process from here to any ultimate decision about the project is somewhat different from the California Environmental Quality Act, or CEQA, and the National Environmental Policy Act, NEPA. Specifically, pursuant to CEQA, a Final EIR will be prepared with a summary of all comments, responses to the comments, and any revisions deemed appropriate by the authors of the Draft EIR. The Board of Public Utilities and the City Council will then be asked to make a determination about the adequacy of the Final EIR.

If the Final EIS is deemed to be adequate, the U.S. Army Corps of Engineers has asked the City to identify a preferred alternative based on the Final EIR. If that preliminary preferred alternative is one which requires actions by the U.S. Army Corps of Engineers, the City is required to complete the appropriate applications for federal permits and make any other changes in the documents which the corps deems to be appropriate to conform with federal regulations.

Then the Corps will oversee the preparation of the Final EIS, which will be circulated for comment to federal agencies and other interested parties according to the regulations of the corps of engineers. The corps retains the discretion to have or not have additional public hearings on the document. It is important to note that the purpose of the hearing is to receive public comment on the adequacy of the Draft EIR/EIS.

If you disagree with any conclusion in the Draft EIR/EIS, it would be most helpful to provide data and evidence to support your viewpoint. This is not a hearing on a preferred alternative, and the advocacy of one alternative over another alternative is not useful in discussing the adequacy of the Draft EIR/EIS.

After the City has certified the Final EIR as complete and begins its deliberation of a preferred alternative, there will be additional public meetings and opportunities for comment.

As I have stated before, it would be helpful to submit detailed comments in writing and summarize your views in your testimony. Not only does this save time, which may be needed by others to comment, but it allows for its consultants to understand more clearly the comments you are making. It's not necessary for to you repeat what others have said. Every comment will receive a response. If the comments are the same, they will be grouped and receive the same response.

The evaluation of the adequacy of the consultants and persons holding this hearing will not be determined by the number of persons who hold a particular opinion. As the chair of this hearing, I reserve the right to ask the speakers to limit themselves to comments germane to the question of adequacy of the EIS and the EIS. We appreciate all of you coming today. We look forward to hearing your comments on the Draft EIS/EIS, and I would like to introduce our Assistant City Manager Ed Brauner, who will provide additional guidance to this meeting.

Mr. Brauner:

Thank you, Madam Mayor. I only have a couple of very brief comments that I'd like to make, and the first is to reaffirm the position that the Board of Public Utilities has taken, in that there will be a decision process after the EIS is certified that will include public participation, so that people can have direct involvement in the actual decision process. That would be sometime after the first of the year, after the EIS is certified. So there will be additional public participation in that decision process.

One other brief statement. There was some information that was sent out to the public about the aquifer storage and recovery component of this project that was considered earlier, and I wanted to make sure that everyone was aware that aquifer storage and recovery is not a part of this EIS. So it's important to understand that if that should go forward in the future, it will be a separate process and you'll have an opportunity to participate in that at that time. But the aquifer storage recovery is not a part of this project and is not being evaluated in this EIS. That's all the additional comments I have.

Mayor Wright: thank you. At this time we will -- to make it official, we've all waited so long for it to happen -- I would like to open the public hearing on the EIS/EIS for the Subregional Systems Draft Environmental Impact Report. And do we have the -- okay. Our speakers list is as follows. Your names are up here. Mr. Reilly is first, followed by James Sorrells, followed by Norman Grib.

Do you want this microphone? The other one has the timer.

That's fine. Good. So, as you come to the microphone, I would ask that you give your name and address for the record, and if you could limit your comments to five minutes.

PUBLIC COMMENTOR 200 - MIKE REILLY, SEPTEMBER 24, 1996

001

Madam Mayor, Members of the Council, and Board of Public Utilities, my name is Mike Reilly. I'm candidate for supervisor in the 5th district. I understand that the purpose of this hearing is to accept comments relative to the adequacy of the Draft EIR/EIS. I must, though, preface my comments regarding adequacy of this document with some broader observations borne of my 11 years involvement with this issue. I was at the first meeting in 1985, when City representatives informed state and county officials that a massive illegal release of sewage into the Russian River was imminent and could not be avoided. In that single act the City damaged the river and put the health and economy of thousands of residents along the lower Russian River at risk.

At that time and at the urging of state water authorities, Santa Rosa officials promised a long-term solution that would end discharge to the river. The Russian River, then as now, is the single most important environmental and economic resource in Sonoma County. It is vital both to tourism and to agriculture and serves as the drinking water source to 600,000 people in our region. It needs and deserves protection from all of us. So now as we look at the adequacy of the Draft EIR, we find a report which concludes that the least costly and environmentally preferred alternative is discharge to the river of up to 20 times the currently allowable rate.

This both defies reason and ignores history. | This EIR is a plan first and foremost to accommodate future growth in our county. |

002

I want to tell you as clearly as I can, we should not and we will not allow the Russian River to be jeopardized for the purpose of promoting growth in Sonoma County. The council needs to aggressively scrutinize the adequacy of these findings prior to certification. |

003

A major failing of the EIR is the decision to exclude study of small storage facilities. All of the irrigation-reuse alternatives are burdened with the up-front cost of major storage facilities. These expensive projects which would be financed by rate payers with years of interest costs constitute a major barrier to the economic viability of reuse alternatives. |

004

Your cost benefit analysis concludes that there are significant job and economic benefits to expanded agricultural reuse and zero benefit forever to river discharge. The projected number of new jobs created by reuse alone could equal another Hewlett Packard in our County. Virtually everyone agrees that reuse is preferable if it can be made affordable to rate payers. There are water quality districts in California which require 100 percent reuse. |

005

The Draft EIR fails to seriously explore a phased, pay-as-you-go project which would involve many smaller storage sites and the potential for cost participation for farmers through government grants and loans not available to the City.

006

The Koretsky-King study identified some 50 potential sites in the South County alone. The ability of agricultural partners to gain necessary permits for storage on private land are vastly simpler and less costly than City costs for major storage sites.

The pipeline to the Gallo storage site in Cotati cost the City less than 1 million dollars. 50 such projects would cost far less than the 250 to 350 million dollars price tag of major storage sites studied in the EIR. The City should not certify a study which does not include the study of these rational alternatives. To comment on other issues. There's growing evidence that both construction and maintenance costs for the geyser alternatives, the next least costly project to river discharge, may be substantially reduced through changing the route and downsizing the pipeline and by operational cost sharing which was not factored into the study. There are also irrigation options associated with this project not adequately investigated in the EIR. Further, injecting to the geysers at a lower flow rate to reduce the stimulation of seismic activity could allow for a continuation and even expansion of agricultural reuse. The Draft EIR is woefully inadequate in addressing the potential impacts of river discharge on area tourism. We have documentation of those impacts from 1985 when the City paid for hundreds of thousands of dollars in damages to the river economy. In a highly competitive arena, our success in attracting visitors to our area depends as much on perception as reality. Any decision to pursue river discharge will damage tourism.

While West County storage alternatives included expensive water aqueducts to provide wells, no such mitigation was proposed for the Laguna alternative, despite the fact the City wells in Sebastopol draw 70 percent of their water from there.

Mayor Wright:

Your five minutes are up, Mr. Reilly, would you wrap up, please, sir?

MIKE REILLY:

I'm asking you as responsible officials to consider how this project may benefit the future of our county. There are a hundred applications for diversion -- water diversion from the Russian River. We're projected to deplete our available drinking water supply by the year 2030. Much of the current and projected use of river water is for agricultural irrigation. The use of 20 plus million gallons a day of treated wastewater for irrigation could defer for a generation or more the need to construct major new drinking water facilities for our population. The economic and environmental cost of a new dam will be vastly more expensive to our children than the projects we are discussing here. In conclusion, I want to restate my opposition to any increase in discharge to the Russian River and to call on you to keep your promise to end discharge in the Russian River.

Reuse is the only truly sustainable alternative here. Do not certify an EIR that does not include affordable small scale reuse alternatives. If you need more time, take it. Let us work with you in achieving a solution that benefits all Sonoma County. Thank you.

Mayor Wright:

James Sorrells. I would ask you -- yeah, if you could be ready, that would be helpful. Followed by Norman Grib, followed by Dr. Dan Wickham.