

CITY OF SANTA ROSA
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OCT 02 1996

DEPARTMENT OF
COMMUNITY DEVELOPMENT

Bob Smithfield
P.O. Box 1113
Fairfax, CA 94978-1113

Marie Meredith
City of Santa Rosa Community Development Dept.
P.O. Box 1678
Santa Rosa, CA 95402-1678

Dear Ms. Meredith,

Oct. 1, 1996

Enclosed are comments I have prepared as an interested individual and which I submit for consideration and inclusion in the Final EIR/S. These comments are on the 1996 Draft EIR/S, Santa Rosa Subregional System Long-Term Wastewater Project.

These comments are distinct from and additions to comment made and submitted previously for the record.

Please notify me promptly if there are difficulties evaluating and responding to my comments.

Sincerely,
Bob Smithfield
10/01/96

Comment for the record, Bob Smithfield, P.O. Box 1113, 001
Fairfax, CA 94978-1113.

Comments refer to DEIR/S, Vol. 1, 1-31, 32; DEIR/S, Vol. 2, Land Use, 4.1 and Agriculture, 4.2; and DEIR/S, Vol. 6, Land Use, Vol. 6., Agriculture, Appendix E.

The CEQA deficiencies noted herein are: significant omission; insufficient detail; and, inadequate information for the public and decision-makers about the environment in the vicinity of the project, from both a local and regional perspective...." (CEQA, Guidelines, #15125). Also, note in Discussion in CEQA #15125 cited above, "Because the concept of a significant effect on the environment focuses on changes in the environment, this section requires an EIR to describe the environmental setting of the project so that the changes can be seen in context...." (ibid). Furthermore, note in CEQA, Appendix G, Significant Effects, p. 194, "A project will normally have a significant effect on the environment if it will: (a) Conflict with adopted environmental plans and goals of the community where it is located;..." In addition, and of critical merit to the meticulous adherence to CEQA aims to obtain useful public participation we read, "(a) Determining whether a project may have a significant effect plays a critical role in the CEQA process...(c) In determining whether an effect will be

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adverse or beneficial, the Lead Agency shall consider the 001
 views held by members of the public in all areas affected. (cont.)
 If the Lead Agency expects that there will be a substan-
 tial body of opinion that considers or will consider the
 effect to be adverse, the Lead Agency shall regard the
 effect as adverse." (CEQA, Guidelines, #15064)

The DEIR/S asserts "Land Use / No supporting documents 002
 produced" and proceeds to evaluate and report on land use
 issues raised by the proposed Project primarily using and
 referencing existing political land use plans and land
 use categories, e.g., county and city General Plans and
 zoning ordinances and state agricultural land rankings.

The DEIR/S proceeds to such assertions as:

"...None of the reservoir sites are within Community
 Separators as defined in the Sonoma County General
 Plan." DEIR/S, Vol. 2, Land Use, 4.1-29;

"The change in land use on the reservoir sites from
 agricultural operations to facilities for the storage
 of reclaimed water will not result in a change of use
 from rural to urban. Water areas are considered to be
 open space under the Open Space Element of the Sonoma
 County General Plan." DEIR/S. *ibid*;

See also, re: Bloomfield site, more of the same sort
 of assertion in the DEIR/S, again, Vol. 2, 4.1-29. See
 also, DEIR/S: Vol. 1, 1-31; and, Vol. 2, 4.2-15.

The DEIR/S caps its assertions with: "Mitigation: No
 mitigation needed." DEIR/S, Vol. 2, 4.1-29.

This last assertion is only the most egregious and
 defiant, most preposterous expression of the tendency of

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the DEIR/S to selectively limit land use issues to a too 002
 narrowly focused context. These assertions are part of (cont.)
 the context, but only part of the context required by CEQA
 to be included. Cumulatively, these assertions are not
 sustainable given the magnitude of specific public comment
 on record on resource use conflicts and environmental
 impacts inherent in and specific to the proposed project.]

Public input about the existing conditions within and 003
 potential Project area context point to specific impacts
 which are analyzable under CEQA, which in fact CEQA
 insists, legally, be analyzed: sec. 10564 (c). "If the
 Lead Agency expects that there will be a substantial body
 of opinion that considers or will consider the effect to
 be adverse, the Lead Agency shall regard the effect as
 adverse."

In fact, public comment in public and Project-related
 forums provide factual information on proposed Project-
 area rural land use and agricultural community land use
 practices which currently exist and are consciously
 intended to be perpetuated. The diverse valued ways of
 living on the land and in association with the resources
 of the land that the members of the public have are
 entered in
 the record time and time again, not limited to but very
 strongly and notably in regard to the position of the APRP

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and the numerous individual and group positions on the proposed Project West County alternatives on the Stemple Creek/Estero de San Antonio and Americano Creek/Estero Americano watersheds and the GFNMS (this public expression is described and documented in more detail below).

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(cont.)

The presence of these facts demand both that the DEIR/S include these facts to accurately describe the context for proposed Project actions and impacts and evaluate the actual opportunity for and obstacles to realization of the proposed Project components and alternatives.

So, for example, the Agricultural Property Rights Alliance (APRA) provides focused and numerous facts and expressions of public sentiment from a significant portion of the agricultural community in the proposed Project area. These facts and expressions are both directly Project-related and generally instructive in obtaining public views about chosen agricultural practice in the project area. It should be clear to the authors of the DEIR/S that APRA's members' positions bring into question the very feasibility of many proposed Project assumptions and alternative components having to do with storage reservoir siting and agricultural reuse of the treated wastewater in West Sonoma County (refer, for example,

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"Blackman & Brauner Cast Jaundiced Eyes on Red Zone Map", J. Jacobs, Sonoma County Environmental Impact Reporter (SCEIR), May/June 1995 ed., p. 9;

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(cont.)

"The West County Reclamation Alternative: A Pipeline to Ecological and Human Disasters", D. Klein, SCEIR, May/June 1995 ed., p. 7;

"Santa Rosa Declares War on West County Ranchers", S. Bliss, SCEIR, Feb. 15/Mar. 15., 1995 ed., pp. 1, 22-24;

"Santa Rosa Invades West County...", J. Jacobs, SCEIR, Mar/April 1995 ed., pp. 1, 10, 11.]

Another significant omission of the DEIR/S in respect of the Land and Agricultural use and conditions context and in the context of proposed Project-area Aquatic and Terrestrial Biology is riparian habitat restoration. A wonderful and effective alliance exists among local people and other organizations in the Brookside Elementary School "Shrimp Club". The Club was formed as a result of extensive and dramatic publicity about the discovery of the presence of Syncaris pacifica, a species of freshwater shrimp in the Stemple Creek/Estero de San Antonio watershed in the immediate vicinity of one of the proposed Project dam and storage reservoir sites. The restoration partnership between resident ranchers, other members of the public, and children and teachers of Brookside Elementary School (San Anselmo, CA), Americorps, and the members of the Stemple Creek Advisory Committee has been

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successful and widely publicized. See, for example:
 "How Students Are Saving Rare Shrimp Species",
 Geo. Snyder, San Francisco Chronicle, April 8, 1995,
 pp. A17-A18; 004
 (cont.)

"Shrimp Club Restoring Stemple Creek", N. Scolari,
 SCEIR, May/June 1995 ed., p. 11.]

Another gross omission in these contexts is the entire 005
 lack of evaluation and reporting of the Button Ranch,
Sonoma County: Preliminary Site Assessment of the Property
as a Potential Addition to the University of California
Natural Reserve System, for UC Davis NRS Advisory
 Committee, March 25, 1992. This and the final report
 constitute findings of significance which are known
 publicly and to the City of Santa Rosa and provide
 a substantial contribution to any description of the
 West Sonoma County proposed-Project area, particularly
 in view of the DEIR/S assertion of continued interest
 in a Two Rock storage reservoir.

There is also the omission of very substantial 006
 and significant public interest in the integrity of the
 jurisdictional authority and physical and biological
 integrity of the Gulf of the Farallones National Marine
 Sanctuary (GFNMS) and its diverse estuarine and marine
 resources. West Sonoma County lands and watershed
 resources, as well as the people of the farm and
 mariculture communities of coastal Sonoma and Marin

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counties, are directly contiguous to the sanctuary.

Individually and through the public education and legal intervention efforts of groups such as Friends of the Esteros, citizens have let the City of Santa Rosa and its generations of Project consultants know that the Sanctuary is a resource which must be entirely protected and conserved, that the proposed Project must avoid impacts to the Sanctuary. For example, see:

"Santa Rosa Declares Water War on West County Ranchers", J. Jacobs, SCEIR, Feb. 15/Mar. 15, 1995 ed.;

"The West County Reclamation Alternative: A Pipeline to Ecological and Human Disasters", D. Klein, SCEIR, May/June 1995 ed.;

Tentative Statement of Decision, Superior Court No. 194467, Superior Court of California, County of Sonoma, Honorable Elaine Watters, Judge of the Superior Court, Santa Rosa, CA, Oct. 1992.

The DEIR/S's abstract reference to GFNMS existence, jurisdiction, and public position on avoidance of impacts is inadequate. The public record provides overwhelming support for inclusion of a detailed evaluation of just how integral the GFNMS resources is to the proposed Project-area human communities and how significantly adverse is the public opinion to Project impacts on its authority and resources.

The public comment on its relationships with and senses of value of the GFNMS brings into stark relief

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issues of proposed Project element feasibility, as well as
Just how appropriate is it to assign Project elements
with the status of feasible if the engineering and
operation designs and economic costs must satisfy
impacts avoidance and mitigation so nearly perfect
that they elude practical levels of estimation and
description and the public tolerance of avoidance and
mitigations failure is zero? In such a public perceptual
and GFNMS jurisdictional environment (or context), what
becomes feasible? The DEIR/S must thoroughly explore
these issues.

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(cont.)

In conclusion, it is imperative that the deficiencies
of the DEIR/S described and explained herein be amended.
They significantly impair the documents' usefulness and
legality. |

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