

## **COMMENT LETTER 524, JUDITH OLNEY**

### **Response to Comment 524-1**

*Comment Summary: The comment states that the Project Description is incomplete and the document does not meet either the letter or the spirit of CEQA or NEPA.*

This comment does not state what is missing from the Project Description, or what aspect of CEQA and/or NEPA is not met. Therefore, no further response to this comment can be provided. A more detailed response to specific comments is provided in Responses to Comments 524-2 through 524-26.

### **Response to Comment 524-2**

*Comment Summary: The Subregional System growth projections do not justify the amount of wastewater proposed for disposal. Additionally, the alternative of “no disposal in the Geysers” should be evaluated.*

This comment does not state in what way the growth projections used in the Draft EIR are either not justified or are not related to the calculations of the amount of wastewater used in the project impact analyses. Please see Master Response H – Proposed 25.9 mgd Capacity regarding the calculation of future wastewater flows.

Concerning the analysis of alternatives, specifically those relating to disposal at the Geysers, Section 2 - Project Description beginning on page 2-20, presents the seven alternatives, and the components that comprise each of them, that were evaluated in the Draft EIR. Alternative 5 – Geysers Expansion is one of the alternatives. The Geysers Steamfield Expansion component is also assessed as part of each Alternative where it is included, as appropriate. The Project Description states that not all of the alternatives would individually be able to provide reliable capacity for future flows; therefore, implementation of the IRWP may require a combination of alternatives. Furthermore, the document states that individual IRWP alternatives are not necessarily mutually incompatible. The City anticipates that when the IRWP is implemented various alternatives would be combined to provide reliable and cost-effective system capacity. The impacts of alternatives that do not include new flows to the Geysers have, in fact, been evaluated at a Program EIR level in the assessments of alternatives that do not include the Geysers Steamfield Expansion component.

The IRWP does not include an alternative to eliminate the existing Geysers Recharge Project, as such an alternative would not contribute to fulfillment of the IRWP objectives.

### **Response to Comment 524-3**

*Comment Summary: The Program description is incomplete if it does not address water rights impacts of the Program, which proposes inter-basin transfer of wastewater in exchange for appropriated fresh water.*

The IRWP does not include any appropriation of fresh water, either directly or as a transfer in exchange for use of recycled water. The only transfer of recycled water outside the Russian River basin is included in the Geysers Expansion Alternative, where a portion of the

recycled water may be injected into the steamfield within Lake County, which drains to Clear Lake or Lake Berryessa; or a small area to the southeast of Rohnert Park irrigation area that drains to the Petaluma River. The injection of water into these watersheds is evaluated in the Draft EIR both in the Water Quality Section, 4.6 and the Groundwater Section 4.5. The fact that the transfer is made from one basin to another does not cause additional direct or indirect physical environmental impacts and therefore does not need to be evaluated separately in an EIR.

The IRWP also does not propose any transfer or exchange of appropriative or riparian water rights. If water becomes available through the IRWP for such uses as landscape irrigation or agricultural irrigation, such use could replace the current use of potable water for such purposes. Indeed, replacing the current use of potable water for uses for which recycled water is suitable is one of the supporting program objectives (see Draft EIR, p. 1-3). The use of recycled water to replace the current use of potable water where appropriate is considered a beneficial impact of the project. Whether such use would result in the transfer of water rights is unknown.

#### **Response to Comment 524-4**

*Comment Summary: The comment questions whether CEQA allows decisions to be made based on technology, logistics and costs feasibility.*

CEQA contains a substantive mandate to avoid or substantially lessen the significant environmental impacts of a project whenever it is feasible to do so. (Pub. Resources Code, § 21002.) CEQA recognizes there may be circumstances in which avoiding or substantially lessening such impacts is infeasible, in which case the lead agency must adopt a “statement of overriding considerations” setting forth the reasons why the agency is approving the project despite such impacts. (See Pub. Resources Code, § 21081.)

CEQA acknowledges that alternatives must be feasible. Section 15126.6(a) of the CEQA Guidelines specifically states that “An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.” The City has considered a large number of alternatives, and some of them were determined to be infeasible based on technology, logistics and cost. Reasons are provided for all of these determinations in the Screening Report, which is contained in Appendix B of the Draft EIR.

#### **Response to Comment 524-5**

*Comment Summary: The comment requests scientific analysis showing the effect of recharge, reuse and direct and indirect discharge on groundwater, and asks whether the document discloses that any groundwater contamination is permanent.*

Section 4.5 of the Draft EIR evaluates impacts of project components on groundwater. With mitigation, IRWP groundwater impacts are found to be less than significant; cumulative impacts on groundwater are identified as significant and unavoidable. Project-specific CEQA documentation will be prepared for any projects proposed under the IRWP to evaluate the environmental effects of implementation.

### **Response to Comment 524-6**

*Comment Summary: The comment asks how cumulative impact analysis requirements can be met when environmental review is bifurcated between the IRWP EIR and Sonoma County Water Agency Project and asks about NEPA compliance.*

While the Sonoma County Water Agency (SCWA) North Sonoma County Agricultural Reuse Project is included as a cumulative project in Appendix D of the Draft EIR, the IRWP EIR does not rely on SCWA for evaluation of storage reservoirs or pipelines. The IRWP EIR evaluates, at a program level, all of the components (including pipelines and storage reservoirs) that might be implemented as part of the City's Program. The analysis is thus not "bifurcated". The IRWP also considers cumulative impacts with other water recycling, wastewater, and water resources projects, which are listed in Appendix D of the Draft EIR, including the SCWA North Sonoma County Agricultural Reuse Project.

The Sonoma County Water Agency continues to pursue its Northern Sonoma County Agricultural Reuse Projects and intends to hold public pre-scoping meetings regarding the project soon after the first of the year in January 2004. The Project is a recycled water distribution system in the Russian, Alexander and Dry Creek Valleys intended to offset surface and ground water used for agriculture. Recycled water would be stored in several off-stream reservoirs. The Project will provide a voluntary, alternative source of irrigation water to help reduce reliance on natural regional water supplies. The North County Agricultural Reuse Projects are proposed by a separate agency from the City, and are not part of the IRWP. The IRWP has independent utility, and does not depend on SCWA projects. Thus, the SCWA projects are not part of the IRWP.

No Federal action is proposed for the IRWP, so no NEPA documentation is required.

### **Response to Comment 524-7**

*Comment Summary: The comment asks how the Program EIR relates to subsequent project-specific EIRs.*

Please refer to Master Response G – Program versus Project EIR Studies. Project level impacts will be identified as individual projects are selected and evaluated. As projects may be phased over time, the precise time line for this cannot be provided at the present time.

### **Response to Comment 524-8**

*Comment Summary: The comment asks how project-specific EIRs will address cumulative and growth inducing impacts.*

Project-specific EIRs will use an approach similar to that employed in the IRWP Draft EIR. Cumulative impacts will be evaluated using both General Plan projections and the list approach. Projections from General Plans are listed in Appendix M of the Draft EIR, and a list of individual projects is contained in Appendix D. It is likely that the list of cumulative projects can be narrowed down for specific projects, but the list will also be updated as necessary. Further analysis of growth inducing impacts is not expected to be necessary, as the existing IRWP Draft EIR evaluates the impacts of the growth that would be

accommodated under the entire Program. Project-specific EIRs would reference the analysis contained in the IRWP Draft EIR.

### **Response to Comment 524-9**

*Comment Summary: Explain how the project description is complete given it discloses the Program's intent to recharge the drinking water aquifer with wastewater, but does not address the exchange of wastewater for potable water rights as described in the Sonoma County Water Agency's Policy Statement.*

The IRWP does not include a provision for directly recharging any aquifer with recycled water. An aquifer may be indirectly recharged with recycled water released to the Russian River, and the Draft EIR analyzes this impact on pages 4.5-50 and -51 of the Groundwater Section. The IRWP does not propose an exchange of water rights; please refer to Response to Comment 524-3. The City's IRWP is not subject to the County's statement regarding water rights. The City acknowledges the possibility that potable water rights could be exchanged for guaranteed recycled water, but the City does not propose such an exchange and therefore no analysis of impacts is required. Impacts of such an exchange by others are a matter of speculation and beyond the scope of this EIR.

### **Response to Comment 524-10**

*Comment Summary: The comment asks how the document complies with the requirements of CEQA and NEPA, and specifically references section 15065(a) of CEQA.*

The IRWP Draft EIR was designed to meet all of the requirements of CEQA for a Program EIR. The EIR is not a NEPA document, although it meets many of the requirements of NEPA, including analysis of alternatives at an equal level of detail. Section 15065 of the CEQA Guidelines states that:

A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where any of the following conditions occur:

(a) The project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory.

An EIR has been prepared for the project, so the City of Santa Rosa has fully complied with Section 15065 of the CEQA Guidelines. The Draft EIR evaluates impact to cultural resources and biological resources, including species of concern.

In particular, the significance thresholds for impacts to biological and cultural resources are consistent with the 'mandatory findings of significance' established by CEQA Guidelines section 15065(a). Thus, for example, an impact is considered significant if the project will reduce the number or restrict the range of a listed species. (See Draft EIR, Table 4.8-5,

which references section 15065(a) among other sources relied upon to develop significance thresholds).

### **Response to Comment 524-11**

*Comment Summary: The comment asks how the EIR addresses the requirements of laws that govern contamination of groundwater and inquires about the laws and requirements.*

Please refer to page 4.5-20 in Volume 1 of the Draft EIR. The Regulatory Framework portion of the Groundwater Section discusses applicable regulations protecting groundwater. The criteria for evaluating groundwater impacts are based on these regulations, and are summarized in Table 4.5-3, starting on page 4.5-24.

### **Response to Comment 524-12**

*Comment Summary: The comment asks where the impacts on groundwater are analyzed and where California Toxics Rule considerations on impacts to surface water are addressed.*

Groundwater impacts are evaluated in Section 4.5 of the Draft EIR, beginning on page 4.5-27. Surface water quality impacts are addressed in Section 4.6 of the Draft EIR. As noted on page 4.6-27 of the Draft EIR, “Numeric criteria are based on the California Toxics Rule and Basin Plan numeric criteria”. The analysis of surface water quality impacts begins on page 4.6-29. Please refer to Master Response J – California Toxics Rule and Advanced Membrane Treatment.

### **Response to Comment 524-13**

*Comment Summary: The comment asks how the document addresses requirements of the Endangered Species Act, as it applies to salmon and California tiger salamander.*

Please refer to the Section 4.8 of the Draft EIR, Biological Resources. Criterion 1 in Table 4.8-5, which starts on page 4.8-37, addresses the requirements of the both the Federal and California Endangered Species Acts (FESA and CESA). Impacts of all project components on endangered salmonids and the California tiger salamander are evaluated in Section 4.5. Mitigation Measure 3.3.10, Avoid Loss of Endangered Biological Resources and their Habitats, provides measures to protect California tiger salamander (see page 3-54) and steelhead, Chinook salmon and coho salmon (see page 3-55 and 3-56).

### **Response to Comment 524-14**

*Comment Summary: The commentator asks why the costs and impacts on rates for the Healdsburg, Windsor and Sonoma County Water Agency water users are not included in the analysis of Discharge and Indirect Discharge alternatives?*

Analysis of costs and impacts on rates from the Discharge or Indirect Discharge alternatives is not necessary to include in the Draft EIR because the discharge does not create health hazards for drinking water supply, and therefore Healdsburg, Windsor and Sonoma County Water Agency will not need to build treatment plants. Therefore, there are no costs or impacts to evaluate. Information on the feasibility of alternatives, including costs, may appear in the EIR or elsewhere in the record before the public agency. (See *Association of*

*Irritated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.)

### **Response to Comment 524-15**

*Comment Summary: The commentor asks where the Program describes the transfer of avoided costs resulting from the Subregional System ratepayers not paying for a Reverse Osmosis facility.*

See Response to Comment 524-14. The costs and impacts discussion presented above is accurate whether or not there is an Advanced Membrane Treatment plant constructed.

### **Response to Comment 524-16**

*Comment Summary: The comment questions the estimated costs for the RO plant and asks that a costs comparison of other RO plants be conducted.*

The advanced membrane treatment component comprises microfiltration (a membrane process), reverse osmosis (a second membrane process), and management of waste brine generated by both membrane processes. Therefore, this system is far more costly than a reverse-osmosis plant that might be used for desalinating ocean water to provide drinking water, which is increasingly common in coastal areas. Plants located in coastal areas typically dispose of their brine through a short ocean outfall, commonly called a “brine line.” Because a brine line is not available to the Subregional System, injection of brine into The Geysers Steamfield or crystallization and disposal of the residue in a hazardous waste landfill are the feasible disposal options. Both are far more costly in terms of capital and operating costs than a short coastal brine line.

Cost estimates for the reverse-osmosis component of the advanced membrane treatment system were developed using a model purchased from the U.S. Bureau of Reclamation. Raw costs for the reverse-osmosis component, not including contingencies, legal costs, engineering, or administration, are \$2.72 per gallon in 2002 dollars.

### **Response to Comment 524-17**

*Comment Summary: The comment asks for the rationale for eliminating discharge via injection wells in the Santa Rosa Plain, and asks why it doesn't apply to Indirect Discharge via wells above the public drinking water wells without prior Reverse Osmosis treatment.*

Please refer to the Draft EIR, Appendix N.2, TM 10, Indirect Discharge. As noted there, several locations for indirect discharge were considered, including locations along the Lower Reach of the Russian River and Mark West Creek in the Santa Rosa Plain. As described on pages 31 through 33 and summarized on page 3 of TM 10, “Several faults run north-south perpendicular to Mark West Creek east of the confluence with Laguna de Santa Rosa, which could limit groundwater movement through the area, and thus, make it unsuitable for development of this alternative”. The density of existing wells is also unfavorable, “with some of the more eastern portions of the study area having well densities of up to 100 wells per section. The areas near the Russian River have the lowest density (5 to 15 wells per

section in this study area. However, one set of SCWA Ranney intake wells is located just downstream of the confluence with the Russian River at Mirabel.” The Mark West study area was thus determined to be infeasible. As noted in the Technical Memorandum, some SCWA intakes would still be downstream of an indirect discharge location in the Santa Rosa Plain. The Lower Reach Russian River study area was also determined to be infeasible, because “acceptable soils are often completely in the floodplain and are often bounded by steeply sloping hills just outside of the river floodplain. The underlying geology does not contain significant water-bearing formation, which would allow infiltration.” As stated on page 3 of Technical Memorandum 10, “In general the study areas encompassing the Middle Reach Russian River, Alexander Valley North and South, and portions of the Dry Creek Valley appear to be the most appropriate for development of this alternative. These study area include larger tracts of land that are suitable for this type of use compared to the Lower Reach Russian River and Mark West Creek study areas. There are larger areas of suitable soils and underlying geologic formation outside the 100-year floodplain, and there are lower densities of existing wells.”

As noted on page 2-71 of the Draft EIR, “In order to meet the requirements of the California Toxics Rule (CTR) for discharge to surface waters, all of the Discharge options may include advanced membrane treatment to the extent needed to comply with CTR.” Advanced Membrane Treatment (AMT) techniques such as reverse osmosis would thus be used as necessary.

#### **Response to Comment 524-18**

*Comment Summary: The comment asks what the rationale was for eliminating discharge into Lake Sonoma, while retaining indirect discharge via infiltration basins that, according to the North Coast Regional Water Quality Control Board (NCRWQCB) are a “direct discharge into groundwater”.*

The comment is correct that infiltration basins are considered a direct discharge to groundwater. Discharge of recycled water to groundwater is allowable, and while infiltration basins are not a “planned groundwater recharge”, the NCRWQCB would likely use the Department of Health Services Draft Groundwater Recharge (DGWR) regulations in evaluating infiltration basins. These regulations provide measures ensuring protection of groundwater. Refer to page 4.5-20 in Volume 1 of the Draft EIR for a discussion of the DGWR. Discharge to Lake Sonoma was evaluated in the Screening Report for the IRWP, which is contained in Appendix B of the Draft EIR. Please refer to the discussion on page 3-25 and 3-26 of Appendix B, which concludes that because regulations for surface water augmentation have not yet been adopted, it is questionable if such a project is feasible. In addition, “no overriding benefits have been identified to warrant pumping the water up to Lake Sonoma so that it can be released and flow down into the Russian River, rather than discharging directly into the Russian River”. No surface water augmentation project has yet been implemented in California.

#### **Response to Comment 524-19**

*Comment Summary: The comment asks how infiltration basins will cleanse out heavy metals, and soluble and insoluble organic chemicals prior to discharge into the groundwater.*

As noted on page 6 of Appendix N.2, TM 10, Indirect Discharge, “The RWQCB recognizes a treatment credit through the vadose zone for the percolation pond technology. However, the RWQCB will not grant a treatment credit for the infiltration basin and injection well technologies because they do not allow for percolation through the vadose zone.” (The vadose zone is the unsaturated area between the ground surface and the top surface of the groundwater.) It is thus not assumed that infiltration basins will remove constituents in recycled water. Recycled water meets drinking water standards for heavy metals and organic chemicals.

### **Response to Comment 524-20**

*Comment Summary: The comment asks who will be liable for cleaning up or paying fines from an agricultural spill.*

Agricultural reuse falls under the current NPDES waste discharge permit, therefore, the City would be liable for cleaning up or paying the fines for a spill as determined by the Regional Board. However, it is possible that for future permits, others, in addition to the City will be named in the permit. In the event of an accidental discharge of a pollutant, the Regional Board would have enforcement authority to issue an order requiring corrective action and, potentially, imposing penalties. There is no way to predict whether or how the Regional Board will exercise its enforcement discretion, because that will depend on the particular facts of an unauthorized discharge. Mitigation is included in the Draft EIR that would reduce the possibility of a spill and minimize the impacts should a spill occur. Please refer to Measure 3.2.4, Implement BMPs for Runoff, Erosion, and Agricultural Chemical Use. Potential measures include small-scale drainage improvements (ditches and drain systems) for portions of fields where management practices are insufficient to preclude localized development of drainage problems.

### **Response to Comment 524-21**

*Comment Summary: The comment asks how the Subregional System can release control of the storage and discharge of wastewater that does not meet the standards of the CTR if the agricultural land managers accept the liability for surface water discharges.*

The IRWP does not propose to “release control of the storage and discharge of wastewater” because under the current and under future NPDES permits, the City is responsible for meeting the Water Reclamation Requirements (section D of the current NPDES permit). The City is responsible for complying with the terms of its existing NPDES permit. The City anticipates that will be named as a discharger on, and responsible for complying with, any future NPDES permits issued by the Regional Board. Please refer to Response to Comment 524-20.

### **Response to Comment 524-22**

*Comment Summary: The comment states that the Draft EIR does not provide information on the long-term impacts of recycled water use on soils, lacks studies on mitigation of bioaccumulation in soils, and also lacks studies on “the migration of chemicals through the soil and release of the chemicals when the soil exceeds field capacity.”*



Long-term irrigation impacts from the Agricultural Irrigation component are evaluated in Section 4.2, Agriculture, beginning on page 4.2-13 (Volume 1 of the Draft EIR). Impact 2.5.4 evaluates the impacts due to the buildup of trace elements or increased salinity. The document's conclusion is that the impact of utilizing recycled water for irrigation on concentrations of trace elements and increased salinity in the soils would be less than significant. The Draft EIR lists the references used in the soils impact analysis, and those documents are available for review as part of the EIR administrative record. The reference documents include:

- Canada, Government of, Prairie Farm Rehabilitation Administration. 2000. Irrigation and Salinity. June.
- CH2MHill and Winzler & Kelly. 2002. Technical Memorandum No. 5, Santa Rosa Incremental Recycled Water Program – Agricultural Reuse
- Environmental Protection Agency (EPA). 1993. Standards for the Use or Disposal of Sewage Sludge (Title 40 of the Code of Federal Regulations [CFR], Part 503), Federal Register (58 FR 9248 to 9404). February 19.
- Merritt Smith Consulting. 2002. Technical Memorandum No. 19, Santa Rosa Incremental Recycled Water Program – Effluent Quality, Reasonable Potential Analysis and Permit Limits.
- United Nations Food and Agriculture Organization (FAO), R.S. Ayers and D.W. Westcott, authors, 1985. Water Quality for Agriculture, Irrigation and Drainage Paper 29, Revision 1. Reprinted 1994.

The commentor is also referred to Draft EIR Volume 3, Appendix E.1 *Trace Loading Analysis*, for additional information.

Bioaccumulation, toxicity, and biostimulation in connection with water quality are examined in Draft EIR Section 4.6 Surface Water Quality, beginning on page 4.6-35. The evaluation of Impacts 6.5.1, 6.5.2, and 6.5.4 conclude that the Agricultural Irrigation component has less than significant impacts to surface water quality.

Concerning the impacts of the use of recycled water for agricultural irrigation on soil tilth and general productivity, the most relevant publication (Asano, 2003) presents the results of a five-year study (1980-1985) on the irrigation of vegetables with treated wastewater in the Salinas Valley of California. After five years, the results showed few statistically significant differences in measured soil or plant parameters attributable to three different water types (two types of reclaimed municipal wastewater, and well water). None of these differences had important implications for public health. The study concluded that yield of annual crops is often significantly higher with reclaimed water. Soil tilth appears from the literature to be much more sensitive to crop and soil management practices than the use of reclaimed water.

## Response to Comment 524-23

*Comment Summary:* The comment states that the Draft EIR does not address the potential economic impacts to the region's wine and agri-tourism industries from the use of recycled water for irrigation of wine grapes by influencing negative public perceptions of the County's water quality, soils, and quality of wines produced from vineyards irrigated with recycled water.

CEQA Guidelines Section 15131(a) states that: "Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes." This direction is further clarified in *Citizens Association for Sensible Development of Bishop Area v. Inyo* (1985) 172 Cal. App., 3d 151. In the court's decision, it held that "economic or social change may be used to determine that a physical change shall be regarded as a significant effect of the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic or social effects of a physical change may be used to determine that the physical change is a significant effect on the environment."

The issues raised by the comment are that (a) public perceptions of the use of recycled water for irrigating wine grapes would detract from the desirability of Sonoma County wines in the market, and (b) that the tourism industry would be impacted by the presence of non-potable water warning signs. No chain of cause and effect is found between the use of recycled water for irrigation and the resulting value of wines produced in Sonoma County. Instead, as stated on page 4.18-41 of the Final EIR/EIS for the Subregional Long-term Wastewater Project EIR/EIS, there is the potential for substantial increases in the values of crops, including wine grapes, through the increased availability of irrigation water. The City of Santa Rosa currently provides recycled water for about 14 vineyard users totaling approximately 1,800 acres of vineyards. There has been no problem with adverse perception regarding the quality of those wines. No problems are thus anticipated with irrigation of vineyards associated with the IRWP.

The potential negative public perceptions of recycled water were addressed the Final EIR/EIS for the Subregional Long-term Wastewater Project EIR/EIS Master Response 7 - Russian River Tourism. The response states that: "Improvements in the treatment process since 1988 have substantially increased the quality of reclaimed water to the point where it is perceived by some to be cleaner than river water." Numerous factors affect the tourist industry in Sonoma County including competition from other areas, weather, seasonality, flooding and flow conditions along the Russian River, wine industry-related special events, and others. It does not appear that the use of recycled water in agricultural irrigation would adversely affect tourism.

As the Court explained in *Friends of Davis v. City of Davis* (2000) 83 Cal.App.4th 1004, "CEQA and its implementing guidelines make it clear that social and economic effects are

not to be considered a significant environment effect and need be considered only to the extent they are relevant to an anticipated physical change in the environment or, on the basis of substantial evidence, are reasonably likely to result in physical change to the environment. Plaintiff's argument is that, because it is arguably possible that in some instances the establishment of a retail business may have social or economic effects, and because it is arguably possible that in some instances social or economic effects can cause physical changes in the environment, social and economic effects must be addressed in an EIR as a matter of law. We reject such an argument as flatly inconsistent with CEQA and its implementing guidelines.” In this case, the commentor speculates that the agricultural reuse component may adversely affect the wine industry. There is no evidence, however, of such an impact, nor of any physical environmental impacts there from.

#### **Response to Comment 524-24**

*Comment Summary: The comment asks why the EIR relies so heavily on Agricultural Reuse in North County when other areas such as South County have greater need for water and soils that are ideally suited for cleansing wastewater.*

The IRWP Agricultural Reuse Alternative includes areas in North County, “mid-County” near Windsor, areas East of Rohnert Park, and areas in the Santa Rosa plain. Little interest has been expressed for irrigation by South County landowners, and a South County project could be implemented as part of the Long-Term Wastewater Project, if desired, and supplemental environmental documentation were prepared as required. Please refer to Master Response A – Statements of Opinion for or against a Program Alternative or Component.

#### **Response to Comment 524-25**

*Comment Summary: The comment asks why there is so little analysis of wastewater disposal via silviculture, when many speakers during scoping recommended this option and it has several benefits.*

Please refer to Master Response D – Redwoods. Silviculture is specifically included in Alternative 4 – Agricultural Reuse.

#### **Response to Comment 524-26**

*Comment Summary: The comment states that the Draft EIR does not address comments made during the scoping process. Therefore, the previous comments also are attached to this letter.*

The referenced letter was included, and responded to, as Comment Letter 309 in the Incremental Recycled Water Program Scoping Report. Issues brought up in the letter, have been addressed in the EIR.

#### **Response to Comment 524-27**

*Comment Summary: The comment consists of an article titled “Groundwater Problems Caused by Irrigation with Sewage Effluent”.*

The article advocates groundwater impact analyses be conducted be performed for all “significant effluent irrigation projects”. There are no specific comments regarding the IRWP Draft EIR. Groundwater impacts are analyzed at a program level in Section 4.5 of the Draft EIR, and project-specific CEQA documentation will be prepared for any projects proposed under the IRWP to evaluate the environmental effects of implementation.

### **Response to Comments 524-28 through 524-31**

*Comment Summaries: This is an attachment to the comment letter and is a copy of a letter, including attachments to the letter, from Bishop’s Ranch to the City of Santa Rosa.*

This letter was included, and responded to, as Comment Letter 309 in the Incremental Recycled Water Program Scoping Report.

### **Response to Comment 524-32**

*Comment Summary: The comment consists of a letter from the California Department of Forestry stating that the Timberland Conversion Permit Application for the Twin Valley Ranch, Gallo Glass Company, requires the preparation of an EIR.*

The letter contains no comments regarding the IRWP Draft EIR. The City of Santa Rosa agrees that appropriate CEQA review should be conducted for timberland conversion.

### **Response to Comment 524-33**

*Comment Summary: The comment consists of an excerpted report prepared by Crop Care Associates, Inc. titled “Potential Problems from Irrigating with Wastewater” for an unidentified vineyard. The report addresses use of secondary effluent and concludes with the statement that the conclusions and/or recommendations in the report are site specific and directed to the specific and stated needs of the addressed clients only.*

The letter contains no comments regarding the IRWP Draft EIR. Please see the discussion in Volume 1 of the Draft EIR section 4.2 Agriculture, page 4.2-16, Impact 2.5.4 regarding the impacts to the buildup of trace elements or salinity in the soil, and the response to comment number 545-4. The IRWP proposes use of tertiary treated recycled water, not secondary effluent.

### **Response to Comment 524-34**

*Comment Summary: The comment consists of excerpts of information regarding the redwood demonstration project conducted by the City of Santa Rosa and Sonoma State University.*

The letter contains no comments regarding the IRWP Draft EIR. Please refer to Master Response D – Redwoods.

### **Response to Comment 524-35**

*Comment Summary: The comment consists of an article titled “State Forester Treats Waste with Trees”.*

The letter contains no comments regarding the IRWP Draft EIR. Please refer to Master Response D – Redwoods.