

PUBLIC COMMENTOR 216 - BILL MAILLIARD, SEPTEMBER 24, 1996

095

Good afternoon. My name is Bill Mailliard. I live in Petaluma , and I have my law practice in Santa Rosa. I specialize in environmental and land use issues.

I was originally designated to try to summarize for all of the SCOR members you've already heard, but I'm going to try to spare you that, based on madam mayor's admonition not to repeat ourselves. I sense a little frustration with some members of the panel that we seem to be talking about alternatives so much, and not about the EIR. But in fact, it is the absence of alternatives in the EIR that is essentially the problem. The EIR is based on a -- well, basically four what I call big bang, big buck projects. Now, it's easy for people to say "oh, well, it allows for a little mixing and matching," but when you mix and match, you're still mixing and matching four big bang projects. And in my opinion, the EIR has just not left room to accommodate what are basically the four elements you've been hearing about, not only from SCOR representatives, but from almost every speaker who's been up here, which is phaseability, economic responsibility, environmental responsibility, and room for public private partnership .

I don't think the EIR does that. I also agree that the EIR's comparison of costs among the projects it does consider is a little misleading. I want to close by pointing out one risk that I haven't heard anybody address, and that is this -- I would caution you against the assumption that sending the water to the river is without risk. Your access to the river, after all -- and this is from a businessman's point of view -- practical point of view, not an environmental point much view -- your access to the river is in the hands of a number of federal and state agencies which have regulatory jurisdiction over the Russian River basin. Thus, you are giving control of your ability to dispose of wastewater in the river to bureaucrats in Washington who can -- or Sacramento -- who can do everything from changing the criteria for judging cleanliness to adding new species to the endangered species list, all of which may have a trickle-down effect upon your ability to make the river project proposal do what you want it to do. In other words, by going to the river, you give up local control of your operation and leave yourself at the mercy of Washington D.C. And Sacramento, whereas we all know the political winds are forever changing. Thanks once again for your attention.

096
097